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STATE OF WASHINGTON
AT
OLYMPIA, THE STATE CAPITOL

2019 Regular Session
Convened January 14, 2019
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Volume 1



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Senator Karen Keiser, *President Pro Tempore*
Senator Steve Conway, *Vice President Pro Tempore*
Brad Hendrickson, *Secretary of the Senate*

SENATE CAUCUS OFFICERS

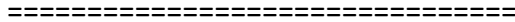
2019

DEMOCRATIC CAUCUS

Majority Leader..... Andy Billig
Majority Caucus Chair..... John McCoy
Majority Floor Leader..... Marko Lias
Majority Whip..... Mark Mullet
Majority Deputy Leader..... Manka Dhingra
Majority Deputy Leader..... Rebecca Saldaña
Majority Caucus Vice Chair..... Bob Hasegawa
Majority Assistant Floor Leader..... Patty Kuderer
Majority Assistant Whip..... Claire Wilson

REPUBLICAN CAUCUS

Republican Leader..... Mark Schoesler
Republican Caucus Chair..... Randi Becker
Republican Floor Leader..... Shelly Short
Republican Whip..... Ann Rivers
Republican Caucus Deputy Leader..... Sharon Brown
Republican Caucus Vice Chair..... Judy Warnick
Republican Assistant Floor Leader..... Brad Hawkins
Republican Assistant Whip..... Barbara Bailey



Secretary of the Senate..... Brad Hendrickson
Deputy Secretary..... Sarah Bannister

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FIRST DAY

NOON SESSION

Senate Chamber, Olympia
Monday, January 14, 2019

At 12:30 p.m., pursuant to law, the Senate of the 2019 Regular Session of the Sixty-Sixth Legislature of the State of Washington assembled in the Senate Chamber at the State Capitol. Lieutenant Governor Cyrus Habib, President of the Senate, called the Senate to order.

The Washington State National Guard Honor Guard, consisting of Staff Sergeant Nathan Snyder, Sergeant William Goodwin, Sergeant Zack Flynn and Specialist Zach Berg, presented the Colors.

Federal Way School District students: Miss Anitra Nansereko Kawuma; Miss Alondra Miranda Garcia; Miss Nattalie Robatty; and Miss Vallerie Robatty led the Senate in the Pledge of Allegiance.

The President introduced River Ridge High School students representing the American Sign Language Program, who performed and signed the National Anthem. They were led by Ms. Cathy Boos, Director.

The Washington State National Guard Honor Guard retired from the chamber.

The prayer was offered by Rabbi Seth Goldstein. Temple Beth Hatfiloh, Olympia.

Rabbi Goldstein: "Earlier this morning, I had the distinct pleasure of offering blessings across the way at the Temple of Justice, as we honored the returning and renewed members of the Washington State Supreme Court, the interpreter of the laws. And now I stand before you, our representatives and legislators, who craft the law, the foundation of our society. You, our Senators who take our values, our ideals, and craft them into policy. To this body and all assembled within, as you begin again this most important work, we ask for blessing.

In the Jewish liturgical tradition, we read a section of our Torah, our Scripture, in order each week on the Sabbath. This week we read from the Book of Exodus in which the Israelites are led out of Egyptian bondage by Moses to the shores of the Red Sea. And at a time when it seemed all hope was lost, Moses raised up his staff and the sea split, "the waters," as the text describes, "formed a wall on the right and on the left."

If only the way forward was that easy to discern.

We no longer have a Moses to guide us. But the task ahead is the same.

You, our legislators—with your own staffs—are entrusted by us the citizens of this State, to create a path forward. Rather than walls of water, may you hold back scorn and stubbornness, pettiness and negativity.

May you, our senators, find meaning in your work. May you face the challenge ahead to build a better society and State for all of its citizens with wisdom and courage, compassion and humility, discernment and curiosity.

As you work together, may you be firm in your convictions yet modest in your opinions.

May you treat each other with the respect befitting a fellow senator and dignity befitting another human created in the image of God.

May you recognize compromise as a sign of strength, not weakness.

May you remember that in this chamber the words 'majority' and 'minority' refer only to a number of seats, not who has a greater claim to truth, commitment, empathy or justice.

And most of all may you be blessed with peace, a session of peace as you create peace for this great State and all who dwell within it.

And let us say, Amen."

INTRODUCTION OF SPECIAL GUEST

The President welcomed and introduced Ms. Claudia Castro, Washington State Poet Laureate, who was seated at the rostrum.

With permission of the Senate, business was suspended to allow Washington State Poet Laureate Claudia Castro to address the Senate.

Poet Laureate Ms. Claudia Castro: "Thank you Mr. President; Honorable Members of the Washington State Senate; Fellow Washingtonians: It is my great honor to stand before you and share a poem on the opening day of the Senate.

It has been my great privilege this past year to serve as Washington State Poet Laureate, to crisscross our beautiful state, to build appreciation for the power of words to unveil things yet unconsidered or to re-consider notions held, to stir the deepest parts of ourselves, to invite folks who have never written a poem in their lives to try their hand at it, to nurture young writers and to connect those already writing to each other.

This poem I share with you today is titled Summer Sparks. It is an invitation, a beginning to imagine a more just, inclusive future.

Summer Sparks

*In New York a colossal woman raises
a burning torch, a promise to harbor
the tired, the poor, the homeless, the tempest-tossed.
In Seattle another woman fades,
homeless in a park, with the racing butterfly
of her child's heart her only compass.
A pendulum swings, all over the land,
from the luscious forests of generous imaginations
to the ruinous bigotry that clipped
Emmett Till's wings. Echoes of yesteryear's
Ghost Dance over Wounded Knee,
that sideways shuffle call for ancestors' aid,
beats time before us again and again.
Fruit plump on summer's light
in a New England vale ripens
alongside Southwestern's border
bruised and battered fruit.
4th of July fireworks bravado,
the feeling of losing yourself in the jubilee
of the crowd after winning, collapses
under the crushing evidence
of the country that we've never been.
The sparks lighting up the sky then falling,
folding back into night,
are they a celebration, the best part of summer,
or more of a weeping?
Love and pain don't strike
some over others with different strength.
We are equally susceptible to kindness*

*and to cold, and board together
the destiny of our shared country.
On an occasion like this,
from sea to shining sea,
is a good place to begin not end.*

Thank you so much."

REMARKS BY THE PRESIDENT

President Habib: "We have a very busy and crowded itinerary I'd guess you'd call it today.

And so there's, it's, I think, daunting for the floor leaders to see this line here that says 'President's welcoming remarks.' You all know me well enough to know that's dangerous.

But I do want to just say a couple things before we continue with our very important proceedings and really that's to acknowledge all of you. I want to first of all say, and we'll have a chance individually to welcome our new senators as well as those who've been re-elected for their their next term but I really want to say on behalf of the Senate how fortunate we are that you've stepped up and agreed to run for office. You have agreed to serve and it's not easy. In this day and age, I think more than at any other time perhaps, it's difficult to be involved in politics; it's difficult to put your name forward and to risk the not just criticism but some of the animosity and negativity that goes into our politics and so every one of you irrespective of party has my deep, deep respect for stepping up and willing to serve your constituents. And, when I travel around the state, I've met with many of you both sides of the aisle in your home districts and I always remind your constituents that they have a fantastic leader who is willing to represent them, even when we don't agree, I have utter respect for all of you. And I want to acknowledge, I know that we have many guests in the gallery who are members of the families, friends and families of our newly-elected senators and I want to thank all of you for allowing us to have the time with your husband or wife or mother or father, brother or sister to be here with us. We know that it takes a toll on families during these, particularly, these odd numbered years to have Legislators come to Olympia and often be far away from their families so I'd like to ask the Senate to join me in thanking all the family members that make it possible for us to do this work each and every single year.

I'd also like to and we do we tend to do this at the end of the session, at the end of certain key cut offs but I want to just take a moment at the very outset of the session to thank all the staff of the state Senate from legislative assistants; to the folks who work in the in the Code Revisor's Office; all the folks that work in the joint legislative functions as well as for the Senate. They've all been working during the interim while many of us have been doing other things, or maybe had a different job even in some cases. But these folks have been working hard to get us ready for this day and we all know that they will be working extremely hard over the next hundred and five days to make the senators successful in representing their constituents. And they are just as much public servants as all of us who are here. So I want to again ask all of you to join me in thanking in advance all the members of the staff here in Olympia that make this possible."

The senate rose in recognition of the staff of the senate.

"Finally I want to recognize and congratulate two individuals in particular who have earned the respect of their caucus, their respective caucuses, and have a critical, critical roles to play over these next three and a half months. I'd like to congratulate

Senator Andy Billig on being elected Majority Leader by the Democratic Caucus. It's been an honor to, I learned from Senator Billig when I took over as whip from him four years ago and then got to work with him in his capacity as Deputy Leader and we're extremely fortunate to have Senator Billig as the Majority Leader. And I also want to congratulate Senator Schoesler on earning the respect of his caucus, one more time, to be the leader of the Republicans here in Olympia again for another year. It's again been a pleasure for me to get to know Senator Schoesler and work with him both as a senator but really far more during the past couple years particularly during the year when my first year here when he was the Majority Caucus Leader and so would you all please join me in congratulating Senators Billig and Schoesler on their leadership roles."

The senate rose in recognition of the recently installed leaders of the senate.

"I'll just remind all of you, it's a, it's a tremendous pleasure for me to be able to serve you in this capacity and I'm, this is my third year now doing this, and I'll be the first now to tell you that I'm not perfect and if there are ways in which I can do a better job please reach out to me personally. I love the chance to sit down with you I hope to get to meet with you want one on one but my staff and I are here to facilitate your experience in the Senate. Above all to make sure that you're successful in representing your constituents, who are also my constituents, and I'll just close by reminding you know I've had the chance to travel around the country and visit state legislatures including and especially the Senate, the upper chambers of different states and we are still unique at least we are one of only a handful of chambers, lower or upper chambers, that that still use roll call voting. And I think that's a good thing even though, for me, it means sitting around here and hearing your names over and over and over again sometimes I wake up in the morning and I'm like, 'Becker,' 'Bailey' I've got names going through my head because I've heard it so many times but why is it important? It's important because the very fact of you all needing to be here to vote in person means, means something else as well. It also means that you're here to hear one another speak on the floor and debate bills and perhaps even change your mind based on what you hear and that's really, when you go back two thousand plus years to the Roman era of the Senate first took its name, took its form, that's what it's about. It's about rhetoric; it's about persuasion; and it's about the power of ideas. So I'm proud that I get to lead an institution where you all don't hide in your offices or you don't travel around the campus but you're here right here listening to one another and so I again will do everything I can to facilitate you being able to do that. Thank you all for the tremendous pleasure of being able to work with you and I wish you all a productive, fruitful, amicable twenty-nineteen Regular Session with that: Senator Liias?"

MOTION

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

LETTER OF RESIGNATION

December 1, 2018

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

Dear Governor Insee,

I am writing to officially inform you of my plans to retire from my position as State Senator to the 34th Legislative District as of Saturday, January 12th 2019.

It has been a tremendous honor to serve the people of Washington during my time in the Legislature.

Take care,
/s/
Senator Sharon K. Nelson
Senate Majority Leader
34th Legislative District

LETTER OF RESIGNATION

January 11, 2019

Office of the Governor
Legislative Building
416 Sid Snyder Avenue, SW
Suite 200
Olympia, WA 98504

Re: Resignation from the Washington State Senate as of January 11, 2019

Honorable Governor Insee:

It is with a heavy heart that I offer you my resignation as Senator for the 40th Legislative District effective Friday, January 11th 2019.

Therefore, pursuant to RCW 42.12.020, please accept my resignation from the Washington State Senate accordingly.

Serving the people of my district and Washington State has been one of the greatest honors of my life. I am eternally grateful for having had this opportunity to serve in this role.

Sincerely,
/s/
Kevin Ranker

MESSAGE FROM THE SECRETARY OF STATE

Canvass of the Returns of the General Election Held on November 6, 2018

I, Kim Wyman, Secretary of State of the State of Washington, do hereby certify that according to the provisions of RCW 29A.60.250, I have canvassed the returns of the 3,133,462 votes cast for candidates in the November 6, 2018 General Election by the registered voters of the state for all federal and statewide offices, and those legislative and judicial offices whose jurisdiction encompasses more than one county, as received from the County Auditors, and that the votes cast for these measures and these candidates for office are as follows:

Initiative Measure No. 1631

Initiative Measure No. 1631 concerns pollution. This measure would charge pollution fees on sources of greenhouse gas

pollutants and use the revenue to reduce pollution, promote clean energy, and address climate impacts, under oversight of a public board.

Yes 1,340,725
No 1,745,703

Initiative Measure No. 1634

Initiative Measure No. 1634 concerns taxation of certain items intended for human consumption. This measure would prohibit new or increased local taxes, fees, or assessments on raw or processed foods or beverages (with exceptions), or ingredients thereof, unless effective by January 15, 2018, or generally applicable.

Yes 1,721,487
No 1,359,240

Initiative Measure No. 1639

Initiative Measure No. 1639 concerns firearms. This measure would require increased background checks, training, age limitations, and waiting periods for sales or delivery of semiautomatic assault rifles; criminalize noncompliant storage upon unauthorized use; allow fees; and enact other provisions.

Yes 1,839,475
No 1,259,681

Initiative Measure No. 940

Initiative Measure No. 940 concerns law enforcement. This measure would require law enforcement to receive violence de-escalation, mental health, and first-aid training, and provide first-aid; and change standards for use of deadly force, adding a "good faith" standard and independent investigation.

Yes 1,834,579
No 1,243,316

Advisory Vote No. 19

Engrossed Second Substitute Senate Bill 6269

The legislature expanded, without a vote of the people, the oil spill response and administration taxes to crude oil or petroleum products received by pipeline, costing \$13,000,000 over ten years for government spending.

Repealed 1,567,629
Maintained 1,360,769

Candidate	Party Preference	Votes
U.S. Senator (6 Year Term)		
Maria Cantwell	(Prefers Democratic Party)	1,803,364
Susan Hutchison	(Prefers Republican Party)	1,282,804
Congressional District 1 - U.S. Representative (2 Year Term)		
Suzan DelBene	(Prefers Democratic Party)	197,209
Jeffrey Beeler	(Prefers Republican Party)	135,534
Congressional District 2 - U.S. Representative (2 Year Term)		
Rick Larsen	(Prefers Democratic Party)	210,187
Brian Luke	(Prefers Libertarian Party)	84,646
Congressional District 3 - U.S. Representative (2 Year Term)		
Jaime Herrera Beutler	(Prefers Republican Party)	161,819
Carolyn Long	(Prefers Democratic Party)	145,407
Congressional District 4 - U.S. Representative (2 Year Term)		
Dan Newhouse	(Prefers Republican Party)	141,551
Christine Brown	(Prefers Democratic Party)	83,785
Congressional District 5 - U.S. Representative (2 Year Term)		
Cathy McMorris Rodgers	(Prefers Republican Party)	175,422
Lisa Brown	(Prefers Democratic Party)	144,925
Congressional District 6 - U.S. Representative (2 Year Term)		

Candidate	Party Preference	Votes
Derek Kilmer	(Prefers Democratic Party)	206,409
Douglas Dightman	(Prefers Republican Party)	116,677
Congressional District 7 - U.S. Representative (2 Year Term)		
Pramila Jayapal	(Prefers Democratic Party)	329,800
Craig Keller	(Prefers Republican Party)	64,881
Congressional District 8 - U.S. Representative (2 Year Term)		
Dino Rossi	(Prefers GOP Party)	148,968
Kim Schrier	(Prefers Democratic Party)	164,089
Congressional District 9 - U.S. Representative (2 Year Term)		
Adam Smith	(Prefers Democratic Party)	163,345
Sarah Smith	(Prefers Democratic Party)	77,222
Congressional District 10 - U.S. Representative (2 Year Term)		
Denny Heck	(Prefers Democratic Party)	166,215
Joseph Brumbles	(Prefers Republican Party)	103,860
Legislative District 1 - State Representative Position 1 (2 Year Term)		
Derek Stanford	(Prefers Democratic Party)	47,881
Josh Colver	(Prefers Republican Party)	20,925
Legislative District 1 - State Representative Position 2 (2 Year Term)		
Shelley Kloba	(Prefers Democratic Party)	43,560
Debra Blodgett	(Prefers Republican Party)	25,148
Legislative District 2 - State Representative Position 1 (2 Year Term)		
Andrew Barkis	(Prefers Republican Party)	33,717
Anneliese Feld	(Prefers Democratic Party)	23,324
Legislative District 2 - State Representative Position 2 (2 Year Term)		
JT Wilcox	(Prefers Republican Party)	42,571
Legislative District 7 - State Senator (4 Year Term)		
Shelly Short	(Prefers Republican Party)	48,042
Karen Hardy	(Prefers Democratic Party)	21,592
Legislative District 7 - State Representative Position 1 (2 Year Term)		
Jacquelin Maycumber	(Prefers Republican Party)	47,365
Randall (Randy) Michaelis	(Prefers Democratic Party)	21,867
Legislative District 7 - State Representative Position 2 (2 Year Term)		
Joel Kretz	(Prefers Republican Party)	46,987
Mike Bell	(Prefers Democratic Party)	22,270
Legislative District 9 - State Representative Position 1 (2 Year Term)		
Mary Dye	(Prefers Republican Party)	33,978
Jenn Goulet	(Prefers Democratic Party)	18,931
Legislative District 9 - State Representative Position 2 (2 Year Term)		
Joe Schmick	(Prefers GOP Party)	31,749
Matthew Sutherland	(Prefers Democratic Party)	20,697
Legislative District 10 - State Representative Position 1 (2 Year Term)		
Scott McMullen	(Prefers Democratic Party)	34,669
Norma Smith	(Prefers GOP Party)	37,803
Legislative District 10 - State Representative Position 2 (2 Year Term)		
Dave Paul	(Prefers Democratic Party)	36,428
Dave Hayes	(Prefers GOP Party)	35,743
Legislative District 12 - State Representative Position 1 (2 Year Term)		
Keith Goehner	(Prefers Republican Party)	32,598
Ann Diamond	(States No Party Preference)	25,938
Legislative District 12 - State Representative Position 2 (2 Year Term)		
Mike Steele	(Prefers Republican Party)	37,223

Candidate	Party Preference	Votes
Valerie Sarratt	(Prefers Democratic Party)	21,114
Legislative District 13 - State Senator (4 Year Term)		
Judy Warnick	(Prefers Republican Party)	38,038
Legislative District 13 - State Representative Position 1 (2 Year Term)		
Tom Dent	(Prefers Republican Party)	35,233
Jesse Hegstrom Oakey	(Prefers Democratic Party)	14,130
Legislative District 13 - State Representative Position 2 (2 Year Term)		
Matt Manweller	(Prefers Republican Party)	29,811
Sylvia Hammond	(Prefers Democratic Party)	18,951
Legislative District 14 - State Representative Position 1 (2 Year Term)		
Chris Corry	(Prefers Republican Party)	30,763
Sasha Bentley	(Prefers Democratic Party)	21,599
Legislative District 14 - State Representative Position 2 (2 Year Term)		
Gina Mosbrucker	(Prefers Republican Party)	31,885
Liz Hallock	(Prefers Democratic Party)	20,374
Legislative District 16 - State Representative Position 1 (2 Year Term)		
William 'Bill' Jenkin	(Prefers Republican Party)	29,914
Everett Maroon	(Prefers Democratic Party)	17,826
Legislative District 16 - State Representative Position 2 (2 Year Term)		
Rebecca Francik	(Prefers Democratic Party)	18,705
Skyler Rude	(Prefers Republican Party)	29,157
Legislative District 19 - State Representative Position 1 (2 Year Term)		
Jim Walsh	(Prefers Republican Party)	28,569
Erin Frasier	(Prefers Democratic Party)	28,085
Legislative District 19 - State Representative Position 2 (2 Year Term)		
Brian E. Blake	(Prefers Democratic Party)	30,405
Joel McEntire	(Prefers Republican Party)	25,860
Legislative District 20 - State Representative Position 1 (2 Year Term)		
Richard DeBolt	(Prefers GOP Party)	38,225
John Thompson	(Prefers Democratic Party)	23,365
Legislative District 20 - State Representative Position 2 (2 Year Term)		
Ed Orcutt	(Prefers Republican Party)	39,992
Brennan Bailey	(Prefers Democratic Party)	22,548
Legislative District 24 - State Representative Position 1 (2 Year Term)		
Mike Chapman	(Prefers Democratic Party)	43,504
Jodi Wilke	(Prefers Republican Party)	31,525
Legislative District 24 - State Representative Position 2 (2 Year Term)		
Steve Tharinger	(Prefers Democratic Party)	41,630
Jim McEntire	(Prefers Republican Party)	33,041
Legislative District 26 - State Senator (4 Year Term)		
Emily Randall	(Prefers Democratic Party)	35,087
Marty McClendon	(Prefers Republican Party)	34,983
Legislative District 26 - State Representative Position 1 (2 Year Term)		
Connie FitzPatrick	(Prefers Democratic Party)	33,513
Jesse L. Young	(Prefers Republican Party)	36,120
Legislative District 26 - State Representative Position 2 (2 Year Term)		
Joy Stanford	(Prefers Democratic Party)	32,233
Michelle Calder	(Prefers Republican Party)	38,339
Legislative District 30 - State Senator (4 Year Term)		

Candidate	Party Preference	Votes
Mark Miloscia	(Prefers Republican Party)	21,517
Claire Wilson	(Prefers Democratic Party)	25,505
Legislative District 30 - State Representative		
Position 1 (2 Year Term)		
Mike Pellicciotti	(Prefers Democratic Party)	28,563
Linda Kochmar	(Prefers GOP Party)	18,085
Legislative District 30 - State Representative		
Position 2 (2 Year Term)		
Kristine M. Reeves	(Prefers Democratic Party)	29,635
Mark Greene	(Prefers GOP Party)	16,499
Legislative District 31 - State Senator (4 Year Term)		
Phil Fortunato	(Prefers Republican Party)	37,834
Immaculate Ferreria	(Prefers Democratic Party)	25,320
Legislative District 31 - State Representative		
Position 1 (2 Year Term)		
Drew Stokesbary	(Prefers Republican Party)	36,844
Victoria Mena	(Prefers Democratic Party)	25,688
Legislative District 31 - State Representative		
Position 2 (2 Year Term)		
Morgan Irwin	(Prefers Republican Party)	36,467
Mark Boswell	(Prefers Democratic Party)	25,839
Legislative District 32 - State Senator (4 Year Term)		
Jesse Salomon	(Prefers Democratic Party)	40,920
Maralyn Chase	(Prefers Democratic Party)	18,280
Legislative District 32 - State Representative		
Position 1 (2 Year Term)		
Cindy Ryu	(Prefers Democratic Party)	49,413
Diodato (Dio) Boucsiguez	(Prefers Republican Party)	15,699
Legislative District 32 - State Representative		
Position 2 (2 Year Term)		
Lauren Davis	(Prefers Democratic Party)	48,199
Frank Deisler	(Prefers Republican Party)	16,659
Legislative District 35 - State Senator (4 Year Term)		
Irene Bowling	(Prefers Democratic Party)	28,470
Tim Sheldon	(Prefers Democratic Party)	30,874
Legislative District 35 - State Representative		
Position 1 (2 Year Term)		
Dan Griffey	(Prefers Republican Party)	37,575
James Thomas	(Prefers Democratic Party)	27,507
Legislative District 35 - State Representative		
Position 2 (2 Year Term)		
David Daggett	(Prefers Democratic Party)	31,738
Drew C. MacEwen	(Prefers Republican Party)	33,320
Legislative District 39 - State Senator (4 Year Term)		
Claus Joens	(Prefers Democratic Party)	24,374
Keith L. Wagoner	(Prefers Republican Party)	34,971
Legislative District 39 - State Representative		
Position 1 (2 Year Term)		
Ivan Lewis	(Prefers Democratic Party)	25,682
Robert J. Sutherland	(Prefers Republican Party)	33,399
Legislative District 39 - State Representative		
Position 2 (2 Year Term)		
Carolyn Eslick	(Prefers Republican Party)	34,278
Eric Halvorson	(Prefers Democratic Party)	24,750
Legislative District 40 - State Representative		
Position 1 (2 Year Term)		
Debra Lekanoff	(Prefers Democratic Party)	48,153
Michael Petrish	(Prefers Republican Party)	23,693
Legislative District 40 - State Representative		
Position 2 (2 Year Term)		
Jeff Morris	(Prefers Democratic Party)	52,847
Supreme Court - Justice Position 2 (6 Year Term)		

Candidate	Party Preference	Votes
Susan Owens	Nonpartisan	2,062,701
Supreme Court - Justice Position 8 (6 Year Term)		
Nathan Choi	Nonpartisan	809,176
Steve Gonzalez	Nonpartisan	1,687,073
Supreme Court - Justice Position 9 (6 Year Term)		
Sheryl Gordon McCloud	Nonpartisan	2,005,244
Court of Appeals Division 1, District 3		
- Judge Position 1 (6 Year Term)		
Tom SeGuine	Nonpartisan	88,210
Cecily Hazelrigg-Hernandez	Nonpartisan	95,216
Court of Appeals Division 2, District 2		
- Judge Position 2 (6 Year Term)		
Rebecca Glasgow	Nonpartisan	228,788
Court of Appeals Division 2, District 3		
- Judge Position 1 (6 Year Term)		
Rich Melnick	Nonpartisan	179,873
Court of Appeals Division 3, District 1		
- Judge Position 1 (6 Year Term)		
Laurel Siddoway	Nonpartisan	178,807
Court of Appeals Division 3, District 3		
- Judge Position 2 (6 Year Term)		
Rob Lawrence Berrey	Nonpartisan	96,710
Benton, Franklin Superior Court - Judge		
Position 5 (2 Year Unexpired Term)		
Sam Swanberg	Nonpartisan	66,918

IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Seal of the State of Washington at Olympia, this 4th day of December 2018.

(seal)

/s/

Kim Wyman
Secretary of State

MESSAGE FROM THE SECRETARY OF STATE

**The Honorable President of the Senate
The Legislature of the State of Washington
Olympia, Washington**

Mr. President:

I, Kim Wyman, Secretary of State of the state of Washington, do hereby certify that the following is a full, true, and correct list of persons elected to the Office of State Senator, as shown by the official returns of the November 6, 2018 General Election on file in the Office of the Secretary of State. This list contains newly elected as well as returning Senators.

Senators Elected November 6, 2018

District	Name	Party Preference	Counties Represented
6	Jeff Holy	Prefers Republican Party	Spokane
7	Shelly Short	Prefers Republican Party	Ferry, Okanogan, Pend Oreille, Spokane, Stevens
8	Sharon Raye Brown	Prefers Republican Party	Benton
13	Judy Warnick	Prefers Republican Party	Grant, Kittitas, Lincoln, Yakima
15	Jim Honeyford	Prefers GOP Party	Yakima
21	Marko Liias	Prefers Democratic Party	Snohomish
26	Emily Randall	Prefers Democratic Party	Kitsap, Pierce
29	Steve Conway	Prefers Democratic Party	Pierce

Senators Elected November 6, 2018

District	Name	Party Preference	Counties Represented
30	Claire Wilson	Prefers Democratic Party	King, Pierce
31	Phil Fortunato	Prefers Republican Party	King, Pierce
32	Jesse Salomon	Prefers Democratic Party	King, Snohomish
33	Karen Keiser	Prefers Democratic Party	King
34	Joe Nguyen	Prefers Democratic Party	King
35	Tim Sheldon	Prefers Democratic Party	Kitsap, Mason, Thurston
36	Reuven M. Carlyle	Prefers Democratic Party	King
37	Rebecca Saldaña	Prefers Democratic Party	King
38	John McCoy	Prefers Democratic Party	Snohomish
39	Keith L. Wagoner	Prefers Republican Party	King, Skagit, Snohomish
42	Doug Ericksen	Prefers Republican Party	Whatcom
43	Jamie Pedersen	Prefers Democratic Party	King
44	Steve Hobbs	Prefers Democratic Party	Snohomish
45	Manka Dhingra	Prefers Democratic Party	King
46	David Frockt	Prefers Democratic Party	King
47	Mona Das	Prefers Democratic Party	King
48	Patty Kuderer	Prefers Democratic Party	King

Returning Senators

District	Name	Party Preference	Counties Represented
1	Guy Palumbo	Prefers Democratic Party	King, Snohomish
2	Randi Becker	Prefers Republican Party	Pierce, Thurston
3	Andy Billig	Prefers Democratic Party	Spokane
4	Mike Padden	Prefers Republican Party	Spokane
5	Mark Mullet	Prefers Democratic Party	King Adams, Asotin,
9	Mark G. Schoesler	Prefers G.O.P Party	Franklin, Garfield, Spokane, Whitman
10	Barbara Bailey	Prefers Republican Party	Island, Skagit, Snohomish
11	Bob Hasegawa	Prefers Democratic Party	King Chelan, Douglas,
12	Brad Hawkins	Prefers Republican Party	Grant, Okanogan
14	Curtis King	Prefers Republican Party	Clark, Klickitat, Skamania, Yakima
16	Maureen Walsh	Prefers Republican Party	Benton, Columbia, Franklin, Walla Walla
17	Lynda Wilson	Prefers Republican Party	Clark
18	Ann Rivers	Prefers Republican Party	Clark
19	Dean Takko	Prefers Democratic Party	Cowlitz, Grays Harbor, Lewis, Pacific, Wahkiakum
20	John Braun	Prefers Republican Party	Clark, Cowlitz, Lewis, Thurston
22	Sam Hunt	Prefers Democratic Party	Thurston
23	Christine Rolfes	Prefers Democratic Party	Kitsap
24	Kevin Van De Wege	Prefers Democratic Party	Clallam, Grays Harbor, Jefferson
25	Hans Zeiger	Prefers Republican Party	Pierce
27	Jeannie Darneille	Prefers Democratic Party	Pierce
28	Steve O'Ban	Prefers Republican Party	Pierce
40	Kevin Ranker	Prefers Democratic Party	San Juan, Skagit, Whatcom
41	Lisa Wellman	Prefers Democratic Party	King
49	Annette Cleveland	Prefers Democratic Party	Clark

IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Seal of the state of Washington at Olympia, this 4th day of December 2018.

(seal)

/s/
Kim Wyman
Secretary of State

The Secretary called the roll of the following holdover members of the Senate and all were present: Senators Bailey, Becker, Billig, Braun, Cleveland, Darneille, Hasegawa, Hawkins, Hunt, King, Mullet, O'Ban, Padden, Palumbo, Rivers, Rolfes, Schoesler, Takko, Van De Wege, Walsh, Wellman, Wilson, L., and Zeiger (23).

APPOINTMENT OF SPECIAL COMMITTEE

The President of the Senate appointed a committee of honor consisting of Senators Padden and Randall to escort the Honorable Mary Fairhurst, Chief Justice of the Supreme Court of the State of Washington, to the rostrum.

The President welcomed and introduced the Honorable Mary Fairhurst, Chief Justice of the Supreme Court of the state of Washington, who was present to administer the oath of office to the newly elected Senators.

APPOINTMENT OF SPECIAL COMMITTEE

The President of the Senate appointed a committee of honor consisting of Senators Bailey and Nguyen to escort the Honorable Kim Wyman, Secretary of State, to the rostrum.

The President welcomed and introduced Secretary of State Kim Wyman who was present to deliver the certificates of election.

The Secretary called the roll of the following newly re-elected members of the Senate and all were present: Brown, Carlyle, Conway, Dhingra, Ericksen, Fortunato, Frockt, Hobbs, Honeyford, Keiser, Kuderer, Liias, McCoy, Pedersen, Saldaña, Sheldon, Short, and Warnick (18).

The Sergeant at Arms, Mr. Andrew Staubit, escorted each of the newly re-elected members of the Senate to the rostrum of the Senate to receive their oath of office.

Chief Justice Fairhurst thereupon administered the oath of office to each of the newly re-elected senators.

The Secretary of State presented each of the newly re-elected senators a certificate of election.

The Sergeant at Arms escorted each of the newly re-elected senators to their seat on the floor of the Senate.

The Secretary called the roll of the following newly elected members and all were present: Senators Das, Holy, Nguyen, Randall, Salomon, Wagoner, and Wilson, C. (7).

The Sergeant at Arms escorted each of the newly elected members of the Senate to the rostrum of the Senate to receive their oath of office.

Chief Justice Mary Fairhurst thereupon administered the oath of office to each of the newly elected senators.

The Secretary of State presented each of the newly elected senators a certificate of election.

The Sergeant at Arms escorted each of the newly elected senators to their seat on the floor of the Senate.

REMARKS BY THE PRESIDENT

President Habib: "Once again, congratulations to all the newly reelected and newly elected members of the Washington State Senate."

ELECTION OF PRESIDENT PRO TEMPORE

The President declared the Office of President Pro Tempore of the Senate open and called for nominations.

Senator Pedersen nominated Senator Karen Keiser for the position of President Pro Tempore.

Senator Bailey nominated Senator Tim Sheldon for the position of President Pro Tempore.

Senator Liias moved that the nominations for the office of President Pro Tempore of the Senate be closed.

Senator Short seconded the nomination of Senator Tim Sheldon for President Pro Tempore.

The President declared the nominations of Senators Keiser and Sheldon for the office of President Pro Tempore moved and seconded.

On the motion of Senator Liias, the nominations for the office of President Pro Tempore of the Senate were closed.

REMARKS BY SENATOR PEDERSEN

Senator Pedersen: "Mr President I am so proud to nominate Senator Keiser to continue in this position as President Pro Tem. Not only does Senator Keiser have a long and distinguished record of leading on health care issues on helping to forge a bipartisan compromise on the very contentious issue of paid family leave and significant work over many years on reduction of sexual harassment in our workplaces and her tenure as a most excellent chair of the Labor and Commerce Committee and previously as the chair of the Health Care Committee. Senator Keiser just did a fantastic job in my opinion last session in your absence running this place and so I heartily recommend her to the members and hope that everyone will support her reelection as President Pro Tempore for the coming session. Thank you."

MOTION

On motion of Senator Rivers, Senator Hawkins was excused.

REMARKS BY SENATOR BAILEY

Senator Bailey: "Thank you, Mr. President. I would like to also again reiterate my nomination for President Pro Tem and I also say that Tim Sheldon is a person who we all have had the opportunity to work with and he has actually performed the job in your absence and I really think that that he has the background, the experience and certainly the integrity that we would want of someone in that position so I would ask everyone's support for that nomination."

The President declared the question before the Senate to be the election for the office of President Pro Tempore.

The Secretary called the roll for the office of President Pro Tempore and Senator Keiser was elected President Pro Tempore of the Senate by the following vote: Keiser, 28; Sheldon, 20.

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

Voting Sheldon: Senators Bailey, Becker, Braun, Brown, Ericksen, Fortunato, Hawkins, Holy, Honeyford, King, O'Ban, Padden, Rivers, Schoesler, Short, Wagoner, Walsh, Warnick, Wilson, L., and Zieger.

APPOINTMENT OF SPECIAL COMMITTEE

The President of the Senate appointed a committee of honor consisting of Senators Hunt and Short to escort Senator Keiser to the rostrum to receive her oath of office.

Chief Justice Mary Fairhurst thereupon administered the oath of office to the Senator.

Senator Keiser returned to her seat on the floor of the Senate.

ELECTION OF VICE PRESIDENT PRO TEMPORE

Senator Keiser nominated Senator Steve Conway for the office of Vice President Pro Tempore.

Senator Schoesler seconded the nomination of Senator Steve Conway for the office of Vice President Pro Tempore.

Senator Honeyford spoke in favor of the nomination.

On motion of Senator Liias, the nominations for the office of Vice President Pro Tempore of the Senate were closed.

REMARKS BY SENATOR KEISER

Senator Keiser: "Thank you, Mr. President. I am so pleased to see the seconds from the other side of the aisle and I know that we all come together to support each other on days like this. I want to support Senator Conway for this position. He really is an elder statesman in this institution of the legislature. He actually began in the legislature before I did, which is a long time ago. As you may know, he's a retired history professor, a Ph. D. in history, and sometimes he does wax a little academic because he has a real depth of knowledge but he is also a former union official and knows how to strike a good bargain. And between those two pieces I commend this nomination to the body."

REMARKS BY SENATOR SCHOESLER

Senator Schoesler: "Well thank you Mr. President. Speaking in support of Senator Conway. When called upon to serve at the rostrum last year, Senator Conway did a fine job on behalf of the body. I'd like to point out that when Senator Conway got here I welcomed him on his arrival as a new member and that was a long time ago, had a lot of distinguished service to the state of Washington."

The President declared the question before the Senate to be the election for the office of Vice President Pro Tempore.

The Secretary called the roll for the office of Vice President Pro Tempore and Senator Conway was elected Vice President Pro Tempore of the Senate by the following vote: Conway, 48.

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

APPOINTMENT OF SPECIAL COMMITTEE

The President of the Senate appointed a committee of honor consisting of Senators Hasegawa and Wagoner to escort Senator Conway to the rostrum to receive his oath of office.

Chief Justice Mary Fairhurst thereupon administered the oath of office to the Senator.

Senator Conway returned to his seat on the floor of the Senate.

REMARKS BY THE PRESIDENT

President Habib: "The president like to express is his own personal gratitude to Senators Keiser and Conway for stepping up and accepting this leadership role. Of course, there are times when due to the constitutional constraints and for other reasons I'm not able to preside and it's a comfort for me to know that they are here and they've done, I agree with the senators have nominated them, they did an extraordinary job last year in their respective roles."

ELECTION OF SECRETARY OF THE SENATE

The President declared the office of Secretary of the Senate open and called for nominations.

Senator Billig nominated Mr. Brad Hendrickson for the position of Secretary of the Senate.

Senator Becker seconded the nomination of Mr. Brad Hendrickson for Secretary of the Senate.

On motion of Senator Liias, the nominations for the office of Vice President Pro Tempore of the Senate were closed.

REMARKS BY SENATOR BILLIG

Senator Billig: "Thank you Mr. President, it's my pleasure to rise in support of the nomination of Brad Hendrickson and to continue serving as Secretary of the Senate. Brad performed admirably in his first year as Secretary last year but it was by no means his first year in the Senate. He started thirty-nine years ago as the Senate intern and has been serving the public since then. I appreciate Brad's strong work ethic, his thoughtfulness, his diligence. And I found out today, just to top it off, that he was born in Spokane and I supported him before I knew that but now I like I'm just a little bit more so I ask the body's support of the nomination of Brad Hendrickson for Secretary of the Senate. Thank you Mr. President."

REMARKS BY SENATOR BECKER

Senator Becker: Thank you Mr. President. I too stand in support of Brad Hendrickson's nomination. Mr. President I would like to say that every time Brad Hendrickson comes into my office I give him a bad time but I have to say it's been really wonderful working with him because he has provided reports very, very timely, very good reports, has answered all my questions. He's been a part of every discussion that I've had regarding staff etcetera so I honor and cherish that relationship that we have developed but, Brad, that doesn't mean I'm going to let you off easy when you come in."

The President declared the question before the Senate to be the election for the office of Secretary of the Senate.

The Secretary called the roll for the office of Secretary of the Senate and Mr. Brad Hendrickson was elected Secretary of the Senate by the following vote: Hendrickson, 48.

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

APPOINTMENT OF SPECIAL COMMITTEE

The President of the Senate appointed a committee of honor consisting of Senators Dhingra and Walsh to escort Mr. Brad Hendrickson to the rostrum to receive his oath of office.

Chief Justice Mary Fairhurst thereupon administered the oath of office to the Mr. Hendrickson.

The Secretary of the Senate returned to his seat at the rostrum.

APPOINTMENT OF SPECIAL COMMITTEE

The President of the Senate appointed a committee of honor consisting of Senators Padden and Randall to escort Chief Justice Mary Fairhurst from the Senate Chamber.

APPOINTMENT OF SPECIAL COMMITTEE

The President of the Senate appointed a committee of honor consisting of Senators Nguyen and Bailey to escort Secretary of State Kim Wyman from the Senate Chamber.

MOTION

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

MOTION

Senator Liias moved adoption of the following resolution:

SENATE RESOLUTION 8601

By Senator Liias

BE IT RESOLVED, That the Rules of the Senate for the 2017 Regular Session of the 65th Legislature, as amended in the 2017 Regular Session and the 2018 Regular Session, be adopted as amended as the Rules of the Senate for the 2019 Regular Session of the 66th Legislature, to read as follows:

PERMANENT RULES OF THE SENATE
((SIXTY-FIFTH)) SIXTY-SIXTH LEGISLATURE
((2017)) 2018

SECTION I - OFFICERS-MEMBERS-EMPLOYEES

- Rule 1** Duties of the President
- Rule 2** President Pro Tempore
- Rule 3** Secretary of the Senate
- Rule 4** Sergeant at Arms
- Rule 5** Subordinate Officers
- Rule 6** Employees
- Rule 7** Conduct of Members and Officers

SECTION II - OPERATIONS AND MANAGEMENT

- Rule 8** ~~((Payment of Expenses --))~~ Facilities and Operations
- Rule 9** Use of Senate Chambers
- Rule 10** Admission to the Senate
- Rule 11** Engrossed Printing of Bills
- Rule 12** Furnishing Full File of Bills
- Rule 13** Regulation of Lobbyists
- Rule 14** Security Management

SECTION III - RULES AND ORDER

- Rule 15** Time of Convening
- Rule 16** Quorum
- Rule 17** Order of Business
- Rule 18** Special Order
- Rule 19** Unfinished Business
- Rule 20** Motions and Senate Floor Resolutions (How Presented)
- Rule 21** Precedence of Motions
- Rule 22** Voting
- Rule 23** Announcement of Vote
- Rule 24** Call of the Senate
- Rule 25** One Subject in a Bill
- Rule 26** No Amendment by Mere Reference to Title of Act
- Rule 27** Reading of Papers
- Rule 28** Comparing Enrolled and Engrossed Bills

SECTION IV - PARLIAMENTARY PROCEDURE

- Rule 29** Rules of Debate
- Rule 30** Recognition by the President
- Rule 31** Call for Division of a Question
- Rule 32** Point of Order - Decision Appealable
- Rule 33** Question of Privilege

- Rule 34** Protests
- Rule 35** Suspension of Rules
- Rule 36** Previous Question
- Rule 37** Reconsideration
- Rule 38** Motion to adjourn
- Rule 39** Yeas and Nays - When Must be Taken
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SECTION V - COMMITTEES

- Rule 41** Committees - Appointment and Confirmation
- Rule 42** Subcommittees
- Rule 43** Subpoena Power
- Rule 44** Duties of Committees
- Rule 45** Committee Rules
- Rule 46** Committee Meetings During Sessions
- Rule 47** Reading of Reports
- Rule 48** Recalling Bills from Committees
- Rule 49** Bills Referred to Rules Committee
- Rule 50** Rules Committee
- Rule 51** Employment Committee
- Rule 52** Committee of the Whole
- Rule 53** Appropriation Budget Bills

SECTION VI - BILLS, RESOLUTIONS, MEMORIALS AND GUBERNATORIAL APPOINTMENTS

- Rule 54** Definitions
- Rule 55** Prefiling
- Rule 56** Introduction of Bills
- Rule 57** Amendatory Bills
- Rule 58** Joint Resolutions and Memorials
- Rule 59** Senate Concurrent Resolutions
- Rule 60** Committee Bills
- Rule 61** Committee Reference
- Rule 62** Reading of Bills
- Rule 63** First Reading
- Rule 64** Second Reading/Amendments
- Rule 65** Third Reading
- Rule 66** Scope and Object of Bill Not to be Changed
- Rule 67** Matter Related to Disagreement Between the Senate and House
- Rule 68** Bills Committed for Special Amendment
- Rule 69** Confirmation of Gubernatorial Appointees

SECTION I
OFFICERS-MEMBERS-EMPLOYEES

Duties of the President

Rule 1. 1. The president shall take the chair and call the senate to order precisely at the hour appointed for meeting, and, if a quorum be present, shall cause the journal of the preceding day to be read. (See also Art. 3, Sec. 16, State Constitution.)

2. The president shall preserve order and decorum, and in case of any disturbance or disorderly conduct within the chamber, legislative area, legislative offices or buildings, and legislative hearing and meeting rooms, shall order the sergeant at arms to suppress the same, and may order the arrest of any person creating any disturbance within the senate chamber. Cellular phone use within the senate chamber during floor session and within a hearing room during a committee hearing must be respectful to the members and the public and the phone must be kept in silent mode within the senate chamber during floor session and within a hearing room during a committee hearing.

3. The president shall have charge of and see that all officers and employees perform their respective duties, and shall have general control of the senate chamber and wings. (See also Art. 2, Sec. 10, State Constitution.)

4. The president may speak to points of order in preference to members, arising from the president's seat for that purpose, and shall decide all questions of order subject to an appeal to the senate by any member, on which appeal no member shall speak more than once without leave of the senate.

5. The president shall, in open session, sign all acts, addresses and joint resolutions. The president shall sign all writs, warrants and subpoenas issued by order of the senate, all of which shall be attested by the secretary. (See also Art. 2, Sec. 32, State Constitution.)

6. The president shall appoint all conference, special, joint and hereinafter named standing committees on the part of the senate. The appointment of the conference, special, joint and standing committees shall be confirmed by the senate. In the event the senate refuses to confirm any conference, special, joint or standing committee or committees, such committee or committees shall be elected by the senate.

7. The president shall, on each day, announce to the senate the business in order, and no business shall be taken up or considered until the order to which it belongs shall be declared.

8. The president shall decide and announce the result of any vote taken.

9. When a vote of the senate is equally divided, the lieutenant governor, when presiding, shall have the deciding vote (~~on questions other than the final passage of a bill~~) as provided for in the state Constitution. (See also Art. 2, Sec. 10 and 22, State Constitution.)

President Pro Tempore

Rule 2. 1. Upon the organization of the senate the members shall elect one of their number as president pro tempore who shall have all the powers and authority and who shall discharge all the duties of lieutenant governor acting as president (~~during the lieutenant governor's absence~~) when the secretary of the senate receives notice that the lieutenant governor is unable to preside or is unable to confirm the lieutenant governor's availability within a reasonable time. The president pro tempore shall serve as the vice chair of the committee on rules. The senate shall also elect a vice president pro tempore who will serve in the absence of the lieutenant governor and the president pro tempore. (See Art. 2, Sec. 10, State Constitution.)

2. In the absence of the president pro tempore, and vice president pro tempore, or with their consent, the president shall have the right to name any senator to perform the duties of the

chair, but such substitution shall not extend beyond an adjournment, nor authorize the senator so substituted to sign any documents requiring the signature of the president.

3. A "majority caucus" is a caucus whose members constitute a majority of the senate and may include members from different political caucuses. The establishment of a majority caucus is evidenced by a majority of the members of the senate demonstrating the intent to caucus together and to lead the senate. Those members not part of the majority caucus constitute the minority caucus or caucuses.

Secretary of the Senate

Rule 3. 1. The senate shall elect a secretary, who shall appoint a deputy secretary, both of whom shall be officers of the senate and shall perform the usual duties pertaining to their offices, and they shall hold office until their successors have been elected or appointed.

2. The secretary is the Personnel Officer of the senate and shall appoint, subject to the approval of the senate, all other senate employees and the hours of duty and assignments of all senate employees shall be under the secretary's directions and instructions and they may be dismissed at the secretary's discretion.

3. The secretary of the senate, prior to the convening of the next regular session, shall prepare the office to receive bills which the holdover members and members-elect may desire to prefile commencing with the first Monday in December preceding any regular session or twenty days prior to any special session of the legislature.

Sergeant at Arms

Rule 4. 1. The director of senate security shall perform the functions of the sergeant at arms for the senate.

2. The sergeant at arms shall not admit to the floor of the senate during the time the senate is not convened any person other than specifically requested by a senator, the president, or the secretary of the senate, in writing or when personally accompanied by a senator.

Subordinate Officers

Rule 5. The subordinate officers of the senate shall perform such duties as usually pertain to their respective positions in legislative bodies under the direction of the president, and such other duties as the senate may impose upon them. Under no circumstances shall the compensation of any employee be increased for past services. (See also Art. 2, Sec. 25, State Constitution.)

Employees

Rule 6. 1. No senate employee shall lobby in favor of or against any matter under consideration.

2. Senate employees are governed by joint rules and chapters 42.17 (the Public Disclosure Act) and 42.52 RCW (the Ethics in Public Service Act).

Conduct of Members and Officers

Rule 7. 1. Indecorous conduct, boisterous or unbecoming language will not be permitted in the senate at any time. Food (~~and drink are~~) is prohibited within the senate chamber during floor session(~~, except that members may drink water at their floor desks~~). Cellular phone use within the senate chamber during floor session and within a hearing room during a committee hearing must be respectful to the members and the public and the

phone must be kept in silent mode within the senate chamber during floor session and within a hearing room during a committee hearing.

2. In cases of breach of decorum or propriety, any senator, officer or other person shall be liable to such censure or punishment as the senate may deem proper, and if any senator be called to order for offensive or indecorous language or conduct, the person calling the senator to order shall report the language excepted to which shall be taken down or noted at the secretary's desk. No member shall be held to answer for any language used upon the floor of the senate if business has intervened before exception to the language was thus taken and noted.

3. If any senator in speaking, or otherwise, transgresses the rules of the senate, the president shall, or any senator may, call that senator to order, and a senator so called to order shall resume the senator's seat and not proceed without leave of the senate, which leave, if granted, shall be upon motion "that the senator be allowed to proceed in order," when, if carried, the senator shall speak to the question under consideration.

4. No senator shall be absent from the senate without leave, except in case of accident or sickness, and if any senator or officer shall be absent the senator's per diem shall not be allowed or paid, and no senator or officer shall obtain leave of absence or be excused from attendance without the consent of a majority of the members present.

5. Members of the senate are subject to the senate's policy on appropriate workplace conduct. Conduct in violation of the policy may result in disciplinary action.

6. In the event of a motion or resolution to censure or punish, or any procedural motion thereto involving a senator, that senator shall not vote thereon. The senator shall be allowed to answer to such motion or resolution. An election or vote by the senate on a motion to censure or punish a senator shall require the vote of a majority of all senators elected or appointed to the senate. A vote to expel a member shall require a two-thirds concurrence of all members elected or appointed to the senate. All votes shall be taken by yeas and nays and the votes shall be entered upon the journal. (See also Art. 2, Sec. 9, State Constitution.)

**SECTION II
OPERATIONS AND MANAGEMENT**

~~((Payment of Expenses--))~~ Facilities and Operations

Rule 8. 1. After the election of new caucus leadership at the beginning of the first regular session during a legislative biennium or anytime during the legislative biennium that a different caucus becomes the majority caucus, the majority caucus shall designate four members and the minority caucus shall designate three members to serve on the facilities and operations committee. Each caucus may also designate an alternate. The chair of the majority caucus shall be the chair of the facilities and operations committee. If a different caucus becomes the majority caucus anytime during the legislative biennium, the operation of the senate shall transfer to the newly designated members after the leadership of the new majority caucus is determined.

2. All necessary expenses of the senate incurred during the session shall be signed for by the secretary and approved by a majority of the committee on facilities and operations. The committee on facilities and operations shall carefully consider all items of expenditure ordered or contracted on the part of the

senate, and report upon the same prior to the voucher being signed by the secretary of the senate authorizing the payment thereof. The committee on facilities and operations shall issue postage only as follows:

(a) To elected or appointed members of the senate in an amount sufficient to allow performance of their legislative duties.

(b) To the secretary of the senate in an amount sufficient to carry out the business of the senate.

3. The facilities and operations committee is authorized to adopt respectful workplace policies.

Use of Senate Chambers

Rule 9. The senate chamber and its facilities shall not be used for any but legislative business, except by permission of the senate while in session, or by the facilities and operations committee when not in session.

Admission to the Senate

Rule 10. The sergeant at arms shall admit only the following individuals to the floor and adjacent areas of the senate for the period of time beginning one-half hour before convening and ending when the senate has adjourned or recessed for an hour or more:

- The governor and/or designees,
- Members of the house of representatives,
- State elected officials,
- Officers and authorized employees of the legislature,
- Honored guests being presented to the senate,
- Former members of the senate who are not registered lobbyists pursuant to chapter 42.17 RCW,
- Representatives of the press,
- Persons specifically requested by a senator to the president in writing or only as long as accompanied by a senator.

Printing of Bills

Rule 11. The number of bills printed and reprinted shall be at the discretion of the secretary of the senate, with the approval of the facilities and operations committee.

Furnishing Full File of Bills

Rule 12. Persons, firms, corporations and organizations within the state, desirous of receiving copies of all printed senate bills, shall make application therefor to the secretary of the senate. The bill clerk shall send copies of all printed senate bills to such persons, firms, corporations and organizations as may be ordered by the secretary of the senate. The secretary of the senate is authorized to recoup costs.

Regulation of Lobbyists

Rule 13. All persons who engage in lobbying of any kind as defined in chapter 42.17 RCW ~~((shall be))~~ are subject to the ~~((rules and respectful workplace policies of the senate and legislature when lobbying before the senate. Any person who fails to conform to the senate or joint rules may have their privilege to lobby and all other privileges revoked upon a majority vote of the committee on rules for such time as is deemed appropriate by the committee))~~ senate's policy on appropriate workplace conduct. Conduct that constitutes prohibited conduct under the policy may result in restrictions, including, but not limited to, prohibitions on unaccompanied movement within the senate.

Any person registered as a lobbyist pursuant to chapter 42.17 RCW who intervenes in or attempts to influence any personnel

decision of the senate regarding any employee may suffer an immediate revocation of all privileges before the senate or such other privileges and for such time as may be deemed appropriate by the senate committee on rules. This restriction shall not prohibit a registered lobbyist from making written recommendations for staff positions.

Security Management

Rule 14. The sergeant at arms ~~((may))~~ shall develop ~~((methods))~~ security procedures to protect the senate, including its members, staff, and the visiting public ~~((by establishing procedures to curtail the use or possession of any weapon in a manner that is prohibited by law or by the rules of the Department of General Administration))~~.

SECTION III RULES AND ORDER Time of Convening

Rule 15. The senate shall convene at 10:00 a.m. each working day, unless adjourned to a different hour. The senate shall adjourn not later than 10:00 p.m. of each working day. The senate shall recess ninety minutes for lunch each working day. When reconvening on the same day the senate shall recess ninety minutes for dinner each working evening. This rule may be suspended by a majority.

Quorum

Rule 16. A majority of all members elected or appointed to the senate shall be necessary to constitute a quorum to do business. Less than a quorum may adjourn from day to day until a quorum can be had. (See Art. 2, Sec. 8, State Constitution.)

Order of Business

Rule 17. After the roll is called and journal read and approved, business shall be disposed of in the following order:

- FIRST. Reports of standing committees and standing subcommittees.
 SECOND. Reports of select committees.
 THIRD. Messages from the governor and other state officers.
 FOURTH. Messages from the house of representatives.
 FIFTH. Introduction, first reading and reference of bills, joint memorials, joint resolutions and concurrent resolutions.
 SIXTH. Second reading of bills.
 SEVENTH. Third reading of bills.
 EIGHTH. Presentation of petitions, memorials and floor resolutions.
 NINTH. Presentation of motions.

The order of business established by this rule may be changed and any order of business already dealt with may be reverted or advanced to by a majority vote of those present.

All questions relating to the priority of business shall be decided without debate.

Messages from the governor, other state officers, and from the house of representatives may be considered at any time with the consent of the senate.

Special Order

Rule 18. The president shall call the senate to order at the hour fixed for the consideration of a special order, and announce that the special order is before the senate, which shall then be considered unless it is postponed by a majority vote of the members present, and any business before the senate at the time of the announcement of the special order shall take its regular position in the order of business, except that if a cutoff established

by concurrent resolution occurs during the special order, the senate may complete the measure that was before the senate when consideration of the special order was commenced.

Unfinished Business

Rule 19. The unfinished business at the preceding adjournment shall have preference over all other matters, excepting special orders, and no motion or any other business shall be received without special leave of the senate until the former is disposed of.

Motions and Senate Floor Resolutions (How Presented)

Rule 20. 1. No motion shall be entertained or debated until announced by the president and every motion shall be deemed to have been seconded. It shall be reduced to writing and read by the secretary, if desired by the president or any senator, before it shall be debated, and by the consent of the senate may be withdrawn before amendment or action.

2. The senate shall consider no more than one floor resolution per day in session: Provided, That this rule shall not apply to floor resolutions essential to the operation of the senate; and further Provided, That there shall be no limit on the number of floor resolutions considered on senate pro forma session days. Senate floor resolutions shall be acted upon in the same manner as motions. All senate floor resolutions shall be on the secretary's desk at least twenty-four hours prior to consideration. Members' names shall be added to the resolution only if the member signs the resolution, except by unanimous consent of the senate. Members shall have until thirty minutes after the senate is convened the following day the senate is in a regular or pro forma session to add or remove their names to the floor resolution. A motion may be made to close the period for signatures at an earlier time.

Precedence of Motions

Rule 21. When a motion has been made and stated by the chair the following motions are in order, in the rank named:

PRIVILEGED MOTIONS

Adjourn, recess, or go at ease
 Reconsider
 Demand for call of the senate
 Demand for roll call
 Demand for division
 Question of privilege
 Orders of the day

INCIDENTAL MOTIONS

Points of order and appeal
 Method of consideration
 Suspend the rules
 Reading papers
 Withdraw a motion
 Division of a question

SUBSIDIARY MOTIONS

1st Rank: To lay on the table
 2nd Rank: For the previous question
 3rd Rank: To postpone to a day certain
 To commit or recommit
 To postpone indefinitely
 4th Rank: To amend

No motion to postpone to a day certain, to commit, or to postpone indefinitely, being decided, shall again be allowed on the same day and at the same stage of the proceedings, and when

a question has been postponed indefinitely it shall not again be introduced during the session.

A motion to lay an amendment on the table shall not carry the main question with it unless so specified in the motion to table.

At no time shall the senate entertain a Question of Consideration.

Voting

Rule 22. 1. In all cases of election by the senate, the votes shall be taken by yeas and nays, and no senator or other person shall remain by the secretary's desk while the roll is being called or the votes are being counted. No senator shall be allowed to vote except when within the bar of the senate, or upon any question upon which he or she is in any way personally or directly interested, nor be allowed to explain a vote or discuss the question while the yeas and nays are being called, nor change a vote after the result has been announced. (See also Art. 2, Secs. 27 and 30, State Constitution.)

2. A member not voting by reason of personal or direct interest, or by reason of an excused absence, may explain the reason for not voting by a brief statement not to exceed fifty words in the journal.

3. The yeas and nays shall be taken when called for by one-sixth of all the senators present, and every senator within the bar of the senate shall vote unless excused by the unanimous vote of the members present, except as provided for in Senate Rule 7, subsection 4, and the votes shall be entered upon the journal. (See also Art. 2, Sec. 21, State Constitution.)

When once begun the roll call may not be interrupted for any purpose other than to move a call of the senate. (See also Senate Rule 24.)

4. A senator having been absent during roll call may ask to have his or her name called. Such a request must be made before the result of the roll call has been announced by the president.

5. The passage of a bill or action on a question is lost by a tie vote, but when a vote of the senate is equally divided, the lieutenant governor, when presiding, shall have the deciding vote on questions ~~((other than the final passage of a bill))~~ as provided for in the state Constitution. (See also Art. 2, Secs. 10 and 22, State Constitution.)

6. The order of the names on the roll call shall be alphabetical by last name.

7. All votes in a committee or subcommittee shall be recorded, and the record shall be preserved as prescribed by the secretary of the senate. One-sixth of the committee may demand an oral roll call.

8. If a member of the majority is going to be absent due to a health matter or other emergency, then a member of the minority may publicly announce on the floor of the senate that he or she will cast votes as he or she believes the absent member would have voted in order to avoid results that would only occur because of the unanticipated absence.

Announcement of Vote

Rule 23. The announcement of all votes shall be made by the president.

Call of the Senate

Rule 24. Although a roll call is in progress, a call of the senate may be moved by three senators, and if carried by a majority of all present the secretary shall call the roll, after which the names of the absentees shall again be called. The doors shall then be locked and the sergeant at arms directed to take into custody all who may be absent without leave, and all the senators so taken into custody shall be presented at the bar of the senate for such action as the senate may deem proper.

One Subject in a Bill

Rule 25. No bill shall embrace more than one subject and that shall be expressed in the title. (See also Art. 2, Sec. 19, State Constitution.)

No Amendment by Mere Reference to Title of Act

Rule 26. No act shall ever be revised or amended by mere reference to its title, but the act revised or the section amended shall be set forth at full length. (See also Art. 2, Sec. 37, State Constitution.)

Reading of Papers

Rule 27. When the reading of any paper is called for, and is objected to by any senator, it shall be determined by a vote of the senate, without debate.

Any and all copies of reproductions of newspaper or magazine editorials, articles or cartoons or publications or material of any nature distributed to senators' desks must bear the name of at least one senator granting permission for the distribution. This shall not apply to materials normally distributed by the secretary of the senate or the majority or minority caucuses.

Comparing Enrolled and Engrossed Bills

Rule 28. Any senator shall have the right to compare an enrolled bill with the engrossed bill and may note any objections in the Journal.

SECTION IV PARLIAMENTARY PROCEDURE Rules of Debate

Rule 29. When any senator is about to speak in debate, or submit any matter to the senate, the senator shall rise, and standing in place, respectfully ~~((address))~~ request recognition by the President, and when recognized shall, in a courteous manner, speak to the question under debate, avoiding personalities; provided that a senator may refer to another member using the title "Senator" and the surname of the other member. No senator shall impeach the motives of any other member or speak more than twice (except for explanation) during the consideration of any one question, on the same day or a second time without leave, when others who have not spoken desire the floor, but incidental and subsidiary questions arising during the debate shall not be considered the same question. A majority of the members present may further limit the number of times a member may speak on any question and may limit the length of time a member may speak but, unless a demand for the previous question has been sustained, a member shall not be denied the right to speak at least once on each question, nor shall a member be limited to less than two minutes on each question. In any event, the senator who presents the motion may open and close debate on the question.

Recognition by the President

Rule 30. When two or more senators rise at the same time to address the chair, the president shall name the one who shall speak first, giving preference, when practicable, to the mover or

introducer of the subject under consideration. (See also Reed's Rule 214).

Call for Division of a Question

Rule 31. Any senator may call for a division of a question, which shall be divided if it embraces subjects so distinct that one being taken away a substantive proposition shall remain for the decision of the senate; but a motion to strike out and insert shall not be divided.

Point of Order - Decision Appealable

Rule 32. 1. Every decision of points of order by the president shall be subject to appeal by any senator, and discussion of a question of order shall be allowed. In all cases of appeal the question shall be: "Shall the decision of the president stand as the judgment of the senate?"

2. When a member appeals the decision of the presiding officer, the presiding officer may not preside over the appeal.

3. An appeal from the decision of the presiding officer is timely if brought before the body on the day the decision was made unless the decision affected a measure that is no longer in possession of the senate.

Question of Privilege

Rule 33. Any senator may rise to a question of privilege and explain a personal matter by leave of the president, but shall not discuss any pending question in such explanations, nor shall any question of personal privilege permit any senator to introduce any person or persons in the galleries. The president upon notice received may acknowledge the presence of any distinguished person or persons.

A question of privilege shall involve only subject matter which affects the particular senator personally and in a manner unique and peculiar to that senator.

Protests

Rule 34. Any senator or senators may protest against the action of the senate upon any question. Such protest may be entered upon the journal if it does not exceed 200 words. The senator protesting shall file the protest with the secretary of the senate within 48 hours following the action protested.

Adoption and Suspension of Rules

Rule 35. 1. The permanent senate rules adopted at the first regular session during a legislative biennium shall govern any session subsequently convened during the same legislative biennium. Adoption of permanent rules may be by majority of the senate without notice and a majority of the senate may change a permanent rule without notice at the beginning of any session, as determined pursuant to Article 2, Section 12 of the State Constitution. No permanent rule or order of the senate shall be rescinded or changed without a majority vote of the members of the senate, and one day's notice of the motion.

2. A permanent rule or order may be temporarily suspended for a special purpose by a vote of two-thirds of the members present unless otherwise specified herein. When the suspension of a rule is called, and after due notice from the president no objection is offered, the president may announce the rule suspended, and the senate may proceed accordingly. Motion for suspension of the rules shall not be debatable, except, the mover of the motion may briefly explain the purpose of the motion and at the discretion of the president a rebuttal may be allowed.

3. For the purposes of this rule, one day's notice means written notice is provided to all members of the Senate by 5:00 p.m. the day prior to the amendment to the permanent rules being offered and the notice must include, at a minimum, a description of the change to be offered.

Previous Question

Rule 36. The previous question shall not be put unless demanded by three senators, and it shall then be in this form: "Shall the main question be now put?" When sustained by a majority of senators present it shall preclude all debate, except the senator who presents the motion may open and close debate on the question and the vote shall be immediately taken on the question or questions pending before the senate, and all incidental question or questions of order arising after the motion is made shall be decided whether on appeal or otherwise without debate.

Reconsideration

Rule 37. 1. After the final vote on any measure, before the adjournment of that day's session, any member who voted with the prevailing side may give notice of reconsideration unless a motion to immediately transmit the measure to the house has been decided in the affirmative. Such motion to reconsider shall be in order only under the order of motions of the day immediately following the day upon which such notice of reconsideration is given, and may be made by any member who voted with the prevailing side.

2. A motion to reconsider shall have precedence over every other motion, except a motion to adjourn; and when the senate adjourns while a motion to reconsider is pending or before passing the order of motions, the right to move a reconsideration shall continue to the next day of sitting. On and after the tenth day prior to adjournment sine die of any session, as determined pursuant to Article 2, Section 12, or concurrent resolution, or in the event that the measure is subject to a senate rule or resolution or a joint rule or concurrent resolution, which would preclude consideration on the next day of sitting a motion to reconsider shall only be in order on the same day upon which notice of reconsideration is given and may be made at any time that day. Motions to reconsider a vote upon amendments to any pending question may be made and decided at once.

Motion to Adjourn

Rule 38. Except when under call of the senate, a motion to adjourn shall always be in order. The name of the senator moving to adjourn and the time when the motion was made shall be entered upon the journal.

Yeas and Nays - When Must be Taken

Rule 39. The yeas and nays shall be taken when called for by one-sixth of all the senators present, and every senator within the bar of the senate shall vote unless excused by the unanimous vote of the members present, and the votes shall be entered upon the journal. (See also Art. 2, Sec. 21, State Constitution.)

When once begun the roll call may not be interrupted for any purpose other than to move a call of the senate. (See also Senate Rules 22 and 24.)

Reed's Parliamentary Rules

Rule 40. The rules of parliamentary practice as contained in Reed's Parliamentary Rules shall govern the senate in all cases to which they are applicable, and in which they are not inconsistent with the rules and orders of this senate and the joint rules of this senate and the house of representatives.

**SECTION V
COMMITTEES**

Committees - Appointment and Confirmation

Rule 41. The president shall appoint all conference, special, joint and standing committees and standing subcommittees on the part of the senate. The appointment of the conference, special, joint and standing committees and standing subcommittees shall be confirmed by the senate.

In the event the senate shall refuse to confirm any conference, special, joint or standing committee (~~or committees~~) or standing subcommittee, such committee (~~or committees~~) or standing subcommittee shall be elected by the senate.

The following standing committees shall constitute the standing committees of the senate:

Standing Committee	Total Membership
(1. Agriculture, Water, Natural Resources & Parks	5
2. Economic Development & International Trade	5
3. Early Learning & K-12 Education	10
4. Energy, Environment & Technology	10
5. Financial Institutions & Insurance	7
6. Health & Long-Term Care	10
7. Higher Education & Workforce Development	9
8. Human Services & Corrections	7
9. Labor & Commerce	9
10. Law & Justice	7
11. Local Government	5
12. Rules	16 (plus the Lieutenant Governor)
13. State Government, Tribal Relations & Elections	5
14. Transportation	15
15. Ways & Means	24))
<u>1. Agriculture, Water, Natural Resources & Parks</u>	<u>7</u>
<u>2. Early Learning & K-12 Education</u>	<u>11</u>
<u>3. Environment, Energy, & Technology</u>	<u>15</u>
<u>4. Financial Institutions,</u>	
<u>Economic Development & Trade</u>	<u>7</u>
<u>5. Health & Long-Term Care</u>	<u>11</u>
<u>6. Higher Education & Workforce Development</u>	<u>7</u>
<u>7. Housing Stability & Affordability</u>	<u>7</u>
<u>8. Human Services, Reentry & Rehabilitation</u>	<u>7</u>
<u>9. Labor & Commerce</u>	<u>7</u>
<u>10. Law & Justice</u>	<u>7</u>
<u>11. Local Government</u>	<u>5</u>
<u>12. Rules</u>	<u>16</u>
	<i>(plus the Lieutenant Governor)</i>
<u>13. State Government, Tribal Relations & Elections</u>	<u>7</u>
<u>14. Transportation</u>	<u>15</u>
<u>15. Ways & Means</u>	<u>24</u>

The following constitutes a standing subcommittee of the senate:

<u>1. Behavioral Health Subcommittee on</u>	
<u>Health & Long-Term Care</u>	<u>5</u>

Subcommittees

Rule 42. 1. A standing subcommittee has authority to hold work sessions and public hearings and take executive action on measures referred to it by the relevant standing committee. The committee requirements in Senate Rules 44 through 49 apply equally to standing subcommittees created under Senate Rule 41.

2. In addition to standing subcommittees created under Senate Rule 41, committee chairs may create subcommittees of the standing committee and designate subcommittee chairs thereof to

study subjects within the jurisdiction of the standing committee. These subcommittees do not have executive action authority and are not considered standing subcommittees for purposes of senate rules. The committee chair shall approve the use of committee staff and equipment assigned to the subcommittee. Subcommittee activities shall further be subject to facilities and operations committee approval to the same extent as are the actions of the standing committee from which they derive their authority.

Subpoena Power

Rule 43. Any of the above referenced committees, including subcommittees thereof, or any special committees created by the senate, may have the powers of subpoena, the power to administer oaths, and the power to issue commissions for the examination of witnesses in accordance with the provisions of chapter 44.16 RCW. The committee chair shall file with the committee on rules, prior to issuance of any process, a statement of purpose setting forth the name or names of those subject to process. The rules committee shall consider every proposed issuance of process at a meeting of the rules committee immediately following the filing of the statement with the committee. The process shall not be issued prior to consideration by the rules committee. The process shall be limited to the named individuals and the committee on rules may overrule the service on an individual so named.

Duties of Committees

Rule 44. The several committees shall fully consider measures referred to them.

The committees shall acquaint themselves with the interest of the state specially represented by the committee, and from time to time present such bills and reports as in their judgment will advance the interests and promote the welfare of the people of the state: PROVIDED, That no executive action on bills may be taken during an interim.

Committee Rules

Rule 45. 1. At least five days' notice shall be given of all public hearings held by any committee other than the rules committee. Such notice shall contain the date, time and place of such hearing together with the title and number of each bill, or identification of the subject matter, to be considered at such hearing. By a majority vote of the committee members present at any committee meeting such notice may be dispensed with. The reason for such action shall be set forth in a written statement preserved in the records of the meeting.

2. No committee may hold a public hearing during a regular or extraordinary session on a proposal identified as a draft unless the draft has been made available to the public at least twenty-four hours prior to the hearing. This rule does not apply during the five days prior to any cutoff established by concurrent resolution nor does it apply to any measure exempted from the resolution.

3. During its consideration of or vote on any bill, resolution or memorial, the deliberations of any committee or subcommittee of the senate shall be open to the public. In case of any disturbance or disorderly conduct at any such deliberations, the chair shall order the sergeant at arms to suppress the same and may order the meeting closed to any person or persons creating such disturbance.

4. No committee shall amend a measure, adopt a substitute bill, or vote upon any measure or appointment absent a quorum. A committee may conduct a hearing absent a quorum. A majority of any committee shall constitute a quorum and committees shall be

considered to have a quorum present unless the question is raised. Any question as to quorum not raised at the time of the committee action is deemed waived.

5. Bills reported to the senate from a standing committee must have a majority report, which shall be prepared upon a printed standing committee report form; shall be adopted at a regularly or specially called meeting during a legislative session and shall be signed by a majority of the committee; and shall carry only one of the following recommendations:

- a. Do pass;
- b. Do pass as amended;
- c. That a substitute bill be substituted therefor, and the substitute bill do pass; or
- d. Without recommendation.

In addition to one of the above-listed recommendations, a report may also recommend that a bill be referred to another committee.

6. A majority report of a committee must carry the signatures of a majority of the members of the committee. In the event a committee has a quorum pursuant to subsection 4 of this rule, subject to the limitation of subsection 12 of this rule, a majority of the members present may act on a measure, subject to obtaining the signatures of a majority of the members of the committee on the majority report.

7. Any measure, appointment, substitute bill, or amendment still within a committee's possession before it has been reported out to the full senate may be reconsidered to correct an error, change language, or otherwise accurately reflect the will of the committee in its majority and minority reports to the full senate. Any such reconsideration may be made at any time, by any member of the committee, provided that the committee has not yet reported the measure, appointment, substitute bill, or amendment out to the full senate. Any such reconsideration made after a vote has been taken or signatures obtained will require a new vote and signature sheet. Any measure which does not receive a majority vote of the members present may be reconsidered at that meeting and may again be considered upon motion of any committee member if one day's notice of said motion is provided to all committee members. For purposes of this rule, a committee is deemed to have reported a measure, appointment, substitute bill, or amendment out when it has delivered its majority and minority reports to the senate workroom. After such delivery, the committee no longer has possession of the measure, appointment, substitute bill, or amendment and no further committee action, including reconsideration, may be taken.

8. Any member of the committee not concurring in the majority report may sign a minority report containing a recommendation of "do not pass" or "without recommendation," which shall be signed by those members of the committee subscribing thereto, and submitted with the majority report. Unless the signatory of a minority report expressly indicates a "do not pass" recommendation, the member's vote shall be deemed to be "without recommendation." In every case where a majority report form is circulated for signature, a minority report form shall also be circulated.

9. When a committee reports a substitute for an original bill with the recommendation that the substitute bill do pass, it shall be in order to read the substitute bill the first time and have the same ordered printed.

A motion for the substitution of the substitute bill for the original bill shall not be in order until the committee on rules places the original bill on the second reading calendar.

10. No vote in any committee shall be taken by secret ballot nor shall any committee have a policy of secrecy as to any vote on action taken in such committee.

11. All reports of standing committees must be on the secretary's desk one hour prior to convening of the session in order to be read at said session. During any special session of the legislature, this rule may be suspended by a majority vote.

12. When a standing committee is operated by cochair, the committee may not vote upon any measure or appointment without the consent of each cochair.

13. When a standing committee has a standing subcommittee established under Senate Rule 41, the chair of the committee may rerefer any measures referred to the committee to the standing subcommittee with the consent of the ranking member of the committee or, in the event of a dispute between the chair and ranking member, referral may occur with a majority vote of the committee.

Committee Meetings During Sessions

Rule 46. No committee shall sit during the daily session of the senate unless by special leave.

No committee shall sit during any scheduled caucus.

Reading of Reports

Rule 47. The majority report, and minority report, if there be one, together with the names of the signers thereof, shall be read by the secretary, unless the reading be dispensed with by the senate, and all committee reports shall be spread upon the journal.

Recalling Bills from Committees

Rule 48. Any standing committee or standing subcommittee of the senate may be relieved of further consideration of any bill, regardless of prior action of the committee, by a majority vote of the senators elected or appointed. The senate may then make such orderly disposition of the bill as they may direct by a majority vote of the members of the senate.

Bills Referred to Rules Committee

Rule 49. All bills reported by a committee to the senate shall then be referred to the committee on rules for second reading without action on the report unless otherwise ordered by the senate. (See also Senate Rules 63 and 64.)

Rules Committee

Rule 50. The lieutenant governor shall be a voting member and the chair of the committee on rules. The president pro tempore shall be a voting member and the vice chair of the committee on rules. The committee on rules shall have charge of the daily second and third reading calendar of the senate and shall direct the secretary of the senate the order in which the bills shall be considered by the senate and the committee on rules shall have the authority to directly refer any bill before them to any other standing committee. Such referral shall be reported out to the senate on the next day's business.

The (~~senate may change the~~) order of consideration of bills on the second or third reading calendar will be set by the floor leader of the majority caucus. A majority of members present may vote to change the order.

The calendar, except in emergent situations, as determined by the committee on rules, shall be on the desks and in the offices of the senators each day and shall cover the bills for consideration on the next following day.

Employment Committee

Rule 51. The employment committee for committee staff shall consist of six members, three from the majority party and three from the minority party. The chair shall be appointed by the majority leader. All decisions shall be determined by majority vote. The committee shall operate within staffing, budget levels and guidelines as authorized and adopted by the facilities and operations committee.

Committee of the Whole

Rule 52. At no time shall the senate sit as a committee of the whole.

The senate may at any time, by the vote of the majority of the members present, sit as a body for the purpose of taking testimony on any measure before the senate.

Appropriation Budget Bills

Rule 53. No biennial or supplemental omnibus operating budget, omnibus capital budget, or omnibus transportation budget bill may be acted upon in second reading until twenty-four hours after the bill has been placed on the second reading calendar by the rules committee. This rule does not apply to conference committee reports of biennial or supplemental omnibus budget bills, which are governed by joint rules. This rule may be suspended with a majority vote of those present within three days of sine die. The rules committee shall establish by separate motion the time at which a bill has been placed on the second reading calendar for purposes of this rule.

**SECTION VI
BILLS, RESOLUTIONS, MEMORIALS AND
GUBERNATORIAL APPOINTMENTS**

Definitions

Rule 54. "Measure" means a bill, joint memorial, joint resolution, or concurrent resolution.

"Bill" when used alone means bill, joint memorial, joint resolution, or concurrent resolution.

"Majority" shall mean a majority of those members present unless otherwise stated.

Prefiling

Rule 55. Holdover members and members-elect to the senate may prefile bills with the secretary of the senate on any day commencing with the first Monday in December preceding any session year; or twenty days prior to any special session of the legislature. Such bills will be printed, distributed and prepared for introduction on the first legislative day. No bill, joint memorial or joint resolution shall be prefiled by title and/or preamble only. (See also Senate Rule 3, Sub. 3.)

Introduction of Bills

Rule 56. All bills, joint resolutions, and joint memorials introduced shall be endorsed with a statement of the title and the name of the member introducing the same. Any member desiring to introduce a bill, joint resolution, or joint memorial shall file the same with the secretary of the senate by noon of the day before the convening of the session at which said bill, joint resolution, or joint memorial is to be introduced.

Provided that a vote has not been taken on final passage of a bill, joint resolution, or joint memorial, a member may add his or her name as a cosponsor until 2:00 p.m. of the day of its introduction. For any bill, joint resolution, or joint memorial that has been prefiled for a regular session, a member has until 2:00 p.m. of the day following introduction to add his or her name as a cosponsor.

To be considered during a regular session, a bill must be introduced at least ten days before final adjournment of the legislature, unless the legislature directs otherwise by a vote of two-thirds of all the members elected to each house, said vote to be taken by yeas and nays and entered upon the journal. The time limitation for introduction of bills shall not apply to substitute bills reported by standing committees for bills pending before such committees and general appropriation and revenue bills. (See also Art. 2, Sec. 36, State Constitution.)

Amendatory Bills

Rule 57. Bills introduced in the senate intended to amend existing statutes shall have the words which are amendatory to such existing statutes underlined. Any matter to be deleted from the existing statutes shall be indicated by setting such matter forth in full, enclosed by double parentheses, and such deleted matter shall be lined out with hyphens. No bill shall be printed or acted upon until the provisions of this rule shall have been complied with.

Sections added by amendatory bill to an existing act, or chapter of the official code, need not be underlined but shall be designated "NEW SECTION" in upper case type and such designation shall be underlined. New enactments need not be underlined.

When statutes are being repealed, the Revised Code of Washington section number to be repealed, the section caption and the session law history, from the most current to the original, shall be cited.

Joint Resolutions and Memorials

Rule 58. Joint resolutions and joint memorials, up to the signing thereof by the president of the senate, shall be subject to the rules governing the course of bills.

Senate Concurrent Resolutions

Rule 59. Concurrent resolutions shall be subject to the rules governing the course of bills and may be adopted without a roll call. Concurrent resolutions authorizing investigations and authorizing the expenditure or allocation of any money must be adopted by roll call and the yeas and nays recorded in the journal. Concurrent resolutions are subject to final passage on the day of the first reading without regard to Senate Rules 62, 63, and 64.

Committee Bills

Rule 60. Committee bills introduced by a standing committee during a legislative session may be filed with the secretary of the senate and introduced, and the signature of each member of the committee shall be endorsed upon the cover of the original bill.

Committee bills shall be read the first time by title, ordered printed, and referred to the committee on rules for second reading.

Committee Reference

Rule 61. When a motion is made to refer a subject, and different committees are proposed, the question shall be taken in the following order:

- FIRST: A standing committee.

SECOND: A select committee.

Reading of Bills

Rule 62. Every bill shall be read on three separate days unless the senate deems it expedient to suspend this rule. On and after the tenth day preceding adjournment sine die of any session, or three days prior to any cut-off date for consideration of bills, as determined pursuant to Article 2, Section 12 of the Constitution or concurrent resolution, or during any special session of the legislature, this rule may be suspended by a majority vote. (See also Senate Rules 59 and ~~((Rule))~~ 64).

First Reading

Rule 63. The first reading of a bill shall be by title only, unless a majority of the members present demand a reading in full.

After the first reading, bills shall be referred to an appropriate committee pursuant to Senate Rule 61.

Upon being reported back by committee, pursuant to Senate Rule 49, all bills shall be referred to the committee on rules for second reading, unless otherwise ordered by the senate. ~~((See Rule 49.))~~

A bill shall be reported back by the committee chair upon written petition therefor signed by a majority of its members. The petition shall designate the recommendation as provided in Senate Rule 45, Sub. 5.

No committee chair shall exercise a pocket veto of any bill.

Should there be a two-thirds majority report of the committee membership against the bill, a vote shall be immediately ordered for the indefinite postponement of the bill.

Second Reading/Amendments

Rule 64. Upon second reading, the bill shall be read section by section, in full, and be subject to amendment.

Any member may, if sustained by three members, remove a bill from the consent calendar as constituted by the committee on rules. A bill removed from the consent calendar shall take its place as the last bill ~~((in the order of consideration of bills))~~ on the second reading calendar.

No amendment shall be considered by the senate until it shall have been sent to the secretary's desk in writing and read by the secretary.

All amendments adopted on the second reading shall then be securely fastened to the original bill.

All amendments rejected by the senate shall be spread upon the journal, and the journal shall show the disposition of all amendments.

When no further amendments shall be offered, the president shall declare the bill has passed its second reading, and shall be referred to the committee on rules for third reading.

Third Reading

Rule 65. Bills on third reading shall be read in full by sections, and no amendment shall be entertained.

When a bill shall pass, it shall be certified to by the secretary, together with the vote upon final passage, noting the day of its passage thereon.

The vote must be taken by yeas and nays, the names of the senators voting for and against the same to be entered upon the

journal and the majority of the members elected to the senate must be recorded thereon as voting in its favor to secure its passage by the senate.

Scope and Object of Bill Not to be Changed

Rule 66. No amendment to any bill shall be allowed which shall change the scope and object of the bill. (See also Art. 2, Sec. 38, State Constitution.) Substitute bills shall be considered amendments for the purposes of this rule. A point of order raising the question of scope and object may be raised at any time during consideration of an amendment prior to voting on the amendment. A proposed amendment to an unamended title-only bill shall be within the scope and object of the bill if the subject of the amendment fits within the language in the title.

Matters Related to Disagreement Between the Senate and House

Rule 67. When there is a disagreement between the senate and house on a measure before the senate, the senate may act upon the measure with the following motions which have priority in the following order:

- To concur
- To non-concur
- To recede
- To insist
- To adhere

These motions are in order as to any single amendment or to a series of amendments. (See Reed's Rules 247 through 254.)

A senate bill, passed by the house with amendment or amendments which shall change the scope and object of the bill, upon being received in the senate, shall be referred to an appropriate committee and shall take the same course as for original bills, unless a motion to ask the house to recede, to insist or to adhere is made prior to the measure being referred to committee.

Bills Committed for Special Amendment

Rule 68. A bill may be committed with or without special instructions to amend at any time before taking the final vote.

Confirmation of gubernatorial appointees

Rule 69. When the names of appointees to state offices are transmitted to the secretary of the senate for senate confirmation, the communication from the governor shall be recorded and referred to the appropriate standing committee.

The standing committee, or subcommittee, pursuant to Senate Rule 42, shall require each appointee referred to the committee for consideration to complete the standard questionnaire to be used to ascertain the appointee's general background and qualifications. The committee may also require the appointee to complete a supplemental questionnaire related specifically to the qualifications for the position to which he has been appointed.

Any hearing on a gubernatorial appointment, held by the standing committee, or subcommittees, pursuant to Senate Rule 42, shall be a public hearing. The appointee may be required to appear before the committee on request. When appearing, the appointee shall be required to testify under oath or affirmation. The chair of the committee or the presiding member shall administer the oath or affirmation in accordance with RCW 44.16. (See also Article 2, Sec. 6 of the State Constitution.)

Nothing in this rule shall be construed to prevent a standing committee, or subcommittee, pursuant to Senate Rule 42, upon a

two-thirds vote of its members, from holding executive sessions when considering an appointment.

When the committee on rules presents the report of the standing committee before the senate, the question shall be the confirmation of the name proposed, and the roll shall then be called and the yeas and nays entered upon the journal. In the event a message is received from the governor requesting return of an appointment or appointments to the office of the governor prior to confirmation, the senate shall vote upon the governor's request and the appointment or appointments shall be returned to the governor if the request is approved by a majority of the members elected or appointed. (Article 13 of the State Constitution.)

Senator Liias moved the following oral amendment by Senator Liias, on page 1, line 10 of the resolution strike "2018" and insert "2019", correcting the date.

The President declared the question before the Senate to be the adoption of the oral amendment by Senator Liias on page 1, line 10 to Senate Resolution No. 8601.

The motion by Senator Liias carried and the oral amendment was adopted by voice vote.

MOTION

Senator Ericksen moved that the following amendment no. 001 by Senator Ericksen be adopted.

On page 5, beginning on line 21, after "vote" strike all material through "Constitution" on line 23 and insert "on questions other than the final passage of a bill"

On page 14, beginning on line 31, after "questions" strike all material through "Constitution" on line 32 and insert "other than the final passage of a bill"

Senators Ericksen and Padden spoke in favor of adoption of the amendment.

Senator Liias spoke against adoption of the amendment.

Senator Schoesler demanded a roll call.

The President declared that one-sixth of the members supported the demand and the demand was sustained.

The President declared the question before the Senate to be the adoption of amendment no. 001 by Senator Ericksen on page 5, line 21 to Senate Resolution No. 8601.

ROLL CALL

The Secretary called the roll on the adoption of amendment no. 001 by Senator Ericksen and the amendment was not adopted by the following vote: Yeas, 21; Nays, 27; Absent, 0; Excused, 0.

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

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

MOTION

Senator Becker moved that the following amendment no. 002 by Senator Becker be adopted:

On page 20, line 10, after "committees" strike "and standing subcommittees"

On page 20, line 12, after "committees" strike "and standing subcommittees"

On page 20, beginning on line 15, after "committee" strike all material through "subcommittee" on line 16 and insert "or committees"

On page 20, beginning on line 16, after "committee" strike all material through "subcommittee" on line 17 and insert "or committees"

On page 20, after line 36, insert the following:

"2. Behavioral Health Committee 5"

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

On page 21, after line 11, strike all material through "5" on line 13

On page 21, beginning on line 15, after "42." strike all material through "committee" on line 21 and insert "Committee"

On page 21, beginning on line 23, after "committee." strike all material through "rules." on line 25

Beginning on page 24, line 35, strike all material through "committee." on page 25, line 3

On page 25, line 14, after "committee" strike "or standing subcommittee"

Senator Becker spoke in favor of adoption of the amendment.

Senator Dhingra spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 002 by Senator Becker on page 20, line 10 to Senate Resolution No. 8601.

The motion by Senator Becker did not carry and amendment no. 002 was not adopted by voice vote.

The President declared the question before the Senate to be the adoption of Engrossed Senate Resolution No. 8601.

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

MOTION

Senator Liias moved adoption of the following resolution:

SENATE RESOLUTION
8600

By Senators Billig and Schoesler

BE IT RESOLVED, That a committee consisting of two members of the Senate be appointed by the President of the Senate to notify the Governor that the Senate is organized and ready to conduct business.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8600.

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

APPOINTMENT OF SPECIAL COMMITTEE

In accordance with Senate Resolution No. 8600, the President appointed Senators Das and Holy to join a like committee from the House of Representatives to notify the Governor that the Legislature is organized and ready to conduct business.

STANDING COMMITTEE ASSIGNMENTS

The President announced the following appointments to the standing committees, listed on the document entitled "Senate Standing Committees & Subcommittee – 2019."

Senate Standing Committees & Subcommittee – 2019**Agriculture, Water, Natural Resources & Parks**

<i>Van De Wege, Chair</i>	<i>Warnick, Ranking</i>
<i>Salomon, Vice Chair</i>	Honeyford
McCoy	Short
Rolfes	

Early Learning & K-12 Education

<i>Wellman, Chair</i>	<i>Hawkins, Ranking</i>
<i>Wilson, C., Vice Chair</i>	Holy
Hunt	Padden
McCoy	Wagoner
Mullet	
Pedersen	
Salomon	

Environment, Energy & Technology

<i>Carlyle, Chair</i>	<i>Ericksen, Ranking</i>
<i>Palumbo, Vice Chair</i>	<i>Fortunato, Assistant Ranking</i>
Billig	<i>Sheldon, Assistant Ranking</i>
Das	Brown
McCoy	Short
Nguyen	
Wellman	
LD 40	

Financial Institutions, Economic Development & Trade

<i>Mullet, Chair</i>	<i>Wilson, Ranking</i>
<i>Hasegawa, Vice Chair</i>	Ericksen
Das	
Hobbs	

Health & Long Term Care

<i>Cleveland, Chair</i>	<i>O'Ban, Ranking</i>
<i>Randall, Vice Chair</i>	Bailey
Conway	Becker
Dhingra	Rivers
Froct	
Keiser	
Van De Wege	

Behavioral Health Subcommittee

<i>Dhingra, Chair</i>	<i>Wagoner, Ranking</i>
Darneille	O'Ban
Froct	

Higher Education & Workforce Development

<i>Palumbo, Chair</i>	<i>Holy, Ranking</i>
<i>Randall, Vice Chair</i>	Brown
Liias	Ericksen
Wellman	

Housing Stability & Affordability

<i>Kuderer, Chair</i>	<i>Zeiger, Ranking</i>
<i>Das, Vice Chair</i>	Fortunato
Darneille	Warnick

Senate Standing Committees & Subcommittee – 2019

Saldaña

Human Services, Reentry & Rehabilitation

<i>Darneille, Chair</i>	<i>Walsh, Ranking</i>
<i>Nguyen, Vice Chair</i>	O'Ban
Cleveland	Zeiger
Wilson, C.	

Labor & Commerce

<i>Keiser, Chair</i>	<i>King, Ranking</i>
<i>Conway, Vice Chair</i>	Braun
Saldaña	Walsh
Wellman	

Law & Justice

<i>Pedersen, Chair</i>	<i>Padden, Ranking</i>
<i>Dhingra, Vice Chair</i>	Holy
Kuderer	Wilson, L.
Salomon	

Local Government

<i>Takko, Chair</i>	<i>Short, Ranking</i>
<i>Salomon, Vice Chair</i>	Honeyford
Liias	

State Government, Tribal Relations & Elections

<i>Hunt, Chair</i>	<i>Zeiger, Ranking</i>
<i>Kuderer, Vice Chair</i>	Bailey
Hasegawa	Hawkins
Takko	

Transportation

<i>Hobbs, Chair</i>	<i>King, Ranking</i>
<i>Saldaña, Vice Chair</i>	<i>Sheldon, Assistant Ranking</i>
Das	Fortunato
Nguyen	O'Ban
Randall	Padden
Takko	Zeiger
Wilson, C.	
LD 40	

Ways & Means

<i>Rolfes, Chair</i>	<i>Braun, Ranking</i>
<i>Froct, Vice Chair Operating & Capital Lead</i>	<i>Brown, Assistant Ranking Operating</i>
<i>Mullet, Capital Budget Cabinet</i>	<i>Honeyford, Assistant Ranking Capital</i>
Billig	Bailey
Carlyle	Becker
Conway	Rivers
Darneille	Schoesler
Hasegawa	Wagoner
Hunt	Warnick
Keiser	Wilson, L.
Liias	
Palumbo	
Pedersen	
Van De Wege	

Rules

<i>Lt. Governor, Chair</i>	<i>Schoesler, Ranking</i>
<i>Keiser, Vice Chair</i>	Becker
Billig	King
Carlyle	Rivers
Cleveland	Sheldon
Hasegawa	Short
Kuderer	
Liias	
McCoy	

Senate Standing Committees & Subcommittee – 2019

Nguyen

MOTIONS

On motion of Senator Liias, the appointments to the standing committees were confirmed by voice vote.

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

MESSAGE FROM THE HOUSE

January 14, 2019

MR. PRESIDENT:

The House has adopted:

HOUSE CONCURRENT RESOLUTION NO. 4400,
and the same is herewith transmitted.

BERNARD DEAN, Chief Clerk

MOTION

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

INTRODUCTION AND FIRST READING

SB 5000 by Senators Palumbo and Rivers

AN ACT Relating to online access to health care resources for veterinarians and veterinary technicians; and amending RCW 43.70.110.

Referred to Committee on Health & Long Term Care.

SB 5001 by Senators Pedersen, King, Rivers, Keiser, Palumbo, Saldaña and Liias

AN ACT Relating to human remains; amending RCW 68.04.020, 68.04.080, 68.04.120, 68.04.170, 68.04.260, 68.04.270, 68.05.175, 68.05.195, 68.05.205, 68.05.245, 68.24.010, 68.24.150, 68.50.108, 68.50.110, 68.50.130, 68.50.140, 68.50.160, 68.50.170, 68.50.185, 68.50.240, 68.50.270, 68.64.120, 70.15.010, 70.58.230, 70.58.260, 70.95K.010, 70.95M.090, 73.08.070, 73.08.080, 18.39.170, 18.39.217, and 18.39.410; reenacting and amending RCW 18.39.010; adding new sections to chapter 68.04 RCW; repealing RCW 68.05.390; and prescribing penalties.

Referred to Committee on Labor & Commerce.

SB 5002 by Senators Pedersen and Padden

AN ACT Relating to limited cooperative associations; amending RCW 23.95.105, 23.95.305, and 23.86.030; adding a new section to chapter 23.86 RCW; adding a new section to chapter 24.06 RCW; and adding a new chapter to Title 23 RCW.

Referred to Committee on Law & Justice.

SB 5003 by Senators Pedersen and Padden

AN ACT Relating to Washington's business corporation act; amending RCW 23B.06.300, 23B.07.280, 23B.10.205, 23B.01.400, 23B.12.010, and 23B.12.020; and reenacting and amending RCW 23B.02.020.

Referred to Committee on Law & Justice.

SB 5004 by Senators Cleveland and Rivers

AN ACT Relating to allowing animal care and control agencies and nonprofit humane societies to provide additional veterinary services to low-income households; and amending RCW 18.92.260.

Referred to Committee on Health & Long Term Care.

SB 5005 by Senator Takko

AN ACT Relating to personalized collector vehicle license plates; and amending RCW 46.17.210, 46.18.220, and 46.18.275.

Referred to Committee on Transportation.

SB 5006 by Senator Takko

AN ACT Relating to allowing the sale of wine by microbrewery license holders; amending RCW 66.24.244; and providing an effective date.

Referred to Committee on Labor & Commerce.

SB 5007 by Senator Rolfes

AN ACT Relating to motorcycle helmet use; amending RCW 46.37.530 and 46.30.020; adding a new section to chapter 43.59 RCW; providing an effective date; and providing expiration dates.

Referred to Committee on Transportation.

SB 5008 by Senator Palumbo

AN ACT Relating to short subdivisions; and amending RCW 58.17.020.

Referred to Committee on Local Government.

SB 5009 by Senator Hunt

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

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

SB 5010 by Senators Rolfes, Van De Wege and Ranker

AN ACT Relating to protected lands not being assessed local fire district levies; and creating a new section.

Referred to Committee on Local Government.

SB 5011 by Senator Honeyford

AN ACT Relating to a community aviation revitalization loan program; amending RCW 47.68.020; amending 2018 c 2 s 7028 (uncodified); reenacting and amending RCW 43.79A.040; adding new sections to chapter 47.68 RCW; and creating a new section.

Referred to Committee on Transportation.

SB 5012 by Senators Takko, Zeiger, Rolfes, Hobbs, O'Ban, Keiser, Warnick, Hunt, Pedersen, Bailey, Conway and McCoy

AN ACT Relating to governmental continuity during emergency periods; amending RCW 38.52.010, 38.52.030, 42.14.010, 42.14.020, 42.14.030, 42.14.035, 42.14.040, 42.14.050, and 42.14.075; creating a new section; and providing a contingent effective date.

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

SB 5013 by Senator McCoy

AN ACT Relating to the appointment of religious coordinators; and amending RCW 41.04.360, 72.01.210, 72.01.212, 72.01.220, 72.01.230, and 72.01.240.

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

SB 5014 by Senator McCoy

AN ACT Relating to reducing state assessment requirements to only those required for federal purposes in order to facilitate removal of inequitable barriers to students; amending RCW 28A.155.170, 28A.180.100, 28A.195.010, 28A.200.010, 28A.230.090, 28A.230.122, 28A.230.125, 28A.305.130, 28A.320.190, 28A.320.208, 28A.415.360, 28A.600.310, 28A.655.061, 28A.655.066, 28A.655.068, 28A.655.090, 28A.655.185, 28A.655.200, 28A.655.070, 28A.700.080, and 28B.15.520; creating a new section; and repealing RCW 28A.155.045, 28A.600.405, 28A.655.063, and 28A.655.065.

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

SB 5015 by Senator McCoy

AN ACT Relating to applying motor vehicle muffler requirements to certain older vehicles; and amending RCW 46.37.390.

Referred to Committee on Transportation.

SB 5016 by Senator Van De Wege

AN ACT Relating to allowing animal control officers to carry firearms for personal protection; and amending RCW 16.52.015.

Referred to Committee on Law & Justice.

SB 5017 by Senators Salomon and Van De Wege

AN ACT Relating to the uniform unsworn declarations act; amending RCW 5.50.010, 5.50.020, 5.50.050, 5.50.900, and 5.50.901; and repealing RCW 9A.72.085.

Referred to Committee on Law & Justice.

SB 5018 by Senator Palumbo

AN ACT Relating to replacing the Interstate 405 express toll lanes with a general purpose lane and a high occupancy vehicle lane; amending RCW 46.61.165 and 47.52.025; reenacting and amending RCW 47.56.810 and 43.84.092; adding a new section to chapter 47.01 RCW; creating a new

section; repealing RCW 47.56.880, 47.56.886, and 47.56.884; providing an effective date; and declaring an emergency.

Referred to Committee on Transportation.

SB 5019 by Senators Takko and Rivers

AN ACT Relating to modifying the expiration date of certain state fire service mobilization laws; amending 2015 c 181 s 5 (uncodified); providing an effective date; and declaring an emergency.

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

SB 5020 by Senators Hobbs, Salomon, Hasegawa, King, Saldaña and Nguyen

AN ACT Relating to establishing a soju endorsement to beer and/or wine restaurant licenses and spirits, beer, and wine restaurant licenses; and amending RCW 66.04.010, 66.24.320, and 66.24.400.

Referred to Committee on Labor & Commerce.

SB 5021 by Senators Van De Wege, Walsh, Keiser, Conway, Hunt and Hobbs

AN ACT Relating to granting interest arbitration to department of corrections employees; and adding a new section to chapter 41.80 RCW.

Referred to Committee on Labor & Commerce.

SB 5022 by Senators Keiser, Conway, Van De Wege, Hunt and Hobbs

AN ACT Relating to granting binding interest arbitration rights to certain higher education uniformed personnel; amending RCW 41.80.005 and 41.80.010; adding new sections to chapter 41.80 RCW; and prescribing penalties.

Referred to Committee on Labor & Commerce.

SB 5023 by Senators Hasegawa and Conway

AN ACT Relating to an ethnic studies curriculum for public school students; adding a new section to chapter 28A.300 RCW; creating new sections; and providing an expiration date.

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

SB 5024 by Senator Hasegawa

AN ACT Relating to the transparency of local taxing districts; amending RCW 19.29A.030; adding a new section to chapter 35.58 RCW; adding a new section to chapter 54.04 RCW; adding a new section to chapter 85.08 RCW; adding a new section to chapter 36.58A RCW; adding a new section to chapter 36.58 RCW; adding a new section to chapter 57.02 RCW; adding a new section to chapter 35.92 RCW; and providing an effective date.

Referred to Committee on Local Government.

SB 5025 by Senators Das, Warnick, Wilson, C. and Zeiger

AN ACT Relating to sales and use and excise tax exemptions for self-help housing development; reenacting and amending RCW 82.45.010; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; creating a new section; providing an effective date; and providing expiration dates.

Referred to Committee on Housing Stability & Affordability.

SB 5026 by Senator Honeyford

AN ACT Relating to the placement of planning boundaries in conjunction with parcel boundaries; and amending RCW 36.70A.110.

Referred to Committee on Local Government.

SB 5027 by Senator Frockt

AN ACT Relating to extreme risk protection orders; and amending RCW 7.94.120, 7.94.030, and 7.94.060.

Referred to Committee on Law & Justice.

SB 5028 by Senator Hunt

AN ACT Relating to declaring September the month of the kindergartner; and adding a new section to chapter 28A.150 RCW.

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

SB 5029 by Senators Frockt, Padden, Pedersen, Dhingra, Saldaña, Nguyen, Holy, Salomon, Wellman, Wilson, C., Das, Randall and Carlyle

AN ACT Relating to law enforcement; amending RCW 43.101.--- and 36.28A.---; amending 2019 c ... s 9 (uncodified); reenacting and amending RCW 9A.16.040; adding new sections to chapter 10.114 RCW; adding a new section to chapter 9A.16 RCW; repealing RCW 10.114.010, 10.114.020, 9A.16.045, 43.101.450, 43.101.452, 43.101.455, and 36.28A.445; repealing 2018 c 10 s 3 and 2018 c 11 s 7; repealing 2018 c 10 ss 4, 8, 9, and 10 and 2018 c 11 ss 1, 2, 8, 9, 10, and 11 (uncodified); and declaring an emergency.

Referred to Committee on Law & Justice.

SB 5030 by Senators Mullet, Wilson and L.

AN ACT Relating to service contract providers; amending RCW 48.110.017, 48.110.030, 48.110.055, 48.110.130, and 48.110.902; and adding a new section to chapter 48.110 RCW.

Referred to Committee on Financial Institutions, Economic Development & Trade.

SB 5031 by Senators Rolfes, Kuderer, Randall, Mullet, Van De Wege and Liias

AN ACT Relating to protecting consumers from charges for out-of-network health care services; amending RCW 48.43.005, 48.43.093, and 41.05.017; reenacting and amending RCW 18.130.180; adding a new section to chapter 48.30 RCW; adding a new section to chapter 70.41 RCW;

adding a new section to chapter 70.230 RCW; adding a new section to chapter 70.42 RCW; adding a new section to chapter 43.371 RCW; adding a new chapter to Title 48 RCW; creating new sections; prescribing penalties; providing an effective date; and providing an expiration date.

Referred to Committee on Health & Long Term Care.

SB 5032 by Senator Cleveland

AN ACT Relating to medicare supplemental insurance policies; and amending RCW 48.66.045 and 48.66.055.

Referred to Committee on Health & Long Term Care.

SB 5033 by Senators Carlyle, Hunt, Kuderer, Rolfes, Conway, Keiser and Liias

AN ACT Relating to employment after public service in state government; amending RCW 42.52.080 and 42.52.900; adding a new section to chapter 42.52 RCW; creating new sections; and providing an effective date.

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

SB 5034 by Senators Dhingra, Frockt, Pedersen and Kuderer

AN ACT Relating to the service of legal actions to collect a debt by a collection agency; amending RCW 19.16.250; and creating a new section.

Referred to Committee on Law & Justice.

SB 5035 by Senators Saldaña, Hasegawa, Conway and Keiser

AN ACT Relating to enhancing the prevailing wage laws to ensure contractor and owner accountability and worker protection; amending RCW 39.12.010, 39.12.050, and 39.12.065; adding a new section to chapter 39.12 RCW; creating a new section; prescribing penalties; and providing an effective date.

Referred to Committee on Labor & Commerce.

SB 5036 by Senators Conway and Takko

AN ACT Relating to the compensation of commissioners of certain metropolitan park districts; and amending RCW 35.61.150.

Referred to Committee on Local Government.

SB 5037 by Senator O'Ban

AN ACT Relating to requiring a regional transit authority to receive additional approval from voters if the cost to complete a regional transit system plan approved by voters in 2016 increases beyond fifty-four billion dollars or any additions or subtractions of projects or significant project scope when compared to the system plan are made; adding a new section to chapter 81.112 RCW; and creating new section.

Referred to Committee on Transportation.

SB 5038 by Senator O'Ban

AN ACT Relating to limiting the placement of institutionalized persons with a history of criminal justice involvement in adult family homes; amending RCW 71.09.092 and 70.97.030; and adding a new section to chapter 71.05 RCW.

Referred to Committee on Health & Long Term Care.

SB 5039 by Senator O'Ban

AN ACT Relating to adjusting the duration of competency restoration treatment based on risk; amending RCW 10.77.060, 10.77.084, 10.77.086, 10.77.088, 10.77.065, and 71.05.235; and adding a new section to chapter 10.77 RCW.

Referred to Committee on Health & Long Term Care.

SB 5040 by Senator O'Ban

AN ACT Relating to the equitable geographic distribution of community placements for institutionalized persons with a history of criminal justice involvement; amending RCW 71.09.096; adding a new section to chapter 71.05 RCW; and creating a new section.

Referred to Committee on Health & Long Term Care.

SB 5041 by Senator O'Ban

AN ACT Relating to development of community long-term involuntary treatment capacity; amending RCW 71.24.310; adding a new section to chapter 71.24 RCW; and creating a new section.

Referred to Committee on Health & Long Term Care.

SB 5042 by Senator O'Ban

AN ACT Relating to establishing a vehicle valuation method for a regional transit authority collecting a motor vehicle excise tax that is based on Kelley blue book or national automobile dealers association values; amending RCW 82.44.135; adding a new section to chapter 81.112 RCW; creating new sections; and declaring an emergency.

Referred to Committee on Transportation.

SB 5043 by Senator O'Ban

AN ACT Relating to nullifying the imposition of certain taxes within regional transit authority boundaries; amending RCW 81.104.160 and 81.104.175; adding a new section to chapter 81.112 RCW; and declaring an emergency.

Referred to Committee on Transportation.

SB 5044 by Senator O'Ban

AN ACT Relating to nullifying the imposition of certain taxes within regional transit authority boundaries; amending RCW 81.104.150, 81.104.160, 81.104.170, and 81.104.175; adding a new section to chapter 81.112 RCW; and declaring an emergency.

Referred to Committee on Transportation.

SB 5045 by Senator O'Ban

AN ACT Relating to integrating risk for long-term civil involuntary treatment into managed care; amending RCW 71.05.320 and 71.05.320; reenacting and amending RCW

71.24.045; adding a new section to chapter 71.24 RCW; adding a new section to chapter 74.09 RCW; adding a new section to chapter 71.05 RCW; providing an effective date; and providing an expiration date.

Referred to Committee on Health & Long Term Care.

SB 5046 by Senator O'Ban

AN ACT Relating to extending county authority to collect reimbursements from the department when conducting panel competency evaluations; amending RCW 10.77.073; providing an expiration date; and declaring an emergency.

Referred to Committee on Health & Long Term Care.

SB 5047 by Senator O'Ban

AN ACT Relating to veteran diversion from involuntary commitment through increased coordination between the veterans administration and the department of social and health services; amending RCW 71.05.153 and 71.05.153; providing an effective date; and providing an expiration date.

Referred to Committee on Health & Long Term Care.

SB 5048 by Senator O'Ban

AN ACT Relating to establishing a reentry community safety program for state hospital patients; amending RCW 71.24.470, 72.09.370, 71.05.320, 71.05.320, 71.05.340, 10.77.163, and 71.24.330; reenacting and amending RCW 71.24.385; adding a new section to chapter 71.05 RCW; creating a new section; providing an effective date; and providing an expiration date.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SB 5049 by Senator O'Ban

AN ACT Relating to the creation of a property tax exemption for spouses of military members or first responders killed in the line of duty; amending RCW 84.36.385 and 84.36.387; adding a new section to chapter 84.36 RCW; and creating new sections.

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

SB 5050 by Senator O'Ban

AN ACT Relating to body armor; amending RCW 9.94A.030, 9.94A.533, and 9.94A.470; adding a new section to chapter 9.94A RCW; creating new sections; prescribing penalties; and providing an effective date.

Referred to Committee on Law & Justice.

SB 5051 by Senator O'Ban

AN ACT Relating to incentivizing the development of commercial office space in cities with a population of greater than fifty thousand and located in a county with a population of less than one million five hundred thousand; adding a new section to chapter 82.14 RCW; adding a new section to chapter 82.12 RCW; adding a new chapter to Title 35 RCW; adding a new chapter to Title 84 RCW; and creating new sections.

Referred to Committee on Financial Institutions, Economic Development & Trade.

SB 5052 by Senator O'Ban

AN ACT Relating to school resource officers to increase school safety; adding new sections to chapter 36.28A RCW; adding a new section to chapter 43.101 RCW; and adding a new section to chapter 28A.320 RCW.

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

SB 5053 by Senator O'Ban

AN ACT Relating to increasing behavioral health workforce participation by addressing certification and licensure requirements; amending RCW 18.205.100 and 18.19.210; and creating a new section.

Referred to Committee on Health & Long Term Care.

SB 5054 by Senator O'Ban

AN ACT Relating to increasing the behavioral health workforce by establishing a reciprocity program to increase the portability of behavioral health licenses and certifications; adding a new section to chapter 43.70 RCW; adding a new section to chapter 18.225 RCW; and providing an expiration date.

Referred to Committee on Health & Long Term Care.

SB 5055 by Senator O'Ban

AN ACT Relating to increasing availability of peer services for persons with behavioral health disorders; adding a new chapter to Title 70 RCW; creating a new section; providing expiration dates; and declaring an emergency.

Referred to Committee on Health & Long Term Care.

SB 5056 by Senator O'Ban

AN ACT Relating to providing incentives to reduce involvement by persons with behavioral health disorders in the criminal justice system; amending RCW 70.320.020, 70.320.030, 43.20A.895, 41.05.690, 71.24.016, 71.24.035, 71.24.380, 71.24.420, 74.09.758, and 74.09.871; adding a new section to chapter 71.24 RCW; creating a new section; and recodifying RCW 43.20A.895.

Referred to Committee on Health & Long Term Care.

SB 5057 by Senators Kuderer, Cleveland, Bailey, Wellman, King, Keiser, Walsh, Darneille, Lias and McCoy

AN ACT Relating to protecting youth from tobacco products and vapor products by increasing the minimum legal age of sale of tobacco and vapor products; amending RCW 26.28.080, 70.155.005, 70.155.010, 70.345.010, 70.155.020, 70.345.070, 70.345.100, 70.155.030, 70.345.080, and 70.155.120; creating a new section; and providing an effective date.

Referred to Committee on Health & Long Term Care.

SB 5058 by Senator Hasegawa

AN ACT Relating to call center retention; amending RCW 82.32.805; adding a new section to chapter 39.26 RCW; adding a new chapter to Title 50 RCW; and prescribing penalties.

Referred to Committee on Labor & Commerce.

SB 5059 by Senator Hasegawa

AN ACT Relating to allowing the legislative gift center to sell products produced in Washington by craft distillers and microbreweries; and amending RCW 44.73.015, 44.73.020, and 66.12.195.

Referred to Committee on Labor & Commerce.

SB 5060 by Senator Hasegawa

AN ACT Relating to the burden of proof in civil asset forfeiture hearings; and amending RCW 69.50.505.

Referred to Committee on Law & Justice.

SB 5061 by Senators Dhingra and Pedersen

AN ACT Relating to undetectable firearms; amending RCW 9.41.010, 9.41.190, 9.41.220, and 9.41.225; creating a new section; prescribing penalties; providing an effective date; and declaring an emergency.

Referred to Committee on Law & Justice.

SB 5062 by Senators Kuderer, Hunt, Dhingra, Keiser and Pedersen

AN ACT Relating to high capacity magazines; amending RCW 9.41.010; adding a new section to chapter 9.41 RCW; and prescribing penalties.

Referred to Committee on Law & Justice.

SB 5063 by Senators Nguyen and Hasegawa

AN ACT Relating to prepaid postage for all election ballots; amending RCW 29A.04.420 and 29A.40.091; creating a new section; providing an effective date; and declaring an emergency.

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

SB 5064 by Senator Nguyen

AN ACT Relating to breach of security systems protecting personal information; amending RCW 19.255.010 and 42.56.590; adding new sections to chapter 19.255 RCW; and adding new sections to chapter 42.56 RCW.

Referred to Committee on Environment, Energy & Technology.

SB 5065 by Senators Hobbs, Wilson and L.

AN ACT Relating to consumer competitive group insurance; and amending RCW 48.30.140 and 48.30.150.

Referred to Committee on Financial Institutions, Economic Development & Trade.

SB 5066 by Senator Wellman

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

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

SB 5067 by Senator Zeiger

AN ACT Relating to modifying certain common school provisions; and amending RCW 28A.175.025, 28A.230.094, and 28A.300.310.

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

SB 5068 by Senators Wellman and Zeiger

AN ACT Relating to updating the term essential academic learning requirements to state learning standards to reflect current terminology; amending RCW 28A.150.220, 28A.195.010, 28A.200.010, 28A.210.360, 28A.230.095, 28A.230.130, 28A.300.130, 28A.300.440, 28A.300.462, 28A.305.215, 28A.320.173, 28A.320.240, 28A.410.046, 28A.600.310, 28A.655.061, 28A.655.068, 28A.655.070, 28A.655.071, 28A.655.075, 28A.655.130, 28A.655.140, 28A.710.040, 43.06B.020, and 79A.05.351; and repealing RCW 28A.655.010.

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

SB 5069 by Senators Zeiger and Wellman

AN ACT Relating to increasing access to state career and technical course equivalencies; amending RCW 28A.230.010 and 28A.230.015; and reenacting and amending RCW 28A.230.097.

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

SB 5070 by Senators Wellman and Zeiger

AN ACT Relating to K-12 dual language and bilingual education; amending RCW 28A.180.040 and 28A.630.095; adding new sections to chapter 28A.180 RCW; and providing an expiration date.

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

SB 5071 by Senators Zeiger and Wellman

AN ACT Relating to repealing certain obsolete common school provisions; and repealing RCW 28A.300.490, 28A.205.010, 28A.205.020, 28A.205.030, 28A.205.040, 28A.205.050, 28A.205.070, 28A.205.080, and 28A.205.090.

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

SB 5072 by Senator O'Ban

AN ACT Relating to extreme risk protection orders; and amending RCW 7.94.030 and 7.94.060.

Referred to Committee on Law & Justice.

SB 5073 by Senator Hunt

AN ACT Relating to state reimbursement of election costs; amending RCW 29A.04.410, 29A.04.420, 29A.04.216, 29A.04.430, and 29A.64.081; and providing an effective date.

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

SB 5074 by Senators Kuderer, Pedersen, Hunt, Conway, Nguyen, Saldaña, Palumbo, Wellman and Darneille

AN ACT Relating to enactment of the uniform faithful presidential electors act; amending RCW 29A.56.320, 29A.56.340, and 29A.56.350; adding new sections to chapter 29A.56 RCW; creating new sections; and repealing RCW 29A.56.330.

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

SB 5075 by Senators Kuderer, Palumbo, Wellman, Hunt, Hasegawa and Darneille

AN ACT Relating to the creation of a motor vehicle excise tax low-income market value adjustment program; amending RCW 82.44.135; adding a new section to chapter 82.44 RCW; adding new sections to chapter 81.112 RCW; and declaring an emergency.

Referred to Committee on Transportation.

SB 5076 by Senators Kuderer, Palumbo, Wellman, Hunt, Darneille, Hasegawa, Nguyen and Saldaña

AN ACT Relating to allowing persons complying with conditions of community custody to be registered to vote; and amending RCW 29A.08.520.

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

SB 5077 by Senator Kuderer

AN ACT Relating to prohibiting single-use plastic straws; adding a new chapter to Title 70 RCW; and prescribing penalties.

Referred to Committee on Environment, Energy & Technology.

SB 5078 by Senators Kuderer, Hunt, Darneille and Saldaña

AN ACT Relating to requiring disclosure of federal income tax returns of presidential and vice presidential candidates prior to appearing on the ballot; and adding a new section to chapter 29A.56 RCW.

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

SB 5079 by Senator McCoy

AN ACT Relating to enacting the Native American voting rights act of Washington; amending RCW 29A.08.010, 29A.08.112, 29A.08.123, 29A.08.310, and 29A.40.160; adding a new section to chapter 29A.40 RCW; and adding a new section to chapter 29A.84 RCW.

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

SB 5080 by Senator McCoy

AN ACT Relating to earned release time and graduated reentry for educational participation and achievement for certain offenders; and amending RCW 9.94A.733, 9.94A.728, and 9.94A.729.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SB 5081 by Senator McCoy

AN ACT Relating to creating the Indian fugitive extradition act; adding a new chapter to Title 10 RCW; and prescribing penalties.

Referred to Committee on Law & Justice.

SB 5082 by Senator McCoy

AN ACT Relating to the creation of a committee to promote and expand social emotional learning; and adding new sections to chapter 28A.300 RCW.

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

SB 5083 by Senator McCoy

AN ACT Relating to allowing certain records, documents, proceedings, and published laws of federally recognized Indian tribes to be admitted as evidence in courts of Washington state; and amending RCW 5.44.010, 5.44.040, and 5.44.050.

Referred to Committee on Law & Justice.

SB 5084 by Senator McCoy

AN ACT Relating to the creation of the Washington community development authority; amending RCW 82.08.053; and adding a new chapter to Title 43 RCW.

Referred to Committee on Financial Institutions, Economic Development & Trade.

SB 5085 by Senator McCoy

AN ACT Relating to providing access to broadband internet services; amending RCW 35.43.042; adding a new section to chapter 36.01 RCW; adding a new section to chapter 35.21 RCW; adding a new section to chapter 35A.21 RCW; adding a new section to chapter 54.16 RCW; adding a new section to chapter 53.08 RCW; adding a new section to chapter 87.03 RCW; adding a new section to chapter 57.08 RCW; adding a new section to chapter 52.30 RCW; adding a new chapter to Title 80 RCW; and creating a new section.

Referred to Committee on Environment, Energy & Technology.

SB 5086 by Senator Wellman

AN ACT Relating to school surplus technology; reenacting and amending RCW 28A.335.180; and adding a new section to chapter 28A.335 RCW.

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

SB 5087 by Senator Wellman

AN ACT Relating to establishing the world language competency grant program; amending RCW 28A.300.575; and creating a new section.

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

SB 5088 by Senator Wellman

AN ACT Relating to the awarding of credits for computer science; amending RCW 28A.230.100; adding a new section to chapter 28A.230 RCW; and creating a new section.

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

SB 5089 by Senator Wellman

AN ACT Relating to increasing early learning access for children ages thirty months and older with developmental delays or disabilities; and amending RCW 43.216.505.

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

SB 5090 by Senators Wellman, Kuderer, Nguyen and Hasegawa

AN ACT Relating to wage and salary information; adding a new section to chapter 49.12 RCW; and prescribing penalties.

Referred to Committee on Labor & Commerce.

SB 5091 by Senator Wellman

AN ACT Relating to state and federal special education funding; and amending RCW 28A.150.392 and 28A.150.415.

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

SB 5092 by Senator Fortunato

AN ACT Relating to providing flexibility to school districts by authorizing school district waivers; amending RCW 28A.405.060, 41.56.906, and 41.59.935; adding new sections to chapter 28A.320 RCW; adding a new section to chapter 28A.150 RCW; adding a new section to chapter 28A.155 RCW; adding a new section to chapter 28A.160 RCW; adding a new section to chapter 28A.165 RCW; adding a new section to chapter 28A.170 RCW; adding a new section to chapter 28A.175 RCW; adding a new section to chapter 28A.180 RCW; adding a new section to chapter 28A.185 RCW; adding a new section to chapter 28A.188 RCW; adding a new section to chapter 28A.190 RCW; adding a new section to chapter 28A.193 RCW; adding a new section to chapter 28A.194 RCW; adding a new section to chapter 28A.205 RCW; adding a new section to chapter 28A.210 RCW; adding a new section to chapter 28A.215 RCW; adding a new section to chapter 28A.220 RCW; adding a new section to chapter 28A.225 RCW; adding a new section to chapter 28A.230 RCW; adding a new section to chapter 28A.232 RCW; adding a new section to chapter

28A.235 RCW; adding a new section to chapter 28A.245 RCW; adding a new section to chapter 28A.250 RCW; adding a new section to chapter 28A.300 RCW; adding a new section to chapter 28A.305 RCW; adding a new section to chapter 28A.310 RCW; adding a new section to chapter 28A.315 RCW; adding a new section to chapter 28A.323 RCW; adding a new section to chapter 28A.325 RCW; adding a new section to chapter 28A.330 RCW; adding a new section to chapter 28A.335 RCW; adding a new section to chapter 28A.340 RCW; adding a new section to chapter 28A.343 RCW; adding a new section to chapter 28A.345 RCW; adding a new section to chapter 28A.400 RCW; adding a new section to chapter 28A.405 RCW; adding a new section to chapter 28A.410 RCW; adding a new section to chapter 28A.415 RCW; adding a new section to chapter 28A.500 RCW; adding a new section to chapter 28A.505 RCW; adding a new section to chapter 28A.510 RCW; adding a new section to chapter 28A.515 RCW; adding a new section to chapter 28A.520 RCW; adding a new section to chapter 28A.525 RCW; adding a new section to chapter 28A.527 RCW; adding a new section to chapter 28A.530 RCW; adding a new section to chapter 28A.535 RCW; adding a new section to chapter 28A.540 RCW; adding a new section to chapter 28A.545 RCW; adding a new section to chapter 28A.600 RCW; adding a new section to chapter 28A.604 RCW; adding a new section to chapter 28A.605 RCW; adding a new section to chapter 28A.620 RCW; adding a new section to chapter 28A.623 RCW; adding a new section to chapter 28A.625 RCW; adding a new section to chapter 28A.630 RCW; adding a new section to chapter 28A.635 RCW; adding a new section to chapter 28A.640 RCW; adding a new section to chapter 28A.642 RCW; adding a new section to chapter 28A.645 RCW; adding a new section to chapter 28A.650 RCW; adding a new section to chapter 28A.655 RCW; adding a new section to chapter 28A.657 RCW; adding a new section to chapter 28A.660 RCW; adding a new section to chapter 28A.690 RCW; adding a new section to chapter 28A.700 RCW; adding a new section to chapter 28A.705 RCW; adding a new section to chapter 28A.710 RCW; adding a new section to chapter 28A.715 RCW; and creating a new section.

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

SB 5093 by Senator Fortunato

AN ACT Relating to enhancing litter control along state highways; amending RCW 70.93.180 and 70.93.220; adding a new section to chapter 47.01 RCW; and creating a new section.

Referred to Committee on Environment, Energy & Technology.

SB 5094 by Senator Fortunato

AN ACT Relating to exempting the flag of the United States from regulations regarding signs, banners, or decorations along or near roadways; amending RCW 47.36.030 and 47.24.020; adding a new section to chapter 35.21 RCW; adding a new section to chapter 35A.21 RCW; and adding a new section to chapter 36.01 RCW.

Referred to Committee on Transportation.

SB 5095 by Senator Fortunato

AN ACT Relating to reestablishing the productivity board; amending RCW 41.60.020, 41.60.041, 41.60.050, 41.60.120, and 41.60.150; and reenacting and amending RCW 41.60.015.

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

SB 5096 by Senator O'Ban

AN ACT Relating to short-term case aides that provide temporary assistance for foster parents; and amending RCW 74.13.270.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SB 5097 by Senators Cleveland, Wilson and L.

AN ACT Relating to the licensure and certification of massage therapists and reflexologists; and reenacting and amending RCW 18.108.070.

Referred to Committee on Health & Long Term Care.

SB 5098 by Senators Braun, Takko and Dhingra

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

Referred to Committee on Law & Justice.

SB 5099 by Senator Sheldon

AN ACT Relating to establishing recreational target shooting areas on public lands; adding a new section to chapter 79.10 RCW; and creating a new section.

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

SB 5100 by Senator Sheldon

AN ACT Relating to a pilot program for cougar control; adding new sections to chapter 77.12 RCW; and providing expiration dates.

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

SB 5101 by Senator Sheldon

AN ACT Relating to requiring a state resident preference on competitive examinations for public employment; adding new sections to chapter 41.06 RCW; and creating new sections.

Referred to Committee on Labor & Commerce.

SB 5102 by Senator Sheldon

AN ACT Relating to department of natural resources' land acquisitions; amending RCW 79.70.030 and 79.71.040; adding a new section to chapter 79.02 RCW; and creating a new section.

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

SB 5103 by Senator Sheldon

AN ACT Relating to establishing natural areas; and amending RCW 79.71.040 and 79.70.030.

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

SB 5104 by Senator Sheldon

AN ACT Relating to prohibiting local governments from imposing vehicle tolls; amending RCW 35.23.452, 35.74.010, 36.73.015, 36.73.040, 36.73.065, 36.73.067, 36.73.170, 36.120.050, 36.120.130, 47.56.820, 53.34.010, 53.34.050, 53.34.070, 53.34.120, and 53.34.190; reenacting and amending RCW 36.120.020; adding a new section to chapter 35.21 RCW; adding a new section to chapter 35A.21 RCW; adding a new section to chapter 36.01 RCW; adding a new section to chapter 53.34 RCW; and repealing RCW 35.74.050, 35.74.060, and 35.74.070.

Referred to Committee on Transportation.

SB 5105 by Senators Wellman and Hasegawa

AN ACT Relating to modifying education reporting requirements; and amending RCW 28A.165.100, 28A.235.290, 28A.505.040, and 28A.505.080.

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

SB 5106 by Senators Das and Mullet

AN ACT Relating to the creation of a work group to study and make recommendations on natural disaster mitigation and resiliency activities; adding a new section to chapter 48.02 RCW; and creating a new section.

Referred to Committee on Financial Institutions, Economic Development & Trade.

SB 5107 by Senator Das

AN ACT Relating to trust institutions; amending RCW 30B.04.005, 30B.04.010, 30B.04.040, 30B.04.110, 30B.08.020, 30B.08.030, 30B.08.040, 30B.08.070, 30B.08.080, 30B.08.090, 30B.10.005, 30B.10.040, 30B.10.050, 30B.10.060, 30B.10.070, 30B.10.080, 30B.10.100, 30B.10.110, 30B.12.020, 30B.12.040, 30B.12.060, 30B.12.090, 30B.12.100, 30B.20.020, 30B.24.005, 30B.24.020, 30B.38.005, 30B.38.020, 30B.38.030, 30B.38.040, 30B.38.070, 30B.38.080, 30B.38.090, 30B.44A.005, 30B.44A.010, 30B.44A.020, 30B.44A.030, 30B.44A.040, 30B.44A.050, 30B.53.002, 30B.53.005, 30B.53.010, 30B.53.020, 30B.53.030, 30B.53.040, 30B.53.060, and 30B.72.010; reenacting and amending RCW 7.60.025; adding new sections to chapter 30B.10 RCW; adding a new section to chapter 30B.12 RCW; adding new sections to chapter 30B.24 RCW; adding a new section to chapter 30B.38 RCW; adding new sections to chapter 30B.44A RCW; adding new sections to chapter 30B.44B RCW; adding new sections to chapter 30B.46 RCW; adding new sections to chapter 30B.53 RCW; repealing RCW 30A.08.160, 30A.08.170, 30B.04.150, 30B.44B.020, 30B.46.005, and 30B.46.010; and prescribing penalties.

Referred to Committee on Financial Institutions, Economic Development & Trade.

SB 5108 by Senators King and McCoy

AN ACT Relating to the tax treatment of renewable natural gas; amending RCW 82.16.310, 82.04.310, and 82.04.120; and creating a new section.

Referred to Committee on Environment, Energy & Technology.

SB 5109 by Senator Zeiger

AN ACT Relating to authorizing certain fairs with special occasion licenses to have multiple concessionaires; and adding a new section to chapter 66.24 RCW.

Referred to Committee on Labor & Commerce.

SB 5110 by Senator Zeiger

AN ACT Relating to the consumption of alcohol for certain special events held on agricultural fairgrounds; and amending RCW 66.24.380.

Referred to Committee on Labor & Commerce.

SB 5111 by Senator Zeiger

AN ACT Relating to temporary registration cards for private investigators; amending RCW 18.165.010, 18.165.130, and 18.165.150; and adding a new section to chapter 18.165 RCW.

Referred to Committee on Labor & Commerce.

SB 5112 by Senators Hunt, Zeiger and Kuderer

AN ACT Relating to the efficient administration of campaign finance and public disclosure reporting and enforcement; amending RCW 42.17A.001, 42.17A.055, 42.17A.065, 42.17A.100, 42.17A.105, 42.17A.110, 42.17A.120, 42.17A.125, 42.17A.135, 42.17A.140, 42.17A.205, 42.17A.207, 42.17A.215, 42.17A.225, 42.17A.255, 42.17A.260, 42.17A.265, 42.17A.305, 42.17A.345, 42.17A.420, 42.17A.475, 42.17A.600, 42.17A.605, 42.17A.610, 42.17A.615, 42.17A.630, 42.17A.655, 42.17A.700, 42.17A.710, 42.17A.750, 42.17A.755, 42.17A.765, 42.17A.775, and 42.17A.785; reenacting and amending RCW 42.17A.005, 42.17A.210, 42.17A.230, 42.17A.235, and 42.17A.240; adding a new section to chapter 42.17A RCW; creating a new section; repealing RCW 42.17A.050 and 42.17A.061; providing an effective date; and declaring an emergency.

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

SB 5113 by Senators Liias and Zeiger

AN ACT Relating to granting of high school diplomas by community or technical colleges; and amending RCW 28B.50.535.

Referred to Committee on Higher Education & Workforce Development.

SB 5114 by Senator O'Ban

AN ACT Relating to creating a guardianship pilot program for persons who are gravely disabled to provide them individualized treatment, supervision, and appropriate placement to support successful transition to the community; amending RCW 11.88.010; adding a new section to chapter 11.88 RCW; adding a new section to chapter 11.92 RCW; adding a new section to chapter 71.05 RCW; adding a new chapter to Title 11 RCW; creating a new section; and providing expiration dates.

Referred to Committee on Law & Justice.

SB 5115 by Senators Carlyle, Palumbo, Wellman, Hunt, Saldaña and Liias

AN ACT Relating to appliance efficiency standards; amending RCW 19.260.010, 19.260.030, 19.260.040, 19.260.050, 19.260.060, and 19.260.070; reenacting and amending RCW 19.260.020; and repealing RCW 19.27.170.

Referred to Committee on Environment, Energy & Technology.

SB 5116 by Senators Carlyle, Palumbo, McCoy, Pedersen, Wellman, Das, Rolfes, Frockt, Wilson, C., Kuderer, Nguyen, Keiser, Liias, Hunt, Saldaña, Darneille and Billig

AN ACT Relating to supporting Washington's clean energy economy and transitioning to a clean, affordable, and reliable energy future; amending RCW 19.280.030, 82.08.962, 82.12.962, 80.04.250, and 43.21F.090; adding a new chapter to Title 19 RCW; creating new sections; prescribing penalties; providing expiration dates; and declaring an emergency.

Referred to Committee on Environment, Energy & Technology.

SB 5117 by Senators Palumbo, Darneille, Mullet, Carlyle, Nguyen and Hunt

AN ACT Relating to the siting of essential public facilities under the growth management act; and amending RCW 36.70A.200.

Referred to Committee on Local Government.

SB 5118 by Senators Palumbo, Rolfes, Carlyle and Mullet

AN ACT Relating to the right to consume self-generated electricity; and amending RCW 80.60.040.

Referred to Committee on Environment, Energy & Technology.

SB 5119 by Senators Palumbo, Keiser, Mullet, Wellman, Hunt and Liias

AN ACT Relating to including highway workers employed on a transportation project by a contractor in the tuition and fee exemption for children and surviving spouses of highway workers; and amending RCW 28B.15.380.

Referred to Committee on Higher Education & Workforce Development.

SB 5120 by Senators Palumbo, Darneille, Mullet, Nguyen, Hunt, Saldaña and Liias

AN ACT Relating to contracting with private correctional facilities for the transfer or placement of offenders; amending RCW 72.68.010; reenacting and amending RCW 72.09.050; adding a new section to chapter 72.68 RCW; and repealing RCW 72.68.012.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SB 5121 by Senator Honeyford

AN ACT Relating to embezzlement; amending RCW 9A.56.030, 9A.56.040, 9A.56.050, 9.94A.540, and 9A.82.010; reenacting and amending RCW 9.94A.515; adding a new section to chapter 9A.56 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Law & Justice.

SB 5122 by Senators Takko, Short and Honeyford

AN ACT Relating to insurance coverage for water-sewer district commissioners; and amending RCW 57.08.100.

Referred to Committee on Local Government.

SB 5123 by Senator Padden

AN ACT Relating to defining three days in unlawful detainer actions; and amending RCW 59.12.030.

Referred to Committee on Law & Justice.

SB 5124 by Senator Das

AN ACT Relating to appraisal management companies; amending RCW 18.310.040, 18.310.060, 18.310.090, and 18.310.120; and providing effective dates.

Referred to Committee on Labor & Commerce.

SB 5125 by Senator Conway

AN ACT Relating to providing consistency and efficiency in the regulation of auctioneers and auction companies, engineering and land surveying, real estate, funeral directors, and cosmetology; and amending RCW 18.11.085, 18.11.095, 18.43.130, 18.85.171, 18.43.050, 18.39.070, and 18.16.030.

Referred to Committee on Labor & Commerce.

SB 5126 by Senator McCoy

AN ACT Relating to expanding the traumatic brain injury fee to other traffic-related offenses; amending RCW 74.31.060, 46.63.160, 46.63.170, 46.63.180, and 46.61.370; and prescribing penalties.

Referred to Committee on Transportation.

SB 5127 by Senator McCoy

AN ACT Relating to increasing the traumatic brain injury fee; amending RCW 46.63.110 and 74.31.060; and prescribing penalties.

Referred to Committee on Transportation.

SB 5128 by Senators Rolfes, Braun, Mullet and Nguyen

AN ACT Relating to reducing the electric motorcycle registration renewal fee; amending RCW 46.17.323; creating a new section; providing an effective date; providing a contingent expiration date; and declaring an emergency.

Referred to Committee on Transportation.

SB 5129 by Senator Rolfes

AN ACT Relating to increasing revenues for the support of state government; adding new sections to chapter 82.04 RCW; adding a new section to chapter 82.32 RCW; adding a new chapter to Title 82 RCW; providing effective dates; and declaring an emergency.

Referred to Committee on Ways & Means.

SB 5130 by Senator Rolfes

AN ACT Relating to increasing transportation revenues to help fund state fish barrier removal; amending RCW 82.45.060, 46.17.355, and 46.17.365; creating a new section; providing effective dates; and declaring an emergency.

Referred to Committee on Ways & Means.

SB 5131 by Senators Takko and Short

AN ACT Relating to sales of manufactured/mobile or park model homes at county treasurer's foreclosure or distraint sales; and amending RCW 46.12.700.

Referred to Committee on Housing Stability & Affordability.

SB 5132 by Senators Takko and Short

AN ACT Relating to noncollection of taxes by county treasurers; and amending RCW 84.56.250.

Referred to Committee on Local Government.

SB 5133 by Senators Frockt and Honeyford

AN ACT Relating to state general obligation bonds and related accounts; adding new sections to chapter 43.100A RCW; and declaring an emergency.

Referred to Committee on Ways & Means.

SB 5134 by Senators Frockt and Honeyford

AN ACT Relating to the capital budget; making appropriations and authorizing expenditures for capital improvements; amending RCW 28B.10.027, 28B.20.725, 28B.30.750, 43.88D.010, 28B.77.070, 43.17.200, and 70.105D.070; amending 2018 c 2 ss 1019, 2019, 3024, 3093, and 1014, 2018 c 298 ss 1004, 2004, 2005, 2008, and 2018, and 2017 3rd sp. s. c 4 s 3056 (uncodified); reenacting and amending RCW 43.155.050 and 70.105D.170; adding a new section to 2018 c 2 (uncodified); creating new sections; making appropriations; providing a contingent effective date; and declaring an emergency.

Referred to Committee on Ways & Means.

SB 5135 by Senators Rolfes, Frockt, Salomon, Palumbo, Cleveland, Carlyle, Kuderer, Saldaña, Billig, Dhingra, Pedersen, Wellman, Hunt, Das, McCoy and Liias

AN ACT Relating to preventing toxic pollution that affects public health or the environment; amending RCW 70.240.040 and 43.21B.110; adding a new chapter to Title 70 RCW; and prescribing penalties.

Referred to Committee on Environment, Energy & Technology.

SB 5136 by Senators Honeyford, Warnick, Braun, Hawkins, Wagoner and Fortunato

AN ACT Relating to establishing the water infrastructure program; adding a new chapter to Title 90 RCW; and creating a new section.

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

SB 5137 by Senator Honeyford

AN ACT Relating to modifying the aircraft excise tax; amending RCW 82.48.030; and reenacting and amending RCW 82.48.010.

Referred to Committee on Transportation.

SB 5138 by Senator Honeyford

AN ACT Relating to aircraft registration; amending RCW 47.68.020, 47.68.250, and 47.68.250; providing an effective date; and providing an expiration date.

Referred to Committee on Transportation.

SB 5139 by Senators Honeyford, Hunt and Van De Wege

AN ACT Relating to daylight saving time in Washington state; amending RCW 1.20.051; adding a new section to chapter 43.330 RCW; creating a new section; and providing a contingent effective date.

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

SB 5140 by Senators Honeyford, Hunt and Van De Wege

AN ACT Relating to uniform standard time for the state of Washington; adding a new section to chapter 1.20 RCW; adding a new section to chapter 43.330 RCW; creating a new section; and repealing RCW 1.20.051.

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

SB 5141 by Senators Wellman, Kuderer, Nguyen, Hunt, Das, Palumbo, Billig and Liias

AN ACT Relating to school resource officer mandatory training and policies; adding a new section to chapter 28A.320 RCW; and creating a new section.

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

SB 5142 by Senators Wellman, Keiser, Saldaña, Dhingra, Kuderer, Nguyen, Hunt, Das and Randall

AN ACT Relating to increasing equitable gender representation on corporate boards; amending RCW 23.95.255 and 43.07.130; adding a new section to chapter 23B.08 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Law & Justice.

SB 5143 by Senators Dhingra, Wellman, Das, Keiser and Palumbo

AN ACT Relating to the authorized removal, safekeeping, and return of firearms and ammunition by law enforcement during and after domestic violence incidents; amending RCW 10.99.030 and 9.41.345; and adding new sections to chapter 10.99 RCW.

Referred to Committee on Law & Justice.

SB 5144 by Senators Dhingra, O'Ban, Wilson, C., Keiser, Darneille and Frockt

AN ACT Relating to implementing child support pass-through payments; and amending RCW 26.23.035.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SB 5145 by Senators Salomon, Nguyen, Dhingra, Rolfes, Frockt and Hunt

AN ACT Relating to the use of hydraulic fracturing in the exploration for and production of oil and natural gas; adding a new section to chapter 78.52 RCW; and creating a new section.

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

SB 5146 by Senator Wellman

AN ACT Relating to flexibility in high school graduation requirements; amending RCW 28A.230.090, 28A.345.080, and 28A.655.065; creating new sections; providing expiration dates; and declaring an emergency.

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

SB 5147 by Senators Wilson and L.

AN ACT Relating to providing tax relief to females by exempting feminine hygiene products from retail sales and use tax; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; creating new sections; providing an effective date; and declaring an emergency.

Referred to Committee on Health & Long Term Care.

SB 5148 by Senators Wilson and L.

AN ACT Relating to visible clothing requirements for hunting; and adding a new section to chapter 77.15 RCW; and prescribing penalties.

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

SB 5149 by Senators Wilson and L.

AN ACT Relating to electronic monitoring of domestic violence perpetrators; amending RCW 9.94A.030, 7.90.010, 7.92.020, and 10.99.020; and adding a new section to chapter 2.56 RCW.

Referred to Committee on Law & Justice.

SB 5150 by Senators Wilson and L.

AN ACT Relating to authority for providing security to the campuses of the state community and technical colleges; adding a new section to chapter 28B.050 RCW; and creating a new section.

Referred to Committee on Higher Education & Workforce Development.

SB 5151 by Senators Wilson and L.

AN ACT Relating to requiring the growth management hearings board to topically index the rulings, decisions, and orders it publishes; and reenacting and amending RCW 36.70A.270.

Referred to Committee on Local Government.

SB 5152 by Senators Wilson and L.

AN ACT Relating to amending the definition of substantial development to exclude certain dwellings for the elderly and infirm; and amending RCW 90.58.030.

Referred to Committee on Environment, Energy & Technology.

SB 5153 by Senator Rolfes

AN ACT Relating to fiscal matters; amending RCW 41.26.450, 28B.15.210, 28B.15.310, 28B.35.370, 28B.50.360, 28B.115.070, 28C.04.535, 43.101.200, 43.372.070, 69.50.530, 79.105.150, 70.105D.070, and 90.50A.090; reenacting and amending RCW 43.155.050, 43.320.110, 69.50.540, 79.64.040, and 79.64.110; creating new sections; making appropriations; and declaring an emergency.

Referred to Committee on Ways & Means.

SB 5154 by Senator Rolfes

AN ACT Relating to fiscal matters; amending 2018 c 299 ss 109, 112, 113, 115, 118, 119, 121, 123, 125, 127, 129, 130, 132, 135, 136, 138, 142, 147, 201, 203, 204, 205, 206, 207, 209, 210, 211, 212, 213, 215, 216, 217, 218, 219, 220, 223, 302, 303, 306, 307, 308, 309, 310, 311, 401, 402, 501, 502, 503, 504, 505, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 603, 605, 612, 613, 701, 702, 703, 801, and 802 and 2017 3rd sp.s. c 1 ss 146 and 702 (uncodified); adding a new section to 2018 c 299 (uncodified); making appropriations; and declaring an emergency.

Referred to Committee on Ways & Means.

SB 5155 by Senators Walsh, Hasegawa, Hunt and Saldaña

AN ACT Relating to residential marijuana agriculture; amending RCW 69.50.4013 and 69.50.505; and reenacting and amending RCW 69.50.101.

Referred to Committee on Labor & Commerce.

SB 5156 by Senators Hunt, Kuderer and Wellman
AN ACT Relating to diaper changing stations; adding a new section to chapter 70.54 RCW; and prescribing penalties.

Referred to Committee on Labor & Commerce.

SB 5157 by Senators Hunt, Wellman and Kuderer
AN ACT Relating to requiring the department of transportation to complete a study on passenger-only ferry services; and creating new sections.

Referred to Committee on Transportation.

SJM 8000 by Senator Hasegawa
Urging Congress to protect United States mail service.

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

SJM 8001 by Senator Hasegawa
Calling on Congress to exercise its authority under Article V of the United States Constitution to regulate money spent on elections.

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

SJM 8002 by Senators Kuderer, Palumbo and Wellman
Asking Congress to call a limited convention, authorized under Article V of the United States Constitution, for the purpose of proposing a free and fair elections amendment to that Constitution.

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

SJR 8200 by Senators Takko, Zeiger, Rolfes, Hobbs, O'Ban, Keiser, Warnick, Hunt, Pedersen, Bailey, Conway and McCoy
Amending the state Constitution to provide governmental continuity during emergency periods resulting from a catastrophic incident.

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

SJR 8201 by Senator Wellman
Amending the Constitution to allow a simple majority of voters voting to authorize school district bonds.

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

SUPPLEMENTAL INTRODUCTION AND FIRST READING

SCR 8400 by Senators Billig and Schoesler
Establishing cutoff dates for the consideration of legislation during the 2019 regular session of the sixty-sixth legislature.

Placed on the second reading calendar.

SCR 8401 by Senator Billig

Convening a joint session for the purpose of receiving the State of the Judiciary message.

Placed on the second reading calendar.

HCR 4400 by Representatives Sullivan and Kretz
Calling a Joint Session of the Legislature.

Placed on the second reading calendar.

MOTION

On motion of Senator Liias, all measures listed on the Introduction and First Reading report were referred to the committees as designated with the exceptions of: Senate Bill No. 5038 which had been designated to the Committee on Health & Long Term Care and was referred to the Committee on Human Services, Reentry & Rehabilitation; Senate Bill No. 5039 which had been designated to the Committee on Health & Long Term Care and was referred to the Committee on Human Services, Reentry & Rehabilitation; Senate Bill No. 5040 which had been designated to the Committee on Health & Long Term Care and was referred to the Committee on Human Services, Reentry & Rehabilitation; Senate Bill No. 5048 which had been designated to the Committee on Human Services, Reentry & Rehabilitation and was referred to the Committee on Health & Long Term Care; Senate Bill No. 5124 which had been designated to the Committee on Financial Institutions, Economic Development & Trade and was referred to the Committee on Labor & Commerce; Senate Bill No. 5144 which had been designated to the Committee on Law & Justice and was referred to the Committee on Human Services, Reentry & Rehabilitation; Senate Bill No. 5145 which had been designated to the Committee on Environment, Energy & Technology and was referred to the Committee on Agriculture, Water, Natural Resources & Parks; Senate Bill No. 5151 which had been designated to the Committee on State Government, Tribal Relations & Elections and was referred to the Committee on Local Government; and Senate Concurrent Resolution No. 8400, Senate Concurrent Resolution No. 8401 and House Concurrent Resolution No. 4400 which were placed on the day's second reading calendar.

REMARKS BY SENATOR LIAS

Senator Liias: "Thank you Mr. President. For the information to the members, as is tradition here, pursuant to Senate Rule 56, the bills that were on today's Short Titles & Referrals will remain in the Workroom until 2:00 p.m. tomorrow, giving all members an opportunity to sign onto those bills. Also, please keep in mind that bills are available to add sponsors' names until 2:00 p.m. on the day in which those bills are dropped or introduced."

MOTION

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

SECOND READING

SENATE CONCURRENT RESOLUTION NO. 8400, by Senators Billig and Schoesler

Establishing cutoff dates for the consideration of legislation during the 2019 regular session of the sixty-sixth legislature.

The measure was read the second time.

MOTION

On motion of Senator Liias, the rules were suspended, Senate Concurrent Resolution No. 8400 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

The President declared the question before the Senate to be the final passage of Senate Concurrent Resolution No. 8400.

SENATE CONCURRENT RESOLUTION NO. 8400 having received a majority was adopted by voice vote.

SECOND READING

SENATE CONCURRENT RESOLUTION NO. 8401, by Senator Billig

Convening a joint session for the purpose of receiving the State of the Judiciary message.

The measure was read the second time.

MOTION

On motion of Senator Liias, the rules were suspended, Senate Concurrent Resolution No. 8401 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

The President declared the question before the Senate to be the final passage of Senate Concurrent Resolution No. 8401.

SENATE CONCURRENT RESOLUTION NO. 8401 having received a majority was adopted by voice vote.

SECOND READING

HOUSE CONCURRENT RESOLUTION NO. 4400, by Representatives Sullivan and Kretz

Calling a Joint Session of the Legislature.

The measure was read the second time.

MOTION

On motion of Senator Liias, the rules were suspended, House Concurrent Resolution No. 4400 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

The President declared the question before the Senate to be the final passage of House Concurrent Resolution No. 4400.

HOUSE CONCURRENT RESOLUTION NO. 4400 having received a majority was adopted by voice vote.

MOTION

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

MESSAGE FROM THE SECRETARY OF STATE

The Honorable President of the Senate
Legislature of the State of Washington
Olympia, Washington 98504

MR. PRESIDENT:

We respectfully transmit for your consideration the following bill which was partially vetoed by the Governor, together with the official veto message setting forth his objections to the sections or items of the bill, as required by Article III, section 12, of the Washington State Constitution:

Senate Bill No. 6058

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Seal of the state of Washington, this 27th day of March, 2018.

GREG LANE, Deputy Secretary of State
(Seal)

MESSAGE FROM THE GOVERNOR

March 21, 2018

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

Ladies and Gentlemen:

I am returning herewith, without my approval as to Section 4, Senate Bill No. 6058 entitled:

"AN ACT Relating to write-in voting."

Section 4 creates an unintended extra administrative burden for some counties and is not needed for implementation purposes or to meet the intent of the bill.

For these reasons I have vetoed Section 4 of Senate Bill No. 6058.

With the exception of Section 4, Senate Bill No. 6058 is approved.

Respectfully submitted,

/s/

Jay Inslee
Governor

MESSAGE FROM THE SECRETARY OF STATE

The Honorable President of the Senate
Legislature of the State of Washington
Olympia, Washington 98504

MR. PRESIDENT:

We respectfully transmit for your consideration the following bill which was partially vetoed by the Governor, together with the official veto message setting forth his objections to the sections or items of the bill, as required by Article III, section 12, of the Washington State Constitution:

Engrossed Substitute Senate Bill No. 6032

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Seal of the state of Washington, this 29th day of March, 2018.

GREG LANE, Deputy Secretary of State

(Seal)

MESSAGE FROM THE GOVERNOR

March 27, 2018

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

Ladies and Gentlemen:

I am returning herewith, without my approval as to Sections 119(8), 129(21), 135(4), 146(10), 307 lines 14-15, 308(21), 502(1)(h), 504(2), 606(23)(b), 908(3), 103(9), 122(3), 127(56), 135(6), 140(7), 141(4), 146(7), 148(10), 205(1)(w), 206(30), and 501(51), Engrossed Substitute Senate Bill No. 6032 entitled:

"AN ACT Relating to fiscal matters."

Section 119(8), page 19, Secretary of State, Automatic Voter Registration Study

This section includes funding for the Secretary of State to conduct a study related to automatic voter registration. The requirement to do this study was removed from Engrossed Second Substitute House Bill 2595 (automatic voter registration), but the funding proviso remained in the budget. Because the agency will not be doing this study, the funding is not needed. For this reason, I have vetoed Section 119(8).

Section 129(21), page 56, Office of Financial Management, 2020 Census

Funds are provided to the agency for staffing and support to prepare for the 2020 census in two identical provisos: Section 129(19) and Section 129(21). This is clearly a drafting error because funding for the double proviso is not included in the total appropriation authority. For this reason, I have vetoed Section 129(21).

Section 135(4), pages 59-60, Department of Revenue, Tax Database

The budget provides \$150,000 to the department to create a publicly available online searchable database of all taxes and tax rates in the state for each taxing district. This is the same provision that was included in Senate Bill 6590 which had a fiscal note of \$1,219,800 for creation of the database. This project cannot be done for the \$150,000 provided in the budget. For this reason, I have vetoed Section 135(4).

Section 146(10), page 74, Department of Enterprise Services, Capitol Dome Access

This section directs the Department of Enterprise Services to allow individuals to access the top of the Capitol dome "under approved supervision and guidelines developed by the department." The Olympia Fire Department has assessed this space in the past, and, among other issues, reported that it could not use a fireman's rescue technique in this space nor could it assist an injured party by using a gurney. The Department of Labor and Industries classifies the area as a "confined space" which means that it has restricted entry/exit and is not primarily designed for human occupancy. Access should be authorized only for individuals needed to do work on the dome. While the view is beautiful from the dome, there are too many risks involved with

granting access to the public. For this reason, I have vetoed Section 146(10).

Section 307, page 261, lines 14-15, Department of Fish and Wildlife, FY 2018 General Fund- State Appropriation

The final budget reduces the department's FY 2018 General Fund-State appropriation by \$1,739,000. Although the final budget provides an additional \$1.5 million for Orca whale recovery efforts, it does not fully cover the costs of important work needed to begin the recovery of this iconic species. To support Orca recovery efforts, I am vetoing this reduction in appropriation and directing the department to use \$650,000 of this amount to complete fish screen inventories, conduct public outreach and education, hire a recovery coordinator position, and support facilitation of the Southern Resident Killer Whale Task Force. I also am directing the agency to place the remaining amount in unallotted status. For this reason, I have vetoed Section 307, page 261, lines 14-15.

Section 308(21), page 274, Department of Natural Resources, SAFER Grant Match

One-time funding of \$873,000 General Fund-State is provided to Kittitas County Fire District 7 for matching funds for its Staffing for Adequate Fire and Emergency Response (SAFER) grant from the Federal Emergency Management Agency. Despite the merits of the federal grant funding to provide firefighting staff to the district, the state should not provide the local match for these grants.

Operational funding for fire districts is a local decision. Not only would providing the match through the state general fund set a precedent, it would be unfair to the other 19 fire districts across the state that were awarded a similar federal grant and provided their own local match. For these reasons, I have vetoed Section 308(21).

Section 502(1)(h), page 303, Office of Superintendent of Public Instruction for General Apportionment, Net Revenue Hold Harmless

Engrossed Second Substitute Senate Bill 6362 contains a more prescriptive hold harmless calculation than the language in the operating budget. The operating budget will hold districts harmless to a baseline that assumes the levy cliff would go into effect- a decision that the Legislature chose last year not to implement. We must ensure that no school district receives less funding in the 2018-19 school year. For this reason, I have vetoed Section 502(1)(h).

Section 504(2), page 318, Office of Superintendent of Public Instruction for School Employee Compensation Adjustments, Delay Professional Learning Day

The operating budget delays the implementation of state-funded professional learning days by one year. Research shows that time for job embedded professional learning and collaboration is linked to student success. Limiting practices that improve student achievement goes against our goal for a world-class education system. For these reasons, I have vetoed Section 504(2).

Section 606(23)(b), page 372, The Evergreen State College, Funding Options for the Legislature

This proviso allows the Office of Financial Management, State Board for Community and Technical Colleges, and Council of Presidents to use information from a Washington State Institute for Public Policy (WSIPP) study to present funding options to the Legislature. The WSIPP study is related to higher education funding methods in other states. This item directs two separate agencies and the Council of Presidents to perform work that does

not naturally fit together with the WSIPP study. For this reason, I have vetoed Section 606(23)(b).

Section 908(3), page 417, Law Enforcement Officers' and Firefighters' Retirement System (LEOFF) Distribution

This language expresses the Legislature's intent that future distributions to the Local Law Enforcement Officers' and Firefighters' Retirement System Benefits Improvement Account may include transfers from the LEOFF 2 pension fund. I have consistently vetoed similar provisions in the past, and I remain concerned about the wisdom of such transfers from a retirement fund. For this reason, I have vetoed Section 908(3).

I am vetoing the following sections related to bills that did not pass the Legislature resulting in the lapse of funding. My veto of these sections will serve to clean up these unnecessary sections of the bill.

Section 103(9), page 5, Joint Legislative Audit & Review Committee, SHB 1154, Fishing and Seafood Processing.

Section 122(3) page 22, State Treasurer's Office, E2SHB 2718, Civil Forfeiture Proceedings.

Section 127(56), page 43, Department of Commerce, ESSB 6081, Net Metering, or SHB 2995 Energy.

Section 135(6), page 61, Department of Revenue, E2SHB 2718, Civil Forfeiture Proceedings. Section 140(7), page 64, Liquor and Cannabis Board, ESSB 6346, Sale of Wine/Microbrewery.

Section 141(4), page 66, Utilities and Transportation Commission, ESSB 6081, Distributed Generation, or SHB 2995, Energy.

Section 146(7), page 73, Department of Enterprise Services, ESSB 6081, Net Metering, or SHB 2995, Energy.

Section 148(10), page 77, Consolidated Technology Services, E2SSB 5935, Broadband and Telecommunication Service.

Section 205(l)(w), page 116, Department of Social and Health Services - Developmental Disabilities, SHB 1792, Residential Services and Supports.

Section 206(30), page 134, Department of Social and Health Services - Aging and Adult Services, SHB 1792, Residential Services and Supports.

Section 501(51), page 297, Office of Superintendent of Public Instruction, SHB 2748, Learning Assistance Program.

For these reasons I have vetoed Sections 119(8), 129(21), 135(4), 146(10), 307 lines 14-15, 308(21), 502(1)(h), 504(2), 606(23)(b), 908(3), 103(9), 122(3), 127(56), 135(6), 140(7), 141(4), 146(7), 148(10), 205(l)(w), 206(30), and 501(51) of Engrossed Substitute Senate Bill No. 6032.

With the exception of Sections 119(8), 129(21), 135(4), 146(10), 307 lines 14-15, 308(21), 502(1)(h), 504(2), 606(23)(b), 908(3), 103(9), 122(3), 127(56), 135(6), 140(7), 141(4), 146(7), 148(10), 205(l)(w), 206(30), and 501(51), Engrossed Substitute Senate Bill No. 6032 is approved.

Respectfully submitted,

/s/

Jay Inslee
Governor

MESSAGE FROM THE SECRETARY OF STATE

The Honorable President of the Senate
Legislature of the State of Washington
Olympia, Washington 98504

MR. PRESIDENT:

We respectfully transmit for your consideration the following bill which was partially vetoed by the Governor, together with the official veto message setting forth his objections to the sections or items of the bill, as required by Article III, section 12, of the Washington State Constitution:

Engrossed Substitute Senate Bill No. 6095

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Seal of the state of Washington, this 29th day of March, 2018.

GREG LANE, Deputy Secretary of State

(Seal)

MESSAGE FROM THE GOVERNOR

March 27, 2018

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

Ladies and Gentlemen:

I am returning herewith, without my approval as to Sections 3011(2), 3011(3), 3011(4), 4002, 7018, and 7019, Engrossed Substitute Senate Bill No. 6095 entitled:

"AN ACT Relating to the capital budget."

Sections 3011(2), (3) and (4), page 83, Department of Ecology, Water Availability (91000343)

I appreciate the bipartisan effort and support to pass Engrossed Substitute Senate Bill 6091 (ESSB 6091) and the accompanying appropriation of \$20 million in the enacted capital budget. Together, these measures are important in allowing appropriate development to proceed in rural areas of our state while also ensuring the protection of instream flows. Negotiations on ESSB 6091 were both substantial and difficult. Sections 3011(2), (3) and (4) single out particular projects for funding. This is a departure from the planning and implementation processes established only weeks ago in ESSB 6091, and circumvents the Department of Ecology's efforts to prioritize and approve projects. For these reasons, I have vetoed Sections 3011(2), (3) and (4).

Section 4002, pages 110-112, Aviation Revitalization Loans (92000003)

This section contains amendments identical to Substitute House Bill 1656 (SHB 1656) and reduces the amount available for loans by \$2.5 million. Because I have vetoed SHB 1656 and I support the original \$5 million appropriation, I have vetoed Section 4002.

Section 7018, page 153

Section 7018 repeals Section 13 of Substitute House Bill 1656 (SHB 1656). Because I have vetoed SHB 1656, there is no need to repeal a section in that bill. For this reason, I have vetoed Section 7018.

Section 7019, page 154

Section 7019 directs that Section 7018 takes effect when Substitute House Bill 1656 (SHB 1656) takes effect. Because I have vetoed Section 7018 and SHB 1656, this section is not necessary. For this reason, I have vetoed Section 7019.

For these reasons I have vetoed Sections 3011(2), 3011 (3), 3011(4), 4002, 7018, and 7019 of Engrossed Substitute Senate Bill No. 6095.

With the exception of Sections 3011(2), 3011(3), 3011(4), 4002, 7018, and 7019, Engrossed Substitute Senate Bill No. 6095 is approved.

Respectfully submitted,

/s/

Jay Inslee
Governor

MESSAGE FROM THE SECRETARY OF STATE

The Honorable President of the Senate
Legislature of the State of Washington
Olympia, Washington 98504

MR. PRESIDENT:

We respectfully transmit for your consideration the following bill which was partially vetoed by the Governor, together with the official veto message setting forth his objections to the sections or items of the bill, as required by Article III, section 12, of the Washington State Constitution:

Engrossed Substituted Senate Bill No. 6106

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Seal of the state of Washington, this 29th day of March, 2018.

GREG LANE, Deputy Secretary of State

(Seal)

MESSAGE FROM THE GOVERNOR

March 27, 2018

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

Ladies and Gentlemen:

I am returning herewith, without my approval as to Sections 208(19), 207(8), 208(1), 208(22), 208(25), 208(26), 208(28), 208(29), 208(30), and 212(3), Engrossed Substitute Senate Bill No. 6106 entitled:

"AN ACT Relating to transportation funding and appropriations."

Section 208(19), Pages 23-24, Department of Licensing, Licensing Services Workgroup

Section 208(19) directs the department to convene a workgroup comprised of a county auditor, county licensing manager, and three subagent representatives to assess the current licensing services system and the establishment of a new licensing services partnership committee. The workgroup must consider and make recommendations on expanding services offered by subagents, establishing voluntary payment plans and automatic renewal options, and reviewing the current financial environment of subagents and county auditors. The department already has a specific licensing committee that meets twice a year. It also meets twice a year with the Washington Association of Vehicle Subagents. In addition, the proviso did not provide funding for this workgroup. While I encourage looking at ways to improve

services to the public, this workgroup provides a forum for communication that already exists and funding is not provided to support the workgroup. For these reasons, I have vetoed Section 208(19).

I am vetoing the following sections related to bills that did not pass the legislature resulting in the lapse of funding. My veto of these sections will serve to clean up these unnecessary sections of the bill.

Section 207(8), page 18, Washington State Patrol, SHB 2278, Privacy Protections in Government Section 208(1), pages 19-20, Department of Licensing, EHB 2201 or ESSB 5955, MVET Collection Section 208(22), page 25, Department of Licensing, SHB 2278, Privacy Protections

Section 208(25), page 25, Department of Licensing, HB 2653 Alternative Fuel Vehicle Exemption, or SB 6080, Electrification of Transportation

Section 208(26), page 25, Department of Licensing, SHB 2975, Snow Bikes

Section 208(28), page 26, Department of Licensing, SSB 6009, Issuance of Personalized Collector Vehicle License Plates

Section 208(29), page 26, Department of Licensing, SSB 6107, Electric Motorcycle Registration Renewal Fees

Section 208(30), page 26, Department of Licensing, 2SSB 6189, Suspended or Revoked Driver's License Provisions

Section 212(3), page 35, Department of Transportation-Aviation, ESHB 2295, Electric Aircraft

For these reasons I have vetoed Sections 208(19), 207(8), 208(1), 208(22), 208(25), 208(26), 208(28), 208(29), 208(30), and 212(3) of Engrossed Substitute Senate Bill No. 6106.

With the exception of Sections 208(19), 207(8), 208(1), 208(22), 208(25), 208(26), 208(28), 208(29), 208(30), and 212(3), Engrossed Substitute Senate Bill No. 6106 is approved.

Respectfully submitted,

/s/

Jay Inslee
Governor

MESSAGE FROM THE SECRETARY OF STATE

The Honorable President of the Senate
Legislature of the State of Washington
Olympia, Washington 98504

MR. PRESIDENT:

We respectfully transmit for your consideration the following bill which was partially vetoed by the Governor, together with the official veto message setting forth his objections to the sections or items of the bill, as required by Article III, section 12, of the Washington State Constitution:

Engrossed Second Substitute Senate Bill No. 6362

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Seal of the state of Washington, this 29th day of March, 2018.

KIM WYMAN, Secretary of State

(Seal)

MESSAGE FROM THE GOVERNOR

March 27, 2018

To the Honorable President and Members,

The Senate of the State of Washington

Ladies and Gentlemen:

I am returning herewith, without my approval as to Sections 402 and 408, Engrossed Second Substitute Senate Bill No. 6362 entitled:

"AN ACT Relating to modifying basic education funding provisions."

Section 402 delays the implementation of state-funded professional learning days. Research shows that time for job-embedded professional learning and collaboration is linked to student success.

Limiting practices that improve student achievement goes against the intent of this bill and our goals. For this reason, I am vetoing Section 402.

Section 408 moves forward by one year the requirement for OSPI to develop rules and budgetary procedures to ensure school districts provide separate accounting of state and local revenues to expenditures. The work is underway to design and build the accounting systems required to implement this data transparency within the original timeline for school year 2019-20. Speeding up the development of the system will jeopardize the long-term reliability of the accounting system and suspend the development of all other systems work. For this reason I am vetoing Section 408.

For these reasons I have vetoed Sections 402 and 408 of Engrossed Second Substitute Senate Bill No. 6362.

With the exception of Sections 402 and 408, Engrossed Second Substitute Senate Bill No. 6362 is approved.

Respectfully submitted,

/s/

Jay Inslee
Governor

REPORT OF COMMITTEE

The Special Committee composed of Senators Das and Holy appeared before the bar of the Senate and reported that the Governor had been notified under the provisions of Senate Resolution No. 8600 that the Senate is organized and ready to conduct business.

The President received the report of the committee and the committee was discharged.

MOTION

On motion of Senator Liias, the partial veto messages from the Governor were held at the desk.

MESSAGES FROM THE GOVERNOR GUBERNATORIAL APPOINTMENTS

July 16, 2013

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

FRANK E. FENNERTY, JR., appointed June 26, 2013, for the term ending June 17, 2019, as Member of the Board of Industrial Insurance Appeals.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Labor & Commerce as Senate Gubernatorial Appointment No. 9000.

January 6, 2014

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

SCOTT E. CARSON, appointed November 25, 2013, for the term ending September 30, 2019, as Member, Board of Regents, Washington State University.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9001.

April 25, 2014

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

LAURA F. CANTRELL, appointed August 3, 2014, for the term ending August 2, 2020, as Member of the Lottery Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Labor & Commerce as Senate Gubernatorial Appointment No. 9002.

August 5, 2014

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

JOE M. TORTORELLI, appointed July 1, 2014, for the term ending June 30, 2020, as Member of the Transportation Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Transportation as Senate Gubernatorial Appointment No. 9003.

February 25, 2015

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

ELIZABETH K. JENSEN, appointed January 22, 2015, for the term ending January 19, 2019, as Member of the Pharmacy Quality Assurance Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Health & Long Term Care as Senate Gubernatorial Appointment No. 9004.

April 27, 2015
 TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

SARA CATE, appointed February 6, 2015, for the term ending September 30, 2019, as Member of the Yakima Valley Community College Board of Trustees.

Sincerely,
 JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9005.

December 15, 2015
 TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

TERESITA BATAYOLA, reappointed August 28, 2015, for the term ending September 30, 2020, as Member of the Seattle College District Board of Trustees.

Sincerely,
 JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9006.

December 15, 2015
 TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

LOUISE CHERNIN, appointed June 5, 2015, for the term ending September 30, 2019, as Member of the Seattle College District Board of Trustees.

Sincerely,
 JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9007.

December 15, 2015
 TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

MARTHA V. FLORES, appointed December 29, 2014, for the term ending September 30, 2019, as Member of the Wenatchee Valley College Board of Trustees.

Sincerely,
 JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9008.

December 15, 2015
 TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

ROBERT J. LOPEZ, appointed October 21, 2015, for the term ending January 17, 2019, as Member of the Horse Racing Commission.

Sincerely,
 JAY INSLEE, Governor

Referred to Committee on Labor & Commerce as Senate Gubernatorial Appointment No. 9009.

December 15, 2015
 TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

WAYNE J. MARTIN, reappointed April 30, 2015, for the term ending April 3, 2019, as Member of the State Board for Community and Technical Colleges.

Sincerely,
 JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9010.

December 15, 2015
 TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

TORAYA MILLER, appointed November 9, 2015, for the term ending September 30, 2020, as Member of the Everett Community College Board of Trustees.

Sincerely,
 JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9011.

December 15, 2015
 TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

CHRIS STEARNS, reappointed April 30, 2015, for the term ending June 30, 2021, as Member of the Gambling Commission.

Sincerely,
 JAY INSLEE, Governor

Referred to Committee on Labor & Commerce as Senate Gubernatorial Appointment No. 9012.

December 18, 2015
 TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

RUSSELL HEPFER, reappointed June 26, 2015, for the term ending June 25, 2019, as Member of the Puget Sound Partnership Leadership Council.

Sincerely,
 JAY INSLEE, Governor

Referred to Committee on Environment, Energy & Technology as Senate Gubernatorial Appointment No. 9013.

December 18, 2015

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

JOHN M. MEYER, appointed October 21, 2015, for the term ending September 30, 2021, as Member of the Western Washington University Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9014.

January 5, 2016

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

CATHY R. PEARSALL-STIPEK, appointed October 21, 2015, for the term ending September 30, 2020, as Member of the Bates Technical College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9015.

January 5, 2016

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

LUKE E. THOMAS, reappointed August 12, 2015, for the term ending June 30, 2019, as Member of the Professional Educator Standards Board.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Early Learning & K-12 Education as Senate Gubernatorial Appointment No. 9016.

January 27, 2016

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

RONALD P. ERICKSON, reappointed December 14, 2015, for the term ending September 30, 2021, as Member of the Central Washington University Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9017.

January 27, 2016

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

JOHN W. PEDLOW, appointed December 15, 2015, for the term ending September 30, 2020, as Member of the Whatcom Community College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9018.

January 27, 2016

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

HESTER SEREBRIN, appointed December 29, 2015, for the term ending June 30, 2021, as Member of the Transportation Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Transportation as Senate Gubernatorial Appointment No. 9019.

February 2, 2016

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

THOMAS M. KARIER, appointed November 20, 2015, for the term ending January 15, 2020, as Member of the Northwest Power and Conservation Council.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Environment, Energy & Technology as Senate Gubernatorial Appointment No. 9020.

February 2, 2016

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

JULIE MCCULLOCH, reappointed December 15, 2015, for the term ending September 30, 2020, as Member of the Peninsula College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9021.

February 3, 2016

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

BRUCE L. LACHNEY, reappointed November 25, 2014, for the term ending September 30, 2019, as Member, Board of Trustees, Clover Park Technical College District No. 29.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9022.

FIRST DAY, JANUARY 14, 2019

2019 REGULAR SESSION

February 4, 2016

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

SHIV BATRA, appointed January 12, 2016, for the term ending June 30, 2019, as Member of the Transportation Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Transportation as Senate Gubernatorial Appointment No. 9023.

February 12, 2016

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

JUDY GUENTHER, appointed May 5, 2015, for the term ending January 19, 2019, as Member of the Pharmacy Quality Assurance Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Health & Long Term Care as Senate Gubernatorial Appointment No. 9024.

February 22, 2016

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

TERI L. FERREIRA, appointed January 28, 2016, for the term ending January 19, 2020, as Member of the Pharmacy Quality Assurance Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Health & Long Term Care as Senate Gubernatorial Appointment No. 9025.

February 24, 2016

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

JANE L. JACOBSEN, appointed February 23, 2016, for the term ending September 30, 2019, as Member of the Clark College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9026.

February 24, 2016

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

HAROLD W. WITHROW, appointed February 24, 2016, for the term ending September 30, 2020, as Member of the Clover Park Technical College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9027.

March 2, 2016

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

SEPI SOLEIMANPOUR, reappointed January 28, 2016, for the term ending January 19, 2020, as Member of the Pharmacy Quality Assurance Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Health & Long Term Care as Senate Gubernatorial Appointment No. 9028.

March 8, 2016

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

DEBRA J. ENTENMAN, appointed June 5, 2015, for the term ending September 30, 2019, as Member of the Renton Technical College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9029.

March 10, 2016

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

DOUG MAH, appointed March 10, 2016, for the term ending September 30, 2020, as Member of the South Puget Sound Community College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9030.

March 11, 2016

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

JANE E. RUSHFORD, appointed January 6, 2015, for the term ending January 15, 2021, as Member of the Liquor and Cannabis Board.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Labor & Commerce as Senate Gubernatorial Appointment No. 9031.

March 15, 2016

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

LAYNE BLADOW, appointed August 11, 2015, for the term ending September 30, 2019, as Member of the Bates Technical College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9032.

March 21, 2016

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

DARRELL S. MITSUNAGA, reappointed December 15, 2015, for the term ending September 30, 2020, as Member of the Lake Washington Institute of Technology Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9033.

April 14, 2016

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

GUADALUPE GAMBOA, appointed April 12, 2016, for the term ending June 17, 2019, as Member of the Human Rights Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Law & Justice as Senate Gubernatorial Appointment No. 9034.

April 27, 2016

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

MAUREEN P. WEST, appointed October 21, 2015, for the term ending September 30, 2021, as Member of the Western Washington University Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9035.

April 28, 2016

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

CLARA R. PELLHAM, reappointed September 28, 2015, for the term ending September 30, 2020, as Member of the Shoreline Community College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9036.

May 24, 2016

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

MATTHEW P. RONAYNE, appointed May 5, 2015, for the term ending January 20, 2019, as Member of the Pharmacy Quality Assurance Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Health & Long Term Care as Senate Gubernatorial Appointment No. 9037.

June 1, 2016

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

JAY A. REICH, reappointed June 1, 2016, for the term ending April 3, 2020, as Member of the State Board for Community and Technical Colleges.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9038.

June 1, 2016

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

FREDERICK P. WHANG, appointed June 1, 2016, for the term ending April 3, 2020, as Member of the State Board for Community and Technical Colleges.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9039.

July 5, 2016

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

KAREN T. LEE, reappointed July 1, 2016, for the term ending June 30, 2020, as Member of the Washington Student Achievement Council.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9040.

July 5, 2016

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

DEBORAH C. YOUNG, reappointed July 1, 2016, for the term ending June 30, 2022, as Member of the Transportation Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Transportation as Senate Gubernatorial Appointment No. 9041.

August 8, 2016

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

PHILIP ANDERSON, appointed July 28, 2016, for the term ending June 30, 2019, as Member of the Pacific States Marine Fisheries Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Agriculture, Water, Natural Resources & Parks as Senate Gubernatorial Appointment No. 9042.

August 31, 2016

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

KERI J. CLARK, appointed August 9, 2016, for the term ending July 1, 2021, as Member of the Washington State School for the Blind Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Early Learning & K-12 Education as Senate Gubernatorial Appointment No. 9043.

September 21, 2016

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

LISA H. CHIN, reappointed September 19, 2016, for the term ending September 30, 2021, as Member of the Bellevue College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9044.

September 21, 2016

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

BILL GORDON, reappointed September 19, 2016, for the term ending September 30, 2021, as Member of the Columbia Basin College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9045.

September 21, 2016

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

JONATHAN M. LANE, reappointed September 20, 2016, for the term ending September 30, 2021, as Member of the Big Bend Community College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9046.

September 21, 2016

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

ROYCE E. POLLARD, reappointed September 19, 2016, for the term ending September 30, 2021, as Member of the Clark College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9047.

September 21, 2016

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

TIMOTHY RASMUSSEN, reappointed September 16, 2016, for the term ending October 1, 2020, as Member of the Small Business Export Finance Assistance Center Board of Directors.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Financial Institutions, Economic Development & Trade as Senate Gubernatorial Appointment No. 9048.

September 22, 2016

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

ARTHUR A. BLAUVELT III, reappointed September 21, 2016, for the term ending September 30, 2021, as Member of the Grays Harbor College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9049.

September 22, 2016

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

CATHERINE P. D'AMBROSIO, reappointed September 21, 2016, for the term ending September 30, 2021, as Member of the Shoreline Community College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9050.

September 22, 2016

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

MICHAEL R. DELLER, reappointed September 22, 2016, for the term ending September 30, 2021, as Member of the Everett Community College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9051.

September 22, 2016

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

SUSAN A. PALMER, reappointed September 21, 2016, for the term ending September 30, 2021, as Member of the Renton Technical College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9052.

September 22, 2016

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

FAALUAINA S. PRITCHARD, reappointed September 21, 2016, for the term ending September 30, 2021, as Member of the Clover Park Technical College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9053.

September 22, 2016

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

CHRISTON C. SKINNER, reappointed September 21, 2016, for the term ending September 30, 2021, as Member of the Skagit Valley College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9054.

September 29, 2016

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

PATRICK BALDOZ, appointed September 29, 2016, for the term ending September 30, 2021, as Member of the Yakima Valley Community College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9055.

September 30, 2016

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

JEFFERSON S. DAVIS, appointed September 30, 2016, for the term ending September 30, 2019, as Member of the South Puget Sound Community College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9056.

October 3, 2016

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

JACELYN (JACKIE) M. BOSCHOK, appointed October 3, 2016, for the term ending September 30, 2021, as Member of the Green River College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9057.

October 3, 2016

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

KAREN T. LEE, reappointed October 1, 2016, for the term ending September 30, 2022, as Member of the Western Washington University Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9058.

October 4, 2016

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

CHRISTINA BLOCKER, appointed October 4, 2016, for the term ending September 30, 2021, as Member of the Bates Technical College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9059.

October 5, 2016

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

HEATHER L. MANSY, appointed October 3, 2016, for the term ending September 30, 2021, as Member of the Lower Columbia College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9060.

November 1, 2016

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

RUSSELL D. HAUGE, appointed November 1, 2016, for the term ending August 2, 2019, as a Chair of the Sentencing Guidelines Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Law & Justice as Senate Gubernatorial Appointment No. 9061.

November 2, 2016

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

ROBERT L. NELLAMS, appointed November 1, 2016, for the term ending September 30, 2021, as Member of the Central Washington University Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9062.

December 7, 2016

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

LOIS BERNSTEIN, appointed December 7, 2016, for the term ending September 30, 2021, as Member of the Tacoma Community College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9063.

December 7, 2016

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

MARILYN GLENN SAYAN, reappointed December 7, 2016, for the term ending September 8, 2021, as Member of the Public Employment Relations Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Labor & Commerce as Senate Gubernatorial Appointment No. 9064.

December 28, 2016

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

EVERETT MACOMBER, reappointed December 21, 2016, for the term ending January 17, 2023, as Member of the Horse Racing Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Labor & Commerce as Senate Gubernatorial Appointment No. 9065.

January 16, 2017

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

GUY R. NORMAN, reappointed January 16, 2017, for the term ending January 15, 2021, as Member of the Northwest Power and Conservation Council.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Environment, Energy & Technology as Senate Gubernatorial Appointment No. 9066.

January 17, 2017

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

RUSSELL D. HAUGE, appointed January 17, 2017, for the term ending January 15, 2019, as Member of the Liquor and Cannabis Board.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Labor & Commerce as Senate
Gubernatorial Appointment No. 9067.

January 23, 2017

TO THE HONORABLE, THE SENATE OF THE STATE OF
WASHINGTON

Ladies and Gentlemen:

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

MARK R. BUSTO, appointed January 23, 2017, for the term
ending September 8, 2019, as Member of the Public Employment
Relations Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Labor & Commerce as Senate
Gubernatorial Appointment No. 9068.

January 24, 2017

TO THE HONORABLE, THE SENATE OF THE STATE OF
WASHINGTON

Ladies and Gentlemen:

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

PHYLLIS L. GLEASMAN, reappointed January 24, 2017,
for the term ending September 30, 2021, as Member of the
Wenatchee Valley College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce
Development as Senate Gubernatorial Appointment No. 9069.

January 31, 2017

TO THE HONORABLE, THE SENATE OF THE STATE OF
WASHINGTON

Ladies and Gentlemen:

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

OLLIE A. GARRETT, reappointed January 31, 2017, for the
term ending January 15, 2023, as Member of the Liquor and
Cannabis Board.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Labor & Commerce as Senate
Gubernatorial Appointment No. 9070.

January 31, 2017

TO THE HONORABLE, THE SENATE OF THE STATE OF
WASHINGTON

Ladies and Gentlemen:

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

NANCY J. HOLLAND YOUNG, reappointed January 31,
2017, for the term ending January 4, 2023, as Member of the
Personnel Resources Board.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Labor & Commerce as Senate
Gubernatorial Appointment No. 9071.

February 3, 2017

TO THE HONORABLE, THE SENATE OF THE STATE OF
WASHINGTON

Ladies and Gentlemen:

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

STEVE JACOBS, appointed February 3, 2017, for the term
ending February 11, 2021, as Member of the Health Care
Facilities Authority.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Health & Long Term Care as
Senate Gubernatorial Appointment No. 9072.

March 17, 2017

TO THE HONORABLE, THE SENATE OF THE STATE OF
WASHINGTON

Ladies and Gentlemen:

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

TONY F. GOLIK, appointed March 17, 2017, for the term
ending August 2, 2019, as Member of the Sentencing Guidelines
Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Law & Justice as Senate
Gubernatorial Appointment No. 9073.

March 22, 2017

TO THE HONORABLE, THE SENATE OF THE STATE OF
WASHINGTON

Ladies and Gentlemen:

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

AMY L. FROST, appointed March 22, 2017, for the term
ending June 30, 2019, as Member of the Professional Educator
Standards Board.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Early Learning & K-12 Education
as Senate Gubernatorial Appointment No. 9074.

April 25, 2017

TO THE HONORABLE, THE SENATE OF THE STATE OF
WASHINGTON

Ladies and Gentlemen:

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

J. A. VANDER STOEP, appointed May 1, 2017, for the term
ending June 30, 2020, as Member of the Chehalis Board.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Environment, Energy &
Technology as Senate Gubernatorial Appointment No. 9075.

May 1, 2017

TO THE HONORABLE, THE SENATE OF THE STATE OF
WASHINGTON

Ladies and Gentlemen:

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

STEVEN MALLOCH, appointed July 1, 2017, for the term
ending June 30, 2019, as Member of the Chehalis Board.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Environment, Energy &
Technology as Senate Gubernatorial Appointment No. 9076.

May 15, 2017
TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

LISA MARSH, appointed May 16, 2017, for the term ending March 1, 2023, as Member of the Board of Tax Appeals.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Ways & Means as Senate Gubernatorial Appointment No. 9077.

May 23, 2017
TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

MICHAEL SIEG, appointed May 23, 2017, for the term ending January 19, 2019, as Member of the Pharmacy Quality Assurance Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Health & Long Term Care as Senate Gubernatorial Appointment No. 9078.

May 23, 2017
TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

KATHERINE E. WOLF, appointed May 23, 2017, for the term ending January 19, 2021, as Member of the Pharmacy Quality Assurance Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Health & Long Term Care as Senate Gubernatorial Appointment No. 9079.

May 31, 2017
TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

HOANG-UYEN T. THORSTENSEN, appointed May 30, 2017, for the term ending January 19, 2021, as Member of the Pharmacy Quality Assurance Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Health & Long Term Care as Senate Gubernatorial Appointment No. 9080.

June 5, 2017
TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

OLGY S. DIAZ, reappointed June 5, 2017, for the term ending January 19, 2021, as Member of the Pharmacy Quality Assurance Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Health & Long Term Care as Senate Gubernatorial Appointment No. 9081.

June 5, 2017
TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

KENNETH W. KENYON JR., reappointed June 5, 2017, for the term ending January 19, 2021, as Member of the Pharmacy Quality Assurance Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Health & Long Term Care as Senate Gubernatorial Appointment No. 9082.

June 8, 2017
TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

DWAYNE G. JOHNSON, reappointed June 5, 2017, for the term ending September 30, 2021, as Member of the Peninsula College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9083.

June 20, 2017
TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

STEVEN P. ADELSTEIN, reappointed June 20, 2017, for the term ending September 30, 2021, as Member of the Whatcom Community College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9084.

June 22, 2017
TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

LORETTA S. DEKAY, reappointed June 22, 2017, for the term ending June 12, 2021, as Member of the Columbia River Gorge Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Agriculture, Water, Natural Resources & Parks as Senate Gubernatorial Appointment No. 9085.

June 26, 2017

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

JAY J. MANNING, reappointed June 20, 2017, for the term ending June 25, 2021, as Member of the Puget Sound Partnership Leadership Council.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Environment, Energy & Technology as Senate Gubernatorial Appointment No. 9086.

June 26, 2017

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

BETHANY S. RIVARD, reappointed June 20, 2017, for the term ending June 30, 2021, as Member of the Professional Educator Standards Board.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Early Learning & K-12 Education as Senate Gubernatorial Appointment No. 9087.

June 29, 2017

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

JAMES T. WILCOX JR, reappointed June 29, 2017, for the term ending June 25, 2021, as Member of the Puget Sound Partnership Leadership Council.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Environment, Energy & Technology as Senate Gubernatorial Appointment No. 9088.

July 6, 2017

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

GREGORY A. CHRISTIANSEN, appointed July 1, 2017, for the term ending June 30, 2021, as Member of the Workforce Training and Education Coordinating Board.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9089.

July 12, 2017

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

JERALD (JERRY) R. LITT, reappointed July 12, 2017, for the term ending June 30, 2023, as Member of the Transportation Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Transportation as Senate Gubernatorial Appointment No. 9090.

July 31, 2017

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

ROY CAPTAIN, appointed July 31, 2017, for the term ending September 30, 2021, as Member of the Cascadia College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9091.

August 7, 2017

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

LAURA S. WILDFONG, appointed August 7, 2017, for the term ending September 30, 2021, as Member of the Lake Washington Institute of Technology Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9092.

August 14, 2017

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

JEFFREY BRECKEL, reappointed August 14, 2017, for the term ending July 15, 2021, as Member of the Salmon Recovery Funding Board.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Agriculture, Water, Natural Resources & Parks as Senate Gubernatorial Appointment No. 9093.

August 28, 2017

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

MICHAEL J. FENTON, appointed August 28, 2017, for the term ending August 2, 2019, as Member of the Sentencing Guidelines Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Law & Justice as Senate
Gubernatorial Appointment No. 9094.

August 29, 2017

TO THE HONORABLE, THE SENATE OF THE STATE OF
WASHINGTON

Ladies and Gentlemen:

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

KIMBERLY N. GORDON, reappointed August 29, 2017, for
the term ending August 2, 2020, as Member of the Sentencing
Guidelines Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Law & Justice as Senate
Gubernatorial Appointment No. 9095.

August 29, 2017

TO THE HONORABLE, THE SENATE OF THE STATE OF
WASHINGTON

Ladies and Gentlemen:

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

PHILLIP R. LEMLEY, reappointed August 29, 2017, for the
term ending August 2, 2020, as Member of the Sentencing
Guidelines Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Law & Justice as Senate
Gubernatorial Appointment No. 9096.

September 5, 2017

TO THE HONORABLE, THE SENATE OF THE STATE OF
WASHINGTON

Ladies and Gentlemen:

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

GENE C. SHARRATT, appointed August 24, 2017, for the
term ending March 26, 2021, as Member of the Higher Education
Facilities Authority.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce
Development as Senate Gubernatorial Appointment No. 9097.

September 6, 2017

TO THE HONORABLE, THE SENATE OF THE STATE OF
WASHINGTON

Ladies and Gentlemen:

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

CLAIRE GRACE, reappointed August 24, 2017, for the term
ending May 17, 2021, as Member of the Higher Education
Facilities Authority.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce
Development as Senate Gubernatorial Appointment No. 9098.

September 11, 2017

TO THE HONORABLE, THE SENATE OF THE STATE OF
WASHINGTON

Ladies and Gentlemen:

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

JUDY GUENTHER, reappointed September 11, 2017, for the
term ending August 2, 2023, as Member of the Lottery
Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Labor & Commerce as Senate
Gubernatorial Appointment No. 9099.

September 11, 2017

TO THE HONORABLE, THE SENATE OF THE STATE OF
WASHINGTON

Ladies and Gentlemen:

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

CHARLENE D. STRONG, reappointed September 11, 2017,
for the term ending June 17, 2022, as Member of the Human
Rights Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Law & Justice as Senate
Gubernatorial Appointment No. 9100.

September 11, 2017

TO THE HONORABLE, THE SENATE OF THE STATE OF
WASHINGTON

Ladies and Gentlemen:

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

JON J. TUNHEIM, reappointed September 11, 2017, for the
term ending August 2, 2020, as Member of the Sentencing
Guidelines Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Law & Justice as Senate
Gubernatorial Appointment No. 9101.

September 29, 2017

TO THE HONORABLE, THE SENATE OF THE STATE OF
WASHINGTON

Ladies and Gentlemen:

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

BOB BOLERJACK, reappointed September 29, 2017, for the
term ending September 30, 2022, as Member of the Everett
Community College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce
Development as Senate Gubernatorial Appointment No. 9102.

September 29, 2017

TO THE HONORABLE, THE SENATE OF THE STATE OF
WASHINGTON

Ladies and Gentlemen:

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

GREG DIETZEL, reappointed September 29, 2017, for the
term ending September 30, 2022, as Member of the Bellevue
College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9103.

September 29, 2017

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

JANET M. MCDANIEL, reappointed September 29, 2017, for the term ending September 30, 2022, as Member of the Cascadia College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9104.

October 3, 2017

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

TAMRA L. JACKSON, reappointed October 3, 2017, for the term ending September 30, 2022, as Member of the Wenatchee Valley College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9105.

October 3, 2017

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

MICHAEL S. MAXWELL, reappointed October 3, 2017, for the term ending September 30, 2022, as Member of the Peninsula College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9106.

October 4, 2017

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

JUDITH L. HARTMANN, reappointed October 4, 2017, for the term ending September 30, 2022, as Member of the South Puget Sound Community College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9107.

October 5, 2017

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

DOUGLASS L. JACKSON, reappointed October 1, 2017, for the term ending September 30, 2022, as Member of the Shoreline Community College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9108.

October 5, 2017

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

ROBERT M. RYAN, reappointed October 1, 2017, for the term ending September 30, 2022, as Member of the Tacoma Community College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9109.

October 6, 2017

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

DORIS WOOD, reappointed October 5, 2017, for the term ending September 30, 2022, as Member of the Centralia College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9110.

October 12, 2017

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

HEATHER B. REDMAN, appointed October 12, 2017, for the term ending September 30, 2021, as Member, Board of Regents, Washington State University.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9111.

October 12, 2017

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

BRIAN K. UNTI, reappointed October 11, 2017, for the term ending September 30, 2022, as Member of the Renton Technical College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9112.

October 18, 2017

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

THOMAS R. STREDWICK, appointed October 18, 2017, for the term ending September 30, 2022, as Member of the Big Bend Community College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9113.

October 19, 2017

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

KEDRICH JACKSON, reappointed October 19, 2017, for the term ending September 30, 2022, as Member of the Columbia Basin College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9114.

October 19, 2017

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

DENISE L. JONES, reappointed October 19, 2017, for the term ending September 30, 2022, as Member of the Lake Washington Institute of Technology Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9115.

October 19, 2017

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

DONALD R. MCQUARY, reappointed October 19, 2017, for the term ending September 30, 2021, as Member of the Walla Walla Community College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9116.

October 19, 2017

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

SHARONNE A. NAVAS, reappointed October 19, 2017, for the term ending September 30, 2022, as Member of the Green River College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9117.

October 30, 2017

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

SERGIO HERNANDEZ, appointed October 30, 2017, for the term ending September 30, 2022, as Member of the Walla Walla Community College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9118.

October 30, 2017

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

NEIL A. MCCLURE, appointed October 30, 2017, for the term ending September 30, 2022, as Member of the Yakima Valley Community College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9119.

October 31, 2017

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

REKAH T. STRONG, reappointed October 31, 2017, for the term ending September 30, 2022, as Member of the Clark College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9120.

November 2, 2017

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

WENDY K. BOHLKE, appointed November 2, 2017, for the term ending September 30, 2019, as Member of the Whatcom Community College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9121.

November 20, 2017

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

REBECCA M. JOHNSON, appointed November 20, 2017, for the term ending September 30, 2022, as Member of the Whatcom Community College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9122.

December 13, 2017

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

ANTHONY J. ANDERSON, appointed December 13, 2017, for the term ending September 30, 2022, as Member of the Bates Technical College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9123.

December 13, 2017

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

SHANNON L. CHILDS, appointed January 1, 2018, for the term ending September 30, 2022, as Member of the Olympic College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9124.

December 14, 2017

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

MARK C. SCHEIBMEIR, appointed December 14, 2017, for the term ending September 30, 2021, as Member of the Centralia College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9125.

December 20, 2017

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

STEVEN R. HILL, reappointed December 20, 2017, for the term ending September 30, 2022, as Member of the Seattle College District Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9126.

December 20, 2017

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

FLORA E. LUCATERO, appointed December 20, 2017, for the term ending September 30, 2022, as Member of the Skagit Valley College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9127.

December 28, 2017

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

BAHRAM BAGHERPOUR, appointed December 28, 2017, for the term ending April 3, 2021, as Member of the State Board for Community and Technical Colleges.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9128.

December 28, 2017

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

CHERYL A. MILLER, appointed January 15, 2018, for the term ending September 30, 2021, as Member of the Olympic College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9129.

January 3, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

KATHLEEN DREW, appointed January 16, 2018, for the term ending at the governor's pleasure, as a Chair of the Energy Facility Site Evaluation Council.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Environment, Energy & Technology as Senate Gubernatorial Appointment No. 9130.

January 3, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

ROSA PERALTA, appointed January 3, 2018, for the term ending September 30, 2021, as Member of the Seattle College District Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9131.

January 9, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

MICHAEL S. SHIOSAKI, reappointed January 1, 2018, for the term ending December 31, 2020, as Member of the Recreation and Conservation Funding Board.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Agriculture, Water, Natural Resources & Parks as Senate Gubernatorial Appointment No. 9132.

January 9, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

STEPHANIE M. SOLIEN, reappointed January 9, 2018, for the term ending June 25, 2021, as Member of the Puget Sound Partnership Leadership Council.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Environment, Energy & Technology as Senate Gubernatorial Appointment No. 9133.

January 9, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

THEODORE R. WILLHITE, reappointed January 1, 2018, for the term ending December 31, 2020, as Member of the Recreation and Conservation Funding Board.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Agriculture, Water, Natural Resources & Parks as Senate Gubernatorial Appointment No. 9134.

January 12, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

WILLIAM DOWNING, appointed January 12, 2018, for the term ending December 31, 2022, as Member of the Public Disclosure Commission.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on State Government, Tribal Relations & Elections as Senate Gubernatorial Appointment No. 9135.

January 15, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

JOHN C. SCRAGG, appointed January 19, 2018, for the term ending December 26, 2020, as Member of the Board of Pilotage Commissioners.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Transportation as Senate Gubernatorial Appointment No. 9136.

January 17, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

NEIL L. WISE, appointed February 1, 2018, for the term ending June 30, 2020, as Member of the Pollution Control/Shorelines Hearings Board.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Environment, Energy & Technology as Senate Gubernatorial Appointment No. 9137.

January 18, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

MICHAEL L. ANTHONY, appointed January 19, 2018, for the term ending December 26, 2019, as Member of the Board of Pilotage Commissioners.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Transportation as Senate Gubernatorial Appointment No. 9138.

January 18, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

CRYSTAL DONNER, appointed January 18, 2018, for the term ending April 3, 2021, as Member of the State Board for Community and Technical Colleges.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9139.

January 18, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

RANDY J. ROBINSON, reappointed January 18, 2018, for the term ending June 30, 2021, as Member of the Housing Finance Commission.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Housing Stability & Affordability as Senate Gubernatorial Appointment No. 9140.

January 22, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

RICHARD LEIGH, appointed January 22, 2018, for the term ending September 30, 2020, as Member of the Bellevue College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9141.

January 22, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

DIANA H. PEREZ, appointed January 22, 2018, for the term ending December 31, 2020, as Member of the Parks and Recreation Commission.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Agriculture, Water, Natural Resources & Parks as Senate Gubernatorial Appointment No. 9142.

January 29, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

DAVID ZEECK, appointed January 29, 2018, for the term ending September 30, 2023, as Member of the University of Washington Board of Regents.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9143.

February 1, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

JAY J. MANNING, appointed November 20, 2015, for the term ending September 30, 2021, as Member of the Eastern Washington University Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9144.

February 5, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

REGINALD GEORGE, appointed February 5, 2018, for the term ending July 1, 2022, as Member of the Washington State School for the Blind Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Early Learning & K-12 Education as Senate Gubernatorial Appointment No. 9145.

February 5, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

GLENN A. JOHNSON, appointed February 5, 2018, for the term ending September 30, 2022, as Member of the Community Colleges of Spokane Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9146.

February 5, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

STEPHEN L. SMITH, reappointed February 5, 2018, for the term ending September 30, 2022, as Member of the Pierce College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9147.

February 15, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

RAYMOND CONNER, appointed February 15, 2018, for the term ending September 30, 2023, as Member of the Central Washington University Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9148.

February 15, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

ROSALINDA MENDOZA, reappointed December 15, 2015, for the term ending September 30, 2020, as Member of the Yakima Valley Community College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9149.

February 15, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

EDWARD C. TROYER, appointed September 9, 2014, for the term ending June 30, 2020, as Member of the Gambling Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Labor & Commerce as Senate Gubernatorial Appointment No. 9150.

February 16, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

SKYLEE SAHLSTROM, reappointed June 18, 2016, for the term ending June 17, 2021, as Member of the Human Rights Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Law & Justice as Senate Gubernatorial Appointment No. 9151.

February 16, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

SIDNEY WELDELE-WALLACE, reappointed August 9, 2016, for the term ending July 1, 2021, as Member of the Center for Childhood Deafness and Hearing Loss Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Early Learning & K-12 Education as Senate Gubernatorial Appointment No. 9152.

February 21, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

ALAN BURKE, reappointed February 20, 2018, for the term ending January 12, 2022, as Member of the State Board of Education.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Early Learning & K-12 Education as Senate Gubernatorial Appointment No. 9153.

February 27, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

HOLLY A. KOON, reappointed February 27, 2018, for the term ending January 12, 2022, as Member of the State Board of Education.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Early Learning & K-12 Education as Senate Gubernatorial Appointment No. 9154.

February 27, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

ROBERT H. WHALEY, reappointed February 27, 2018, for the term ending September 30, 2023, as Member of the Eastern Washington University Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9155.

March 1, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

KIM PEARMAN-GILLMAN, appointed February 21, 2018, for the term ending September 30, 2023, as Member of the Eastern Washington University Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9156.

March 14, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

JACK S. ENG, reappointed March 14, 2018, for the term ending June 17, 2023, as Member of the Board of Industrial Insurance Appeals.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Labor & Commerce as Senate Gubernatorial Appointment No. 9157.

March 19, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

JERAMIE MAXWELL, appointed March 19, 2018, for the term ending October 1, 2020, as Member of the Small Business Export Finance Assistance Center Board of Directors.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Financial Institutions, Economic Development & Trade as Senate Gubernatorial Appointment No. 9158.

March 20, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

JEFFREY C. ESTES, appointed March 20, 2018, for the term ending January 12, 2022, as Member of the State Board of Education.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Early Learning & K-12 Education as Senate Gubernatorial Appointment No. 9159.

March 23, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

JUDY F. KUSCHEL, reappointed March 23, 2018, for the term ending December 31, 2020, as Member of the State Investment Board.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Ways & Means as Senate Gubernatorial Appointment No. 9160.

March 23, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

BRADLEY F. SMITH, appointed March 23, 2018, for the term ending September 30, 2022, as Member of the Bellingham Technical College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9161.

March 28, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

ALICIA R. LEVY, appointed March 16, 2018, for the term ending June 30, 2023, as Member of the Gambling Commission.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Labor & Commerce as Senate Gubernatorial Appointment No. 9162.

March 28, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

HAIRUM J. MARTIN-MORRIS, appointed March 22, 2018, for the term ending January 12, 2021, as Member of the State Board of Education.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Early Learning & K-12 Education as Senate Gubernatorial Appointment No. 9163.

April 2, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

STEVEN F. ANDERSON, reappointed April 2, 2018, for the term ending January 19, 2022, as Member of the Pharmacy Quality Assurance Commission.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Health & Long Term Care as Senate Gubernatorial Appointment No. 9164.

April 3, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

MAIA C. MCCOY, appointed April 3, 2018, for the term ending August 2, 2020, as Member of the Sentencing Guidelines Commission.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Law & Justice as Senate Gubernatorial Appointment No. 9165.

April 3, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

FIRST DAY, JANUARY 14, 2019

2019 REGULAR SESSION

FIASILIL SAVUSA, reappointed April 3, 2018, for the term ending September 30, 2022, as Member of the Highline College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9166.

April 4, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

MARCUS J. GLASPER, appointed March 28, 2018, for the term ending at the governor's pleasure, as a Director of the Lottery Commission - Agency Head.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Labor & Commerce as Senate Gubernatorial Appointment No. 9167.

April 10, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

TIMOTHY LYNCH, appointed April 10, 2018, for the term ending January 19, 2022, as Member of the Pharmacy Quality Assurance Commission.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Health & Long Term Care as Senate Gubernatorial Appointment No. 9168.

April 24, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

JULIA L. PATTERSON, reappointed July 1, 2018, for the term ending June 30, 2024, as Member of the Gambling Commission.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Labor & Commerce as Senate Gubernatorial Appointment No. 9169.

April 27, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

CAROL J. MCVICKER, reappointed April 25, 2018, for the term ending April 3, 2022, as Member of the State Board for Community and Technical Colleges.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9170.

May 21, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

JEROME O. COHEN, reappointed May 21, 2018, for the term ending March 26, 2022, as Member of the Higher Education Facilities Authority.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9171.

May 30, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

VICKIE K. NORRIS, appointed May 29, 2018, for the term ending September 30, 2019, as Member of the Everett Community College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9172.

June 1, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

GEORGE RAITER, reappointed June 1, 2018, for the term ending September 30, 2022, as Member of the Lower Columbia College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9173.

June 11, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

JOAN M. MARCHIORO, reappointed July 1, 2018, for the term ending June 30, 2024, as Member of the Pollution Control/Shoreline Hearings Board.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Environment, Energy & Technology as Senate Gubernatorial Appointment No. 9174.

June 11, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

LOWELL T. MURRAY LLL, reappointed June 26, 2018, for the term ending June 25, 2022, as Member of the Puget Sound Partnership Leadership Council.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Environment, Energy & Technology as Senate Gubernatorial Appointment No. 9175.

June 11, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

CITLALY P. RAMIREZ , appointed July 1, 2018, for the term ending June 30, 2019, as Member of the Western Washington University Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9176.

June 11, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

KAITLYN ZHOU, appointed July 1, 2018, for the term ending June 30, 2019, as Member of the University of Washington Board of Regents.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9177.

June 12, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

PAULA M. AKERLUND, appointed July 1, 2018, for the term ending September 30, 2022, as Member of the Grays Harbor College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9178.

June 12, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

JORDAN FROST, appointed July 1, 2018, for the term ending June 30, 2019, as Member, Board of Regents, Washington State University.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9179.

June 12, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

KATHLEENA K. LY, appointed July 1, 2018, for the term ending June 30, 2019, as Member of the The Evergreen State College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9180.

June 13, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

TERESA BERNTSEN, appointed June 11, 2018, for the term ending at the governor's pleasure, as a Director of the Department of Licensing - Agency Head.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Transportation as Senate Gubernatorial Appointment No. 9181.

June 13, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

WILLIAM C. HOUSER, appointed June 13, 2018, for the term ending August 2, 2020, as Member of the Sentencing Guidelines Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Law & Justice as Senate Gubernatorial Appointment No. 9182.

June 20, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

JIM MOSS, reappointed July 1, 2018, for the term ending June 30, 2022, as Member of the Energy Northwest Executive Board.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Environment, Energy & Technology as Senate Gubernatorial Appointment No. 9183.

June 20, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

DEMIE WAMSLEY, appointed July 1, 2018, for the term ending June 30, 2019, as Member of the Eastern Washington University Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9184.

June 27, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

JEROMY C. SULLIVAN, appointed June 27, 2018, for the term ending July 15, 2019, as Member of the Salmon Recovery Funding Board.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Agriculture, Water, Natural Resources & Parks as Senate Gubernatorial Appointment No. 9185.

June 28, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

ANGELA M. DURHAM, appointed July 1, 2018, for the term ending June 30, 2019, as Member of the Edmonds Community College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9186.

June 30, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

JOEDY R. MORROW, appointed July 16, 2018, for the term ending June 30, 2019, as Member of the Bellevue College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9187.

July 10, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

DENNIS J. MCLERRAN, reappointed July 9, 2018, for the term ending June 25, 2022, as Member of the Puget Sound Partnership Leadership Council.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Environment, Energy & Technology as Senate Gubernatorial Appointment No. 9188.

July 16, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

JACELYN (JACKIE) BOSCHOK M. , appointed July 16, 2018, for the term ending June 30, 2021, as Member of the Women's Commission, Washington State.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on State Government, Tribal Relations & Elections as Senate Gubernatorial Appointment No. 9189.

July 16, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

GRACIELA G. COWGER, appointed July 16, 2018, for the term ending June 30, 2021, as Member of the Women's Commission, Washington State.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on State Government, Tribal Relations & Elections as Senate Gubernatorial Appointment No. 9190.

July 16, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

MARC D. DAUDON, reappointed July 16, 2018, for the term ending June 30, 2022, as Member of the Energy Northwest Executive Board.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Environment, Energy & Technology as Senate Gubernatorial Appointment No. 9191.

July 16, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

SUZAN LEVINE, appointed July 1, 2018, for the term ending at the governor's pleasure, as Commissioner of the Employment Security Department - Agency Head.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Labor & Commerce as Senate Gubernatorial Appointment No. 9192.

July 16, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

REGINA MALVEAUX, appointed July 16, 2018, for the term ending June 30, 2020, as Member of the Women's Commission, Washington State.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on State Government, Tribal Relations & Elections as Senate Gubernatorial Appointment No. 9193.

July 16, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

JAMES A. RESTUCCI, appointed July 16, 2018, for the term ending June 30, 2024, as Member of the Transportation Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Transportation as Senate Gubernatorial Appointment No. 9194.

July 18, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

LISA VAN DER LUGT, appointed July 1, 2018, for the term ending at the governor's pleasure, as a Director of the Office of Minority and Women's Business Enterprises - Agency Head.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Labor & Commerce as Senate Gubernatorial Appointment No. 9195.

July 19, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

GRACE HUANG, appointed July 19, 2018, for the term ending June 30, 2019, as Member of the Women's Commission, Washington State.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on State Government, Tribal Relations & Elections as Senate Gubernatorial Appointment No. 9196.

July 23, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

ELIZABETH (BETH) J. THEW, appointed July 23, 2018, for the term ending June 30, 2022, as Member of the Workforce Training and Education Coordinating Board.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9197.

July 30, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

TARA S. FAIRFIELD, appointed July 30, 2018, for the term ending June 30, 2019, as Member of the Women's Commission, Washington State.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on State Government, Tribal Relations & Elections as Senate Gubernatorial Appointment No. 9198.

July 30, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

MONICA A. HOLLAND, appointed July 30, 2018, for the term ending June 30, 2019, as Member of the Women's Commission, Washington State.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on State Government, Tribal Relations & Elections as Senate Gubernatorial Appointment No. 9199.

July 30, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

RITUJA INDAPURE, appointed July 27, 2018, for the term ending June 30, 2020, as Member of the Women's Commission, Washington State.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on State Government, Tribal Relations & Elections as Senate Gubernatorial Appointment No. 9200.

July 30, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

JUANITA J. KAMPHUIS, appointed July 23, 2018, for the term ending July 1, 2023, as Member of the Center for Childhood Deafness and Hearing Loss Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Early Learning & K-12 Education as Senate Gubernatorial Appointment No. 9201.

July 30, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

MARK MATTKE, reappointed July 30, 2018, for the term ending June 30, 2021, as Member of the Workforce Training and Education Coordinating Board.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9202.

August 6, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

MARIA J. CHRISTIANSON, reappointed July 27, 2018, for the term ending July 1, 2023, as Member of the Center for Childhood Deafness and Hearing Loss Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Early Learning & K-12 Education as Senate Gubernatorial Appointment No. 9203.

August 7, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

DAWN E. RAINS, appointed August 7, 2018, for the term ending June 30, 2021, as Member of the Women's Commission, Washington State.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on State Government, Tribal Relations & Elections as Senate Gubernatorial Appointment No. 9204.

August 16, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

MICHELLE Y. MERRIWEATHER, appointed August 16, 2018, for the term ending June 30, 2020, as Member of the Women's Commission, Washington State.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on State Government, Tribal Relations & Elections as Senate Gubernatorial Appointment No. 9205.

August 21, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

CATHERINE SHAFFER, reappointed August 20, 2018, for the term ending August 2, 2021, as Member of the Sentencing Guidelines Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Law & Justice as Senate Gubernatorial Appointment No. 9206.

August 22, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

YAZMIN AGUILAR, appointed August 20, 2018, for the term ending June 30, 2019, as Member of the Washington Student Achievement Council.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9207.

August 22, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

TIM G. WETTACK, reappointed August 22, 2018, for the term ending August 2, 2021, as Member of the Sentencing Guidelines Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Law & Justice as Senate Gubernatorial Appointment No. 9208.

August 29, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

ROGER S. ROGOFF, reappointed August 28, 2018, for the term ending August 2, 2021, as Member of the Sentencing Guidelines Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Law & Justice as Senate Gubernatorial Appointment No. 9209.

August 29, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

RON SIMS, reappointed August 28, 2018, for the term ending September 30, 2023, as Member, Board of Regents, Washington State University.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9210.

September 4, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

STEVEN J. DREW, appointed November 2, 2018, for the term ending September 30, 2023, as Member of the South Puget Sound Community College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9211.

September 4, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

HEATHER MOSS, reappointed October 1, 2018, for the term ending September 30, 2023, as Member of the Bates Technical College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9212.

September 5, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

KAREN FRASER, appointed August 22, 2018, for the term ending September 30, 2021, as Member of the The Evergreen State College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9213.

September 7, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

GREGORY C. LINK, reappointed September 6, 2018, for the term ending August 2, 2021, as Member of the Sentencing Guidelines Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Law & Justice as Senate Gubernatorial Appointment No. 9214.

September 7, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

DENNIS W. MATHEWS, reappointed September 6, 2018, for the term ending July 1, 2023, as Member of the Washington State School for the Blind Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Early Learning & K-12 Education as Senate Gubernatorial Appointment No. 9215.

September 20, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

MARTY J. DICKINSON, appointed September 19, 2018, for the term ending September 30, 2023, as Member, Board of Regents, Washington State University.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9216.

September 20, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

SUSAN K. SHARPE, reappointed September 20, 2018, for the term ending September 30, 2024, as Member of the Western Washington University Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9217.

September 20, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

ELIZABETH (BETH) J. THEW, appointed September 19, 2018, for the term ending September 30, 2023, as Member of the Community Colleges of Spokane Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9218.

September 25, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

DEBORAH COOK, appointed September 25, 2018, for the term ending June 17, 2023, as Member of the Human Rights Commission.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Law & Justice as Senate Gubernatorial Appointment No. 9219.

September 25, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

D. MICHAEL KELLY, reappointed September 25, 2018, for the term ending September 30, 2023, as Member of the Cascadia College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9220.

September 25, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

NANCY L. MCDANIEL, reappointed September 25, 2018, for the term ending July 1, 2023, as Member of the Washington State School for the Blind Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Early Learning & K-12 Education as Senate Gubernatorial Appointment No. 9221.

September 25, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

CHARLES S. MCFADDEN, reappointed September 25, 2018, for the term ending September 30, 2023, as Member of the Big Bend Community College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9222.

September 25, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

JAMES M. MURPHY, reappointed September 25, 2018, for the term ending September 30, 2024, as Member of the Eastern Washington University Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9223.

September 27, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

DEBBIE J. AHL, reappointed September 27, 2018, for the term ending September 30, 2023, as Member of the Bellingham Technical College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9224.

September 27, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

VICKI J. WILSON, reappointed September 26, 2018, for the term ending September 30, 2024, as Member of the Eastern Washington University Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9225.

October 4, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

ALICE E. DIETZ, appointed October 3, 2018, for the term ending September 30, 2023, as Member of the Lower Columbia College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9226.

October 4, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

DAVID PARKER, reappointed October 3, 2018, for the term ending October 1, 2022, as Member of the Small Business Export Finance Assistance Center Board of Directors.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Financial Institutions, Economic Development & Trade as Senate Gubernatorial Appointment No. 9227.

October 4, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

BRETT R. WILLIS, reappointed October 3, 2018, for the term ending September 30, 2023, as Member of the Pierce College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9228.

October 11, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

ARLENE M. PIERINI, appointed October 11, 2018, for the term ending September 30, 2020, as Member of the Green River College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9229.

October 12, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

DEBBIE A. CAMPBELL, appointed October 5, 2018, for the term ending September 30, 2023, as Member of the Centralia College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9230.

October 16, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

ASTRID E. AVELEDO, appointed October 15, 2018, for the term ending September 30, 2023, as Member of the Grays Harbor College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9231.

October 16, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

ELAINE CHU, appointed October 15, 2018, for the term ending September 30, 2023, as Member of the Green River College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9232.

October 16, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

JEREMY JAECH, appointed October 15, 2018, for the term ending September 30, 2024, as Member of the University of Washington Board of Regents.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9233.

October 16, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

THOMAS W. LUX, appointed October 15, 2018, for the term ending September 30, 2023, as Member of the Shoreline Community College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9234.

October 16, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

ROBERT M. WILLIAMS, appointed October 15, 2018, for the term ending September 30, 2023, as Member of the Seattle College District Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9235.

October 18, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

DIANA L. CLAY, reappointed October 18, 2018, for the term ending September 30, 2023, as Member of the Edmonds Community College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9236.

October 18, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

GARY EPP, appointed October 18, 2018, for the term ending June 30, 2019, as Member of the Central Washington University Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9237.

October 18, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

ROBERT H. MALTE, appointed October 18, 2018, for the term ending September 30, 2023, as Member of the Lake Washington Institute of Technology Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9238.

October 18, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

BRENT L. STARK, appointed October 18, 2018, for the term ending July 1, 2023, as Member of the Washington State School for the Blind Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Early Learning & K-12 Education as Senate Gubernatorial Appointment No. 9239.

October 23, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

FAITH L. PETTIS, appointed October 22, 2018, for the term ending September 30, 2024, as Member of the Western Washington University Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9240.

October 23, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

TERESA N. TAYLOR, appointed October 22, 2018, for the term ending September 30, 2023, as Member of the Whatcom Community College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9241.

October 23, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

STEVEN H. YOSHIHARA, appointed October 23, 2018, for the term ending September 30, 2021, as Member of the Community Colleges of Spokane Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9242.

October 25, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

SPENCER N. THAL, appointed October 24, 2018, for the term ending September 8, 2023, as Member of the Public Employment Relations Commission.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Labor & Commerce as Senate Gubernatorial Appointment No. 9243.

October 30, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

LISA T. KEOHOKALO LE SCHAUER, appointed November 1, 2018, for the term ending September 30, 2020, as Member, Board of Regents, Washington State University.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9244.

November 1, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

PAUL B. SPEER, appointed October 31, 2018, for the term ending September 30, 2023, as Member of the Clark College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9245.

November 8, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

NOE JR CASTILLO, appointed November 8, 2018, for the term ending June 30, 2021, as Member of the Housing Finance Commission.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Housing Stability & Affordability as Senate Gubernatorial Appointment No. 9246.

November 8, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

LILY CLIFTON, appointed November 8, 2018, for the term ending July 1, 2023, as Member of the Washington State School for the Blind Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Early Learning & K-12 Education as Senate Gubernatorial Appointment No. 9247.

November 8, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

MERISA T. HEU-WELLER, reappointed November 8, 2018, for the term ending September 30, 2023, as Member of the Bellevue College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9248.

November 8, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

"GIDGET" JENNIE H. TERPSTRA, appointed November 8, 2018, for the term ending September 30, 2019, as Member of the Shoreline Community College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9249.

November 8, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

WILLIAM W. WARREN, reappointed November 8, 2018, for the term ending September 30, 2023, as Member of the Walla Walla Community College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9250.

November 19, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

KATHRYN A. BENNETT, reappointed November 15, 2018, for the term ending September 30, 2023, as Member of the Skagit Valley College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9251.

November 19, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

BONNIE C. BUSH, appointed November 19, 2018, for the term ending January 19, 2022, as Member of the Pharmacy Quality Assurance Commission.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Health & Long Term Care as Senate Gubernatorial Appointment No. 9252.

November 19, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

DAVID DANNER, reappointed January 2, 2019, for the term ending January 1, 2025, as a Chair of the Utilities and Transportation Commission.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Environment, Energy & Technology as Senate Gubernatorial Appointment No. 9253.

November 19, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

PATRICIA E. SHUMAN, appointed November 19, 2018, for the term ending September 30, 2023, as Member of the Tacoma Community College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9254.

November 21, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

ALLYSON PAGE, appointed November 21, 2018, for the term ending September 30, 2023, as Member of the Columbia Basin College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9255.

November 27, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

RHONDA SALVESEN, appointed November 27, 2018, for the term ending September 25, 2020, as Member of the Clemency and Pardons Board.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Human Services, Reentry & Rehabilitation as Senate Gubernatorial Appointment No. 9256.

December 3, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

PAUL A. PASTOR, reappointed November 28, 2018, for the term ending August 2, 2021, as Member of the Sentencing Guidelines Commission.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Law & Justice as Senate Gubernatorial Appointment No. 9257.

December 5, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

KENNETH BOUNDS, reappointed December 3, 2018, for the term ending December 31, 2024, as Member of the Parks and Recreation Commission.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Agriculture, Water, Natural Resources & Parks as Senate Gubernatorial Appointment No. 9258.

December 5, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

MICHAEL S. LATIMER, reappointed December 3, 2018, for the term ending December 31, 2024, as Member of the Parks and Recreation Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Agriculture, Water, Natural Resources & Parks as Senate Gubernatorial Appointment No. 9259.

December 13, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

CLAIRE HESSELHOLT, appointed January 1, 2019, for the term ending February 28, 2021, as Member of the Board of Tax Appeals.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Ways & Means as Senate Gubernatorial Appointment No. 9260.

December 13, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

HENRIK KROMBEEN, appointed January 1, 2019, for the term ending December 26, 2020, as Member of the Board of Pilotage Commissioners.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Transportation as Senate Gubernatorial Appointment No. 9261.

December 13, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

PAUL E. PITRE, reappointed January 13, 2019, for the term ending January 12, 2023, as Member of the State Board of Education.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Early Learning & K-12 Education as Senate Gubernatorial Appointment No. 9262.

December 13, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

JAMES WEAVER, appointed December 10, 2018, for the term ending at the governor's pleasure, as Chief Information Officer of the Washington Technology Solutions - Agency Head.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Environment, Energy & Technology as Senate Gubernatorial Appointment No. 9263.

December 31, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

ELI TAYLOR, appointed December 20, 2018, for the term ending September 30, 2023, as Member of the Clover Park Technical College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9264.

January 2, 2019

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

TIMOTHY J. FARRELL, appointed January 1, 2019, for the term ending December 26, 2020, as Member of the Board of Pilotage Commissioners.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Transportation as Senate Gubernatorial Appointment No. 9265.

MOTION

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

MESSAGE FROM OTHER STATE OFFICERS

January 14, 2019

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

Ladies and Gentleman:

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

Caseload Forecast Council – *"Adult Disproportionality Report for Fiscal Year 2018"*, in accordance with Engrossed Substitute Senate Bill No. 6032;

Children, Youth, and Families, Department of – *"Addressing Foster Parent Complaints and Concerns"*, in accordance with House Bill No. 1661;

Commerce, Department of – *"Veteran Housing Study, An Analysis of Homelessness, Permanent Supportive Housing and the Feasibility of a Proposed Pilot Facility"*, in accordance with Engrossed Substitute House Bill No. 2380; *"Local Infrastructure Financing Tool Program (LIFT), 2018 Biennial Report"*, pursuant to 39.102.200 RCW; *"Achieving a Better Life Experience (ABLE) Program, Final Progress Update to the Legislature"*, in accordance with Engrossed Substitute House Bill No. 2323; *"Veteran Housing Study"*, in accordance with Engrossed Substitute House Bill No. 2380; *"Homelessness in Washington State, 2017 Annual Report to the Legislature"*,

pursuant to 43.185C RCW; *"Washington State Convention Center Expansion, Build-Out and Operating Feasibility"*, pursuant to 36.100.025 RCW; *"Small Business Retirement Marketplace"* pursuant to 43.330.747 RCW; *"Financial Feasibility Review for Spokane Public Facilities District Sportsplex Project"*, pursuant to 36.100.025 RCW; *"Regulatory Streamlining - Regulatory Roadmap, June 2018 Update"*, in accordance with House Bill No. 1818; *"Motion Picture Competitiveness Program, 2018 Report"*, pursuant to 43.365.040 RCW; *"Public Works Board, Fiscal Year 2018 Construction Loan List and Pre-construction Loans"*, pursuant to 43.155.070 RCW; *"Community Economic Revitalization Board 2018 Biennial Legislative Report"*, pursuant to 43.160 RCW; *"Rural Broadband Program 2018 Legislative Report"*, in accordance with Engrossed Substitute Senate Bill No. 6095; *"Building Communities Fund Report 2018"*, pursuant to 43.63A.125 RCW; *"Bond Cap Allocation Program, 2018 Biennial Policy Report and Activity Summary"*, pursuant to 39.86.190 RCW; *"Regulatory Streamlining - Regulatory Roadmap, January 2019 Update"*, in accordance with House Bill No. 1818; *"Reentry Council Report for 2018"*, pursuant to 43.380.050 RCW;

Corrections, Department of – *"State Funded Programming Report for 2018"*, in accordance with Engrossed Substitute Senate Bill No. 6032; *"Extraordinary Medical Placement Report for 2017"*, pursuant to 72.09.620 RCW;

Courts, Administrative Office of the – *"Domestic Violence Risk Assessment"*, in accordance with Engrossed Second Substitute House Bill No. 1163; *"Domestic Violence Perpetrator Treatment, A Proposal for an Integrated System Response"*, in accordance with Engrossed Second Substitute House Bill No. 1163;

Developmental Disabilities Ombuds, Office of the – *"Annual Report for State Fiscal Year 2018"*, pursuant to 43.382.005 RCW;

Ecology, Department of - *"Vessel Traffic and Vessel Traffic Safety, Strait of Juan de Fuca and Puget Sound Area, Draft Report"*, in accordance with Engrossed Second Substitute Senate Bill No. 6269; *"Cleanup Settlement Account, Annual Reports for 2018 Fiscal Year"*, pursuant to 70.105D.130 RCW; *"Greenhouse Gas Emissions Performance Standard, Periodic Review, 2018"*, pursuant to 80.80.080 RCW; *"Model Toxics Control Accounts, Ten-Year Financing Report, 2018"*, pursuant to 70.105D.030 RCW; *"Don't Drip and Drive Work Group Recommendations"*, in accordance with Engrossed Substitute Senate Bill No. 6106; *"Health Housing Remediation: 2018 Results and Recommendations, Toxics Cleanup Program"*, in accordance with Engrossed Substitute Senate Bill No. 6095; *"Water Power License Fees: Expenditures, Recommendations, Accountability, and Recognition"*, pursuant to 90.16.050 RCW; *"Yakima River Basic Integrated Water Resource Management Plan - 2018 Cost Estimate and Financial Plan"*, pursuant to 90.38.120 RCW; *"Yakima River Basin Integrated Water Resource Management Plan, Implementation Status Report 2017"*, pursuant to 90.38.100 RCW; *"Wastewater and Stormwater Discharge Permit Fee Program, State Fiscal Years 2014-2017"*, pursuant to 90.48.465 RCW; *"Model Toxics Control Accounts (MTCA) Report of Expenditures for the 2015-2017 Biennium"*, pursuant to 70.105D.030 RCW; *"Implementing the Water Pollution Control Revolving Administration Account"*, pursuant to 90.50A.090 RCW; *"Statewide Progress on Setting Instream Flows, 2018 Report"*, pursuant to 90.82.080 RCW; *"Options for Processing and Disposal of Municipal Yard Waste Generated in Apple Maggot Quarantine Areas"*, pursuant to 70.94.6556 RCW;

Financial Management, Office of – *"Audit Resolution, 2018 Report"*, pursuant to 43.88.160 RCW; *"Facilities Plan 2019-25"*, pursuant to 43.82.055 RCW; *"One Washington Quarterly Report, April - June 2018"*, in accordance with Substitute Senate Bill No. 5883; *"Independent Examination of the Department of Commerce's Expenditures for Private for-Profit Rental Housing, January 1, 2017 - December 31, 2017"*, pursuant to 36.22.179 RCW; *"One Washington Quarterly Report, January - March 2018"*, in accordance with Substitute Senate Bill No. 5883; *"One Washington Quarterly Transportation Report, January - March 2018"*, in accordance with Engrossed Senate Bill No. 5096; *"All Payer Claims Database Grants"*, pursuant to 43.371.080 RCW; *"All-Payer Health Care Claims Database Reports"*, pursuant to 43.371.060 RCW; *"Facilities Inventory System Report, 2018"*, pursuant to 43.82.150 RCW;

Fish & Wildlife, Department of – *"Long-Term Funding Plan"*, in accordance with Substitute Senate Bill No. 5883; *"North Cascades Elk Management Update"*, in accordance with Engrossed Substitute Senate Bill No. 6032; *"Proposal to Increase Hatchery Production to Benefit Southern Resident Killer Whales"*, in accordance with Engrossed Substitute Senate Bill No. 6032; *"Derelict Shellfish Gear Removal and Disposal, 2018 Annual Report"*, pursuant to 77.32.430 RCW;

Forest Practices Board – *"Adaptive Management Program"*, in accordance with Substitute Senate Bill No. 5883;

Health Benefit Exchange – *"Quarterly Financial Report to the Legislature, Third Quarter Fiscal Year 2018"*, pursuant to 43.71.030 RCW; *"Strategic Plan for 2018-2019"*, pursuant to 43.71.030 RCW;

Health Care Authority - *"Pay1 System Replacement"*, in accordance with Engrossed Substitute Senate Bill No. 6032; *"Inpatient Hospital Certified Public Expenditure Program, 2018 Report"*, in accordance with Engrossed Substitute Senate Bill No. 6032; *"Medicaid Funding for Institutions for Mental Disease (IMD)"*, in accordance with Engrossed Substitute Senate Bill No. 6032; *"Assisted Outpatient Treatment Pilot Program"*, in accordance with Engrossed Substitute Senate Bill No. 6032; *"Apple Health Preferred Drug List: Implementing a Single, Standard Preferred Drug List for All Contracted Medicaid Fee-for-Service and Managed Care Health Systems"*, in accordance with Substitute Senate Bill No. 5883; *"Birth Centers"*, in accordance with Substitute Senate Bill No. 5835; *"SmartHealth Effectiveness: A Report to the Legislature on the Effectiveness of the Wellness Program"*, in accordance with Substitute Senate Bill No. 5883; *"Medicaid Managed Care Preventive Services and Vaccinations"*, in accordance with Engrossed Substitute Senate Bill No. 6032; *"Child Health Services: Provider Performance"*, pursuant to 74.09.480 RCW; *"Public Employees Benefits Board Annual Report, Customer Service Complaints and Appeals, July 2017 - June 2018"*, pursuant to 41.05.630 RCW; *"Distribution of Criminal Justice Treatment Account (CJTA) Funds"*, in accordance with Engrossed Substitute Senate Bill No. 6032; *"Oral Health Connections Project: Enhanced Periodontal Services for Women Experiencing Pregnancy and Adult Clients with Diabetes"*, in accordance with Substitute Senate Bill No. 5883; *"Adding Behavioral Health Services to the State Plan: Actuarial Estimates of Fiscal Impact"*, in accordance with Engrossed Substitute Senate Bill No. 6032; *"Access to Baby and Child Dentistry (ABCD) Program"*, in accordance with Substitute Senate Bill No. 6549; *"Behavioral and Physical Health Integration"*, in accordance with Engrossed Substitute Senate Bill No. 6032; *"University of Washington Evidence Based Practice Institute"*, in accordance with Engrossed Substitute Senate Bill

No. 6032; *"Employment Status of Apple Health Care Clients and Non-Client Individuals with Dependents Who Are Apple Health Care Clients, Statewide Data for Calendar Year 2017"*, in accordance with Engrossed Substitute House Bill No. 3079; *"Bree Collaborative Annual Report"*, in accordance with Engrossed Substitute House Bill No. 1311; *"Medicaid Transformation Project (MTP) Demonstration, Section 1115 Waiver Quarterly Report for October - December 2017"*, in accordance with Engrossed Substitute Senate Bill No. 6032; *"Improving Indian Health Care in Washington State"*, in accordance with Engrossed Substitute Senate Bill No. 6032; *"Health Care Innovation Plan, 2018 Annual Status Report"*, in accordance with Engrossed Second Substitute House Bill No. 2572; *"Partnership Access Line (PAL) Plus Program, Final Report"*, in accordance with Second Engrossed Substitute House Bill No. 2376; *"Proportion of Non-Participating Providers Serving Apple Health Enrollees, July 1, 2017 - June 30, 2018"*, pursuant to 74.09.522 RCW; *"Impact of Telemedicine on Apple Health, 2018 Report"*, pursuant to 74.09.325 RCW; *"Medicaid Financing and Home Visiting Status Report"*, in accordance with Engrossed Second Substitute House Bill No. 2779; *"PEBB Health Benefit Plan: Cost and Utilization Trends, Demographics, and Impacts of Alternative Consumer-Directed Health Plan, 2018 Report"*, pursuant to 41.05.065 RCW; *"Rural Health Access Preservation Pilot"*, in accordance with Engrossed Substitute House Bill No. 2450; *"Single Platform Provider Credentialing System: Automated Provider Screening"*, in accordance with Engrossed Substitute Senate Bill No. 6032; *"Access to Behavioral Health Services for Children, 2018 Report"*, pursuant to 74.09.495 RCW; *"Jail Transition Services, 2018 Report"*, in accordance with Engrossed Substitute Senate Bill No. 6032; *"Integrated Managed Care, Legislative Update"*, pursuant to 71.24.850 RCW; *"Developing Clubhouse Programs"*, in accordance with Engrossed Substitute Senate Bill No. 6032; *"Partnership Access Line: Recommendations for an Alternative Funding Model and Non-Duplication"*, in accordance with Substitute Senate Bill No. 6452; *"Improve Access to Prevention and Treatment of Opioid Use Disorders"*, in accordance with Engrossed Substitute Senate Bill No. 6032; *"Enhancement of Primary Care Access for Medical Assistance Clients"*, in accordance with Engrossed Substitute Senate Bill No. 6032; *"Service Coordination and Managed Care Performance Measure Report for 2018"*, in accordance with Substitute Senate Bill No. 5147; *"Autism Alliance and Advocacy"*, in accordance with Engrossed Substitute Senate Bill No. 6032; *"Managed Care Dental: Potential Dental Emergency Department Savings"*, in accordance with Engrossed Substitute Senate Bill No. 6032;

Health Workforce Council – *"2018 Annual Report"*, in accordance with Engrossed Substitute House Bill No. 1852;

Health, Department of – *"Reproductive Health Access Inequities Literature Review"*, in accordance with Substitute Senate Bill No. 6219; *"Mental Health Providers Credential Renewals, 2018 Report"*, pursuant to 18.225.800 RCW; *"Family Medicine Residency Programs, 2018 Report"*, pursuant to 70.112.070 RCW; *"Safer Homes, Suicide Aware Progress Report, January - June 2018"*, in accordance with Engrossed Second Substitute House Bill No. 2793; *"Healthy Pregnancy Advisory Committee Report on Strategies for Improving Maternal and Infant Health Outcomes"*, pursuant to 43.70.760 RCW; *"Epinephrine Autoinjector Incident Reporting"*, pursuant to 70.54.440 RCW;

Health, State Board of – *"2018 State Health Report"*, pursuant to 43.20.100 RCW

Improving State Funding for School Construction, Joint Legislative Task Force on – *"Improving State Funding for School Construction"*, in accordance with Engrossed Substitute Senate Bill No. 6095

Indian Health Council, Governor's – *"Improving Indian Health Care in Washington State"*, in accordance with Engrossed Substitute Senate Bill No. 6032;

Insurance Commissioner, Office of the – *"Sate Benefit Requirements for the 2019 Plan Year"*, pursuant to 48.43 RCW; *"Direct Health Care Practices in Washington State, 2018 Report"*, pursuant to 48.150.100 RCW; *"Fixed-Payment Benefits Plan Annual Report"*, pursuant to 48.43.650 RCW *"Medical Malpractice Statistical Summary for 2017"*, pursuant to 48.140.050 RCW;

Invasive Species Council – *"Invasive Species Council, 2018 Biennial Report"*, pursuant to 79A.25.350 RCW;

Military, Department of – *"Travis Alert Act Project Task Force Report"*, in accordance with Substitute House Bill No. 1258;

Minority and Women's Business Enterprises, Office of – *"Annual Report, Fiscal Year 2017"*, pursuant to 39.19.030 RCW;

Natural Resources, Department of – *"Community Forest Program Development, 2018 Capital Budget Proviso"*, in accordance with Engrossed Substitute Senate Bill No. 6095; *"Forest Health Assessment and Treatment Framework"*, in accordance with Senate Bill No. 5546; *"Forest Resiliency Burning Pilot Project"*, in accordance with Engrossed Substitute House Bill No. 2928; *"Forest Health Treatment Prioritization and Implementation on State Trust Lands in Eastern Washington"*, in accordance with Engrossed Second Substitute House Bill No. 1711; *"Trust Land Performance Assessments: Maximizing Opportunities"*, in accordance with Engrossed Substitute Senate Bill No. 6095; *"Wildfire Prevention, Response, and Suppression Activities Recommendations -- SHB 2561 Status Report"*, in accordance with Substitute House Bill No. 2561;

Pollution Liability Insurance Agency – *"Underground Storage Tank Loan and Grant Program, 2018 Report"*, pursuant to 70.340 RCW;

Public Employees Relations Commission – *"Annual Report for 2017"*, pursuant to 41.58.010 RCW;

Public Instruction, Office of the Superintendent of – *"Recommendations to Amend Provisos"*, in accordance with Engrossed Substitute Senate Bill No. 6032; *"Special Education Safety Net Study for 2018"*, in accordance with Engrossed House Bill No. 2242; *"Washington State Assessment System, 2018 Report"*, in accordance with Engrossed Substitute Senate Bill No. 6032; *"Schools Implementing the Community Eligibility Provision, 2018 Report"*, pursuant to 28A.235.290 RCW; *"Gangs in Schools Task Force, 2018 Update"*, pursuant to 28A.300.490 RCW; *"Special Education Safety Net Survey, 2017-18"*, pursuant to 28A.150.392 RCW; *"School Transportation Efficiency, 2018 Report"*, pursuant to 28A.160.117 RCW;

Public Records, Legislative Task Force on – *"Legislative Task Force on Public Records Report"*, in accordance with Engrossed Substitute Senate Bill No. 6032; *"Legislative Task Force on Public Records Report"* in accordance with Engrossed Substitute Senate Bill No. 6032;

Public Works Board - *"Sync, Washington State's Infrastructure System Improvement Program"*, in accordance with House Bill No. 1677;

Revenue, Department of – *"High Unemployment County Deferral Program Report"*, pursuant to 82.60.070 RCW;

"Streamlined Sales Tax Mitigation Program, 2018 Report Covering Mitigation in Fiscal Years 2009-2018", in accordance

with Substitute Senate Bill No. 5883; *"Local Business and Occupation Tax Apportionment Task Force Report to the Legislature"* in accordance with Engrossed House Bill No. 2005; *"Local Revitalization Financing Program Report, 2018 Report covering Calendar Year 2017"*, pursuant to 82.32.765 RCW; *"Hospital Benefit Zone Financing Report, 2018 Report covering Calendar Year 2017"*, pursuant to 82.14.470 RCW; *"Local Business Licensing Partnership Plan Fiscal Year 2018-2019"*, pursuant to 35.90.020 RCW; *"Descriptive Statistics for Tax Incentive Programs, Covering Calendar Year 2017 Activity"*, pursuant to 82.32.534 RCW; *"Local Business Licensing Progress Report, 2018"*, pursuant to 35.90.020 RCW; *"State Agency Business Licensing Information for 2018"*, pursuant to 19.02.055 RCW;

Secretary of State, Office of the - *"Post-Election Audits Survey"*, in accordance with Engrossed Substitute House Bill No. 2406; *"Open Records Portal Feasibility Study"*, in accordance with Engrossed Substitute House Bill No. 1594;

Social & Health Services, Department of - *"Enhanced Respite Services for Children Ages 8-21"*, in accordance with Engrossed Substitute Senate Bill No. 6052; *"Child Care Subsidy Programs Quality Control Efforts"*, in accordance with Substitute Senate Bill No. 5883; *"WorkFirst Maintenance of Effort and Work Participation Rate, January - March 2018"*, in accordance with Second Engrossed Substitute House Bill No. 2376; *"Racial and Ethnic Disparities in Juvenile Court Evidence-Based Programs, 2018 Report"*, pursuant to 13.06.050 RCW; *"Compliance with RCW 71.05.365 Requirements to Transition Patients into Community Settings within 14 Days of 'Ready to Discharge' Determination"*, in accordance with Engrossed Substitute Senate Bill No. 6032; *"Juvenile Court Block Grant Report for 2018"*, pursuant to 13.40.540 RCW; *"Components of Residential Habitation Centers: Intermediate Care Facilities and State-Operated Nursing Facilities"*, in accordance with Engrossed Substitute Senate Bill No. 6032; *"Forensic Admissions and Evaluations - Performance Targets 2018, Second Quarter (April 1, 2018 - June 30, 2018)"*, pursuant to 10.77.068 RCW; *"Traumatic Brain Injury Council Comprehensive Statewide Plan 2019-2020"*, pursuant to 74.31.020 RCW; *"WorkFirst Spending Plan Monitoring Report, 4th Quarter State Fiscal Year 2018, as of June 30, 2018"*, pursuant to 74.08A.341 RCW; *"Forensic Teaching Service at Western State Hospital: Report on Progress of Stage 1 Milestones"*, in accordance with Engrossed Substitute Senate Bill No. 6032; *"State Hospital Clinical Model and Acuity Tool -- Implementation Progress"*, in accordance with Engrossed Substitute Senate Bill No. 6032; *"WorkFirst Maintenance of Effort and Work Participation Rate, July - September 2017"*, in accordance with Second Engrossed Substitute House Bill No. 2376; *"WorkFirst Maintenance of Effort and Work Participation Rate, October - December 2017"*, in accordance with Second Engrossed Substitute House Bill No. 2376; *"Individual Provider Overtime Annual Expenditures, Fiscal Year 2018 Report"*, pursuant to 74.39A.275 RCW; *"Individual Provider Overtime Quarterly Expenditures, January - March 2018"*, pursuant to 74.39A.275 RCW; *"Racial and Ethnic Disparities in Juvenile Court Evidence-Based Programs, 2017 Report"*, pursuant to 13.06.050 RCW; *"Child Fatality Report, January - March 2018"*, pursuant to 74.13.640 RCW; *"Establishing a Licensure or Certification Category for the Consumer Directed Employer"*, pursuant to 74.39A RCW; *"Department Efforts to Reduce Violence in the State Hospitals, September 2018"*, pursuant to 72.23.451 RCW; *"Washington Connection Benefit Portal 2018 Report"*, pursuant to 74.04.225 RCW; *"Long-Term Services and Supports, Feasibility Study of Policy Options to Finance, Update*

to *Original Study*", in accordance with Engrossed Substitute Senate Bill No. 6032; "*Basic Food Employment and Training Program (BFET) Expansion*", pursuant to 74.04.535 RCW; "*WorkFirst Wage Progression Report through Fourth Quarter 2017*", pursuant to 74.08A.411 RCW; "*WorkFirst Wage Progression Report, through Third Quarter 2017*", pursuant to 74.08A.411 RCW; "*Children's Administration Annual Quality Assurance Report, July 1, 2016 - June 30, 2017*", pursuant to 43.20A.870 RCW; "*WorkFirst Spending Plan Monitoring Report, 3rd Quarter State Fiscal Year 2018, as of March 31, 2018*", pursuant to 74.08A.341 RCW; "*Forensic Admissions and Evaluations -- Performance Targets 2018 First Quarter (January 1, 2018 - March 31, 2018)*", pursuant to 10.77.068 RCW; "*WorkFirst Spending Plan Monitoring Report, 2nd Quarter State Fiscal Year 2018, as of December 31, 2017*", pursuant to 74.08A.341 RCW; "*Child Fatality Report, October - December 2017*", pursuant to 74.13.640 RCW; "*WorkFirst Wage Progression Report, through Second Quarter 2017*", pursuant to 74.08A.411 RCW;

Telehealth Collaborative, Washington State – "*Telehealth Collaborative Report*", in accordance with Substitute Senate Bill No. 6399;

Traffic Safety Commission – "*Pedestrian Safety Advisory Council 2018 Annual Report and Recommendations*", pursuant to 43.59.155 RCW; "*Bicyclist Safety Advisory Council 2018 Annual Report*", pursuant to 43.59.160 RCW; "*Pedestrian Safety Advisory Council and Bicyclist Safety Advisory Council Fiscal Recommendation*", pursuant to 43.59.155 RCW;

Transportation, Department of – "*Toll Division Proviso Report, April - June 2018*", in accordance with Engrossed Substitute Senate Bill No. 6106; "*Practical Design Savings on Connecting Washington Funded Projects, July 2018*", pursuant to 47.01.480 RCW; "*I-405 Express Toll Lanes: 30 Months of Operations, October 2015 - March 2017*" pursuant to 47.56.880 RCW; "*Implementing Practical Design Connection Washington Project Title and Scope Change Request*", pursuant to 47.01.480 RCW; "*Ferries Division - 2019-2040 Long-Range Plan*", in accordance with Engrossed Substitute Senate Bill No. 6106; "*Capital Projects and Nickel/TPA Projects Quarterly Reports - 2017-2019 Biennium Quarter 4*", in accordance with Engrossed Senate Bill No. 5096; "*Fund Transfers Report, April - June 2018*", in accordance with Engrossed Substitute Senate Bill No. 6106; "*Rail Fixed Guideway Public Transportation System Safety Report for 2017*", pursuant to 81.104.115 RCW; "*Fund Transfers Report (Nickel and TPA Accounts)*", in accordance with Engrossed Substitute Senate Bill No. 6106; "*Fund Transfers Report (TPA and CWA Accounts), April 2018*", in accordance with Engrossed Substitute Senate Bill No. 6106; "*I-405 Express Toll Lanes: 27 Months of Operations, October 2015 - December 2017*", pursuant to 47.56.880 RCW; "*Advancing Connecting Washington Projects, April 2018*", in accordance with Engrossed Substitute Senate Bill No. 6106; "*Implementing Practical Design Connecting Washington Project Title and Scope Change Request*", pursuant to 47.01.480 RCW; "*Capital Projects and Nickel/TPA Projects Quarterly Reports - 2017-19 Biennium Quarter 3*", in accordance with Engrossed Senate Bill No. 5096; "*Fund Transfers Report (TPA and CWA Accounts), January - March 2018*", in accordance with Engrossed Substitute Senate Bill No. 6106; "*Toll Division Proviso Report, January - March 2018*", in accordance with Engrossed Substitute Senate Bill No. 6106; "*Puget Sound Gateway Program, Local Funding and Phasing Memorandum of Understanding*", in accordance with Engrossed Senate Bill No. 5096; "*Puget Sound Gateway*

Program Construction and Implementation Plan" in accordance with Second Engrossed Substitute Senate Bill No. 5988; "*Puget Sound Gateway Program Benefits of Program Acceleration*", in accordance with Engrossed Senate Bill No. 5096; "*2018 Biennial Transportation Attainment Report*", pursuant to 47.04.285 RCW; "*US 2/SR 204/20th Street SE Interchange Justification*", pursuant to 18.43 RCW; "*US 2/SR 204/20th Street SE Interchange Justification Appendices*", pursuant to 18.43 RCW; "*Traffic Operations: 2015-17 Low Cost Enhancement Program*", in accordance with Engrossed Senate Bill No. 5096; "*Construction Program Business Plan Biennial Progress Report*", pursuant to 47.01.495 RCW; "*Freight Rail Assistance Program/Freight Rail Investment Bank Project Lists for 2019-2021*", in accordance with Engrossed Substitute Senate Bill No. 6106; "*Fund Transfers Report, July - September 2018*", in accordance with Engrossed Substitute Senate Bill No. 6106; "*Fund Transfers Report (TPA and CWA Accounts), July - September 2018*" in accordance with Engrossed Substitute Senate Bill No. 6106; "*Connecting Washington Projects with Benefits to Transit, Bicycle, or Pedestrian Elements*", in accordance with Engrossed Substitute Senate Bill No. 6106; "*Advancing Connecting Washington Projects, November 2018*", in accordance with Engrossed Substitute Senate Bill No. 6106; "*Transit Integration Report for 2018*", pursuant to 35.58.2796 RCW; "*Public Transportation 2017 Summary*", pursuant to 35.58.2796 RCW; "*Implementing Practical Design Connecting Washington Project Title and Scope Change Request, November 28, 2018*", pursuant to 47.01.480 RCW; "*I-405 Express Toll Lanes: 33 Months of Operations, October 2015 - June 2018*", pursuant to 47.56.880 RCW; "*Pre-Apprentice Support Services and On-the-Job Training Support Services Program, 2018 Report*", pursuant to 47.01.435 RCW; "*Capital Projects and Nickel/TPA/Connecting Washington Projects Quarterly Reports - 2017-2019 Biennium Quarter 5*", in accordance with Engrossed Senate Bill No. 5096; "*Ferries Division 2040 Long-Range Plan*", in accordance with Engrossed Senate Bill No. 5096; "*Ferries Division 2040 Long-Range Plan Appendices*", in accordance with Engrossed Senate Bill No. 5096; "*Pedestrian and Bicycle & Safe Routes to School Programs, 2019-2021 Prioritized List and Program Update*", in accordance with Engrossed Substitute Senate Bill No. 6106; "*Performance of Steel Slag Aggregates in Hot-Mix Asphalt Pavement*", in accordance with Engrossed Substitute Senate Bill No. 6106; "*Public Transportation Mobility Report for 2018*", pursuant to 47.66 RCW; "*Regional Mobility Grant Program, 2019-2021 Prioritized List of Projects*", pursuant to 47.66.030 RCW; "*State Route 162/410 Interchange Congestion Study*", in accordance with Engrossed Substitute Senate Bill No. 6106; "*Practical Design Savings on Connection Washington Funded, Projects, December 2018*", pursuant to 47.01.480 RCW; "*Recycled Concrete Usage in Aggregate Materials, 2018 Annual Report*", pursuant to 70.95.807 RCW; "*I-405 Express Toll Lanes: 36 Months of Operations, October 2015 - October 2018*", pursuant to 47.56.880 RCW; "*Succession Planning & Leadership Training*", in accordance with Engrossed Senate Bill No. 5096; "*Pedestrian and Bicycle & Safe Routes to School Programs, 2019-2021 Prioritized List and Program Update*", in accordance with Engrossed Substitute Senate Bill No. 6106;

Utilities and Transportation Commission - "*Digital Application Based Micro-Mover Task Force Report*", in accordance with Engrossed Substitute Senate Bill No. 6032; "*Revising Washington's Universal Communications Services Program, Preliminary Report*", in accordance with Engrossed Substitute Senate Bill No. 6032; "*Net Neutrality Bill*

Effective Date", in accordance with Substitute House Bill No. 2283;

Washington SeaGrant – *"Shellfish Production Best Management Practices Three-Year Study, Initial Report"*, in accordance with Engrossed Substitute Senate Bill No. 6032; and

Workforce Training and Education Coordinating Board – *"Outdoor Industry Jobs: A Ground Level Look at Opportunities in the Agriculture, Natural Resources, Environment and Outdoor Recreation Sectors"*, in accordance with Second Substitute Senate Bill No. 5285.

/s/

Brad Hendrickson
Secretary of the Senate

MOTION

At 2:48 p.m., on motion of Senator Liias, the Senate adjourned until 11:30 o'clock a.m. Tuesday, January 15, 2019.

CYRUS HABIB, President of the Senate

BRAD HENDRICKSON, Secretary of the Senate

SECOND DAY

NOON SESSION

Senate Chamber, Olympia
Tuesday, January 15, 2019

The Senate was called to order at 11:31 a.m. by the President of the Senate, Lt. Governor Habib presiding. No roll call was taken.

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

MOTION

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

MOTION

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

MESSAGE FROM THE HOUSE

January 15, 2019

MR. PRESIDENT:

The Speaker has signed

HOUSE CONCURRENT RESOLUTION NO. 4400,
and the same is herewith transmitted.

BERNARD DEAN, Chief Clerk

SIGNED BY THE PRESIDENT

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

HOUSE CONCURRENT RESOLUTION NO. 4400,

MOTION

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

INTRODUCTION AND FIRST READING

SB 5158 by Senators Hunt, Wellman and Van De Wege

AN ACT Relating to educator evaluations and professional development; and amending RCW 28A.405.100 and 28A.415.265.

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

SB 5159 by Senators McCoy, Zeiger, Wellman, Hasegawa, Nguyen and Van De Wege

AN ACT Relating to the definition of eligible pupil for purposes of the transitional bilingual instruction program; and reenacting and amending RCW 28A.180.030.

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

SB 5160 by Senators Dhingra, Wellman, Palumbo, Keiser, Rolfes, Das, Randall, Wilson, C., Fortunato, Hasegawa, King and Kuderer

AN ACT Relating to property tax exemptions for service-connected disabled veterans and senior citizens; amending RCW 84.36.381, 84.36.383, 84.36.385, and 84.38.020; reenacting and amending RCW 84.38.030; creating new sections; providing an effective date; and declaring an emergency.

Referred to Committee on Housing Stability & Affordability.

SB 5161 by Senators Dhingra, Wellman, Das, Keiser, Palumbo, Wilson, C., McCoy, Liias and Nguyen

AN ACT Relating to creation of a certified child safety policy; and adding a new section to chapter 43.70 RCW.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SB 5162 by Senators Dhingra, Pedersen, Wellman, Das, Keiser, Palumbo, Carlyle, Darneille, Hasegawa, Saldaña and Kuderer

AN ACT Relating to qualifications for jury service; and amending RCW 2.36.010.

Referred to Committee on Law & Justice.

SB 5163 by Senators Hasegawa, Pedersen, Kuderer, Darneille, McCoy, Saldaña, Dhingra, Frockt, Wilson, C., Liias, Palumbo and Nguyen

AN ACT Relating to actions for wrongful injury or death; amending RCW 4.20.010, 4.20.020, 4.20.046, 4.20.060, and 4.24.010; and creating a new section.

Referred to Committee on Law & Justice.

SB 5164 by Senators Saldaña, Hasegawa, Frockt, Palumbo, Keiser, Nguyen, Wilson, C. and Darneille

AN ACT Relating to providing public assistance to certain victims of human trafficking; amending RCW 74.04.005 and 74.08A.120; adding new sections to chapter 74.04 RCW; and adding a new section to chapter 74.09 RCW.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SB 5165 by Senators Saldaña, Hasegawa, Wellman, Darneille, Keiser, Nguyen, Wilson and C.

AN ACT Relating to discrimination based on citizenship or immigration status; amending RCW 49.60.010, 49.60.020, 49.60.030, 49.60.120, 49.60.130, 49.60.175, 49.60.176, 49.60.178, 49.60.180, 49.60.190, 49.60.200, 49.60.215, 49.60.222, 49.60.223, 49.60.224, and 49.60.225; and adding a new section to chapter 49.60 RCW.

Referred to Committee on Law & Justice.

SB 5166 by Senators Hasegawa, Carlyle, Frockt, Palumbo and Nguyen

AN ACT Relating to providing religious accommodations for students at postsecondary educational institutions during

exams or other requirements to successfully complete a program; amending RCW 28B.10.039; adding a new chapter to Title 28B RCW; and recodifying RCW 28B.10.039.

Referred to Committee on Higher Education & Workforce Development.

SB 5167 by Senators Hasegawa, Saldaña, Darneille, Frockt, Keiser, Nguyen and Mullet
AN ACT Relating to the linked deposit program; amending RCW 43.86A.030; and reenacting and amending RCW 43.86A.060.

Referred to Committee on Financial Institutions, Economic Development & Trade.

SB 5168 by Senators Hasegawa and Saldaña
AN ACT Relating to providing notice before certain enforcement actions taken by a homeowners' or condominium association; and amending RCW 64.38.020 and 64.34.304.

Referred to Committee on Law & Justice.

SB 5169 by Senators Hasegawa, Saldaña and Keiser
AN ACT Relating to ensuring the neutrality of public employers and state contractors with regard to employees exercising their rights to collectively bargain; amending RCW 28B.52.073, 39.04.350, 39.26.160, 41.56.140, 41.59.140, 41.76.050, 41.80.110, 47.64.130, 49.39.120, and 49.66.040; and creating a new section.

Referred to Committee on Labor & Commerce.

SB 5170 by Senators Hasegawa and Saldaña
AN ACT Relating to a collaborative school-based governance model; adding new sections to chapter 28A.630 RCW; creating a new section; and providing expiration dates.

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

SB 5171 by Senator Hasegawa
AN ACT Relating to the regulation of employment agencies; reenacting and amending RCW 19.31.020; adding a new section to chapter 19.31 RCW; and repealing RCW 19.31.030, 19.31.040, 19.31.050, 19.31.060, 19.31.070, 19.31.080, 19.31.090, 19.31.100, 19.31.110, 19.31.120, 19.31.130, 19.31.140, 19.31.150, 19.31.160, 19.31.170, 19.31.180, 19.31.190, 19.31.210, 19.31.220, 19.31.230, 19.31.240, 19.31.245, 19.31.250, 19.31.260, 19.31.270, and 19.31.910.

Referred to Committee on Labor & Commerce.

SB 5172 by Senators Fortunato and Wagoner
AN ACT Relating to legislative firearm training; and adding a new section to chapter 44.04 RCW.

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

SB 5173 by Senators O'Ban, Honeyford and Wagoner
AN ACT Relating to mandatory reporting of child abuse and neglect; amending RCW 26.44.080 and 26.44.030;

prescribing penalties; providing an effective date; and declaring an emergency.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SB 5174 by Senators Palumbo and Pedersen
AN ACT Relating to concealed pistol license training requirements; reenacting and amending RCW 9.41.070; and adding new sections to chapter 43.43 RCW.

Referred to Committee on Law & Justice.

SB 5175 by Senators Braun, Keiser, Becker, Fortunato, Palumbo, Wilson, L., Rivers, Kuderer, O'Ban, Van De Wege and Wagoner
AN ACT Relating to firefighter safety; adding a new section to chapter 51.04 RCW; and making an appropriation.

Referred to Committee on Labor & Commerce.

SB 5176 by Senators Braun, Becker, Padden, Honeyford, Wilson, L., Schoesler, O'Ban and Short
AN ACT Relating to administrative procedures; adding a new section to chapter 34.05 RCW; providing an effective date; and declaring an emergency.

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

SB 5177 by Senators Braun and Takko
AN ACT Relating to cemetery district withdrawal of territory; and amending RCW 68.54.130.

Referred to Committee on Local Government.

SB 5178 by Senators Hunt and Saldaña
AN ACT Relating to early retirement options for members of the teachers' retirement system and school employees' retirement system plans 2 and 3; amending RCW 41.32.765, 41.32.875, 41.35.420, and 41.35.680; providing an effective date; and declaring an emergency.

Referred to Committee on Ways & Means.

SB 5179 by Senators Liias, King, Takko and Rolfes
AN ACT Relating to county electrical traffic control signals, illumination equipment, and other electrical equipment conveying an electrical current; and amending RCW 36.77.065.

Referred to Committee on Local Government.

SB 5180 by Senators Hobbs, Zeiger, Takko, Fortunato, Rolfes, Conway, Schoesler, Short, Palumbo, Hasegawa, Wagoner and Mullet
AN ACT Relating to the armed forces exceptions for giving notice of termination of tenancy; amending RCW 59.18.200, 59.18.220, 59.20.030, and 59.20.090; and reenacting and amending RCW 59.18.030.

Referred to Committee on Financial Institutions, Economic Development & Trade.

SECOND DAY, JANUARY 15, 2019

2019 REGULAR SESSION

SB 5181 by Senators Kuderer, Saldaña, Pedersen, Wilson, C., Dhingra, Billig, Takko, McCoy, Hunt, Cleveland, Wellman, Darneille, Carlyle, Das and Liias

AN ACT Relating to certain procedures upon initial detention under the involuntary treatment act; amending RCW 9.41.047; adding a new section to chapter 71.05 RCW; and adding a new section to chapter 9.41 RCW.

Referred to Committee on Law & Justice.

SB 5182 by Senators Kuderer, Darneille, Wellman, Hunt, Hasegawa, Saldaña, Wilson and C.

AN ACT Relating to juvenile record sealing; amending RCW 13.50.260; and creating a new section.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SB 5183 by Senators Kuderer, Pedersen, Wellman, Saldaña, Liias, Wilson and C.

AN ACT Relating to eligibility for relocation assistance for tenants of closed or converted mobile home parks; amending RCW 59.21.005, 59.21.021, 59.21.025, and 59.21.050; and reenacting and amending RCW 59.21.010.

Referred to Committee on Housing Stability & Affordability.

SB 5184 by Senators Kuderer, Cleveland and Darneille

AN ACT Relating to prescription coverage and the use of nonresident pharmacies; and adding a new section to chapter 48.43 RCW.

Referred to Committee on Health & Long Term Care.

SB 5185 by Senators Padden, Warnick, Sheldon, Short and Wagoner

AN ACT Relating to abortion notification; adding a new chapter to Title 9 RCW; and prescribing penalties.

Referred to Committee on Law & Justice.

SB 5186 by Senators Hunt, Zeiger and Kuderer

AN ACT Relating to access of broadcasters to a geographic area subject to the declaration of a national, state, or local emergency; amending RCW 38.52.010 and 38.52.110; and adding a new section to chapter 38.52 RCW.

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

SB 5187 by Senators Kuderer, Wellman, Cleveland, Saldaña, Nguyen, Wilson and C.

AN ACT Relating to school composting and recycling; and adding a new section to chapter 28A.320 RCW.

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

SB 5188 by Senators Wilson, C., Wellman, Zeiger, Frockt, Hasegawa and Saldaña

AN ACT Relating to expanded learning opportunity programs; adding a new section to chapter 28A.630 RCW; creating a new section; and making an appropriation.

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

SB 5189 by Senators Hasegawa and Saldaña

AN ACT Relating to prohibiting dual agency in certain real estate transactions; amending RCW 18.85.361 and 18.86.060; adding a new section to chapter 18.86 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Financial Institutions, Economic Development & Trade.

SB 5190 by Senators Keiser, Conway, Hasegawa, Kuderer, Hunt, Saldaña, Darneille and Nguyen

AN ACT Relating to meal and rest breaks and mandatory overtime for certain health care employees; amending RCW 49.28.130 and 49.28.140; and adding a new section to chapter 49.12 RCW.

Referred to Committee on Labor & Commerce.

SB 5191 by Senators Takko, Sheldon, Hawkins, Short and Wagoner

AN ACT Relating to public utility districts' contracts for work or materials; and amending RCW 54.04.070.

Referred to Committee on Environment, Energy & Technology.

SB 5192 by Senator Hunt

AN ACT Relating to employee benefit contracts for K-12 employees; and amending RCW 28A.400.275.

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

SB 5193 by Senators Short and Palumbo

AN ACT Relating to the process of identifying limited areas of more intensive rural development; reenacting and amending RCW 36.70A.070; and creating a new section.

Referred to Committee on Local Government.

SB 5194 by Senators Short and Palumbo

AN ACT Relating to the review of urban growth area boundaries; amending RCW 36.70A.110 and 36.70A.130; and reenacting and amending RCW 36.70A.070.

Referred to Committee on Local Government.

SB 5195 by Senators Kuderer, Das, Zeiger and Fortunato

AN ACT Relating to providing cities and counties authority to use real estate excise taxes to support affordable housing and homelessness projects; amending RCW 82.46.035 and 82.46.037; and creating a new section.

Referred to Committee on Housing Stability & Affordability.

SB 5196 by Senators Hobbs, Zeiger, Bailey, Wagoner, Rolfes, Short, Hunt, Frockt, Palumbo, Kuderer and Mullet

AN ACT Relating to national guard pay in state active service for wildland fire response duty; and amending RCW 38.24.050.

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

SB 5197 by Senators Hobbs, Zeiger, Wagoner, Short, Bailey, Hunt, Fortunato and Keiser

AN ACT Relating to the Washington national guard postsecondary education grant program; and amending RCW 28B.103.010, 28B.103.020, and 28B.103.030.

Referred to Committee on Higher Education & Workforce Development.

SB 5198 by Senators Darneille, O'Ban and Conway

AN ACT Relating to exempting certain leasehold interests in arenas with a seating capacity of more than two thousand from the leasehold excise tax; amending RCW 82.29A.130; creating a new section; and providing an effective date.

Referred to Committee on Ways & Means.

SB 5199 by Senators Keiser, Conway, McCoy, Hunt, Das, Saldaña, Wilson, C., Hasegawa and Van De Wege

AN ACT Relating to granting certain correctional employees binding interest arbitration; and amending RCW 41.56.030.

Referred to Committee on Labor & Commerce.

SB 5200 by Senator Keiser

AN ACT Relating to limiting overtime for correctional officers; adding new sections to chapter 49.28 RCW; and prescribing penalties.

Referred to Committee on Labor & Commerce.

SJM 8003 by Senators Hasegawa, Saldaña, Palumbo and Nguyen

Requesting that Congress enact legislation that would reinstate the separation of commercial and investment banking functions that were in effect under the Glass-Steagall act.

Referred to Committee on Financial Institutions, Economic Development & Trade.

MOTION

On motion of Senator Liias, all measures listed on the Introduction and First Reading report were referred to the committees as designated with the exception of Senate Bill No. 5181 which had been designated to the Committee on Health & Long Term Care and was referred to the Committee on Law & Justice.

MOTION

At 11:33 a.m., on motion of Senator Liias, the Senate was declared to be at ease subject to the call of the President for the purpose of assembling to proceed to the House of Representatives and the convening of a Joint Session pursuant to House Concurrent Resolution No. 4400.

The Senate proceeded to the House of Representatives.

Pursuant to House Concurrent Resolution No. 4400, the Senate appeared at the doors of the House of Representatives and requested admission to the Chamber. The Sergeant at Arms of the Senate, Mr. Andrew Staubitz, and the Sergeant at Arms of the House, Mr. Sean Hartsock, escorted Senator Andy Billig, Senator Karen Keiser and Senator Shelly Short to seats at the Rostrum. The senators were invited to seats within the Chamber.

The Speaker Pro Tempore of the House of Representatives, (Representative John Lovick presiding) called the Joint Session to order. The Clerk called the roll of the House members. The Clerk called the roll of the Senate members. A quorum of the Legislature was present.

Speaker Pro Tempore Lovick: "This Joint Session has been convened to receive the state of the state message from His Excellency, Governor Jay Inslee."

The Speaker Pro Tempore appointed a committee of honor to escort the Justices of the State Supreme Court to the House Chamber. Representatives Jeremie Dufault and Amy Walen and Senators Jesse Salomon and Lynda Wilson.

The Speaker Pro Tempore appointed a committee of honor to escort the statewide elected officials to the House Chamber. Representatives Gina Mosbrucker and Dave Paul and Senators Randi Becker and Claire Wilson.

The Speaker Pro Tempore appointed a committee of honor to advise His Excellency, Governor Jay Inslee, that the Joint Session had assembled and to escort him from his Chambers to the House Chamber: Representatives Mary Dye and Melanie Morgan and Senators Doug Ericksen and Rebecca Saldaña.

Sergeant at Arms Hartsock announced the arrival of the State Supreme Court Justices at the Chamber door. The committee of honor consisting of Representatives Jeremie Dufault and Amy Walen and Senators Jesse Salomon and Lynda Wilson escorted the Chief Justice and Justices to seats at the front of the Chamber. The members of the Supreme Court were introduced by the Speaker Pro Tempore: Chief Justice Mary Fairhurst; Associate Chief Justice Charles Johnson, Justice Barbara Madsen, Justice Susan Owens, Justice Debra L. Stevens, Justice Charlie Wiggins, Justice Steven Gonzalez, Justice Cheryl Gordon McCloud, and Justice Mary Yu.

Sergeant at Arms Hartsock announced the arrival of the statewide elected officials at the chamber door. The committee of honor consisting of Representatives Gina Mosbrucker and Dave Paul and Senators Randi Becker and Claire Wilson escorted the statewide elected officials to seats at the front of the Chamber. The statewide elected officials were introduced by the Speaker Pro Tempore: Secretary of State Kim Wyman, Treasurer Duane Davidson, Auditor Pat McCarthy, Attorney General Bob Ferguson, Superintendent of Public Instruction Chris Reykdal, Commission of Public Lands Hilary Franz, and Insurance Commissioner Mike Kreidler.

The Speaker Pro Tempore announced the presence of officers and members of the Consular Association of Washington who were recognized by the Joint Session.

Sergeant at Arms Hartsock announced the arrival of His Excellency, Governor Jay Inslee at the Chamber door. The committee of honor consisting of Representatives Mary Dye and Melanie Morgan and Senators Doug Ericksen and Rebecca

SECOND DAY, JANUARY 15, 2019

2019 REGULAR SESSION

Saldaña escorted Governor Inslee to a seat at the rostrum where he was introduced by the Speaker Pro Tempore.

The Washington State Patrol Honor Guard, commanded by Corporal Ian Morhous, presented the Colors.

The National Anthem was performed by Sergeant Tricia Scheer, 133rd Army National Guard Band, Washington National Guard.

The Speaker Pro Tempore led the Joint Session in the Pledge of Allegiance.

The prayer was offered by Rabbi Elizabeth Dunsker, Congregation Kol Ami, Vancouver.

Rabbi Dunsker: “Thank you for this tremendous honor of offering a blessing today. It is overwhelming to be asked to say words that might be meaningful or offer a hope or set a prayerful tone for everyone. We in Washington state come from so many different backgrounds, cultures and religious traditions. We have such different experiences and perspectives about what hope looks like or what ideals we might pray for. It is quite a task to speak words of prayer while understanding that we are all so different and that my words are meant, at least symbolically, to lead us all to prayer. My Jewish tradition teaches 'Al tifrosh min hatzibur,' 'do not separate yourself from the community.' And our sage Rabbi Schlomo Yitzchaki better known as 'Rashi' explained this means that we must not separate ourselves from the community when it is experiencing difficulties so that we can be united with it when it experiences joy. We must not hide away during the difficult times and share only the joyous times but rather we must support our community through thick and thin.

None of that is a comment on the difficulty or ease we find ourselves in today. Rather, it is a hope I offer for all of us. Let us stand together in all of our differences on the days when that is easy, as well as on the days when it is harder. And may our leaders always understand their role in legislating for all of us a multicultural, multiethnic, multi-religious community. My Scripture teaches that we are each created in the divine image so that we may always see that image reflected in each other regardless of how we look, what we believe, where we come from or how much we have. Every week, as part of our Sabbath worship, Jews read a portion from the Torah and when in our weekly cycle of reading we come to the end of a book and prepare to begin the next we have a tradition of saying, 'chazak, chazak venit chazek' which means 'strength, strength, may we strengthen each other.' So, today I ask a blessing for our governor, for our legislature and for our state. May we always see the spark of divinity in each other as we make decisions for and about each other. May we remember that as individuals we are stronger when we stand together with each other as one community and as we and one year and begin a new one I say, 'chazak, chazak venit chazek,' 'strength, strength, may we always strengthen each other.' Thank you.”

The Speaker Pro Tempore introduced His Excellency Jay Inslee, Governor of the State of Washington.

STATE OF THE STATE ADDRESS

Governor Inslee: “Thank you, Rabbi Dunsker, for your inspiring words.

Thank you, Sergeant Scheer, for the beautiful rendition of the national anthem and for your service in the Army National Guard.

I extend a warm welcome to former Governor Gary Locke here today and thank him for his service. Thank you for your service, your leadership.

I would like to welcome the new legislators in your ranks who have stepped up to serve the people of this state. I congratulate your families who are now going to be part of your adventure.

And I'd like to thank my wife, Trudi, and my family who have been part of my adventure for the last thirty years. Thank you to this great family.

I am so pleased to note a couple historic firsts in this Legislature. The people of Washington have elected the first Native American woman to the House, Representative Debra Lekanoff. And they have elected the first refugee, Representative My-Linh Thai, to the Legislature. It's just really heartening to stand here and look out at the faces that reflect the diversity of our state. These are firsts we can all be proud of.

Mr. President, Mr. Speaker, Madam Chief Justice, distinguished justices of the court, members of the Legislature, tribal leaders, state and local government officials, members of the Consular Corps, and most importantly, my fellow Washingtonians.

Today, we gather in a place that tells much of our Washington story.

Today, we come together from across the state – from the rolling hills of the Palouse to the coastal rocks of La Push – where we find inspiration for the work we do.

And today, as we reflect on our 2018 successes, we look ahead to 2019 and offer a rallying cry to build this new and enduring chapter that is the profound story of Washington state.

Our story already reflects optimism and strength. But as Washington's leaders, we carry an obligation to never be satisfied with how far we've come.

That was embodied in what Bruce Lee, the Washington actor, philosopher and martial artist said: ‘There are no limits. There are only plateaus, and you must not stay there, you must go beyond them.’

He was right. Our state history offers example after example of leaders willing to do more and to be more – even after they toppled barriers and shattered expectations.

Did Bill Gates and Paul Allen stop after forever changing the world of personal computing? No. They kept asking ‘what if?’ and not only built on the landscape of the technological world, but delved deep into science, medical research and culture and redefined what giving back means.

Did Steve Gleason, one of the best Cougars out there, stop after he blocked that punt during that famous 2006 New Orleans Saints game? No. Congress just awarded him the Congressional Gold Medal for his advocacy for people with Lou Gehrig's disease, something he works through every single day.

Did Tarra Simmons of Bremerton quit after she redirected her life while serving time in prison? No. She earned a prestigious fellowship, graduated from Seattle University School of Law, and when told she couldn't fulfill her ultimate dream of being a lawyer, she appealed to the state's highest court so she could take the bar exam. Today, she practices law and helps others find a second chance after incarceration. We're glad she can be here with us today. Glad you're here today.

We are drawn to stories about people who don't quit. They call to us because they remind us that we have the same promise for greatness.

In 2019, we are again poised to be more and do more. Yes, we've accomplished much already. But all of it – everything we've done – brings us to a new tipping point.

So today offers us two choices:

One, do we reflect on the success of our current story and decide we've done enough?

Or two, do we rise up to write one of the worthiest chapters of our time that tells future generations who we are?

Though we've accomplished much, we still face challenges that require us to push further. At the top of that list is the imminent threat of climate change.

In just the past few years, our state experienced record-high temperatures, record-low snowpack in some locations, higher ocean temperatures and high acidity in our waters.

Historic wildfires blackened our air so much that we had the worst air quality in the world. Not China, not India. Washington state. The smoke shut down outdoor pools in Wenatchee, and impacted all of us, forcing kids and older adults to stay inside to protect their health.

Scientists say if we don't act now, this will become the norm – a permanent degradation of what we love, our magnificent state.

I don't know of any other issue that touches the heart of things so many of us care about: our jobs, our health, our safety and our children's future.

This doesn't have to be our future. Science affirms the necessity of action – this day.

This is the 11th hour, but it is Washington's hour to shine. It's a time of great peril, but also of great promise.

Clean energy and low-carbon technologies are increasingly competitive in the marketplace. Innovation brings us cleaner, cheaper, better fossil-fuel alternatives every day.

This innovation benefits our rural economies as much as our urban and suburban economies.

Just last year, I helped cut the ribbon for our state's largest solar array in the small town of Lind. I was joined by Senator Schoesler and Representatives Dye and Schmick to celebrate the good-paying jobs that project brings to that community.

These kinds of jobs have propelled our clean energy sector to grow more than twice as fast as the rest of our economy. There is no greater job opportunity than the opportunity of clean energy. It's why a historic alliance of labor and communities of color has joined with conservation and environmental groups to push for climate action.

In looking at the many new faces in this chamber today, I can say that I am more optimistic than ever about the clean energy future we're going to build together.

We will pass legislation to transition to 100 percent clean electricity in the state of Washington, transform our buildings with cost-saving efficiencies, and modernize and electrify our transportation system. We'll phase down super-pollutants and phase in cleaner fuels.

This means by 2035, nearly all of our electricity will come from clean sources instead of polluting fossil fuels.

It means you'll save money on lighting and heating costs because our homes and businesses will be much more energy efficient.

It means our transportation system will be the cleanest in the United States because we'll power it with clean electricity and clean fuels.

Combined, these policies will steeply cut emissions – the equivalent of taking about 3 million cars off our roads.

This transformation has started but we need to do more, we need to do it bigger and we need to do it faster.

So when your grandchildren ask what you did to protect them from climate change, you'll be able to tell them you weren't sitting around saying it was someone else's problem. You took action. Because that is who we are in the state of Washington.

It's going to feel really good to be part of this solution. It's going to feel really good to make history this year for clean energy in the state of Washington.

Another historic chapter we need to write about, or write, is in mental health.

While we've taken significant steps to improve our physical health in medical schools like the Elson Floyd College of Medicine at WSU, we can improve our mental health care efforts too.

We need to transform behavioral health from a system that responds to crisis to one that helps people before they reach crisis.

For those with a loved one whose waited too long for the right kind of treatment, we know this challenge is urgent.

Our families and friends are suffering and we can do so much better.

We must find room for hundreds of people at new community-based facilities so patients receive services in places close to their families, their homes, their places of worship and their communities. We must also expand our professional workforce so patients are treated.

That's why I'm proud to pursue a new partnership with the University of Washington to create a teaching hospital to serve these patients and to train behavioral health providers using a unique new curriculum.

We can turn this story around and direct it toward hope.

And I'm pleased we're at the beginning of a bipartisan effort to do just that. We will create a story this year about a holistic model for behavioral health that encompasses the family, the community and the promise of timely care.

The third thing we need to focus on is saving the Southern Resident orcas.

Despite our orca task force that was already in place, the event that truly told the story of the orcas' fate happened last summer.

Many of us watched as Tahlequah, a mother orca, carried her dead calf for at least seventeen days. We saw a mother's grief. We felt it. Our hearts broke as we shared in her loss. This cannot be their fate. We must make unprecedented investments to save our orcas.

The demise of any species is a warning in our natural systems. We have to restore the balance of our ecosystem to sustain orcas, salmon and the quality of life for all Washingtonians. For as the orca go, so go we.

We've received thousands of calls from people around the world pleading for us to do more. Our orca task force, led by Dr. Les Purce and Stephanie Solien, has spent hundreds of hours researching the science behind survival. We thank you and the members of the task force.

The actions we have to take, such as increasing salmon stocks, fixing culverts and decreasing vessel traffic risks, are hard but they are necessary. We have just one last chance to save these orcas. In this perilous moment, we must answer back with action.

The fourth issue – one still at the forefront – is education. I thank everyone in this chamber who has been part of the multi-year effort to fully fund basic education. This was an enormously heavy lift that I'm proud we accomplished together last year. This was a remarkable bipartisan effort; both parties shared in that success.

But we have always said we could not stop at basic education. For anyone who cares about equity in education, early learning is the best way to secure a strong start for every child, regardless of their economic – family's economic circumstances.

We're investing in children well before they enter the elementary school classroom for the first time. In the past six years we've nearly doubled the number of children in early learning programs to more than 15,000. My budget builds on that to expand preschool with a new 'birth to 3' preschool program. And it would create a statewide referral system to connect families with early learning services and facilities.

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My budget would also offer universal home visits. This gives every new parent the opportunity to get a visit from a nurse during the first few weeks back home with their newborn to share important information and build confidence.

And once those children reach the other end of their education and prepare to graduate from high school, we want to open up as many pathways as possible, including apprenticeships, certificates and degrees. For high-school students or individuals who seek an experience outside a four-year program, our Career Connect Washington initiative gives them that option.

It links students to real-world experience in careers that interest them. And we know that experience is invaluable. It gives them a better shot when they apply for that first job.

My budget will provide 100,000 students over the next 10 years an option to dive into their interests through apprenticeships and paid internships, and fall in love with a career before they graduate. This means more Washington students can take advantage of great careers here at home in one of the best economies anywhere. Don't our kids deserve that? I think so.

We're also supporting future students who want more education but can't afford it. The Washington College Promise is our new statewide free college program that guarantees state financial aid to eligible students. We did this because a student's financial challenges should not stand in the way of the pursuit of their dreams.

As we grapple with these challenges in our state, we must also confront other forces seeking to undermine our progress. During the past two years, we've been challenged by federal actions that appeal more to our darker natures than our better angels. But we know that's not who we are. We are going to write an even brighter chapter of our Washington story.

We are the state that invests in our people. That's why we're the only state that ranks as the best place to work and the best place to do business. What an incredible achievement for the state of Washington.

We are the state significantly ramping up efforts to help struggling Washingtonians find stable, affordable housing. I propose using more than \$400 million for chronically homeless individuals, homeless youth and unsheltered families with children.

We, we, we are the state offering to pardon thousands of people with misdemeanor marijuana convictions.

We are the state that's going to tear down the systemic barriers to work and education faced by people of color, people with disabilities, veterans and women. Initiative 1000 is a well-reasoned approach to do just that.

We, we are the first state to pass a bill requiring net neutrality, which will guarantee free and open internet. We are the state pushing for broadband for Washingtonians who want to start a business or further their education no matter where they live in the state.

We are the state that believes women and survivors deserve to be heard. We will make sure our policies set the expectation that every employee feels safe and welcome in the workplace.

We're the state that supports a woman's right to make her own health care decisions. I promise you, we will always provide reproductive health services to women in our state.

While too many in D.C. remain in the grips of the NRA, we are the state that stands up for common-sense gun-safety reforms. We've closed background check loopholes, banned bump stocks and approved protective orders that keep guns away from people in crisis and there's more we can do this session.

And at that same time, we're making sure students don't worry more about bullying or gun violence than they do about their algebra homework. We've heard over and over what an impact a

caring adult makes in a child's life when the child is working through issues like depression or bullying or peer rejection. That's why we're committed to putting more social workers, counselors, psychologists and nurses in our schools.

We are the state that put a stop to the death penalty, and I hope this Legislature acts definitively to end this practice once and for all.

We are the state that updated deadly force laws and now require training to help law enforcement officers de-escalate violence. Communities and much of law enforcement came together on this and produced a model for the country on how to have what can be a very difficult conversation. I want to tip my hat to the people involved who helped form these changes. Thanks for your leadership and I look forward to signing this bill soon.

While there has been an unprecedented assault on working families, we are the state that protects workers' rights. We built the best-in-the-nation paid family and medical leave program, we're supporting long-term care planning, we will fight for a public health option to ensure health care for all.

While other places close their borders and fear the unfamiliar, we are the state that opens our communities to immigrants and refugees seeking safety, shelter and sanctuary. While the president stokes fear of 'the other' at every opportunity, we are the state that embraces our differences and diversity. I'm proud of the incredible diversity of the people we're appointing to judicial benches, boards, commissions and cabinet agencies. We are the state making sure our government looks like the people it serves.

We're the state that passed the Voting Rights Act. And while other states threw up barriers to suppress voting, we are the state that passed a nation-leading Access to Democracy package to make sure more people cast their ballots, not fewer.

All this builds toward our promise for greatness. We're constantly refreshed with new ideas, new cultures, new communities and new technologies. We seek out new talent from the world's many pockets because that makes Washington stronger. We affirm that diversity is a strength, not a weakness.

It's the collective stories of all – the story of the refugee from Vietnam and the story of the third-generation Chelan orchardist – that ground us in longstanding Washington values. Now I know the things we're proposing this year are not small or easy.

But good things in our story have not happened through timidity. They happened because of our optimism and because of our past bold action. Good things in our story happened because we didn't give up.

Again, I ask you: Which Washington story will prevail? A story where we rested on our laurels? Or the story where we rose up, we called out and we wrote a golden chapter that's worthy of our best selves?

This chapter will show we answered our obligation to lead with higher expectations. This chapter will show that we made Washington better for everyone seeking a fair shot. This chapter will show that we defended the values we stand for. And more than anything, this chapter will show the heart of who we are. We're the people who always make history.

I really believe in the state of Washington. And I believe our next Washington chapter must show that we pushed the limit and moved beyond that plateau, that we always looked for the next beginning. So let this be our profound story. Let it be bold. And most of all, let it make history. So let's get to work. Thanks a lot. Thank you."

The Speaker Pro Tempore thanked the Governor for his remarks.

The Speaker Pro Tempore called upon the committee of honor consisting of Representatives Mary Dye and Melanie Morgan and Senators Doug Ericksen and Rebecca Saldaña to escort His Excellency, Governor Inslee from the rostrum and the Governor retired from the Chamber.

The Speaker Pro Tempore called upon the committee of honor consisting of Representatives Gina Mosbrucker and Dave Paul and Senators Randi Becker and Claire Wilson to escort the statewide elected officials from the front of the Chamber and the statewide elected officials retired from the Chamber.

The Speaker Pro Tempore called upon the committee of honor consisting of Representatives Jeremie Dufault and Amy Walen and Senators Jesse Salomon and Lynda Wilson to escort the Justices of the Supreme Court from the front of the Chamber and the Justices of the Supreme Court retired from the Chamber.

On motion of Representative Sullivan, the Joint Session was dissolved.

The Sergeant at Arms of the House of Representatives and the Sergeant at Arms of the Senate escorted Senator Billig, Senator Keiser, Senator Short and members of the Washington State Senate from the rostrum and seats within the Chamber and the Senate retired from the House Chamber.

AFTERNOON SESSION

The Senate was called to order at 1:08 p.m. by the President of the Senate, Lt. Governor Habib presiding.

MOTION

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

MESSAGE FROM THE HOUSE

January 15, 2019

MR. PRESIDENT:

The House has adopted:

SENATE CONCURRENT RESOLUTION NO. 8401,
and the same is herewith transmitted.

NONA SNELL, Deputy Chief Clerk

SIGNED BY THE PRESIDENT

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

SENATE CONCURRENT RESOLUTION NO. 8401.

MOTION

At 1:08 p.m., on motion of Senator Liias, the Senate adjourned until 10:45 a.m. Wednesday, January 16, 2019.

CYRUS HABIB, President of the Senate

BRAD HENDRICKSON, Secretary of the Senate

THIRD DAY

MORNING SESSION

Senate Chamber, Olympia
Wednesday, January 16, 2019

The Senate was called to order at 10:56 a.m. by the President of the Senate, Lt. Governor Habib presiding. No roll call was taken.

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

MOTION

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

STANDING COMMITTEE ASSIGNMENTS

The President announced the appointment of Senator Pedersen to the Committee on Rules.

MOTIONS

On motion of Senator Liias, the appointment of Senator Pedersen to the Committee on Rules was confirmed without objection by voice vote.

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

MESSAGE FROM THE SECRETARY OF STATE

CERTIFICATION OF INITIATIVE TO THE LEGISLATURE
NO. 976

Pursuant to Article II, Section 1 of the Washington State Constitution, RCW 29A.72.230, and WAC 434-379-010, the Office of the Secretary of State has caused the signatures submitted in support of Initiative to the Legislature No. 976 to be examined in the following manner:

1. It was determined that 352,093 signatures were submitted by the sponsors of the initiative. A random sample of 10,598 signatures was taken from those submitted;

2. Each sampled signature was examined to determine if the signer was a registered voter of the state, if the signature was reasonably similar to the one appearing on the record of that voter, and if the same signature appeared more than once in the sample. We found 9,128 valid signatures, 1,451 signatures that were invalid and 19 pairs of duplicated signatures in the sample;

3. We calculated an allowance for the chance error of sampling (57) by multiplying the square root of the number of invalid signatures by 1.5;

4. We estimated the upper limit of the number of signatures on the initiative petition which were invalid (50,104) by dividing the sum of the number of invalid signatures in the sample and allowance for the chance of error of sampling by the sampling ratio;

5. We determined the maximum allowable number of duplicate pairs of signatures on the petition (42,367) by subtracting the sum of the number of signatures required by Article II, Section 1 of the Washington State Constitution (259,622) and the estimate of

the upper limit of the number of invalid signatures on the petition from the number of signatures submitted;

6. We determined the expected number of duplicate pairs of signatures in the sample (38) by multiplying the square of the sampling ratio by the maximum allowable number of pairs of signatures on the initiative petition;

7. We determined the acceptable number of duplicate pairs of signatures in the sample (28) by subtracting 1.65 times the square root of the expected number of pairs of signatures in the sample from the expected number of pairs of signatures in the sample; and

8. The number of duplicate pairs of signatures in the sample is less than the acceptable number of duplicate pairs of signatures in the sample.

Therefore, I hereby declare Initiative to the Legislature No. 976 to contain sufficient signatures.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the State of Washington this 15th day of January, 2019.

(Seal)

Kim Wyman
Secretary of State
/s/

MARK NEARY, Assistant Secretary of State

MOTION

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

INTRODUCTION AND FIRST READING

SB 5201 by Senators Palumbo and Rivers

AN ACT Relating to authorizing marijuana retailers to sell certain products and merchandise; amending RCW 69.50.342, 69.50.345, and 66.04.010; and reenacting and amending RCW 69.50.357 and 69.50.101.

Referred to Committee on Labor & Commerce.

SB 5202 by Senators Palumbo and Rivers

AN ACT Relating to the ability of business and nonprofit entities to obtain a marijuana license; and amending RCW 69.50.331.

Referred to Committee on Labor & Commerce.

SB 5203 by Senators Palumbo, Wagoner, Nguyen, Mullet, Carlyle and Hunt

AN ACT Relating to increasing opportunities for apprenticeships for inmates; adding a new section to chapter 72.09 RCW; and providing an expiration date.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SB 5204 by Senators Palumbo, Wilson, L. and Kuderer

AN ACT Relating to preventing breed-based dog regulations; amending RCW 16.08.080 and 16.08.100; adding a new section to chapter 16.08 RCW; creating a new section; and providing an effective date.

Referred to Committee on Local Government.

SB 5205 by Senators Dhingra, King, Frockt, Zeiger, Pedersen, Das, Rolfes, Palumbo, Kuderer, Keiser and Wellman
AN ACT Relating to provisions governing firearms possession by persons who have been found incompetent to stand trial and who have a history of one or more violent acts; amending RCW 10.77.088, 9.41.040, and 9.41.047; and prescribing penalties.

Referred to Committee on Law & Justice.

SB 5206 by Senators Dhingra, Rivers, Wellman, Salomon, Keiser, Nguyen, Das, Randall, Palumbo, Carlyle, Wilson and C.

AN ACT Relating to providing a sales and use tax exemption for certain feminine hygiene products; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; and creating a new section.

Referred to Committee on Health & Long Term Care.

SB 5207 by Senators Dhingra, Hunt, Saldaña, Darneille, Das, Cleveland, Kuderer, Pedersen, Salomon and Nguyen
AN ACT Relating to notification of felony voting rights and restoration; and adding a new section to chapter 72.09 RCW.

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

SB 5208 by Senators Palumbo, Wilson, L., Mullet, Wilson, C., Carlyle, Cleveland, Kuderer, Zeiger and Liias

AN ACT Relating to emergency medical services for animals; amending RCW 18.92.060; adding a new section to chapter 18.73 RCW; and creating a new section.

Referred to Committee on Health & Long Term Care.

SB 5209 by Senators Palumbo, Rolfes, Hunt and Liias
AN ACT Relating to retail pet stores; adding a new section to chapter 16.52 RCW; and prescribing penalties.

Referred to Committee on Labor & Commerce.

SB 5210 by Senators Palumbo, Bailey, Rolfes, Wilson, C., Randall and Hunt

AN ACT Relating to notification to purchasers of hearing instruments about uses and benefits of telecoil and bluetooth technology; adding a new section to chapter 18.35 RCW; adding a new section to chapter 43.20A RCW; and creating a new section.

Referred to Committee on Health & Long Term Care.

SB 5211 by Senators Palumbo, Rolfes, Hunt and Zeiger
AN ACT Relating to prohibiting the use of live animals to practice invasive medical procedures in paramedic training programs; amending RCW 16.52.180; creating a new section; and making an appropriation.

Referred to Committee on Health & Long Term Care.

SB 5212 by Senators Palumbo, Wilson, L., Rolfes, Mullet, Wilson, C., Hunt and Kuderer

AN ACT Relating to adoption of dogs and cats used for science or research purposes; and adding a new section to chapter 16.52 RCW.

Referred to Committee on Higher Education & Workforce Development.

SB 5213 by Senator Hobbs

AN ACT Relating to transportation funding and appropriations; amending 2018 c 297 ss 201, 202, 204, 207-213, 215-221, 223, 301, 303-311, 401-406, and 701 (uncodified); adding a new section to 2018 c 297 (uncodified); making appropriations and authorizing expenditures for capital improvements; and declaring an emergency.

Referred to Committee on Transportation.

SB 5214 by Senator Hobbs

AN ACT Relating to transportation funding and appropriations; amending RCW 43.19.642, 46.20.745, 46.68.060, 46.68.280, 46.68.325, 47.56.403, 47.56.876, 81.53.281, 47.10.861, and 46.68.370; creating new sections; making appropriations and authorizing expenditures for capital improvements; and declaring an emergency.

Referred to Committee on Transportation.

SB 5215 by Senators O'Ban, Rivers, Becker, Braun, Padden, Holy, Zeiger, Wilson, L., Brown, Schoesler, Warnick and Short

AN ACT Relating to encouraging economic growth by providing a state business tax credit for new employment positions; adding a new section to chapter 82.04 RCW; creating a new section; providing an effective date; and declaring an emergency.

Referred to Committee on Financial Institutions, Economic Development & Trade.

SB 5216 by Senators O'Ban and Frockt

AN ACT Relating to multistage threat assessments to increase safety in K-12 schools and institutions of higher education; amending RCW 28A.600.022; adding a new section to chapter 28A.320 RCW; adding a new section to chapter 28A.310 RCW; and adding a new section to chapter 28B.10 RCW.

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

SB 5217 by Senators Keiser, Conway, Kuderer, Frockt and Saldaña

AN ACT Relating to industrial insurance wage loss; amending RCW 51.08.178, 51.08.030, 51.32.010, 51.32.025, 51.32.060, 51.32.072, and 51.32.090; adding new sections to chapter 51.08 RCW; and adding new sections to chapter 51.32 RCW.

Referred to Committee on Labor & Commerce.

SB 5218 by Senators Zeiger and Takko

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AN ACT Relating to mobile food units; amending RCW 43.20.025 and 43.20.148; and adding a new section to chapter 43.20 RCW.

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

SB 5219 by Senators Padden, Pedersen, Becker, Palumbo, Zeiger, Van De Wege, Holy, Dhingra, Braun, Schoesler, Warnick, Ericksen, Honeyford, Bailey, Brown, Short, Sheldon, Fortunato and O'Ban

AN ACT Relating to condominium construction warranties; and amending RCW 64.90.665, 64.90.670, 64.90.675, and 64.90.680.

Referred to Committee on Law & Justice.

SB 5220 by Senators O'Ban, Palumbo, Conway, Becker and Zeiger

AN ACT Relating to the election and authority of regional transit authority board members; amending RCW 81.112.010 and 81.112.030; adding a new section to chapter 81.112 RCW; creating new sections; repealing RCW 81.112.040; and providing a contingent effective date.

Referred to Committee on Transportation.

SB 5221 by Senators Palumbo, Rivers, Billig and Wellman

AN ACT Relating to disclosure of contributions from political committees to other political committees; amending RCW 42.17A.320; adding a new section to chapter 42.17A RCW; and creating a new section.

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

SB 5222 by Senator Hasegawa

AN ACT Relating to health care financing and development of the whole Washington health trust to ensure all Washington residents can enroll in nonprofit health insurance coverage providing an essential set of health benefits; adding new sections to chapter 82.02 RCW; adding a new section to chapter 82.32 RCW; adding a new section to chapter 82.04 RCW; adding a new chapter to Title 43 RCW; adding a new chapter to Title 82 RCW; adding a new title to the Revised Code of Washington to be codified as Title 50B RCW; prescribing penalties; providing effective dates; providing a contingent effective date; and providing contingent expiration dates.

Referred to Committee on Health & Long Term Care.

SB 5223 by Senators Palumbo, Rivers, Rolfes, King, Carlyle, Mullet, McCoy, Wellman, Das, Nguyen, Randall, Frockt, Salomon, Keiser, Wilson, C., Kuderer, Darneille, Cleveland, Saldaña, Dhingra, Pedersen, Conway and Van De Wege

AN ACT Relating to net metering; amending RCW 80.60.020, 80.60.030, and 82.16.090; adding a new section to chapter 19.27 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Environment, Energy & Technology.

SB 5224 by Senators Kuderer, Hunt, Takko, Keiser, Nguyen, Darneille, Das, Wellman, Saldaña and McCoy

AN ACT Relating to advisory votes; amending RCW 29A.32.031, 29A.32.070, 29A.64.090, 29A.72.040, 29A.72.250, and 29A.72.290; and repealing RCW 29A.72.283, 29A.72.285, and 43.135.041.

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

SB 5225 by Senators Takko and Short

AN ACT Relating to clarifying the contracting procedures for cities; and amending RCW 35.23.352.

Referred to Committee on Local Government.

SB 5226 by Senator Kuderer

AN ACT Relating to the off-duty conduct of an employee or a prospective employee; and adding a new section to chapter 49.60 RCW.

Referred to Committee on Law & Justice.

SB 5227 by Senators Kuderer, Hunt, Takko and Nguyen

AN ACT Relating to deadlines for receipt of voter registrations by election officials; amending RCW 29A.08.020, 29A.08.140, 29A.08.330, and 29A.08.359; reenacting and amending RCW 29A.08.110 and 29A.08.410; and adding a new section to chapter 29A.04 RCW.

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

SB 5228 by Senator Takko

AN ACT Relating to the authorization to impose special excise taxes on the sale of lodging; amending RCW 67.28.181 and 82.14.410; providing an effective date; and declaring an emergency.

Referred to Committee on Local Government.

SB 5229 by Senators Zeiger and Hunt

AN ACT Relating to the presidential primary; amending RCW 29A.56.020, 29A.56.030, 29A.56.040, 29A.56.050, 29A.60.190, 29A.08.161, and 29A.04.206; and decodifying RCW 29A.56.010.

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

SB 5230 by Senators Wilson, C., Wilson and L.

AN ACT Relating to amending motor vehicle laws to align with federal definitions, make technical corrections, and move an effective date to meet a federal timeline; amending RCW 46.16A.010, 46.25.010, 46.17.350, 46.18.210, 46.55.065, and 46.76.040; amending 2018 c 49 s 5 (uncodified); reenacting and amending RCW 46.25.010; providing effective dates; and declaring an emergency.

Referred to Committee on Transportation.

SB 5231 by Senators Bailey, Wagoner, Becker, Zeiger, Honeyford, Padden and Short

AN ACT Relating to veteran survivor tuition waiver eligibility; and amending RCW 28B.15.621.

Referred to Committee on Higher Education & Workforce Development.

SB 5232 by Senators Bailey, Wagoner, Zeiger, Becker and Honeyford

AN ACT Relating to the qualifications of a legal newspaper; and amending RCW 65.16.020.

Referred to Committee on Law & Justice.

SB 5233 by Senator Keiser

AN ACT Relating to creating an alternative process for sick leave benefits for workers represented by collective bargaining agreements; adding a new section to chapter 49.46 RCW; and creating a new section.

Referred to Committee on Labor & Commerce.

SB 5234 by Senators Keiser and Palumbo

AN ACT Relating to modifying the excise tax for medical marijuana patients with recognition cards for products identified as beneficial for medical use; amending RCW 69.50.535; and providing an effective date.

Referred to Committee on Labor & Commerce.

SB 5235 by Senators Keiser, King, Saldaña, Conway and Hasegawa

AN ACT Relating to plumbing; amending RCW 18.106.010, 18.106.020, 18.106.030, 18.106.040, 18.106.050, 18.106.070, 18.106.100, 18.106.110, 18.106.125, 18.106.150, 18.106.180, 18.106.200, 18.106.220, 18.106.250, 18.106.270, 18.106.320, 18.27.060, and 19.28.041; reenacting and amending RCW 19.28.091; adding new sections to chapter 18.106 RCW; prescribing penalties; providing an effective date; and providing an expiration date.

Referred to Committee on Labor & Commerce.

SB 5236 by Senators Keiser, Conway, Wellman, Braun, Saldaña, Hasegawa, Wilson, C., Kuderer and Takko

AN ACT Relating to encouraging apprenticeships; amending RCW 28B.77.230; adding a new section to chapter 49.04 RCW; and creating a new section.

Referred to Committee on Labor & Commerce.

SB 5237 by Senators Carlyle, Hunt, Saldaña and Nguyen

AN ACT Relating to the creation of a work group to study and make recommendations on a statue to replace Marcus Whitman; creating new sections; and providing expiration dates.

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

SB 5238 by Senators Carlyle, Randall, Wilson and C.

AN ACT Relating to concussions and head injuries in all participants of youth sports; amending RCW 28A.600.190; and adding a new section to chapter 28B.20 RCW.

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

SB 5239 by Senators Carlyle, Pedersen, Palumbo and Mullet
AN ACT Relating to commercial transportation services freight deliverers; and amending RCW 48.177.005.

Referred to Committee on Labor & Commerce.

SB 5240 by Senators Carlyle and Braun

AN ACT Relating to investing the assets of the first-class cities' retirement systems; amending RCW 43.33A.020, 43.33A.150, 35.39.060, 35.39.070, 35.39.080, 35.39.090, 41.28.080, and 41.28.085; adding a new section to chapter 43.33A RCW; adding a new section to chapter 35.39 RCW; and creating a new section.

Referred to Committee on Ways & Means.

SB 5241 by Senators Short, Takko, Brown and Mullet

AN ACT Relating to expanding the operable intent of RCW 34.05.271 and 34.05.272 to certain activities of natural resources agencies; adding new sections to chapter 34.05 RCW; and creating a new section.

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

SB 5242 by Senator Short

AN ACT Relating to the economic development of rural counties; amending RCW 36.70A.040; and creating a new section.

Referred to Committee on Local Government.

SB 5243 by Senator Short

AN ACT Relating to standing before the growth management hearings board; amending RCW 36.70A.280 and 36.70A.280; creating a new section; providing an effective date; and providing an expiration date.

Referred to Committee on Local Government.

SB 5244 by Senators Short, Dhingra, Wilson and L.

AN ACT Relating to creating a domestic violence offender registry; amending RCW 4.24.130; adding new sections to chapter 10.99 RCW; adding a new section to chapter 43.43 RCW; and creating new sections.

Referred to Committee on Law & Justice.

SB 5245 by Senator Short

AN ACT Relating to clarifying what science may be used by cities and counties to designate critical areas; and amending RCW 36.70A.172.

Referred to Committee on Local Government.

SB 5246 by Senators Hunt and Zeiger

AN ACT Relating to sunshine committee recommendations; amending RCW 42.56.230 and 42.56.250; reenacting and amending RCW 42.56.270; adding a new section to chapter 42.56 RCW; and repealing RCW 39.26.030 and 42.56.340.

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

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SB 5247 by Senators Frockt, Zeiger, Hobbs, Bailey, Rolfes and Hunt

AN ACT Relating to addressing catastrophic incidents that are natural or human-caused emergencies by providing guidance that may be used by state public schools to plan for seismic catastrophic incidents; amending RCW 38.52.010 and 38.52.030; and creating a new section.

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

SB 5248 by Senators Dhingra, Padden, Kuderer, Palumbo, Wilson, L. and Holy

AN ACT Relating to changing the definition of theft; and amending RCW 9A.56.020.

Referred to Committee on Law & Justice.

SB 5249 by Senator Hunt

AN ACT Relating to eliminating certain requirements for the annexation of an unincorporated island of territory; and amending RCW 35A.14.295, 35A.14.297, 35A.14.299, and 36.93.105.

Referred to Committee on Local Government.

SB 5250 by Senators Mullet and Palumbo

AN ACT Relating to permanent daylight saving time in Washington state; amending RCW 1.20.051; providing a contingent effective date; and providing for submission of this act to a vote of the people.

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

SB 5251 by Senators Mullet, Rivers and Palumbo

AN ACT Relating to prescription drug cost transparency; reenacting and amending RCW 74.09.215; adding a new chapter to Title 43 RCW; and prescribing penalties.

Referred to Committee on Health & Long Term Care.

SB 5252 by Senators Mullet, Wellman and Palumbo

AN ACT Relating to school district elections; amending RCW 28A.535.020, 28A.535.030, 28A.535.050, 84.52.056, and 39.36.020; and providing a contingent effective date.

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

SB 5253 by Senator Sheldon

AN ACT Relating to the use of "van accessible" parking spots; and amending RCW 46.19.030 and 46.19.050.

Referred to Committee on Transportation.

SB 5254 by Senators Sheldon and Conway

AN ACT Relating to modifying the operation of motorcycles on roadways laned for traffic; amending RCW 46.61.608 and 47.52.025; prescribing penalties; and providing an expiration date.

Referred to Committee on Transportation.

SB 5255 by Senators Sheldon and Honeyford

AN ACT Relating to prohibiting road usage charges in rural counties; and adding a new section to chapter 46.08 RCW.

Referred to Committee on Transportation.

SB 5256 by Senators Keiser, Saldaña and Randall

AN ACT Relating to the use of the term birth center; amending RCW 18.46.010; adding a new section to chapter 18.46 RCW; and creating a new section.

Referred to Committee on Health & Long Term Care.

SB 5257 by Senators Keiser, Cleveland, Dhingra, Randall, Kuderer and Darneille

AN ACT Relating to restricting the practice of female genital mutilation; amending RCW 18.130.020; and reenacting and amending RCW 18.130.180.

Referred to Committee on Health & Long Term Care.

SB 5258 by Senators Keiser, Wellman, Saldaña, Randall, Das, Dhingra, Cleveland, Conway, Wilson, C., Darneille, Kuderer, Takko and Salomon

AN ACT Relating to preventing the sexual harassment and sexual assault of certain isolated workers; adding a new section to chapter 49.60 RCW; and providing an effective date.

Referred to Committee on Labor & Commerce.

SB 5259 by Senators Zeiger, Warnick, Van De Wege, Fortunato and Takko

AN ACT Relating to encouraging the success of agriculture on agricultural land; and amending RCW 36.70A.020, 36.70A.177, 36.70A.190, 36.70A.710, and 36.70A.740.

Referred to Committee on Local Government.

SB 5260 by Senators Zeiger, Hunt, Hobbs, Takko and Bailey

AN ACT Relating to powers to waive statutory obligations or limitations during a state of emergency in order to cope with the emergency; amending RCW 43.06.220; and creating a new section.

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

SB 5261 by Senators Zeiger, Kuderer, Das, Warnick and Nguyen

AN ACT Relating to creating a pilot program for certain cities to hire homeless persons for local beautification projects; creating a new section; and providing an expiration date.

Referred to Committee on Housing Stability & Affordability.

SB 5262 by Senators Zeiger and Wellman

AN ACT Relating to special education; amending RCW 28A.155.090; adding a new section to chapter 28A.320 RCW; adding a new section to chapter 28A.155 RCW; and adding a new section to chapter 28A.300 RCW.

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

SB 5263 by Senator Zeiger

AN ACT Relating to school bus driver requirements; and amending RCW 28A.160.210.

Referred to Committee on Transportation.

SB 5264 by Senators Zeiger, Wellman and Honeyford

AN ACT Relating to state funding for school construction, modernization, and asset preservation; and amending RCW 43.135.045.

Referred to Committee on Ways & Means.

SB 5265 by Senators Zeiger, Hunt, Bailey and Hawkins

AN ACT Relating to encouraging the role of volunteerism within state government; creating new sections; and providing an expiration date.

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

SB 5266 by Senators Saldaña, Hunt, Hasegawa, McCoy and Keiser

AN ACT Relating to ensuring timely elections for governing body members in jurisdictions modifying districting plans under the Washington voting rights act; amending RCW 29A.92.050, 29A.92.110, 28A.343.670, 35.22.370, 35.23.051, 35.23.850, 35A.12.180, 52.14.013, and 53.16.015; and creating a new section.

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

SB 5267 by Senators Saldaña, Darneille, Kuderer and O'Ban

AN ACT Relating to exempting certain marine cargo from vehicle registrations; and amending RCW 46.16A.080.

Referred to Committee on Transportation.

SB 5268 by Senator Hunt

AN ACT Relating to the salaries of county sheriffs; and amending RCW 36.17.020.

Referred to Committee on Local Government.

SB 5269 by Senators Hunt, Darneille, Carlyle, McCoy, Hasegawa and Saldaña

AN ACT Relating to statewide school district reorganization; adding a new section to chapter 28A.345 RCW; adding new sections to chapter 28A.315 RCW; adding a new section to chapter 44.28 RCW; and providing a contingent expiration date.

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

SB 5270 by Senators Hunt, Kuderer, Wellman, Cleveland, Saldaña, Liias and McCoy

AN ACT Relating to dates and timelines associated with the operation of the state primary and elections; amending RCW 29A.04.311, 29A.04.321, 29A.04.330, 29A.24.050, 29A.24.181, 29A.28.041, 29A.60.190, and 29A.60.240; reenacting and amending RCW 29A.16.040 and 42.17A.560; and repealing RCW 29A.24.072.

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

SB 5271 by Senator Hunt

AN ACT Relating to disclosing personal wireless service charges or fees; amending RCW 80.36.530 and 80.36.510; and adding a new section to chapter 80.36 RCW.

Referred to Committee on Environment, Energy & Technology.

SB 5272 by Senator Hunt

AN ACT Relating to increasing the maximum tax rate for the voter-approved local sales and use tax for emergency communication systems and facilities; and amending RCW 82.14.420.

Referred to Committee on Local Government.

SB 5273 by Senators Hunt, Kuderer, Wellman, Cleveland, McCoy, Dhingra, Saldaña, Billig, Mullet and Liias

AN ACT Relating to the presidential primary; amending RCW 29A.56.020, 29A.56.040, 29A.56.050, 29A.60.190, 29A.08.161, and 29A.04.206; adding a new section to chapter 29A.56 RCW; decodifying RCW 29A.56.010; and repealing RCW 29A.56.030.

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

SB 5274 by Senators Hasegawa, Hunt, Wilson, C., Billig and Nguyen

AN ACT Relating to dental coverage for Pacific islanders residing in Washington; amending RCW 43.71A.010 and 43.71A.800; adding a new section to chapter 43.71A RCW; creating a new section; and declaring an emergency.

Referred to Committee on Health & Long Term Care.

SB 5275 by Senators Hunt, Randall, Wilson, C. and Conway

AN ACT Relating to adding a nonvoting representative from the office of the insurance commissioner to the public employees' benefits board; amending RCW 41.05.055; and providing an effective date.

Referred to Committee on Ways & Means.

SB 5276 by Senator Ericksen

AN ACT Relating to authorizing hemp production in conformance with the agriculture improvement act of 2018; amending RCW 15.120.005, 15.120.010, 15.120.020, and 15.120.030; reenacting and amending RCW 69.50.101; and repealing RCW 15.120.035, 15.120.040, 15.120.050, and 15.120.060.

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

SB 5277 by Senators Warnick, Takko, Wagoner, Hunt, King, Van De Wege, Zeiger, Braun, Schoesler and Honeyford

AN ACT Relating to ensuring the funding of agricultural fairs; amending RCW 15.76.115; and creating a new section.

Referred to Committee on Ways & Means.

SB 5278 by Senators Mullet, Wilson and L.

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AN ACT Relating to reporting suspected fraud and theft of payment cards; and adding a new chapter to Title 19 RCW.

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

Referred to Committee on Financial Institutions, Economic Development & Trade.

SJM 8005 by Senators Short, Van De Wege, Warnick, Palumbo, Brown, McCoy, Braun, Liias, Schoesler, Hunt, Wilson, C., Wilson and L.

Supporting the continued research, development, production, and application of biochar from our forests and agricultural lands.

SB 5279 by Senators Van De Wege and Warnick
AN ACT Relating to regulating outdoor burning for the protection of life or property and for public health, safety, and welfare; and amending RCW 70.94.6514, 70.94.6534, 70.94.6524, 70.94.6536, 70.94.6538, and 70.94.6548.

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

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

SJR 8202 by Senators Mullet, Wellman and Palumbo
Amending the Constitution to allow at least fifty-five percent of voters voting to authorize school district bonds.

SB 5280 by Senator McCoy
AN ACT Relating to community solar gardens; and adding a new chapter to Title 80 RCW.

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

Referred to Committee on Environment, Energy & Technology.

MOTION

SB 5281 by Senators Liias, Bailey, Hobbs, Wagoner, McCoy, Kuderer, Palumbo, Warnick and Salomon
AN ACT Relating to calculating the benchmark rate for certain community residential services; adding a new section to chapter 71A.12 RCW; and creating a new section.

On motion of Senator Liias, all measures listed on the Introduction and First Reading report were referred to the committees as designated with the exceptions of Senate Bill No. 5226 which had been designated to the Committee on Labor & Commerce and was referred to the Committee on Law & Justice; Senate Bill No. 5239 which had been designated to the Committee on Transportation and was referred to the Committee on Labor & Commerce; Senate Bill No. 5241 which had been designated to the Committee on State Government, Tribal Relations & Elections and was referred to the Committee on Agriculture, Water, Natural Resources & Parks; and Senate Bill No. 5279 which had been designated to the Committee on Environment, Energy & Technology and was referred to the Committee on Agriculture, Water, Natural Resources & Parks.

Referred to Committee on Ways & Means.

PERSONAL PRIVILEGE

SB 5282 by Senators Liias, Cleveland, Darneille, Short, Kuderer, Walsh, Brown, Randall, Dhingra and Rolfes
AN ACT Relating to informed consent for pelvic exams; reenacting and amending RCW 18.130.180; adding a new section to chapter 18.130 RCW; and prescribing penalties.

Senator Sheldon: "Thank you Mr. President. I just want to make a personal observation. I attended the joint session yesterday and it was the first one that, I know that you were not there but listened in, it was the first joint session that I had attended – and it's a very formal, formal event – that the consular corps was not introduced individually. I think there's about thirty individuals that come from Seattle all down the West Coast, San Francisco. And every time I've attended they've been introduced individually and it's difficult often to pronounce those names and it's fun to watch the presiding officer handle that with a lot of practice but that was omitted.

Referred to Committee on Health & Long Term Care.

SB 5283 by Senators Liias, Kuderer, Wellman, Dhingra, Billig, Randall, Das, Saldaña, McCoy and Palumbo
AN ACT Relating to allowing persons who will turn eighteen years of age by the general election to vote in the primary election; and amending RCW 29A.08.210, 29A.08.230, 29A.08.330, and 29A.08.810.

My other observation was that there was a considerable number of elected officials in the gallery. I saw Mayor Durkin there. I saw former Secretary of State Ralph Munro, five term Secretary of State here in our state, that was not introduced as well. I saw tribal officials – usually the tribal officials are introduced and stand and we get to show our appreciation for their attendance. And I thought that was missing from the ceremony yesterday and, of course, there's Sheldon complaining about something again. But I think it's important to keep that tradition. And, just the last thing I would note, small thing. There was empty chairs on the rostrum. I think, if we had another ceremony, if there were chairs, if for, if they were going to remain empty, I would remove them. And those are just personal observations and hopefully constructive ones. Thank you Mr. President."

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

SB 5284 by Senators Liias, Wagoner and Van De Wege
AN ACT Relating to smoke detection devices; amending RCW 43.44.110 and 64.06.020; adding a new section to chapter 43.44 RCW; adding a new section to chapter 48.19 RCW; and prescribing penalties.

Referred to Committee on Financial Institutions, Economic Development & Trade.

SJM 8004 by Senators O'Ban, Rivers, Fortunato, Braun, Warnick, Becker, Honeyford, Bailey, Wagoner and Brown
Applying to Congress for a convention to propose an amendment to the United States Constitution related to a balanced federal budget.

POINT OF INQUIRY

Senator Liias: “I wondered, Mr. President, if Senator Sheldon would yield to a question?”

President Habib: “Ordinarily, Senator Liias, it would be out of order, we are waiting for joint session. I’m going to allow us to proceed but let’s prepare for our guests that are here, some very special guests, and we can continue this later but let’s do one quest... Senator Sheldon do you stand for a question?”

Senator Sheldon: “Sure.”

Senator Liias: “Thank you, Mr. President. I was just reminded of Senator Sheldon’s point of personal privilege last year about the capitol dome and I wondered if you’ve noticed that it’s a little bit cleaner the session?”

Senator Sheldon: “Thank you for the question Senator Liias. The dome is shining and bright and we are very happy about that. The appropriation was for the cleaning of the dome, the contractor did a wonderful job. It was also for repair of leaks and, as I understand it, the leaks were not repaired yet so the Enterprise Services is going to come by our office and give us a report on that. And thank you for asking but I think everybody appreciates the appearance today. Thank you.”

JOINT SESSION

The Sergeant at Arms, Mr. Andrew Staubit, announced the presence of the House of Representatives at the Chamber door.

The President called upon the Sergeant at Arms of the Senate and the Sergeant at Arms of the House to escort members of the House of Representatives to seats within the Chamber.

Pursuant to Senate Concurrent Resolution No. 8401, the President called the Joint Session to order. The Secretary called the roll of the members of the House of Representatives. The Secretary called the roll of the members of the Senate. The President declared that a quorum of the Legislature was present.

APPOINTMENT OF SPECIAL COMMITTEE

The President of the Senate appointed a committee of honor consisting of Senators Wellman and Darneille and Representatives Shewmake and Boehnke to escort the Justices of the Supreme Court to the Chamber.

APPOINTMENT OF SPECIAL COMMITTEE

The President of the Senate appointed a committee of honor consisting of Senators Rolfes and Becker and Representatives Leavitt and Ybarra to escort the statewide elected officials to the Chamber.

APPOINTMENT OF SPECIAL COMMITTEE

The President of the Senate appointed a committee of honor consisting of Senators Pedersen and Kuderer and Representatives Thai and Corry to escort the Chief Justice Mary Fairhurst to the Chamber.

Sergeant At Arms Andy Staubit announced the arrival of the Justices of the Supreme Court. The committee of honor escorted the Justices to seats at the front of the Chamber and they were introduced: Associate Chief Justice Charles W. Johnson,

Justice Barbara Madsen, Justice Susan Owens, Justice Debra L. Stephens, Justice Charles K. Wiggins, Justice Steven Gonzalez, Justice Sheryl Gordon McCloud, and Justice Mary Yu.

Sergeant At Arms Andy Staubit announced the arrival of the statewide elected officials. The committee of honor escorted the statewide elected officials to seats at the front of the Chamber and they were introduced: Secretary of State Kim Wyman, Treasurer Duane Davidson, and Commissioner of Public Lands Hilary Franz.

Sergeant At Arms Andy Staubit announced the arrival of the Honorable Mary Fairhurst, Chief Justice of the State Supreme Court. The committee of honor escorted Chief Justice Fairhurst to the rostrum and was introduced.

The Washington State Patrol Honor Guard, consisting of: Corporal Morhous; Trooper Maguire, Trooper Chase, Trooper Delano, Trooper Howes, and Trooper Axtman, presented the Colors. The President led the Chamber in the Pledge of Allegiance.

The prayer was offered by Mr. Prassana Padmanabhan. Mr. Padmanabhan was a guest of Senator Dhingra.

Mr. Padmanabhan (chanting):

*“Om asato mā sad gamaya,
tamaso mā jyotir gamaya,
mrtyor mā amṛtaṃ gamaya,
Om shanti~ shanti~ shanti hi~”*

Namaste. This is a mantra of peace from the ancient Sanskrit Upanisad. It means, ‘From ignorance, lead me to truth; from darkness, lead me to light; from death, lead me to eternal life; may there be peace, peace, peace.’ God bless.”

The President welcomed and introduced Chief Justice Fairhurst.

STATE OF THE JUDICIARY

Chief Justice Mary Fairhurst: “Thank you President Habib, Speaker Chopp, Governor Inslee, members of the Washington State Legislature, judges, elected officials and residents of Washington.

Today, we renew the tradition of the Chief Justice of the Supreme Court every other year delivering a State of the Judiciary address to a joint session of the Washington State Legislature.

Thank you for reestablishing this tradition so that I may present this report to you, our lawmakers and executive and the people of the state of Washington, so you can gauge the health of the judicial branch, one of the three key components of our government.

I am very pleased to report that Washington’s judicial branch is strong, managing hundreds of thousands of cases every year – cases impacting the lives of all the people of Washington.

In addition to our casework, judges, judicial branch staff and justice partners devote significant time and energy to improving the justice system so that it can continue to deliver justice. Later, I will detail the challenges before us as well as some recent innovations to meet those challenges.

Before I do, I want to thank you again for opening your doors and the lines of communications between our respective branches. Right now, our nation needs to see that their government leaders – those in the legislative, the executive and the judicial branches – are working together.

Genuine partnership, good will and civility are not only possible – they are essential.

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Your invitation marks the beginning of a renewed partnership, founded on principles of comity and respect for our shared values and goals.

Each year brings new challenges – and continued challenges – that need to be addressed. We can meet these challenges, knowing that the legislative, executive and judicial branches are each responsible in different ways for promoting and upholding the rule of law.

The rule of law is comprised of four principles: A system of self-government in which all persons, including the government, are accountable under the law; a system based on fair, publicized, broadly understood and stable laws; a legal process that is fair, robust and accessible, in which rights and responsibilities based in law are evenly enforced; and a judiciary that is diverse, competent and independent.

The rule of law by itself is not moral or ethical. It is we – the makers, enforcers and guardians of the law – who must uphold a quality that is moral and ethical in nature. As human beings, we bring a human understanding to the rule of law. Each of us has the skills, the knowledge and experience to do our jobs, but it is the extra dedication, honesty, integrity and trust that brings us truly together for the betterment of our society.

An oft told fable, oft told by me, anyway, illustrates how we can make a difference.

There had been a big storm and a man headed to the beach to see what had washed up. Standing on the bluff in the early morning, he could see a lone person walking on the beach, taking a few steps, leaning over, picking something up, and throwing it into the water, over and over again.

When he got down on the shore, he could see hundreds of starfish. Reaching the man on the beach, he asked, ‘What are you doing?’ He said, ‘Why, I am throwing the starfish into the sea, if I don’t they will die.’ He then asked: ‘Why are you doing that? There are hundreds of starfish, you can’t possibly make any difference.’ As the man picked up the starfish and threw it into the sea, he said, ‘Well, I made a difference to that one.’

We do make a difference every day, individually, collectively. We make a difference . . . by what we do, and what we don’t do. And we make a difference by how we do it. Every day . . . every moment of every day, we get to decide the difference we make.

I often ask people, ‘What would you attempt to do if you knew you could not fail?’ ‘What would you attempt to do if you knew you could not fail?’ I think that is what you should be doing. To understand that we hold in our hands the power to change a circumstance, a mind or a life today – right now – is incredible. And we each have that power.

The judicial branch is responsible for the delivery of justice. We who work in the branch – justices, judges, administrators, clerks and professional staff, at the Administrative Office of the Courts and all court levels: municipal, district, superior, intermediate appellate and supreme – are stewards of justice.

As stewards of justice, it is our duty to see that the judicial branch carries out its responsibilities and achieves its goals.

I see those as being: A justice system that works hard to address the challenges it is facing; a justice system that recognizes the role it plays in people’s lives and society’s fabric; a justice system where all who come to the court and all who work in the court feel they are, and actually are, treated fairly and with dignity and respect; a justice system where parties feel they are, and actually are, welcome and safe, regardless of income, age, ability or any status; a justice system that has the necessary infrastructure and information systems to handle cases effectively and efficiently; and a justice system that the public deserves to, and does, have trust and confidence in.

Bringing fair, efficient, effective justice to the people of Washington in an era of uncertain funding and contentious times is an enormous challenge. We, in the justice system, are committed to continually improving justice by seeking new knowledge and better methods while not allowing the circumstances to overwhelm us – believing that each individual, each committee, and each court can make a difference and that every improvement, no matter the size, adds to the better whole.

Washington is fortunate to have a judicial branch filled with people who will never give up trying to make a difference and improving justice, in ways big and small.

My goal as Chief Justice is to encourage and support those efforts, and today, I applaud and report to you the work being done in our justice system.

As you know, our state’s justice system is present in every corner of our state. It functions in state, county and municipal courthouses, and is presided over by nine Supreme Court justices, twenty-two Court of Appeals judges, one-hundred ninety-three superior court judges and two-hundred six full and part-time district and municipal court judges.

At every level, our courts have a direct impact on the lives of individuals and businesses. This is particularly true of our trial courts.

At the limited jurisdiction court level, our municipal court and district court judges handle misdemeanor and gross misdemeanor crimes. District courts also handle small claims cases and civil actions when less than \$100,000 are sought in small claims cases. Our limited jurisdiction trial court judges see huge numbers of persons in their courts each year and can truly be called our ‘people’s courts.’

At the superior court level, which is our general jurisdiction trial court level, judges hear cases on all matter of issues including civil matters over \$100,000, felony crimes, family law issues and juvenile matters.

At the trial courts is also where our therapeutic courts may be— drug court, mental health court, veterans’ court, community court, etc. These therapeutic courts are problem solving courts.

The Court of Appeals and the Supreme Court review cases that have been decided in the trial courts.

Important work is being done at each level of court and throughout the judicial branch. We are working hard to have and maintain a strong and fair justice system because justice matters. ‘If we do not maintain justice, justice will not maintain us.’

While the state of the judiciary is strong, it cannot remain so unless we continue to examine and address issues that confront us now, anticipate new issues on the horizon and prepare to meet them.

Leadership of a branch does not happen in a vacuum – it takes active listening, openness to understanding the problems, respect for different viewpoints, and enthusiasm for working with others. We are blessed with outstanding judges, court personnel and others who embrace that role and work tirelessly to maintain and move our justice system into the future.

Speaking of our justice system in the future – there is no greater way to preserve democracy than to ensure that our youth respect and understand their rights and responsibilities.

With that goal, the Council on Public Legal Education developed an initiative to address gaps in meaningful civil learning by youth. The legislative, executive and judicial branches, with many community partners, then worked together to establish the Civic Learning Initiative, focusing on the policies, resources, and support necessary for successful civics education in K through 12 and youth development programs, with emphasized outreach to underserved youth.

Governor Inslee and I convened two summits. The Legislature passed and the Governor signed House Bill 1896, which requires every Washington high school, beginning with the 2020 - 2021 school year to provide a one-semester civics course.

Complementing that effort, last September 17, the anniversary of the adoption of the United States Constitution in 1787, we launched a new Constitution Day outreach event in classrooms across the state. More than one hundred judicial officers and attorneys engaged students in conversations about the constitution and what it means to them.

Judges and lawyers and partners in the justice system are working together on many other projects. For example, the Superior Court Judges' Association sponsors a 'Color of Justice' program, and the Supreme Court Minority and Justice Commission sponsors 'Youth and Justice Forums', which connect judicial mentors of color and attorneys of color to minority youth. In 2018, students ages 11 to 18 met with judge and attorney mentors in Thurston, Yakima and King Counties and in the Tri-Cities. These events give the young people the opportunity to talk with judges and attorneys who look like them, and have similar backgrounds. They get to learn about the judicial branch and careers in law, and are able to imagine themselves in those positions one day.

A 2016 nationwide study by the American Constitution Society found that the judicial branch does not reflect the country's diversity, with minorities only making up 20% of judges and women only making up 30%. Our judicial branch is working on changing that disparity, because we know that by valuing diversity in our workforce, we promote equity and justice for all.

The Supreme Court Gender and Justice Commission will be examining in depth the degree to which gender affects justice in Washington today. Their work is supported by a national grant provided to help fund the study.

The Commission will use an evidence-based research model to look at gender impacts on justice. One particular focus will be on how race and poverty impact women who access the courts. Recent public awareness regarding the extent to which gender bias and sexual harassment remain significant issues in the workplace make the timing of the study appropriate and necessary.

2018 marked the fourteenth year that courts statewide have celebrated National Adoption Day and hosted community events in order to celebrate adoptions and raise awareness of the many foster children who are legally free and waiting and wanting to join new families.

2018 was the first year that the Supreme Court Commission on Children in Foster Care designated that June be Family Reunification Month. The Commission asked courts statewide to host public celebrations of families in dependency cases who worked hard and completed reunification with their children.

The legislature and the courts have also worked together the last couple of years to examine legal financial obligations. Legal financial obligations are those fines and costs that our laws and court orders impose on people who are convicted of infractions and crimes.

More and more, we are realizing that failure to pay in many instances is due to a person's inability to pay or indigency, rather than a willful failure to pay. The Legal Financial Obligations Consortium has been and is gathering data and developing strategies for collection of legal financial obligations that support, rather than undermine, accountability and rehabilitation for those who struggle to afford court fines and fees.

Significant steps have already been taken based on this work. The legislature passed and the governor signed House Bill 1783. We launched the legal financial obligations calculator prototype, designed to help Washington judges set appropriate levels of fines

and fees based on current laws and statutes, and a defendant's ability to pay. The consortium has more than 50 members from different sectors across the state.

Another area where a wide group of people have come together to discuss, and hopefully solve a problem, is the area of pretrial reform. Every day across Washington, trial judges make decisions regarding pretrial release or detention that have consequences for our communities and for people accused of crimes. The Pretrial Reform Task Force is composed of judges, prosecutors, public defenders, bail business owners, legal aid attorneys, court administrators and officials, researchers and more.

The task force will assess the information judges need to make these pretrial decisions and gather data to formulate recommendations for expanding pretrial release. They will also evaluate ways to minimize the impact of pretrial detention of low risk offenders by exploring safe and cost-effective alternatives to full incarceration.

I have spent some time discussing our policy work. Let me talk now about the practical aspect of delivering justice.

In Washington, we are a decentralized judicial system, meaning we are not a unified system. Court funding comes from the state, county and cities. Judges in Washington are elected in statewide, county and sometimes municipal elections. The Supreme Court and superior courts are created by the State Constitution. The Court of Appeals and the district and municipal courts are created by legislation, either state or local.

The one area that we do have a mainly unified system is in the area of information technology. The Judicial Information System Committee, created by state legislation, is responsible for information technology decisions implemented by the Administrative Office of the Courts. Our funding comes from a dedicated Judicial Information System account and recently also from the general fund as there is not enough dedicated money for the information technology work that needs to be done.

For many years, we have worked hard to replace antiquated systems at all levels of court. We are still working. However, I am happy to report there has been major progress.

At the end of 2018, five years after beginning implementation, we successfully completed statewide implementation of the Superior Court Case Management System, known as Odyssey, in thirty-seven of the thirty-nine counties. King and Pierce Counties chose not to come on the state system and were allowed by the legislature to develop or keep their own systems. The Odyssey system replaces a case processing system from the 1970s that was used by superior courts and county clerks.

The new system provides much more case management functionality and modern information, and document sharing abilities. A new Judges' Edition enhances tools for judges in the courtroom and in their offices. A new public portal provides the public with free access to case information. I am very proud to report that the Superior Court Case Management System project was successfully completed, on time and within budget.

In 2017, the Supreme Court and the three divisions of the Court of Appeals began using their new Appellate Court Enterprise Content Management System.

Because of this system, the appellate courts are using the same document management system and have automated many of their workflows and business processes. Our plan for the future includes having fully electronic appellate court records.

Our district and municipal courts cannot efficiently serve the public with their current system based on 1980s technology. We must acquire a modern case management system for Washington courts of limited jurisdiction. We had earnestly begun this work, but, when faced with a solution that did not meet our needs or subjected the state to unreasonable risk, we took a pause to regroup and re-evaluate our options. The Courts of Limited

THIRD DAY, JANUARY 16, 2019

2019 REGULAR SESSION

Jurisdiction Case Management Project Steering Committee has developed guiding principles and key features of a case management system, and is now working with a consulting firm that is assisting us to determine a solution or solutions that best meets the needs of our courts of limited jurisdiction and probation departments. Although we made a wise and prudent choice to delay acquiring a new case management system for our courts of limited jurisdiction, the need is great and the work continues.

One final major project we are working on is an information networking hub, which is a statewide enterprise data repository system and data exchange. This is necessary for at least two reasons – first to make sure courts across Washington have access to the same case information, and second to exchange data with state agencies. Since Washington has a nonunified court system and some courts are implementing their own case management systems, we are developing a statewide data repository and establishing standard methods for local court systems to share data with that central repository. When complete, this will maintain a statewide view of case information for judicial decision-making. This exchange is in the works and will be piloted with King County.

While working on these significant statewide judicial information technology projects, the Administrative Office of the Courts is also working on information technology projects with other state agencies that impact the delivery of justice.

For example, in September 2018, the Supreme Court and Division III of the Court of Appeals, in conjunction with the Washington State Penitentiary and the Department of Corrections, launched a pilot project to assess the benefits of allowing inmates to file legal documents electronically, because a large number of prisoner petitions are filed in the appellate courts.

Also in 2018, the Administrative Office of the Courts supported the Department of Licensing's major modernization of driver licensing systems by replacing or modifying key interfaces between the two agencies. Because there are over 800,000 licensing-related filings in the courts per year, it is critical that the courts and the Department of Licensing are able to share and retrieve accurate information.

And now for what we are focusing on specifically in this legislative session – interpreter funding and court system education.

It is fundamental to justice that all individuals, including those with limited English proficiency or who are deaf or hard of hearing, are able to understand and meaningfully participate in courtroom proceedings.

A recent survey revealed that 59% of courts experienced delays in proceedings when interpreter services were unavailable. Small and rural courts report particular difficulties in providing qualified interpreters. Delays impose extra costs on the public and on the participants in the proceedings.

Ensuring that a qualified interpreter is available at the beginning of a case, not only ensures that minor legal issues are resolved promptly, but can also help avoid legal issues from compounding, if not handled appropriately.

State funding for interpreters has been flat since 2008, yet a recent study of Washington courts found that the cost of providing interpreters is increasing. Also increasing are the number of languages spoken in courts – nearly 30% more languages are being spoken statewide, with one court reporting that nearly 165 languages are spoken.

Access to qualified interpreters can have life-altering consequences. Without access, victims of crimes or abuse often face negative impacts, delayed responses or no assistance. For those seeking resolutions in high-risk situations, such as when

needing a protection order, a court interpreter can be a matter of life and death.

To address this, the Board for Judicial Administration, using a plan developed by the Interpreter Services Funding Task Force, are asking state lawmakers in 2019 for \$2.1 million dollars in additional state funds for interpreter costs. Increased funding will help additional courts, especially rural and small courts, access the Interpreter Reimbursement Program and support interpreter recruitment and testing to increase the number of qualified interpreters.

Another major priority for the judicial branch this year is proper training for judges and court staff across Washington. It is essential that all who work in the court system are well trained in substantive law, technical areas and societal issues. In the last three years, the legislature passed or amended more than 150 laws in a wide array of substantive policy areas, for example, relating to driving under the influence, family law and parentage, guardianship, mental health, public records, and juvenile justice.

Besides knowing the law, judges and court personnel must use and understand technical systems critical to criminal history information, sentencing, case management, and more. And judges and staff, especially in trial courts, see first-hand the impacts of changing societal factors like the crack and opioid epidemics and the exploding number of self-represented litigants. Judges and court personnel must be trained to effectively and efficiently insure that justice occurs in the cases that come before them.

One other thing to note is that the judicial branch is experiencing significant turnover of judges and court staff in staggering numbers due to the aging of our workforce and the lure of better paying jobs. We have a record sixty-nine brand new judicial officers since last January.

Funding for court training has remained the same for more than a decade, despite increasing needs. The Board for Judicial Administration, using a plan established by the Court System Education Funding Task Force, is seeking an increase of \$1.4 million dollars for court training, recognizing that without necessary training in these critical areas the work of the courts will be ineffective and inefficient. Such funding will also ensure equal access for small and rural courts that struggle to afford training opportunities.

Another issue of great concern to the judicial branch, and what we will be dedicating our energy to next, is courthouse security. A safe courthouse environment is fundamental to the administration of justice.

To address court security, the Board for Judicial Administration is now convening a Court Security Task Force to assess security at all trial courts throughout Washington. The Court Security Task Force will develop recommendations for how we can ensure that every courthouse in Washington is safe for jurors, litigants, court employees and the public that we serve.

Finally, all of the work of the judicial branch is supported and enhanced by the Administrative Office of the Courts. In 2017, the Administrative Office of the Courts celebrated 60 years of serving Washington's judiciary. I want to publicly thank the staff of the Administrative Office of the Courts for their hard work, thoughtfulness and professionalism. Every day, the people who work for the Administrative Office of the Courts show their dedication to the people of Washington and their commitment to advancing the efficient and effective operation of the Washington judicial system.

We have a new State Court Administrator, Dawn Marie Rubio. She brings a depth of knowledge about court issues from her varied experience with multiple state court systems. We are

thrilled someone of her caliber will continue the strong leadership of the Administrative Office of the Courts.

Although we are not a unified court system, we are unified in many ways. I have the great pleasure, having been elected by my colleagues, to serve as the Chief Justice of the state of Washington. Because of that, every day I get to work with, and see the work of, court staff, judicial officers and judicial branch personnel across the state. I get to see the difference they are making every day.

As Chief Justice, I also get to work with you – our legislative and executive branch partners. I get to see the difference you are making every day.

I want to remind you that time is precious. For whatever reasons, this is our individual and collective time and place. It is when and where we are serving in the three branches of government. It is when we are deciding what government looks like in *our* Washington.

None of us know how many days we have to make a difference. This is again especially true for me. My stage four cancer that I survived eight years ago has returned, and I am currently undergoing treatment. I will continue working. I still believe in miracles. As Albert Einstein said, ‘There are only two ways to live your life. One is as though nothing is a miracle. The other is as though everything is a miracle.’

Everything is a miracle. Every day is a miracle. Let’s not waste the days we have. Working individually and together, on behalf of those that we faithfully serve, we can, and are, making a difference.

Together, we will not fail. We can change the world to be what we want it to be, and we must ensure that all who seek justice, find it.

I would like to close with what my family calls the ‘joy’ pose. This is what we often do when we are overwhelmed with happiness. Because I am overflowing with happiness, hope and gratitude for you, for me, for us, and for all of Washington.”

(The Chief Justice raised her hands over her head, palms up.)

The President thanked Chief Justice Fairhurst for her remarks.

The President called upon the committee of honor to escort Chief Justice Fairhurst from the rostrum and the Chief Justice retired from the Chamber.

The President called upon the committee of honor to escort the statewide elected officials from the Chamber.

The President called upon the committee of honor to escort the Justices of the Supreme Court from the Chamber.

MOTION

On motion of Senator Liias, the Joint Session was dissolved.

The Sergeant at Arms of the Senate and the Sergeant at Arms of the House escorted members of the House of Representatives from the Senate Chamber.

AFTERNOON SESSION

The Senate was called to order at 12:11 p.m. by President Habib.

MOTION

At 12:11 p.m., on motion of Senator Liias, the Senate adjourned until 12:00 o'clock p.m. Thursday, January 17, 2019.

CYRUS HABIB, President of the Senate

BRAD HENDRICKSON, Secretary of the Senate

FOURTH DAY

NOON SESSION

Senate Chamber, Olympia
Thursday, January 17, 2019

The Senate was called to order at 12:00 o'clock noon by the President of the Senate, Lt. Governor Habib presiding. No roll call was taken.

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

MOTION

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

MOTION

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

REPORTS OF STANDING COMMITTEES

January 21, 2019

SB 5048 Prime Sponsor, Senator O'Ban: Establishing a reentry community safety program for state hospital patients. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Cleveland, Chair O'Ban, Ranking Member.

Referred to Committee on Health & Long Term Care.

MOTION

On motion of Senator Liias, the measure listed on the Standing Committee report was referred to the committees as designated.

MOTION

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

MESSAGE FROM THE HOUSE

January 16, 2019

MR. PRESIDENT:

The Speaker has signed

SENATE CONCURRENT RESOLUTION NO. 8401, and the same is herewith transmitted.

NONA SNELL, Deputy Chief Clerk

MOTION

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

INTRODUCTION AND FIRST READING

SB 5285 by Senators Palumbo, Liias, Carlyle and Saldaña

AN ACT Relating to reviews of voluntary cleanups; amending RCW 70.105D.030, 70.105D.070, and 70.105D.110; reenacting and amending RCW 43.84.092; adding a new section to chapter 70.105D RCW; and creating a new section.

Referred to Committee on Environment, Energy & Technology.

SB 5286 by Senators Frockt, Padden and Kuderer

AN ACT Relating to impaired driving; amending RCW 46.61.502, 46.61.5055, 46.61.504, and 9.94A.525; and prescribing penalties.

Referred to Committee on Law & Justice.

SB 5287 by Senators Darneille and Hunt

AN ACT Relating to ensuring accurate redistricting by counting incarcerated individuals as residents of their last known place of residence; and adding a new section to chapter 44.05 RCW.

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

SB 5288 by Senator Darneille

AN ACT Relating to persistent offenders; amending RCW 9.94A.030; adding a new section to chapter 9.94A RCW; prescribing penalties; and providing an expiration date.

Referred to Committee on Law & Justice.

SB 5289 by Senators Palumbo, Zeiger, Das and Liias

AN ACT Relating to nonprofit homeownership development; amending RCW 84.36.049; and creating new sections.

Referred to Committee on Housing Stability & Affordability.

SB 5290 by Senators Darneille, Wellman, Kuderer, Randall, Palumbo, Das, Hasegawa, McCoy, Nguyen, Saldaña, Wilson and C.

AN ACT Relating to eliminating the use of the valid court order exception to place youth in detention for noncriminal behavior; amending RCW 7.21.030, 7.21.030, 13.32A.250, 13.32A.250, 13.32A.040, 13.32A.150, 13.34.165, 28A.225.090, 43.185C.260, 43.185C.265, and 2.56.032; adding a new section to chapter 7.21 RCW; creating a new section; repealing RCW 43.185C.270; repealing 1998 c 296 s 35 (uncodified); providing effective dates; and declaring an emergency.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SB 5291 by Senators Darneille, Randall, Kuderer, Frockt, Hasegawa, Nguyen and Saldaña

AN ACT Relating to creating alternatives to total confinement for certain qualifying persons with minor

children; and amending RCW 9.94A.030, 9.94A.655, and 9.94A.6551.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SB 5292 by Senators Keiser, Cleveland, Randall, Hasegawa, Das, Saldaña, Wilson, C., Lias, Conway, Kuderer, Nguyen, Van De Wege and Wellman

AN ACT Relating to prescription drug cost transparency; reenacting and amending RCW 74.09.215; adding a new chapter to Title 43 RCW; and prescribing penalties.

Referred to Committee on Health & Long Term Care.

SB 5293 by Senators Carlyle, Nguyen, Palumbo, Das, Billig, Kuderer, Keiser, McCoy, Hunt, Lias, Frockt, Pedersen and Wellman

AN ACT Relating to energy efficiency; amending RCW 19.27A.140, 19.27A.170, 19.27A.015, 19.27A.020, 19.27A.025, and 19.27.540; adding new sections to chapter 19.27A RCW; adding a new section to chapter 82.16 RCW; adding new sections to chapter 80.28 RCW; creating new sections; prescribing penalties; and providing an expiration date.

Referred to Committee on Environment, Energy & Technology.

SB 5294 by Senators Hunt, Hasegawa, Pedersen, Kuderer, Zeiger, Takko, Keiser and Saldaña

AN ACT Relating to encouraging citizens to serve in the legislature by creating leave provisions for legislative service; and adding a new chapter to Title 49 RCW.

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

SB 5295 by Senators Keiser, Hasegawa and Saldaña

AN ACT Relating to ensuring labor neutrality and contractor compliance for certain contracted service providers; amending RCW 39.26.200; adding a new section to chapter 43.20A RCW; and creating a new section.

Referred to Committee on Labor & Commerce.

SB 5296 by Senator Keiser

AN ACT Relating to the liquor and cannabis board; amending RCW 66.08.012, 9.46.0315, 9.46.0331, 10.93.020, 15.89.070, 15.89.100, 15.89.160, 19.126.030, 19.126.070, 19.192.010, 34.05.422, 35A.66.020, 41.37.015, 41.40.023, 42.16.010, 43.06.455, 43.06.465, 43.06.466, 43.06.490, 43.42A.010, 66.04.010, 66.08.020, 66.08.022, 66.08.026, 66.08.030, 66.08.0501, 66.08.095, 66.08.145, 66.08.170, 66.12.130, 66.20.370, 66.24.010, 66.24.025, 66.24.055, 66.24.155, 66.24.175, 66.24.185, 66.24.206, 66.24.270, 66.24.290, 66.24.480, 66.24.481, 66.24.495, 66.28.035, 66.28.040, 66.40.030, 66.40.140, 66.44.290, 66.44.292, 66.44.310, 66.44.350, 67.70.070, 69.07.210, 69.50.325, 69.50.326, 69.50.331, 69.50.334, 69.50.339, 69.50.342, 69.50.345, 69.50.348, 69.50.351, 69.50.354, 69.50.363, 69.50.366, 69.50.369, 69.50.375, 69.50.380, 69.50.382, 69.50.385, 69.50.390, 69.50.395, 69.50.450, 69.50.500, 69.50.530, 69.50.535, 69.50.560, 69.50.565, 69.50.580, 69.50.585, 69.51A.230, 69.51A.250, 69.51A.270, 70.155.010, 70.155.020, 70.155.080,

70.155.090, 70.155.100, 70.155.110, 70.155.120, 70.158.020, 77.15.750, 82.08.155, 82.24.010, 82.24.551, 82.26.121, and 82.32.300; reenacting and amending RCW 66.20.300, 66.24.210, 69.50.101, 69.50.357, 69.50.360, 69.50.372, 69.50.540, 69.51A.010, and 82.26.010; adding a new section to chapter 66.08 RCW; creating new sections; decodifying RCW 66.24.620; providing an effective date; and providing an expiration date.

Referred to Committee on Labor & Commerce.

SB 5297 by Senators Hunt, Conway, Keiser, Dhingra, Saldaña, Kuderer and Pedersen

AN ACT Relating to extending collective bargaining rights to assistant attorneys general; amending RCW 41.80.005, 41.80.010, 43.10.070, and 43.10.060; adding a new section to chapter 41.80 RCW; and creating a new section.

Referred to Committee on Labor & Commerce.

SB 5298 by Senators Rivers, Palumbo and Wellman

AN ACT Relating to labeling of marijuana products; amending RCW 69.50.345 and 69.50.346; and creating a new section.

Referred to Committee on Labor & Commerce.

SB 5299 by Senators Padden, Frockt, Kuderer and Wagoner

AN ACT Relating to impaired driving; amending RCW 46.61.502, 46.61.5055, 46.61.504, and 9.94A.525; and prescribing penalties.

Referred to Committee on Law & Justice.

SB 5300 by Senators Padden, Lias, Pedersen and Van De Wege

AN ACT Relating to providing coroners with additional subpoena duces tecum authority; and adding a new section to chapter 36.24 RCW.

Referred to Committee on Law & Justice.

SB 5301 by Senators Rivers, Palumbo, O'Ban, Brown, Sheldon, Keiser, Dhingra, Hasegawa, Hunt, Kuderer, Nguyen, Wagoner, Wellman, Wilson and L.

AN ACT Relating to providing a sales and use tax exemption for diapers; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; and creating new sections.

Referred to Committee on Health & Long Term Care.

SB 5302 by Senators Rivers, Pedersen, Zeiger, Becker, Brown, Keiser and Kuderer

AN ACT Relating to the creation of an office of the homeowners' association ombuds; reenacting and amending RCW 64.38.010 and 43.84.092; and adding new sections to chapter 64.38 RCW.

Referred to Committee on Law & Justice.

SB 5303 by Senators Lias and Saldaña

AN ACT Relating to motorcycle safety; amending RCW 46.81A.020, 46.20.510, 46.20.520, and 46.20.500; prescribing penalties; and providing an effective date.

Referred to Committee on Transportation.

SB 5304 by Senator Mullet

AN ACT Relating to financing local infrastructure; amending RCW 39.36.060; and adding new sections to chapter 43.180 RCW.

Referred to Committee on Housing Stability & Affordability.

SB 5305 by Senators Van De Wege, Warnick, McCoy, Takko, Short, Sheldon and Nguyen

AN ACT Relating to electric utility wildland fire prevention; and adding new sections to chapter 76.04 RCW.

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

SB 5306 by Senators Mullet, Braun, Short, Takko, Hobbs, Wagoner, Wilson and L.

AN ACT Relating to creating the capacity for the state treasurer's office to provide separately managed investment portfolios to eligible governmental entities; amending RCW 43.250.020 and 43.250.030; and adding new sections to chapter 43.250 RCW.

Referred to Committee on Ways & Means.

SB 5307 by Senators Wellman, Braun, Mullet, Short, Takko, Hobbs, Wagoner, Wilson and L.

AN ACT Relating to adding the treasurer to the public works board; and amending RCW 43.155.030.

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

SB 5308 by Senators Short and Liias

AN ACT Relating to performance-based contracting services by energy service contractors; amending RCW 39.35A.020, 39.35A.050, and 39.35A.010; adding new sections to chapter 39.35A RCW; and creating new sections.

Referred to Committee on Environment, Energy & Technology.

SB 5309 by Senators Cleveland, Mullet, Keiser, Palumbo and Kuderer

AN ACT Relating to applying campaign contribution limits to candidates for all special purpose districts authorized to provide freight and passenger transfer and terminal facilities; and amending RCW 42.17A.405.

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

SB 5310 by Senator Hunt

AN ACT Relating to correcting agency names and accounts in statutes to reflect the organizational structure, duties, and responsibilities of the office of financial management; amending RCW 41.07.020, 41.06.070, 41.06.160, 41.48.140, and 72.01.210; reenacting and amending RCW 41.07.030 and 43.43.832; providing an effective date; and declaring an emergency.

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

SB 5311 by Senator Hunt

AN ACT Relating to government efficiency by eliminating, revising, or decodifying obsolete or inactive statutory provisions that concern the office of financial management; amending RCW 4.84.360, 38.40.030, 43.03.049, 43.08.015, and 43.320.090; decodifying RCW 41.06.155; and repealing RCW 28B.15.101, 39.80.070, 43.41.220, 43.41.230, 43.41.240, 43.41.250, 43.41.905, and 43.132.800.

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

SB 5312 by Senators Wellman and Kuderer

AN ACT Relating to appropriations for special education programs; and amending RCW 28A.150.390.

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

SB 5313 by Senator Wellman

AN ACT Relating to school levies; and amending RCW 28A.500.015 and 84.52.0531.

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

SB 5314 by Senators Wellman, Hunt and Kuderer

AN ACT Relating to assisting Washington families by improving the fairness of the state's tax system by enacting a capital gains tax and providing property tax relief; amending RCW 84.55.010; adding a new section to chapter 82.04 RCW; adding a new section to chapter 82.32 RCW; adding a new section to chapter 84.55 RCW; adding a new chapter to Title 82 RCW; creating new sections; prescribing penalties; and providing an effective date.

Referred to Committee on Ways & Means.

SB 5315 by Senators Wellman, Dhingra, Hasegawa, Saldaña and Van De Wege

AN ACT Relating to increasing student support staff in the prototypical school funding model; amending RCW 28A.150.260 and 28A.400.007; and providing an effective date.

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

SB 5316 by Senator Wellman

AN ACT Relating to school district enrichment levies; and amending RCW 84.52.0531.

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

SB 5317 by Senators Wellman, Nguyen, Zeiger, Kuderer, Cleveland, Padden, Das, Frockt, Hunt, Saldaña, Wilson and C.

AN ACT Relating to nonfirearm measures to increase school safety and student well-being; amending RCW 38.52.040, 28A.320.125, 28A.300.273, 28A.300.490, 28A.320.126, and 28A.320.1271; adding new sections to chapter 28A.300 RCW; adding a new section to chapter 28A.310 RCW; adding a new section to chapter 28A.320 RCW; creating new

sections; repealing RCW 28A.310.505; and providing an expiration date.

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

SB 5318 by Senators Rivers, Palumbo and Wagoner

AN ACT Relating to reforming the compliance and enforcement provisions for marijuana licensees; amending RCW 69.50.331; reenacting and amending RCW 69.50.101; adding new sections to chapter 69.50 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Labor & Commerce.

SB 5319 by Senator Rivers

AN ACT Relating to ensuring access to primary care services for medicaid beneficiaries by applying the medicare payment rate floor to primary care services furnished under medicaid by providers of primary care services; adding a new section to chapter 74.09 RCW; and creating a new section.

Referred to Committee on Health & Long Term Care.

SB 5320 by Senators Takko, Rivers, Wilson, L., Van De Wege, Honeyford, Warnick and Short

AN ACT Relating to establishing a nonlethal program within the department of fish and wildlife for the purpose of training dogs; amending RCW 77.15.245; and adding a new section to chapter 77.12 RCW.

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

SB 5321 by Senators Carlyle, Palumbo, Wellman, Mullet, Pedersen, Billig, Hunt, Liias and Van De Wege

AN ACT Relating to ticket sales over the internet; amending RCW 19.345.005, 19.345.010, and 18.235.020; adding new sections to chapter 19.345 RCW; prescribing penalties; and providing an effective date.

Referred to Committee on Environment, Energy & Technology.

SB 5322 by Senators Palumbo, Carlyle, Wellman, Hunt, McCoy, Hasegawa, Kuderer, Nguyen and Saldaña

AN ACT Relating to ensuring compliance with the federal clean water act by prohibiting certain discharges into waters of the state; adding a new section to chapter 90.48 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Environment, Energy & Technology.

SB 5323 by Senators Das, Carlyle, Kuderer, Palumbo, Hunt, Rolfes, Frockt, Keiser, Pedersen and Saldaña

AN ACT Relating to reducing pollution from plastic bags by establishing minimum state standards for the use of bags at retail establishments; adding a new chapter to Title 70 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Environment, Energy & Technology.

SB 5324 by Senators Frockt, Zeiger, Darneille, Walsh, Kuderer, Palumbo, Das, Hasegawa, Hunt, Wellman, Cleveland, Pedersen, Keiser, Nguyen, McCoy, Van De Wege, Dhingra and Saldaña

AN ACT Relating to support for students experiencing homelessness; and amending RCW 28A.300.542, 43.185C.340, and 28A.320.142.

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

SB 5325 by Senators Liias, Braun, Mullet, Palumbo, Brown, Rivers and Warnick

AN ACT Relating to exempting certain standard financial information purchased by investment management companies from sales and use tax in order to improve industry competitiveness; amending RCW 82.08.207 and 82.12.207; creating new sections; and providing expiration dates.

Referred to Committee on Financial Institutions, Economic Development & Trade.

SB 5326 by Senators Keiser, Rivers, Saldaña, Billig and Kuderer

AN ACT Relating to booth rental agreements; amending RCW 50.04.225, 51.12.020, and 82.04.360; adding a new section to chapter 18.16 RCW; creating a new section; and providing an effective date.

Referred to Committee on Labor & Commerce.

SB 5327 by Senators Wellman, Zeiger, Keiser, Palumbo, Hunt, Rivers, Hawkins, Warnick, Carlyle, Conway, Dhingra, Frockt, Kuderer, Saldaña and Wagoner

AN ACT Relating to expanding career connected learning opportunities; amending RCW 28C.18.060; adding a new section to chapter 28B.50 RCW; adding a new section to chapter 28B.20 RCW; adding a new section to chapter 28B.30 RCW; adding a new section to chapter 28B.35 RCW; adding a new section to chapter 28B.40 RCW; adding a new section to chapter 28A.700 RCW; and adding a new chapter to Title 28C RCW.

Referred to Committee on Higher Education & Workforce Development.

SB 5328 by Senators Salomon, Kuderer, Hunt, Hasegawa, Palumbo, Nguyen, Saldaña, Liias, Frockt and Keiser

AN ACT Relating to driver's license suspensions and revocations; amending RCW 46.20.289, 46.20.291, 46.20.341, 46.20.342, 10.37.015, 46.20.005, 46.20.391, 46.55.113, 46.63.020, 46.63.110, and 46.64.025; reenacting and amending RCW 10.31.100; adding a new section to chapter 46.20 RCW; prescribing penalties; and providing an effective date.

Referred to Committee on Law & Justice.

SB 5329 by Senators Nguyen, Palumbo, Wellman, Carlyle and Sheldon

AN ACT Relating to updating and streamlining the energy facility site evaluation council operations; amending RCW 80.50.010, 80.50.040, 80.50.060, 80.50.100, and 80.50.175; and reenacting and amending RCW 80.50.030 and 80.50.090.

FOURTH DAY, JANUARY 17, 2019

2019 REGULAR SESSION

Referred to Committee on Environment, Energy & Technology.

Wellman, Salomon, Saldaña, Keiser, O'Ban, Billig, Holy and Darneille

SB 5330 by Senators Braun, Van De Wege, Takko, Short, Becker, Rivers, Wagoner and Warnick

AN ACT Relating to the Washington uniform common interest ownership act; and amending RCW 64.90.410, 64.90.670, 64.90.010, 64.90.025, 64.90.075, 64.90.080, 64.90.090, 64.90.225, 64.90.245, 64.90.285, 64.90.405, 64.90.445, 64.90.485, 64.90.610, 64.06.005, 6.13.080, and 64.55.005.

AN ACT Relating to analyzing state regulatory impact on small forest landowners; and creating a new section.

Referred to Committee on Law & Justice.

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

SB 5331 by Senators Palumbo, Honeyford, Cleveland, Walsh, Randall, King, Frockt, Billig, Conway, Dhingra, Keiser, Kuderer, Pedersen, Saldaña and Warnick

SB 5335 by Senators Bailey, Hobbs, Schoesler, Conway and Hunt

AN ACT Relating to long-term services and supports; amending RCW 74.39A.076 and 18.88B.041; and adding a new chapter to Title 50A RCW.

AN ACT Relating to paying state retirement benefits until the end of the month in which the retiree or beneficiary dies; adding a new section to chapter 41.50 RCW; creating a new section; and providing an effective date.

Referred to Committee on Health & Long Term Care.

Referred to Committee on Ways & Means.

SB 5332 by Senators Pedersen, Rivers, Wilson, C., Walsh, Randall, Cleveland and Lias

SB 5336 by Senators Palumbo, Carlyle, Nguyen, Saldaña, Hasegawa, Dhingra, Frockt and Kuderer

AN ACT Relating to vital statistics; amending RCW 18.39.525, 19.182.220, 26.04.090, 26.04.165, 26.09.150, 35A.70.070, 43.79.445, 43.121.100, 68.50.300, and 74.20A.056; adding a new section to chapter 42.56 RCW; adding a new chapter to Title 70 RCW; creating a new section; repealing RCW 43.70.160, 70.58.005, 70.58.010, 70.58.020, 70.58.030, 70.58.040, 70.58.050, 70.58.055, 70.58.061, 70.58.065, 70.58.070, 70.58.080, 70.58.082, 70.58.085, 70.58.095, 70.58.098, 70.58.100, 70.58.104, 70.58.107, 70.58.110, 70.58.120, 70.58.130, 70.58.145, 70.58.150, 70.58.160, 70.58.170, 70.58.175, 70.58.180, 70.58.190, 70.58.210, 70.58.230, 70.58.240, 70.58.250, 70.58.260, 70.58.270, 70.58.280, 70.58.380, 70.58.390, 70.58.400, and 70.58.900; prescribing penalties; and providing an effective date.

AN ACT Relating to advancing electric transportation; amending RCW 46.17.323, 70.120A.010, 35.92.355, and 80.28.360; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; adding a new section to chapter 46.17 RCW; adding a new section to chapter 70.120A RCW; adding a new section to chapter 35.92 RCW; adding a new section to chapter 80.28 RCW; creating new sections; providing an effective date; providing contingent expiration dates; and declaring an emergency.

Referred to Committee on Law & Justice.

Referred to Committee on Environment, Energy & Technology.

SB 5333 by Senators Pedersen and Rivers

AN ACT Relating to making changes related to the uniform parentage act for access to court records, compliance with regulations of the food and drug administration, enacting a repealed section of chapter 26.26 RCW, and correcting citations and terminology; amending RCW 26.26A.500, 26.26A.810, 26.26A.820, 26.26A.825, 4.16.360, 5.44.140, 9.41.040, 9.41.173, 9.41.800, 9.94A.030, 10.14.080, 10.14.200, 10.99.020, 13.04.030, 13.34.155, 13.38.040, 26.09.030, 26.09.191, 26.09.405, 26.09.510, 26.12.802, 26.18.010, 26.18.220, 26.23.050, 26.26B.010, 26.26B.020, 26.26B.040, 26.26B.050, 26.26B.070, 26.26B.080, 26.26B.100, 26.33.110, 26.50.025, 26.50.035, 26.50.060, 26.50.110, 26.50.160, 36.28A.410, 59.18.575, 74.20.040, 74.20.225, 74.20.310, 74.20.350, 74.20.360, 74.20A.030, 74.20A.055, and 74.20A.056; reenacting and amending RCW 9.41.070, 9.94A.411, 9.94A.515, 9.96.060, 10.31.100, 13.34.030, 26.33.020, 72.09.712, 72.09.714, and 74.13.031; and adding a new section to chapter 26.26B RCW.

SB 5337 by Senators Takko and Holy

AN ACT Relating to expanding a sales and use tax exemption for personal property sold between political subdivisions to include sales or uses of personal property as a result of a merger or sales or uses of personal property made under contractual consolidations in which the taxpayer that originally paid the sales or use tax continues to benefit from the personal property; amending RCW 82.08.0278 and 82.12.0274; creating a new section; and providing an expiration date.

Referred to Committee on Law & Justice.

Referred to Committee on Local Government.

SB 5334 by Senators Pedersen, Padden, Mullet, Fortunato, Carlyle, Rivers, Kuderer, Dhingra, Palumbo, Frockt,

SB 5338 by Senators Darneille, Rivers, Conway, Keiser, Van De Wege and Kuderer

AN ACT Relating to the protection of vulnerable adults; amending RCW 74.34.020, 74.34.063, 74.34.095, 74.34.300, 74.39A.056, 13.50.010, and 68.50.105; and adding a new section to chapter 74.34 RCW.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SB 5339 by Senators Carlyle, Walsh, Pedersen, Wellman, Keiser, Lias, Hunt, Kuderer, Nguyen and Saldaña

AN ACT Relating to reducing criminal justice expenses by eliminating the death penalty and instead requiring life imprisonment without possibility of release or parole as the sentence for aggravated first degree murder; amending RCW 10.95.030; and repealing RCW 10.95.040, 10.95.050,

10.95.060, 10.95.070, 10.95.080, 10.95.090, 10.95.100, 10.95.110, 10.95.120, 10.95.130, 10.95.140, 10.95.150, 10.95.160, 10.95.170, 10.95.180, 10.95.185, 10.95.190, and 10.95.200.

Referred to Committee on Law & Justice.

SB 5340 by Senators Kuderer, Dhingra, Carlyle, Hunt, Keiser, Nguyen, Saldaña and Wellman
AN ACT Relating to assault weapons and large capacity magazines; amending RCW 9.41.010; adding new sections to chapter 9.41 RCW; and prescribing penalties.

Referred to Committee on Law & Justice.

SB 5341 by Senators Randall, Wilson, C., Liias, Frockt, Hasegawa, Hunt, Keiser, Kuderer, Nguyen, Palumbo and Saldaña
AN ACT Relating to improving access and completion for students at public institutions of higher education, especially at community and technical colleges, by removing restrictions on subsidized child care; amending RCW 43.216.135; adding a new section to chapter 28B.50 RCW; and creating a new section.

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

SB 5342 by Senators Randall, Wilson, C., Das, Hunt, Pedersen, Liias, Frockt, Keiser, Kuderer, Nguyen and Saldaña
AN ACT Relating to providing a nonbinary gender category in applications for certain programs; amending RCW 29A.08.210, 46.04.010, 46.20.091, 46.20.157, 46.20.156, 46.25.070, and 46.25.080; reenacting and amending RCW 29A.08.320; and adding a new section to chapter 29A.04 RCW.

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

SB 5343 by Senators Mullet, Rivers, Palumbo, Hobbs, Salomon, Wilson and C.
AN ACT Relating to facilitating high school success; amending RCW 28A.320.195, 28A.165.035, 28A.175.074, 28A.150.260, 28A.600.045, and 28A.230.090; adding a new section to chapter 28A.320 RCW; and adding a new section to chapter 28A.175 RCW.

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

SB 5344 by Senators Cleveland, O'Ban, Hobbs, Takko, Mullet, Palumbo, Rivers, Wellman and Hunt
AN ACT Relating to nursing fatigue; amending RCW 70.41.420, 70.41.425, 18.79.200, 18.79.210, and 49.28.140; amending 2017 c 249 s 4 (uncodified); reenacting and amending RCW 18.79.260; providing an effective date; and providing expiration dates.

Referred to Committee on Health & Long Term Care.

SB 5345 by Senators Cleveland, Rivers, Wilson, L., Darneille, Keiser, Rolfes, Kuderer, Walsh, Wilson, C. and Saldaña

AN ACT Relating to health plan coverage for contralateral prophylactic mastectomies; and adding a new section to chapter 48.43 RCW.

Referred to Committee on Health & Long Term Care.

SB 5346 by Senators Sheldon and Randall
AN ACT Relating to the use of life insurance to pay for the last illness and death of the insured; and adding a new section to chapter 48.23 RCW.

Referred to Committee on Financial Institutions, Economic Development & Trade.

SJM 8006 by Senators Hasegawa, Keiser, Frockt, Hunt, Kuderer, Pedersen and Saldaña
Requesting that Congress establish more checks and balances to reduce the possibility of nuclear war.

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

MOTION

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

MOTION

At 12:03 p.m., on motion of Senator Liias, the Senate adjourned until 10:00 o'clock a.m. Friday, January 18, 2019.

CYRUS HABIB, President of the Senate

BRAD HENDRICKSON, Secretary of the Senate

FIFTH DAY

MORNING SESSION

Senate Chamber, Olympia
Friday, January 18, 2019

The Senate was called to order at 10:02 a.m. by the President of the Senate, Lt. Governor Habib presiding. No roll call was taken.

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

MOTION

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

MOTION

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

REPORTS OF STANDING COMMITTEES

January 17, 2019

SB 5001 Prime Sponsor, Senator Pedersen: Concerning human remains. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 5001 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Braun; Saldaña; Walsh and Wellman.

Referred to Committee on Rules for second reading.

January 17, 2019

SB 5029 Prime Sponsor, Senator Frockt: Concerning law enforcement. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; Holy; Kuderer; Salomon and Wilson, L.

Referred to Committee on Rules for second reading.

January 17, 2019

SB 5101 Prime Sponsor, Senator Sheldon: Requiring a state resident preference on competitive examinations for public employment. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Braun; Saldaña; Walsh and Wellman.

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

January 17, 2019

SB 5107 Prime Sponsor, Senator Das: Addressing trust institutions. Reported by Committee on Financial Institutions, Economic Development & Trade

MAJORITY recommendation: Do pass. Signed by Senators Mullet, Chair; Hasegawa, Vice Chair; Wilson, L., Ranking Member; Braun; Das and Hobbs.

Referred to Committee on Rules for second reading.

January 17, 2019

SB 5124 Prime Sponsor, Senator Das: Concerning appraisal management company Title XI compliance and license expiration. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Braun; Saldaña; Walsh and Wellman.

Referred to Committee on Rules for second reading.

January 17, 2019

SB 5125 Prime Sponsor, Senator Conway: Providing consistency and efficiency in the regulation of auctioneers and auction companies, engineering and land surveying, real estate, funeral directors, and cosmetology. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Braun; Saldaña; Walsh and Wellman.

Referred to Committee on Rules for second reading.

February 26, 2019

SB 5160 Prime Sponsor, Senator Dhingra: Concerning property tax exemptions for service-connected disabled veterans and senior citizens. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5160 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Honeyford, Assistant Ranking Member, Capital; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Van De Wege; Wagoner and Warnick.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Schoesler.

MINORITY recommendation: Do not pass. Signed by Senators Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Bailey; Becker; Rivers and Wilson, L.

Referred to Committee on Housing Stability & Affordability.

MOTION

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

SUBCOMMITTEE ON BEHAVIORAL HEALTH
REFERRALS

Pursuant to Senate Rule 45(13) and without objection, notice was received from the Committee on Health & Long Term Care that the following measures had been re-referred to the Subcommittee on Behavioral Health:

Senate Bill No. 5038;
Senate Bill No. 5040;
Senate Bill No. 5041;
Senate Bill No. 5045;
Senate Bill No. 5056;
Senate Bill No. 5039;
and Senate Bill No. 5046.

MOTION

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

INTRODUCTION AND FIRST READING

SB 5347 by Senator Ericksen

AN ACT Relating to claims about climate change made by electric utilities; and adding a new section to chapter 9.04 RCW.

Referred to Committee on Environment, Energy & Technology.

SB 5348 by Senator Ericksen

AN ACT Relating to providing a sales and use tax exemption for construction related to public schools, institutions of higher education, and local public safety; amending RCW 82.14.050 and 82.14.060; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; and creating a new section.

Referred to Committee on Ways & Means.

SB 5349 by Senator Ericksen

AN ACT Relating to products identified as milk; and amending RCW 15.36.151.

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

SB 5350 by Senators Conway, Bailey and Schoesler

AN ACT Relating to an optional life annuity benefit for members of the public employees' retirement system, school employees' retirement system, and public safety employees' retirement system; adding a new section to chapter 41.40 RCW; adding a new section to chapter 41.37 RCW; adding a new section to chapter 41.35 RCW; and providing an effective date.

Referred to Committee on Ways & Means.

SB 5351 by Senator Darneille

AN ACT Relating to juvenile sex offense registration waivers under the special sexual offender disposition alternative; and amending RCW 13.40.162 and 9A.44.140.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SB 5352 by Senators Walsh, Warnick, McCoy and Kuderer

AN ACT Relating to the Walla Walla watershed management pilot program; amending RCW 90.92.010, 90.92.050, and 90.92.060; amending 2009 c 183 s 20 (uncodified); providing an effective date; providing an expiration date; and declaring an emergency.

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

SB 5353 by Senators Zeiger and Conway

AN ACT Relating to promoting redevelopment of certain areas to encourage transit supportive densities and efficient land use; and amending RCW 84.14.007 and 84.14.040.

Referred to Committee on Local Government.

SB 5354 by Senators Rivers, Rolfes and Becker

AN ACT Relating to facilitating equity in programs for highly capable students; amending RCW 28A.185.020, 28A.185.030, 28A.185.050, 28A.160.160, 28A.300.042, 28A.300.770, and 28B.10.032; adding a new section to chapter 28A.185 RCW; adding a new section to chapter 28A.300 RCW; and adding a new section to chapter 28A.415 RCW.

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

SB 5355 by Senators Holy and Van De Wege

AN ACT Relating to recovering service credit withdrawn from the public employees' retirement system for certain law enforcement officers and firefighters; and creating a new section.

Referred to Committee on Ways & Means.

SB 5356 by Senators Wilson, C., Randall, Das, Saldaña, Darneille, Pedersen and Lias

AN ACT Relating to establishing the Washington state LGBTQ commission; adding a new chapter to Title 43 RCW; and creating a new section.

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

SB 5357 by Senators Darneille and Kuderer

AN ACT Relating to authorizing cities and counties to impose additional taxes for affordable housing; and amending RCW 82.46.075.

Referred to Committee on Housing Stability & Affordability.

SB 5358 by Senators Saldaña, Fortunato, Wellman, Zeiger, Kuderer, Cleveland, Keiser, Nguyen, Conway and Hobbs

AN ACT Relating to affordable housing development on religious organization property; adding a new section to chapter 35.63 RCW; adding a new section to chapter 35A.63 RCW; and adding a new section to chapter 36.70A RCW.

Referred to Committee on Local Government.

SB 5359 by Senators Cleveland, Rivers, Darneille, Keiser and Van De Wege

AN ACT Relating to funding investigations to protect individuals with disabilities in the supported living program; adding new sections to chapter 71A.12 RCW; creating a new section; providing an effective date; and declaring an emergency.

Referred to Committee on Health & Long Term Care.

SB 5360 by Senators Conway, Hobbs, Saldaña, Dhingra and Keiser

AN ACT Relating to plan membership default provisions in the public employees' retirement system, the teachers' retirement system, and the school employees' retirement system; amending RCW 41.32.835, 41.35.610, and 41.40.785; and declaring an emergency.

Referred to Committee on Ways & Means.

SB 5361 by Senators Zeiger, Kuderer, Warnick and Das

AN ACT Relating to enacting the recommendations of the joint legislative audit and review committee's report analyzing development costs for low-income housing; amending RCW 43.185.090; and adding new sections to chapter 43.180 RCW.

Referred to Committee on Housing Stability & Affordability.

SB 5362 by Senators Wilson, L., Hobbs, King and Rivers

AN ACT Relating to the creation of a deferred prosecution program for nonpayment of license fees and taxes for vehicle, vessel, and aircraft registrations; amending RCW 47.68.255 and 88.02.400; reenacting and amending RCW 46.16A.030; adding a new section to chapter 10.05 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Transportation.

SB 5363 by Senators Palumbo, Wagoner, Hunt, Mullet and Liias

AN ACT Relating to extending the property tax exemption for new and rehabilitated multiple-unit dwellings in urban centers; amending RCW 84.14.020; creating a new section; and declaring an emergency.

Referred to Committee on Housing Stability & Affordability.

SB 5364 by Senators Wagoner, King, Takko, Schoesler, Honeyford and Van De Wege

AN ACT Relating to ensuring that offenders who are incarcerated and commit murder may be charged with the death penalty; amending RCW 10.95.040; adding a new section to chapter 10.95 RCW; and prescribing penalties.

Referred to Committee on Law & Justice.

SB 5365 by Senators Wagoner and Padden

AN ACT Relating to vaccination and antibody titer test notification; adding a new section to chapter 43.70 RCW; and creating new sections.

Referred to Committee on Health & Long Term Care.

SB 5366 by Senators Wagoner, Mullet, Rivers, Palumbo, Rolfes, Brown, Honeyford, Wilson and L.

AN ACT Relating to expanding the property tax exemption for new and rehabilitated multiple-unit dwellings in urban centers; amending RCW 84.14.010; and creating a new section.

Referred to Committee on Housing Stability & Affordability.

SB 5367 by Senators Wagoner, Bailey, Warnick and Honeyford

AN ACT Relating to creating the purple star award; and adding a new section to chapter 28A.625 RCW.

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

SB 5368 by Senators Wagoner, Warnick, Bailey and Honeyford

AN ACT Relating to requiring the department of natural resources to maintain the department's roads that are the exclusive means of accessing private property by road; and adding a new section to chapter 79.38 RCW.

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

SB 5369 by Senators Wagoner, Bailey and Honeyford

AN ACT Relating to promoting just compensation for certain property owners who are prevented from using permit-exempt wells; and adding a new section to chapter 90.44 RCW.

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

SB 5370 by Senators Keiser, Warnick, Saldaña, Hasegawa, Wilson, C. and Honeyford

AN ACT Relating to creating a state commercial aviation coordinating commission; adding a new chapter to Title 47 RCW; and providing expiration dates.

Referred to Committee on Transportation.

SB 5371 by Senators Keiser, Kuderer, Bailey, Cleveland, Rivers, Rolfes, Saldaña, Darneille, Van De Wege and Frockt

AN ACT Relating to protecting consumers and purchasers from excessive increases in insulin drug prices; and adding a new chapter to Title 69 RCW.

Referred to Committee on Health & Long Term Care.

SB 5372 by Senators Palumbo and Honeyford

AN ACT Relating to local project review undertaken under chapter 36.70B RCW; and amending RCW 36.70B.070.

Referred to Committee on Local Government.

SB 5373 by Senators Conway, Saldaña and Hunt

AN ACT Relating to meal and rest breaks and mandatory overtime for certain health care employees; amending RCW 49.28.130 and 49.28.140; adding a new section to chapter 49.12 RCW; and prescribing penalties.

Referred to Committee on Labor & Commerce.

SB 5374 by Senators Conway, Keiser and Hunt

AN ACT Relating to rest and meal periods; amending RCW 49.12.105; and adding a new section to chapter 49.12 RCW.

Referred to Committee on Labor & Commerce.

SB 5375 by Senators Wellman, Hawkins, Wilson, C., Pedersen and Salomon

AN ACT Relating to making the public art capital budget language permanent for efficiency; and amending RCW 28B.10.027 and 43.17.200.

Referred to Committee on Ways & Means.

SB 5376 by Senators Carlyle, Palumbo, Wellman, Mullet, Pedersen, Billig, Hunt and Liias

AN ACT Relating to the management and oversight of personal data; amending RCW 43.105.369; adding a new section to chapter 9.73 RCW; adding a new chapter to Title 19 RCW; creating new sections; prescribing penalties; and providing an effective date.

Referred to Committee on Environment, Energy & Technology.

SB 5377 by Senators Carlyle, Palumbo, Mullet, Hasegawa, Keiser and Pedersen

AN ACT Relating to data sales and governance; amending RCW 43.105.020; adding new sections to chapter 43.105 RCW; creating new sections; and providing an effective date.

Referred to Committee on Environment, Energy & Technology.

SB 5378 by Senators Liias, Wellman, Zeiger, Mullet and Hobbs

AN ACT Relating to the regulation of personal delivery devices; amending RCW 46.04.320, 46.04.670, 46.61.050, 46.61.055, 46.61.060, 46.61.235, 46.61.240, 46.61.261, 46.61.264, 46.61.269, 46.61.365, and 46.61.710; adding a new section to chapter 46.61 RCW; adding a new chapter to Title 46 RCW; and prescribing penalties.

Referred to Committee on Transportation.

SB 5379 by Senators Wilson, C., Nguyen and Saldaña

AN ACT Relating to providing services and supports to parenting minors to improve educational attainment; adding a new section to chapter 74.12 RCW; adding a new section to chapter 43.216 RCW; adding a new section to chapter 28A.300 RCW; adding a new section to chapter 28A.160 RCW; creating a new section; providing an effective date; and providing an expiration date.

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

SB 5380 by Senators Cleveland, Rivers, Frockt, Walsh, Keiser, King, Randall and O'Ban

AN ACT Relating to opioid use disorder treatment, prevention, and related services; amending RCW 69.41.055, 69.41.095, 70.41.480, 70.168.090, 70.225.010, 70.225.040, 71.24.011, 71.24.560, 2.30.030, 71.24.585, 71.24.590, and 71.24.595; amending 2005 c 70 s 1 (uncodified); reenacting and amending RCW 69.50.312, 70.225.020, and 71.24.580; adding a new section to chapter 18.22 RCW; adding a new section to chapter 18.32 RCW; adding a new section to

chapter 18.57 RCW; adding a new section to chapter 18.57A RCW; adding a new section to chapter 18.64 RCW; adding a new section to chapter 18.71 RCW; adding a new section to chapter 18.71A RCW; adding a new section to chapter 18.79 RCW; adding new sections to chapter 43.70 RCW; adding a new section to chapter 69.50 RCW; adding a new section to chapter 70.225 RCW; adding new sections to chapter 71.24 RCW; adding a new section to chapter 74.09 RCW; and creating a new section.

Referred to Committee on Health & Long Term Care.

SB 5381 by Senators Takko and Short

AN ACT Relating to clarifying the authority and procedures for unit priced contracting by water and sewer districts; and amending RCW 57.08.050.

Referred to Committee on Local Government.

SB 5382 by Senators Zeiger, Palumbo, Das, Nguyen and Short

AN ACT Relating to tiny houses serving as accessory dwelling units; and amending RCW 36.70.677.

Referred to Committee on Housing Stability & Affordability.

SB 5383 by Senators Zeiger, Palumbo, Nguyen and Short

AN ACT Relating to tiny houses; amending RCW 58.17.040, 35.21.684, 43.22.335, and 19.27.031; adding a new section to chapter 35.21 RCW; and creating a new section.

Referred to Committee on Housing Stability & Affordability.

SB 5384 by Senators Zeiger, Palumbo and Short

AN ACT Relating to the location of tiny house communities; and adding a new section to chapter 36.70A RCW.

Referred to Committee on Local Government.

SB 5385 by Senators Becker, Cleveland, Braun, O'Ban, Wilson, L., Brown, Warnick, Zeiger and Bailey

AN ACT Relating to telemedicine payment parity; amending RCW 48.43.735, 41.05.700, and 74.09.325; and providing an effective date.

Referred to Committee on Health & Long Term Care.

SB 5386 by Senators Becker, Cleveland, Rivers, O'Ban, Short, Braun, Wilson, L., Holy, Brown, Warnick, Bailey and Zeiger

AN ACT Relating to training standards in providing telemedicine services; and adding a new section to chapter 43.70 RCW.

Referred to Committee on Health & Long Term Care.

SB 5387 by Senators Becker, Cleveland, Rivers, O'Ban, Short, Bailey, Braun, Wilson, L., Warnick and Zeiger

AN ACT Relating to physician credentialing in telemedicine services; and amending RCW 70.41.230.

Referred to Committee on Health & Long Term Care.

FIFTH DAY, JANUARY 18, 2019

2019 REGULAR SESSION

SB 5388 by Senators Becker, Bailey, Cleveland, Hunt, Short, O'Ban, King, Keiser, Walsh, Wilson, L., Darneille, Warnick, Honeyford, Brown, Billig and Hasegawa
AN ACT Relating to establishing a training course for campaign treasurers; reenacting and amending RCW 42.17A.210; and adding a new section to chapter 42.17A RCW.

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

SB 5389 by Senators Becker, Cleveland, Bailey, Wilson, L., Brown, Walsh and Warnick

AN ACT Relating to establishing a telehealth training and treatment program to assist youth; amending RCW 28A.410.226; reenacting and amending RCW 28A.410.035; adding new sections to chapter 28B.20 RCW; adding a new section to chapter 28A.210 RCW; adding a new section to chapter 28A.400 RCW; creating new sections; and declaring an emergency.

Referred to Committee on Health & Long Term Care.

SB 5390 by Senators Becker, Walsh, Bailey, Short, Holy, O'Ban, Rivers, Fortunato, Hawkins, Warnick, Zeiger and Padden

AN ACT Relating to providing property tax relief to preserve home ownership; amending RCW 84.36.379, 84.36.383, and 84.36.385; adding a new section to chapter 84.36 RCW; adding a new section to chapter 43.20A RCW; and creating new sections.

Referred to Committee on Ways & Means.

SB 5391 by Senators Zeiger, Mullet, Padden, Das, Warnick and Hunt

AN ACT Relating to the disclosure of drug production in improved residential real property sales; and adding a new section to chapter 64.06 RCW.

Referred to Committee on Financial Institutions, Economic Development & Trade.

SB 5392 by Senators Frockt, Rivers, McCoy, Das, Nguyen, Randall, Keiser, Walsh, Saldaña and Hasegawa

AN ACT Relating to the profession of dental therapist; amending RCW 18.32.030, 18.32.0351, 18.120.020, 18.130.040, 18.260.010, 18.260.040, 18.260.070, 18.260.080, 69.41.030, and 70.350.020; reenacting and amending RCW 69.41.010; adding a new chapter to Title 18 RCW; creating a new section; providing an effective date; and declaring an emergency.

Referred to Committee on Health & Long Term Care.

SB 5393 by Senators Palumbo, Rolfes, Frockt, McCoy, Wellman and Liias

AN ACT Relating to establishing a statewide free college program by changing the state need grant to the Washington college promise scholarship; amending RCW 28B.92.030, 43.88C.010, 28B.10.790, 28B.12.030, 28B.92.040, 28B.92.050, 28B.92.065, 28B.15.065, 28B.15.740, 28B.15.760, 28B.15.762, 28B.15.820, 28B.116.010, 28A.180.120, 28B.76.502, 28B.76.525, 28B.76.526,

28B.76.540, 28B.76.699, 28B.77.020, 28B.117.020, 28B.118.090, 28B.133.010, 28B.133.020, and 28C.18.166; reenacting and amending RCW 28B.108.010, 28B.118.010, 28B.145.010, and 28B.145.030; adding new sections to chapter 28B.92 RCW; repealing RCW 28B.92.010, 28B.92.020, 28B.92.060, 28B.92.080, 28B.92.082, 28B.92.084, 28B.119.005, 28B.119.010, 28B.119.020, 28B.119.030, 28B.119.040, 28B.119.050, and 28B.119.900; and providing an effective date.

Referred to Committee on Higher Education & Workforce Development.

SB 5394 by Senators King, Conway and Palumbo

AN ACT Relating to liquor licensees' use of web sites and social media to promote authorized events; and amending RCW 66.28.310.

Referred to Committee on Labor & Commerce.

SB 5395 by Senators Wilson, C., Randall, Keiser, Saldaña, Takko, Mullet, Wellman, Das and Nguyen

AN ACT Relating to requiring comprehensive sexual health education that is consistent with the Washington state health and physical education K-12 learning standards and that requires affirmative consent curriculum; and amending RCW 28A.300.475.

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

SB 5396 by Senators Keiser, Walsh, Kuderer, Short, King, Rivers and Honeyford

AN ACT Relating to allowing certain adult family homes to increase capacity to eight beds; amending RCW 70.128.010 and 70.128.060; and adding a new section to chapter 70.128 RCW.

Referred to Committee on Health & Long Term Care.

SB 5397 by Senators Rolfes and Carlyle

AN ACT Relating to the responsible management of plastic packaging; amending RCW 43.21B.110; adding a new chapter to Title 70 RCW; and prescribing penalties.

Referred to Committee on Environment, Energy & Technology.

MOTION

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

MOTION

At 10:04 a.m., on motion of Senator Liias, the Senate adjourned until 12:00 o'clock p.m. Monday, January 21, 2019.

CYRUS HABIB, President of the Senate

BRAD HENDRICKSON, Secretary of the Senate

EIGHTH DAY

NOON SESSION

Senate Chamber, Olympia
Monday, January 21, 2019

The Senate was called to order at 12:05 p.m. by the President Pro Tempore of the Senate, Senator Keiser presiding. No roll call was taken.

The Sergeant at Arms Color Guard consisting of Pages Miss Saraiah Charbonneau and Mr. Gabriel Hamilton, presented the Colors. Page Miss Lauren Nguyen led the chamber in the Pledge of Allegiance.

Reverend Dr. Gregory Christopher of Shiloh Baptist Church, Tacoma offered the prayer.

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

MOTION

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

MOTION

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

REPORTS OF STANDING COMMITTEES

January 17, 2019

SB 5030 Prime Sponsor, Senator Mullet: Concerning service contract providers. Reported by Committee on Financial Institutions, Economic Development & Trade

MAJORITY recommendation: That Substitute Senate Bill No. 5030 be substituted therefor, and the substitute bill do pass. Signed by Senators Mullet, Chair; Hasegawa, Vice Chair; Wilson, L., Ranking Member; Braun; Das and Hobbs.

Referred to Committee on Rules for second reading.

January 17, 2019

SB 5106 Prime Sponsor, Senator Das: Concerning the creation of a work group to study and make recommendations on natural disaster mitigation and resiliency activities. Reported by Committee on Financial Institutions, Economic Development & Trade

MAJORITY recommendation: That Substitute Senate Bill No. 5106 be substituted therefor, and the substitute bill do pass. Signed by Senators Mullet, Chair; Hasegawa, Vice Chair; Wilson, L., Ranking Member; Braun; Das and Hobbs.

Referred to Committee on Rules for second reading.

January 17, 2019

SGA 9017 RONALD P. ERICKSON, reappointed on December 14, 2015, for the term ending September 30, 2021, as Member of the Central Washington University Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown; Liias and Wellman.

Referred to Committee on Rules for second reading.

January 17, 2019

SGA 9045 BILL GORDON, reappointed on September 19, 2016, for the term ending September 30, 2021, as Member of the Columbia Basin College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown; Liias and Wellman.

Referred to Committee on Rules for second reading.

January 17, 2019

SGA 9046 JONATHAN M. LANE, reappointed on September 20, 2016, for the term ending September 30, 2021, as Member of the Big Bend Community College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown; Liias and Wellman.

Referred to Committee on Rules for second reading.

January 17, 2019

SGA 9069 PHYLLIS L. GLEASMAN, reappointed on January 24, 2017, for the term ending September 30, 2021, as Member of the Wenatchee Valley College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown; Liias and Wellman.

Referred to Committee on Rules for second reading.

January 17, 2019

SGA 9105 TAMRA L. JACKSON, reappointed on October 3, 2017, for the term ending September 30, 2022, as Member of the Wenatchee Valley College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown; Liias and Wellman.

Referred to Committee on Rules for second reading.

January 17, 2019

EIGHTH DAY, JANUARY 21, 2019

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SGA 9114 KEDRICH JACKSON, reappointed on October 19, 2017, for the term ending September 30, 2022, as Member of the Columbia Basin College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown; Liias and Wellman.

Referred to Committee on Rules for second reading.

January 17, 2019

SGA 9116 DONALD R. MCQUARY, reappointed on October 19, 2017, for the term ending September 30, 2021, as Member of the Walla Walla Community College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown; Liias and Wellman.

Referred to Committee on Rules for second reading.

MOTION

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

MOTION

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

INTRODUCTION AND FIRST READING

1976 by People of the State of Washington

Limiting state and local taxes, fees, and other charges relating to vehicles.

Referred to Committee on Transportation.

SB 5398 by Senators Keiser and King

AN ACT Relating to unemployment benefit eligibility for apprentices; amending RCW 50.20.010, 50.20.230, and 50.20.240; and creating a new section.

Referred to Committee on Labor & Commerce.

SB 5399 by Senators Pedersen, Walsh, Dhingra, Frockt, Kuderer, Salomon, Mullet, Palumbo, Holy and Wellman

AN ACT Relating to child relocation by a person with joint decision-making authority and equal residential time; amending RCW 26.09.430, 26.09.520, and 26.09.410; and adding a new section to chapter 26.09 RCW.

Referred to Committee on Law & Justice.

SB 5400 by Senators Conway, Bailey, Hunt, Zeiger, Wilson and C.

AN ACT Relating to providing a benefit increase to certain retirees of the public employees' retirement system plan 1

and the teachers' retirement system plan 1; amending RCW 41.40.1987 and 41.32.4992; providing an effective date; and declaring an emergency.

Referred to Committee on Ways & Means.

SB 5401 by Senators Keiser, Rivers and Carlyle

AN ACT Relating to health care provider and health care facility whistleblower protections; amending RCW 43.70.075; and adding a new section to chapter 7.71 RCW.

Referred to Committee on Health & Long Term Care.

SB 5402 by Senators Schoesler and Rolfes

AN ACT Relating to improving tax and licensing laws administered by the department of revenue, but not including changes to tax laws that are estimated to affect state or local tax collections as reflected in any fiscal note prepared and approved under the process established in chapter 43.88A RCW; amending RCW 19.02.085, 82.04.192, 82.04.4266, 82.04.4268, 82.04.4269, 82.04.4327, 82.04.4328, 82.08.0201, 82.08.0208, 82.08.025651, 82.08.02807, 82.08.155, 82.08.195, 82.08.806, 82.08.956, 82.08.9651, 82.12.0208, 82.12.02749, 82.12.930, 82.12.956, 82.12.9651, 82.14.049, 82.14.400, 82.14.457, 82.16.0497, 82.16.055, 82.23A.010, 82.24.010, 82.24.551, 82.26.121, 82.26.130, 82.26.190, 82.26.200, 82.29A.060, 82.29A.120, 82.32.062, 82.32.300, 82.32.780, 82.60.025, 82.60.063, 82.63.010, 82.74.010, 82.75.010, 82.82.010, 82.85.030, 82.85.080, 84.36.840, 84.37.040, 84.38.040, 84.38.050, 84.38.110, 84.39.020, 84.39.030, 84.56.150, 82.32.805, and 82.32.808; amending 2017 3rd sp.s. c 37 ss 501 and 504 (uncodified); reenacting and amending RCW 82.26.010; decodifying RCW 82.58.005, 82.58.901, and 82.58.902; repealing RCW 82.04.4322, 82.04.4324, 82.04.4326, 82.08.02081, 82.08.02082, 82.08.02087, 82.08.02088, 82.12.02081, 82.12.02082, 82.12.02084, 82.12.02085, 82.12.02086, 82.12.02087, 82.32.755, 82.32.760, 82.66.010, 82.66.020, 82.66.040, 82.66.050, 82.66.060, and 82.66.901; and providing an effective date.

Referred to Committee on Ways & Means.

SB 5403 by Senators Bailey, Darneille, Conway, Rivers, Keiser and Kuderer

AN ACT Relating to safe egress from adult family homes; and amending RCW 70.128.130.

Referred to Committee on Health & Long Term Care.

SB 5404 by Senators Rolfes, Honeyford, Van De Wege, McCoy and Salomon

AN ACT Relating to expanding the definition of fish habitat enhancement projects; and amending RCW 77.55.181 and 90.58.147.

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

SB 5405 by Senators Padden, Randall, Zeiger, Fortunato, Billig, Wilson, C. and Nguyen

AN ACT Relating to nondiscrimination in access to organ transplants; adding a new chapter to Title 68 RCW; and prescribing penalties.

Referred to Committee on Health & Long Term Care.

SB 5406 by Senator Warnick

AN ACT Relating to providing small winery tax relief; and reenacting amending RCW 66.24.210; and creating a new section.

Referred to Committee on Labor & Commerce.

SB 5407 by Senators Mullet, Conway and Braun

AN ACT Relating to providing that scan-down allowances on food and beverages intended for human and pet consumption are bona fide discounts for purposes of the business and occupation tax; adding a new section to chapter 82.04 RCW; and creating a new section.

Referred to Committee on Ways & Means.

SB 5408 by Senators Mullet, Das and Liias

AN ACT Relating to the creation of the insurance fraud surcharge account; amending RCW 48.02.190; providing an effective date; and declaring an emergency.

Referred to Committee on Financial Institutions, Economic Development & Trade.

SB 5409 by Senators Palumbo, Rivers and Liias

AN ACT Relating to the ability of business and nonprofit entities to obtain a marijuana license; and amending RCW 69.50.331.

Referred to Committee on Labor & Commerce.

SB 5410 by Senators Mullet, Rivers, Palumbo and Liias

AN ACT Relating to a systemwide credit policy regarding advanced placement, international baccalaureate, and Cambridge international exams; amending RCW 28B.10.051 and 28B.10.054; and adding a new section to chapter 28B.77 RCW.

Referred to Committee on Higher Education & Workforce Development.

SB 5411 by Senators Kuderer, Honeyford, Randall, King, Wagoner and Van De Wege

AN ACT Relating to physician assistants; amending RCW 18.71A.010, 18.71A.020, 18.71A.030, 18.71A.050, 18.71A.060, 18.71A.090, 7.68.030, 18.06.140, 18.57.003, 18.79.040, 18.79.060, 18.79.240, 18.79.270, 18.100.050, 18.120.020, 18.130.040, 18.130.410, 18.250.010, 28A.210.090, 43.70.110, 43.70.220, 43.70.442, 43.70.470, 46.19.010, 46.61.506, 46.61.508, 48.42.100, 48.43.094, 48.43.115, 51.04.030, 51.28.100, 69.41.030, 70.41.210, 70.54.400, 70.128.120, 70.185.090, 71.24.025, 71.32.020, 71.34.020, 74.09.010, 74.42.010, 74.42.230, and 82.04.050; reenacting and amending RCW 18.79.260, 18.89.020, 18.360.010, 69.41.010, 69.45.010, 69.50.101, 69.51A.010, 70.180.030, and 71.05.020; adding new sections to chapter 18.71A RCW; creating a new section; repealing RCW 18.57A.010, 18.57A.020, 18.57A.023, 18.57A.025, 18.57A.030, 18.57A.035, 18.57A.040, 18.57A.050, 18.57A.060, 18.57A.070, 18.57A.080, 18.57A.090, 18.57A.100, 18.57A.800, 18.06.180, 18.71A.035, and 18.71A.040; providing effective dates; and providing an expiration date.

Referred to Committee on Health & Long Term Care.

SB 5412 by Senators Saldaña, Carlyle, Palumbo, Das, Nguyen and McCoy

AN ACT Relating to reducing the greenhouse gas emissions associated with transportation fuels; amending RCW 46.17.365, 46.25.100, 46.20.202, 46.25.052, 46.25.060, and 70.94.431; adding new sections to chapter 70.94 RCW; creating a new section; prescribing penalties; and providing an expiration date.

Referred to Committee on Environment, Energy & Technology.

SB 5413 by Senators Keiser, King, Wellman, Holy, Das, Saldaña, Wilson and C.

AN ACT Relating to the pipeline for paraeducators conditional scholarship program; and amending RCW 28A.660.042 and 28A.660.050.

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

SB 5414 by Senator Hunt

AN ACT Relating to modifying the maximum amount of leave school employees may accumulate; and amending RCW 28A.400.300.

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

SB 5415 by Senators McCoy, Rivers, Cleveland and Saldaña

AN ACT Relating to creating a forum and a funding mechanism to improve the health of American Indians and Alaska Natives in the state; reenacting and amending RCW 43.79A.040; and adding a new chapter to Title 43 RCW.

Referred to Committee on Health & Long Term Care.

SB 5416 by Senators Conway, Walsh and Keiser

AN ACT Relating to gambling addiction; and amending RCW 9.46.071 and 42.56.230.

Referred to Committee on Labor & Commerce.

SB 5417 by Senators Padden and Hobbs

AN ACT Relating to authorizing military surplus vehicles to operate on public highways; amending RCW 46.04.123, 46.04.126, 46.18.220, and 46.37.010; adding a new section to chapter 46.04 RCW; adding a new section to chapter 46.12 RCW; creating a new section; prescribing penalties; and providing an effective date.

Referred to Committee on Transportation.

SB 5418 by Senators Takko, Zeiger and Liias

AN ACT Relating to local government procurement modernization and efficiency; amending RCW 39.04.155; and reenacting and amending RCW 36.32.235.

Referred to Committee on Local Government.

SB 5419 by Senators Hobbs, Warnick, Brown, Bailey, Rivers, Walsh, Keiser, Fortunato, Das, Wagoner, Honeyford, Wilson and L.

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AN ACT Relating to the adjustment of vehicle service fees; amending RCW 46.17.040; and creating a new section.

Referred to Committee on Environment, Energy & Technology.

Referred to Committee on Transportation.

SB 5420 by Senators King, Takko, Becker, Sheldon, Hawkins and Pedersen

SB 5427 by Senator Wellman

AN ACT Relating to dual credit programs; and amending RCW 28A.320.196 and 28A.600.290.

AN ACT Relating to the distribution of monetary penalties to local courts and state agencies paid for failure to comply with discover pass requirements; and amending RCW 7.84.100.

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

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

SB 5428 by Senators Wilson, L., Palumbo, Becker, Brown, Wagoner and Warnick

AN ACT Relating to veterans' mental health services at institutions of higher education; and adding a new section to chapter 28B.10 RCW.

SB 5421 by Senators Kuderer, Short, Rivers and Keiser

AN ACT Relating to expanding access to pharmacy services; adding new sections to chapter 48.43 RCW; prescribing penalties; and providing an effective date.

Referred to Committee on Higher Education & Workforce Development.

Referred to Committee on Health & Long Term Care.

SB 5429 by Senators Nguyen, Das, Saldaña, Hasegawa, Salomon, Darneille, Wilson, C., Zeiger and Randall

AN ACT Relating to including referred and diverted youth in establishing community juvenile accountability program guidelines; amending RCW 13.40.510; adding a new section to chapter 13.40 RCW; creating a new section; and providing an expiration date.

SB 5422 by Senators Kuderer, Short, Rivers and Keiser

AN ACT Relating to pharmacy benefit manager regulation; amending RCW 19.340.010; adding new sections to chapter 19.340 RCW; and prescribing penalties.

Referred to Committee on Human Services, Reentry & Rehabilitation.

Referred to Committee on Health & Long Term Care.

SB 5423 by Senators Palumbo, Warnick, Hobbs, Takko, Schoesler, Sheldon, King, Brown, Short, Wilson, L., Wagoner, Wellman, Honeyford and Van De Wege

AN ACT Relating to creating the Washington rural development and opportunity zone act; amending RCW 82.04.260; adding a new section to chapter 48.14 RCW; adding a new section to chapter 82.04 RCW; adding a new chapter to Title 43 RCW; creating a new section; and providing an expiration date.

SB 5430 by Senators Conway, Hunt and Darneille

AN ACT Relating to allowing retirees who retired under alternate early retirement factors enacted in chapter 491, Laws of 2007, to use postretirement options prior to reaching age sixty-five; amending RCW 41.40.630, 41.40.820, 41.32.765, 41.32.875, 41.35.420, 41.35.680, and 28A.300.615; and repealing RCW 41.32.068.

Referred to Committee on Ways & Means.

Referred to Committee on Financial Institutions, Economic Development & Trade.

SB 5431 by Senators Frockt, Rivers, O'Ban, Dhingra, Darneille, Cleveland, Keiser, Wagoner, Das, Van De Wege, Zeiger and Conway

AN ACT Relating to community facilities needed to ensure a continuum of care for behavioral health patients; amending RCW 71.24.025, 70.38.111, and 70.38.260; reenacting and amending RCW 74.39A.030; adding new sections to chapter 71.24 RCW; creating new sections; and providing an expiration date.

SB 5424 by Senators Palumbo and Liias

AN ACT Relating to establishing minimum density standards around regional transit; adding a new section to chapter 81.112 RCW; and adding a new section to chapter 36.70A RCW.

Referred to Committee on Health & Long Term Care.

Referred to Committee on Local Government.

SB 5425 by Senators Cleveland, Keiser and Becker

AN ACT Relating to maternal mortality reviews; amending RCW 70.54.450, 70.02.230, and 68.50.104; and repealing 2016 c 238 s 4 (uncodified).

SB 5432 by Senators Dhingra, Rivers, Cleveland, Darneille, O'Ban, Keiser, Conway and Das

AN ACT Relating to fully implementing behavioral health integration for January 1, 2020, by removing behavioral health organizations from law; clarifying the roles and responsibilities among the health care authority, department of social and health services, and department of health, and the roles and responsibilities of behavioral health administrative services organizations and medicaid managed care organizations; and making technical corrections related to the behavioral health system; amending RCW 71.24.011, 71.24.015, 71.24.016, 71.24.025, 71.24.030, 71.24.035, 71.24.037, 71.24.100, 71.24.155, 71.24.160, 71.24.215,

Referred to Committee on Health & Long Term Care.

SB 5426 by Senators Mullet, Palumbo, Rivers and Nguyen

AN ACT Relating to reducing greenhouse gas emissions from hydrofluorocarbons; amending RCW 70.235.010, 70.94.430, 70.94.431, and 70.94.015; adding a new section to chapter 70.235 RCW; adding a new section to chapter 19.27 RCW; adding a new section to chapter 39.26 RCW; creating new sections; and prescribing penalties.

71.24.220, 71.24.240, 71.24.250, 71.24.260, 71.24.300, 71.24.335, 71.24.350, 71.24.370, 71.24.380, 71.24.405, 71.24.420, 71.24.430, 71.24.450, 71.24.455, 71.24.460, 71.24.470, 71.24.480, 71.24.490, 71.24.500, 71.24.520, 71.24.535, 71.24.540, 71.24.545, 71.24.555, 71.24.565, 71.24.600, 71.24.625, 71.24.630, 71.24.845, 71.24.870, 71.34.020, 71.34.300, 71.34.330, 71.34.379, 71.34.385, 71.34.415, 71.34.670, 71.34.750, 71.36.010, 71.36.025, 71.36.040, 71.05.025, 71.05.026, 71.05.027, 71.05.110, 71.05.203, 71.05.300, 71.05.365, 71.05.445, 71.05.458, 71.05.730, 71.05.740, 71.05.750, 71.05.755, 71.05.760, 74.09.337, 74.09.495, 74.09.515, 74.09.522, 74.09.555, 74.09.871, 9.41.280, 9.94A.660, 9.94A.664, 10.31.110, 10.77.010, 10.77.065, 13.40.165, 36.28A.440, 41.05.690, 43.20A.895, 43.20C.030, 43.185.060, 43.185.070, 43.185.110, 43.185C.340, 43.380.050, 48.01.220, 66.08.180, 70.02.010, 70.02.230, 70.02.250, 70.97.010, 70.320.010, 72.09.350, 72.09.370, 72.09.381, 72.10.060, 72.23.025, 74.09.758, 74.34.020, and 74.34.068; reenacting and amending RCW 71.24.045, 71.24.061, 71.24.385, 71.24.580, 71.34.750, and 71.05.020; adding new sections to chapter 71.24 RCW; recodifying RCW 43.20A.895; decodifying RCW 28A.310.202, 44.28.800, 71.24.049, 71.24.320, 71.24.330, 71.24.360, 71.24.382, 71.24.515, 71.24.620, 71.24.805, 71.24.810, 71.24.840, 71.24.860, 71.24.902, 72.78.020, and 74.09.872; repealing RCW 71.24.110, 71.24.310, 71.24.340, 71.24.582, 74.09.492, 74.09.521, 74.09.873, 74.50.010, 74.50.011, 74.50.035, 74.50.040, 74.50.050, 74.50.055, 74.50.060, 74.50.070, 74.50.080, and 74.50.900; providing effective dates; providing an expiration date; and declaring an emergency.

Referred to Committee on Health & Long Term Care.

SB 5433 by Senators Wilson, C., Nguyen and Das
AN ACT Relating to providing postsecondary education opportunities to enhance public safety; amending RCW 28B.50.815, 72.09.460, and 72.09.465; amending 2017 c 120 s 1 (uncodified); creating a new section; and providing an expiration date.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SB 5434 by Senators Wilson and C.
AN ACT Relating to restricting possession of weapons in certain locations; reenacting and amending RCW 9.41.300; adding a new section to chapter 9.41 RCW; adding new sections to chapter 43.216 RCW; and prescribing penalties.

Referred to Committee on Law & Justice.

SB 5435 by Senators Wilson and C.
AN ACT Relating to expanding membership of the department of children, youth, and families oversight board to include two youth under the age of twenty-five; and reenacting and amending RCW 43.216.015.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SB 5436 by Senators Wilson and C.
AN ACT Relating to establishing the Washington child care access now act; adding a new section to chapter 43.216 RCW; creating new sections; and providing an expiration date.

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

SB 5437 by Senators Wilson, C., Palumbo, Wellman, Hunt, Saldaña, Nguyen, Randall, Das, Billig and Mullet
AN ACT Relating to expanding eligibility to the early childhood education and assistance program; amending RCW 43.216.512, 43.216.525, 43.216.535, 43.216.540, and 43.216.550; adding a new section to chapter 43.216 RCW; creating a new section; providing an expiration date; and declaring an emergency.

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

SB 5438 by Senators McCoy, Saldaña, Conway, Van De Wege, Keiser, Rolfes and Wellman
AN ACT Relating to the H-2A temporary agricultural program; adding a new chapter to Title 50 RCW; and providing an effective date.

Referred to Committee on Labor & Commerce.

SB 5439 by Senators Keiser, King, Kuderer, Conway, McCoy, Saldaña and Wellman
AN ACT Relating to confidentiality of employment security department records and data; amending RCW 50.13.020, 50.13.030, 50.13.040, 50.13.060, 50.13.070, 50.13.080, and 50.13.100; adding new sections to chapter 50.13 RCW; and prescribing penalties.

Referred to Committee on Labor & Commerce.

SB 5440 by Senators Palumbo, Nguyen, Liias and Saldaña
AN ACT Relating to the housing element of comprehensive plans required under the growth management act; amending RCW 36.70A.030; and reenacting and amending RCW 36.70A.070.

Referred to Committee on Local Government.

SB 5441 by Senators Nguyen, Wilson, C., Darneille, Cleveland, Salomon and Randall
AN ACT Relating to rental vouchers to eligible offenders; and amending RCW 9.94A.729.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SB 5442 by Senator Takko
AN ACT Relating to the administration of marijuana to students for medical purposes; amending RCW 69.51A.060; adding a new section to chapter 28A.210 RCW; adding a new section to chapter 69.51A RCW; and adding a new section to chapter 28A.300 RCW.

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

SB 5443 by Senators Van De Wege and Zeiger
AN ACT Relating to the state board of registration for professional engineers and land surveyors; amending RCW 18.43.020, 18.43.050, 18.43.060, 18.43.070, 18.43.080, 18.43.100, 18.43.110, 18.43.130, 18.43.150, 18.210.010,

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18.210.050, 18.210.120, 18.210.140, 18.43.035, 70.118.120, 18.235.010, and 18.210.200; and creating a new section.

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

SB 5444 by Senators Dhingra, O'Ban, Darneille, Wagoner and Frockt

AN ACT Relating to providing timely competency evaluations and restoration services to persons suffering from behavioral health disorders within the framework of the forensic mental health care system consistent with the requirements agreed to in the Trueblood settlement agreement; amending RCW 10.31.110, 10.77.086, and 10.77.088; adding a new section to chapter 10.77 RCW; and creating a new section.

Referred to Committee on Health & Long Term Care.

SB 5445 by Senators Cleveland and Rivers

AN ACT Relating to the temporary sale of liquor at special events; and adding new sections to chapter 66.24 RCW.

Referred to Committee on Labor & Commerce.

SB 5446 by Senators Mullet, Rivers, Cleveland, Becker, Keiser and Bailey

AN ACT Relating to electronic prescriptions; and adding a new section to chapter 69.50 RCW.

Referred to Committee on Health & Long Term Care.

SB 5447 by Senators Van De Wege and Warnick

AN ACT Relating to extending the dairy milk assessment fee to June 30, 2025; amending RCW 15.36.551; and providing an expiration date.

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

SB 5448 by Senators Wellman, Hunt, Zeiger, Padden and McCoy

AN ACT Relating to career and technical education in alternative learning experience programs; and amending RCW 28A.232.020.

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

SB 5449 by Senators Keiser, King, Lias, Wellman and Saldaña

AN ACT Relating to paid family and medical leave; amending RCW 50A.04.010, 50A.04.015, 50A.04.020, 50A.04.025, 50A.04.030, 50A.04.035, 50A.04.040, 50A.04.045, 50A.04.055, 50A.04.060, 50A.04.065, 50A.04.070, 50A.04.075, 50A.04.080, 50A.04.085, 50A.04.090, 50A.04.095, 50A.04.100, 50A.04.105, 50A.04.110, 50A.04.115, 50A.04.120, 50A.04.125, 50A.04.145, 50A.04.160, 50A.04.165, 50A.04.170, 50A.04.175, 50A.04.185, 50A.04.195, 50A.04.200, 50A.04.205, 50A.04.215, 50A.04.220, 50A.04.225, 50A.04.230, 50A.04.235, 50A.04.240, 50A.04.245, 50A.04.250, 50A.04.255, 50A.04.260, 50A.04.265, 50A.04.505, 50A.04.510, 50A.04.520, 50A.04.525, 50A.04.540, 50A.04.550, 50A.04.555, 50A.04.560, 50A.04.565, 50A.04.580, 50A.04.590, 50A.04.595,

50A.04.600, 50A.04.610, 50A.04.615, 50A.04.625, 50A.04.645, 50A.04.650, 50A.04.655, 50A.04.660, 50A.04.900, 50.29.021, 43.20A.080, and 42.56.410; reenacting and amending RCW 26.23.060; adding new chapters to Title 50A RCW; recodifying RCW 50A.04.005, 50A.04.010, 50A.04.195, 50A.04.200, 50A.04.205, 50A.04.210, 50A.04.215, 50A.04.220, 50A.04.225, 50A.04.235, 50A.04.255, 50A.04.265, 50A.04.900, 50A.04.105, 50A.04.110, 50A.04.115, 50A.04.120, 50A.04.125, 50A.04.015, 50A.04.020, 50A.04.030, 50A.04.035, 50A.04.040, 50A.04.045, 50A.04.050, 50A.04.055, 50A.04.060, 50A.04.065, 50A.04.240, 50A.04.250, 50A.04.230, 50A.04.600, 50A.04.605, 50A.04.610, 50A.04.615, 50A.04.620, 50A.04.625, 50A.04.630, 50A.04.635, 50A.04.640, 50A.04.645, 50A.04.650, 50A.04.655, 50A.04.660, 50A.04.665, 50A.04.025, 50A.04.245, 50A.04.260, 50A.04.085, 50A.04.095, 50A.04.100, 50A.04.090, 50A.04.130, 50A.04.135, 50A.04.140, 50A.04.145, 50A.04.150, 50A.04.155, 50A.04.160, 50A.04.165, 50A.04.170, 50A.04.175, 50A.04.180, 50A.04.185, 50A.04.190, 50A.04.500, 50A.04.505, 50A.04.510, 50A.04.515, 50A.04.520, 50A.04.525, 50A.04.530, 50A.04.535, 50A.04.540, 50A.04.545, 50A.04.550, 50A.04.555, 50A.04.560, 50A.04.565, 50A.04.570, 50A.04.575, 50A.04.580, 50A.04.585, 50A.04.590, 50A.04.595, 50A.04.070, 50A.04.075, and 50A.04.080; and prescribing penalties.

Referred to Committee on Labor & Commerce.

SB 5450 by Senators Rivers, Wilson and L.

AN ACT Relating to superior court judges; amending RCW 2.08.062 and 2.08.065; and creating new sections.

Referred to Committee on Law & Justice.

SB 5451 by Senator King

AN ACT Relating to the definition of hydraulic project in relation to the hydraulic project approval permits; and reenacting and amending RCW 77.55.011.

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

SB 5452 by Senators King and Cleveland

AN ACT Relating to modifying dates related to the application due date for health sciences and services authorities and their sales and use tax authority; and amending RCW 82.14.480 and 35.104.040.

Referred to Committee on Ways & Means.

SB 5453 by Senators Takko and Short

AN ACT Relating to the administration of irrigation districts; and amending RCW 87.03.082 and 87.03.435.

Referred to Committee on Local Government.

SB 5454 by Senators Keiser, Bailey and Van De Wege

AN ACT Relating to clarifying the definition of a geriatric behavioral health worker for individuals with a bachelor's or master's degree in social work, behavioral health, or other related areas; and amending RCW 74.42.010 and 74.42.360.

Referred to Committee on Health & Long Term Care.

SB 5455 by Senators Takko, Warnick, McCoy, Honeyford and Van De Wege

AN ACT Relating to exempting United States food and drug administration nonpublic information from disclosure under the state public disclosure act; reenacting and amending RCW 42.56.380; adding a new section to chapter 15.130 RCW; and creating a new section.

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

SB 5456 by Senator Keiser

AN ACT Relating to requiring the use of American or recycled steel products on certain public works; and adding a new section to chapter 39.04 RCW.

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

SB 5457 by Senators Keiser and Saldaña

AN ACT Relating to the naming of subcontractors by prime contract bidders on public works contracts; and amending RCW 39.30.060.

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

SB 5458 by Senators Hobbs, Wagoner, Salomon, Bailey, McCoy and Palumbo

AN ACT Relating to expanding access to building trades apprenticeships; adding a new section to chapter 49.04 RCW; and creating a new section.

Referred to Committee on Labor & Commerce.

SB 5459 by Senators Cleveland and Frockt

AN ACT Relating to nonresident pharmacies; and amending RCW 18.64.360.

Referred to Committee on Health & Long Term Care.

SB 5460 by Senators Cleveland, Bailey, Keiser, Conway, O'Ban and Liias

AN ACT Relating to the multistate nurse licensure compact; adding a new section to chapter 18.79 RCW; and adding a new chapter to Title 18 RCW.

Referred to Committee on Health & Long Term Care.

SB 5461 by Senators Cleveland and Darneille

AN ACT Relating to the sharing of information between participants in multidisciplinary coordination of child sexual abuse investigations; amending RCW 26.44.180; and adding a new section to chapter 26.44 RCW.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SJR 8203 by Senators Cleveland and Hunt

Amending the state Constitution to modify legislative session days.

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

SUPPLEMENTAL INTRODUCTION AND FIRST READING

SCR 8402 by Senators Liias and Short

Convening a joint session for the purpose of receiving an address from Premier John Horgan of British Columbia.

Placed on Second Reading Calendar.

MOTION

On motion of Senator Liias, all measures listed on the Introduction and First Reading report were referred to the committees as designated with the exception of Senate Bill No. 5443 which had been designated to the Committee on Labor & Commerce and was referred to the Committee on State Government, Tribal Relations & Elections.

MOTION

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

SECOND READING

SENATE CONCURRENT RESOLUTION NO. 8402, by Senators Liias and Short

Convening a joint session for the purpose of receiving an address from Premier John Horgan of British Columbia.

The measure was read the second time.

MOTION

On motion of Senator Liias, the rules were suspended, Senate Concurrent Resolution No. 8402 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

The President Pro Tempore declared the question before the Senate to be the final passage of Senate Concurrent Resolution No. 8402.

SENATE CONCURRENT RESOLUTION NO. 8402 having received a majority was adopted by voice vote.

MOTION

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

MOTION

Senator Saldaña moved adoption of the following resolution:

SENATE RESOLUTION 8603

By Senators Saldaña, Darneille, Randall, Dhingra, McCoy, Billig, Frockt, Das, Nguyen, Wagoner, Palumbo, Hobbs, Hawkins, Sheldon, Walsh, Brown, and Wilson, L.

WHEREAS, Today, the third Monday in January, we remember and honor the life and legacy of Dr. Martin Luther

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King Jr., who became a beacon of hope for actualizing racial equality in our nation; and

WHEREAS, 2019 marks the fifty-first anniversary of Dr. King's untimely death; and

WHEREAS, Dr. King used his gift of oration to awaken America to the struggles of disenfranchised communities, particularly African-Americans, through nonviolent means; and

WHEREAS, Dr. Martin Luther King Jr. encouraged others through his dedication to achieving equality. Dr. King once said, "Life's most persistent and urgent question is: What are you doing for others?"; and

WHEREAS, Dr. King's unwavering support for the principles of racial justice and social equality helped transform America; and

WHEREAS, Dr. King's steadfast pursuit of fairness encouraged others, as exemplified in his famous "Letter from Birmingham Jail," in which he said, "Injustice anywhere is a threat to justice everywhere."; and

WHEREAS, Dr. King believed that a person's worth should be measured not by his or her color, culture, or class but rather by his or her commitment to making life better for all through service rendered to each other;

NOW, THEREFORE, BE IT RESOLVED, That the Senate, in recognition of the courageous leadership and legacy of hope demonstrated by Dr. Martin Luther King Jr., honor his memory by urging all citizens of our state to continue the legacy of Dr. King by condemning racism in all its forms and advancing a more perfect union where all people experience fair treatment under our laws.

Senators Saldaña, Wellman and O'Ban spoke in favor of adoption of the resolution.

Senator Becker spoke on adoption of the resolution.

The President Pro Tempore declared the question before the Senate to be the adoption of Senate Resolution No. 8603.

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

INTRODUCTION OF SPECIAL GUESTS

The President Pro Tempore welcomed and introduced Ms. Tiffany Perry who performed "*Lift Ev'ry Voice And Sing*."

MOTION

Senator Liias moved adoption of the following resolution:

SENATE RESOLUTION
8604

By Senator Liias, Bailey, Becker, Brown, Carlyle, Cleveland, Conway, Das, Dhingra, Frockt, Hasegawa, Hunt, Keiser, McCoy, Mullet, Pedersen, Sheldon, Van De Wege, Wellman, Darneille, O'Ban, and Palumbo

WHEREAS, Paul Allen, a Seattleite and Washingtonian through and through, lived a life dedicated to the great state of Washington and its residents, whom he loved and appreciated dearly; and

WHEREAS, In 1975 he founded Microsoft with his dear friend Bill Gates, whom he met while at Lakeside School; and

WHEREAS, He established the Paul G. Allen Family Foundation, alongside his sister Jody Allen, dedicated to bettering people's lives through: Tackling climate change; giving children

access to immersive art experiences, and promoting strong education practices; addressing the issues of vulnerable populations; and promoting technological-based change around the world; and

WHEREAS, He saved the Seattle Seahawks in 1997 by purchasing the team in order to prevent our beloved Hawks from relocating to California, and under his leadership, the Hawks made back-to-back Super Bowl appearances; and

WHEREAS, He also saved the iconic Seattle Cinerama from being demolished by purchasing the theater and restoring it; and

WHEREAS, He founded yet another Seattle mainstay, the Experience Music Project – later renamed the Museum of Pop Culture – in order to inspire people through art and popular culture; and

WHEREAS, Paul Allen supported and contributed to the University of Washington in order to build the Paul G. Allen Center for Computer Science and Engineering; and

WHEREAS, Then, less than two decades later, he made yet another major contribution to the University of Washington to dramatically expand the University's computer science programs, inspiring the University to name the college of computer science and engineering after him; and

WHEREAS, He then launched the Allen Institute of Brain Science, using a singular approach to uncover the brain's mysteries and share valuable resources with the global community of neuroscientists; and

WHEREAS, Again showing his undying support of Seattle-based sports, he became an owner of the Seattle Sounders; and

WHEREAS, In 2014 he joined the global philanthropic fight against the Ebola outbreak in West Africa, showing that his need to help people knew no bounds; and

WHEREAS, He founded the Seattle Art Fair to show off the beauty of the Pacific Northwest by bringing all forms of art from all over the world to his beloved city; and

WHEREAS, He also was the founder of the Upstream Music Fest + Summit to celebrate music and to support local up and coming artists;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate recognize Paul Allen and all of the accomplishments that he achieved during his life. He was a true philanthropist who cared deeply about education, arts, and people and showed that "as long as we work together – with both urgency and determination – there are no limits to what we can achieve."

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the Senate to Paul Allen's sister, Jody Allen, and to the Allen family.

Senators Liias, Sheldon, Wellman, Carlyle and Hunt spoke in favor of adoption of the resolution.

The President Pro Tempore declared the question before the Senate to be the adoption of Senate Resolution No. 8604.

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

MOTION

At 12:42 p.m., on motion of Senator Liias, the Senate adjourned until 12:00 o'clock p.m. Tuesday, January 22, 2019.

KAREN KEISER, President Pro Tempore of the Senate

BRAD HENDRICKSON, Secretary of the Senate

NINTH DAY

NOON SESSION

Senate Chamber, Olympia
Tuesday, January 22, 2019

The Senate was called to order at 12:01 p.m. by the President Pro Tempore, Senator Keiser presiding. No roll call was taken. The President called upon the Secretary to read the journal of the preceding day.

MOTION

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

MOTION

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

REPORTS OF STANDING COMMITTEES

January 21, 2019

SB 5000 Prime Sponsor, Senator Palumbo: Concerning online access to health care resources for veterinarians and veterinary technicians. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: Do pass. Signed by Senators Cleveland, Chair; Randall, Vice Chair; O'Ban, Ranking Member; Bailey; Becker; Conway; Dhingra; Frockt; Keiser and Van De Wege.

Referred to Committee on Rules for second reading.

January 21, 2019

SB 5032 Prime Sponsor, Senator Cleveland: Concerning medicare supplemental insurance policies. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: Do pass. Signed by Senators Cleveland, Chair; Randall, Vice Chair; O'Ban, Ranking Member; Bailey; Becker; Conway; Dhingra; Frockt; Keiser and Van De Wege.

Referred to Committee on Rules for second reading.

January 21, 2019

SB 5147 Prime Sponsor, Senator Wilson, L.: Providing tax relief to females by exempting feminine hygiene products from retail sales and use tax. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Cleveland, Chair; Randall, Vice Chair; O'Ban, Ranking Member; Becker; Conway; Dhingra; Frockt; Keiser and Van De Wege.

Referred to Committee on Ways & Means.

February 26, 2019

SB 5160 Prime Sponsor, Senator Dhingra: Concerning property tax exemptions for service-connected disabled veterans and senior citizens. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5160 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Honeyford, Assistant Ranking Member, Capital; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Van De Wege; Wagoner and Warnick.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Schoesler.

MINORITY recommendation: Do not pass. Signed by Senators Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Bailey; Becker; Rivers and Wilson, L.

Referred to Committee on Ways & Means.

January 21, 2019

SB 5206 Prime Sponsor, Senator Dhingra: Providing a sales and use tax exemption for certain feminine hygiene products. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Cleveland, Chair; Randall, Vice Chair; O'Ban, Ranking Member; Becker; Conway; Dhingra; Frockt; Keiser and Van De Wege.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Bailey.

Referred to Committee on Ways & Means.

January 21, 2019

SB 5301 Prime Sponsor, Senator Rivers: Providing a sales and use tax exemption for diapers. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Cleveland, Chair; Randall, Vice Chair; O'Ban, Ranking Member; Bailey; Becker; Conway; Dhingra; Frockt; Keiser and Van De Wege.

Referred to Committee on Ways & Means.

MOTION

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

SUBCOMMITTEE ON BEHAVIORAL HEALTH
REFERRALS

Pursuant to Senate Rule 45(13) and without objection, notice was received from the Committee on Health & Long Term Care that the following measures had been re-referred to the Subcommittee on Behavioral Health:

Senate Bill No. 5048,

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Senate Bill No. 5431,
Senate Bill No. 5432,
and Senate Bill No. 5444.

Referred to Committee on Higher Education & Workforce
Development as Senate Gubernatorial Appointment No. 9269.

MOTION

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

MESSAGE FROM THE GOVERNOR
GUBERNATORIAL APPOINTMENTS

January 9, 2019

TO THE HONORABLE, THE SENATE OF THE STATE OF
WASHINGTON

Ladies and Gentlemen:

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

RUSSELL LEHMAN, appointed January 9, 2019, for the
term ending December 31, 2021, as Member of the Public
Disclosure Commission.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on State Government, Tribal
Relations & Elections as Senate Gubernatorial Appointment No.
9266.

January 9, 2019

TO THE HONORABLE, THE SENATE OF THE STATE OF
WASHINGTON

Ladies and Gentlemen:

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

ROBERT J. LOPEZ, reappointed January 18, 2019, for the
term ending January 17, 2025, as Member of the Horse Racing
Commission.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Labor & Commerce as Senate
Gubernatorial Appointment No. 9267.

January 9, 2019

TO THE HONORABLE, THE SENATE OF THE STATE OF
WASHINGTON

Ladies and Gentlemen:

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

GREG B. MARKLEY, reappointed January 1, 2019, for the
term ending December 31, 2021, as Member of the State
Investment Board.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Ways & Means as Senate
Gubernatorial Appointment No. 9268.

January 9, 2019

TO THE HONORABLE, THE SENATE OF THE STATE OF
WASHINGTON

Ladies and Gentlemen:

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

CHELSEA MASON, appointed January 9, 2019, for the term
ending April 3, 2022, as Member of the State Board for
Community and Technical Colleges.

Sincerely,
JAY INSLEE, Governor

January 11, 2019
TO THE HONORABLE, THE SENATE OF THE STATE OF
WASHINGTON

Ladies and Gentlemen:

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

LIBBY MACPHEE, appointed January 11, 2019, for the term
ending September 30, 2024, as Member of the University of
Washington Board of Regents.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce
Development as Senate Gubernatorial Appointment No. 9270.

January 17, 2019

TO THE HONORABLE, THE SENATE OF THE STATE OF
WASHINGTON

Ladies and Gentlemen:

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

CHERYL ANGELETTI-HARRIS, appointed January 16,
2019, for the term ending September 25, 2021, as Member of the
Clemency and Pardons Board.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Human Services, Reentry &
Rehabilitation as Senate Gubernatorial Appointment No. 9271.

January 17, 2019

TO THE HONORABLE, THE SENATE OF THE STATE OF
WASHINGTON

Ladies and Gentlemen:

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

CHRIS G. ENDRESEN SCOTT, appointed January 16,
2019, for the term ending July 15, 2022, as Member of the Salmon
Recovery Funding Board.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Agriculture, Water, Natural
Resources & Parks as Senate Gubernatorial Appointment No.
9272.

MOTION

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

MOTION

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

INTRODUCTION AND FIRST READING

SB 5462 by Senators Takko, Zeiger, Das and Padden

AN ACT Relating to requiring additional criteria to be met
for the department of licensing to suspend a driver's license;
amending RCW 46.20.289, 46.20.291, 46.20.342, and
46.63.110; and providing an effective date.

Referred to Committee on Law & Justice.

SB 5463 by Senators Warnick, Takko and Fortunato
AN ACT Relating to notice for active duty military owners of impounded vehicles; and amending RCW 46.55.110 and 46.55.130.

Referred to Committee on Transportation.

SB 5464 by Senators Frockt, Das, Darneille, Takko and Palumbo
AN ACT Relating to opioid overdose medication at schools with grades seven through twelve and higher education institutions; amending RCW 28A.210.260 and 28A.210.270; adding new sections to chapter 28A.210 RCW; adding a new section to chapter 28B.10 RCW; and creating a new section.

Referred to Committee on Health & Long Term Care.

SB 5465 by Senators Wellman and Pedersen
AN ACT Relating to basic education funding; amending RCW 28A.150.260, 28A.505.040, 28A.505.080, and 28A.150.415; adding a new section to chapter 28A.505 RCW; and adding a new section to chapter 28A.150 RCW.

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

SB 5466 by Senator Wellman
AN ACT Relating to school district levies; amending RCW 84.52.0531 and 28A.500.015; and providing an effective date.

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

SB 5467 by Senators Liias, Short, Takko, Padden, Sheldon, Hobbs, Warnick, Wellman and Van De Wege
AN ACT Relating to extending the tax preferences in RCW 82.04.260(12); amending RCW 82.04.260; creating a new section; and providing an effective date.

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

SB 5468 by Senators Van De Wege, McCoy and Warnick
AN ACT Relating to device registration, civil penalties, and service agent registration for the weights and measures program; amending RCW 19.94.010, 19.94.160, 19.94.175, 19.94.205, 19.94.216, 19.94.258, 19.94.2582, 19.94.2584, 19.94.325, 19.94.340, 19.94.350, 19.94.410, 19.94.430, 19.94.490, 19.94.500, 19.94.510, 19.94.515, and 19.94.517; adding a new section to chapter 19.94 RCW; repealing RCW 19.94.165 and 19.94.195; prescribing penalties; providing an effective date; and declaring an emergency.

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

SB 5469 by Senator Hunt
AN ACT Relating to premium reduction for medicare-eligible retiree participants in the public employees' benefits board program; and amending RCW 41.05.085.

Referred to Committee on Ways & Means.

SB 5470 by Senators Kuderer, Zeiger, Darneille, Warnick, Wilson and C.

AN ACT Relating to services provided by the office of homeless youth prevention and protection programs; and amending RCW 13.32A.160, 43.185C.010, 43.185C.315, 43.330.700, 43.330.705, and 43.330.710.

Referred to Committee on Housing Stability & Affordability.

SB 5471 by Senators King and Keiser
AN ACT Relating to extending the validity of temporary elevator licenses, expanding membership of the elevator safety advisory committee, allowing homeowners to remove certain conveyances from their residences, and eliminating duplicate paperwork; and amending RCW 70.87.080, 70.87.220, 70.87.250, and 70.87.270.

Referred to Committee on Labor & Commerce.

SB 5472 by Senators Saldaña and Walsh
AN ACT Relating to reporting requirements for common carriers who transport liquor into the state; adding a new section to chapter 66.28 RCW; and creating a new section.

Referred to Committee on Labor & Commerce.

SB 5473 by Senator Saldaña
AN ACT Relating to making unemployment benefits accessible to persons with family responsibilities and other availability issues and making clarifying changes; amending RCW 50.20.010, 50.20.080, 50.20.100, 50.20.240, and 50.29.021; reenacting and amending RCW 50.20.050; adding new sections to chapter 50.04 RCW; adding a new section to chapter 50.20 RCW; creating new sections; repealing RCW 50.20.119 and 50.29.020; and providing an effective date.

Referred to Committee on Labor & Commerce.

SB 5474 by Senator Keiser
AN ACT Relating to allowing self-insurers to accept certain industrial insurance claims, permitting self-insurers to send duplicates of certain orders made by the department of labor and industries, and establishing a work group to consider whether current penalties on self-insurers are sufficient; amending RCW 51.14.130 and 51.52.050; creating a new section; and providing an expiration date.

Referred to Committee on Labor & Commerce.

SB 5475 by Senators Zeiger, Saldaña, Hasegawa, Frockt and Palumbo
AN ACT Relating to credit retrieval programs under the migrant education program; and adding a new section to chapter 28A.320 RCW.

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

SB 5476 by Senators Kuderer, Warnick, Takko, Liias, Hobbs and Honeyford
AN ACT Relating to protection of composting from nuisance lawsuits; amending RCW 7.48.305; and creating a new section.

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

SB 5477 by Senators Dhingra, Hasegawa and Kuderer
AN ACT Relating to requiring institutions of higher education to waive application fees for low-income students; and adding a new section to chapter 28B.15 RCW.

Referred to Committee on Higher Education & Workforce Development.

SB 5478 by Senators Liias and Keiser
AN ACT Relating to restraints, including noncompetition covenants, on persons engaging in lawful professions, trades, or businesses; adding a new chapter to Title 49 RCW; and providing an effective date.

Referred to Committee on Labor & Commerce.

SB 5479 by Senators Mullet, Wilson and L.
AN ACT Relating to the Washington state credit union act; and amending RCW 31.12.185, 31.12.195, 31.12.335, 31.12.382, 31.12.404, and 31.12.436.

Referred to Committee on Financial Institutions, Economic Development & Trade.

SB 5480 by Senators Brown, Conway, Honeyford and Takko
AN ACT Relating to the renewal of real estate appraiser certificates, licenses, and registrations; and amending RCW 18.140.130, 18.140.060, 18.140.160, and 18.140.280.

Referred to Committee on Labor & Commerce.

SB 5481 by Senators Warnick and Sheldon
AN ACT Relating to establishing a coalition of commissioned officers, detectives, and sergeants of the department of fish and wildlife for the purposes of collective bargaining, including interest arbitration; amending RCW 41.56.030; and adding new sections to chapter 41.56 RCW.

Referred to Committee on Labor & Commerce.

SB 5482 by Senator Randall
AN ACT Relating to funding the medical marijuana authorization database; amending RCW 43.70.320 and 69.51A.230; reenacting and amending RCW 69.50.540; providing an effective date; and declaring an emergency.

Referred to Committee on Ways & Means.

SB 5483 by Senators Braun and Keiser
AN ACT Relating to improving services for individuals with developmental disabilities; adding a new section to chapter 71A.12 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Health & Long Term Care.

SB 5484 by Senators Wilson and C.
AN ACT Relating to implementing improvements to the early achievers program as reviewed and recommended by

the joint select committee on the early achievers program; amending RCW 43.216.085, 43.216.515, 43.216.135, 43.216.087, 43.216.655, 43.216.089, and 43.216.100; adding a new section to chapter 43.216 RCW; creating new sections; and providing expiration dates.

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

SJM 8007 by Senators Rivers, Brown, O'Ban, Fortunato, Takko, Wagoner, Warnick, Bailey, Honeyford, Zeiger, Sheldon and Palumbo

Applying for a convention to propose amendments to the United States Constitution relating to fiscal restraints on the federal government, the power and jurisdiction of the federal government, and terms of office for federal officials and for members of Congress.

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

MOTION

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

MOTION

At 12:04 p.m., on motion of Senator Liias, the Senate adjourned until 10:00 o'clock a.m. Wednesday, January 23, 2019.

KAREN KEISER, President Pro Tempore of the Senate

BRAD HENDRICKSON, Secretary of the Senate

TENTH DAY

MORNING SESSION

Senate Chamber, Olympia
Wednesday, January 23, 2019

The Senate was called to order at 10:06 a.m. by the President Pro Tempore, Senator Keiser presiding.

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

MOTION

Pursuant to Rule 46, on motion of Senator Liias and without objection, the Committee on Human Services, Reentry & Rehabilitation was granted special leave to meet during the day's session.

MOTION

At 10:07 a.m., on motion of Senator Liias, the Senate was declared to be at ease for the purposes of caucus.

Senator Short announced a meeting of the Republican caucus immediately upon going at ease.

The Senate was called to order at 10:36 a.m. by President Pro Tempore Keiser.

The Secretary called the roll and announced to the President Pro Tempore that all Senators were present with the exceptions of Senators Braun, O'Ban and Sheldon.

The Sergeant at Arms Color Guard consisting of Pages Miss Emmalee Beck and Miss Emma Thuau, presented the Colors. Page Miss Christina Ward led the Senate in the Pledge of Allegiance. The prayer was offered by Reverend Garrett Knudson of Immanuel Lutheran Church, Puyallup. Reverend Garret was a guest of Senator Zeiger.

MOTION

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

MOTION

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

REPORTS OF STANDING COMMITTEES

January 22, 2019

SB 5036 Prime Sponsor, Senator Conway: Concerning the compensation of commissioners of certain metropolitan park districts. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Senators Takko, Chair; Salomon, Vice Chair Short, Ranking Member.

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

Referred to Committee on Rules for second reading.

January 22, 2019

SB 5051 Prime Sponsor, Senator O'Ban: Incentivizing the development of commercial office space in cities with a population of greater than fifty thousand and located in a county with a population of less than one million five hundred thousand. Reported by Committee on Financial Institutions, Economic Development & Trade

MAJORITY recommendation: That Substitute Senate Bill No. 5051 be substituted therefor, and the substitute bill do pass. Signed by Senators Mullet, Chair; Hasegawa, Vice Chair; Wilson, L., Ranking Member; Braun; Das and Hobbs.

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

Referred to Committee on Rules for second reading.

January 21, 2019

SB 5057 Prime Sponsor, Senator Kuderer: Protecting youth from tobacco products and vapor products by increasing the minimum legal age of sale of tobacco and vapor products. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 5057 be substituted therefor, and the substitute bill do pass. Signed by Senators Cleveland, Chair; Randall, Vice Chair; O'Ban, Ranking Member; Bailey; Conway; Dhingra; Frockt; Keiser and Van De Wege.

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

Referred to Committee on Ways & Means.

January 22, 2019

SB 5122 Prime Sponsor, Senator Takko: Addressing insurance coverage for water-sewer district commissioners. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Senators Takko, Chair; Salomon, Vice Chair; Short, Ranking Member; Honeyford and Liias.

Referred to Committee on Rules for second reading.

January 22, 2019

SB 5130 Prime Sponsor, Senator Rolfes: Increasing transportation revenues to help fund state fish barrier removal. Reported by Committee on Ways & Means

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member,

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Capital; Bailey; Becker; Billig; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Pedersen; Van De Wege; Wagoner; Warnick and Wilson, L.

Referred to Committee on Housing Stability & Affordability.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Schoesler.

February 21, 2019

Referred to Committee on Transportation.

SGA 9075 J. A. VANDER STOEP, appointed on May 1, 2017, for the term ending June 30, 2020, as Member of the Chehalis Board. Reported by Committee on Agriculture, Water, Natural Resources & Parks

January 22, 2019
SB 5132 Prime Sponsor, Senator Takko: Addressing noncollection of taxes by county treasurers. Reported by Committee on Local Government

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Van De Wege, Chair; Salomon, Vice Chair; Warnick, Ranking Member; Honeyford; McCoy; Rolfes and Short.

MAJORITY recommendation: Do pass. Signed by Senators Takko, Chair; Salomon, Vice Chair; Short, Ranking Member; Honeyford and Liias.

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

Referred to Committee on Rules for second reading.

February 21, 2019

January 22, 2019
SB 5177 Prime Sponsor, Senator Braun: Concerning cemetery district withdrawal of territory. Reported by Committee on Local Government

SGA 9076 STEVEN MALLOCH, appointed on July 1, 2017, for the term ending June 30, 2019, as Member of the Chehalis Board. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: Do pass. Signed by Senators Takko, Chair; Salomon, Vice Chair; Short, Ranking Member; Honeyford and Liias.

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Van De Wege, Chair; Salomon, Vice Chair; Warnick, Ranking Member; Honeyford; McCoy; Rolfes and Short.

Referred to Committee on Rules for second reading.

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

January 22, 2019
SB 5179 Prime Sponsor, Senator Liias: Concerning county electrical traffic control signals, illumination equipment, and other electrical equipment conveying an electrical current. Reported by Committee on Local Government

January 22, 2019
SGA 9176 CITLALY P. RAMIREZ, appointed on July 1, 2018, for the term ending June 30, 2019, as Member of the Western Washington University Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: Do pass. Signed by Senators Takko, Chair; Salomon, Vice Chair; Short, Ranking Member; Honeyford and Liias.

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown; Liias and Wellman.

Referred to Committee on Rules for second reading.

Referred to Committee on Rules for second reading.

January 22, 2019
SB 5191 Prime Sponsor, Senator Takko: Concerning public utility districts' contracts for work or materials. Reported by Committee on Environment, Energy & Technology

January 22, 2019
SGA 9177 KAITLYN ZHOU, appointed on July 1, 2018, for the term ending June 30, 2019, as Member of the University of Washington Board of Regents. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Carlyle, Chair; Palumbo, Vice Chair; Ericksen, Ranking Member; Fortunato, Assistant Ranking Member, Environment; Billig; Brown; Das; Hobbs; McCoy; Nguyen; Short and Wellman.

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown; Liias and Wellman.

Referred to Committee on Local Government.

Referred to Committee on Rules for second reading.

February 4, 2019
SB 5358 Prime Sponsor, Senator Saldaña: Concerning affordable housing development on religious organization property. Reported by Committee on Housing Stability & Affordability

January 22, 2019
SGA 9179 JORDAN FROST, appointed on July 1, 2018, for the term ending June 30, 2019, as Member of the Board of Regents, Washington State University. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That Substitute Senate Bill No. 5358 be substituted therefor, and the substitute bill do pass. Signed by Senators Kuderer, Chair; Das, Vice Chair; Zeiger, Ranking Member; Darneille; Saldaña and Warnick.

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall,

Vice Chair; Holy, Ranking Member; Brown; Liias and Wellman.

Referred to Committee on Rules for second reading.

January 22, 2019

SGA 9180 KATHLEENA K. LY, appointed on July 1, 2018, for the term ending June 30, 2019, as Member of the The Evergreen State College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown; Liias and Wellman.

Referred to Committee on Rules for second reading.

January 22, 2019

SGA 9184 DEMIE WAMSLEY, appointed on July 1, 2018, for the term ending June 30, 2019, as Member of the Eastern Washington University Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown; Liias and Wellman.

Referred to Committee on Rules for second reading.

January 22, 2019

SGA 9207 YAZMIN AGUILAR, appointed on August 20, 2018, for the term ending June 30, 2019, as Member of the Washington Student Achievement Council. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown; Liias and Wellman.

Referred to Committee on Rules for second reading.

January 22, 2019

SGA 9237 GARY EPP, appointed on October 18, 2018, for the term ending June 30, 2019, as Member of the Central Washington University Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown; Liias and Wellman.

Referred to Committee on Rules for second reading.

MOTION

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

MOTION

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

INTRODUCTION AND FIRST READING

SB 5485 by Senators Darneille and Cleveland

AN ACT Relating to licensure of music therapists; amending RCW 18.130.040 and 18.120.020; and adding a new chapter to Title 18 RCW.

Referred to Committee on Health & Long Term Care.

SB 5486 by Senators Padden, Kuderer and Bailey

AN ACT Relating to contests or promotions or other forms of recreational activity involving exploitation that endanger the health, safety, and welfare of any person with dwarfism; adding a new section to chapter 66.28 RCW; adding a new section to chapter 35.21 RCW; adding a new section to chapter 35A.21 RCW; adding a new section to chapter 36.01 RCW; and prescribing penalties.

Referred to Committee on Law & Justice.

SB 5487 by Senators Padden and Kuderer

AN ACT Relating to providing personal caregiver access in places of public resort, accommodation, assemblage, or amusement; amending RCW 49.60.040, 49.60.215, and 49.60.214; and creating a new section.

Referred to Committee on Law & Justice.

SB 5488 by Senators Darneille, Saldaña, Wilson and C.

AN ACT Relating to the sentencing of persons under the age of twenty-one years at the time of the commission of a crime; and amending RCW 9.94A.533 and 9.94A.535.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SB 5489 by Senators Saldaña, Das, Nguyen, Hasegawa, Darneille, Palumbo, Randall, McCoy, Conway and Billig

AN ACT Relating to establishing a healthy environment for all by creating a definition of environmental justice, identifying communities with cumulative environmental health impacts, creating a task force to recommend how best to implement environmental justice principles in state agency decision making, and directing state agencies to address environmental health disparities; adding new sections to chapter 43.21C RCW; and creating a new section.

Referred to Committee on Environment, Energy & Technology.

SB 5490 by Senators Frockt, Brown and Hobbs

AN ACT Relating to transferring duties of the life sciences discovery fund; amending RCW 43.350.040, 43.350.050, and 43.350.070; adding new sections to chapter 43.330 RCW; recodifying RCW 43.350.040, 43.350.050, and 43.350.070; and repealing RCW 43.350.005, 43.350.010, 43.350.020, 43.350.030, 43.350.060, 43.350.901, and 43.350.903.

Referred to Committee on Financial Institutions, Economic Development & Trade.

SB 5491 by Senators Darneille, Saldaña, Wilson and C.

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AN ACT Relating to persistent offenders; amending RCW 9.94A.030 and 9.94A.570; and prescribing penalties.

Referred to Committee on Law & Justice.

SB 5492 by Senators Billig, Padden, Pedersen, Holy and Dhingra

AN ACT Relating to sentencing of motor vehicle-related felonies; amending RCW 9.94A.501; reenacting and amending RCW 9.94A.505; adding a new section to chapter 9.94A RCW; prescribing penalties; and providing an expiration date.

Referred to Committee on Law & Justice.

SB 5493 by Senators Zeiger, Darneille and Walsh

AN ACT Relating to establishing a board of advisors to provide local guidance to community services offices operated by the department of social and health services; amending RCW 74.04.005; and adding a new section to chapter 74.04 RCW.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SB 5494 by Senators Zeiger, Darneille and Walsh

AN ACT Relating to the baby court initiative; adding a new section to chapter 2.30 RCW; and creating a new section.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SB 5495 by Senators Zeiger, Nguyen and Padden

AN ACT Relating to social media extortion and relief; reenacting and amending RCW 9A.04.110; adding a new section to chapter 9A.56 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Law & Justice.

SB 5496 by Senators Zeiger and Hunt

AN ACT Relating to modification of precinct and district boundary lines; amending RCW 29A.16.050; and reenacting and amending RCW 29A.16.040.

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

SB 5497 by Senators Wellman, Nguyen, Hasegawa, Kuderer, Frockt, Das, Keiser, Saldaña, Mullet, McCoy, Randall, Cleveland, Hunt and Liias

AN ACT Relating to establishing a statewide policy supporting Washington state's economy and immigrants' role in the workplace; adding new sections to chapter 43.17 RCW; adding a new section to chapter 43.330 RCW; adding a new section to chapter 43.10 RCW; adding a new section to chapter 10.93 RCW; adding a new section to chapter 72.09 RCW; creating new sections; repealing RCW 10.70.140 and 10.70.150; and declaring an emergency.

Referred to Committee on Law & Justice.

SB 5498 by Senator Takko

AN ACT Relating to establishing compassionate care renewals for medical marijuana qualifying patients;

amending RCW 69.51A.030 and 69.51A.230; adding a new section to chapter 69.51A RCW; and declaring an emergency.

Referred to Committee on Labor & Commerce.

SB 5499 by Senators Kuderer, Zeiger and Hunt

AN ACT Relating to primary and general election voters' pamphlets; and amending RCW 29A.32.010.

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

SB 5500 by Senators Hunt, Zeiger and Kuderer

AN ACT Relating to providing prepaid postage for all election ballots, state reimbursement of election costs, and state payment and reimbursement of prepaid postage costs; amending RCW 29A.04.216, 29A.04.410, 29A.04.420, 29A.04.430, 29A.40.091, and 29A.64.081; providing an effective date; and declaring an emergency.

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

SB 5501 by Senators Zeiger and Hunt

AN ACT Relating to repealing the electronic authentication act; amending RCW 9.38.060, 9A.72.085, 43.07.120, 43.07.173, 48.185.005, 58.09.050, and 58.09.110; and repealing RCW 19.34.010, 19.34.020, 19.34.030, 19.34.040, 19.34.100, 19.34.101, 19.34.110, 19.34.111, 19.34.120, 19.34.130, 19.34.200, 19.34.210, 19.34.220, 19.34.230, 19.34.231, 19.34.240, 19.34.250, 19.34.260, 19.34.270, 19.34.280, 19.34.290, 19.34.291, 19.34.300, 19.34.305, 19.34.310, 19.34.311, 19.34.320, 19.34.321, 19.34.330, 19.34.340, 19.34.350, 19.34.351, 19.34.360, 19.34.400, 19.34.410, 19.34.420, 19.34.500, 19.34.501, 19.34.502, 19.34.503, 19.34.900, 19.34.901, and 43.19.794.

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

SB 5502 by Senators Zeiger and Hunt

AN ACT Relating to alignment of statutory deadlines to the Constitution; and amending RCW 44.05.100.

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

SB 5503 by Senator Das

AN ACT Relating to state board of health rules regarding on-site sewage systems; amending RCW 70.05.074; adding a new section to chapter 43.20 RCW; and creating a new section.

Referred to Committee on Environment, Energy & Technology.

SB 5504 by Senators Warnick, Sheldon, Hasegawa, Hunt, Zeiger, Takko, Wagoner, Hawkins and Honeyford

AN ACT Relating to state agency employee access to peer-reviewed journals; creating new sections; making an appropriation; and providing an expiration date.

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

SB 5505 by Senators Hobbs and King

AN ACT Relating to the use of local stormwater charges paid by the department of transportation; and amending RCW 90.03.525.

Referred to Committee on Transportation.

SB 5506 by Senators Hobbs and King

AN ACT Relating to parking at rest areas; and amending RCW 47.38.020.

Referred to Committee on Transportation.

SB 5507 by Senator Keiser

AN ACT Relating to amending the application of the occupational disease presumption for cancer for Hanford site workers; and amending RCW 51.32.187.

Referred to Committee on Labor & Commerce.

SB 5508 by Senators Fortunato, Darneille, Saldaña, Pedersen, King, Sheldon, Hobbs, Dhingra and Holy

AN ACT Relating to background checks for concealed pistol licenses; and reenacting and amending RCW 9.41.070.

Referred to Committee on Law & Justice.

SB 5509 by Senators Zeiger, Hunt and Kuderer

AN ACT Relating to names used by candidates in elections; and amending RCW 29A.24.060.

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

SB 5510 by Senator Walsh

AN ACT Relating to choice in service for individuals eligible to receive employment and day program services; amending RCW 71A.10.015, 71A.22.020, and 71A.12.020; reenacting and amending RCW 71A.10.020; adding a new section to chapter 71A.12 RCW; and declaring an emergency.

Referred to Committee on Health & Long Term Care.

SB 5511 by Senators Wellman, Sheldon, Carlyle, Short, McCoy, Nguyen and Takko

AN ACT Relating to expanding affordable, resilient broadband service to enable economic development, public safety, health care, and education in Washington's communities; amending RCW 54.16.330, 53.08.370, 80.36.630, 80.36.650, 80.36.660, 80.36.670, 80.36.680, 80.36.690, and 80.36.700; amending 2013 2nd sp.s. c 8 ss 212 and 303 (uncodified); reenacting and amending RCW 43.84.092; adding new sections to chapter 43.330 RCW; adding new sections to chapter 43.155 RCW; creating a new section; repealing RCW 43.330.415, 43.330.418, and 80.36.620; and providing expiration dates.

Referred to Committee on Environment, Energy & Technology.

SB 5512 by Senators McCoy, Wellman, Hunt, Wilson and C.

AN ACT Relating to basic skills assessments for approved teacher preparation programs; and amending RCW 28A.410.220.

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

SB 5513 by Senators Keiser, Conway, Wellman, Frockt and Saldaña

AN ACT Relating to simplifying, clarifying, and making consistent employee status under industrial insurance laws, prevailing wage laws, wage deduction laws, wage payment laws, minimum wage laws, and unemployment compensation laws, and creating the employee fair classification act; amending RCW 39.12.010, 49.46.010, 49.46.010, 50.04.100, 50.04.298, 50.12.070, 51.08.070, 51.08.180, and 51.12.020; reenacting and amending RCW 49.48.082; adding a new section to chapter 39.12 RCW; adding new sections to chapter 49.52 RCW; adding a new section to chapter 49.48 RCW; adding a new section to chapter 49.46 RCW; adding a new section to chapter 50.04 RCW; adding a new section to chapter 51.12 RCW; adding a new chapter to Title 49 RCW; creating new sections; repealing RCW 39.12.100, 50.04.140, 50.04.145, 51.08.181, and 51.08.195; prescribing penalties; providing effective dates; and providing expiration dates.

Referred to Committee on Labor & Commerce.

SB 5514 by Senators Padden, Wellman and Zeiger

AN ACT Relating to first responder agency notifications to schools regarding potential threats; and amending RCW 28A.320.125.

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

SB 5515 by Senators Walsh and Takko

AN ACT Relating to authorizing certain public facilities districts to acquire, construct, own, remodel, maintain, equip, reequip, repair, finance, and operate one or more recreational facilities other than a ski area with voter approval; and amending RCW 35.57.020.

Referred to Committee on Local Government.

SB 5516 by Senators Cleveland, Becker, Palumbo, Frockt, Dhingra, Darneille, Braun, Randall, Rivers, O'Ban, Keiser, Conway, Van De Wege, Wagoner, Das, Pedersen, Takko, Hunt and Zeiger

AN ACT Relating to establishing a behavioral health innovation and integration campus within the University of Washington school of medicine; adding new sections to chapter 28B.20 RCW; and creating a new section.

Referred to Committee on Health & Long Term Care.

SB 5517 by Senators Cleveland, Sheldon, Salomon, Bailey and Hunt

AN ACT Relating to an ambulance transport quality assurance fee; reenacting and amending RCW 43.84.092; adding new sections to chapter 43.131 RCW; adding a new chapter to Title 74 RCW; prescribing penalties; providing a contingent expiration date; providing an effective date; and declaring an emergency.

Referred to Committee on Health & Long Term Care.

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SB 5518 by Senators Cleveland, King, Takko, Warnick, Short, Wilson, L. and Honeyford

AN ACT Relating to requiring property sold in tax lien foreclosure proceedings to be sold as is; and amending RCW 84.64.080.

Referred to Committee on Local Government.

SB 5519 by Senators Cleveland, King, Takko, Warnick, Short, Braun, Wilson, L. and Honeyford

AN ACT Relating to mosquito control districts; and amending RCW 17.28.257.

Referred to Committee on Local Government.

SB 5520 by Senators Wilson, L., Takko, Short, Palumbo and Sheldon

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

Referred to Committee on Local Government.

SB 5521 by Senators Takko, Zeiger and Padden

AN ACT Relating to the distribution of connecting Washington funds to local and state transportation agencies; amending RCW 46.68.090; adding a new section to chapter 47.66 RCW; providing an effective date; and declaring an emergency.

Referred to Committee on Transportation.

SB 5522 by Senator Takko

AN ACT Relating to providing code cities with the ability to annex unincorporated areas pursuant to a jointly approved interlocal agreement with the county; adding a new section to chapter 35A.14 RCW; and creating a new section.

Referred to Committee on Local Government.

SB 5523 by Senator Braun

AN ACT Relating to improving managed care organization performance in caring for medicaid clients; amending RCW 74.09.605; and creating a new section.

Referred to Committee on Health & Long Term Care.

SB 5524 by Senator Short

AN ACT Relating to agency obligations; and amending RCW 36.70A.190 and 36.70A.050.

Referred to Committee on Local Government.

SB 5525 by Senator Short

AN ACT Relating to whitetail deer population estimates; and adding a new section to chapter 77.12 RCW.

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

SB 5526 by Senators Frockt, Cleveland, Kuderer, Randall, Keiser, Dhingra, Conway, Wellman, Darneille, Hunt and Hobbs

AN ACT Relating to increasing the availability of quality, affordable health coverage in the individual market; adding a new section to chapter 43.71 RCW; adding a new section

to chapter 42.56 RCW; adding a new section to chapter 41.05 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Health & Long Term Care.

SB 5527 by Senators Hasegawa, Nguyen and McCoy

AN ACT Relating to establishing guidelines for government procurement and use of automated decision systems in order to protect consumers, improve transparency, and create more market predictability; adding a new section to chapter 49.60 RCW; and adding a new chapter to Title 43 RCW.

Referred to Committee on Environment, Energy & Technology.

SB 5528 by Senators Hasegawa, Saldaña and Nguyen

AN ACT Relating to the procurement and use of facial recognition technology by government entities in Washington state and privacy rights relating to facial recognition technology; and adding a new chapter to Title 10 RCW.

Referred to Committee on Environment, Energy & Technology.

SB 5529 by Senators Saldaña, Hobbs, Nguyen, Hunt and McCoy

AN ACT Relating to automated license plate recognition systems; adding a new chapter to Title 46 RCW; and prescribing penalties.

Referred to Committee on Transportation.

SB 5530 by Senators Frockt and Kuderer

AN ACT Relating to medical debt; amending RCW 4.56.110, 6.01.060, 6.15.010, 6.27.100, 6.27.105, 6.27.140, 6.27.150, 6.32.010, 19.16.100, 19.16.250, 19.52.010, and 19.52.020; and adding a new section to chapter 70.54 RCW.

Referred to Committee on Law & Justice.

SB 5531 by Senator Padden

AN ACT Relating to establishing criminal penalties for unauthorized use, presentation, transfer, or acquisition of supplemental nutrition assistance program benefits; amending RCW 9.91.140, 9.91.142, and 9.91.144; adding a new section to chapter 9.91 RCW; and prescribing penalties.

Referred to Committee on Law & Justice.

SB 5532 by Senators Braun and Rolfes

AN ACT Relating to special education; amending RCW 28B.10.032, 28A.155.090, 28A.150.550, 28A.155.220, 28A.150.390, and 28A.150.392; adding a new section to chapter 28A.415 RCW; adding a new section to chapter 28A.310 RCW; adding new sections to chapter 28A.320 RCW; adding a new section to chapter 28A.305 RCW; adding a new section to chapter 28A.155 RCW; and creating a new section.

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

SB 5533 by Senator Braun

AN ACT Relating to certificates of parental improvement; amending RCW 74.13.700; reenacting and amending RCW 28A.400.303 and 74.13.020; adding new sections to chapter 74.13 RCW; adding a new section to chapter 18.20 RCW; and adding a new section to chapter 18.51 RCW.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SB 5534 by Senator Braun

AN ACT Relating to studying outcomes for children in the early childhood education and assistance program; creating a new section; and providing an expiration date.

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

SB 5535 by Senator Braun

AN ACT Relating to analyzing child care costs and affordability; creating a new section; and providing an expiration date.

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

SB 5536 by Senators Braun and Keiser

AN ACT Relating to intermediate care facilities for individuals with intellectual disability; reenacting and amending RCW 71A.10.020; adding a new section to chapter 71A.20 RCW; and creating a new section.

Referred to Committee on Health & Long Term Care.

SB 5537 by Senators Braun, Keiser, Darneille, Palumbo, Frockt, Rolfes, Conway, Becker, Brown, Wagoner, Warnick and Honeyford

AN ACT Relating to expanding community-based behavioral health facilities through issuance of state bonds; adding a new chapter to Title 43 RCW; and providing for submission of certain sections of this act to a vote of the people.

Referred to Committee on Ways & Means.

SB 5538 by Senator Braun

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

Referred to Committee on Higher Education & Workforce Development.

SB 5539 by Senator Braun

AN ACT Relating to family and medical leave program coverage for bona fide corporate officers and members of limited liability companies; and adding a new section to chapter 50A.04 RCW.

Referred to Committee on Labor & Commerce.

SB 5540 by Senator Braun

AN ACT Relating to the designation and support of projects of statewide significance; amending RCW 43.157.005, 43.157.010, 43.157.020, 43.157.030, and 82.32.600; adding a new section to chapter 43.157 RCW; adding a new chapter

to Title 82 RCW; creating new sections; providing an effective date; and declaring an emergency.

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

SB 5541 by Senator Hasegawa

AN ACT Relating to creating a state revenue reform task force; creating new sections; providing an effective date; providing an expiration date; and declaring an emergency.

Referred to Committee on Ways & Means.

SB 5542 by Senators Kuderer, Randall, Takko, Van De Wege, Dhingra, Saldaña, Keiser, Wellman and Conway

AN ACT Relating to protecting patient care; adding a new section to chapter 43.70 RCW; and adding a new chapter to Title 70 RCW.

Referred to Committee on Health & Long Term Care.

SB 5543 by Senator Takko

AN ACT Relating to retaining productive farmland; adding a new section to chapter 89.08 RCW; adding a new section to chapter 43.17 RCW; and creating a new section.

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

SB 5544 by Senators Hobbs, King, Saldaña, Zeiger, Mullet, Padden and Fortunato

AN ACT Relating to increasing the types of commercial driver waivers allowed for military veterans; and amending RCW 46.25.060.

Referred to Committee on Transportation.

SB 5545 by Senators Das, Rolfes, Takko and McCoy

AN ACT Relating to sustainable recycling; amending RCW 70.93.180, 70.95.090, 70.95.100, and 70.95.130; adding a new chapter to Title 70 RCW; providing an effective date; and declaring an emergency.

Referred to Committee on Environment, Energy & Technology.

SB 5546 by Senators Conway, Zeiger, Darneille, Fortunato and Becker

AN ACT Relating to creating a pilot project to establish an enhanced 211 drug line in certain counties; adding a new section to chapter 43.211 RCW; creating a new section; making an appropriation; and providing an expiration date.

Referred to Committee on Health & Long Term Care.

SB 5547 by Senators Van De Wege, Braun, Takko, Warnick and Short

AN ACT Relating to the proposed department of natural resources' marbled murrelet long-term conservation strategy; adding a new section to chapter 43.30 RCW; and creating new sections.

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

SB 5548 by Senator Wellman

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AN ACT Relating to providing multiple pathways to a meaningful high school diploma; amending RCW 28A.655.065, 28A.230.090, 28A.155.045, 28A.655.061, 28A.155.170, 28A.180.100, 28A.195.010, 28A.200.010, 28A.230.122, 28A.230.125, 28A.320.190, 28A.320.208, 28A.600.310, 28A.700.080, 28A.415.360, 28A.655.068, 28A.655.070, 28A.655.090, and 28A.655.200; adding a new section to chapter 28A.655 RCW; and repealing RCW 28A.655.066.

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

SB 5549 by Senators Liias, King, Hunt and Braun

AN ACT Relating to modernizing resident distillery marketing and sales restrictions; amending RCW 66.24.140, 66.24.145, 66.28.040, 66.24.630, and 66.28.310; and adding new sections to chapter 66.24 RCW.

Referred to Committee on Labor & Commerce.

SB 5550 by Senators Saldaña and Warnick

AN ACT Relating to implementing the recommendations of the pesticide application safety work group; adding a new section to chapter 70.104 RCW; creating a new section; and providing expiration dates.

Referred to Committee on Labor & Commerce.

SB 5551 by Senators Dhingra, Palumbo and Das

AN ACT Relating to courthouse facility dog assistance for testifying witnesses; and adding a new section to chapter 10.52 RCW.

Referred to Committee on Law & Justice.

SB 5552 by Senators Liias, Warnick, Van De Wege, Short, Rolfes, Schoesler, Wagoner and Honeyford

AN ACT Relating to the protection of native pollinators, including bees; amending RCW 15.60.021, 17.10.145, 79.10.120, 79.10.200, 79.10.280, 79A.05.305, 47.40.040, and 47.40.100; reenacting and amending RCW 79A.15.010; adding a new section to chapter 43.23 RCW; adding a new section to chapter 77.12 RCW; adding a new section to chapter 15.58 RCW; adding new sections to chapter 35.21 RCW; adding new sections to chapter 35A.21 RCW; adding a new section to chapter 36.34 RCW; creating new sections; and providing an expiration date.

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

SB 5553 by Senator Hunt

AN ACT Relating to safety and sanitation of fitness centers; adding a new chapter to Title 70 RCW; and prescribing penalties.

Referred to Committee on Health & Long Term Care.

SB 5554 by Senators Wilson, C., Nguyen and Darneille

AN ACT Relating to school notifications; amending RCW 28A.320.128, 9A.44.138, 13.04.155, 13.40.215, 28A.225.330, and 72.09.730; adding a new section to chapter 28A.320 RCW; adding a new section to chapter

28A.195 RCW; and adding a new section to chapter 28A.710 RCW.

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

SB 5555 by Senator Ericksen

AN ACT Relating to ensuring that components of solar energy systems are produced in the United States or according to Washington state environmental standards; and amending RCW 82.16.160.

Referred to Committee on Environment, Energy & Technology.

SB 5556 by Senator Ericksen

AN ACT Relating to making small-scale community capital projects more cost-effective and affordable; and amending RCW 39.12.020.

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

SB 5557 by Senators Liias, Hunt and Van De Wege

AN ACT Relating to seismic hazard risk reduction; adding new sections to chapter 70.86 RCW; adding a new section to chapter 84.36 RCW; adding a new section to chapter 19.27 RCW; adding a new section to chapter 38.52 RCW; creating new sections; and providing expiration dates.

Referred to Committee on Local Government.

SB 5558 by Senator Saldaña

AN ACT Relating to reinstating the authority of the department of social and health services and the health care authority to purchase interpreter services for applicants and recipients of public assistance who are sensory-impaired; amending RCW 39.26.100; creating a new section; and declaring an emergency.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SJR 8204 by Senator Braun

Amending the Constitution to guarantee the right to fish, hunt, and otherwise harvest wildlife.

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

MOTION

On motion of Senator Liias, all measures listed on the Introduction and First Reading report were referred to the committees as designated with the exceptions of Senate Bill No. 5498 which had been designated to the Committee on Health & Long Term Care and was referred to the Committee on Labor & Commerce and Senate Bill No. 5557 which had been designated to the Committee on State Government, Tribal Relations & Elections and was referred to the Committee on Local Government.

MOTION

On motion of Senator Rivers, Senators Braun, O'Ban and Sheldon were excused.

PERSONAL PRIVILEGE

Senator Padden: “Thank you, Madam President. I just wanted to call your attention to something that probably most of you know but this is a great day for our state and our region. Edgar Martinez is in the Hall of Fame. (Applause) You know, and I mean, what a great story in the persistence and dedication and class that he has shown. I mean to make it on his tenth and last year. And there was an interesting article in The Wall Street Journal today about how he's going in at the same time as Rivera the tremendous relief pitcher for the Yankees who was lights out really with everybody except Edgar. Edgar had a five fifty seven batting average against Riviera but, anyway, as a great resident of our state and a great player for the Mariners I just wanted to call people's attention and hopefully maybe someday we will see him down here. Thank you Madam President.”

EDITOR'S NOTE: Mr. Edgar Martínez, former designated hitter and third baseman for the Seattle Mariner professional baseball club, on the morning of January 23, 2019, received notice that the Baseball Writers Association of America had voted Mr. Martínez into the National Baseball Hall of Fame. Candidates must be named on 75 percent or more of the ballots cast to gain election. Mr. Martínez was named on 363 of the 425 ballots cast, approximately 85.4 percent, in his tenth and final year of eligibility.

PERSONAL PRIVILEGE

Senator King: “Thank you Madam President. Yesterday Verna King had a birthday. My mother. Tough gal, let me tell ya. She was one hundred one. I want to wish her a happy birthday.”

The President Pro Tempore announced the appointments of Senator Liias to the Committee on Environment, Energy & Technology and Senator Dhingra to the Committee on Transportation.

MOTION

Senator Liias moved that the appointments be confirmed.
Senator Billig spoke in favor of the motion to confirm.

POINT OF INQUIRY

Senator Short: “So my question, Madam President, to the gentleman from the 3rd District: As you go through that appointment process and seat that 40th district, then will the people who were temporarily appointed to that then be off the committee?”

Senator Billig: “Thank you to Senator Short for asking that question. That does help further qualify, yes. And I meant to say that earlier. This is, the intention is that this is temporary and as soon as that member is appointed, it will be that new member there will fill these two slots on the Energy, Environment, Energy and Technology Committee and Transportation Committee. So, even at that point we would not be expanding the size of the committees. Thank you.”

Senators Short and Erickson spoke against the motion.

The President Pro Tempore declared the question before the Senate to be the motion by Senator Liias to confirm her committee appointments and the motion carried by voice vote.

MOTION

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

MOTION

Senator Kuderer moved adoption of the following resolution:

SENATE RESOLUTION
8602

By Senators Kuderer, Wellman, Hunt, Rolfes, Wilson, C., Takko, Palumbo, Keiser, Nguyen, Randall, Darneille, Das, Cleveland, Frockt, Mullet, Pedersen, Hobbs, Sheldon, Carlyle, McCoy, Billig, King, Liias, and Van De Wege

WHEREAS, Women In Cloud is a community-led initiative supporting female technology entrepreneurs; and

WHEREAS, Women In Cloud creates access to partnership opportunities, programs that accelerate business growth in the cloud, and strategic alliances that advance the success of women in tech; and

WHEREAS, Women In Cloud celebrates female entrepreneurs in the tech world and empowers women in Washington and beyond, helping them to realize their potential and reach new growth through leading industry, community, and government partners; and

WHEREAS, Only five percent of leadership positions in the technology industry are held by women and more than two-thirds of US start-ups have no women at all on their board of directors; and

WHEREAS, According to a new World Economic Forum report, the global gender gap will take one hundred years to close at the current rate of change; and

WHEREAS, Women In Cloud is building a global plan to create access in enabling one billion dollars in economic opportunities in alignment with United Nations Sustainable Goal #5, to achieve gender equality and empower all women and girls and United Nations Sustainable Goal #12, to ensure sustainable consumption and production patterns; and

WHEREAS, Kauffman Foundation research shows that tech companies led by women achieve a thirty-five percent higher return on investment than firms led by men; and

WHEREAS, Forbes found that women tech entrepreneurs, despite having received fifty percent less venture capital funding, produce twenty percent higher revenues than their male equivalent; and

WHEREAS, Fortune found that female founders received two percent of all venture capital funding; and

WHEREAS, The underrepresentation of women in technology leadership harms technological development and societal and economic growth, and is unacceptable in the 21st century;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate recognize the value of this initiative to inspire, empower, and accelerate the growth of women-led technology companies and promote the efforts of women entrepreneurs and leaders; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the Senate to the Women In Cloud Annual Summit 2019, to be held in Redmond, Washington on January 26, 2019.

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Senator Kuderer spoke in favor of adoption of the resolution.

The President Pro Tempore declared the question before the Senate to be the adoption of Senate Resolution No. 8602.

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

Senator Becker announced a meeting of the Republican Caucus immediately upon adjournment.

Senator McCoy announced a meeting of the Democratic Caucus immediately upon adjournment.

MOTION

At 11:00 o'clock a.m., on motion of Senator Liias, the Senate adjourned until 12:00 o'clock p.m. Thursday, January 24, 2019.

KAREN KEISER, President Pro Tempore of the Senate

BRAD HENDRICKSON, Secretary of the Senate

ELEVENTH DAY

NOON SESSION

Senate Chamber, Olympia
Thursday, January 24, 2019

The Senate was called to order at 12:01 p.m. by the President of the Senate, Lt. Governor Habib presiding. No roll call was taken.

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

MOTION

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

MOTION

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

REPORTS OF STANDING COMMITTEES

March 1, 2019

SB 5025 Prime Sponsor, Senator Das: Creating sales and use and excise tax exemptions for self-help housing development. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5025 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Mullet, Capital Budget Cabinet; Honeyford, Assistant Ranking Member, Capital; Billig; Conway; Darneille; Hunt; Keiser; Liias; Palumbo; Rivers; Schoesler; Van De Wege; Wagoner and Warnick.

MINORITY recommendation: Do not pass. Signed by Senators Braun, Ranking Member; Becker and Hasegawa.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Frockt, Vice Chair, Operating, Capital Lead; Carlyle; Pedersen and Wilson, L.

Referred to Committee on Ways & Means.

February 26, 2019

SB 5063 Prime Sponsor, Senator Nguyen: Providing prepaid postage for all election ballots. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5063 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

Referred to Committee on Ways & Means.

January 23, 2019

SB 5073 Prime Sponsor, Senator Hunt: Concerning state reimbursement of election costs. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Hunt, Chair; Kuderer, Vice Chair; Zeiger, Ranking Member; Bailey; Hasegawa; Hawkins and Takko.

Referred to Committee on Ways & Means.

January 23, 2019

SB 5131 Prime Sponsor, Senator Takko: Regarding foreclosure and distraint sales of manufactured/mobile or park model homes. Reported by Committee on Housing Stability & Affordability

MAJORITY recommendation: That Substitute Senate Bill No. 5131 be substituted therefor, and the substitute bill do pass. Signed by Senators Kuderer, Chair; Das, Vice Chair; Zeiger, Ranking Member; Darneille; Fortunato and Saldaña.

Referred to Committee on Rules for second reading.

January 23, 2019

SB 5195 Prime Sponsor, Senator Kuderer: Providing cities and counties authority to use real estate excise taxes to support affordable housing and homelessness projects. Reported by Committee on Housing Stability & Affordability

MAJORITY recommendation: Do pass. Signed by Senators Kuderer, Chair; Das, Vice Chair; Zeiger, Ranking Member; Darneille; Fortunato and Saldaña.

Referred to Committee on Rules for second reading.

February 20, 2019

SB 5263 Prime Sponsor, Senator Zeiger: Concerning school bus driver requirements. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Holy; Hunt; McCoy; Mullet; Padden; Pedersen; Salomon and Wagoner.

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

January 23, 2019

SB 5273 Prime Sponsor, Senator Hunt: Concerning the presidential primary. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: That Substitute Senate Bill No. 5273 be substituted therefor, and the substitute bill do pass. Signed by Senators Hunt, Chair; Kuderer, Vice Chair; Zeiger, Ranking Member; Hasegawa and Takko.

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

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MINORITY recommendation: That it be referred without recommendation. Signed by Senator Bailey.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Schoesler.

Referred to Committee on Rules for second reading.

Referred to Committee on Rules for second reading.

January 23, 2019

SGA 9077 LISA MARSH, appointed on May 16, 2017, for the term ending March 1, 2023, as Member of the Board of Tax Appeals. Reported by Committee on Ways & Means

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Billig; Conway; Darneille; Hasegawa; Keiser; Liias; Palumbo; Pedersen; Schoesler; Van De Wege; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

January 23, 2019

SGA 9160 JUDY F. KUSCHEL, reappointed on March 23, 2018, for the term ending December 31, 2020, as Member of the State Investment Board. Reported by Committee on Ways & Means

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Billig; Conway; Darneille; Hasegawa; Keiser; Liias; Palumbo; Pedersen; Schoesler; Van De Wege; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

January 23, 2019

SGA 9181 TERESA BERNTSEN, appointed on June 11, 2018, for the term ending at the governors pleasure, as Director of the Department of Licensing - Agency Head. Reported by Committee on Transportation

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Sheldon, Assistant Ranking Member; Cleveland; Fortunato; Nguyen; O'Ban; Padden; Randall; Takko; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

January 23, 2019

SGA 9260 CLAIRE HESSELHOLT, appointed on January 1, 2019, for the term ending February 28, 2021, as Member of the Board of Tax Appeals. Reported by Committee on Ways & Means

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Billig; Conway; Darneille; Hasegawa; Keiser; Liias; Palumbo; Pedersen; Van De Wege; Wagoner and Wilson, L.

MOTION

Pursuant to Rule 46, on motion of Senator Liias, and without objection, the Committee on Law & Justice was granted special leave to meet during the day's floor session.

MOTION

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

MOTION

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

INTRODUCTION AND FIRST READING

SB 5559 by Senator Padden

AN ACT Relating to commencement of civil actions; and adding a new section to chapter 4.28 RCW.

Referred to Committee on Law & Justice.

SB 5560 by Senators Padden and Pedersen

AN ACT Relating to mediation of disputes between elected officials; and adding a new section to chapter 42.17A RCW.

Referred to Committee on Law & Justice.

SB 5561 by Senators Takko, King and Hobbs

AN ACT Relating to directing the department of ecology to adopt a rule governing the evaluation of greenhouse gas emissions under chapter 43.21C RCW; and adding new sections to chapter 43.21C RCW.

Referred to Committee on Environment, Energy & Technology.

SB 5562 by Senators Randall and Darneille

AN ACT Relating to modernizing the control of certain communicable diseases; amending RCW 70.24.015, 70.24.017, 70.24.024, 70.24.080, 70.24.110, 70.24.120, 70.24.130, 70.24.220, 70.24.290, 70.24.325, 70.24.340, 70.24.360, 70.24.370, 9A.36.011, 18.35.040, 49.44.180, 49.60.172, 70.02.220, 43.150.050, and 74.39.005; adding new sections to chapter 70.24 RCW; repealing RCW 70.24.095, 70.24.100, 70.24.107, 70.24.125, 70.24.140, 70.24.200, 70.24.210, 70.24.240, 70.24.250, 70.24.260, 70.24.270, 70.24.280, 70.24.300, 70.24.310, 70.24.320, 70.24.350, 70.24.380, 70.24.400, and 70.24.410; and prescribing penalties.

Referred to Committee on Health & Long Term Care.

SB 5563 by Senators Hobbs, Fortunato and Takko

AN ACT Relating to mandatory rest periods for pilots; and amending RCW 88.16.103.

Referred to Committee on Transportation.

SB 5564 by Senators Brown, Wellman, Warnick, Takko, Hobbs, Walsh, Zeiger, Frockt, Wilson, L., Becker and Padden
AN ACT Relating to creating the building business ecosystems act; adding a new section to chapter 82.14 RCW; and adding a new chapter to Title 39 RCW.

Referred to Committee on Financial Institutions, Economic Development & Trade.

SB 5565 by Senators Kuderer, Wellman, Palumbo, Hunt, Keiser, Das, Randall and Takko
AN ACT Relating to direct contractor liability for payment of wages and benefits; adding new sections to chapter 49.48 RCW; and creating a new section.

Referred to Committee on Labor & Commerce.

SB 5566 by Senators Braun and Takko
AN ACT Relating to setting fees for administration of the prevailing wage program; and amending RCW 39.12.070.

Referred to Committee on Labor & Commerce.

SB 5567 by Senators Honeyford, Takko, Short, Rolfes and Warnick
AN ACT Relating to revising hydraulic project eligibility standards under RCW 77.55.181 for conservation district-sponsored fish habitat enhancement projects; and amending RCW 77.55.181.

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

SB 5568 by Senators Wilson, C. and Darneille
AN ACT Relating to certain providers sharing background checks; amending RCW 43.43.830; and reenacting and amending RCW 43.43.832.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SB 5569 by Senators Keiser, Rivers, Van De Wege and McCoy
AN ACT Relating to the nursing facility medicaid payment system; amending RCW 74.46.561 and 74.46.501; and adding a new section to chapter 74.46 RCW.

Referred to Committee on Health & Long Term Care.

SB 5570 by Senators Saldaña and Warnick
AN ACT Relating to port district worker development and occupational training programs; and amending RCW 53.08.245.

Referred to Committee on Higher Education & Workforce Development.

SB 5571 by Senators Randall, O'Ban, Conway and Holy
AN ACT Relating to creating a military benefit zone program; adding a new section to chapter 82.14 RCW; and adding a new chapter to Title 39 RCW.

Referred to Committee on Financial Institutions, Economic Development & Trade.

SB 5572 by Senators Honeyford, Takko, Short, Warnick and Schoesler

AN ACT Relating to modernization grants for small school districts; and adding a new section to chapter 28A.525 RCW.

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

SB 5573 by Senators Warnick, Hunt, Fortunato, Takko, Zeiger, Wilson, C., Hasegawa, Walsh, Schoesler, McCoy, Honeyford, Rolfes, Sheldon and Liias
AN ACT Relating to domestic violence and traumatic brain injury; amending RCW 26.50.035 and 10.99.030; and adding a new section to chapter 74.31 RCW.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SB 5574 by Senators Salomon, Bailey, Wellman, Walsh, Takko, Hobbs, Short, Warnick, Mullet, Keiser, Brown and Becker
AN ACT Relating to addressing data gathering of student participation in K-12 computer science education; adding a new section to chapter 28A.300 RCW; and creating a new section.

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

SB 5575 by Senator Salomon
AN ACT Relating to creating a program for the consolidation of traffic-based financial obligations to facilitate reinstatement of driving privileges that are suspended because of failure to pay; amending RCW 46.63.110; adding a new section to chapter 46.63 RCW; adding a new section to chapter 46.64 RCW; creating a new section; and providing an effective date.

Referred to Committee on Law & Justice.

SB 5576 by Senators Wilson, C., Nguyen, Palumbo and Warnick
AN ACT Relating to establishing a comprehensive initiative to increase learning opportunities and improve educational outcomes in climate science literacy; amending RCW 28A.230.020; adding a new section to chapter 28A.415 RCW; creating a new section; providing an effective date; and declaring an emergency.

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

SB 5577 by Senators Rolfes, Frockt, Liias and McCoy
AN ACT Relating to the protection of southern resident orca whales from vessels; amending RCW 77.15.740; adding a new section to chapter 77.15 RCW; adding new sections to chapter 77.70 RCW; and declaring an emergency.

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

SB 5578 by Senators Van De Wege, Liias, Carlyle, Frockt, Billig, Conway, Hunt, Pedersen, Palumbo and McCoy
AN ACT Relating to reducing threats to southern resident killer whales by improving the safety of oil transportation; amending RCW 88.16.190, 88.46.240, 90.56.565, and 88.46.165; adding a new section to chapter 88.16 RCW;

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adding new sections to chapter 88.46 RCW; creating a new section; and providing an effective date.

Referred to Committee on Environment, Energy & Technology.

SB 5579 by Senators Billig, Carlyle, Pedersen, Palumbo, Hasegawa, Keiser, Rolfes, Saldaña, Van De Wege, Frockt, Conway, Hunt and Liias

AN ACT Relating to the volatility of crude oil received in the state by rail; amending RCW 90.56.565; adding a new section to chapter 90.56 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Environment, Energy & Technology.

SB 5580 by Senators Rolfes, Palumbo and Frockt

AN ACT Relating to implementing recommendations of the southern resident killer whale task force related to increasing habitat and forage fish abundance; amending RCW 77.08.020, 77.32.010, and 43.21B.110; adding new sections to chapter 77.55 RCW; creating a new section; repealing RCW 77.55.141 and 77.55.291; and prescribing penalties.

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

SB 5581 by Senators Rolfes, Braun and Carlyle

AN ACT Relating to improving the effectiveness and adequacy of state tax laws by clarifying and simplifying nexus provisions, by decreasing compliance and administrative burdens for taxpayers and the department of revenue, by facilitating the collection of new tax revenue resulting from the United States supreme court's decision in South Dakota v. Wayfair, Inc., by providing more consistent tax obligations for both domestic and foreign sellers, and by simplifying the expiration of sales tax sourcing mitigation payments to local governments on September 30, 2019; amending RCW 82.04.067, 82.04.067, 82.04.220, 82.08.010, 82.08.052, 82.08.0531, 82.32.045, 82.08.0293, 82.32.020, 82.32.715, 82.32.762, 34.05.328, 82.04.610, 82.08.011, 82.14.500, 34.05.010, 82.04.066, 82.04.43391, and 82.12.040; adding new sections to chapter 82.02 RCW; repealing RCW 82.08.053, 82.13.010, 82.13.020, 82.13.030, 82.13.040, 82.13.050, 82.32.047, 82.32.733, and 82.32.763; creating new sections; providing effective dates; providing an expiration date; and declaring an emergency.

Referred to Committee on Ways & Means.

SB 5582 by Senator Saldaña

AN ACT Relating to increasing funding for affordable housing; amending RCW 82.45.060; creating a new section; providing an effective date; and declaring an emergency.

Referred to Committee on Ways & Means.

SB 5583 by Senators Wilson, C., Van De Wege, Holy, Walsh, Darneille, Zeiger, Saldaña, Cleveland, Nguyen and Hawkins

AN ACT Relating to increasing access to fruits and vegetables for individuals with limited incomes; amending RCW 43.70.700; adding a new section to chapter 43.70 RCW; and creating a new section.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SB 5584 by Senators Mullet, Takko, Wilson, L. and Hobbs

AN ACT Relating to joint self-insurance programs for property and liability risks; amending RCW 48.62.011, 48.62.031, 48.62.111, and 48.62.121; and adding a new section to chapter 48.62 RCW.

Referred to Committee on Financial Institutions, Economic Development & Trade.

SB 5585 by Senator Takko

AN ACT Relating to cooperation between conservation districts; and amending RCW 89.08.220.

Referred to Committee on Local Government.

SB 5586 by Senators Darneille, Rivers, Hasegawa, Fortunato, Hunt, Wilson, C., Takko, Rolfes, Schoesler, Warnick, Honeyford, Walsh, Wilson, L., Zeiger, Sheldon, McCoy and Liias

AN ACT Relating to requiring traumatic brain injury screenings for children entering the foster care system; and amending RCW 74.14A.050.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SB 5587 by Senators Salomon, Takko, Short, Brown, Honeyford and Van De Wege

AN ACT Relating to authorizing product certification agencies to certify building products and methods of construction, design, and systems as an alternate code compliance for modern technical methods, devices, and improvements; amending RCW 19.27.015, 19.27.020, and 19.27.060; adding a new section to chapter 19.27 RCW; and creating a new section.

Referred to Committee on Local Government.

SB 5588 by Senators Hawkins, Palumbo, Ericksen, Van De Wege, Fortunato, Short, Billig, Hobbs, Braun, Takko, Warnick, Sheldon, Wagoner, Hunt, Das, Zeiger, Wellman, King, Nguyen, Hasegawa, Kuderer, Bailey, Rivers, Holy, Wilson, L., Padden and Walsh

AN ACT Relating to authorizing the production, distribution, and sale of renewable hydrogen; and amending RCW 54.04.190.

Referred to Committee on Environment, Energy & Technology.

SB 5589 by Senators Schoesler, Mullet, Becker, Brown, Hobbs, King, Bailey, Fortunato, O'Ban, Rivers, Padden, Wagoner, Wilson, L., Honeyford, Warnick, Short, Ericksen, Holy, Hawkins and Walsh

AN ACT Relating to prohibiting local taxes based on employee wages, employee hours, or the number of employment positions; and adding a new section to chapter 35.21 RCW.

Referred to Committee on Local Government.

SB 5590 by Senators Schoesler, Mullet, Becker, Short, Fortunato, O'Ban, Walsh, Hobbs, Warnick, Bailey, Honeyford and Hawkins

AN ACT Relating to establishing school district depreciation subfunds for the purposes of preventative maintenance; and amending RCW 28A.320.330.

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

SB 5591 by Senator Schoesler

AN ACT Relating to exempting previously registered vehicles from the stolen vehicle check fee; and amending RCW 46.17.120.

Referred to Committee on Transportation.

SB 5592 by Senator Schoesler

AN ACT Relating to personnel restrictions on ambulances in rural areas; and amending RCW 18.73.150.

Referred to Committee on Health & Long Term Care.

SB 5593 by Senators Liias, Wilson, C. and Das

AN ACT Relating to addressing equity in access to dual credit opportunities; and amending RCW 28A.600.310.

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

SB 5594 by Senators Liias, Warnick, Wilson, C. and Wellman

AN ACT Relating to supporting media literacy and digital citizenship; adding new sections to chapter 28A.300 RCW; and providing an expiration date.

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

SB 5595 by Senator Mullet

AN ACT Relating to exempting certain charitable or nonprofit organizations from obtaining a gambling license; and amending RCW 9.46.0321.

Referred to Committee on Labor & Commerce.

SB 5596 by Senators Holy and Billig

AN ACT Relating to extending the expiration date on the health sciences and services authority sales and use tax authorization; amending RCW 82.14.480; and providing an expiration date.

Referred to Committee on Ways & Means.

SB 5597 by Senators Rolfes, Saldaña and McCoy

AN ACT Relating to creating a work group on aerial pesticide applications in forestlands; creating new sections; and providing expiration dates.

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

SB 5598 by Senators Rolfes, Nguyen and Carlyle

AN ACT Relating to student internet data privacy; amending RCW 28A.604.010 and 28A.604.901; adding a new section to chapter 28A.604 RCW; and creating a new section.

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

SB 5599 by Senator Hasegawa

AN ACT Relating to marijuana businesses operated by a municipal corporation, commission, or authority; and amending RCW 69.50.345.

Referred to Committee on Labor & Commerce.

SB 5600 by Senators Kuderer, Das, Nguyen, Frockt, Cleveland, Darneille, Saldaña, Hasegawa, Wilson, C., Conway, Randall, Wellman, Keiser, Hunt, Pedersen and Liias

AN ACT Relating to residential tenant protections; amending RCW 59.12.030, 59.18.040, 59.18.220, 59.18.140, 59.18.380, 59.18.410, 59.18.290, 59.18.390, 59.18.230, and 59.18.280; reenacting and amending RCW 59.18.030; adding a new section to chapter 59.18 RCW; and prescribing penalties.

Referred to Committee on Housing Stability & Affordability.

SB 5601 by Senators Rolfes, Short, Keiser, Liias, Kuderer, Walsh, Hobbs, King, Warnick and Honeyford

AN ACT Relating to health care benefit management; amending RCW 19.340.010, 48.02.120, 19.340.100, 19.340.020, 19.340.070, 19.340.080, 19.340.090, and 48.02.220; adding a new section to chapter 42.56 RCW; adding a new chapter to Title 48 RCW; creating new sections; recodifying RCW 19.340.010, 19.340.020, 19.340.040, 19.340.050, 19.340.060, 19.340.070, 19.340.080, 19.340.090, 19.340.100, and 19.340.110; repealing RCW 19.340.030 and 19.365.010; and providing an effective date.

Referred to Committee on Health & Long Term Care.

SB 5602 by Senators Randall, Wilson, C., Nguyen, Das, Saldaña, Cleveland, Takko, Kuderer, Hasegawa, Rolfes, Van De Wege, Keiser, Hunt, Wellman, Billig, Dhingra, Conway, Pedersen, Frockt, Salomon, Palumbo, Darneille, McCoy, Liias, Mullet and Carlyle

AN ACT Relating to eliminating barriers to reproductive health care for all; amending RCW 48.43.072; adding new sections to chapter 74.09 RCW; creating new sections; and providing an effective date.

Referred to Committee on Health & Long Term Care.

SB 5603 by Senators Randall, Wilson, C., Rolfes, O'Ban, Conway, Cleveland, Das, Zeiger and Hobbs

AN ACT Relating to enrollment and course registration access for children of military families; and adding a new section to chapter 28A.225 RCW.

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

SB 5604 by Senators Pedersen, Padden, Conway, Kuderer, Keiser, Salomon, Bailey and Dhingra

AN ACT Relating to the uniform guardianship, conservatorship, and other protective arrangements act; adding a new chapter to Title 11 RCW; repealing RCW 11.88.005, 11.88.008, 11.88.010, 11.88.020, 11.88.030, 11.88.040, 11.88.045, 11.88.080, 11.88.090, 11.88.093,

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11.88.095, 11.88.097, 11.88.100, 11.88.105, 11.88.107,
11.88.110, 11.88.120, 11.88.125, 11.88.127, 11.88.130,
11.88.140, 11.88.150, 11.88.160, 11.88.170, 11.88.900,
11.92.010, 11.92.035, 11.92.040, 11.92.043, 11.92.050,
11.92.053, 11.92.056, 11.92.060, 11.92.090, 11.92.096,
11.92.100, 11.92.110, 11.92.115, 11.92.120, 11.92.125,
11.92.130, 11.92.140, 11.92.150, 11.92.160, 11.92.170,
11.92.180, 11.92.185, 11.92.190, and 11.92.195; and
providing an effective date.

Referred to Committee on Law & Justice.

SB 5605 by Senators Nguyen, Keiser, Hunt, Salomon,
Hasegawa, Saldaña, Das and Randall
AN ACT Relating to misdemeanor marijuana offense
convictions; and reenacting and amending RCW 9.96.060.

Referred to Committee on Law & Justice.

SB 5606 by Senators Wellman, Das, Kuderer, Nguyen,
Darneille, Hunt, Keiser, Carlyle, Takko and Saldaña
AN ACT Relating to language access in public schools;
adding new sections to chapter 28A.300 RCW; adding new
sections to chapter 28A.320 RCW; adding a new section to
chapter 28A.155 RCW; creating new sections; providing an
effective date; and providing expiration dates.

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

SB 5607 by Senators Wellman, Das, Kuderer, Nguyen, Randall,
Hunt, Carlyle, Darneille, Cleveland, Keiser, Takko,
Saldaña, Liias and Van De Wege
AN ACT Relating to dual language learning in early learning
and K-12 education; amending RCW 28A.300.574; adding
new sections to chapter 28A.300 RCW; adding a new section
to chapter 28A.655 RCW; adding a new section to chapter
28B.102 RCW; adding new sections to chapter 43.216
RCW; and repealing 43.216.105.

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

SB 5608 by Senators Ericksen, Fortunato, Wilson, L., Bailey,
Becker, Brown, Zeiger, Short, Honeyford, Padden and
Rivers

AN ACT Relating to lowering the ceiling of the business and
occupation manufacturing tax rate to 0.2904 percent;
amending RCW 82.04.240, 82.04.240, 82.04.280, and
82.32.790; creating new sections; providing a contingent
effective date; and providing a contingent expiration date.

Referred to Committee on Ways & Means.

SB 5609 by Senators Ericksen, Padden, Fortunato, Short, Brown
and Becker

AN ACT Relating to establishing a responsible state
spending limit to protect essential programs and taxpayers
from unsustainable state budgets; amending RCW
43.135.025, 43.135.034, and 84.55.010; adding new sections
to chapter 43.135 RCW; and providing an effective date.

Referred to Committee on Ways & Means.

SB 5610 by Senators Ericksen, Fortunato, Becker, Short, Brown
and Schoesler

AN ACT Relating to reducing the state sales and use tax rate;
amending RCW 82.08.020; and providing an effective date.

Referred to Committee on Ways & Means.

MOTION

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

MOTION

At 12:03 p.m., on motion of Senator Liias, the Senate
adjourned until 10:00 o'clock a.m. Friday, January 25, 2019.

CYRUS HABIB, President of the Senate

BRAD HENDRICKSON, Secretary of the Senate

TWELFTH DAY

MORNING SESSION

Senate Chamber, Olympia
Friday, January 25, 2019

The Senate was called to order at 10:02 a.m. by the President of the Senate, Lt. Governor Habib presiding. No roll call was taken.

The Sergeant at Arms Color Guard consisting of Pages Mr. Alexander Jensenlopez and Miss Natalie McQuade, presented the Colors. Page Mr. Thomas Lempriere led the Senate in the Pledge of Allegiance.

The prayer was offered by Ms. Anu Arora of Redmond. Ms. Arora was a guest of Senator Dhingra.

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

MOTION

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

MOTION

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

REPORTS OF STANDING COMMITTEES

January 24, 2019

SB 5002 Prime Sponsor, Senator Pedersen: Concerning limited cooperative associations. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; Holy; Kuderer; Salomon and Wilson, L.

Referred to Committee on Rules for second reading.

January 24, 2019

SB 5003 Prime Sponsor, Senator Pedersen: Concerning Washington's business corporation act. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 5003 be substituted therefor, and the substitute bill do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; Holy; Kuderer; Salomon and Wilson, L.

Referred to Committee on Rules for second reading.

January 24, 2019

SB 5010 Prime Sponsor, Senator Rolfes: Concerning protected lands not being assessed local fire district levies. Reported by Committee on Local Government

MAJORITY recommendation: That Substitute Senate Bill No. 5010 be substituted therefor, and the substitute bill do pass. Signed by Senators Takko, Chair; Salomon, Vice Chair; Short, Ranking Member and Liias.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Honeyford.

Referred to Committee on Rules for second reading.

January 24, 2019

SB 5017 Prime Sponsor, Senator Salomon: Concerning the uniform unsworn declarations act. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 5017 be substituted therefor, and the substitute bill do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; Holy; Kuderer; Salomon and Wilson, L.

Referred to Committee on Rules for second reading.

January 24, 2019

SB 5020 Prime Sponsor, Senator Hobbs: Establishing a soju endorsement to certain restaurant licenses. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 5020 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Saldaña; Walsh and Wellman.

Referred to Committee on Rules for second reading.

February 25, 2019

SB 5021 Prime Sponsor, Senator Van De Wege: Granting interest arbitration to department of corrections employees. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5021 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Billig; Carlyle; Conway; Darneille; Hunt; Keiser; Liias; Palumbo; Pedersen; Rivers; Schoesler; Van De Wege and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Warnick and Wilson, L.

Referred to Committee on Ways & Means.

February 25, 2019

SB 5022 Prime Sponsor, Senator Keiser: Granting binding interest arbitration rights to certain higher education uniformed personnel. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Billig; Carlyle; Conway; Darneille; Hunt;

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Keiser; Liias; Palumbo; Pedersen; Van De Wege and Wagoner.

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

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Rivers; Warnick and Wilson, L.

Referred to Committee on Ways & Means.

January 24, 2019

SB 5024 Prime Sponsor, Senator Hasegawa: Concerning the transparency of local taxing districts. Reported by Committee on Local Government

MAJORITY recommendation: That Substitute Senate Bill No. 5024 be substituted therefor, and the substitute bill do pass. Signed by Senators Takko, Chair; Short, Ranking Member and Liias.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Salomon, Vice Chair and Honeyford.

Referred to Committee on Rules for second reading.

January 24, 2019

SB 5027 Prime Sponsor, Senator Frockt: Concerning extreme risk protection orders. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 5027 be substituted therefor, and the substitute bill do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Kuderer and Salomon.

MINORITY recommendation: Do not pass. Signed by Senators Padden, Ranking Member; Holy and Wilson, L.

Referred to Committee on Rules for second reading.

January 24, 2019

SB 5061 Prime Sponsor, Senator Dhingra: Addressing undetectable firearms. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 5061 be substituted therefor, and the substitute bill do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Kuderer and Salomon.

MINORITY recommendation: Do not pass. Signed by Senators Padden, Ranking Member; Holy and Wilson, L.

Referred to Committee on Rules for second reading.

January 24, 2019

SB 5062 Prime Sponsor, Senator Kuderer: Concerning high capacity magazines. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 5062 be substituted therefor, and the substitute bill do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Kuderer and Salomon.

MINORITY recommendation: Do not pass. Signed by Senators Padden, Ranking Member; Holy and Wilson, L.

Referred to Committee on Rules for second reading.

January 24, 2019

SB 5083 Prime Sponsor, Senator McCoy: Allowing certain records, documents, proceedings, and published laws of federally recognized Indian tribes to be admitted as evidence in courts of Washington state. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; Holy; Kuderer; Salomon and Wilson, L.

Referred to Committee on Rules for second reading.

January 24, 2019

SB 5118 Prime Sponsor, Senator Palumbo: Concerning the right to consume self-generated electricity. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: Do pass. Signed by Senators Carlyle, Chair; Palumbo, Vice Chair; Billig; Das; Hobbs; Liias; McCoy; Nguyen and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Ericksen, Ranking Member; Sheldon, Assistant Ranking Member, Energy & Technology and Brown.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Fortunato, Assistant Ranking Member, Environment and Short.

Referred to Committee on Rules for second reading.

January 24, 2019

SB 5123 Prime Sponsor, Senator Padden: Defining three days in unlawful detainer actions. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 5123 be substituted therefor, and the substitute bill do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; Holy; Kuderer; Salomon and Wilson, L.

Referred to Committee on Rules for second reading.

January 24, 2019

SB 5143 Prime Sponsor, Senator Dhingra: Concerning the authorized removal, safe keeping, and return of firearms and ammunition by law enforcement during and after domestic violence incidents. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 5143 be substituted therefor, and the substitute bill do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Kuderer and Salomon.

MINORITY recommendation: Do not pass. Signed by Senators Padden, Ranking Member; Holy and Wilson, L.

Referred to Committee on Rules for second reading.

January 24, 2019

SB 5148 Prime Sponsor, Senator Wilson, L.: Concerning visible clothing requirements for hunting. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: That Substitute Senate Bill No. 5148 be substituted therefor, and the substitute bill do pass. Signed by Senators Van De Wege, Chair; Salomon, Vice Chair; Warnick, Ranking Member; Honeyford; McCoy; Rolfes and Short.

Referred to Committee on Rules for second reading.

January 24, 2019

SB 5149 Prime Sponsor, Senator Wilson, L.: Monitoring of domestic violence perpetrators. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 5149 be substituted therefor, and the substitute bill do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; Holy; Kuderer; Salomon and Wilson, L.

Referred to Committee on Ways & Means.

January 24, 2019

SB 5151 Prime Sponsor, Senator Wilson, L.: Requiring the growth management hearings board to topically index the rulings, decisions, and orders it publishes. Reported by Committee on Local Government

MAJORITY recommendation: That Substitute Senate Bill No. 5151 be substituted therefor, and the substitute bill do pass. Signed by Senators Takko, Chair; Salomon, Vice Chair; Short, Ranking Member and Honeyford.

Referred to Committee on Rules for second reading.

February 25, 2019

SB 5163 Prime Sponsor, Senator Hasegawa: Concerning actions for wrongful injury or death. Reported by Committee on Ways & Means

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

MINORITY recommendation: Do not pass. Signed by Senators Braun, Ranking Member; Bailey; Becker; Schoesler; Wagoner; Warnick and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Brown, Assistant Ranking Member, Operating Honeyford, Assistant Ranking Member, Capital.

Referred to Committee on Ways & Means.

February 12, 2019

SB 5167 Prime Sponsor, Senator Hasegawa: Addressing the linked deposit program. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Lias; Pedersen; Van De Wege; Wagoner; Warnick and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Schoesler.

Referred to Committee on Ways & Means.

January 24, 2019

SB 5174 Prime Sponsor, Senator Palumbo: Concerning concealed pistol license training requirements. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 5174 be substituted therefor, and the substitute bill do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Kuderer and Salomon.

MINORITY recommendation: Do not pass. Signed by Senators Padden, Ranking Member; Holy and Wilson, L.

Referred to Committee on Rules for second reading.

January 24, 2019

SB 5180 Prime Sponsor, Senator Hobbs: Concerning the armed forces exceptions for giving notice of termination of a tenancy. Reported by Committee on Financial Institutions, Economic Development & Trade

MAJORITY recommendation: Do pass. Signed by Senators Mullet, Chair; Hasegawa, Vice Chair; Wilson, L., Ranking Member; Das; Ericksen and Hobbs.

Referred to Committee on Rules for second reading.

February 18, 2019

SB 5223 Prime Sponsor, Senator Palumbo: Concerning net metering. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5223 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Billig; Carlyle; Conway; Darneille; Hunt; Keiser; Lias; Palumbo; Pedersen; Rivers and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Senators Brown, Assistant Ranking Member, Operating; Bailey; Becker and Schoesler.

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

Referred to Committee on Ways & Means.

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January 24, 2019

SB 5258 Prime Sponsor, Senator Keiser: Preventing the sexual harassment and sexual assault of certain isolated workers. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 5258 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Walsh.

MINORITY recommendation: Do not pass. Signed by Senator King, Ranking Member.

Referred to Committee on Rules for second reading.

January 24, 2019

SB 5278 Prime Sponsor, Senator Mullet: Concerning reporting suspected fraud and theft of payment cards. Reported by Committee on Financial Institutions, Economic Development & Trade

MAJORITY recommendation: That Substitute Senate Bill No. 5278 be substituted therefor, and the substitute bill do pass. Signed by Senators Mullet, Chair; Hasegawa, Vice Chair; Wilson, L., Ranking Member; Das; Ericksen and Hobbs.

Referred to Committee on Rules for second reading.

February 12, 2019

SB 5285 Prime Sponsor, Senator Palumbo: Concerning reviews of voluntary cleanups. Reported by Committee on Ways & Means

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

Referred to Committee on Ways & Means.

January 24, 2019

SB 5333 Prime Sponsor, Senator Pedersen: Making changes related to the uniform parentage act for access to court records, compliance with regulations of the food and drug administration, enacting a repealed section of chapter 26.26 RCW, and correcting citations and terminology. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 5333 be substituted therefor, and the substitute bill do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Kuderer; Salomon and Wilson, L.

MINORITY recommendation: Do not pass. Signed by Senators Padden, Ranking Member and Holy.

Referred to Committee on Rules for second reading.

January 23, 2019

SB 5429 Prime Sponsor, Senator Nguyen: Including referred and diverted youth in establishing community juvenile accountability program guidelines. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: Do pass. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; Cleveland; O'Ban; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

January 23, 2019

SB 5435 Prime Sponsor, Senator Wilson, C.: Expanding membership of the department of children, youth, and families oversight board to include two youth under the age of twenty-five. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: Do pass. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; Cleveland; O'Ban; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

February 26, 2019

SB 5441 Prime Sponsor, Senator Nguyen: Extending rental vouchers for eligible offenders. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5441 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Honeyford, Assistant Ranking Member, Capital; Bailey; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen; Rivers; Van De Wege; Wagoner and Warnick.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Brown, Assistant Ranking Member, Operating; Becker; Schoesler and Wilson, L.

Referred to Committee on Ways & Means.

January 24, 2019

SGA 9001 SCOTT E. CARSON, appointed on November 25, 2013, for the term ending September 30, 2019, as Member of the Board of Regents, Washington State University. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown; Liias and Wellman.

Referred to Committee on Rules for second reading.

January 24, 2019

SGA 9008 MARTHA V. FLORES, appointed on December 29, 2014, for the term ending September 30, 2019, as Member of the

Wenatchee Valley College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown; Liias and Wellman.

Referred to Committee on Rules for second reading.

January 24, 2019

SGA 9031 JANE E. RUSHFORD, appointed on January 6, 2015, for the term ending January 15, 2021, as Member of the Liquor and Cannabis Board. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Saldaña; Walsh and Wellman.

Referred to Committee on Rules for second reading.

January 24, 2019

SGA 9062 ROBERT L. NELLAMS, appointed on November 1, 2016, for the term ending September 30, 2021, as Member of the Central Washington University Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown; Liias and Wellman.

Referred to Committee on Rules for second reading.

January 24, 2019

SGA 9064 MARILYN GLENN SAYAN, reappointed on December 7, 2016, for the term ending September 8, 2021, as Member of the Public Employment Relations Commission. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Saldaña; Walsh and Wellman.

Referred to Committee on Rules for second reading.

January 24, 2019

SGA 9070 OLLIE A. GARRETT, reappointed on January 31, 2017, for the term ending January 15, 2023, as Member of the Liquor and Cannabis Board. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Saldaña; Walsh and Wellman.

Referred to Committee on Rules for second reading.

January 24, 2019

SGA 9071 NANCY J. HOLLAND YOUNG, reappointed on January 31, 2017, for the term ending January 4, 2023, as Member

of the Personnel Resources Board. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Saldaña; Walsh and Wellman.

Referred to Committee on Rules for second reading.

January 24, 2019

SGA 9097 GENE C. SHARRATT, appointed on August 24, 2017, for the term ending March 26, 2021, as Member of the Higher Education Facilities Authority. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown; Liias and Wellman.

Referred to Committee on Rules for second reading.

January 24, 2019

SGA 9113 THOMAS R. STREDWICK, appointed on October 18, 2017, for the term ending September 30, 2022, as Member of the Big Bend Community College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown; Liias and Wellman.

Referred to Committee on Rules for second reading.

January 24, 2019

SGA 9118 SERGIO HERNANDEZ, appointed on October 30, 2017, for the term ending September 30, 2022, as Member of the Walla Walla Community College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown; Liias and Wellman.

Referred to Committee on Rules for second reading.

January 24, 2019

SGA 9123 ANTHONY J. ANDERSON, appointed on December 13, 2017, for the term ending September 30, 2022, as Member of the Bates Technical College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown; Liias and Wellman.

Referred to Committee on Rules for second reading.

January 24, 2019

SGA 9124 SHANNON L. CHILDS, appointed on January 1, 2018, for the term ending September 30, 2022, as Member of the

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Olympic College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

Referred to Committee on Rules for second reading.

MOTION

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown; Liias and Wellman.

On motion of Liias, all measures listed on the Standing Committee report were referred to the committees as designated with the exception of Senate Bill No. 5149 which had been designated to the Committee on Rules and was referred to the Committee on Ways & Means.

Referred to Committee on Rules for second reading.

MOTION

January 24, 2019
SGA 9165 MAIA C. MCCOY, appointed on April 3, 2018, for the term ending August 2, 2020, as Member of the Sentencing Guidelines Commission. Reported by Committee on Law & Justice

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

MESSAGE FROM OTHER STATE OFFICERS

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; Holy; Kuderer; Salomon and Wilson, L.

Commerce, Department of – “*Innovation Partnership Zone Program, 2018 Biennial Report*”, pursuant to 43.330.270 RCW; “*Homelessness in Washington State, 2018 Annual Report to the Legislature*”, pursuant to 43.185C RCW; “*Ultra-Efficient Affordable Housing Demonstration*”, in accordance with Second Engrossed House Bill No. 1115; “*2019 Biennial Energy Report: Issues, Analysis and Updates*”, pursuant to 43.21F.045 RCW;

Referred to Committee on Rules for second reading.

January 24, 2019
SGA 9169 JULIA L. PATTERSON, reappointed on July 1, 2018, for the term ending June 30, 2024, as Member of the Gambling Commission. Reported by Committee on Labor & Commerce

Early Achievers Program, Joint Select Committee on the – “*Report to the Legislature*”, in accordance with Second Engrossed Second Substitute House Bill No. 1491;

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Saldaña; Walsh and Wellman.

Ecology, Department of – “*Columbia River Basin Water Supply Inventory Report, 2018*”, pursuant to 90.90.040 RCW;

Referred to Committee on Rules for second reading.

January 24, 2019
SGA 9253 DAVID DANNER, reappointed on January 2, 2019, for the term ending January 1, 2025, as Chair of the Utilities and Transportation Commission. Reported by Committee on Environment, Energy & Technology

Financial Management, Office of – “*Behavioral Health Capital Funding Prioritization and Feasibility Study for 2018*”, in accordance with Engrossed Substitute Senate Bill No. 6095; “*All Payer Claims Database Grants, July - December 2018*”, pursuant to 41.05.022 RCW;

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Carlyle, Chair; Palumbo, Vice Chair; Fortunato, Assistant Ranking Member, Environment; Sheldon, Assistant Ranking Member, Energy & Technology; Billig; Brown; Das; Hobbs; Liias; McCoy; Nguyen; Short and Wellman.

Health Care Authority – “*Retired and Disabled School Employees Risk Pool Analysis*”, pursuant to 41.05.022 RCW; “*Medicaid Financing and Home Visiting Services, Recommendations to Leverage Medicaid Funding for Home Visiting*”, in accordance with Engrossed Second Substitute House Bill No. 2779;

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Ericksen, Ranking Member.

Natural Resources, Department of – “*An Assessment of Options to Replace Timber Trust Revenues for Counties*”, in accordance with Engrossed Substitute Senate Bill No. 6095; “*Marbled Murrelet Solutions Table*”, pursuant to 43.30.582 RCW;

Referred to Committee on Rules for second reading.

January 24, 2019
SGA 9255 ALLYSON PAGE, appointed on November 21, 2018, for the term ending September 30, 2023, as Member of the Columbia Basin College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

Public Instruction, Office of the Superintendent of – “*Promoting Pre-Apprenticeship Opportunities for High School Students*”, pursuant to 28A.300.900 RCW; “*Academic, Mentoring, and Innovation Program*”, pursuant to 28A.215.080 RCW; “*Recommendations for Providing Career and Technical Education through Alternative Learning Experiences*”, in accordance with Engrossed Substitute Senate Bill No. 6032; “*Combined FTE Experience of Students Participating in Running Start*”, in accordance with Engrossed Substitute Senate Bill No. 6032; “*Homeless Students Data, 2018 Update*”, pursuant to 28A.300.540 RCW; “*Truancy Report, 2018 Update*”, pursuant to 28A.225.151 RCW; “*School Day Task Force Report*”, in accordance with Senate Bill No. 6362;

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown; Liias and Wellman.

Sexual Assault Forensic Examination Best Practices Task Force – “*2018 Annual Report to the Legislature and Governor*”, in accordance with Substitute House Bill No. 1068;

Social & Health Services, Department of – “*State Psychiatric Hospital Forensic and Civil Bed Need Models*”, in accordance with Engrossed Substitute Senate Bill No. 6032; “*Predicting Referrals for Competency Evaluation*”, in accordance with Engrossed Substitute Senate Bill No. 6032; “*Overnight Adult Planned Respite*”, in accordance with Engrossed Substitute Senate Bill No. 6032; “*Temporary*”

Assistance for Needy Families, Pre-2011 WorkFirst Policies", in accordance with Engrossed Substitute Senate Bill No. 6032; *"WorkFirst Spending Plan Monitoring Report, 1st Quarter State Fiscal Year 2019, as of September 30, 2018"*, pursuant to 74.08A.341 RCW; *"Kinship Care Oversight Committee 2018 Report"*, pursuant to 74.13.621 RCW;

Transportation, Department of – *"Modular Expansion Joint Noise Mitigation Study"*, in accordance with Engrossed Substitute Senate Bill No. 6106; *"Ferries Division - Fiscal Year 2018 Performance Report"*, pursuant to 47.64.360 RCW;

Workforce Training and Education Coordinating Board – *"Future of Work Task Force Plan of Action for 2019: Exploring and Developing Policies to "Future Proof" Washington's Workers and Businesses"*, in accordance with Substitute Senate Bill No. 6544.

The reports listed were submitted to the Secretary of the Senate and made available online by the Office of the Secretary.

MOTION

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

MESSAGE FROM THE HOUSE

January 24, 2019

MR. PRESIDENT:

The House has passed:

SUBSTITUTE HOUSE BILL NO. 1064,
HOUSE CONCURRENT RESOLUTION NO. 4401,
and the same are herewith transmitted.

NONA SNELL, Deputy Chief Clerk

MOTION

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

INTRODUCTION AND FIRST READING

SB 5611 by Senators Rivers, Warnick, Wilson, L., Padden, Zeiger, Palumbo and Kuderer

AN ACT Relating to creating a special license plate to support the maintenance and improvements of Washington state parks; amending RCW 46.18.200 and 46.17.220; reenacting and amending RCW 46.68.425; and adding a new section to chapter 46.04 RCW.

Referred to Committee on Transportation.

SB 5612 by Senators Rivers, Salomon, Frockt, Wilson, C., Carlyle, Billig, Wellman, Zeiger, Warnick, Palumbo, Pedersen, Van De Wege, Hasegawa, Holy, Hunt, Keiser, Kuderer, Liias and O'Ban

AN ACT Relating to Holocaust education; amending RCW 28A.300.115; adding a new section to chapter 28A.300 RCW; and creating a new section.

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

SB 5613 by Senators Rivers, Schoesler, Becker, Brown, Short, Warnick, Wilson, L. and Fortunato

AN ACT Relating to the authority of counties to vacate a county road that abuts on a body of water if the county road

is hazardous or creates a significant risk to public safety; and amending RCW 36.87.130.

Referred to Committee on Local Government.

SB 5614 by Senators Rivers, Wagoner, Warnick, Becker, Short, Hawkins, Fortunato, Palumbo and O'Ban

AN ACT Relating to harming a police animal; amending RCW 9A.76.200; reenacting and amending RCW 9.94A.515; prescribing penalties; providing an effective date; and declaring an emergency.

Referred to Committee on Law & Justice.

SB 5615 by Senators Rivers, Palumbo, Randall and Wellman

AN ACT Relating to designating Sasquatch the official cryptid or crypto-animal of Washington; adding a new section to chapter 1.20 RCW; and creating a new section.

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

SB 5616 by Senators Rivers, Cleveland, Keiser, Saldaña and Kuderer

AN ACT Relating to the practice of manicuring for diabetics; and adding a new section to chapter 18.16 RCW.

Referred to Committee on Labor & Commerce.

SB 5617 by Senators Salomon, Braun, Van De Wege, Rolfes, Wilson, L., Rivers, Fortunato, Palumbo, Keiser, Das, Frockt, Randall, Warnick, Hunt, Honeyford, Brown, Cleveland, Saldaña, Nguyen, Darneille, Conway, Pedersen, Wilson, C., Liias, Hawkins, Kuderer and O'Ban

AN ACT Relating to banning the use of nontribal gill nets; amending RCW 77.65.160, 77.50.010, and 77.50.030; adding new sections to chapter 77.12 RCW; creating a new section; and providing an effective date.

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

SB 5618 by Senator Wagoner

AN ACT Relating to public works bid limits; and amending RCW 39.04.155 and 35.23.352.

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

SB 5619 by Senators Wagoner, Bailey, Holy, Zeiger, Honeyford, Walsh and O'Ban

AN ACT Relating to creating a business and occupation tax credit for new businesses; adding a new section to chapter 82.04 RCW; creating a new section; providing an effective date; providing an expiration date; and declaring an emergency.

Referred to Committee on Financial Institutions, Economic Development & Trade.

SB 5620 by Senator Wagoner

AN ACT Relating to establishing a pilot project to test elk fencing; and creating a new section.

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

SB 5621 by Senators Warnick, Padden, Holy, Wagoner, Wilson and L.

AN ACT Relating to increasing the jurisdictional amount for small claims courts; and amending RCW 12.40.010.

Referred to Committee on Law & Justice.

SB 5622 by Senators Randall, Pedersen, Walsh and Liias

AN ACT Relating to commissioners of courts of limited jurisdiction; and amending RCW 3.50.075 and 26.04.050.

Referred to Committee on Law & Justice.

SB 5623 by Senators Van De Wege, Das, Hunt, Salomon, Keiser, Saldaña, Conway and Hasegawa

AN ACT Relating to strengthening the rights of workers through collective bargaining by addressing authorizations and revocations, certifications, and the authority to deduct and accept union dues and fees; amending RCW 28B.52.020, 28B.52.030, 28B.52.025, 28B.52.045, 41.56.060, 41.56.110, 41.56.113, 41.56.122, 41.59.060, 41.76.020, 41.76.045, 41.80.050, 41.80.080, 41.80.100, 47.64.090, 47.64.160, 49.39.080, 49.39.090, and 53.18.050; adding a new section to chapter 4.24 RCW; adding a new section to chapter 28B.52 RCW; adding a new section to chapter 41.56 RCW; adding a new section to chapter 41.80 RCW; adding a new section to chapter 49.39 RCW; and repealing RCW 41.59.100.

Referred to Committee on Labor & Commerce.

SB 5624 by Senator Fortunato

AN ACT Relating to exempting permanently from the sales tax purchases of clothing and prepared food; amending RCW 82.08.0293; adding a new section to chapter 82.08 RCW; and creating a new section.

Referred to Committee on Ways & Means.

SB 5625 by Senators Fortunato, Palumbo and Hasegawa

AN ACT Relating to allowing medicare supplemental insurance premiums to be deducted from the calculation of disposable income for the purpose of qualifying for senior property tax programs; amending RCW 84.36.383; and creating a new section.

Referred to Committee on Ways & Means.

SB 5626 by Senators Takko, Warnick, Hobbs, Honeyford and Van De Wege

AN ACT Relating to ensuring the safe and productive cultivation of shellfish; amending RCW 90.48.260 and 43.21C.0383; adding new sections to chapter 90.48 RCW; creating a new section; making appropriations; and declaring an emergency.

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

SB 5627 by Senators Brown and Keiser

AN ACT Relating to establishing the healthy energy workers board; and adding a new chapter to Title 43 RCW.

Referred to Committee on Labor & Commerce.

SB 5628 by Senators Cleveland, Brown, Hobbs, Walsh and Palumbo

AN ACT Relating to the classification of heavy equipment rental property as inventory; adding a new section to chapter 84.36 RCW; and creating new sections.

Referred to Committee on Ways & Means.

SB 5629 by Senators Brown, Becker, Ericksen, Warnick and Palumbo

AN ACT Relating to promoting small modular reactors in Washington; amending RCW 43.21F.025, 43.21F.088, 82.85.010, 82.85.020, 82.85.030, 82.85.040, 82.85.050, and 82.85.080; adding a new section to chapter 82.04 RCW; creating a new section; and providing expiration dates.

Referred to Committee on Environment, Energy & Technology.

SB 5630 by Senators Brown, Wilson, L., Holy, Becker, Warnick and Zeiger

AN ACT Relating to the composition of the growth management hearings board; and amending RCW 36.70A.250.

Referred to Committee on Local Government.

SB 5631 by Senators Brown, Becker, Fortunato, Schoesler, Warnick, Palumbo, Wilson and L.

AN ACT Relating to transparency in state and local taxation; reenacting and amending RCW 44.48.150; adding a new section to chapter 82.02 RCW; and creating a new section.

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

SB 5632 by Senators Brown, Becker, Fortunato, Warnick, Braun, Wilson, L. and Mullet

AN ACT Relating to creating a tax court for the state of Washington; amending RCW 2.04.110, 34.05.030, 39.88.060, 42.17A.705, 79.125.450, 82.01.090, 82.29A.060, 82.32.150, 82.32.160, 82.32.170, 82.32.180, 82.49.060, 84.08.060, 84.08.130, 84.33.091, 84.34.065, 84.36.850, 84.39.020, 84.40.038, 84.48.080, 84.52.018, 84.56.290, 84.69.020, 84.69.030, and 84.69.180; reenacting and amending RCW 34.12.020; adding a new chapter to Title 2 RCW; creating new sections; repealing RCW 82.03.010, 82.03.020, 82.03.030, 82.03.040, 82.03.050, 82.03.060, 82.03.070, 82.03.080, 82.03.090, 82.03.100, 82.03.110, 82.03.120, 82.03.130, 82.03.140, 82.03.150, 82.03.160, 82.03.170, 82.03.180, 82.03.190, and 82.03.200; and providing contingent effective dates.

Referred to Committee on Law & Justice.

SB 5633 by Senators Brown, Walsh, Becker, Hasegawa, Zeiger, Keiser and O'Ban

AN ACT Relating to supporting and expanding behavioral health workforce pathway programs; adding a new section to chapter 70.185 RCW; creating a new section; and making an appropriation.

Referred to Committee on Health & Long Term Care.

SB 5634 by Senators Brown, Becker and Schoesler
AN ACT Relating to the state building code council; and amending RCW 19.27.074.

Referred to Committee on Local Government.

SB 5635 by Senators Brown, Bailey, Rivers, Walsh, Becker, King, Warnick, Frockt, Wilson, L., Hasegawa, Zeiger and O'Ban
AN ACT Relating to expanding opportunities for students to pursue mental and behavioral health professions; amending RCW 28B.50.271; and reenacting and amending RCW 28B.145.010, 28B.145.030, 28B.145.040, and 28B.145.090.

Referred to Committee on Higher Education & Workforce Development.

SB 5636 by Senators Brown, Becker, Warnick and Palumbo
AN ACT Relating to fiscal notes; amending RCW 43.88A.010 and 43.88A.020; adding a new section to chapter 43.88A RCW; creating a new section; and providing expiration dates.

Referred to Committee on Ways & Means.

SB 5637 by Senators Brown, Becker, Rivers, Bailey, Warnick, Fortunato, Honeyford and Zeiger
AN ACT Relating to providing tax relief to entities that deliver behavioral health and mental health services; reenacting and amending RCW 82.04.4277; creating new sections; and providing an expiration date.

Referred to Committee on Health & Long Term Care.

SB 5638 by Senators Brown, Rivers, Becker and Short
AN ACT Relating to recognizing the validity of distributed ledger technology; amending RCW 19.34.010 and 19.34.020; adding a new section to chapter 19.34 RCW; and creating a new section.

Referred to Committee on Environment, Energy & Technology.

SB 5639 by Senators Brown, Becker, Wilson and L.
AN ACT Relating to the growth management hearings board; and amending RCW 36.70A.172.

Referred to Committee on Local Government.

SB 5640 by Senators Holy, Pedersen, Wellman, Billig, Padden, Becker, Warnick, Short, Hasegawa, Walsh, Bailey, Wilson, C. and Kuderer
AN ACT Relating to youth courts; and amending RCW 3.72.005, 3.72.010, 3.72.020, 3.72.040, and 7.80.010.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SB 5641 by Senators Holy, Pedersen and Padden
AN ACT Relating to electronic notarial acts by remotely located individuals; amending RCW 42.45.020, 42.45.040, 42.45.130, 42.45.140, 42.45.900, 9A.60.050, 65.08.030, and 65.08.070; adding a new section to chapter 42.45 RCW; prescribing penalties; and providing an effective date.

Referred to Committee on Law & Justice.

SB 5642 by Senators Cleveland, Kuderer, Warnick and Rivers
AN ACT Relating to physical therapists performing intramuscular needling; amending RCW 18.74.010; and adding a new section to chapter 18.74 RCW.

Referred to Committee on Health & Long Term Care.

SB 5643 by Senators King, Palumbo, Honeyford, Keiser, Walsh and Saldaña
AN ACT Relating to theater licenses; and amending RCW 66.24.655 and 66.24.650.

Referred to Committee on Labor & Commerce.

SB 5644 by Senators Darneille, Nguyen, Pedersen, Hunt, Das, Keiser, Cleveland, Van De Wege, Wilson, C., Hasegawa and Kuderer
AN ACT Relating to the hosting of the homeless by religious organizations; amending RCW 36.01.290, 35.21.915, and 35A.21.360; and creating a new section.

Referred to Committee on Housing Stability & Affordability.

SB 5645 by Senators Darneille, Van De Wege, Wilson, C. and Hunt
AN ACT Relating to child-placing agencies; creating a new section; providing an expiration date; and declaring an emergency.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SB 5646 by Senators Kuderer, Das and Frockt
AN ACT Relating to encouraging investments in affordable and supportive housing; and adding a new section to chapter 82.14 RCW.

Referred to Committee on Housing Stability & Affordability.

SB 5647 by Senators Randall, Keiser, Van De Wege, McCoy, Nguyen, Conway, Hunt, Takko, Honeyford, Wilson, C., Hasegawa and Kuderer
AN ACT Relating to requiring health insurance payment parity for advanced registered nurse practitioners; and adding a new section to chapter 48.43 RCW.

Referred to Committee on Health & Long Term Care.

SB 5648 by Senators Keiser, King, Conway, Takko, Nguyen, Hunt, Cleveland, McCoy and Van De Wege
AN ACT Relating to hospital privileges for advanced registered nurse practitioners and physician assistants; and amending RCW 70.41.230.

Referred to Committee on Health & Long Term Care.

SB 5649 by Senators Dhingra, Pedersen, Palumbo, Saldaña, Das, Wilson, C., Frockt, Keiser and Kuderer
AN ACT Relating to crimes of sexual assault; amending RCW 9A.44.060; reenacting and amending RCW 9A.04.080; and creating a new section.

Referred to Committee on Law & Justice.

SB 5650 by Senators Warnick, Walsh, Bailey, Becker, Short, Fortunato, Rivers, Padden, Ericksen, Honeyford, Wagoner, Wilson, L., Holy and Hasegawa

AN ACT Relating to requiring that cursive writing be taught in common schools; amending RCW 28A.230.020; and adding a new section to chapter 28A.230 RCW.

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

SB 5651 by Senators King, Saldaña, Walsh, Darneille, Das, Wilson, C. and Hasegawa

AN ACT Relating to establishing a kinship care legal aid coordinator; amending RCW 74.13.621; adding a new section to chapter 2.53 RCW; providing an effective date; and declaring an emergency.

Referred to Committee on Law & Justice.

SB 5652 by Senators Fortunato, Rivers, Becker, Hawkins, Brown, Hobbs, Warnick, Honeyford, Wilson, L., Short and Palumbo

AN ACT Relating to personal belonging disposal; and amending RCW 46.55.090.

Referred to Committee on Transportation.

SB 5653 by Senators Fortunato, Hasegawa, Takko, Brown, Becker, Padden, Wilson, L., Schoesler, Short, Holy, Warnick, Sheldon, Honeyford, Saldaña, Hobbs, Palumbo and Randall

AN ACT Relating to establishing permissible methods of parking a motorcycle; and amending RCW 46.61.575.

Referred to Committee on Transportation.

SB 5654 by Senators Mullet, Wilson, L. and O'Ban

AN ACT Relating to rewards cards; amending RCW 19.240.005, 19.240.010, 19.240.080, 19.240.090, 19.240.100, 63.29.020, and 63.29.140; reenacting and amending RCW 63.29.010; and adding a new section to chapter 19.240 RCW.

Referred to Committee on Financial Institutions, Economic Development & Trade.

SB 5655 by Senators Hunt, Van De Wege, Das, Keiser, Palumbo, Saldaña, Mullet and Walsh

AN ACT Relating to protecting taxpayers by providing for accountability and transparency in government contracting; amending RCW 41.06.142 and 39.26.200; adding a new section to chapter 39.26 RCW; and creating new sections.

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

SB 5656 by Senator Frockt

AN ACT Relating to public works contracting procedures; amending RCW 39.10.250, 39.10.270, 39.10.300, 39.10.320, 39.10.330, 39.10.420, 39.10.430, 39.10.440, 39.10.450, and 39.10.470; and reenacting and amending RCW 39.10.210, 42.56.270, and 43.131.408.

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

SB 5657 by Senators Becker, Brown, Short, Bailey, Warnick, Wilson, L., Fortunato, Holy, Wagoner, Zeiger, McCoy and Honeyford

AN ACT Relating to requiring publicly owned wastewater treatment plants that directly discharge to Puget Sound to control pollution from opioids; adding new sections to chapter 90.48 RCW; adding a new section to chapter 70.146 RCW; adding a new section to chapter 70.150 RCW; and adding a new section to chapter 90.50A RCW.

Referred to Committee on Environment, Energy & Technology.

SB 5658 by Senators Hunt, Nguyen, Hasegawa, Saldaña and Frockt

AN ACT Relating to eliminating tax preferences for bullion; creating a new section; repealing RCW 82.04.062; and providing an effective date.

Referred to Committee on Ways & Means.

SB 5659 by Senators Keiser, Nguyen, Hasegawa, Saldaña, Frockt and Hunt

AN ACT Relating to imposing a business and occupation tax surcharge on pharmaceutical advertising revenues for substance abuse and mental health services; adding a new section to chapter 82.04 RCW; and providing an effective date.

Referred to Committee on Ways & Means.

SB 5660 by Senator McCoy

AN ACT Relating to the duties of mental health professionals; and amending RCW 70.02.050.

Referred to Committee on Health & Long Term Care.

SB 5661 by Senators Conway, Bailey and Van De Wege

AN ACT Relating to clarifying the written consent requirement for survivorship benefit options; and amending RCW 41.26.460, 41.32.530, 41.32.785, 41.32.851, 41.35.220, 41.37.170, 41.40.188, 41.40.660, 41.40.845, and 43.43.271.

Referred to Committee on Ways & Means.

SB 5662 by Senators Palumbo, Carlyle, Rolfes, Mullet, Nguyen, Hobbs, Liias, Pedersen and Braun

AN ACT Relating to cloud computing solutions; amending RCW 43.105.020; adding a new section to chapter 43.105 RCW; and repealing RCW 43.105.375.

Referred to Committee on Environment, Energy & Technology.

SB 5663 by Senators Cleveland and Kuderer

AN ACT Relating to drug compounding; amending RCW 18.64.270; and reenacting and amending RCW 18.64.011.

Referred to Committee on Health & Long Term Care.

SB 5664 by Senators Cleveland, Wilson and C.

AN ACT Relating to implementing an identicard program to provide individuals a Washington state issued identicard; amending RCW 46.20.117; adding a new section to chapter 43.185C RCW; and creating a new section.

Referred to Committee on Transportation.

SB 5665 by Senators Wilson, C., Randall and Das

AN ACT Relating to the creation of a youth development work group within the department of children, youth, and families; adding a new section to chapter 43.216 RCW; and providing an expiration date.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SJR 8205 by Senators Brown, Becker, Fortunato, Schoesler, Warnick, Braun, Wilson and L.

Authorizing a tax court.

Referred to Committee on Law & Justice.

SUPPLEMENTAL INTRODUCTION AND FIRST READING

SHB 1064 by House Committee on Public Safety (originally sponsored by Goodman, Klippert, Sells, Ryu, Orwall, Irwin, Ortiz-Self, Pellicciotti, Kirby, Appleton, Lovick, Dolan, Springer, Barkis, Santos, Griffey, Kloba, Smith, Doglio, Gregerson, Shewmake, Pollet, Tarleton, Valdez, Peterson, Fey, Stanford, Slatter, Tharinger, Hansen, Wylie, Fitzgibbon, Jinkins, Macri, Bergquist, Chambers, Graham, Frame and Reeves)

AN ACT Relating to law enforcement; amending 2019 c 1 s 9 (uncodified); reenacting and amending RCW 43.101.455, 36.28A.445, and 9A.16.040; adding new sections to chapter 10.114 RCW; adding a new section to chapter 9A.16 RCW; repealing RCW 10.114.010, 10.114.020, and 9A.16.045; repealing 2018 c 10 ss 1, 2, and 3 and 2018 c 11 ss 3, 4, 5, 6, and 7; repealing 2018 c 10 ss 4, 8, 9, and 10 and 2018 c 11 ss 1, 2, 8, 9, 10, and 11 (uncodified); and declaring an emergency.

Placed on 2nd Reading Calendar.

HCR 4401 by Representatives Macri, Mosbrucker, Peterson, Doglio, Ryu, Orwall, Pellicciotti, Fey, Sells, Goodman, Shewmake, Wylie, Fitzgibbon, Kilduff, Senn, Appleton, Chapman, Rude, Lovick, Ortiz-Self, Paul, Springer, Slatter, Callan, Walen, Gregerson, Dolan, Irwin, Ramos, Thai, Pettigrew, Valdez, Bergquist, MacEwen, Robinson, Smith, Steele, Stokesbary, Van Werven, Gildon, Barkis, Griffey, Dufault, Stanford, Ormsby, Kirby, Maycumber, Tharinger, Cody, Eslick, Hudgins, Sutherland, Jinkins, Lekanoff, Pollet, Stonier, Frame, Davis, Leavitt, Dent, Dye, Graham, Reeves, Sullivan and Riccelli

Adopting the code of conduct of the Washington state legislature.

Placed on 2nd Reading Calendar.

MOTION

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

MOTION

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

MOTION

Senator Dhingra moved adoption of the following resolution:

SENATE RESOLUTION 8606

By Senators Dhingra, Das, Palumbo, Pedersen, Liias, Salomon, Cleveland, and Darneille

WHEREAS, January 26, 2019, marks the seventieth Republic Day in India, celebrating the adoption of the Constitution of the world's largest democracy; and

WHEREAS, India achieved independence from British rule through peaceful and nonviolent resistance; and

WHEREAS, The Indian Constitution asserts equality before law, and declares "that the State shall not deny to any person equality before the law or the equal protection of the laws within the territory of India"; and

WHEREAS, Washington state has many cultural and economic ties to India, including over sixty thousand Indian-Americans living in the state; and

WHEREAS, Indian-Americans are small business owners, entrepreneurs, and CEOs of Washington companies, including the founding officers of many Seattle-based tech companies; and

WHEREAS, These businesses provide useful services, resources, and jobs to the people of this state; and

WHEREAS, Indian-Americans have been emigrating to the West Coast since the nineteenth century, working in our most vital industries including agriculture, logging, and trade; and

WHEREAS, Indian-Americans serve selflessly in our armed forces and in law enforcement, as well as contribute profoundly to the health care industry and Washington's institutions of higher education;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate honor the 2019 Republic Day as a symbol of the shared values of democracy and liberty, between the nation of India and both the State of Washington and the United States of America.

Senators Dhingra and Liias spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8606.

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

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced Representative Vandana Slatter of the 48th Legislative District and Ms. Rashi Gupta, Senior Policy Advisor, Office of the Governor, who were present in the wings.

MOTION

TWELFTH DAY, JANUARY 25, 2019

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At 10:20 a.m., on motion of Senator Liias, the Senate adjourned until 12:00 o'clock noon, Monday, January 28, 2019.

CYRUS HABIB, President of the Senate

BRAD HENDRICKSON, Secretary of the Senate

FIFTEENTH DAY

NOON SESSION

Senate Chamber, Olympia
Monday, January 28, 2019

The Senate was called to order at 12:01 p.m. by the President of the Senate, Lt. Governor Habib presiding. No roll call was taken.

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

MOTION

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

MOTION

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

REPORTS OF STANDING COMMITTEES

February 18, 2019

SB 5023 Prime Sponsor, Senator Hasegawa: Concerning an ethnic studies curriculum for public school students. Reported by Committee on Ways & Means

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

Referred to Committee on Ways & Means.

January 25, 2019

SB 5028 Prime Sponsor, Senator Hunt: Declaring September the month of the kindergartner. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 5028 be substituted therefor, and the substitute bill do pass. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Holy; Hunt; McCoy; Mullet; Padden; Pedersen; Salomon and Wagoner.

Referred to Committee on Rules for second reading.

January 25, 2019

SB 5067 Prime Sponsor, Senator Zeiger: Modifying certain common school provisions. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 5067 be substituted therefor, and the substitute bill do pass. Signed by Senators Wellman, Chair; Wilson, C., Vice

Chair; Hawkins, Ranking Member; Holy; Hunt; McCoy; Mullet; Padden; Pedersen; Salomon and Wagoner.

Referred to Committee on Rules for second reading.

January 25, 2019

SB 5068 Prime Sponsor, Senator Wellman: Updating the term essential academic learning requirements to state learning standards to reflect current terminology. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Holy; Hunt; McCoy; Mullet; Padden; Pedersen; Salomon and Wagoner.

Referred to Committee on Rules for second reading.

January 25, 2019

SB 5071 Prime Sponsor, Senator Zeiger: Repealing certain obsolete common school provisions. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Holy; Hunt; McCoy; Mullet; Padden; Pedersen; Salomon and Wagoner.

Referred to Committee on Rules for second reading.

February 26, 2019

SB 5082 Prime Sponsor, Senator McCoy: Creating a committee to promote and expand social emotional learning. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5082 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Mullet, Capital Budget Cabinet; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen; Rivers and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Senators Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Schoesler; Wagoner; Warnick and Wilson, L.

Referred to Committee on Ways & Means.

January 25, 2019

SB 5097 Prime Sponsor, Senator Cleveland: Concerning the licensure and certification of massage therapists and reflexologists. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 5097 be substituted therefor, and the substitute bill do pass. Signed by Senators Cleveland, Chair; Randall, Vice Chair; O'Ban, Ranking Member; Bailey; Becker; Dhingra; Frockt; Keiser and Van De Wege.

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Referred to Committee on Rules for second reading.

January 25, 2019

SB 5319 Prime Sponsor, Senator Rivers: Concerning the reimbursement rate primary care providers receive to participate in medicaid. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Cleveland, Chair; Randall, Vice Chair; O'Ban, Ranking Member; Bailey; Becker; Dhingra; Frockt; Keiser and Van De Wege.

Referred to Committee on Ways & Means.

January 25, 2019

SGA 9135 WILLIAM DOWNING, appointed on January 12, 2018, for the term ending December 31, 2022, as Member of the Public Disclosure Commission. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Hunt, Chair; Kuderer, Vice Chair; Zeiger, Ranking Member; Hasegawa and Takko.

Referred to Committee on Rules for second reading.

January 25, 2019

SGA 9189 JACELYN (JACKIE) M. BOSCHOK, appointed on July 16, 2018, for the term ending June 30, 2021, as Member of the Women's Commission, Washington State. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Hunt, Chair; Kuderer, Vice Chair; Zeiger, Ranking Member; Hasegawa and Takko.

Referred to Committee on Rules for second reading.

January 25, 2019

SGA 9190 GRACIELA G. COWGER, appointed on July 16, 2018, for the term ending June 30, 2021, as Member of the Women's Commission, Washington State. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Hunt, Chair; Kuderer, Vice Chair; Zeiger, Ranking Member; Hasegawa and Takko.

Referred to Committee on Rules for second reading.

January 25, 2019

SGA 9193 REGINA MALVEAUX, appointed on July 16, 2018, for the term ending June 30, 2020, as Member of the Women's Commission, Washington State. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Hunt, Chair; Kuderer, Vice Chair; Zeiger, Ranking Member; Hasegawa and Takko.

Referred to Committee on Rules for second reading.

January 25, 2019

SGA 9196 GRACE HUANG, appointed on July 19, 2018, for the term ending June 30, 2019, as Member of the Women's Commission, Washington State. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Hunt, Chair; Kuderer, Vice Chair; Zeiger, Ranking Member; Hasegawa and Takko.

Referred to Committee on Rules for second reading.

January 25, 2019

SGA 9198 TARA S. FAIRFIELD, appointed on July 30, 2018, for the term ending June 30, 2019, as Member of the Women's Commission, Washington State. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Hunt, Chair; Kuderer, Vice Chair; Zeiger, Ranking Member; Hasegawa and Takko.

Referred to Committee on Rules for second reading.

January 25, 2019

SGA 9199 MONICA A. HOLLAND, appointed on July 30, 2018, for the term ending June 30, 2019, as Member of the Women's Commission, Washington State. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Hunt, Chair; Kuderer, Vice Chair; Zeiger, Ranking Member; Hasegawa and Takko.

Referred to Committee on Rules for second reading.

January 25, 2019

SGA 9200 RITUJA INDAPURE, appointed on July 27, 2018, for the term ending June 30, 2020, as Member of the Women's Commission, Washington State. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Hunt, Chair; Kuderer, Vice Chair; Zeiger, Ranking Member; Hasegawa and Takko.

Referred to Committee on Rules for second reading.

January 25, 2019

SGA 9204 DAWN E. RAINS, appointed on August 7, 2018, for the term ending June 30, 2021, as Member of the Women's Commission, Washington State. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Hunt, Chair; Kuderer, Vice Chair; Zeiger, Ranking Member; Hasegawa and Takko.

Referred to Committee on Rules for second reading.

January 25, 2019

SGA 9205 MICHELLE Y. MERRIWEATHER, appointed on August 16, 2018, for the term ending June 30, 2020, as Member of the Women's Commission, Washington State. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Hunt, Chair; Kuderer, Vice Chair; Zeiger, Ranking Member; Hasegawa and Takko.

Referred to Committee on Rules for second reading.

MOTION

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

MOTION

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

INTRODUCTION AND FIRST READING

SB 5666 by Senators Sheldon, Fortunato, Warnick, Becker, Short and Takko

AN ACT Relating to modifying the types of off-road vehicles subject to local government regulation; and amending RCW 46.09.360 and 46.09.455.

Referred to Committee on Local Government.

SB 5667 by Senators Becker and Takko

AN ACT Relating to public records request administration; and amending RCW 40.14.026, 42.56.570, and 36.22.175; and providing an effective date.

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

SB 5668 by Senators Takko, Warnick and Fortunato

AN ACT Relating to moneys received at auctions conducted by registered tow truck operators; and amending RCW 46.55.130.

Referred to Committee on Transportation.

SB 5669 by Senator Liias

AN ACT Relating to removing the ability of school districts to withhold grades and transcripts of pupils; and amending RCW 28A.635.060.

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

SB 5670 by Senators Wagoner, Palumbo, Holy, Hobbs and Honeyford

AN ACT Relating to expanding the allowable powers of fire protection districts; amending RCW 52.12.031; and adding a new section to chapter 28A.160 RCW.

Referred to Committee on Local Government.

SB 5671 by Senators Wagoner, Palumbo, Holy, Hobbs and Honeyford

AN ACT Relating to bid limits for purchases and public works by fire protection districts; and amending RCW 52.14.110.

Referred to Committee on Local Government.

SB 5672 by Senators Cleveland, O'Ban, Walsh, Wellman, Darneille, Dhingra, Hunt and Keiser

AN ACT Relating to adult family home specialty services; and adding a new section to chapter 70.128 RCW.

Referred to Committee on Health & Long Term Care.

SB 5673 by Senators Randall, Saldaña, Wilson and C.

AN ACT Relating to parking enforcement; adding a new section to chapter 47.04 RCW; adding a new section to chapter 81.112 RCW; and adding a new section to chapter 36.57A RCW.

Referred to Committee on Transportation.

SB 5674 by Senators Rivers and Cleveland

AN ACT Relating to creating the dental laboratory registry within the department of health and establishing minimum standards for dental laboratories serving dentists in Washington state; and adding a new chapter to Title 70 RCW.

Referred to Committee on Health & Long Term Care.

SB 5675 by Senators Takko, Van De Wege, Salomon, Warnick and McCoy

AN ACT Relating to drought preparedness and response; amending RCW 43.83B.400, 43.83B.405, 43.83B.410, 43.83B.415, and 43.83B.430; adding new sections to chapter 43.83B RCW; decodifying RCW 43.83B.005, 43.83B.200, 43.83B.210, 43.83B.300, 43.83B.345, 43.83B.360, 43.83B.380, and 43.83B.385; repealing RCW 43.83B.220, 43.83B.230, and 43.83B.336; and providing an expiration date.

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

SB 5676 by Senators Takko, Walsh and Short

AN ACT Relating to authorizing cities planning under the growth management act to impose certain real estate excise taxes by councilmanic action; and amending RCW 82.46.035.

Referred to Committee on Local Government.

SB 5677 by Senator Keiser

AN ACT Relating to the creation of a promoter's permit authorizing promoters to assist liquor licensees in the organization of public events where liquor is sold; adding a new section to chapter 66.20 RCW; and providing an effective date.

Referred to Committee on Labor & Commerce.

SB 5678 by Senators Keiser and King

AN ACT Relating to the creation of additional training requirements for licensed marijuana retailers and their employees; and reenacting and amending RCW 69.50.357.

Referred to Committee on Labor & Commerce.

SB 5679 by Senators Hasegawa, Conway and Darneille

AN ACT Relating to local government responsibility and accountability in mitigating impacts of public facilities on certain surrounding neighborhoods with high poverty and

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concentrations of persons of color; and adding a new section to chapter 35.21 RCW.

Referred to Committee on Local Government.

SB 5680 by Senators Liias, Zeiger and Takko

AN ACT Relating to the creation of parks benefit districts; adding a new section to chapter 35.21 RCW; adding a new section to chapter 35.61 RCW; adding a new section to chapter 36.69 RCW; adding a new section to chapter 82.14 RCW; and adding a new chapter to Title 36 RCW.

Referred to Committee on Local Government.

SB 5681 by Senators Dhingra, Das, Pedersen, Hasegawa, Saldaña, McCoy and Liias

AN ACT Relating to domestic violence; amending RCW 9.95.210, 10.99.050, 9.94A.500, 9.94A.660, 9.94A.662, 9.94A.664, 9.94A.704, 9.94A.722, 10.05.010, 10.05.015, 10.05.020, 10.05.030, 10.05.040, 10.05.120, 10.05.140, 10.05.160, 26.50.035, 26.50.110, 26.50.160, and 36.28A.410; amending 2017 c 272 ss 7 and 8 (uncodified); reenacting and amending RCW 10.31.100; adding new sections to chapter 26.50 RCW; adding new sections to chapter 9.94A RCW; adding a new section to chapter 10.05 RCW; adding a new chapter to Title 26 RCW; creating new sections; prescribing penalties; providing effective dates; providing expiration dates; and declaring an emergency.

Referred to Committee on Law & Justice.

SB 5682 by Senators King, Takko, Braun, Mullet and Walsh

AN ACT Relating to allowing certain beer and wine license holders to sell small amounts of spirits; and amending RCW 66.24.630 and 66.24.035.

Referred to Committee on Labor & Commerce.

SB 5683 by Senators Wellman, Hasegawa, Keiser, Wilson, C., Darneille, Hunt, Salomon and Das

AN ACT Relating to establishing the welcome to Washington baby act to create family supports through universal home visiting programs and a statewide family linkage program for resources and referrals; amending RCW 43.216.130 and 43.216.157; adding new sections to chapter 43.216 RCW; creating new sections; recodifying RCW 43.216.130, 43.216.152, 43.216.155, 43.216.157, and 43.216.159; providing an expiration date; and declaring an emergency.

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

SB 5684 by Senators Nguyen, Wilson, C., Randall, Cleveland, Wellman and Das

AN ACT Relating to revising economic assistance programs by updating standards of need, revising outcome measures and data collected, and reducing barriers to participation; amending RCW 74.04.770, 74.08A.010, 74.08.025, 74.08A.410, 74.08A.411, and 74.08A.250; reenacting and amending RCW 74.08A.260; adding a new section to chapter 74.08A RCW; creating a new section; and providing an effective date.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SB 5685 by Senators Bailey, Rolfes, Warnick and O'Ban

AN ACT Relating to requiring a primary contact in schools to recognize, screen, and respond to emotional or behavioral distress in students; adding a new section to chapter 28A.320 RCW; and creating a new section.

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

SB 5686 by Senators Bailey, Holy and Warnick

AN ACT Relating to health care coverage for retired or disabled school employees that served as a locally elected official; and adding a new section to chapter 41.05 RCW.

Referred to Committee on Health & Long Term Care.

SB 5687 by Senators Bailey, Braun, Holy, Becker, Brown, Warnick and Walsh

AN ACT Relating to allowing new government employees the option of opting out of retirement system membership if the employee is age sixty or older when first hired, or when the employee's employer opts into retirement plan participation; amending RCW 41.40.023, 41.35.030, and 41.32.032; adding new sections to chapter 41.40 RCW; adding new sections to chapter 41.35 RCW; adding a new section to chapter 41.32 RCW; adding a new section to chapter 41.50 RCW; creating new sections; and providing an effective date.

Referred to Committee on Ways & Means.

SB 5688 by Senators Cleveland, Walsh and Becker

AN ACT Relating to athletic trainers; amending RCW 18.250.010, 18.250.040, 18.250.050, 43.70.442, and 43.70.442; reenacting and amending RCW 69.41.010; adding a new section to chapter 18.250 RCW; providing an effective date; and providing an expiration date.

Referred to Committee on Health & Long Term Care.

SB 5689 by Senators Liias, Saldaña, Pedersen, Wellman, Wilson, C., Randall, Hunt, McCoy and Salomon

AN ACT Relating to preventing harassment, intimidation, bullying, and discrimination in public schools; adding a new section to chapter 28A.600 RCW; adding a new section to chapter 28A.642 RCW; adding a new section to chapter 28A.300 RCW; and repealing RCW 28A.300.285.

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

SB 5690 by Senators Saldaña and Keiser

AN ACT Relating to creating the universal worker protections act; amending RCW 39.12.010, 49.46.010, 49.46.010, 50.04.100, 50.04.298, 50.12.070, 51.08.070, 51.08.180, and 51.12.020; reenacting and amending RCW 49.48.082; adding a new section to chapter 39.12 RCW; adding new sections to chapter 49.52 RCW; adding a new section to chapter 49.48 RCW; adding a new section to chapter 49.46 RCW; adding a new section to chapter 50.04 RCW; adding a new section to chapter 51.12 RCW; adding new chapters to Title 49 RCW; creating new sections;

repealing RCW 39.12.100, 50.04.140, 50.04.145, 51.08.181, and 51.08.195; prescribing penalties; providing effective dates; and providing expiration dates.

Referred to Committee on Labor & Commerce.

SB 5691 by Senators Saldaña, Liias, Hunt, Wellman and Keiser
AN ACT Relating to extending collective bargaining rights to employees of the legislative branch of state government; amending RCW 41.80.005 and 41.80.010; and adding new sections to chapter 41.80 RCW.

Referred to Committee on Labor & Commerce.

SB 5692 by Senators Rolfes, McCoy, Takko and Wellman
AN ACT Relating to recreational fishing and hunting licenses; amending RCW 77.08.010, 77.12.810, 77.32.070, 77.32.155, 77.32.350, 77.32.370, 77.32.430, 77.32.440, 77.32.450, 77.32.460, 77.32.470, 77.32.480, 77.32.520, 77.32.570, 77.32.575, 77.12.712, 77.12.714, 77.12.716, 77.12.718, and 77.32.580; adding new sections to chapter 77.32 RCW; adding a new section to chapter 77.12 RCW; repealing 2009 c 420 s 7, 2011 c 339 s 40, 2016 c 223 ss 7, 8, and 9, and 2017 3rd sp.s. c 3 ss 1, 2, and 3 (uncodified); prescribing penalties; providing effective dates; providing expiration dates; and declaring an emergency.

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

SB 5693 by Senators Saldaña, Keiser, Hasegawa and Das
AN ACT Relating to transparency in agricultural supply chains; amending RCW 19.320.010; adding a new section to chapter 19.320 RCW; and providing an effective date.

Referred to Committee on Labor & Commerce.

SB 5694 by Senator King
AN ACT Relating to commercial beekeeper drivers; amending RCW 46.25.010, 46.25.055, and 46.25.075; providing an effective date; and declaring an emergency.

Referred to Committee on Transportation.

SB 5695 by Senators Liias, King, Zeiger and Saldaña
AN ACT Relating to high occupancy vehicle lane penalties; amending RCW 46.61.165 and 47.52.025; and prescribing penalties.

Referred to Committee on Transportation.

SB 5696 by Senators Warnick and Takko
AN ACT Relating to payments in lieu of real property taxes; amending RCW 77.12.201 and 77.12.203; providing an effective date; and declaring an emergency.

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

SB 5697 by Senators Cleveland, Darneille and Nguyen
AN ACT Relating to the sale and installation of solid fuel burning devices; and amending RCW 70.94.455, 70.94.457, and 70.94.483.

Referred to Committee on Environment, Energy & Technology.

SB 5698 by Senators Keiser, Takko, Salomon, Hobbs, Palumbo, Mullet and Saldaña

AN ACT Relating to ensuring for a skilled and trained workforce in high hazard facilities; adding a new chapter to Title 49 RCW; prescribing penalties; and providing an effective date.

Referred to Committee on Labor & Commerce.

SB 5699 by Senator Cleveland

AN ACT Relating to protecting consumers from charges for out-of-network health care services; amending RCW 48.43.005, 48.43.093, and 41.05.017; reenacting and amending RCW 18.130.180; adding a new section to chapter 48.30 RCW; adding a new section to chapter 70.41 RCW; adding a new section to chapter 70.230 RCW; adding a new section to chapter 70.42 RCW; adding a new section to chapter 43.371 RCW; adding a new chapter to Title 48 RCW; creating new sections; prescribing penalties; providing an effective date; and providing an expiration date.

Referred to Committee on Health & Long Term Care.

SB 5700 by Senators Nguyen, Darneille, Wellman, Rolfes, Kuderer, Das and Cleveland

AN ACT Relating to the release of juveniles in the custody of juvenile rehabilitation; and amending RCW 13.40.210.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SB 5701 by Senators King and Honeyford

AN ACT Relating to the reconveyance of state forestlands to counties for the purpose of creating county-owned community forests; and amending RCW 79.22.300, 79.22.310, and 79.22.320.

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

SB 5702 by Senators Warnick and Hobbs

AN ACT Relating to the fairness of public works bidding; and amending RCW 39.04.105.

Referred to Committee on Local Government.

SB 5703 by Senator Kuderer

AN ACT Relating to examinations under oath when a person claims a loss under an insurance contract; and amending RCW 48.18.460.

Referred to Committee on Financial Institutions, Economic Development & Trade.

SB 5704 by Senators Liias, Mullet, Darneille, Hasegawa, Wilson, C., Das, Hunt, Wellman, Walsh, Billig, Nguyen and Van De Wege

AN ACT Relating to establishing the Washington children's educational savings account program; reenacting and amending RCW 43.79A.040; adding a new chapter to Title 28B RCW; creating a new section; and providing an expiration date.

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Referred to Committee on Higher Education & Workforce Development.

SJM 8008 by Senators Bailey and O'Ban

Urging federal legislation to prohibit the sale of tobacco and vapor products to anyone under the age of twenty-one.

Referred to Committee on Health & Long Term Care.

MOTION

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

MOTION

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

MOTION

Senator Palumbo moved adoption of the following resolution:

SENATE RESOLUTION
8607

By Senator Palumbo

WHEREAS, Washington hospitality is the industry that serves. It cares about its people, growing careers, and giving back to local communities; and

WHEREAS, Our collective interest in food, beverages, and lodging accommodations are a part of the past, present, and future of our state; and

WHEREAS, As an industry filled with opportunity and hope, hospitality is driven by the passion, determination, and spirit of nearly three hundred thousand people in local communities across the state; and

WHEREAS, Jobs in hospitality can positively transform lives. From first jobs to second chances at employment and lifelong careers. There is a place for everyone in hospitality; and

WHEREAS, A majority of the owners and operators who are attending Hill Climb today began as dishwashers and front desk clerks. Their success is not by chance — they have worked hard to get to where they are today; and

WHEREAS, Hospitality businesses give back to their communities by supporting local youth sports teams, reading programs, and teachers, donating to local nonprofits and providing food and beverages for community events; and

WHEREAS, These same businesses also give back to the state. In 2017, the hospitality industry generated 1.3 billion dollars in sales tax and Business & Occupation Tax revenue; and

WHEREAS, As the hospitality industry makes up 10.1 percent of the total workforce in Washington, hospitality employers are just as passionate about their team members as they are with any other part of their business. Strong and cohesive teams are essential to succeeding in the industry; and

WHEREAS, Hospitality is a part of the fabric of America with 24.3 percent of the workforce born outside the United States and these employees, like any other, are empowered to rise through the career ladder; and

WHEREAS, Diversity and representation within the industry continues to grow. Nearly one-third of lodging establishments

and restaurants are owned by women and additionally, nearly thirty percent of hospitality businesses are minority-owned; and

WHEREAS, The Washington Hospitality Association is proud to serve more than six thousand five hundred small, medium, and large hospitality members in Washington state; and

WHEREAS, January 28, 2019, marks the twenty-second Hill Climb for the organization, the largest grassroots day on the hill for the hospitality industry;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate recognize the positive impact of the hospitality industry in communities across Washington as it continues to create jobs and contribute to the strength and economic vitality of our state; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the Senate to the membership of the Washington Hospitality Association, and Washington Hospitality Association president and CEO, Anthony Anton.

Senator Palumbo spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8607.

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

MOTION

At 12:09 p.m., on motion of Senator Liias, the Senate adjourned until 12:00 o'clock noon, Tuesday, January 29, 2019.

CYRUS HABIB, President of the Senate

BRAD HENDRICKSON, Secretary of the Senate

SIXTEENTH DAY

NOON SESSION

Senate Chamber, Olympia
Tuesday, January 29, 2019

The Senate was called to order at 12:02 p.m. by the President of the Senate, Lt. Governor Habib presiding. No roll call was taken.

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

MOTION

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

MOTION

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

REPORTS OF STANDING COMMITTEES

February 18, 2019

SB 5088 Prime Sponsor, Senator Wellman: Awarding credits for computer science. Reported by Committee on Ways & Means

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner and Warnick.

Referred to Committee on Ways & Means.

February 25, 2019

SB 5127 Prime Sponsor, Senator McCoy: Increasing the traumatic brain injury fee. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5127 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner and Warnick.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker and Wilson, L.

Referred to Committee on Ways & Means.

February 27, 2019

SB 5190 Prime Sponsor, Senator Keiser: Concerning meal and rest breaks and mandatory overtime for certain health care employees. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5190 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Senators Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Schoesler; Wagoner; Warnick and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Mullet, Capital Budget Cabinet; Bailey and Rivers.

Referred to Committee on Ways & Means.

January 28, 2019

SB 5230 Prime Sponsor, Senator Wilson, C.: Amending motor vehicle laws to align with federal definitions, make technical corrections, and move an effective date to meet a federal timeline. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Sheldon, Assistant Ranking Member; Cleveland; Das; Fortunato; Nguyen; O'Ban; Padden; Randall; Takko; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

January 28, 2019

SB 5253 Prime Sponsor, Senator Sheldon: Concerning the use of "van accessible" parking spots. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5253 be substituted therefor, and the substitute bill do pass. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Sheldon, Assistant Ranking Member; Cleveland; Das; Fortunato; Nguyen; O'Ban; Padden; Randall; Takko; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

January 28, 2019

SB 5261 Prime Sponsor, Senator Zeiger: Creating a pilot program for certain cities to hire homeless persons for local beautification projects. Reported by Committee on Housing Stability & Affordability

MAJORITY recommendation: That Substitute Senate Bill No. 5261 be substituted therefor, and the substitute bill do pass. Signed by Senators Kuderer, Chair; Das, Vice Chair;

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Zeiger, Ranking Member; Darneille; Fortunato; Saldaña and Warnick.

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña and Wellman.

Referred to Committee on Ways & Means.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Braun.

February 28, 2019

SB 5366 Prime Sponsor, Senator Wagoner: Expanding the property tax exemption for new and rehabilitated multiple-unit dwellings in urban centers. Reported by Committee on Ways & Means

MINORITY recommendation: Do not pass. Signed by Senator King, Ranking Member.

Referred to Committee on Rules for second reading.

MAJORITY recommendation: That Substitute Senate Bill No. 5366 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Billig; Conway; Darneille; Hunt; Keiser; Palumbo; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

January 28, 2019

SB 5529 Prime Sponsor, Senator Saldaña: Authorizing the use of automated license plate recognition systems. Reported by Committee on Transportation

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Frockt, Vice Chair, Operating, Capital Lead; Carlyle; Liias and Pedersen.

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Cleveland; Das; Fortunato; Nguyen; O'Ban; Padden; Randall; Takko; Wilson, C. and Zeiger.

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

Referred to Committee on Law & Justice.

Referred to Committee on Ways & Means.

January 28, 2019

SGA 9192 SUZAN LEVINE, appointed on July 1, 2018, for the term ending at the governors pleasure, as Commissioner of the Employment Security Department - Agency Head. Reported by Committee on Labor & Commerce

January 28, 2019

SB 5439 Prime Sponsor, Senator Keiser: Concerning confidentiality of employment security department records and data. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Saldaña and Wellman.

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Saldaña and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Braun.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Braun.

Referred to Committee on Rules for second reading.

Referred to Committee on Rules for second reading.

MOTION

January 28, 2019

SB 5449 Prime Sponsor, Senator Keiser: Concerning paid family and medical leave. Reported by Committee on Labor & Commerce

On motion of Liias, all measures listed on the Standing Committee report were referred to the committees as designated with the exception of Senate Bill No. 5088 which had been designated to the Committee on Rules and was referred to the Committee on Ways & Means.

SUBCOMMITTEE ON BEHAVIORAL HEALTH REFERRALS

MAJORITY recommendation: That Substitute Senate Bill No. 5449 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Saldaña and Wellman.

Pursuant to Senate Rule 45(13) and without objection, notice was received from the Committee on Health & Long Term Care that the following measures had been re-referred to the Subcommittee on Behavioral Health:

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Braun.

Senate Bill No. 5516;
Senate Bill No. 5633;
Senate Bill No. 5637;
and Senate Bill No. 5660.

Referred to Committee on Rules for second reading.

January 28, 2019

SB 5507 Prime Sponsor, Senator Keiser: Amending the application of the occupational disease presumption for cancer for Hanford site workers. Reported by Committee on Labor & Commerce

MOTION

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

SB 5705 by Senator Palumbo

AN ACT Relating to the Washington opportunity scholarship program; and reenacting and amending RCW 28B.145.010, 28B.145.030, and 28B.145.090.

Referred to Committee on Higher Education & Workforce Development.

SB 5706 by Senators Randall and Wellman

AN ACT Relating to accreditation standards for college in the high school programs; and adding a new section to chapter 28B.10 RCW.

Referred to Committee on Higher Education & Workforce Development.

SB 5707 by Senator Keiser

AN ACT Relating to employees required to continue to work without regular payment; adding a new section to chapter 49.48 RCW; creating a new section; prescribing penalties; and declaring an emergency.

Referred to Committee on Labor & Commerce.

SB 5708 by Senators Palumbo, Das, Nguyen, Saldaña, Hasegawa, Wilson and C.

AN ACT Relating to local options for tabulating votes in an election; amending RCW 29A.60.221, 29A.52.112, 29A.52.210, 29A.52.220, 29A.24.010, 36.32.040, 36.32.050, 35A.12.040, and 28A.343.320; reenacting and amending RCW 29A.36.170; adding a new section to chapter 29A.52 RCW; adding a new section to chapter 29A.04 RCW; adding a new section to chapter 52.14 RCW; adding a new section to chapter 53.12 RCW; creating a new section; repealing RCW 29A.04.127; and providing an expiration date.

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

SB 5709 by Senators McCoy, Salomon, Hunt, Nguyen, Hasegawa, Hobbs and Saldaña

AN ACT Relating to creating the Native American opportunity scholarship program; and adding a new chapter to Title 28B RCW.

Referred to Committee on Higher Education & Workforce Development.

SB 5710 by Senators Liias, Saldaña, Cleveland, Takko, Billig, King and Nguyen

AN ACT Relating to the active transportation safety advisory council; amending RCW 43.59.155; repealing RCW 43.59.150 and 43.59.160; providing an effective date; and declaring an emergency.

Referred to Committee on Transportation.

SB 5711 by Senators Padden and Wellman

AN ACT Relating to education equivalencies for licensed child care providers; and adding a new section to chapter 43.216 RCW.

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

SB 5712 by Senators Hobbs, King, Hunt, O'Ban, Mullet, Keiser and Wagoner

AN ACT Relating to creation of a work group to study and make recommendations on a monument to honor residents who died in the global war on terror; creating a new section; and providing an expiration date.

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

SB 5713 by Senators Randall, O'Ban, Zeiger and McCoy

AN ACT Relating to resident student status as applied to veterans; and amending RCW 28B.15.012.

Referred to Committee on Higher Education & Workforce Development.

SB 5714 by Senators Dhingra, Padden, Salomon and Kuderer

AN ACT Relating to the reliability of evidence in criminal proceedings; and creating new sections.

Referred to Committee on Law & Justice.

SB 5715 by Senator Frockt

AN ACT Relating to establishing a streamlined process to increase the capacity of certain mental health providers to offer substance use disorder treatment; amending RCW 18.205.090 and 18.205.020; adding new sections to chapter 18.205 RCW; adding a new section to chapter 18.83 RCW; adding a new section to chapter 18.225 RCW; providing an effective date; and providing an expiration date.

Referred to Committee on Health & Long Term Care.

SB 5716 by Senators Keiser, Wellman and Saldaña

AN ACT Relating to defining when federal government employees are unemployed for purposes of unemployment insurance; amending RCW 50.04.310; creating new sections; and declaring an emergency.

Referred to Committee on Labor & Commerce.

SB 5717 by Senators Saldaña, Das, Hasegawa, Nguyen, Keiser and Liias

AN ACT Relating to secure scheduling; reenacting and amending RCW 50.20.050; adding a new chapter to Title 49 RCW; and prescribing penalties.

Referred to Committee on Labor & Commerce.

SB 5718 by Senators Saldaña, Hasegawa, Nguyen, O'Ban and Das

AN ACT Relating to establishing the child welfare housing assistance program that provides housing assistance to parents reunifying with a child and parents at risk of having a child removed; amending RCW 13.34.065 and 13.34.138; reenacting and amending RCW 43.216.015; and adding a new section to chapter 74.13 RCW.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SB 5719 by Senators Hasegawa and Conway

AN ACT Relating to hemp production; amending RCW 69.50.204; reenacting and amending RCW 69.50.101;

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adding a new section to chapter 15.120 RCW; adding a new chapter to Title 15 RCW; repealing RCW 15.120.005, 15.120.010, 15.120.020, 15.120.030, 15.120.035, 15.120.040, 15.120.050, and 15.120.060; making an appropriation; providing an effective date; providing an expiration date; and declaring an emergency.

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

SB 5720 by Senators Dhingra and Wagoner

AN ACT Relating to the involuntary treatment act; amending RCW 71.05.010, 71.05.012, 71.05.025, 71.05.026, 71.05.027, 71.05.030, 71.05.040, 71.05.050, 71.05.100, 71.05.132, 71.05.150, 71.05.150, 71.05.153, 71.05.153, 71.05.160, 71.05.170, 71.05.180, 71.05.190, 71.05.195, 71.05.201, 71.05.210, 71.05.210, 71.05.212, 71.05.214, 71.05.215, 71.05.217, 71.05.230, 71.05.235, 71.05.280, 71.05.290, 71.05.300, 71.05.310, 71.05.320, 71.05.320, 71.05.380, 71.05.445, 71.05.455, 71.05.457, 71.05.458, 71.05.525, 71.05.530, 71.05.585, 71.05.720, 71.05.740, 71.05.745, 71.05.750, 71.05.760, 71.34.010, 71.34.020, 71.34.305, 71.34.310, 71.34.355, 71.34.365, 71.34.410, 71.34.420, 71.34.500, 71.34.600, 71.34.650, 71.34.700, 71.34.700, 71.34.710, 71.34.710, 71.34.720, 71.34.720, 71.34.740, 71.34.740, 71.34.750, 71.34.780, 71.34.780, and 2.30.010; reenacting and amending RCW 71.05.020, 71.05.120, 71.05.240, 71.05.240, 71.05.590, 71.05.590, 71.34.730, and 71.34.750; adding new sections to chapter 71.05 RCW; adding new sections to chapter 71.34 RCW; recodifying RCW 71.05.525; repealing RCW 71.05.360 and 71.34.370; providing an effective date; and providing an expiration date.

Referred to Committee on Health & Long Term Care.

MOTION

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

MOTION

At 12:04 p.m., on motion of Senator Liias, the Senate adjourned until 10:00 o'clock a.m. Wednesday, January 30, 2019.

CYRUS HABIB, President of the Senate

BRAD HENDRICKSON, Secretary of the Senate

SEVENTEENTH DAY

MORNING SESSION

Senate Chamber, Olympia
Wednesday, January 30, 2019

The Senate was called to order at 10:05 a.m. by the President of the Senate, Lt. Governor Habib presiding. The Secretary called the roll and announced to the President that all Senators were present with the exception of Senator Wilson, L.

The Sergeant at Arms Color Guard consisting of Pages Mr. Richardo Colon-Galvez and Mr. Elijah Wilen, presented the Colors. Page Miss Saige Williams led the Senate in the Pledge of Allegiance.

The prayer was offered by Pastor Brad Carlson, Yelm Prairie Christian Center. Pastor Carlson was a guest of Senator Becker.

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

MOTION

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

MOTION

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

REPORTS OF STANDING COMMITTEES

January 29, 2019

SB 5059 Prime Sponsor, Senator Hasegawa: Allowing the legislative gift center to sell products produced in Washington by craft distillers and microbreweries. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 5059 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Braun; Saldaña; Walsh and Wellman.

Referred to Committee on Rules for second reading.

January 29, 2019

SB 5233 Prime Sponsor, Senator Keiser: Creating an alternative process for sick leave benefits for workers represented by collective bargaining agreements. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña; Walsh and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators King, Ranking Member and Braun.

Referred to Committee on Rules for second reading.

February 25, 2019

SB 5236 Prime Sponsor, Senator Keiser: Encouraging apprenticeships. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5236 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen; Rivers and Van De Wege.

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

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Wagoner; Warnick and Wilson, L.

Referred to Committee on Ways & Means.

March 1, 2019

SB 5297 Prime Sponsor, Senator Hunt: Extending collective bargaining rights to assistant attorneys general. Reported by Committee on Ways & Means

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

MINORITY recommendation: Do not pass. Signed by Senators Braun, Ranking Member; Honeyford, Assistant Ranking Member, Capital; Becker; Schoesler; Wagoner; Warnick and Wilson, L.

Referred to Committee on Ways & Means.

February 25, 2019

SB 5337 Prime Sponsor, Senator Takko: Expanding a sales and use tax exemption for personal property sold between political subdivisions to include sales or uses of personal property as a result of a merger or sales or uses of personal property made under contractual consolidations in which the taxpayer that originally paid the sales or use tax continues to benefit from the personal property. Reported by Committee on Ways & Means

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

Referred to Committee on Ways & Means.

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January 29, 2019

SB 5424 Prime Sponsor, Senator Palumbo: Establishing minimum density standards around regional transit. Reported by Committee on Local Government

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Takko, Chair; Salomon, Vice Chair; Short, Ranking Member; Honeyford and Liias.

Referred to Committee on Housing Stability & Affordability.

January 29, 2019

SB 5471 Prime Sponsor, Senator King: Extending the validity of temporary elevator licenses, expanding membership of the elevator safety advisory committee, allowing homeowners to remove certain conveyances from their residences, and eliminating duplicate paperwork. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 5471 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Braun; Saldaña; Walsh and Wellman.

Referred to Committee on Rules for second reading.

January 30, 2019

SB 5618 Prime Sponsor, Senator Wagoner: Concerning public works bid limits. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Hunt, Chair; Kuderer, Vice Chair; Zeiger, Ranking Member; Hasegawa; Hawkins and Takko.

Referred to Committee on Local Government.

MOTION

On motion of Liias, all measures listed on the Standing Committee report were referred to the committees as designated with the exception of Senate Bill No. 5337 which had been designated to the Committee on Rules and was referred to the Committee on Ways & Means.

MOTION

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

INTRODUCTION AND FIRST READING

SB 5721 by Senator Fortunato

AN ACT Relating to the regulation of abortion facilities; adding a new chapter to Title 70 RCW; and prescribing penalties.

Referred to Committee on Health & Long Term Care.

SB 5722 by Senator Fortunato

AN ACT Relating to the provision of homeless housing and assistance services to homeless persons; amending RCW 43.185C.010, 43.185C.090, 43.185C.150, 43.185C.210, and 43.185C.220; and adding a new section to chapter 43.185C RCW.

Referred to Committee on Housing Stability & Affordability.

SB 5723 by Senators Randall, Saldaña and Liias

AN ACT Relating to increasing safety on roadways for pedestrians, bicyclists, and other roadway users; amending RCW 46.61.110, 46.61.145, 46.61.180, 46.61.185, 46.61.190, 46.61.205, 46.61.250, and 46.61.770; reenacting and amending RCW 43.84.092; creating a new section; prescribing penalties; and providing an effective date.

Referred to Committee on Transportation.

SB 5724 by Senator Saldaña

AN ACT Relating to safety and security of adult entertainers; and adding a new section to chapter 49.17 RCW.

Referred to Committee on Labor & Commerce.

SB 5725 by Senators Hobbs and King

AN ACT Relating to abstracts of driving records; and amending RCW 46.52.130.

Referred to Committee on Transportation.

SB 5726 by Senators Fortunato, Rivers, Warnick, Becker, Brown, Schoesler and Wagoner

AN ACT Relating to exempting clay targets from sales and use tax; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; and creating a new section.

Referred to Committee on Ways & Means.

SB 5727 by Senators Palumbo, Rivers and Mullet

AN ACT Relating to college bound scholarships for students in dual enrollment programs; amending RCW 28B.118.090, 28A.600.290, and 28A.600.310; reenacting and amending RCW 28B.118.010; and adding a new section to chapter 28B.118 RCW.

Referred to Committee on Higher Education & Workforce Development.

SB 5728 by Senators Walsh, Conway, Keiser, Rivers, Wilson, C. and Becker

AN ACT Relating to the establishment of a training network for adult family homes; amending RCW 70.128.010 and 70.128.230; and adding a new section to chapter 70.128 RCW.

Referred to Committee on Health & Long Term Care.

SB 5729 by Senators Rivers, Becker, Bailey, Wagoner and Warnick

AN ACT Relating to enrollment priority in dual credit courses; and amending RCW 28A.600.290.

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

SB 5730 by Senator Palumbo

AN ACT Relating to commercial property assessed clean energy and resilience; and adding a new chapter to Title 35 RCW.

Referred to Committee on Environment, Energy & Technology.

SB 5731 by Senator Short

AN ACT Relating to petitions for proposed transfer of school district territory; amending RCW 28A.315.199 and 28A.315.205; and creating a new section.

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

SB 5732 by Senators Van De Wege, Rivers, Cleveland, Wilson, L., Rolfes, Frockt, Warnick and Braun

AN ACT Relating to foundational public health services; amending RCW 43.70.512; adding a new section to chapter 43.70 RCW; and repealing RCW 43.70.514, 43.70.516, 43.70.520, 43.70.522, and 43.70.580.

Referred to Committee on Health & Long Term Care.

SB 5733 by Senator Saldaña

AN ACT Relating to protecting tenants in residential tenancies; amending RCW 59.18.040, 59.18.220, 61.24.060, 59.18.250, 59.18.230, and 59.18.280; reenacting and amending RCW 59.18.030; adding new sections to chapter 59.18 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Financial Institutions, Economic Development & Trade.

SB 5734 by Senators Cleveland and Becker

AN ACT Relating to the hospital safety net assessment; amending RCW 74.60.005, 74.60.010, 74.60.020, 74.60.030, 74.60.050, 74.60.090, 74.60.120, and 74.60.901; providing an effective date; providing an expiration date; and declaring an emergency.

Referred to Committee on Ways & Means.

SB 5735 by Senators Darneille and Nguyen

AN ACT Relating to the appropriate age for juvenile court adjudication; and amending RCW 9A.04.050.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SB 5736 by Senators Wellman, Wilson and C.

AN ACT Relating to the funding allocation for special education programs; and amending RCW 28A.150.390.

Referred to Committee on Ways & Means.

SB 5737 by Senator Darneille

AN ACT Relating to confinement in juvenile rehabilitation facilities; amending RCW 72.01.410 and 13.40.300; adding a new section to chapter 72.01 RCW; creating new sections; and providing an expiration date.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SB 5738 by Senator Darneille

AN ACT Relating to requiring postsecondary institutions to plan for the needs of certain students experiencing homelessness; adding a new section to chapter 28B.50 RCW; adding a new section to chapter 28B.10 RCW; and creating a new section.

Referred to Committee on Higher Education & Workforce Development.

SB 5739 by Senator Sheldon

AN ACT Relating to promoting affordable housing in unincorporated areas of rural counties within urban growth areas; amending RCW 84.14.060; and amending 2014 c 96 s 1 (uncodified).

Referred to Committee on Housing Stability & Affordability.

SB 5740 by Senators Mullet and Hobbs

AN ACT Relating to creating the secure choice retirement savings program; amending RCW 43.330.732, 43.330.735, and 30B.04.040; reenacting and amending RCW 43.79A.040; adding new sections to chapter 43.330 RCW; creating a new section; decodifying RCW 43.330.730; and prescribing penalties.

Referred to Committee on Financial Institutions, Economic Development & Trade.

SB 5741 by Senators Keiser, Rivers, Frockt and Mullet

AN ACT Relating to making changes to support future operations of the state all payer claims database by transferring the responsibility to the health care authority, partnering with a lead organization with broad data experience, including with self-insured employers, and other changes to improve and ensure successful and sustainable database operations for access to and use of the data to improve health care, providing consumers useful and consistent quality and cost measures, and assess total cost of care in Washington state; amending RCW 43.371.005, 43.371.020, 43.371.030, 43.371.050, 43.371.060, 43.371.070, and 43.371.080; reenacting and amending RCW 43.371.010; adding a new section to chapter 43.371 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Health & Long Term Care.

SB 5742 by Senators Fortunato and Zeiger

AN ACT Relating to special licenses and permits issued by the liquor and cannabis board; amending RCW 66.24.375, 66.28.040, 66.28.295, and 66.20.010; and adding a new section to chapter 66.28 RCW.

Referred to Committee on Labor & Commerce.

SB 5743 by Senators Fortunato, King, Becker, Hawkins, Sheldon, Padden, Bailey, Brown, Warnick and Honeyford

AN ACT Relating to vehicle taxation; amending RCW 82.08.020, 82.12.020, and 46.68.090; providing an effective date; and declaring an emergency.

SEVENTEENTH DAY, JANUARY 30, 2019

2019 REGULAR SESSION

Referred to Committee on Transportation.

SB 5744 by Senators Dhingra, Das, Randall, Darneille, Hasegawa and Saldaña

AN ACT Relating to commercially sexually exploited children; amending RCW 9A.88.030, 13.40.070, 13.40.213, 7.68.801, and 43.185C.260; adding a new section to chapter 7.68 RCW; creating a new section; and providing an effective date.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SB 5745 by Senator Liias

AN ACT Relating to extreme risk protection orders; and amending RCW 7.94.040.

Referred to Committee on Law & Justice.

SB 5746 by Senator Saldaña

AN ACT Relating to adequate provisions for low-income homeownership opportunities; amending RCW 43.185.050, 43.185.070, 43.185A.010, and 43.185A.030; creating a new section; providing an effective date; and declaring an emergency.

Referred to Committee on Housing Stability & Affordability.

SB 5747 by Senator Fortunato

AN ACT Relating to studying the use of solid waste to produce renewable energy; and creating a new section.

Referred to Committee on Environment, Energy & Technology.

SB 5748 by Senators Conway, O'Ban, Frockt and Rolfes

AN ACT Relating to creating an account to support necessary infrastructure nearby military installations; and adding new sections to chapter 43.330 RCW.

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

SB 5749 by Senators Mullet and Van De Wege

AN ACT Relating to faith-based exemptions regarding criminal mistreatment of children and vulnerable adults; amending RCW 9A.42.005; and reenacting and amending RCW 26.44.020.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SB 5750 by Senators Hunt, Zeiger and Warnick

AN ACT Relating to public disclosure of unaggregated financial, proprietary, or commercial information submitted to the liquor and cannabis board by a licensed distillery; and reenacting and amending RCW 42.56.270.

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

SB 5751 by Senators Liias, Rivers and Palumbo

AN ACT Relating to motorized foot scooters; amending RCW 46.04.336, 46.04.670, 46.61.710, and 46.20.500; and adding a new section to chapter 46.61 RCW.

Referred to Committee on Transportation.

SB 5752 by Senators Van De Wege, Rivers, Keiser, Becker and Short

AN ACT Relating to the practice of naturopathy; amending RCW 18.36A.040 and 69.41.030; reenacting and amending RCW 18.36A.020 and 69.50.101; adding new sections to chapter 18.36A RCW; and creating a new section.

Referred to Committee on Health & Long Term Care.

SB 5753 by Senators Randall, Wilson and C.

AN ACT Relating to eliminating subminimum wage certificates for persons with disabilities; and amending RCW 49.12.110 and 49.46.060.

Referred to Committee on Labor & Commerce.

SB 5754 by Senators Randall, Wilson and C.

AN ACT Relating to health care for working individuals with disabilities; amending RCW 74.09.540; and providing an effective date.

Referred to Committee on Health & Long Term Care.

SB 5755 by Senators Randall and Hobbs

AN ACT Relating to veteran and national guard tuition waivers; and amending RCW 28B.15.621.

Referred to Committee on Higher Education & Workforce Development.

SB 5756 by Senators Wellman, King and Keiser

AN ACT Relating to delegation of inspection duties for factory built housing and commercial structures; and amending RCW 43.22.470 and 43.22.450.

Referred to Committee on Labor & Commerce.

SB 5757 by Senators Hasegawa, Wilson and C.

AN ACT Relating to a basic education program of early learning; amending RCW 28A.150.200 and 43.216.020; adding a new chapter to Title 28A RCW; and providing an expiration date.

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

SB 5758 by Senator Fortunato

AN ACT Relating to exempting homeowners from the state property tax if their children attend private school; and adding a new section to chapter 84.36 RCW.

Referred to Committee on Ways & Means.

SB 5759 by Senators Cleveland, Rivers, Conway, Bailey, Wilson, L., Short and Keiser

AN ACT Relating to the use of remote technology in eye examinations; adding a new chapter to Title 18 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Health & Long Term Care.

SJR 8206 by Senators Fortunato, King, Hawkins, Sheldon, Padden, Bailey, Brown, Warnick, Honeyford, Wilson, L., Holy and Becker

Amending the state Constitution so that certain sales and use tax revenue collected from new and used car purchases are used for highway purposes.

Referred to Committee on Transportation.

MOTION

On motion of Senator Liias, all measures listed on the Introduction and First Reading report were referred to the committees as designated with the exceptions of Senate Bill No. 5734 which had been designated to the Committee on Health & Long Term Care and was referred to the Committee on Ways & Means and Senate Bill No. 5736 which had been designated to the Committee on Early Learning & K-12 Education and was referred to the Committee on Ways & Means.

MOTION

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

MOTION

Senator Becker moved adoption of the following resolution:

SENATE RESOLUTION 8605

By Senators Becker, Warnick, Brown, King, Short, Fortunato, Walsh, Padden, Honeyford, Bailey, Wagoner, Ericksen, Zeiger, Wilson, L., and Holy

WHEREAS, The first creamery in Washington was started in Cheney in 1880; and

WHEREAS, Washington's dairy industry is actually older than the state itself; and

WHEREAS, Cows were first brought to Washington in 1838; and

WHEREAS, Dairy farms can be found in twenty-nine of Washington's thirty-nine counties; and

WHEREAS, There are thirty-three certified organic dairies in Washington; and

WHEREAS, Families across Washington have depended on the safe and nutritious dairy products provided by the dairy farmers of Washington state for generations; and

WHEREAS, Dairy is an essential part of a healthy diet, is one of the major food groups represented on the United States Department of Agriculture's "MyPlate" dietary guidelines, and three cups of dairy products per day are recommended for people nine years old and older; and

WHEREAS, There are approximately three hundred eighty family dairy farms in Washington state with approximately two hundred seventy-four thousand dairy cows; and

WHEREAS, Dairy ranks as the second highest agricultural commodity produced in Washington, with a direct economic impact valued at three hundred seventeen million dollars; and

WHEREAS, Washington is the tenth largest total milk producer among the fifty United States; and

WHEREAS, Dairy Day at the legislature takes place on January 30, 2019, when legislators will visit with Washington

dairy producers and enjoy delicious dairy products that are produced in Washington and handed out by the Washington State Dairy Federation, Washington State Dairy Women, and the state and county Dairy Ambassadors;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate acknowledge and honor the women and men whose work on dairy farms throughout Washington has contributed much to the strength and vitality of our economy, the character of our communities, and the general well-being of our citizens; and

BE IT FURTHER RESOLVED, That copies of this Resolution be immediately transmitted by the Secretary of the Senate to Washington State Dairy Ambassador Abigail Zurcher, alternate Ambassadors Rebecca Ford and Jacoba VanSlageren, Dairy Farmers of Washington, and the Washington State Dairy Federation.

Senators Becker, Warnick, Takko and Ericksen spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8605.

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

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced Washington State Dairy Ambassador Miss Abigail Zurcher, Mid-Columbia Counties; Alternate Ambassador Miss Rebecca Ford, Lewis County; Alternate Ambassador Miss Jacoba VanSlageren, Yakima Valley; and members and representatives of the Washington State Dairy Federation and the Washington State Dairy Women who were seated in the gallery.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced members of the Pacific Northwest Economic Region (PNWER) who were seated in the gallery.

MOTION

At 10:24 a.m., on motion of Senator Liias, the Senate was declared to be at ease subject to the call of the President.

Senator Billig announced a meeting of the Democratic Caucus. Senator Becker announced a meeting of the Republican Caucus.

The Senate was called to order at 11:19 a.m. by President Habib.

MOTION

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

THIRD READING CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

SEVENTEENTH DAY, JANUARY 30, 2019

2019 REGULAR SESSION

Senator Billig moved that Claire Hesselholt, Senate gubernatorial Appointment No. 9260, be confirmed as a member of the Board of Tax Appeals.

Senator Billig spoke in favor of the motion.

MOTION

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

APPOINTMENT OF CLAIRE HESSELHOLT

The President declared the question before the Senate to be the confirmation of Claire Hesselholt, Senate gubernatorial Appointment No. 9260, as a member of the Board of Tax Appeals.

The Secretary called the roll on the confirmation of Claire Hesselholt, Senate gubernatorial Appointment No. 9260, as a member of the Board of Tax Appeals and the appointment was confirmed by the following vote: Yeas, 46; Nays, 1; Absent, 0; Excused, 1.

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

Voting nay: Senator Schoesler

Excused: Senator Wilson, L.

Claire Hesselholt, Senate gubernatorial Appointment No. 9260, having received the constitutional majority was declared confirmed as a member of the Board of Tax Appeals.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed the family of Senator Pedersen who were seated in the gallery.

POINT OF PERSONAL PRIVILEGE

Senator Pedersen: "Thank you, Mr. President. I just want to welcome my family who are here. My sons Trygve, Leif, Erik and Anders. And my husband Eric. They are all going to be in Virginia with Eric's parents during the official Children's Day, so we are having a do-it-yourself Children's Day today."

MOTION

Senator King moved that Teresa Berntsen, Senate gubernatorial Appointment No. 9181, be confirmed as Director, Department of Licensing.

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

APPOINTMENT OF TERESA BERNTSEN

The President declared the question before the Senate to be the confirmation of Teresa Berntsen, Senate gubernatorial Appointment No. 9181, as Director, Department of Licensing.

The Secretary called the roll on the confirmation of Teresa Berntsen, Senate gubernatorial Appointment No. 9181, as Director, Department of Licensing and the appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Wilson, L.

Teresa Berntsen, Senate gubernatorial Appointment No. 9181, having received the constitutional majority was declared confirmed as Director, Department of Licensing.

MOTION

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

SECOND READING

HOUSE CONCURRENT RESOLUTION NO. 4401, by Representatives Macri, Mosbrucker, Peterson, Doglio, Ryu, Orwall, Pellicciotti, Fey, Sells, Goodman, Shewmake, Wylie, Fitzgibbon, Kilduff, Senn, Appleton, Chapman, Rude, Lovick, Ortiz-Self, Paul, Springer, Slatter, Callan, Walen, Gregerson, Dolan, Irwin, Ramos, Thai, Pettigrew, Valdez, Bergquist, MacEwen, Robinson, Smith, Steele, Stokesbary, Van Werven, Gildon, Barkis, Griffey, Dufault, Stanford, Ormsby, Kirby, Maycumber, Tharinger, Cody, Eslick, Hudgins, Sutherland, Jinkins, Lekanoff, Pollet, Stonier, Frame, Davis, Leavitt, Dent, Dye, Graham, Reeves, Sullivan and Riccelli

Adopting the code of conduct of the Washington state legislature.

The measure was read the second time.

MOTION

On motion of Senator Dhingra, the rules were suspended, House Concurrent Resolution No. 4401 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

MOTION

On motion of Senator Rivers, Senator Schoesler was excused.

The President declared the question before the Senate to be the final passage of House Concurrent Resolution No. 4401.

Senators Dhingra, Rivers and Keiser spoke in favor of adoption of the resolution.

HOUSE CONCURRENT RESOLUTION NO. 4401 having received a majority was adopted by voice vote.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1064, by House Committee on Public Safety (originally sponsored by Goodman, Klippert, Sells, Ryu, Orwall, Irwin, Ortiz-Self, Pellicciotti, Kirby, Appleton, Lovick, Dolan, Springer, Barkis, Santos, Griffey, Kloba, Smith, Doglio, Gregerson, Shewmake, Pollet, Tarleton, Valdez, Peterson, Fey, Stanford, Slatter, Tharinger, Hansen,

Wylie, Fitzgibbon, Jinkins, Macri, Bergquist, Chambers, Graham, Frame and Reeves)

Concerning law enforcement.

The measure was read the second time.

MOTION

On motion of Senator Pedersen, the rules were suspended, Substitute House Bill No. 1064 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Pedersen, Frockt, Padden, Dhingra, Fortunato and Hasegawa spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1064.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1064 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Wilson, L.

SUBSTITUTE HOUSE BILL NO. 1064, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Liias, Substitute House Bill No. 1064 was immediately transmitted to the House of Representatives.

MOTION

On motion of Senator Hunt, Substitute Senate Bill No. 5273 was not substituted for Senate Bill No. 5273 and the substitute bill was not adopted.

SECOND READING

SENATE BILL NO. 5273, by Senators Hunt, Kuderer, Wellman, Cleveland, McCoy, Dhingra, Saldaña, Billig, Mullet, Liias, Conway, Das, Frockt, Keiser and Palumbo

Concerning the presidential primary.

The measure was read the second time.

MOTION

Senator Zeiger moved that the following amendment no. 005 by Senator Zeiger be adopted:

On page 2, line 31, after "party" insert "or the list of candidates used by voters who choose not to declare a party affiliation"

On page 3, line 17, after "~~candidate~~)" insert "Additionally, each ballot must contain a list of all candidates who have qualified for a place on the ballot under section 2 of this act for use by voters who choose not to declare a party affiliation. This list must be in alphabetical order regardless of party, but the political party affiliation of each candidate must be clearly indicated."

On page 4, line 1, after "(3)" insert "In addition to the party declaration provided by each party, voters must be allowed to declare their intention not to affiliate with a party."

(4)"

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

On page 4, line 5, after "party" insert ", and from the list of candidates to be used by voters that choose not to declare a party affiliation""

On page 4, after line 15, insert the following:

"(5) Voters that do not subscribe to a party declaration, and voters that declare that they do not wish to affiliate with a party, may vote for any candidate qualified under section 2 of this act using the list of all candidates to be used by undeclared voters. Votes cast by voters who declare that they do not wish to affiliate with a party and votes cast by voters who do not subscribe to a party oath must be tabulated together and reported separately from the results of votes cast by voters subscribing to a party oath."

Senators Zeiger, Becker, Sheldon and Hawkins spoke in favor of adoption of the amendment.

Senators Hunt and Liias spoke against adoption of the amendment.

Senator Schoesler demanded a roll call.

The President declared that one-sixth of the members supported the demand and the demand was sustained.

The President declared the question before the Senate to be the adoption of amendment no. 005 by Senator Zeiger on page 2, line 31 to Senate Bill No. 5273.

ROLL CALL

The Secretary called the roll on the adoption of amendment no. 005 by Senator Zeiger and the amendment was not adopted by the following vote: Yeas, 18; Nays, 29; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Braun, Brown, Fortunato, Hawkins, Holy, Honeyford, King, O'Ban, Randall, Rivers, Schoesler, Sheldon, Wagoner, Walsh, Warnick and Zeiger

Voting nay: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, McCoy, Mullet, Nguyen, Padden, Palumbo, Pedersen, Rolfes, Saldaña, Salomon, Short, Takko, Van De Wege, Wellman and Wilson, C.

Excused: Senator Wilson, L.

MOTION

Senator Hunt moved that the following amendment no. 003 by Senator Hunt be adopted:

On page 4, line 23, after "general election," strike "or" and insert "~~(or)~~"

On page 4, line 24, after "primary," insert "or presidential primary."

On page 4, line 25, after "general election," strike "or" and insert "~~(or)~~"

On page 4, line 25, after "primary" insert ", or presidential primary""

Senator Hunt spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 003 by Senator Hunt on page 4, line 23 to Senate Bill No. 5273.

The motion by Senator Hunt carried and amendment no. 003 was adopted by voice vote.

MOTION

On motion of Senator Hunt, the rules were suspended, Engrossed Senate Bill No. 5273 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

Senators Sheldon and Hawkins spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 5273.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5273 and the bill passed the Senate by the following vote: Yeas, 29; Nays, 18; Absent, 0; Excused, 1.

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

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

Excused: Senator Wilson, L.

ENGROSSED SENATE BILL NO. 5273, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5124, by Senator Das

Concerning appraisal management company Title XI compliance and license expiration.

The measure was read the second time.

MOTION

On motion of Senator Keiser, the rules were suspended, Senate Bill No. 5124 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Das spoke in favor of passage of the bill.

Senators Mullet, King, Keiser, Fortunato and Hobbs spoke on passage of the bill.

MOTION

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

The President declared the question before the Senate to be the final passage of Senate Bill No. 5124.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5124 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 0; Absent, 1; Excused, 2.

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

Absent: Senator Ericksen

Excused: Senators Wellman and Wilson, L.

SENATE BILL NO. 5124, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

PERSONAL PRIVILEGE

Senator Das: "Mr. President, each time I drive to the capitol campus I'm in awe of the grandeur and the importance of this place in Washington state. Yes, the sandstone buildings are amazing and the grounds are beautiful. The people bustle with importance but to me this place is truly remarkable because what it holds, one of the state's most precious assets, our democracy. Senators, representatives, staff members and the public come here year after year, session after session, with one common goal they're here, like I am, to make Washington a better place. They've, they're here to improve our schools, bolster our infrastructure, and ensure that most, our most vulnerable neighbors are safe. They're here to increase access to health care, alleviate homelessness, and protect our environment for future generations. Now as a first-year Senator, I am part of that grand tradition. I'm here to make Washington a welcoming place for all who call it home. I'm so proud of the residents of my district that have put their faith in me to represent them. Thinking back on my life it seems unlikely that I would end up here. My journey became, started in India from the state of Bihar and I immigrated to the United States with my family when I was eight months old. I spent much of my life moving around but eventually I landed in beautiful Washington state. I am proud to call Kent and the 47th District my home. In the Senate I join the grand tradition of strong women. I join a wave of women of color who took their seats this year in Washington, in the Washington State Legislature. This year the Legislature is about forty percent women. I'm honored to be one of those women, to be able to add another woman's voice to the conversation. I'm confident that the number of women will continue to grow in the coming years and as more young women are inspired to run for office. I hope that my time and as a senator can be an inspiration for those young women. I believe our democracy should be accessible to all women and communities of color and I believe that we are making much progress. My fellow senators have been so welcoming during my first weeks here in the legislature that I am immensely grateful for that. Thank you. I, to show my gratitude and return the favor, I have brought you a gift. I hope that these Indian sweets from India Village in Kent will remind you how sweet life is and how sweet it is to serve in the Washington State Legislature. And don't forget to reuse your boxes. Thank you Mr. President."

PERSONAL PRIVILEGE

Senator Liias: “Thank you Mr. President. In December Senator-elect, at the time, Das contacted me to grab coffee. She wanted to chat about what service in the legislature would be like and so, you know, I thought, ‘Great.’ I set aside an hour of time on a Saturday afternoon and we met up at a wonderful coffee shop and Mr. President that coffee lasted four hours long. Four hours. Now it was an enjoyable four hours but Senator-elect Das clearly was enthusiastic about embracing her new role as the voice for the 47th District...”

President Habib: “Senator Liias, those of us who know you know that you weren’t doing any of the talking during that four hour period.”

Senator Liias: “That’s a good point, Mr. President, but we’re talking about Senator Das right now. Her energy, her enthusiasm and just the great question she asked in that meeting and every subsequent interaction I’ve had with her tell me that we’re all in in for a challenge as we have to explain why we do things the way we do. And sometimes there’s not always a good reason and so she asked those questions but also I think she’s going to challenge us to think more creatively and think about folks whose voices aren’t a part of the process. And just a warning to all my colleagues, when she asks you for a one-hour coffee maybe don’t schedule anything right after that meeting because it may last a little bit longer. Thank you Mr. President and welcome to our colleague.”

REMARKS BY THE PRESIDENT

President Habib: “Thank you and on behalf of the entire Senate, Senator Das we’re so fortunate to have you here and please know that you’re part of our family. And as has been said by others, we disagree about policy but we really do try to treat one another with respect and also become friends with one another and it’s been my pleasure to be able to do that.”

PERSONAL PRIVILEGE

Senator Hunt: “Thank you. Just a little bit of history, since I’ve been on this place as a staff member and a legislator for a long time, when the Senate used to be pretty much or was an all male body there was a very strong tradition on your first speech you had to give every member of the Senate a cigar.”

PERSONAL PRIVILEGE

Senator Short: “Thank you Mr. President. Just reminding everyone: We have in the rotunda, we’re doing a photo. Those of us who are wearing pink, to honor Senator Wilson and her battle with cancer right now. I know she’s not here but I think we should still do the picture and then we can send it to her.”

MOTION

At 12:40 p.m., on motion of Senator Liias, the Senate was declared to be at ease subject to the call of the President.

The Senate was called to order at 2:18 p.m. by President Habib.

MOTION

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

MESSAGE FROM THE HOUSE

January 30, 2019

MR. PRESIDENT:

The Speaker has signed:

SUBSTITUTE HOUSE BILL NO. 1064,
and the same is herewith transmitted.

BERNARD DEAN, Chief Clerk

SIGNED BY THE PRESIDENT

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

SUBSTITUTE HOUSE BILL NO. 1064.

MOTION

At 2:19 p.m., on motion of Senator Liias, the Senate adjourned until 12:00 o'clock noon, Thursday, January 31, 2019.

CYRUS HABIB, President of the Senate

BRAD HENDRICKSON, Secretary of the Senate

EIGHTEENTH DAY

NOON SESSION

Senate Chamber, Olympia
Thursday, January 31, 2019

The Senate was called to order at 12:01 p.m. by the President of the Senate, Lt. Governor Habib presiding. No roll call was taken.

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

MOTION

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

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

REPORTS OF STANDING COMMITTEES

January 30, 2019

SB 5047 Prime Sponsor, Senator O'Ban: Concerning veteran diversion from involuntary commitment through increased coordination between the veterans administration and the department of social and health services. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 5047 be substituted therefor, and the substitute bill do pass. Signed by Senators Cleveland, Chair; Randall, Vice Chair; O'Ban, Ranking Member; Bailey; Becker; Conway; Frockt; Keiser and Van De Wege.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Dhingra.

Referred to Committee on Rules for second reading.

January 30, 2019

SB 5053 Prime Sponsor, Senator O'Ban: Increasing behavioral health workforce participation by addressing certification and licensure requirements. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: Do pass. Signed by Senators Cleveland, Chair; Randall, Vice Chair; O'Ban, Ranking Member; Becker; Conway; Dhingra; Frockt; Keiser and Van De Wege.

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

Referred to Committee on Rules for second reading.

January 30, 2019

SB 5054 Prime Sponsor, Senator O'Ban: Increasing the behavioral health workforce by establishing a reciprocity program to increase the portability of behavioral health licenses

and certifications. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: Do pass. Signed by Senators Cleveland, Chair; Randall, Vice Chair; O'Ban, Ranking Member; Bailey; Becker; Conway; Dhingra; Frockt; Keiser and Van De Wege.

Referred to Committee on Rules for second reading.

January 30, 2019

SB 5055 Prime Sponsor, Senator O'Ban: Increasing availability of peer services for persons with behavioral health disorders. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: Do pass. Signed by Senators Cleveland, Chair; Randall, Vice Chair; O'Ban, Ranking Member; Bailey; Becker; Conway; Dhingra; Frockt; Keiser and Van De Wege.

Referred to Committee on Rules for second reading.

January 29, 2019

SB 5113 Prime Sponsor, Senator Liias: Concerning community and technical colleges granting high school diplomas. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: Do pass. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown; Liias and Wellman.

Referred to Committee on Rules for second reading.

February 26, 2019

SB 5164 Prime Sponsor, Senator Saldaña: Providing public assistance to certain victims of human trafficking. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5164 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

Referred to Committee on Ways & Means.

February 4, 2019

SB 5166 Prime Sponsor, Senator Hasegawa: Providing religious accommodations for postsecondary students. Reported by Committee on Ways & Means

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Billig; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo;

Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

MINORITY recommendation: Do not pass. Signed by Senator Honeyford, Assistant Ranking Member, Capital.

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

Referred to Committee on Ways & Means.

February 18, 2019

SB 5197 Prime Sponsor, Senator Hobbs: Concerning the Washington national guard postsecondary education grant program. Reported by Committee on Ways & Means

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

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Hasegawa.

Referred to Committee on Ways & Means.

February 28, 2019

SB 5290 Prime Sponsor, Senator Darneille: Eliminating the use of the valid court order exception to place youth in detention for noncriminal behavior. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5290 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo and Pedersen.

MINORITY recommendation: Do not pass. Signed by Senators Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Bailey.

Referred to Committee on Ways & Means.

January 30, 2019

SB 5331 Prime Sponsor, Senator Palumbo: Concerning long-term services and supports. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 5331 be substituted therefor, and the substitute bill do pass. Signed by Senators Cleveland, Chair; Randall, Vice Chair; Conway; Dhingra; Frockt; Keiser and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Senators O'Ban, Ranking Member; Bailey and Becker.

Referred to Committee on Ways & Means.

January 30, 2019

SB 5341 Prime Sponsor, Senator Randall: Improving access and completion for students at public institutions of higher education, especially at community and technical colleges, by removing restrictions on subsidized child care. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 5341 be substituted therefor, and the substitute bill do pass. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Hunt; McCoy; Mullet; Pedersen and Salomon.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Holy; Padden and Wagoner.

Referred to Committee on Ways & Means.

February 28, 2019

SB 5393 Prime Sponsor, Senator Palumbo: Establishing a statewide free college program by changing the state need grant to the Washington college promise scholarship. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5393 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen and Van De Wege.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Rivers; Schoesler; Wagoner; Warnick and Wilson, L.

Referred to Committee on Ways & Means.

February 27, 2019

SB 5433 Prime Sponsor, Senator Wilson, C.: Providing postsecondary education opportunities to enhance public safety. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5433 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Mullet, Capital Budget Cabinet; Honeyford, Assistant Ranking Member, Capital; Billig; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen; Van De Wege and Warnick.

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

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

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Referred to Committee on Ways & Means.

January 30, 2019

SB 5436 Prime Sponsor, Senator Wilson, C.: Concerning child care access. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Holy; Hunt; McCoy; Padden; Pedersen; Salomon and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Mullet.

Referred to Committee on Ways & Means.

February 25, 2019

SB 5523 Prime Sponsor, Senator Braun: Improving managed care organization performance in caring for medicaid clients. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5523 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Carlyle; Liias; Palumbo; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Billig; Conway; Darneille; Hasegawa; Hunt; Keiser and Pedersen.

Referred to Committee on Ways & Means.

January 29, 2019

SGA 9044 LISA H. CHIN, reappointed on September 19, 2016, for the term ending September 30, 2021, as Member of the Bellevue College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown; Liias and Wellman.

Referred to Committee on Rules for second reading.

January 29, 2019

SGA 9051 MICHAEL R. DELLER, reappointed on September 22, 2016, for the term ending September 30, 2021, as Member of the Everett Community College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown; Liias and Wellman.

Referred to Committee on Rules for second reading.

January 29, 2019

SGA 9054 CHRISTON C. SKINNER, reappointed on September 21, 2016, for the term ending September 30, 2021, as Member of the Skagit Valley College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown; Liias and Wellman.

Referred to Committee on Rules for second reading.

January 29, 2019

SGA 9083 DWAYNE G. JOHNSON, reappointed on June 5, 2017, for the term ending September 30, 2021, as Member of the Peninsula College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown; Liias and Wellman.

Referred to Committee on Rules for second reading.

January 29, 2019

SGA 9084 STEVEN P. ADELSTEIN, reappointed on June 20, 2017, for the term ending September 30, 2021, as Member of the Whatcom Community College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown; Liias and Wellman.

Referred to Committee on Rules for second reading.

January 29, 2019

SGA 9098 CLAIRE GRACE, reappointed on August 24, 2017, for the term ending May 17, 2021, as Member of the Higher Education Facilities Authority. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown; Liias and Wellman.

Referred to Committee on Rules for second reading.

January 29, 2019

SGA 9102 BOB BOLERJACK, reappointed on September 29, 2017, for the term ending September 30, 2022, as Member of the Everett Community College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown; Liias and Wellman.

Referred to Committee on Rules for second reading.

January 29, 2019

SGA 9103 GREG DIETZEL, reappointed on September 29, 2017, for the term ending September 30, 2022, as Member of the Bellevue College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown; Liias and Wellman.

Referred to Committee on Rules for second reading.

January 29, 2019

SGA 9107 JUDITH L. HARTMANN, reappointed on October 4, 2017, for the term ending September 30, 2022, as Member of the South Puget Sound Community College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown; Liias and Wellman.

Referred to Committee on Rules for second reading.

January 29, 2019

SGA 9109 ROBERT M. RYAN, reappointed on October 1, 2017, for the term ending September 30, 2022, as Member of the Tacoma Community College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown; Liias and Wellman.

Referred to Committee on Rules for second reading.

January 29, 2019

SGA 9110 DORIS WOOD, reappointed on October 5, 2017, for the term ending September 30, 2022, as Member of the Centralia College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown; Liias and Wellman.

Referred to Committee on Rules for second reading.

January 29, 2019

SGA 9112 BRIAN K. UNTI, reappointed on October 11, 2017, for the term ending September 30, 2022, as Member of the Renton Technical College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown; Liias and Wellman.

Referred to Committee on Rules for second reading.

January 29, 2019

SGA 9115 DENISE L. JONES, reappointed on October 19, 2017, for the term ending September 30, 2022, as Member of the Lake Washington Institute of Technology Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown; Liias and Wellman.

Referred to Committee on Rules for second reading.

January 29, 2019

SGA 9120 REKAH T. STRONG, reappointed on October 31, 2017, for the term ending September 30, 2022, as Member of the Clark College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown; Liias and Wellman.

Referred to Committee on Rules for second reading.

January 29, 2019

SGA 9147 STEPHEN L. SMITH, reappointed on February 5, 2018, for the term ending September 30, 2022, as Member of the Pierce College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown; Liias and Wellman.

Referred to Committee on Rules for second reading.

January 29, 2019

SGA 9155 ROBERT H. WHALEY, reappointed on February 27, 2018, for the term ending September 30, 2023, as Member of the Eastern Washington University Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown; Liias and Wellman.

Referred to Committee on Rules for second reading.

January 29, 2019

SGA 9170 CAROL J. MCVICKER, reappointed on April 25, 2018, for the term ending April 3, 2022, as Member of the State Board for Community and Technical Colleges. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown; Liias and Wellman.

Referred to Committee on Rules for second reading.

January 29, 2019

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SGA 9171 JEROME O. COHEN, reappointed on May 21, 2018, for the term ending March 26, 2022, as Member of the Higher Education Facilities Authority. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown; Liias and Wellman.

Referred to Committee on Rules for second reading.

January 29, 2019

SGA 9173 GEORGE RAITER, reappointed on June 1, 2018, for the term ending September 30, 2022, as Member of the Lower Columbia College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown; Liias and Wellman.

Referred to Committee on Rules for second reading.

January 29, 2019

SGA 9202 MARK MATTKE, reappointed on July 30, 2018, for the term ending June 30, 2021, as Member of the Workforce Training and Education Coordinating Board. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown; Liias and Wellman.

Referred to Committee on Rules for second reading.

January 29, 2019

SGA 9212 HEATHER MOSS, reappointed on October 1, 2018, for the term ending September 30, 2023, as Member of the Bates Technical College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown; Liias and Wellman.

Referred to Committee on Rules for second reading.

January 29, 2019

SGA 9217 SUSAN K. SHARPE, reappointed on September 20, 2018, for the term ending September 30, 2024, as Member of the Western Washington University Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown; Liias and Wellman.

Referred to Committee on Rules for second reading.

January 29, 2019

SGA 9222 CHARLES S. MCFADDEN, reappointed on September 25, 2018, for the term ending September 30, 2023, as Member of the Big Bend Community College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown; Liias and Wellman.

Referred to Committee on Rules for second reading.

January 29, 2019

SGA 9223 JAMES M. MURPHY, reappointed on September 25, 2018, for the term ending September 30, 2024, as Member of the Eastern Washington University Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown; Liias and Wellman.

Referred to Committee on Rules for second reading.

January 29, 2019

SGA 9225 VICKI J. WILSON, reappointed on September 26, 2018, for the term ending September 30, 2024, as Member of the Eastern Washington University Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown; Liias and Wellman.

Referred to Committee on Rules for second reading.

January 29, 2019

SGA 9228 BRETT R. WILLIS, reappointed on October 3, 2018, for the term ending September 30, 2023, as Member of the Pierce College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown; Liias and Wellman.

Referred to Committee on Rules for second reading.

January 29, 2019

SGA 9235 ROBERT M. WILLIAMS, appointed on October 15, 2018, for the term ending September 30, 2023, as Member of the Seattle College District Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown; Liias and Wellman.

Referred to Committee on Rules for second reading.

January 29, 2019

SGA 9248 MERISA T. HEU-WELLER, reappointed on November 8, 2018, for the term ending September 30, 2023, as Member of the Bellevue College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown; Liias and Wellman.

Referred to Committee on Rules for second reading.

January 29, 2019

SGA 9250 WILLIAM W. WARREN, reappointed on November 8, 2018, for the term ending September 30, 2023, as Member of the Walla Walla Community College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown; Liias and Wellman.

Referred to Committee on Rules for second reading.

January 29, 2019

SGA 9251 KATHRYN A. BENNETT, reappointed on November 15, 2018, for the term ending September 30, 2023, as Member of the Skagit Valley College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown; Liias and Wellman.

Referred to Committee on Rules for second reading.

MOTION

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

SUBCOMMITTEE ON BEHAVIORAL HEALTH REFERRALS

Pursuant to Senate Rule 45(13) and without objection, notice was received from the Committee on Health & Long Term Care that the following measures had been re-referred to the Subcommittee on Behavioral Health:

Senate Bill No. 5715;
and Senate Bill No. 5720.

MOTION

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

INTRODUCTION AND FIRST READING

SB 5760 by Senators Fortunato, Schoesler, Becker and Padden
AN ACT Relating to new counties; amending RCW 36.32.020 and 84.09.030; adding new sections to chapter 36.09 RCW; adding a new section to chapter 47.01 RCW;

creating a new section; repealing RCW 4.12.070, 36.09.010, 36.09.020, 36.09.035, 36.09.040, and 36.09.050; and prescribing penalties.

Referred to Committee on Local Government.

SB 5761 by Senators Rolfes and Hunt

AN ACT Relating to creating a mobile home lot rent increase mediation process; and amending RCW 59.20.090 and 59.20.250.

Referred to Committee on Housing Stability & Affordability.

SB 5762 by Senators Hasegawa and Conway

AN ACT Relating to state contracts with veteran-owned businesses; and amending RCW 43.60A.200, 28B.10.024, 39.04.162, 39.26.240, and 39.26.245.

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

SB 5763 by Senators Wagoner, Takko and Honeyford

AN ACT Relating to collector truck operators; amending RCW 46.25.010, 46.25.050, and 46.25.055; providing an effective date; and declaring an emergency.

Referred to Committee on Transportation.

SB 5764 by Senators Randall, Cleveland, Becker and Keiser

AN ACT Relating to changing the name of the medical quality assurance commission to the Washington medical commission; amending RCW 18.50.115, 18.71.002, 18.71.010, 18.71.015, 18.71A.010, 18.71A.020, 18.130.040, 18.360.030, 69.41.030, 69.50.402, 69.51A.300, 70.41.200, 70.41.230, 70.230.080, 70.230.130, 70.230.140, 74.09.290, and 74.42.230; and reenacting and amending RCW 69.45.010 and 69.50.101.

Referred to Committee on Health & Long Term Care.

SB 5765 by Senators Kuderer, Warnick, King, Fortunato, Walsh, Keiser, Conway and Hobbs

AN ACT Relating to creating a new exclusion from mandatory industrial insurance coverage for persons transporting freight; and adding a new section to chapter 51.12 RCW.

Referred to Committee on Labor & Commerce.

SB 5766 by Senators Conway, King and Keiser

AN ACT Relating to the methodology for establishing the prevailing rate of wages for the construction of affordable housing, homeless and domestic violence shelters, and low-income weatherization and home rehabilitation public works; reenacting and amending RCW 39.12.015; adding a new section to chapter 39.12 RCW; creating new sections; and declaring an emergency.

Referred to Committee on Labor & Commerce.

SB 5767 by Senators Conway, Braun and Sheldon

AN ACT Relating to public accounting services; amending RCW 18.04.055, 18.04.195, 18.04.195, 18.04.205, 18.04.345, and 18.04.345; providing an effective date; and providing an expiration date.

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Referred to Committee on Labor & Commerce.

SB 5768 by Senators Rivers, Palumbo and Conway

AN ACT Relating to protecting consumers from unfair or deceptive business practices when acquiring a dog or cat through a lease or other contract; adding a new section to chapter 63.10 RCW; and creating a new section.

Referred to Committee on Labor & Commerce.

SB 5769 by Senators Palumbo and Liias

AN ACT Relating to minimum urban density requirements in growth management act cities and counties; amending RCW 36.70A.110, 36.70A.490, and 36.70A.130; adding new sections to chapter 36.70A RCW; adding a new section to chapter 36.22 RCW; and declaring an emergency.

Referred to Committee on Local Government.

SB 5770 by Senator Palumbo

AN ACT Relating to increasing the penalties for failing to stop for a school bus displaying red flashing lights; amending RCW 46.61.370, 46.63.180, 46.63.110, 3.62.090, and 2.68.040; prescribing penalties; and providing an effective date.

Referred to Committee on Transportation.

SB 5771 by Senator O'Ban

AN ACT Relating to allowing nonresident children from military families to enroll in Washington's public schools prior to arrival in the state; and adding a new section to chapter 28A.225 RCW.

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

SB 5772 by Senator O'Ban

AN ACT Relating to increasing employment opportunities for spouses of military members; adding a new section to chapter 73.16 RCW; adding new sections to chapter 43.41 RCW; and creating a new section.

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

SB 5773 by Senators Wilson and C.

AN ACT Relating to regionalization factors used for Federal Way school district compensation; amending 2018 c 299 s 503 (uncodified); and declaring an emergency.

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

SB 5774 by Senators Liias, Palumbo, Mullet, Randall, Wellman and Darneille

AN ACT Relating to student debt relief; adding a new section to chapter 19.52 RCW; adding new chapters to Title 28B RCW; creating a new section; and providing expiration dates.

Referred to Committee on Higher Education & Workforce Development.

SB 5775 by Senators Hunt, Rolfes, Hasegawa, Kuderer and Van De Wege

AN ACT Relating to requiring individual metering of households for water and sewer charges based on the actual water use of the household; amending RCW 59.20.040; and adding a new section to chapter 59.18 RCW.

Referred to Committee on Financial Institutions, Economic Development & Trade.

SB 5776 by Senators Dhingra, Das, Randall, Nguyen and Saldaña

AN ACT Relating to creating the Washington state office of equity; adding a new chapter to Title 43 RCW; providing an effective date; and declaring an emergency.

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

SB 5777 by Senators Brown, Darneille and Walsh

AN ACT Relating to building capacity within the educator workforce to improve student mental health and well-being; amending RCW 28A.413.050; adding a new section to chapter 28A.630 RCW; adding a new section to chapter 28A.410 RCW; adding new sections to chapter 28A.415 RCW; creating new sections; providing an effective date; and providing an expiration date.

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

SB 5778 by Senators Billig, Saldaña, Hobbs and McCoy

AN ACT Relating to restricting the availability of state funds to regional transportation planning organizations that do not provide a reasonable opportunity for voting membership to certain federally recognized tribes; amending RCW 47.80.050; and providing an effective date.

Referred to Committee on Transportation.

SB 5779 by Senators Kuderer, Hunt, Takko and Dhingra

AN ACT Relating to ballot drop box placement requirements; and amending RCW 29A.40.160.

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

SB 5780 by Senators Becker, Short, Brown, Bailey and Warnick

AN ACT Relating to health carrier provider networks and enrollee protections; amending RCW 48.43.093 and 48.43.510; and adding new sections to chapter 48.43 RCW.

Referred to Committee on Health & Long Term Care.

SB 5781 by Senators Becker, Bailey, Fortunato, Brown, Short and Warnick

AN ACT Relating to health insurance mandates in the individual and small group markets; amending RCW 48.43.715; and creating a new section.

Referred to Committee on Health & Long Term Care.

SB 5782 by Senators Zeiger, Fortunato, Takko, Padden and Palumbo

AN ACT Relating to spring blade knives; amending RCW 9.41.250 and 9.41.280; reenacting and amending RCW 9.41.300; repealing RCW 9.41.251; and prescribing penalties.

Referred to Committee on Law & Justice.

SB 5783 by Senators Billig, King, Randall, Holy and Hobbs
AN ACT Relating to gold star license plates; and amending RCW 46.18.245.

Referred to Committee on Transportation.

MOTIONS

On motion of Senator Liias, all measures listed on the Introduction and First Reading report were referred to the committees as designated with the exception of Senate Bill No. 5775 which had been designated to the Committee on Housing Stability & Affordability and was referred to the Committee on Financial Institutions, Economic Development & Trade.

At 12:03 p.m., on motion of Senator Liias, the Senate adjourned until 12:00 o'clock noon Friday, February 1, 2019.

CYRUS HABIB, President of the Senate

BRAD HENDRICKSON, Secretary of the Senate

NINETEENTH DAY

NOON SESSION

Senate Chamber, Olympia
Friday, February 1, 2019

The Senate was called to order at 12:02 p.m. by the President of the Senate, Lt. Governor Habib presiding. No roll call was taken.

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

MOTION

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

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

REPORTS OF STANDING COMMITTEES

February 18, 2019

SB 5012 Prime Sponsor, Senator Takko: Concerning governmental continuity during emergency periods. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5012 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Billig; Carlyle; Conway; Darneille; Hunt; Keiser; Liias; Palumbo; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner and Warnick.

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

Referred to Committee on Ways & Means.

January 30, 2019

SB 5013 Prime Sponsor, Senator McCoy: Concerning the appointment of religious coordinators. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Hunt, Chair; Kuderer, Vice Chair; Zeiger, Ranking Member; Hasegawa; Hawkins and Takko.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Bailey.

Referred to Committee on Rules for second reading.

February 25, 2019

SB 5019 Prime Sponsor, Senator Takko: Modifying the expiration date of certain state fire service mobilization laws. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5019 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

Referred to Committee on Ways & Means.

January 31, 2019

SB 5034 Prime Sponsor, Senator Dhingra: Requiring debt collection complaints to be filed prior to service of summons and complaint. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Kuderer and Salomon.

MINORITY recommendation: Do not pass. Signed by Senators Padden, Ranking Member; Holy and Wilson, L.

Referred to Committee on Rules for second reading.

January 30, 2019

SB 5079 Prime Sponsor, Senator McCoy: Enacting the Native American voting rights act of Washington. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: That Substitute Senate Bill No. 5079 be substituted therefor, and the substitute bill do pass. Signed by Senators Hunt, Chair; Kuderer, Vice Chair; Zeiger, Ranking Member; Hasegawa and Takko.

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

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Bailey.

Referred to Committee on Rules for second reading.

January 30, 2019

SB 5095 Prime Sponsor, Senator Fortunato: Reestablishing the productivity board. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Hunt, Chair; Kuderer, Vice Chair; Zeiger, Ranking Member; Bailey; Hasegawa; Hawkins and Takko.

Referred to Committee on Ways & Means.

February 25, 2019

SB 5115 Prime Sponsor, Senator Carlyle: Concerning appliance efficiency standards. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5115 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo and Pedersen.

MINORITY recommendation: Do not pass. Signed by Senators Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Rivers.

Referred to Committee on Ways & Means.

February 18, 2019

SB 5116 Prime Sponsor, Senator Carlyle: Supporting Washington's clean energy economy and transitioning to a clean, affordable, and reliable energy future. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5116 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen and Van De Wege.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun, Ranking Member and Rivers.

MINORITY recommendation: Do not pass. Signed by Senators Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Wagoner and Warnick.

Referred to Committee on Ways & Means.

January 31, 2019

SB 5145 Prime Sponsor, Senator Salomon: Concerning the use of hydraulic fracturing in the exploration for and production of oil and natural gas. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: Do pass. Signed by Senators Van De Wege, Chair; Salomon, Vice Chair; McCoy and Rolfes.

MINORITY recommendation: Do not pass. Signed by Senators Warnick, Ranking Member; Honeyford and Short.

Referred to Committee on Rules for second reading.

January 31, 2019

SB 5168 Prime Sponsor, Senator Hasegawa: Modifying notice and opportunity provisions relating to certain enforcement actions taken by a homeowners' or condominium association. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 5168 be substituted therefor, and the substitute bill do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; Holy; Kuderer; Salomon and Wilson, L.

Referred to Committee on Rules for second reading.

February 26, 2019

SB 5181 Prime Sponsor, Senator Kuderer: Concerning certain procedures upon initial detention under the involuntary treatment act. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5181 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen; Rivers and Van De Wege.

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

MINORITY recommendation: Do not pass. Signed by Senators Honeyford, Assistant Ranking Member, Capital; Bailey; Wagoner and Wilson, L.

Referred to Committee on Ways & Means.

January 30, 2019

SB 5186 Prime Sponsor, Senator Hunt: Concerning access of broadcasters to a geographic area subject to the declaration of a national, state, or local emergency. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Hunt, Chair; Kuderer, Vice Chair; Zeiger, Ranking Member; Bailey; Hasegawa; Hawkins and Takko.

Referred to Committee on Rules for second reading.

February 18, 2019

SB 5196 Prime Sponsor, Senator Hobbs: Concerning national guard pay in state active service for wildland fire response duty. Reported by Committee on Ways & Means

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

Referred to Committee on Ways & Means.

January 31, 2019

SB 5205 Prime Sponsor, Senator Dhingra: Concerning provisions governing firearms possession by persons who have been found incompetent to stand trial and who have a history of one or more violent acts. Reported by Committee on Law & Justice

NINETEENTH DAY, FEBRUARY 1, 2019

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MAJORITY recommendation: Do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Kuderer and Salomon.

MINORITY recommendation: Do not pass. Signed by Senators Padden, Ranking Member; Holy and Wilson, L.

Referred to Committee on Rules for second reading.

January 31, 2019

SB 5219 Prime Sponsor, Senator Padden: Concerning condominium construction warranties. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; Holy and Wilson, L.

MINORITY recommendation: Do not pass. Signed by Senators Kuderer and Salomon.

Referred to Committee on Rules for second reading.

January 30, 2019

SB 5221 Prime Sponsor, Senator Palumbo: Concerning disclosure of contributions from political committees to other political committees. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Hunt, Chair; Kuderer, Vice Chair; Hasegawa and Takko.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Zeiger, Ranking Member; Bailey and Hawkins.

Referred to Committee on Rules for second reading.

January 31, 2019

SB 5228 Prime Sponsor, Senator Takko: Concerning the authorization to impose special excise taxes on the sale of lodging. Reported by Committee on Local Government

MAJORITY recommendation: That Substitute Senate Bill No. 5228 be substituted therefor, and the substitute bill do pass. Signed by Senators Takko, Chair; Salomon, Vice Chair; Short, Ranking Member; Honeyford and Liias.

Referred to Committee on Rules for second reading.

January 31, 2019

SB 5259 Prime Sponsor, Senator Zeiger: Encouraging the success of agriculture on agricultural land. Reported by Committee on Local Government

MAJORITY recommendation: That Substitute Senate Bill No. 5259 be substituted therefor, and the substitute bill do pass. Signed by Senators Takko, Chair; Salomon, Vice Chair; Short, Ranking Member; Honeyford and Liias.

Referred to Committee on Ways & Means.

January 31, 2019

SB 5320 Prime Sponsor, Senator Takko: Establishing a nonlethal program within the department of fish and wildlife for the purpose of training dogs. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: Do pass. Signed by Senators Van De Wege, Chair; Salomon, Vice Chair; Warnick, Ranking Member; Honeyford; Rolfes and Short.

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

Referred to Committee on Rules for second reading.

February 25, 2019

SB 5323 Prime Sponsor, Senator Das: Reducing pollution from plastic bags by establishing minimum state standards for the use of bags at retail establishments. Reported by Committee on Ways & Means

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

MINORITY recommendation: Do not pass. Signed by Senators Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Rivers; Schoesler; Wagoner; Warnick and Wilson, L.

Referred to Committee on Ways & Means.

January 31, 2019

SB 5325 Prime Sponsor, Senator Liias: Exempting certain standard financial information purchased by investment management companies from sales and use tax in order to improve industry competitiveness. Reported by Committee on Financial Institutions, Economic Development & Trade

MAJORITY recommendation: That Substitute Senate Bill No. 5325 be substituted therefor, and the substitute bill do pass. Signed by Senators Mullet, Chair; Wilson, L., Ranking Member; Braun; Das and Hobbs.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Hasegawa, Vice Chair.

Referred to Committee on Ways & Means.

January 31, 2019

SB 5329 Prime Sponsor, Senator Nguyen: Concerning updating and streamlining energy facility site evaluation council operations. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: Do pass. Signed by Senators Carlyle, Chair; Palumbo, Vice Chair; Sheldon, Assistant Ranking Member, Energy & Technology; Billig; Das; Hobbs; Liias; McCoy; Nguyen and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Fortunato, Assistant Ranking Member, Environment; Brown and Short.

Referred to Committee on Rules for second reading.

January 31, 2019

SB 5334 Prime Sponsor, Senator Pedersen: Concerning the Washington uniform common interest ownership act. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; Holy; Kuderer; Salomon and Wilson, L.

Referred to Committee on Rules for second reading.

January 31, 2019

SB 5399 Prime Sponsor, Senator Pedersen: Concerning child relocation by a person with joint decision-making authority and equal residential time. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 5399 be substituted therefor, and the substitute bill do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Holy; Kuderer; Salomon and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Padden, Ranking Member.

Referred to Committee on Rules for second reading.

January 31, 2019

SB 5423 Prime Sponsor, Senator Palumbo: Creating the Washington rural development and opportunity zone act. Reported by Committee on Financial Institutions, Economic Development & Trade

MAJORITY recommendation: That Substitute Senate Bill No. 5423 be substituted therefor, and the substitute bill do pass. Signed by Senators Mullet, Chair; Wilson, L., Ranking Member; Braun; Das and Hobbs.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Hasegawa, Vice Chair.

Referred to Committee on Ways & Means.

January 31, 2019

SB 5447 Prime Sponsor, Senator Van De Wege: Extending the dairy milk assessment fee to June 30, 2025. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: Do pass. Signed by Senators Van De Wege, Chair; Salomon, Vice Chair; Warnick, Ranking Member; Honeyford; McCoy; Rolfes and Short.

Referred to Committee on Rules for second reading.

February 26, 2019

SB 5450 Prime Sponsor, Senator Rivers: Concerning superior court judges. Reported by Committee on Ways & Means

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

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Keiser and Liias.

Referred to Committee on Ways & Means.

January 31, 2019

SB 5453 Prime Sponsor, Senator Takko: Concerning the administration of irrigation districts. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Senators Takko, Chair; Salomon, Vice Chair; Short, Ranking Member; Honeyford and Liias.

Referred to Committee on Rules for second reading.

January 30, 2019

SJR 8200 Prime Sponsor, Senator Takko: Amending the state Constitution to provide governmental continuity during emergency periods resulting from a catastrophic incident. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Hunt, Chair; Kuderer, Vice Chair; Zeiger, Ranking Member; Bailey; Hawkins and Takko.

Referred to Committee on Rules for second reading.

January 31, 2019

SGA 9095 KIMBERLY N. GORDON, reappointed on August 29, 2017, for the term ending August 2, 2020, as Member of the Sentencing Guidelines Commission. Reported by Committee on Law & Justice

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; Holy; Kuderer; Salomon and Wilson, L.

Referred to Committee on Rules for second reading.

January 29, 2019

SGA 9106 MICHAEL S. MAXWELL, reappointed on October 3, 2017, for the term ending September 30, 2022, as Member of the Peninsula College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown; Liias and Wellman.

Referred to Committee on Rules for second reading.

January 31, 2019

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SGA 9182 WILLIAM C. HOUSER, appointed on June 13, 2018, for the term ending August 2, 2020, as Member of the Sentencing Guidelines Commission. Reported by Committee on Law & Justice

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; Holy; Kuderer; Salomon and Wilson, L.

Referred to Committee on Rules for second reading.

January 31, 2019

SGA 9209 ROGER S. ROGOFF, reappointed on August 28, 2018, for the term ending August 2, 2021, as Member of the Sentencing Guidelines Commission. Reported by Committee on Law & Justice

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; Holy; Kuderer; Salomon and Wilson, L.

Referred to Committee on Rules for second reading.

January 31, 2019

SGA 9214 GREGORY C. LINK, reappointed on September 6, 2018, for the term ending August 2, 2021, as Member of the Sentencing Guidelines Commission. Reported by Committee on Law & Justice

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; Holy; Kuderer; Salomon and Wilson, L.

Referred to Committee on Rules for second reading.

MOTIONS

On motion of Liias, all measures listed on the Standing Committee report were referred to the committees as designated with the exceptions of Senate Bill No. 5181 and Senate Bill No. 5450 which had been designated to the Committee on Rules and were referred to the Committee on Ways & Means.

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

MESSAGE FROM OTHER STATE OFFICERS

Children, Youth, and Families, Department of – “*Addressing Foster Parent Complaints and Concerns*”, in accordance with House Bill No. 1661;

Commerce, Department of – “*Seattle Vocational Institute Adaptive Reuse Study, Final Report*”, in accordance with Engrossed Substitute Senate Bill No. 6095;

Ecology, Department of – “*Reducing Greenhouse Gas Emissions in Washington State Government*”, pursuant to 70.235.060 RCW;

Public Instruction, Office of the Superintendent of – “*Collaborative Schools for Innovation and Success, 2018 Report*”, pursuant to 28S.630.106 RCW; “*Civics Education -- Demonstration Sites*”, pursuant to 28S.630.106 RCW;

Social & Health Services, Department of – “*Resources to Initiate Successful Employment (RISE), Preliminary Report*”, in accordance with Engrossed Substitute Senate Bill No. 6032.

The reports listed were submitted to the Secretary of the Senate and made available online by the Office of the Secretary.

MESSAGE FROM THE GOVERNOR
GUBERNATORIAL APPOINTMENTS

January 28, 2019

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

RUSSELL D. HAUGE, reappointed January 28, 2019, for the term ending January 15, 2025, as Member of the Liquor and Cannabis Board.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Labor & Commerce as Senate Gubernatorial Appointment No. 9273.

January 28, 2019

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

CLAUDE A. RAGLE, appointed April 13, 2019, for the term ending January 1, 2024, as Member of the Horse Racing Commission.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Labor & Commerce as Senate Gubernatorial Appointment No. 9274.

MOTIONS

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

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

MESSAGE FROM THE HOUSE

January 31, 2019

MR. PRESIDENT:

The House has adopted:

SENATE CONCURRENT RESOLUTION NO. 8400, and the same are herewith transmitted.

NONA SNELL, Deputy Chief Clerk

MOTION

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

INTRODUCTION AND FIRST READING

SB 5784 by Senators Pedersen, Hunt, Salomon, Billig and Liias
AN ACT Relating to records disclosure and retention obligations of the legislative branch; amending RCW

42.56.010, 42.56.040, 42.56.060, 42.56.070, 42.56.080, 42.56.120, 42.56.150, 42.56.210, 42.56.230, 42.56.250, 42.56.280, 42.56.290, 42.56.520, 42.56.540, 42.56.565, 42.56.580, 40.14.020, 40.14.050, 40.14.100, 40.14.110, 40.14.120, and 42.56.550; adding a new section to chapter 42.40 RCW; adding a new section to chapter 42.56 RCW; creating a new section; repealing RCW 40.14.130, 40.14.140, 40.14.150, 40.14.160, 40.14.170, 40.14.180, and 42.56.560.

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

SB 5785 by Senators Rivers and Conway

AN ACT Relating to marijuana; and amending RCW 69.50.369.

Referred to Committee on Labor & Commerce.

SB 5786 by Senators Brown and Palumbo

AN ACT Relating to administrative efficiencies in research in public institutions of higher education; and amending RCW 42.48.010.

Referred to Committee on Higher Education & Workforce Development.

SB 5787 by Senators Walsh and Hunt

AN ACT Relating to hours of availability for inspection and copying of public records; and amending RCW 42.56.090.

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

SB 5788 by Senators Mullet, Warnick, King and Van De Wege

AN ACT Relating to local government infrastructure funding; amending RCW 43.155.020, 77.95.170, 82.18.040, and 82.45.060; reenacting and amending RCW 43.155.050; adding a new section to chapter 43.155 RCW; providing an effective date; and declaring an emergency.

Referred to Committee on Ways & Means.

SB 5789 by Senators Liias and Nguyen

AN ACT Relating to establishing additional uses for automated traffic safety cameras for traffic congestion reduction and increased safety; and amending RCW 46.63.170.

Referred to Committee on Transportation.

SB 5790 by Senators Takko, Van De Wege, Bailey and Cleveland

AN ACT Relating to ensuring that commercial fishing revenue benefits communities most dependent on the industry; amending RCW 82.27.070; and creating a new section.

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

SB 5791 by Senator Braun

AN ACT Relating to exempting a portion of the valuation of residential property from property taxation; amending RCW 84.48.010 and 84.69.020; adding a new section to chapter

84.36 RCW; adding a new section to chapter 84.52 RCW; and providing a contingent effective date.

Referred to Committee on Ways & Means.

SB 5792 by Senators Salomon, Wellman, Walsh and Honeyford

AN ACT Relating to making statutory requirements and policies for cultural access programs the same in all counties of the state; and amending RCW 36.160.020, 36.160.100, and 36.160.110.

Referred to Committee on Local Government.

SB 5793 by Senator Keiser

AN ACT Relating to increasing funding for public health services; amending RCW 82.26.020; reenacting and amending RCW 82.26.010; adding new sections to chapter 82.26 RCW; creating a new section; providing an effective date; and declaring an emergency.

Referred to Committee on Ways & Means.

SB 5794 by Senators Rivers, Cleveland, Short, Saldaña and Keiser

AN ACT Relating to acupuncture and Eastern medicine; amending RCW 18.06.010, 18.06.020, 18.06.045, 18.06.050, 18.06.060, 18.06.080, 18.06.130, 18.06.140, 18.06.190, 18.06.220, 18.06.230, 4.24.240, 4.24.290, 7.70.020, 18.120.020, 18.130.040, 18.250.010, 41.05.074, 43.70.110, and 48.43.016; reenacting and amending RCW 69.41.010; adding a new section to chapter 18.06 RCW; creating a new section; and repealing RCW 18.06.070, 18.06.180, and 18.06.005.

Referred to Committee on Health & Long Term Care.

SB 5795 by Senators Zeiger and Saldaña

AN ACT Relating to construction contractors but only with respect to providing financial recourse to harmed consumers not to include a warranty and creating a work group; and amending RCW 18.27.040.

Referred to Committee on Labor & Commerce.

SB 5796 by Senators Dhingra, Pedersen and Palumbo

AN ACT Relating to continuing care retirement communities; amending RCW 18.390.010, 18.390.030, 18.390.040, 18.390.060, 18.390.070, 18.390.080, and 18.390.900; adding a new section to chapter 18.390 RCW; adding a new chapter to Title 43 RCW; and providing an expiration date.

Referred to Committee on Health & Long Term Care.

SB 5797 by Senators Becker, Brown, Fortunato, Warnick, Short, Honeyford, Wagoner, Bailey and Holy

AN ACT Relating to the payment of salary and expenses when performing the duties of the governor; amending RCW 43.03.011, 43.03.020, and 43.06.040; and declaring an emergency.

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

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SB 5798 by Senators Schoesler, Bailey, Becker, Short, Brown, King, Fortunato, Wagoner, Warnick, Honeyford, Takko, Rivers, Zeiger, Holy and Van De Wege

AN ACT Relating to providing a sales and use tax exemption for construction and repair costs associated with fish barrier removal; amending RCW 82.14.050 and 82.14.060; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; creating a new section; and providing a contingent expiration date.

Referred to Committee on Ways & Means.

SB 5799 by Senators Hasegawa and Nguyen

AN ACT Relating to fair servicing and repair of digital electronic products; adding a new chapter to Title 19 RCW; and prescribing penalties.

Referred to Committee on Environment, Energy & Technology.

SB 5800 by Senators Randall, Zeiger, Nguyen, Wilson, C., Saldaña, Carlyle, Keiser, Sheldon and Das

AN ACT Relating to the helping homeless college students act; adding a new section to chapter 28B.50 RCW; adding a new section to chapter 28B.77 RCW; and providing expiration dates.

Referred to Committee on Higher Education & Workforce Development.

SJR 8207 by Senator Braun

Proposing an amendment to the Constitution to require the legislature to enact a four-year balanced budget.

Referred to Committee on Ways & Means.

SJR 8208 by Senator Braun

Amending the Constitution to provide a homestead property tax exemption.

Referred to Committee on Ways & Means.

MOTIONS

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

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

Senator Short moved adoption of the following resolution:

SENATE RESOLUTION
8609

By Senators Short and Hawkins

WHEREAS, Fredi Simpson began living her Central Washington adventures shortly after she moved to Wenatchee; and

WHEREAS, it was during this time in Fredi's life she became a loving wife to her husband, Bruce, and a loving mother to her son, Kane; and

WHEREAS, Fredi took no time at all in getting involved in Kane's school and extra-curricular activities, serving as a Cub

Scout Leader and on the board of the local chapter of Boy Scouts; and

WHEREAS, Fredi was a tireless advocate in her community. She served on the Central Washington Hospital Board and she passionately supported local first responders and law enforcement and was involved with the Wenatchee Gang Coalition, the local Hispanic Commission, and the local Game Commission; and

WHEREAS, Fredi was an avid Seahawks fan; Christmas was her favorite holiday; and

WHEREAS, Fredi quickly developed a passion for politics at the local, state, and national level, which fueled her commitment and dedication to encourage individuals, young and old, families, entrepreneurs, community and business leaders, college students, and volunteers to join fellow Republicans in making a difference; and

WHEREAS, Fredi served with distinction in many positions within the Chelan County Republican Party, Chelan-Douglas Republican Women, and Washington State Republican Party's Executive Board. Her crowning achievement was serving as our state's Republican National Committeewoman for the last eleven years; and

WHEREAS, Fredi was known throughout the state and nationally for her passion and support of Republican principles and values. She regularly attended Lincoln Day Dinners, County Conventions, Precinct Committee Officer Trainings, county Republican Party organizational meetings and tirelessly supported campaigns throughout the state; and

WHEREAS, Fredi's infectious personality, energy, faith, positive outlook on life, and love of country naturally drew others to her. Fredi used those opportunities to mentor others in her community, our State, and across the nation and became affectionately described by those who knew her best as an "organizer" and "mother hen!"; and

WHEREAS, our lives have been forever blessed by Fredi's kindness, her compassion, her joyfulness and her fearlessness and we are grateful to Bruce and Kane for sharing her with us;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate recognize and celebrate Fredi Simpson's life, her devotion and dedication to her family, her faith, her community, her State, and her Country.

Senators Short, Warnick and Zeiger spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8609.

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

MOTION

Senator O'Ban moved adoption of the following resolution:

SENATE RESOLUTION
8611

By Senator O'Ban

WHEREAS, The evil and abhorrent practice of slavery reached the shores of colonial America less than a century after the first European settlement there, starting with the first Africans who were brought, against their will, to Jamestown, Virginia, in 1619, a year before the Pilgrims landed at Plymouth; and

WHEREAS, The establishment of slavery in colonial America became a cruel irony since the United States of America, the land of the free, was later founded on the principles embodied in our

Declaration of Independence that "all men are created equal" and "endowed by their Creator" with "certain unalienable Rights" including "Life, liberty and the pursuit of Happiness;" and

WHEREAS, African Americans were denied these rights by the practice of slavery; and

WHEREAS, When the Founding Fathers met in 1787 to create the Constitution and set America's new federal government on a firm course, compromises were made, including allowing slavery to continue, denying African Americans their individual rights and dignity, tearing apart families, and contradicting the American values enshrined in the Declaration of Independence; and

WHEREAS, By 1860, nearly four million slaves, one-eighth of America's population at that time, were kept in bondage in America's Southern or border states, and those who supported slavery in America sought to "strengthen, perpetuate, and extend this interest (slavery)" even at the cost of a Civil War; and

WHEREAS, The American Civil War began in 1861 and lasted four bloody years, resulting in more than 650,000 deaths suffered between the two sides; and

WHEREAS, On January 1, 1863, President Abraham Lincoln took a monumental first step toward ending slavery in America by issuing the Emancipation Proclamation, which declared that the slaves of the Confederate states that rebelled against the Union were free; and

WHEREAS, President Lincoln fought valiantly for the passage of a 13th Amendment to the United States Constitution, to ban slavery in America forever, but a bullet fired by a Confederate sympathizer ended Lincoln's life eight months before the 13th Amendment was ratified on December 6, 1865; and

WHEREAS, The potential for a full and meaningful Reconstruction following the Civil War died with President Lincoln's assassination just days after the Confederate capital fell, and the largest Confederate army surrendered; and

WHEREAS, Vice President Andrew Johnson, who assumed the presidency upon Lincoln's death, failed to lead a reunited America to a complete and true Reconstruction, as Johnson lacked commitment to the civil rights of the former slaves; and

WHEREAS, President Johnson failed to thwart the efforts within the former Confederate states to suppress the rights of African Americans through enactment of "Black Codes" and other discriminatory laws and practices; and

WHEREAS, The "Radical Republicans" led Congress to enact a Reconstruction agenda that expanded civil rights and sought to realize the goal of a more equal America; and

WHEREAS, The national achievements of the Reconstruction era included the ratification of the 13th Amendment, as well as the 1868 ratification of the 14th Amendment, which ensured the citizenship of former slaves, and guaranteed equal protection under the law, and the 1870 ratification of the 15th Amendment, which proclaimed the rights of citizens to vote, regardless of "race, color, or previous condition of servitude;" and

WHEREAS, America's Reconstruction era saw the historic election of about two thousand African American officeholders in our nation, from local positions and state legislative seats to the United States Senate, a period that would give African Americans a more active role in the political, economic, and social life of the South; and

WHEREAS, The Reconstruction era ended after federal troops withdrew from the old Confederacy in 1877, soon followed by the overt and covert efforts of many Southern whites to reverse the newfound freedoms of African Americans, such as passage of laws in Southern states that took away rights of African

Americans, including preventing them from freely participating in elections; and

WHEREAS, Despite these setbacks, the dream of equal rights for African Americans continued to flicker for nearly a century until it reignited with the civil rights movement in the 1960s, led by the Reverend Dr. Martin Luther King, Jr. and others, and was advanced by the passage of the 1964 Civil Rights Act and the 1965 Voting Rights Act, both of which received strong bipartisan support in Congress;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate remember, recognize, and honor America's Reconstruction era and its advances in civil rights for African Americans.

Senator O'Ban and Liias spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8611.

The motion by Senator O'Ban carried and the resolution was adopted by voice vote.

The President notified the senate that remarks were offered on Senate Resolution No. 8609 and Senate Resolution No. 8611 by senators during an unofficial morning session for the benefit of guests who had been invited in anticipation of an earlier convening time and were present earlier in the day. At the President's request, those senators who offered tributes were noted in the day's Journal.

SIGNED BY THE PRESIDENT

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

SENATE CONCURRENT RESOLUTION NO. 8400.

MOTION

At 12:08 p.m., on motion of Senator Liias, the Senate adjourned until 12:00 o'clock noon Monday, February 4, 2019.

CYRUS HABIB, President of the Senate

BRAD HENDRICKSON, Secretary of the Senate

TWENTY SECOND DAY

NOON SESSION

Senate Chamber, Olympia
Monday, February 4, 2019

The Senate was called to order at 12:02 p.m. by the Vice President Pro Tempore of the Senate, Senator Conway presiding. No roll call was taken.

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

MOTION

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

MOTION

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

REPORTS OF STANDING COMMITTEES

January 31, 2019

SB 5477 Prime Sponsor, Senator Dhingra: Requiring institutions of higher education to waive application fees for low-income students. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That Substitute Senate Bill No. 5477 be substituted therefor, and the substitute bill do pass. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown; Liias and Wellman.

Referred to Committee on Ways & Means.

February 1, 2019

SB 5637 Prime Sponsor, Senator Brown: Providing tax relief to entities that deliver behavioral health and mental health services. Reported by Committee on Behavioral Health Subcommittee to Health & Long Term Care

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Dhingra, Chair; Wagoner, Ranking Member; Darneille and O'Ban.

Referred to Committee on Ways & Means.

MOTION

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

MOTION

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

INTRODUCTION AND FIRST READING

SB 5801 by Senators Wellman and Rivers

AN ACT Relating to teachers' postretirement employment options; amending RCW 41.32.068; repealing 2016 c 233 s 19 (uncodified); and providing an expiration date.

Referred to Committee on Ways & Means.

SB 5802 by Senator Fortunato

AN ACT Relating to establishing housing affordability zones; adding a new section to chapter 36.70A RCW; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; adding a new section to chapter 82.04 RCW; and providing an expiration date.

Referred to Committee on Housing Stability & Affordability.

SB 5803 by Senators Rivers, Rolfes, Walsh, Takko, Warnick, Zeiger, Palumbo, Schoesler and Liias

AN ACT Relating to the use of career and technical education resources; amending RCW 28A.150.265; and creating a new section.

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

SB 5804 by Senators Warnick, Takko, Short, Zeiger and Schoesler

AN ACT Relating to supporting effective agriculture, food, and natural resource education; amending RCW 28A.300.080 and 28A.300.090; and adding new sections to chapter 28A.300 RCW.

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

SB 5805 by Senators Cleveland, Wellman, Randall, Billig, Nguyen, Pedersen, Saldaña, Carlyle, Kuderer, Wilson, C., Conway, Darneille, Hasegawa, Takko, Keiser, Frockt, Hunt, Mullet, Rolfes, McCoy, Salomon, Van De Wege, Das, Liias, Hobbs, Palumbo and Dhingra

AN ACT Relating to making state law consistent with selected federal consumer protections in the patient protection and affordable care act; amending RCW 48.43.005, 48.20.028, 48.21.045, 48.44.022, 48.44.023, 48.46.064, 48.46.066, 48.43.012, 48.21.270, 48.44.380, 48.46.460, 48.43.715, and 48.43.0122; adding new sections to chapter 48.43 RCW; repealing RCW 48.43.015, 48.43.017, 48.43.018, 48.43.025, 48.20.025, 48.44.017, and 48.46.062; and prescribing penalties.

Referred to Committee on Health & Long Term Care.

SB 5806 by Senators Cleveland and Rivers

AN ACT Relating to regulating and reporting of utilization management in prescription drug benefits; adding new sections to chapter 48.43 RCW; and creating a new section.

Referred to Committee on Health & Long Term Care.

SB 5807 by Senator Takko

AN ACT Relating to prohibiting unlawful employment practices; and amending RCW 49.60.180.

Referred to Committee on Law & Justice.

SB 5808 by Senators King and Hobbs

AN ACT Relating to the creation of the opportunities for employment in hospitality grant; adding a new chapter to Title 50 RCW; and creating new sections.

Referred to Committee on Labor & Commerce.

SB 5809 by Senators Hunt, Takko, Sheldon, Braun and Fortunato

AN ACT Relating to state government processes to verify hours worked on computers for certain government contracts; adding a new section to chapter 39.26 RCW; and creating a new section.

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

SB 5810 by Senators Nguyen, Randall, Keiser, Wilson, C., Hunt, Takko, Kuderer, Palumbo, Cleveland, Saldaña, Das, Conway, Darneille, Liias, McCoy and Van De Wege

AN ACT Relating to providing a working families' tax credit; amending RCW 82.08.0206 and 82.08.02061; adding a new section to chapter 82.08 RCW; adding a new section to chapter 50.08 RCW; and creating new sections.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SB 5811 by Senators Nguyen, Rolfes, Wilson, C., Liias and Das

AN ACT Relating to reducing emissions by making changes to the clean car standards and clean car program; and amending RCW 70.120A.010 and 70.120A.050.

SB 5812 by Senators Palumbo and Liias

AN ACT Relating to local governments planning and zoning for accessory dwelling units; amending RCW 19.27.060, 82.02.060, 35.63.210, 35A.63.230, 36.70.677, and 36.70A.400; adding a new section to chapter 19.27 RCW; adding a new chapter to Title 36 RCW; and repealing RCW 43.63A.215.

Referred to Committee on Housing Stability & Affordability.

SB 5813 by Senators Liias, Becker, Mullet, Hobbs, Sheldon, Hunt, Palumbo, Keiser, Schoesler, Warnick and Van De Wege

AN ACT Relating to requiring eligible arena projects to fully pay the state and local sales tax within ten years of commencing construction; adding a new section to chapter 82.32 RCW; creating a new section; providing an expiration date; and declaring an emergency.

Referred to Committee on Ways & Means.

SB 5814 by Senators Nguyen, Keiser, Frockt, Hasegawa, Dhingra, Saldaña, Takko and Darneille

AN ACT Relating to health coverage for young adults; adding a new section to chapter 74.09 RCW; and creating a new section.

Referred to Committee on Health & Long Term Care.

SB 5815 by Senators Nguyen, Darneille, Wilson, C., Saldaña, Das and Keiser

AN ACT Relating to individuals placed in minimum security status by the department of children, youth, and families; and amending RCW 13.40.205 and 72.05.405.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SB 5816 by Senators Carlyle and Ericksen

AN ACT Relating to clarifying the valuation and determination of used and useful property for rate making purposes; amending RCW 80.04.250; and creating a new section.

Referred to Committee on Environment, Energy & Technology.

SB 5817 by Senators Rivers, Cleveland, Walsh, Randall, Schoesler and Short

AN ACT Relating to senior students in accredited schools of chiropractic; and amending RCW 18.25.190.

Referred to Committee on Health & Long Term Care.

SB 5818 by Senators Conway and Keiser

AN ACT Relating to the creation of a joint legislative task force on problem gambling; adding a new section to chapter 9.46 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Labor & Commerce.

SB 5819 by Senators Darneille, Nguyen, Wilson and C.

AN ACT Relating to establishing a postconviction review board and review process for early release of qualifying offenders; amending RCW 9.94A.533, 9.94A.570, 9.94A.6332, 9.94A.728, 9.95.0001, 9.95.0002, 9.95.001, 9.95.002, 9.95.422, 9.95.425, 9.95.430, 9.95.435, 9.95.440, 9.95.009, 9.95.030, 9.95.045, 9.95.055, 9.95.060, 9.95.070, 9.95.115, 9.95.130, 4.24.550, 4.24.5501, 4.100.070, 7.68.120, 9.94A.030, 9.94A.501, 9.94A.730, 9.94A.840, 9.94A.860, 9.94A.8673, 9.94A.890, 9.96.050, 9.98.010, 9A.44.045, 9A.46.020, 9A.46.110, 10.64.140, 10.77.210, 10.95.020, 10.95.030, 10.98.160, 10.110.020, 29A.08.520, 34.05.030, 42.17A.705, 43.43.745, 69.50.410, 70.02.260, 71.05.232, 71.06.091, 71.06.100, 71.06.270, 71.09.025, 72.02.100, 72.02.110, 72.02.220, 72.02.270, 72.04A.050, 72.04A.070, 72.04A.080, 72.04A.090, 72.09.335, 72.09.337, 72.09.370, 72.09.585, 72.60.102, 72.64.065, 72.65.130, 72.68.031, and 72.70.040; reenacting and amending RCW 9.95.003 and 9.95.260; adding a new section to chapter 9.94A RCW; adding new sections to chapter 9.95 RCW; adding a new section to chapter 43.06 RCW; creating new sections; and providing an expiration date.

Held at the desk.

SB 5820 by Senators Nguyen, Randall, Hasegawa and Keiser

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AN ACT Relating to increasing eligibility for child care and early learning programs for homeless and other vulnerable children; and amending RCW 43.216.505 and 43.216.135.

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

SB 5821 by Senators Das, Wellman, Palumbo, Hunt, Nguyen, Saldaña, Randall and Liias

AN ACT Relating to providing equitable bonuses to K-12 instructional staff who attain national certification through professional organizations; amending RCW 28A.405.415; and creating a new section.

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

SB 5822 by Senators Randall, Frockt, Cleveland, Wilson, C., Salomon, Nguyen, Hasegawa, Keiser, Saldaña, Van De Wege, Liias and Das

AN ACT Relating to providing a pathway to establish a universal health care system for the residents of Washington state; creating new sections; and providing an expiration date.

Referred to Committee on Health & Long Term Care.

SB 5823 by Senator Ericksen

AN ACT Relating to ensuring elections integrity by requiring witnesses to ballot signature marks to identify themselves; and amending RCW 29A.40.091.

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

SB 5824 by Senator Ericksen

AN ACT Relating to saving the whales by enriching the Puget Sound environment with prey for orcas; amending RCW 70.105D.070 and 43.83.020; adding new sections to chapter 77.12 RCW; and making appropriations.

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

MOTION

On motion of Senator Liias, the measures listed on the Introduction and First Reading report were referred to the committees as designated with the exceptions of: Senate Bill No. 5807 which had been designated to the Committee on Labor & Commerce and was referred to the Committee on Law & Justice; and Senate Bill No. 5819 which had been designated to the Committee on Law & Justice and was held at the desk.

MOTION

At 12:05 p.m., on motion of Senator Liias, the Senate adjourned until 12:00 o'clock noon Tuesday, February 5, 2019.

STEVE CONWAY, Vice President Pro Tempore of the Senate

BRAD HENDRICKSON, Secretary of the Senate

TWENTY THIRD DAY

NOON SESSION

Senate Chamber, Olympia
Tuesday, February 5, 2019

The Senate was called to order at 12:02 p.m. by the President of the Senate, Lt. Governor Habib presiding. No roll call was taken.

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

MOTION

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

MOTION

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

REPORTS OF STANDING COMMITTEES

February 1, 2019

SB 5076 Prime Sponsor, Senator Kuderer: Allowing persons complying with conditions of community custody to be registered to vote. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: That Substitute Senate Bill No. 5076 be substituted therefor, and the substitute bill do pass. Signed by Senators Hunt, Chair; Kuderer, Vice Chair; Hasegawa and Takko.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Zeiger, Ranking Member.

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

Referred to Committee on Rules for second reading.

February 25, 2019

SB 5089 Prime Sponsor, Senator Wellman: Increasing early learning access for children ages thirty months and older with developmental delays or disabilities. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5089 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

Referred to Committee on Ways & Means.

February 4, 2019

SB 5166 Prime Sponsor, Senator Hasegawa: Providing religious accommodations for postsecondary students. Reported by Committee on Ways & Means

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Billig; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

MINORITY recommendation: Do not pass. Signed by Senator Honeyford, Assistant Ranking Member, Capital.

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

Referred to Committee on Rules for second reading.

February 4, 2019

SB 5175 Prime Sponsor, Senator Braun: Concerning firefighter safety. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 5175 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Braun; Saldaña; Walsh and Wellman.

Referred to Committee on Rules for second reading.

February 1, 2019

SB 5207 Prime Sponsor, Senator Dhingra: Concerning notification of felony voting rights and restoration. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Hunt, Chair; Kuderer, Vice Chair; Zeiger, Ranking Member; Bailey; Hasegawa and Takko.

Referred to Committee on Rules for second reading.

February 4, 2019

SB 5234 Prime Sponsor, Senator Keiser: Modifying the excise tax for medical marijuana patients with recognition cards for products identified as beneficial for medical use. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Saldaña; Walsh and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Braun.

Referred to Committee on Ways & Means.

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February 1, 2019

SB 5266 Prime Sponsor, Senator Saldaña: Concerning timely elections for governing body members in jurisdictions modifying districting plans under the Washington voting rights act. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: That Substitute Senate Bill No. 5266 be substituted therefor, and the substitute bill do pass. Signed by Senators Hunt, Chair; Kuderer, Vice Chair; Hasegawa and Takko.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Zeiger, Ranking Member and Bailey.

Referred to Committee on Rules for second reading.

February 4, 2019

SB 5275 Prime Sponsor, Senator Hunt: Adding a nonvoting representative from the office of the insurance commissioner to the public employees' benefits board. Reported by Committee on Ways & Means

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

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun, Ranking Member; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Schoesler and Wilson, L.

Referred to Committee on Rules for second reading.

February 4, 2019

SB 5306 Prime Sponsor, Senator Mullet: Creating the capacity for the state treasurer's office to provide separately managed investment portfolios to eligible governmental entities. Reported by Committee on Ways & Means

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

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Hasegawa.

Referred to Committee on Rules for second reading.

February 26, 2019

SB 5324 Prime Sponsor, Senator Frockt: Concerning support for students experiencing homelessness. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5324 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen; Rivers; Van De Wege; Wagoner and Warnick.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Becker; Schoesler and Wilson, L.

Referred to Committee on Ways & Means.

February 4, 2019

SB 5350 Prime Sponsor, Senator Conway: Concerning the purchase of an optional life annuity benefit for certain public retirement system members. Reported by Committee on Ways & Means

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

Referred to Committee on Rules for second reading.

February 4, 2019

SB 5358 Prime Sponsor, Senator Saldaña: Concerning affordable housing development on religious organization property. Reported by Committee on Housing Stability & Affordability

MAJORITY recommendation: That Substitute Senate Bill No. 5358 be substituted therefor, and the substitute bill do pass. Signed by Senators Kuderer, Chair; Das, Vice Chair; Zeiger, Ranking Member; Darneille; Saldaña and Warnick.

Referred to Committee on Rules for second reading.

February 4, 2019

SB 5375 Prime Sponsor, Senator Wellman: Making the public art capital budget language permanent for efficiency. Reported by Committee on Ways & Means

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

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun, Ranking Member; Becker; Schoesler and Wilson, L.

Referred to Committee on Rules for second reading.

February 4, 2019

SB 5394 Prime Sponsor, Senator King: Concerning liquor licensees' use of web sites and social media to promote authorized events. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 5394 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Braun; Saldaña; Walsh and Wellman.

Referred to Committee on Rules for second reading.

February 4, 2019

SB 5402 Prime Sponsor, Senator Schoesler: Improving tax and licensing laws administered by the department of revenue, but not including changes to tax laws that are estimated to affect state or local tax collections as reflected in any fiscal note prepared and approved under the process established in chapter 43.88A RCW. Reported by Committee on Ways & Means

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

Referred to Committee on Rules for second reading.

February 4, 2019

SB 5470 Prime Sponsor, Senator Kuderer: Concerning services provided by the office of homeless youth prevention and protection programs. Reported by Committee on Housing Stability & Affordability

MAJORITY recommendation: Do pass. Signed by Senators Kuderer, Chair; Das, Vice Chair; Zeiger, Ranking Member; Darneille; Saldaña and Warnick.

Referred to Committee on Rules for second reading.

February 26, 2019

SB 5484 Prime Sponsor, Senator Wilson, C.: Implementing improvements to the early achievers program as reviewed and recommended by the joint select committee on the early achievers program. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5484 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Bailey; Becker; Billig; Carlyle; Conway; Darneille; Hunt; Keiser; Liiias; Palumbo; Pedersen; Rivers; Van De Wege; Wagoner; Warnick and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Schoesler.

MINORITY recommendation: Do not pass. Signed by Senators Honeyford, Assistant Ranking Member, Capital and Hasegawa.

Referred to Committee on Ways & Means.

February 4, 2019

SB 5566 Prime Sponsor, Senator Braun: Concerning setting fees for administration of the prevailing wage program. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Braun; Saldaña; Walsh and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator King, Ranking Member.

Referred to Committee on Rules for second reading.

February 4, 2019

SB 5646 Prime Sponsor, Senator Kuderer: Encouraging investments in affordable and supportive housing. Reported by Committee on Housing Stability & Affordability

MAJORITY recommendation: Do pass. Signed by Senators Kuderer, Chair; Das, Vice Chair; Zeiger, Ranking Member; Darneille; Saldaña and Warnick.

Referred to Committee on Ways & Means.

February 4, 2019

SB 5677 Prime Sponsor, Senator Keiser: Creating a promoter's permit authorizing promoters to assist liquor licensees in the organization of public events where liquor is sold. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Braun; Saldaña; Walsh and Wellman.

Referred to Committee on Rules for second reading.

February 4, 2019

SB 5716 Prime Sponsor, Senator Keiser: Defining when federal government employees are unemployed for purposes of unemployment insurance. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña; Walsh and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators King, Ranking Member and Braun.

Referred to Committee on Rules for second reading.

February 18, 2019

SB 5748 Prime Sponsor, Senator Conway: Creating an account to support necessary infrastructure nearby military installations. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5748 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member,

TWENTY THIRD DAY, FEBRUARY 5, 2019

2019 REGULAR SESSION

Capital; Bailey; Becker; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Wagoner and Warnick.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Pedersen; Rivers; Schoesler and Van De Wege.

Referred to Committee on Ways & Means.

February 5, 2019

SGA 9048 TIMOTHY RASMUSSEN, reappointed on September 16, 2016, for the term ending October 1, 2020, as Member of the Small Business Export Finance Assistance Center Board of Directors. Reported by Committee on Financial Institutions, Economic Development & Trade

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Mullet, Chair; Hasegawa, Vice Chair; Wilson, L., Ranking Member; Braun; Das and Hobbs.

Referred to Committee on Rules for second reading.

February 4, 2019

SGA 9140 RANDY J. ROBINSON, reappointed on January 18, 2018, for the term ending June 30, 2021, as Member of the Housing Finance Commission. Reported by Committee on Housing Stability & Affordability

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Kuderer, Chair; Das, Vice Chair; Zeiger, Ranking Member; Darneille; Saldaña and Warnick.

Referred to Committee on Rules for second reading.

February 5, 2019

SGA 9227 DAVID PARKER, reappointed on October 3, 2018, for the term ending October 1, 2022, as Member of the Small Business Export Finance Assistance Center Board of Directors. Reported by Committee on Financial Institutions, Economic Development & Trade

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Mullet, Chair; Hasegawa, Vice Chair; Wilson, L., Ranking Member; Braun; Das and Hobbs.

Referred to Committee on Rules for second reading.

February 4, 2019

SGA 9268 GREG B. MARKLEY, reappointed on January 1, 2019, for the term ending December 31, 2021, as Member of the State Investment Board. Reported by Committee on Ways & Means

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Billig; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

MOTION

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

MOTION

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

MESSAGES FROM THE HOUSE

February 4, 2019

MR. PRESIDENT:
The Speaker has signed
SENATE CONCURRENT RESOLUTION NO. 8400,
and the same is herewith transmitted.
BERNARD DEAN, Chief Clerk

February 4, 2019

MR. PRESIDENT:
The Speaker has signed
HOUSE CONCURRENT RESOLUTION NO. 4401,
and the same is herewith transmitted.
BERNARD DEAN, Chief Clerk

MOTION

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

INTRODUCTION AND FIRST READING

SB 5825 by Senators Hobbs and King

AN ACT Relating to tolling the Interstate 405, state route number 167, and state route number 509; amending RCW 47.56.880 and 47.56.884; reenacting and amending RCW 43.84.092; adding new sections to chapter 47.56 RCW; creating a new section; repealing RCW 47.56.403; and prescribing penalties.

Referred to Committee on Transportation.

SB 5826 by Senators Darneille and O'Ban

AN ACT Relating to implementing the family first prevention services act, P.L. 115-123, regarding expansion of services to children and families; amending RCW 13.34.025, 26.44.030, 74.14C.020, 74.15.020, 13.34.065, 13.34.130, 13.34.138, and 13.34.145; reenacting and amending RCW 13.34.030, 26.44.020, 74.13.020, and 74.13.031; adding new sections to chapter 13.34 RCW; adding a new section to chapter 26.44 RCW; adding a new section to chapter 74.13 RCW; and providing an effective date.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SB 5827 by Senators Randall, Fortunato, Dhingra and Holy

AN ACT Relating to exemptions from the use of safety belts; and reenacting and amending RCW 46.61.688.

Referred to Committee on Transportation.

SB 5828 by Senators Cleveland and Rivers

AN ACT Relating to the medicaid home health reimbursement rate for medical assistance clients; adding a new section to chapter 74.09 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Ways & Means.

SB 5829 by Senators Mullet, Schoesler, Hunt, Walsh and Warnick

AN ACT Relating to pension benefits and contributions in the volunteer firefighters' and reserve officers' relief and pension system; amending RCW 41.24.030 and 41.24.170; providing an effective date; and declaring an emergency.

Referred to Committee on Ways & Means.

MOTIONS

On motion of Senator Liias, all measures listed on the Introduction and First Reading report were referred to the committees as designated with the exceptions of Senate Bill No. 5828 which had been designated to the Committee on Health & Long Term Care and was referred to the Committee on Ways & Means.

On motion of Senator Liias and without objection, Senate Bill No. 5819, which was held at the desk on a previous day, was referred to the Committee on Law & Justice.

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

MOTION

Senator Nguyen moved adoption of the following resolution:

SENATE RESOLUTION 8612

By Senators Nguyen and Hasegawa

WHEREAS, On this 5th day of February 2019, the people of Washington join the celebration of the Lunar New Year, which is observed in many Asian cultures around the world; and

WHEREAS, Asian Americans are an integral component of the diverse fabric of Washington state, and are among the fastest growing populations in Washington; and

WHEREAS, The Lunar New Year is an opportunity for Asian Americans to celebrate the customs and traditions of their cultures and religions with traditional foods, costumes, and spiritual practices; and

WHEREAS, Festivals marking the Lunar New Year take place each year in communities throughout our state, providing opportunities for all to take part in this cultural experience; and

WHEREAS, The current makeup of the Washington State Legislature is the most diverse in our state's history, and therefore a better reflection of the people it serves; and

WHEREAS, This is a time to reflect on our successes and challenges from the past, to learn from those experiences, and create new goals and objectives for the coming year; and

WHEREAS, We commend this Lunar New Year tradition of familial reunion and hope to reflect these practices as a unified legislative body; and

WHEREAS, In observation of this Lunar New Year, the Vietnamese zodiac is the pig. This animal sign is characterized by honesty, sincerity, and hard work. May it inspire our chamber to emulate these qualities;

NOW, THEREFORE, BE IT RESOLVED, That the Senate commemorate the many contributions of Washington state's Asian American people and communities through recognition of the Lunar New Year.

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

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8612.

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

MOTION

At 12:09 p.m., on motion of Senator Liias, the Senate adjourned until 10:00 o'clock a.m. Wednesday, February 6, 2019.

CYRUS HABIB, President of the Senate

BRAD HENDRICKSON, Secretary of the Senate

TWENTY FOURTH DAY

MORNING SESSION

Senate Chamber, Olympia
Wednesday, February 6, 2019

The Senate was called to order at 10:05 a.m. by the President of the Senate, Lt. Governor Habib presiding. The Secretary called the roll and announced to the President that all Senators were present with the exceptions of Senators Lovelett and Sheldon.

The Sergeant at Arms Color Guard consisting of Pages Miss Nina Doody and Mr. James Pruiett, presented the Colors. The Mid-Columbia Mastersingers of Richland performed the National Anthem.

The prayer was offered by Pastor Stephen Curry, Orting Community Baptist Church.

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

MOTION

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

MOTION

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

REPORTS OF STANDING COMMITTEES

February 5, 2019

SB 5026 Prime Sponsor, Senator Honeyford: Concerning the placement of planning boundaries in conjunction with parcel boundaries. Reported by Committee on Local Government

MAJORITY recommendation: That Substitute Senate Bill No. 5026 be substituted therefor, and the substitute bill do pass. Signed by Senators Takko, Chair; Salomon, Vice Chair; Short, Ranking Member and Honeyford.

Referred to Committee on Rules for second reading.

February 5, 2019

SB 5249 Prime Sponsor, Senator Hunt: Eliminating certain requirements for the annexation of an unincorporated island of territory. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Senators Takko, Chair; Salomon, Vice Chair; Short, Ranking Member and Liias.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Honeyford.

Referred to Committee on Rules for second reading.

February 5, 2019

SB 5272 Prime Sponsor, Senator Hunt: Increasing the maximum tax rate for the voter-approved local sales and use tax for

emergency communication systems and facilities. Reported by Committee on Local Government

MAJORITY recommendation: That Substitute Senate Bill No. 5272 be substituted therefor, and the substitute bill do pass. Signed by Senators Takko, Chair; Salomon, Vice Chair; Short, Ranking Member; Honeyford and Liias.

Referred to Committee on Rules for second reading.

February 4, 2019

SB 5360 Prime Sponsor, Senator Conway: Addressing plan membership default provisions in the public employees' retirement system, the teachers' retirement system, and the school employees' retirement system. Reported by Committee on Ways & Means

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

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

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Wagoner; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

February 5, 2019

SB 5372 Prime Sponsor, Senator Palumbo: Concerning local project review undertaken under chapter 36.70B RCW. Reported by Committee on Local Government

MAJORITY recommendation: That Substitute Senate Bill No. 5372 be substituted therefor, and the substitute bill do pass. Signed by Senators Takko, Chair; Short, Ranking Member; Honeyford and Liias.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Salomon, Vice Chair.

Referred to Committee on Rules for second reading.

February 25, 2019

SB 5550 Prime Sponsor, Senator Saldaña: Implementing the recommendations of the pesticide application safety work group. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5550 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member,

Capital; Bailey; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen; Rivers; Schoesler; Van De Wege and Warnick.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Becker; Wagoner and Wilson, L.

Referred to Committee on Ways & Means.

MOTION

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

MOTION

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

INTRODUCTION AND FIRST READING

SB 5830 by Senators King, Hobbs, Warnick and Nguyen

AN ACT Relating to vehicle combinations that may be operated on public highways; and amending RCW 46.44.030 and 46.44.036.

Referred to Committee on Transportation.

SB 5831 by Senators Keiser, Van De Wege and Salomon

AN ACT Relating to an employer's payment of indebtedness; and amending RCW 49.48.120.

Referred to Committee on Labor & Commerce.

SB 5832 by Senators Sheldon, King, Takko, Wilson, L. and Hobbs

AN ACT Relating to changing the county in which the vehicle registration filing fee is distributed; and amending RCW 46.68.400.

Referred to Committee on Transportation.

SB 5833 by Senators Van De Wege and Schoesler

AN ACT Relating to dental assistants, expanded function dental auxiliaries, and dental hygienists; and amending RCW 18.260.010, 18.260.040, 18.260.070, and 18.29.190.

Referred to Committee on Health & Long Term Care.

SB 5834 by Senators Hunt, Wellman, Randall, Pedersen, Wilson, C. and Salomon

AN ACT Relating to providing for educational equity regardless of immigration or citizenship status; amending RCW 28A.710.040 and 28A.715.020; adding new sections to chapter 28A.320 RCW; adding a new section to chapter 28A.345 RCW; adding a new section to chapter 28A.300 RCW; and creating a new section.

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

SB 5835 by Senators Brown, Cleveland, Becker, Darneille and Walsh

AN ACT Relating to a hotline for the reporting of potential self-harm and criminal acts; adding a new chapter to Title 43 RCW; and prescribing penalties.

Referred to Committee on Law & Justice.

SB 5836 by Senators Van De Wege, Rivers, Hasegawa, Hunt, King, Hobbs, Takko and Liias

AN ACT Relating to inflation adjustments in nursing home payment rate setting; and amending RCW 74.46.561.

Referred to Committee on Ways & Means.

SB 5837 by Senators Darneille and Nguyen

AN ACT Relating to records eligible for regular sealing in juvenile court; and amending RCW 13.50.260.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SB 5838 by Senators Darneille, Rolfes and Nguyen

AN ACT Relating to correctional industries; and amending RCW 72.09.015, 72.09.070, and 72.09.080.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SB 5839 by Senators Darneille and Nguyen

AN ACT Relating to personal care services for homeless seniors and persons with disabilities; creating new sections; and providing an expiration date.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SB 5840 by Senator Cleveland

AN ACT Relating to requiring maintenance of minimum essential health care coverage; adding a new chapter to Title 48 RCW; and prescribing penalties.

Referred to Committee on Health & Long Term Care.

SB 5841 by Senators Cleveland, Hunt, Darneille, Keiser, Randall, Conway, Kuderer and Van De Wege

AN ACT Relating to protection against vaccine-preventable disease outbreaks; and amending RCW 28A.210.090.

Referred to Committee on Health & Long Term Care.

SB 5842 by Senators Carlyle, Cleveland and Dhingra

AN ACT Relating to the accessibility of electroconvulsant therapy; amending RCW 71.05.215, 71.05.217, 71.05.360, 71.34.355, 71.34.370, and 71.34.020; and reenacting and amending RCW 71.05.120 and 71.05.020.

Referred to Committee on Health & Long Term Care.

SB 5843 by Senators Wilson, C., O'Ban, Bailey, Nguyen, Darneille and Zeiger

AN ACT Relating to the rights of clients of the developmental disabilities administration of the department of social and health services; and adding a new chapter to Title 71A RCW.

Referred to Committee on Health & Long Term Care.

TWENTY FOURTH DAY, FEBRUARY 6, 2019

2019 REGULAR SESSION

SB 5844 by Senators Dhingra and King

AN ACT Relating to protecting the confidentiality of industrial insurance claim records; amending RCW 51.28.070; and prescribing penalties.

Referred to Committee on Labor & Commerce.

SB 5845 by Senator Braun

AN ACT Relating to sexual harassment policies, training, and reporting requirements throughout state government; amending RCW 43.01.135; creating a new section; and declaring an emergency.

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

SB 5846 by Senators Saldaña, Hasegawa, Randall, Nguyen, Wilson, C., Keiser and Das

AN ACT Relating to the integration of international medical graduates into Washington's health care delivery system; reenacting and amending RCW 43.84.092; and adding a new chapter to Title 70 RCW.

Referred to Committee on Health & Long Term Care.

SB 5847 by Senators Cleveland, Rivers, Wilson and L.

AN ACT Relating to facilitating transportation projects of statewide significance; adding new sections to chapter 47.05 RCW; and creating a new section.

Referred to Committee on Transportation.

SB 5848 by Senators Darneille and Nguyen

AN ACT Relating to individuals under the department of corrections' jurisdiction; amending RCW 9.94A.589, 9.94B.050, 9.94A.729, 9.94A.737, 9.94A.631, and 9.94A.716; creating new sections; providing an effective date; and declaring an emergency.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SB 5849 by Senator Kuderer

AN ACT Relating to the presumption of occupational disease for purposes of workers' compensation by adding medical conditions to the presumption, extending the presumption to certain publicly employed firefighters and investigators and law enforcement, addressing the qualifying medical examination, and creating an advisory committee; and amending RCW 51.32.185.

Referred to Committee on Labor & Commerce.

MOTION

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

MOTION

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

MOTION

Senator Keiser moved adoption of the following resolution:

SENATE RESOLUTION
8608

By Senators Keiser, Kuderer, Conway, Van De Wege, Darneille, Randall, Rolfes, Nguyen, Wellman, Salomon, Das, Cleveland, Hunt, Frockt, Carlyle, Takko, Pedersen, Hasegawa, and Saldaña

WHEREAS, On February 6, 1919, sixty thousand union workers in Seattle became the first workers in American history to organize a nonviolent general strike; and

WHEREAS, Seattle's Central Labor Council of the American Federation of Labor had called on union workers to strike in support of shipyard workers who sought the right to collective bargaining; and more than one hundred labor unions agreed to participate in the General Strike of 1919; and

WHEREAS, A diverse coalition of union members from all walks of life, including women, African Americans, and the Japanese community all voted in favor of joining the strike in solidarity demonstrating the value of uniting diverse groups across occupational, racial, and political affiliations; and

WHEREAS, The union workers who participated in the Seattle General Strike showed the nation the power of organized labor and worker solidarity; and the Seattle General Strike laid the groundwork for the contemporary labor movement in the United States; and

WHEREAS, The nation's workers represent the backbone of the American economy and have made the United States the most prosperous country in the world; and

WHEREAS, Wednesday, February 6, 2019, marks the one hundredth anniversary of the Seattle General Strike, a time when it was said that "*Nothing Moved But the Tide*;" and

WHEREAS, Several public events have been organized throughout the Centennial week by a coalition of museums, the Pacific Northwest Labor History Association, the University of Washington Labor Archives, and the Harry Bridges Center for Labor Studies; and

WHEREAS, The General Strike of 1919 has an enduring legacy that still shapes the labor movement today;

NOW, THEREFORE, BE IT RESOLVED, That the Senate recognize the heritage of the labor movement in our state and the workers who participated in the Seattle General Strike of 1919, and honor the contributions they made to our country and our state.

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

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8608.

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

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced Ms. Pam Lux, Trustee, Pacific Northwest Labor History Association; Mr. Conor Casey, Labor Archivist, University of Washington Labor Archives; and Mr. Gordon Baxter, legislative representative, Puget Sound Metal Trades Council, who were seated in the gallery.

PERSONAL PRIVILEGE

Senator Keiser: “I neglected to mention that I have a wonderful poster if I could invite all members who want to come by my desk I’ll leave it on my desk today. It’s a poster called Solidarity city. It is produced by the Labor Archives at the University of Washington listing all of the events commemorating the events of the Seattle general strike and you might want to participate in some of them. Thank you very much Mr. President.”

PERSONAL PRIVILEGE

Senator Sheldon: “Thank you Mr. President. Today we had a wonderful rendition of the national anthem. We had a resolution for an event one hundred years ago today. I just like to think a little bit about this chamber and history and before World War Two we had an open skylight in the chamber. Those legislators enjoyed the sunlight in this chamber and a beautiful day like today that we see the Olympics and the snow covered mountains around us. So, think about that Mr. President, as we go through this legislative session we talked about it last year. What it would take to restore that skylight and I think that’s something that we might all think about in this building and that historic a bit how different it would be to have the sunlight streaming down here today on the debates that go on and in this Senate chamber. So, Mr. President, thank very much.”

REPLY BY THE PRESIDENT

President Habib: “Senator Sheldon, I think I speak for the body when I say when you speak so eloquently it’s like rays of sunlight are streaming down on the chamber even just in that moment.”

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced Miss Grace Farrell and her father, Mr. Justin Farrell, who were guests of Senator Rivers and seated in the gallery. Miss Farrell, a fifth grade student at Cornerstone Christian Academy, Vancouver, was shadowing Senator Rivers for the day.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced students and representatives of Simpson Elementary School, Montesano, who were seated in the gallery.

MOTION

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

MESSAGE FROM THE COUNTY COMMISSIONERS AND COUNCILORS OF THE 40TH LEGISLATIVE DISTRICT

RESOLUTION

SKAGIT COUNTY
Resolution # R20190031

SAN JUAN NO. 02-2019 Page 1 of 2 WHATCOM NO. 2019-010

JOINT RESOLUTION OF THE SAN JUAN COUNTY COUNCIL, THE BOARD OF SKAGIT COUNTY COMMISSIONERS AND THE WHATCOM COUNTY COUNCIL APPOINTMENT TO FILL THE VACANCY IN THE POSITION OF STATE SENATOR FOR THE 40TH LEGISLATIVE DISTRICT

WHEREAS, a vacancy exists in the position of state senator for the 40th legislative district due to the resignation of Senator Kevin Ranker; and

WHEREAS, the 40th legislative district is a multicounty legislative district, including San Juan County and parts of Skagit County and Whatcom County; and

WHEREAS, Article II, Section 15 of the Washington state Constitution provides that in the event of a vacancy occurring in a multicounty legislative district the vacancy shall be filled by joint action of the legislative authorities of the respective counties from a list of three candidates nominated by the state central committee of the same political party as the legislator whose office is vacated; and

WHEREAS, the candidates must reside in the 40th legislative district and be of the same political party as the legislator whose office is vacated; and

WHEREAS, the Washington State Democratic Central Committee has submitted the names of three constitutionally qualified candidates to fill the vacancy created by Senator Ranker's resignation.

NOW, THEREFORE, BE IT MOVED AND RESOLVED by the San Juan County Council, the Board of Skagit County Commissioners and the Whatcom County Council:

A. Liz Lovelett, one of the three nominees, is hereby appointed to the position of state senator for the 40th legislative district in the Washington State Senate and continuing until a successor is elected at the next general election, and has qualified.

The vote was passed by the San Juan County Council, the Skagit County Board of Commissioners and the Whatcom County Council by the following weighted vote approved 5.6 to 3.4.

B. The clerks of the councils and board shall provide a copy of this joint resolution to the Clerk of the Washington State Senate, the Governor of the State of Washington and the Chair of the Washington State Democratic Central Committee.

APPROVED this 5 day of February, 2019.

		COUNTY COUCIL	
		SAN JUAN COUNTY, WASHINGTON	
ATTEST: Clerk of the Council	2.5.2019		
/s/	Date	/s/	
Ingrid Gabriel, Clerk		Bill Watson, Member, District 1	
REVIEWED BY COUNTY MANAGER			
/s/	2/5/19	/s/	
Michael J. Thomas	Date	Jamie Stephens, Chair, District 3	
RANDALL K. GAYLORD			
APPROVED AS TO FORM ONLY		/s/	
By: /s/	2/5/19	Rick Hughes, Vice Chair, District 2	
	Date		

		BOARD OF COUNTY COMMISSIONERS	
		SKAGIT COUNTY, WASHINGTON	
Attest:		/s/	
/s/	(SEAL)	/s/	
Clerk of the Board		Lisa Janicki, Chair	
Approved as to form			
/s/		/s/	
Skagit County Deputy Prosecuting Attorney		Ron Wesen, Commissioner	
		/s/	
		Kenneth A. Dahlstedt, Commissioner	

		WHATCOM COUNTY COUNCIL	
		WHATCOM COUNTY, WASHINGTON	
ATTEST:		/s/	
/s/	(SEAL)	/s/	
Dana Brown-Davis, Clerk of the Council		Rud Brown, Council Chair	
APPROVED AS TO FORM:			
/s/			

TWENTY FOURTH DAY, FEBRUARY 6, 2019

2019 REGULAR SESSION

Civil Deputy Prosecutor

MOTION

On motion of Senator Liias, Senator Lovelett was excused.

MOTION

At 10:36 a.m., on motion of Senator Liias, the Senate was declared to be at ease subject to the call of the President for the purposes of a meeting of the Committee on Rules and caucuses.

Senator Becker announced a meeting of the Republican Caucus immediately following the meeting of the Committee on Rules.

AFTERNOON SESSION

The Senate was called to order at 11:46 a.m. by President Habib.

MOTION

On motion of Senator Short, Senator Sheldon was excused.

MOTION

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

MESSAGE FROM THE HOUSE

February 4, 2019

MR. PRESIDENT:

The House adopted SENATE CONCURRENT RESOLUTION NO. 8402 with the following amendment(s): 8402 AMH SULP H1373.1 and the same is herewith transmitted.

BERNARD DEAN, Chief Clerk

MOTION

Senator Liias moved that the Senate concur in the House amendment(s) to Senate Concurrent Resolution No. 8402.

Senator Liias spoke in favor of the motion.

The President declared the question before the Senate to be the motion by Senator Liias that the Senate concur in the House amendment(s) to Senate Concurrent Resolution No. 8402.

The motion by Senator Liias carried and the Senate concurred in the House amendment(s) to Senate Concurrent Resolution No. 8402 by voice vote.

The President declared the question before the Senate to be the final passage of Senate Concurrent Resolution No. 8402, as amended by the House.

SENATE CONCURRENT RESOLUTION NO. 8402, as amended by the House, having received a majority was adopted by voice vote.

REMARKS BY SENATOR LIIAS

Senator Liias: "Yes, thank you Mr. President. For the information members we are receiving a joint address to the Legislature by the Premier of British Columbia. We will assemble here in the Senate at twelve fifteen and it will be a little

bit quicker assembly than usual. The members of the House will be joining us on the floor at twelve fifteen. We won't process them in in order to give us more time to hear from the Premier before he has to depart back to British Columbia so we will expect to be on the floor at twelve fifteen. Your House companions will be here waiting for you."

President Habib: "It is not an invasion."

Senator Liias: "Correct. And then we will hear the joint address. It will be a little different, but we look forward to hearing from Premier Horgan about what we can do as a state and a province to collaborate more constructively on issues."

MOTION

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

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Rolfes moved that Lisa Marsh, Senate Gubernatorial Appointment No. 9077, be confirmed as a member of the Board of Tax Appeals.

Senator Rolfes spoke in favor of the motion.

APPOINTMENT OF LISA MARSH

The President declared the question before the Senate to be the confirmation of Lisa Marsh, Senate Gubernatorial Appointment No. 9077, as a member of the Board of Tax Appeals.

The Secretary called the roll on the confirmation of Lisa Marsh, Senate Gubernatorial Appointment No. 9077, as a member of the Board of Tax Appeals and the appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Lovelett and Sheldon

Lisa Marsh, Senate Gubernatorial Appointment No. 9077, having received the constitutional majority was declared confirmed as a member of the Board of Tax Appeals.

STANDING COMMITTEE ASSIGNMENTS

The President announced the following appointments to the standing committees, listed on the document entitled "Senate Standing Committees & Subcommittee – February 6, 2019."

**Senate Standing Committees & Subcommittee –
February 6, 2019**

Agriculture, Water, Natural Resources & Parks

Van De Wege, Chair	Warnick, Ranking
Salomon, Vice Chair	Honeyford
McCoy	Short

Rolfes

Early Learning & K-12 Education

Wellman, Chair	Hawkins, Ranking
Wilson, Vice Chair	Holy
Hunt	Padden
McCoy	Wagoner
Mullet	
Pedersen	
Salomon	

Environment, Energy & Technology

Carlyle, Chair	Ericksen, Ranking
Palumbo, Vice Chair	Fortunato, Asst. Ranking
Das	Sheldon, Asst. Ranking
Hobbs	Brown
McCoy	Rivers
Nguyen	Short
Wellman	
Liias	
Billig	

Financial Institutions, Economic Development & Trade

Mullet, Chair	Wilson, Ranking
Hasegawa, Vice Chair	Braun
Das	Ericksen
Hobbs	

Health & Long Term Care

Cleveland, Chair	O'Ban, Ranking
Randall, Vice Chair	Bailey
Dhingra	Becker
Conway	Rivers
Keiser	
Frocht	
Van De Wege	

Behavioral Health Subcommittee

Dhingra, Chair	Wagoner, Ranking
Darneille	O'Ban
Frocht	

Higher Education & Workforce Development

Palumbo, Chair	Holy, Ranking
Randall, Vice Chair	Ericksen
Liias	Brown
Wellman	

Housing Stability & Affordability

Kuderer, Chair	Zeiger, Ranking
Das, Vice Chair	Fortunato
Darneille	Warnick
Saldaña	

Human Services, Reentry & Rehabilitation

Darneille, Chair	Walsh, Ranking
Nguyen, Vice Chair	O'Ban
Cleveland	Zeiger
Wilson	

Labor & Commerce

Keiser, Chair	King, Ranking
Conway, Vice Chair	Braun
Saldaña	Walsh
Wellman	

Law & Justice

Pedersen, Chair	Padden, Ranking
Dhingra, Vice Chair	Holy
Kuderer	Wilson
Salomon	

Local Government

Takko, Chair	Short, Ranking
Salomon, Vice Chair	Honeyford
Lovelett	

State Government, Tribal Relations & Elections

Hunt, Chair	Zeiger, Ranking
Kuderer, Vice Chair	Bailey
Hasegawa	Hawkins
Takko	

Transportation

Hobbs, Chair	King, Ranking
Saldaña, Vice Chair	Sheldon, Asst. Ranking
Cleveland	Fortunato
Das	O'Ban
Lovelett	Padden
Nguyen	Zeiger
Randall	
Takko	
Wilson	

Ways & Means

Rolfes, Chair	Braun, Ranking
Frocht, Vice Chair	Brown, Asst. Rank Operating
Operating & Capital Lead	Honeyford, Asst. Rank Capitol
Mullet, Capital Budget	Bailey
Cabinet	Becker
Billig	Rivers
Carlyle	Schoesler
Conway	Wagoner
Darneille	Warnick
Hasegawa	Wilson
Hunt	
Keiser	
Palumbo	
Pedersen	
Liias	
Van De Wege	

Rules

Lt. Governor, Chair	Schoesler, Ranking
Keiser, Vice Chair	Becker
Billig	King
Liias	Rivers
McCoy	Sheldon
Carlyle	Short
Cleveland	
Hasegawa	
Kuderer	
Nguyen	
Pedersen	

MOTIONS

On motion of Senator Liias, the appointments to the standing committees were confirmed by voice vote.

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

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SECOND READING

SENATE BILL NO. 5079, by Senators McCoy, Billig, Cleveland, Conway, Frockt, Hunt, Kuderer, Saldaña and Van De Wege

Enacting the Native American voting rights act of Washington.

MOTION

On motion of Senator McCoy, Substitute Senate Bill No. 5079 was substituted for Senate Bill No. 5079 and the substitute bill was placed on the second reading and read the second time.

WITHDRAWAL OF AMENDMENT

On motion of Senator Zeiger and without objection, amendment no. 014 by Senators Zeiger, McCoy and Hunt on page 2, line 33 to Substitute Senate Bill No. 5079 was withdrawn.

MOTION

Senator Zeiger moved that the following amendment no. 015 by Senators Hunt and Zeiger be adopted:

On page 2, after line 33, strike all material down through line 3 on page 3 and insert the following:

(3) A nontraditional residential address may be used when a voter resides on an Indian reservation or on Indian lands. The address of a tribally designated building that is a ballot pickup and collection location under section 4(4) of this act may serve as the residential address and mailing address for voters living on Indian lands if the tribally designated building is in the same precinct as the voter. If the designated tribal government building is not in the same precinct as the voter, the voter may use the designated tribal government building as a mailing address, but must separately designate the voter's appropriate residential address for precincting purposes through a nontraditional address.

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

The President declared the question before the Senate to be the adoption of amendment no. 015 by Senators Hunt and Zeiger on page 2, after line 33 to Substitute Senate Bill No. 5079.

The motion by Senator Zeiger carried and amendment no. 015 was adopted by voice vote.

MOTION

Senator Zeiger moved that the following amendment no. 016 by Senator Zeiger be adopted:

On page 4, line 15, after "tribe." insert "The legislature, pursuant to RCW 43.135.060, must reimburse counties for any costs incurred under this subsection."

On page 4, line 20, after "section." insert "The legislature, pursuant to RCW 43.135.060, must reimburse counties for any costs incurred under this subsection."

Senator Zeiger spoke in favor of adoption of the amendment.
Senator Hunt spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 016 by Senator Zeiger on page 4, line 15 to Substitute Senate Bill No. 5079.

The motion by Senator Zeiger did not carry and amendment no. 016 was not adopted by voice vote.

MOTION

Senator Zeiger moved that the following amendment no. 017 by Senator Zeiger be adopted:

Beginning on page 7, line 15, strike all of section 6

On page 1, line 3 of the title, after "29A.40.160;" insert "and" and beginning on line 3, after "RCW" strike "; and adding a new section to chapter 29A.84 RCW"

Senator Zeiger spoke in favor of adoption of the amendment.

Senator Hunt spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 017 by Senator Zeiger on page 7, line 15 to Substitute Senate Bill No. 5079.

The motion by Senator Zeiger did not carry and amendment no. 017 was not adopted by voice vote.

MOTION

Senator Zeiger moved that the following amendment no. 018 by Senator Zeiger be adopted:

On page 8, after line 3, insert the following:

"NEW SECTION. Sec. 7. If specific funding to local governments for the purposes of section 4 of this act, referencing section 4 of this act by bill or chapter number and section number, is not provided by June 30, 2019, in the omnibus appropriations act, sections 4 and 5 of this act are null and void."

On page 1, line 3 of the title, after "RCW;" strike "and"

On page 1, line 4 of the title, after "29A.84 RCW" insert "; and creating a new section"

Senator Zeiger spoke in favor of adoption of the amendment.

Senator Hunt spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 018 by Senator Zeiger on page 8, after line 3 to Substitute Senate Bill No. 5079.

The motion by Senator Zeiger did not carry and amendment no. 018 was not adopted by voice vote.

MOTION

On motion of Senator McCoy, the rules were suspended, Engrossed Substitute Senate Bill No. 5079 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator McCoy spoke in favor of passage of the bill.

Senator Zeiger spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5079.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5079 and the bill passed the Senate by the following vote: Yeas, 34; Nays, 13; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Billig, Braun, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, McCoy, Mullet, Nguyen, O'Ban, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Takko, Van De Wege, Walsh, Wellman, Wilson, C. and Zeiger

Voting nay: Senators Becker, Brown, Ericksen, Fortunato, Hawkins, Holy, Honeyford, King, Padden, Short, Wagoner, Warnick and Wilson, L.

Excused: Senators Lovelett and Sheldon

ENGROSSED SUBSTITUTE SENATE BILL NO. 5079, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5716, by Senators Keiser, Wellman, Saldaña, Conway, Hunt, Kuderer, Nguyen and Randall

Defining when federal government employees are unemployed for purposes of unemployment insurance.

The measure was read the second time.

MOTION

On motion of Senator Keiser, the rules were suspended, Senate Bill No. 5716 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

Senator Honeyford spoke against passage of the bill.

Senator Braun spoke on final passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5716.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5716 and the bill passed the Senate by the following vote: Yeas, 38; Nays, 9; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Hunt, Keiser, King, Kuderer, Liias, McCoy, Mullet, Nguyen, O'Ban, Palumbo, Pedersen, Randall, Rolfes, Saldaña, Salomon, Takko, Van De Wege, Wagoner, Walsh, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senators Becker, Ericksen, Fortunato, Honeyford, Padden, Rivers, Schoesler, Short and Warnick

Excused: Senators Lovelett and Sheldon

SENATE BILL NO. 5716, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5230, by Senators Wilson, C., and Wilson, L.

Amending motor vehicle laws to align with federal definitions, make technical corrections, and move an effective date to meet a federal timeline.

The measure was read the second time.

MOTION

On motion of Senator Wilson, C., the rules were suspended, Senate Bill No. 5230 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wilson, C., Hobbs and King spoke in favor of passage of the bill.

Senators Takko and Saldaña spoke on final passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5230.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5230 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Lovelett and Sheldon

SENATE BILL NO. 5230, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

PERSONAL PRIVILEGE

Senator Wilson, C.: "It is no small honor to give my first speech before a body of entrusted folks to determine important laws that govern all Washingtonians. You need to know I owned a courier company and I also ran school bus transportation. But, I also walked two million, one hundred ten thousand, one hundred eighty six steps to get here to the Senate. I counted them from the very first day of my campaign. So perhaps it's fitting that my first bill would be a transportation bill. I walked those steps with very bold goals in mind. To provide full and energetic representation for individuals and groups who have felt overlooked or who have felt left out. So, it's a little humbling that my first bill is about oh mundane technical changes to simply make our motor vehicle laws consistent with federal language. No, this bill who won't change the world but I do hope to change this body. For thirty-five years in education I served children in families whose needs have often gone underserved, ignored or even invisible. My school district is the most diverse in the state and the fifth most diverse in the nation. I know of problems that cry for solutions and I know of people who believe their issues and their voices are not welcome here. And I'm here to abolish that belief. As the Senator for the 30th District, I intend to amplify voices that have been missing in this building and to make sure that all of my constituents inside and outside the district know that this is their house. That they are all welcomed. That they're all valued, as individuals and that their needs are recognized and they're prioritized. I am a mother. I am a parent of an eighteen and a twenty-one year old, and I am a woman who identifies as L.G. T.B.Q. I have enjoyed the benefits of privilege and I also know how daunting it can feel

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when you run into discriminatory societal barriers. I bring all these experiences with me to the Senate. When I look around I see a glass that's half full and I see a good goodness in all those folks that are around me, whether in this institution or whether in across our communities across the state. I see my job here as figuring out how we bring different points of view together from all over the spectrum for a greater good. Now, to what you probably really want to know is about the gift that I brought for all of you. What you need to know is this gift comes from an artisan, a constituent of the 30th Legislative District and a woman-owned small business. Each of these gifts is identical yet distinct. Just like every single person in this room and throughout all of our districts, similar from a distance but with all kinds of differences when you get closer. As we work together a look forward to learning your differences and sharing mine, benefiting from the insights I gained from all of your viewpoints just as I hope you will find value in mine. Thank you so much and thank you Mr. President."

PERSONAL PRIVILEGE

Senator Liias: "Thank you Mr. President. On behalf of our caucus I certainly want to welcome Senator 'Wilson, Claire' as I've taken to calling her in the last few weeks. It has been a delight to see her energy and her passion for public education, for early childhood education already beginning to change the dialogue in the discussions that we're having here at the Capitol. I also note that Senator Wilson is the daughter of some refugees and a Holocaust survivor. So she brings an amazing background and life story. And, as one of the members of our Senate LGBT caucus, I'm delighted that we welcome our first lesbian senator to the Senate as well. So she is hard charging and forging a new path in many different directions but we are so excited to have her and the passion energy she brings and, unlike Senator Das, my first meeting with her did not last four hours so I thank her for that as well and welcome her to the Chamber."

REMARKS BY THE PRESIDENT

President Habib: "Thank you again. Allow me on behalf of the Senate, Senator Wilson, to welcome you here once more. I was pleased after we had a conversation about legislative procedure with the with the smooth delivery of your motion to bump your bill to third reading and I'll just say that that will probably be the last time you ever say the sentence, 'this bill doesn't change the world', because every legislator believes that every bill changes the world in some way, shape or form. But, truly, thank you for bringing your talents and gifts to the Senate and thank you for bringing these actual concrete tangible gifts to all of us as well."

SECOND READING

SENATE BILL NO. 5151, by Senators Wilson, L., Becker, Honeyford, Zeiger and Short

Requiring the growth management hearings board to topically index the rulings, decisions, and orders it publishes.

MOTIONS

On motion of Senator Wilson, L., Substitute Senate Bill No. 5151 was substituted for Senate Bill No. 5151 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Wilson, L., the rules were suspended, Substitute Senate Bill No. 5151 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5151.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5151 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Lovelett and Sheldon

SUBSTITUTE SENATE BILL NO. 5151, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

PERSONAL PRIVILEGE

Senator Becker: "Thank you Mr. President. Well, I think each and every one of you have seen the signs of Breast Cancer Awareness Day and Prostate Cancer Awareness Day and you'll see the blue flowers in the pink flowers and I want to say Wednesdays are breast cancer awareness days in honor of Senator Wilson. Last year my legislative aide, Tiffany, went through the same treatment and it was a very hard year for our office and for Tiffany and so I wish both of these women the very best. But Mr. President, I worked in urology for eight and a half years and I can't help, and I, and the urologists were here yesterday and I told them what I was going to do, and they said thank you very much. The blue flowers, the blue poster over there, should represent men's health. We talk about women's health all the time Mr. President but we don't talk about men's health. And so Mr. President, I've asked for some information from the Fred Hutch Cancer Research Society and I can't help but tell you how many times in the urology practice that men came in with prostatitis. They came in with elevated P.S.A.s. They came in with other complications, like they could not or they were getting up in the middle of the night multiple times urinating which is a sign of a problem with the prostate. Mr. President, I just want to read if I may a little bit?"

President Habib: "Please proceed."

Senator Becker: "Thank you Mr. President. According to the American Cancer Society, other than skin cancer, prostate cancer is the most common cancer in American men. Prostate cancer is the second leading cause of cancer death in the United States behind lung cancer. Approximately one man in forty-one will die of prostate cancer in the U.S. The American Cancer Society estimates in the U.S. in 2019 there will be approximately 174,650 new cases of prostate cancer and about 31,620 deaths in prostate with prostate cancer. Now, I'm not going to read all of this today

but I'm probably going to bring this up again because I want men in this chamber to share with men outside of this chamber and everywhere and women do the same thing. Prostate cancer is something that you can treat early you can work on the processes. I bring this to you, Mr. President, my brother-in-law was a dermatologist, an extremely intelligent man. And he developed prostate cancer. He opted for the seed implant and it worked for a while. Mr. President, it metastasized. It went throughout his entire body. When we look at the suicide rates that we're looking at, we're not looking at those that have committed suicide because of one thing or another. Mr. President, he had the option to do, to end his life with dignity but he chose to end his life with a gun two years ago. So, this is really personal to me. But it's personal to me that all the men that came in and that were told don't believe that P.S.A. Don't believe that P.S.A. can be elevated. It can be this, it can be that. Well you gosh darn well get in and have a P.S.A. and whether you believe it or not or the doctor does, go to that specialist if you have an elevated P.S.A. And you get the treatment early that you need just like we recommend in breast cancer for women. Mr. President, medical conditions don't care if we are women or if we are men. They don't care what the color of our skins are. They don't care anything about our bodies other than cancer is going to attack us in some way, shape, or form. So, I again, working in urology for over eight years, believe that it is important. Believe that you have to stand up for your rights like women did, and go get the treatment you need. Thank you Mr. President."

SECOND READING

SENATE BILL NO. 5001, by Senators Pedersen, King, Rivers, Keiser, Palumbo, Saldaña, Lias, Carlyle, Conway, Kuderer and Van De Wege

Concerning human remains.

MOTION

On motion of Senator Pedersen, Substitute Senate Bill No. 5001 was substituted for Senate Bill No. 5001 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Pedersen moved that the following striking amendment no. 004 by Senators Pedersen, Keiser and King be adopted:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. A new section is added to chapter 68.04 RCW to read as follows:

The definitions in this chapter apply throughout this title unless the context clearly requires otherwise.

Sec. 2. RCW 68.04.020 and 2005 c 365 s 27 are each amended to read as follows:

"Human remains" or "remains" means the body of a deceased person, includes the body in any stage of decomposition, and includes ~~((cremated))~~ postreduction human remains.

NEW SECTION. Sec. 3. A new section is added to chapter 68.04 RCW to read as follows:

"Alkaline hydrolysis" or "hydrolysis" means the reduction of human remains to bone fragments and essential elements in a

licensed hydrolysis facility using heat, pressure, water, and base chemical agents.

NEW SECTION. Sec. 4. A new section is added to chapter 68.04 RCW to read as follows:

"Hydrolysis facility" means a structure, room, or other space in a building or structure containing one or more hydrolysis vessels, to be used for alkaline hydrolysis.

Sec. 5. RCW 68.04.080 and 2005 c 365 s 31 are each amended to read as follows:

"Columbarium" means a structure, room, or other space in a building or structure containing niches for permanent placement of ~~((cremated))~~ postreduction human remains in a place used, or intended to be used, and dedicated, for cemetery purposes.

Sec. 6. RCW 68.04.120 and 2005 c 365 s 34 are each amended to read as follows:

"Inurnment" means placing ~~((cremated))~~ postreduction human remains in a cemetery.

NEW SECTION. Sec. 7. A new section is added to chapter 68.04 RCW to read as follows:

"Natural organic reduction" means the contained, accelerated conversion of human remains to soil.

NEW SECTION. Sec. 8. A new section is added to chapter 68.04 RCW to read as follows:

"Natural organic reduction facility" means a structure, room, or other space in a building or real property where natural organic reduction of a human body occurs.

Sec. 9. RCW 68.04.170 and 2005 c 365 s 38 are each amended to read as follows:

"Niche" means a space in a columbarium for placement of ~~((cremated))~~ postreduction human remains.

Sec. 10. RCW 68.04.260 and 2005 c 365 s 43 are each amended to read as follows:

"Scattering garden" means a designated area in a cemetery for the scattering of ~~((cremated))~~ postreduction human remains.

Sec. 11. RCW 68.04.270 and 2005 c 365 s 44 are each amended to read as follows:

"Scattering" means the removal of ~~((cremated))~~ postreduction human remains from their container for the purpose of scattering the ~~((cremated human))~~ remains in any lawful manner.

NEW SECTION. Sec. 12. A new section is added to chapter 68.04 RCW to read as follows:

"Reduce," "reduction," or "reducing" means cremate or conduct the process of alkaline hydrolysis or natural organic reduction.

NEW SECTION. Sec. 13. A new section is added to chapter 68.04 RCW to read as follows:

"Reduction facility" means a crematory, an alkaline hydrolysis facility, or a natural organic reduction facility.

NEW SECTION. Sec. 14. A new section is added to chapter 68.04 RCW to read as follows:

"Postreduction human remains" means human remains after reduction.

Sec. 15. RCW 68.05.175 and 2009 c 102 s 11 are each amended to read as follows:

A ~~((permit))~~ license or endorsement issued ~~((by the board or))~~ under chapter 18.39 RCW is required in order to operate a ~~((crematory or conduct a cremation))~~ reduction facility or to reduce human remains.

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Sec. 16. RCW 68.05.195 and 2005 c 365 s 58 are each amended to read as follows:

Any person other than persons defined in RCW 68.50.160 who buries or scatters (~~cremated~~) postreduction human remains by land, air, or sea or performs any other disposition of (~~cremated~~) postreduction human remains outside of a cemetery (~~shall~~) must have a permit issued in accordance with RCW 68.05.100 and (~~shall be~~) are subject to that section.

Sec. 17. RCW 68.05.205 and 2009 c 102 s 12 are each amended to read as follows:

The director with the consent of the board (~~shall~~) must set all fees for chapters ~~18.39~~, 68.05, 68.20, 68.24, 68.28, 68.32, 68.36, 68.40, 68.44, and 68.46 RCW in accordance with RCW 43.24.086, including fees for licenses, certificates, regulatory charges, permits, or endorsements, and the department (~~shall~~) must collect the fees.

Sec. 18. RCW 68.05.245 and 2005 c 365 s 64 are each amended to read as follows:

(1) All (~~crematory~~) permits, licenses, or endorsements issued under this chapter (~~shall~~) or chapter 18.39 RCW must be issued for the year and (~~shall~~) expire at midnight, the thirty-first day of January of each year, or at whatever time during any year that ownership or control of any cemetery authority (~~which~~) that operates such (~~crematory~~) facility is transferred or sold.

(2) The director (~~shall~~) must set and the department (~~shall~~) must collect in advance the fees required for licensing.

NEW SECTION. **Sec. 19.** RCW 68.05.390 (Permit or endorsement required for cremation—Penalty) and 1987 c 331 s 32 are each repealed.

Sec. 20. RCW 68.24.010 and 2005 c 365 s 73 are each amended to read as follows:

Cemetery authorities may take by purchase, donation, or devise, property consisting of lands, mausoleums, (~~crematories~~) reduction facilities, and columbariums, or other property within which the placement of human remains may be authorized by law.

Sec. 21. RCW 68.24.150 and 2005 c 365 s 81 are each amended to read as follows:

Every person who pays, causes to be paid, or offers to pay to any other person, firm, or corporation, directly or indirectly, except as provided in RCW 68.24.140, any commission, bonus, or rebate, or other thing of value in consideration of recommending or causing the disposition of human remains in any (~~crematory~~) reduction facility or cemetery, is guilty of a misdemeanor. Each violation (~~shall~~) constitutes a separate offense.

Sec. 22. RCW 68.50.108 and 1953 c 188 s 8 are each amended to read as follows:

No (~~dead body~~) one may embalm or reduce human remains upon which the coroner, or prosecuting attorney, if there (~~be no~~) is not a coroner in the county, may perform an autopsy or postmortem, (~~shall be embalmed or cremated~~) without the consent of the coroner having jurisdiction (~~, and~~). Failure to obtain such consent (~~shall be~~) is a misdemeanor (~~PROVIDED, That~~). However, such autopsy or postmortem must be performed within five days, unless the coroner (~~shall~~) obtains an order from the superior court extending such time.

Sec. 23. RCW 68.50.110 and 2005 c 365 s 138 are each amended to read as follows:

Except in cases of dissection provided for in RCW 68.50.100, and where human remains (~~shall~~) are rightfully (~~be~~) carried through or removed from the state for the purpose of burial

elsewhere, human remains lying within this state, and the remains of any dissected body, after dissection, (~~shall~~) must be decently buried (~~,~~) or (~~cremated~~) reduced within a reasonable time after death.

Sec. 24. RCW 68.50.130 and 2005 c 365 s 139 are each amended to read as follows:

Every person who performs a disposition of any human remains, except as otherwise provided by law, in any place, except in a cemetery or a building dedicated exclusively for religious purposes, is guilty of a misdemeanor. Disposition of (~~cremated~~) postreduction human remains may also occur on private property, with the consent of the property owner; and on public or government lands or waters with the approval of the government agency that has either jurisdiction or control, or both, of the lands or waters.

Sec. 25. RCW 68.50.140 and 2005 c 365 s 140 are each amended to read as follows:

(1) Every person who (~~shall~~) removes human remains, or any part thereof, from a grave, vault, or other place where the same has been buried or deposited awaiting burial or (~~cremation~~) reduction, without authority of law, with intent to sell the same, or for the purpose of securing a reward for its return, or for dissection, or from malice or wantonness, is guilty of a class C felony.

(2) Every person who (~~shall~~) purchases or receives, except for burial or (~~cremation~~) reduction, human remains or any part thereof, knowing that the same has been removed contrary to the foregoing provisions, is guilty of a class C felony.

(3) Every person who (~~shall~~) opens a grave or other place of interment, temporary or otherwise, or a building where human remains are placed, with intent to sell or remove the casket, urn, or of any part thereof, or anything attached thereto, or any vestment, or other article interred, or intended to be interred with the human remains, is guilty of a class C felony.

(4) Every person who removes, disinters, or mutilates human remains from a place of interment, without authority of law, is guilty of a class C felony.

Sec. 26. RCW 68.50.160 and 2012 c 5 s 1 are each amended to read as follows:

(1) A person has the right to control the disposition of his or her own remains without the predeath or postdeath consent of another person. A valid written document expressing the decedent's wishes regarding the place or method of disposition of his or her remains, signed by the decedent in the presence of a witness, is sufficient legal authorization for the procedures to be accomplished.

(2) Prearrangements that are prepaid, or filed with a licensed funeral establishment or cemetery authority, under RCW 18.39.280 through 18.39.345 and chapter 68.46 RCW are not subject to cancellation or substantial revision by survivors. Absent actual knowledge of contrary legal authorization under this section, a licensed funeral establishment or cemetery authority (~~shall~~) may not be held criminally nor civilly liable for acting upon such prearrangements.

(3) If the decedent has not made a prearrangement as set forth in subsection (2) of this section or the costs of executing the decedent's wishes regarding the disposition of the decedent's remains exceeds a reasonable amount or directions have not been given by the decedent, the right to control the disposition of the remains of a deceased person vests in, and the duty of disposition and the liability for the reasonable cost of preparation, care, and disposition of such remains devolves upon the following in the order named:

(a) The person designated by the decedent as authorized to direct disposition as listed on the decedent's United States department of defense record of emergency data, DD form 93, or its successor form, if the decedent died while serving in military service as described in 10 U.S.C. Sec. 1481(a) (1)-(8) in any branch of the United States armed forces, United States reserve forces, or national guard;

(b) The designated agent of the decedent as directed through a written document signed and dated by the decedent in the presence of a witness. The direction of the designated agent is sufficient to direct the type, place, and method of disposition;

(c) The surviving spouse or state registered domestic partner;

(d) The majority of the surviving adult children of the decedent;

(e) The surviving parents of the decedent;

(f) The majority of the surviving siblings of the decedent;

(g) A court-appointed guardian of the person at the time of the person's death.

(4) If any person to whom the right of control has vested pursuant to subsection (3) of this section has been arrested or charged with first or second degree murder or first degree manslaughter in connection with the decedent's death, the right of control is relinquished and passed on in accordance with subsection (3) of this section.

(5) If a cemetery authority as defined in RCW 68.04.190 or a funeral establishment licensed under chapter 18.39 RCW has made a good faith effort to locate the person cited in subsection (3)(a) through (g) of this section or the legal representative of the decedent's estate, the cemetery authority or funeral establishment ~~((shall have))~~ has the right to rely on an authority to bury or ~~((cremate))~~ reduce the human remains, executed by the most responsible party available, and the cemetery authority or funeral establishment may not be held criminally or civilly liable for burying or ~~((cremating))~~ reducing the human remains. In the event any government agency or charitable organization provides the funds for the disposition of any human remains, the cemetery authority, reduction facility, or funeral establishment may not be held criminally or civilly liable for ~~((cremating))~~ reducing the human remains.

(6) The liability for the reasonable cost of preparation, care, and disposition devolves jointly and severally upon all kin of the decedent in the same degree of kindred, in the order listed in subsection (3) of this section, and upon the estate of the decedent.

Sec. 27. RCW 68.50.170 and 2005 c 365 s 142 are each amended to read as follows:

Any person signing any authorization for the interment or ~~((cremation))~~ reduction of any human remains warrants the truthfulness of any fact set forth in the authorization, the identity of the person whose human remains are sought to be interred or ~~((cremated))~~ reduced, and his or her authority to order interments or ~~((cremation))~~ reduction. That person is personally liable for all damage occasioned by or resulting from breach of such warranty.

Sec. 28. RCW 68.50.185 and 2005 c 365 s 143 are each amended to read as follows:

(1) A person authorized to dispose of human remains ~~((shall))~~ may not ~~((cremate))~~ reduce or cause to be ~~((cremated))~~ reduced more than one human remains at a time unless written permission, after full and adequate disclosure regarding the manner of ~~((cremation))~~ reduction, has been received from the person or persons under RCW 68.50.160 having the authority to order ~~((cremation))~~ reduction. This restriction ~~((shall))~~ does not apply when equipment, techniques, or devices are employed that keep human remains separate and distinct before, during, and after the ~~((cremation))~~ reduction process.

(2) Violation of this section is a gross misdemeanor.

Sec. 29. RCW 68.50.240 and 2005 c 365 s 147 are each amended to read as follows:

The person in charge of any premises on which interments or ~~((cremations))~~ reductions are made ~~((shall))~~ must keep a record of all human remains interred or ~~((cremated))~~ reduced on the premises under his or her charge, in each case stating the name of each deceased person, date of ~~((cremation-or))~~ interment or reduction, and name and address of the funeral establishment.

Sec. 30. RCW 68.50.270 and 2005 c 365 s 148 are each amended to read as follows:

The person or persons determined under RCW 68.50.160 as having authority to order ~~((cremation shall be))~~ reduction is entitled to possession of the ~~((cremated))~~ postreduction human remains without further intervention by the state or its political subdivisions.

Sec. 31. RCW 68.64.120 and 2008 c 139 s 13 are each amended to read as follows:

(1) When a hospital refers an individual at or near death to a procurement organization, the organization shall make a reasonable search of the records of the department of licensing and any donor registry that it knows exists for the geographical area in which the individual resides to ascertain whether the individual has made an anatomical gift.

(2) A procurement organization must be allowed reasonable access to information in the records of the department of licensing to ascertain whether an individual at or near death is a donor.

(3) When a hospital refers an individual at or near death to a procurement organization, the organization may conduct any reasonable examination necessary to ensure the medical suitability of a part that is or could be the subject of an anatomical gift for transplantation, therapy, research, or education from a donor or a prospective donor. During the examination period, measures necessary to ensure the medical suitability of the part may not be withdrawn unless the hospital or procurement organization knows that the individual expressed a contrary intent.

(4) Unless prohibited by law other than this chapter, at any time after a donor's death, the person to which a part passes under RCW 68.64.100 may conduct any reasonable examination necessary to ensure the medical suitability of the body or part for its intended purpose.

(5) Unless prohibited by law other than this chapter, an examination under subsection (3) or (4) of this section may include an examination of all medical records of the donor or prospective donor.

(6) Upon the death of a minor who was a donor or had signed a refusal, unless a procurement organization knows the minor is emancipated, the procurement organization shall conduct a reasonable search for the parents of the minor and provide the parents with an opportunity to revoke or amend the anatomical gift or revoke the refusal.

(7) Upon referral by a hospital under subsection (1) of this section, a procurement organization shall make a reasonable search for any person listed in RCW 68.64.080 having priority to make an anatomical gift on behalf of a prospective donor. If a procurement organization receives information that an anatomical gift to any other person was made, amended, or revoked, it shall promptly advise the other person of all relevant information.

(8) Subject to RCW 68.64.100(9), 68.64.190, and 68.64.901, the rights of the person to which a part passes under RCW 68.64.100 are superior to the rights of all others with respect to the part. The person may accept or reject an anatomical gift in whole or in part. Subject to the terms of the document of gift and

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this chapter, a person that accepts an anatomical gift of an entire body may allow embalming, burial, or ~~((cremation))~~ reduction, and use of remains in a funeral service. If the gift is of a part, the person to which the part passes under RCW 68.64.100, upon the death of the donor and before embalming, burial, or ~~((cremation, shall))~~ reduction must cause the part to be removed without unnecessary mutilation.

(9) Neither the physician who attends the decedent at death nor the physician who determines the time of the decedent's death may participate in the procedures for removing or transplanting a part from the decedent.

(10) A physician or technician may remove a donated part from the body of a donor that the physician or technician is qualified to remove.

Sec. 32. RCW 70.15.010 and 2018 c 184 s 2 are each amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Department" means the department of health.

(2) "Disaster relief organization" means an entity that provides emergency or disaster relief services that include health or veterinary services provided by volunteer health practitioners and that:

(a) Is designated or recognized as a provider of those services pursuant to a disaster response and recovery plan adopted by an agency of the federal government or the department; or

(b) Regularly plans and conducts its activities in coordination with an agency of the federal government or the department.

(3) "Emergency" means an event or condition that is an emergency, disaster, or public health emergency under chapter 38.52 RCW.

(4) "Emergency declaration" means a proclamation of a state of emergency issued by the governor under RCW 43.06.010.

(5) "Emergency management assistance compact" means the interstate compact approved by congress by P.L. 104-321, 110 Stat. 3877, RCW 38.10.010.

(6) "Entity" means a person other than an individual.

(7) "Health facility" means an entity licensed under the laws of this or another state to provide health or veterinary services.

(8) "Health practitioner" means an individual licensed under the laws of this or another state to provide health or veterinary services.

(9) "Health services" means the provision of treatment, care, advice or guidance, or other services, or supplies, related to the health or death of individuals or human populations, to the extent necessary to respond to an emergency, including:

(a) The following, concerning the physical or mental condition or functional status of an individual or affecting the structure or function of the body:

(i) Preventive, diagnostic, therapeutic, rehabilitative, maintenance, or palliative care; and

(ii) Counseling, assessment, procedures, or other services;

(b) Sale or dispensing of a drug, a device, equipment, or another item to an individual in accordance with a prescription; and

(c) Funeral, ~~((cremation))~~ reduction as defined in section 12 of this act, cemetery, or other mortuary services.

(10) "Host entity" means an entity operating in this state which uses volunteer health practitioners to respond to an emergency.

(11) "License" means authorization by a state to engage in health or veterinary services that are unlawful without the authorization. The term includes authorization under the laws of this state to an individual to provide health or veterinary services based upon a national certification issued by a public or private entity.

(12) "Person" means an individual, corporation, business trust, trust, partnership, limited liability company, association, joint venture, public corporation, government or governmental subdivision, agency, or instrumentality, or any other legal or commercial entity.

(13) "Scope of practice" means the extent of the authorization to provide health or veterinary services granted to a health practitioner by a license issued to the practitioner in the state in which the principal part of the practitioner's services are rendered, including any conditions imposed by the licensing authority.

(14) "State" means a state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands, or any territory or insular possession subject to the jurisdiction of the United States.

(15) "Veterinary services" means the provision of treatment, care, advice or guidance, or other services, or supplies, related to the health or death of an animal or to animal populations, to the extent necessary to respond to an emergency, including:

(a) Diagnosis, treatment, or prevention of an animal disease, injury, or other physical or mental condition by the prescription, administration, or dispensing of vaccine, medicine, surgery, or therapy;

(b) Use of a procedure for reproductive management; and

(c) Monitoring and treatment of animal populations for diseases that have spread or demonstrate the potential to spread to humans.

(16) "Volunteer health practitioner" means a health practitioner who provides health or veterinary services, whether or not the practitioner receives compensation for those services. The term does not include a practitioner who receives compensation pursuant to a preexisting employment relationship with a host entity or affiliate which requires the practitioner to provide health services in this state, unless the practitioner is not a resident of this state and is employed by a disaster relief organization providing services in this state while an emergency declaration is in effect.

Sec. 33. RCW 70.58.230 and 2009 c 231 s 4 are each amended to read as follows:

It ~~((shall be))~~ is unlawful for any person to inter, deposit in a vault, grave, or tomb, ~~((cremate))~~ reduce as defined in section 12 of this act, or otherwise dispose of, or disinter or remove from one registration district to another, or hold for more than three business days after death, the human remains of any person whose death occurred in this state or any human remains which shall be found in this state, without obtaining, from the local registrar of the district in which the death occurred or in which the human remains were found, a permit for the burial, disinterment, or removal of the human remains. However, a licensed funeral director or embalmer of this state or a funeral establishment licensed in another state contiguous to Washington, with a current certificate of removal registration issued by the director of the department of licensing, may remove human remains from the district where the death occurred to another registration district or Oregon or Idaho without having obtained a permit but in such cases the funeral director or embalmer ~~((shall))~~ must at the time of removing human remains file with or mail to the local registrar of the district where the death occurred a notice of removal upon a blank to be furnished by the state registrar. The notice of removal ~~((shall))~~ must be signed or electronically approved by the funeral director or embalmer and ~~((shall))~~ must contain the name and address of the local registrar with whom the certificate of death will be filed and the burial-transit permit secured. Every local registrar, accepting a death certificate and issuing a burial-transit permit for a death that occurred outside his or her district, ~~((shall be))~~ is entitled to a fee of one dollar to be paid by the

funeral director or embalmer at the time the death certificate is accepted and the permit is secured. It ~~((shall be))~~ is unlawful for any person to bring into or transport within the state or inter, deposit in a vault, grave, or tomb, or cremate or otherwise dispose of human remains of any person whose death occurred outside this state unless the human remains are accompanied by a removal or transit permit issued in accordance with the law and health regulations in force where the death occurred, or unless a special permit for bringing the human remains into this state ~~((shall be))~~ is obtained from the state registrar.

Sec. 34. RCW 70.58.260 and 2009 c 231 s 7 are each amended to read as follows:

It ~~((shall be))~~ is unlawful for any person in charge of any premises in which bodies of deceased persons are interred, cremated, or otherwise permanently disposed of, to permit the interment, ~~((cremation))~~ reduction as defined in section 12 of this act, or other disposition of any body upon such premises unless it is accompanied by a burial, removal, or transit permit as provided in this chapter. It ~~((shall be))~~ is the duty of the person in charge of any such premises to, in case of the interment, ~~((cremation))~~ reduction as defined in section 12 of this act, or other disposition of human remains therein, endorse upon the permit the date and character of such disposition, over his or her signature or electronic approval, to return all permits so endorsed to the local registrar of the district in which the death occurred within ten days from the date of such disposition, and to keep a record of all human remains disposed of on the premises under his or her charge, stating, in each case, the name of the deceased person, if known, the place of death, the date of burial or other disposition, and the name and address of the undertaker, which record ~~((shall))~~ must at all times be open to public inspection, and it ~~((shall be))~~ is the duty of every undertaker, or person acting as such, when burying human remains in a cemetery or burial grounds having no person in charge, to sign or electronically approve the burial, removal, or transit permit, giving the date of burial, write across the face of the permit the words "no person in charge", and file the burial, removal, or transit permit within ten days with the registrar of the district in which the death occurred.

Sec. 35. RCW 70.95K.010 and 1994 c 165 s 2 are each amended to read as follows:

~~((Unless the context clearly requires otherwise,))~~ The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Biomedical waste" means, and is limited to, the following types of waste:

(a) "Animal waste" is waste animal carcasses, body parts, and bedding of animals that are known to be infected with, or that have been inoculated with, human pathogenic microorganisms infectious to humans.

(b) "Biosafety level 4 disease waste" is waste contaminated with blood, excretions, exudates, or secretions from humans or animals who are isolated to protect others from highly communicable infectious diseases that are identified as pathogenic organisms assigned to biosafety level 4 by the centers for disease control, national institute of health, biosafety in microbiological and biomedical laboratories, current edition.

(c) "Cultures and stocks" are wastes infectious to humans and includes specimen cultures, cultures and stocks of etiologic agents, wastes from production of biologicals and serums, discarded live and attenuated vaccines, and laboratory waste that has come into contact with cultures and stocks of etiologic agents or blood specimens. Such waste includes but is not limited to culture dishes, blood specimen tubes, and devices used to transfer, inoculate, and mix cultures.

(d) "Human blood and blood products" is discarded waste human blood and blood components, and materials containing free-flowing blood and blood products.

(e) "Pathological waste" is waste human source biopsy materials, tissues, and anatomical parts that emanate from surgery, obstetrical procedures, and autopsy. "Pathological waste" does not include teeth, human corpses, remains, and anatomical parts that are intended for interment or ~~((cremation))~~ reduction as defined in section 12 of this act.

(f) "Sharps waste" is all hypodermic needles, syringes with needles attached, IV tubing with needles attached, scalpel blades, and lancets that have been removed from the original sterile package.

(2) "Local government" means city, town, or county.

(3) "Local health department" means the city, county, city-county, or district public health department.

(4) "Person" means an individual, firm, corporation, association, partnership, consortium, joint venture, commercial entity, state government agency, or local government.

(5) "Treatment" means incineration, sterilization, or other method, technique, or process that changes the character or composition of a biomedical waste so as to minimize the risk of transmitting an infectious disease.

(6) "Residential sharps waste" has the same meaning as "sharps waste" in subsection (1) of this section except that the sharps waste is generated and prepared for disposal at a residence, apartment, dwelling, or other noncommercial habitat.

(7) "Sharps waste container" means a leak-proof, rigid, puncture-resistant red container that is taped closed or tightly lidded to prevent the loss of the residential sharps waste.

(8) "Mail programs" means those programs that provide sharps users with a multiple barrier protection kit for the placement of a sharps container and subsequent mailing of the wastes to an approved disposal facility.

(9) "Pharmacy return programs" means those programs where sharps containers are returned by the user to designated return sites located at a pharmacy to be transported by a biomedical or solid waste collection company approved by the utilities and transportation commission.

(10) "Drop-off programs" means those program sites designated by the solid waste planning jurisdiction where sharps users may dispose of their sharps containers.

(11) "Source separation" has the same meaning as in RCW 70.95.030.

(12) "Unprotected sharps" means residential sharps waste that are not disposed of in a sharps waste container.

Sec. 36. RCW 70.95M.090 and 2003 c 260 s 10 are each amended to read as follows:

Nothing in this chapter applies to ~~((crematories as that term is defined in RCW 68.04.070))~~ reduction facilities as defined in section 13 of this act.

Sec. 37. RCW 73.08.070 and 2005 c 250 s 5 are each amended to read as follows:

(1) The legislative authority for each county must designate a proper authority to be responsible, at the expense of the county, for the ~~((burial or cremation))~~ lawful disposition of the remains of any deceased indigent veteran or deceased family member of an indigent veteran who died without leaving means sufficient to defray funeral expenses. The costs of such a ~~((burial or cremation))~~ disposition may not exceed the limit established by the county legislative authority nor be less than three hundred dollars.

(2) If the deceased has relatives or friends who desire to conduct the ~~((burial or cremation))~~ disposition of such deceased

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~~((person))~~ person's remains, then a sum not to exceed the limit established by the county legislative authority nor less than three hundred dollars ~~((shall))~~ must be paid to the relatives or friends by the county auditor, or by the chief financial officer in a county operating under a charter. Payment ~~((shall))~~ must be made to the relatives or friends upon presenting to the auditor or chief financial officer due proof of the death, ~~((burial or cremation)),~~ disposition of the remains, and expenses incurred.

(3) Expenses incurred for the ~~((burial or cremation))~~ disposition of the remains of a deceased indigent veteran or the deceased family member of an indigent veteran as provided by this section ~~((shall))~~ must be paid from the veterans' assistance fund authorized by RCW 73.08.080.

(4) Remains has the same meaning as provided in RCW 68.04.020.

Sec. 38. RCW 73.08.080 and 2013 c 123 s 2 are each amended to read as follows:

(1) The legislative authority in each county must levy, in addition to the taxes now levied by law, a tax in a sum equal to the amount ~~((which))~~ that would be raised by not less than one and one-eighth cents per thousand dollars of assessed value, and not greater than twenty-seven cents per thousand dollars of assessed value against the taxable property of their respective counties, to be levied and collected as now prescribed by law for the assessment and collection of taxes, for the purpose of creating a veterans' assistance fund. Expenditures from the veterans' assistance fund, and interest earned on balances from the fund, may be used only for:

(a) The veterans' assistance programs authorized by RCW 73.08.010;

(b) The ~~((burial or cremation))~~ lawful disposition of the remains as defined in RCW 68.04.020 of a deceased indigent veteran or deceased family member of an indigent veteran as authorized by RCW 73.08.070; and

(c) The direct and indirect costs incurred in the administration of the fund as authorized by subsection (2) of this section.

(2) If the funds on deposit in the veterans' assistance fund, less outstanding warrants, on the first Tuesday in September exceed the lesser of the expected yield of one and one-eighth cents per thousand dollars of assessed value against the taxable property of the county or the expected yield of a levy determined as set forth in subsection (5) of this section, the county legislative authority may levy a lesser amount than would otherwise be required under subsection (1) or (5) of this section.

(3) The direct and indirect costs incurred in the administration of the veterans' assistance fund must be computed by the county auditor, or the chief financial officer in a county operating under a charter, not less than annually. Following the computation of these direct and indirect costs, an amount equal to these costs may then be transferred from the veterans' assistance fund to the county current expense fund.

(4) The amount of a levy allocated to the purposes specified in this section may be reduced in the same proportion as the regular property tax levy of the county is reduced by chapter 84.55 RCW.

(5)(a) The amount of a levy allocated to the purposes specified in this section may be modified from the amount required by subsection (1) of this section as follows:

(i) If the certified levy is reduced from the preceding year's certified levy, the amount of the levy allocated to the purposes specified in this section may be reduced by no more than the same percentage as the certified levy is reduced from the preceding year's certified levy;

(ii) If the certified levy is increased from the preceding year's certified levy, the amount of the levy allocated to the purposes specified in this section may not be less than the base allocation

increased by the same percentage as the certified levy is increased from the preceding year's certified levy. However, the amount of the levy allocated to the purposes specified in this section does not have to be increased under this subsection (5)(a)(ii) for the portion of a certified levy increase resulting from a voter-approved increase under RCW 84.55.050 that is dedicated to a specific purpose; or

(iii) If the certified levy is unchanged from the preceding year's certified levy, the amount of the levy allocated to the purposes specified in this section must be equal to or greater than the base allocation.

(b) For purposes of this subsection, the following definitions apply:

(i) "Base allocation" means the most recent allocation that was not reduced under subsection (2) of this section.

(ii) "Certified levy" means the property tax levy for general county purposes certified to the county assessor as required by RCW 84.52.070, excluding any amounts certified under chapters 84.69 and 84.68 RCW.

(6) Subsections (2), (4), and (5) of this section do not preclude a county from increasing the levy amount in subsection (1) of this section to an amount that is greater than the change in the regular county levy.

Sec. 39. RCW 18.39.010 and 2009 c 102 s 1 are each reenacted and amended to read as follows:

The definitions in this section and in chapter 68.04 RCW apply throughout this chapter unless the context clearly requires otherwise.

(1) "Board" means the funeral and cemetery board created pursuant to RCW 18.39.173.

(2) "Director" means the director of licensing.

(3) "Embalmer" means a person engaged in the profession or business of disinfecting and preserving human remains for transportation or final disposition.

(4) "Funeral director" means a person engaged in the profession or business of providing for the care, shelter, transportation, and arrangements for the disposition of human remains that may include arranging and directing funeral, memorial, or other services.

(5) "Funeral establishment" means a place of business licensed in accordance with RCW 18.39.145, that provides for any aspect of the care, shelter, transportation, embalming, preparation, and arrangements for the disposition of human remains and includes all areas of such entity and all equipment, instruments, and supplies used in the care, shelter, transportation, preparation, and embalming of human remains.

(6) "Funeral merchandise or services" means those services normally performed and merchandise normally provided by funeral establishments, including the sale of burial supplies and equipment, but excluding the sale by a cemetery of lands or interests therein, services incidental thereto, markers, memorials, monuments, equipment, crypts, niches, or vaults.

(7) "Licensee" means any person or entity holding a license, registration, endorsement, or permit under this chapter issued by the director.

(8) "Prearrangement funeral service contract" means any contract under which, for a specified consideration, a funeral establishment promises, upon the death of the person named or implied in the contract, to furnish funeral merchandise or services.

(9) "Public depository" means a public depository defined by RCW 39.58.010 or a state or federally chartered credit union.

(10) "Two-year college course" means the completion of sixty semester hours or ninety quarter hours of college credit, including

the satisfactory completion of certain college courses, as set forth in this chapter.

Words used in this chapter importing the singular may be applied to the plural of the person or thing, words importing the plural may be applied to the singular, and words importing the masculine gender may be applied to the female.

Sec. 40. RCW 18.39.170 and 2005 c 365 s 12 are each amended to read as follows:

~~((There shall be appointed by))~~ The director must appoint an agent whose title ~~((shall be))~~ is "inspector of funeral establishments, ~~((crematories,))~~ reduction facilities, funeral directors, and embalmers of the state of Washington." ~~((No))~~ A person ~~((shall be))~~ is not eligible for such appointment unless he or she has been a licensed funeral director and embalmer in the state of Washington, with a minimum experience of not less than five consecutive years.

- (1) The inspector ~~((shall))~~ must:
 - (a) Serve at the pleasure of the director; and
 - (b) At all times be under the supervision of the director.
- (2) The inspector is authorized to:
 - (a) Enter the office, premises, establishment, or place of business, where funeral directing, embalming, or ~~((cremation))~~ reduction is carried on for the purpose of inspecting the premises;
 - (b) Inspect the licenses and registrations of funeral directors, embalmers, funeral director interns, and embalmer interns;
 - (c) Serve and execute any papers or process issued by the director under authority of this chapter; and
 - (d) Perform any other duty or duties prescribed or ordered by the director.

Sec. 41. RCW 18.39.217 and 2009 c 102 s 4 are each amended to read as follows:

- (1) A license or endorsement issued ~~((by the board or))~~ under this chapter or chapter 18.39 or 68.05 RCW is required in order to operate a ~~((crematory))~~ reduction facility or conduct a ~~((cremation))~~ reduction.
- (2) Conducting a ~~((cremation))~~ reduction without a license or endorsement is a misdemeanor. Each such ~~((cremation))~~ action is a separate violation.

Sec. 42. RCW 18.39.410 and 2016 c 81 s 9 are each amended to read as follows:

In addition to the unprofessional conduct described in RCW 18.235.130, the board may take disciplinary action and may impose any of the sanctions specified in RCW 18.235.110 for the following conduct, acts, or conditions, except as provided in RCW 9.97.020:

- (1) Solicitation of human remains by a licensee, registrant, endorsement, or permit holder, or agent, assistant, or employee of the licensee, registrant, endorsement, or permit holder whether the solicitation occurs after death or while death is impending. This chapter does not prohibit general advertising or the sale of prearrangement funeral service contracts;
- (2) Solicitation may include employment of solicitors, payment of commission, bonus, rebate, or any form of gratuity or payment of a finders fee, referral fee, or other consideration given for the purpose of obtaining or providing the services for human remains or where death is impending;
- (3) Acceptance by a licensee, registrant, endorsement, or permit holder or other employee of a funeral establishment of a commission, bonus, rebate, or gratuity in consideration of directing business to a cemetery, ~~((crematory))~~ reduction facility, mausoleum, columbarium, florist, or other person providing goods and services to the disposition of human remains;
- (4) Using a casket or part of a casket that has previously been used as a receptacle for, or in connection with, the burial or other

disposition of human remains without the written consent of the person lawfully entitled to control the disposition of remains of the deceased person in accordance with RCW 68.50.160. This subsection does not prohibit the use of rental caskets, such as caskets of which the outer shell portion is rented and the inner insert that contains the human remains is purchased and used for the disposition, that are disclosed as such in the statement of funeral goods and services;

- (5) Violation of a state law, municipal law, or county ordinance or regulation affecting the handling, custody, care, transportation, or disposition of human remains, except as provided in RCW 9.97.020;
- (6) Refusing to promptly surrender the custody of human remains upon the expressed order of the person lawfully entitled to its custody under RCW 68.50.160;
- (7) Selling, or offering for sale, a share, certificate, or an interest in the business of a funeral establishment, or in a corporation, firm, or association owning or operating a funeral establishment that promises or purports to give to purchasers a right to the services of a licensee, registrant, endorsement, or permit holder at a charge or cost less than offered or given to the public;
- (8) Violation of any state or federal statute or administrative ruling relating to funeral practice, except as provided in RCW 9.97.020;
- (9) Knowingly concealing information concerning a violation of this title.

NEW SECTION. **Sec. 43.** This act takes effect May 1, 2020."

On page 1, line 1 of the title, after "remains;" strike the remainder of the title and insert "amending RCW 68.04.020, 68.04.080, 68.04.120, 68.04.170, 68.04.260, 68.04.270, 68.05.175, 68.05.195, 68.05.205, 68.05.245, 68.24.010, 68.24.150, 68.50.108, 68.50.110, 68.50.130, 68.50.140, 68.50.160, 68.50.170, 68.50.185, 68.50.240, 68.50.270, 68.64.120, 70.15.010, 70.58.230, 70.58.260, 70.95K.010, 70.95M.090, 73.08.070, 73.08.080, 18.39.170, 18.39.217, and 18.39.410; reenacting and amending RCW 18.39.010; adding new sections to chapter 68.04 RCW; repealing RCW 68.05.390; providing an effective date; and prescribing penalties."

MOTION

Senator Fortunato moved that the following amendment no. 009 by Senator Fortunato to amendment no. 004 be adopted:

On page 2, line 8 of the amendment, after "soil." insert "The process must maintain a minimum C:N ratio (carbon to nitrogen) of twenty-five parts carbon to one part nitrogen, or 25:1 to complete composability."

Senator Fortunato spoke in favor of adoption of the amendment to the striking amendment.

Senator Pedersen spoke against adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 009 by Senator Fortunato on page 2, line 8 to amendment no. 004.

The motion by Senator Fortunato did not carry and amendment no. 009 was not adopted by voice vote.

MOTION

Senator Padden moved that the following amendment no. 010 by Senator Padden to amendment no. 004 be adopted:

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On page 21, after line 29 of the amendment, insert the following:

"**NEW SECTION. Sec. 43.** A new section is added to chapter 18.39 RCW to read as follows:

The department of health must conduct a study to determine the environmental effects on municipal water systems from alkaline hydrolysis as defined in section 3 of this act."

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

On page 22, line 6 of the title amendment, after "68.04 RCW;" insert "adding a new section to chapter 18.39 RCW;"

Senator Padden spoke in favor of adoption of the amendment to the striking amendment.

Senator Pedersen spoke against adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 010 by Senator Padden on page 21, after line 29 to amendment no. 004.

The motion by Senator Padden did not carry and amendment no. 010 was not adopted by voice vote.

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

The President declared the question before the Senate to be the adoption of striking amendment no. 004 by Senators Pedersen, Keiser and King to Substitute Senate Bill No. 5001.

The motion by Senator Pedersen carried and striking amendment no. 004 was adopted by voice vote.

MOTION

On motion of Senator Pedersen, the rules were suspended, Engrossed Substitute Senate Bill No. 5001 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Pedersen spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5001.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5001 and the bill passed the Senate by the following vote: Yeas, 36; Nays, 11; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, King, Kuderer, Liias, McCoy, Mullet, Nguyen, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Takko, Van De Wege, Wagoner, Walsh, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senators Bailey, Becker, Erickson, Fortunato, Hawkins, Holy, Honeyford, O'Ban, Padden, Short and Warnick

Excused: Senators Lovelett and Sheldon

ENGROSSED SUBSTITUTE SENATE BILL NO. 5001, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5177, by Senators Braun and Takko

Concerning cemetery district withdrawal of territory.

The measure was read the second time.

MOTION

On motion of Senator Braun, the rules were suspended, Senate Bill No. 5177 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

MOTION

On motion of Senator Rivers, Senator Padden was excused.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5177.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5177 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

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

Excused: Senators Lovelett, Padden and Sheldon

SENATE BILL NO. 5177, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 12:57 p.m., on motion of Senator Liias, the Senate adjourned until 12:00 o'clock noon Thursday, February 7, 2019.

CYRUS HABIB, President of the Senate

BRAD HENDRICKSON, Secretary of the Senate

TWENTY FIFTH DAY

NOON SESSION

Senate Chamber, Olympia
Thursday, February 7, 2019

The Senate was called to order at 12:00 o'clock noon by the President of the Senate, Lt. Governor Habib presiding. No roll call was taken.

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

MOTION

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

MOTION

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

REPORTS OF STANDING COMMITTEES

February 5, 2019

SB 5005 Prime Sponsor, Senator Takko: Authorizing the issuance of personalized collector vehicle license plates. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5005 be substituted therefor, and the substitute bill do pass. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Sheldon, Assistant Ranking Member; Cleveland; Das; Dhingra; Fortunato; Nguyen; O'Ban; Padden; Randall; Takko; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

February 6, 2019

SB 5074 Prime Sponsor, Senator Kuderer: Enacting the uniform faithful presidential electors act. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Hunt, Chair; Kuderer, Vice Chair; Hasegawa and Takko.

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

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Zeiger, Ranking Member and Bailey.

Referred to Committee on Rules for second reading.

February 6, 2019

SB 5078 Prime Sponsor, Senator Kuderer: Requiring disclosure of federal income tax returns of presidential and vice presidential candidates prior to appearing on the ballot. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Hunt, Chair; Kuderer, Vice Chair; Hasegawa and Takko.

MINORITY recommendation: Do not pass. Signed by Senators Zeiger, Ranking Member; Bailey and Hawkins.

Referred to Committee on Rules for second reading.

February 5, 2019

SB 5104 Prime Sponsor, Senator Sheldon: Prohibiting local governments from imposing vehicle tolls. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5104 be substituted therefor, and the substitute bill do pass. Signed by Senators Hobbs, Chair; King, Ranking Member; Sheldon, Assistant Ranking Member; Fortunato; O'Ban; Padden; Randall; Wilson, C. and Zeiger.

MINORITY recommendation: Do not pass. Signed by Senators Saldaña, Vice Chair; Cleveland; Das; Dhingra and Nguyen.

Referred to Committee on Rules for second reading.

February 12, 2019

SB 5119 Prime Sponsor, Senator Palumbo: Including highway workers employed on a transportation project by a contractor in the tuition and fee exemption for children and surviving spouses of highway workers. Reported by Committee on Ways & Means

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Pedersen; Van De Wege; Wagoner; Warnick and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Schoesler.

Referred to Committee on Ways & Means.

February 5, 2019

SB 5128 Prime Sponsor, Senator Rolfes: Reducing the electric motorcycle registration renewal fee. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5128 be substituted therefor, and the substitute bill do pass. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Sheldon, Assistant Ranking Member; Cleveland; Das; Dhingra; Fortunato; Nguyen; O'Ban; Padden; Randall; Takko; Wilson, C. and Zeiger.

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Referred to Committee on Rules for second reading.

MAJORITY recommendation: Do pass. Signed by Senators Hunt, Chair; Kuderer, Vice Chair; Zeiger, Ranking Member; Bailey; Hasegawa; Hawkins and Takko.

February 27, 2019

SB 5141 Prime Sponsor, Senator Wellman: Concerning school resource officer mandatory training and policies. Reported by Committee on Ways & Means

Referred to Committee on Rules for second reading.

February 25, 2019

SB 5231 Prime Sponsor, Senator Bailey: Concerning veteran survivor tuition waiver eligibility. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5141 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

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

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Becker.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Pedersen.

Referred to Committee on Ways & Means.

Referred to Committee on Ways & Means.

February 5, 2019

SB 5144 Prime Sponsor, Senator Dhingra: Implementing child support pass-through payments. Reported by Committee on Human Services, Reentry & Rehabilitation

February 27, 2019

SB 5247 Prime Sponsor, Senator Frockt: Addressing catastrophic incidents that are natural or human-caused emergencies by providing guidance that may be used by state public schools to plan for seismic catastrophic incidents. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5144 be substituted therefor, and the substitute bill do pass. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; Cleveland; O'Ban; Wilson, C. and Zeiger.

MAJORITY recommendation: That Substitute Senate Bill No. 5247 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

Referred to Committee on Ways & Means.

Referred to Committee on Ways & Means.

February 5, 2019

SB 5203 Prime Sponsor, Senator Palumbo: Creating an apprenticeship program for inmates. Reported by Committee on Human Services, Reentry & Rehabilitation

February 5, 2019

SB 5254 Prime Sponsor, Senator Sheldon: Modifying the operation of motorcycles on roadways laned for traffic. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; Cleveland; O'Ban; Wilson, C. and Zeiger.

MAJORITY recommendation: Do pass. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Sheldon, Assistant Ranking Member; Das; Fortunato; Nguyen; O'Ban; Padden; Randall; Takko; Wilson, C. and Zeiger.

Referred to Committee on Ways & Means.

MINORITY recommendation: Do not pass. Signed by Senators Cleveland and Dhingra.

February 6, 2019

SB 5210 Prime Sponsor, Senator Palumbo: Notifying purchasers of hearing instruments about uses and benefits of telecoil and bluetooth technology. Reported by Committee on Health & Long Term Care

Referred to Committee on Rules for second reading.

MAJORITY recommendation: Do pass. Signed by Senators Cleveland, Chair; Randall, Vice Chair; O'Ban, Ranking Member; Bailey; Becker; Conway; Dhingra; Frockt; Keiser and Van De Wege.

Referred to Committee on Rules for second reading.

February 6, 2019

SB 5224 Prime Sponsor, Senator Kuderer: Concerning advisory votes. Reported by Committee on State Government, Tribal Relations & Elections

February 6, 2019

SB 5260 Prime Sponsor, Senator Zeiger: Concerning powers to waive statutory obligations or limitations during a state of emergency in order to cope with the emergency. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Hunt, Chair; Kuderer, Vice Chair; Zeiger, Ranking Member; Bailey; Hawkins and Takko.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Hasegawa.

Referred to Committee on Rules for second reading.

February 5, 2019

SB 5267 Prime Sponsor, Senator Saldaña: Exempting certain marine cargo from vehicle registrations. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5267 be substituted therefor, and the substitute bill do pass. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Sheldon, Assistant Ranking Member; Cleveland; Das; Dhingra; Fortunato; Nguyen; O'Ban; Padden; Randall; Takko; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

February 26, 2019

SB 5274 Prime Sponsor, Senator Hasegawa: Concerning dental coverage for Pacific islanders residing in Washington. Reported by Committee on Ways & Means

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

Referred to Committee on Ways & Means.

February 6, 2019

SB 5289 Prime Sponsor, Senator Palumbo: Concerning nonprofit homeownership development. Reported by Committee on Housing Stability & Affordability

MAJORITY recommendation: That Substitute Senate Bill No. 5289 be substituted therefor, and the substitute bill do pass. Signed by Senators Kuderer, Chair; Das, Vice Chair; Zeiger, Ranking Member; Darneille; Fortunato; Saldaña and Warnick.

Referred to Committee on Ways & Means.

February 6, 2019

SB 5294 Prime Sponsor, Senator Hunt: Creating leave provisions for legislative service. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Hunt, Chair; Kuderer, Vice Chair; Zeiger, Ranking Member; Bailey; Hasegawa; Hawkins and Takko.

Referred to Committee on Rules for second reading.

February 6, 2019

SB 5304 Prime Sponsor, Senator Mullet: Concerning the financing of local infrastructure. Reported by Committee on Housing Stability & Affordability

MAJORITY recommendation: Do pass. Signed by Senators Kuderer, Chair; Das, Vice Chair; Zeiger, Ranking Member; Darneille; Fortunato; Saldaña and Warnick.

Referred to Committee on Rules for second reading.

February 6, 2019

SB 5310 Prime Sponsor, Senator Hunt: Correcting agency names and accounts in statutes to reflect the organizational structure, duties, and responsibilities of the office of financial management. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Hunt, Chair; Kuderer, Vice Chair; Zeiger, Ranking Member; Bailey; Hasegawa; Hawkins and Takko.

Referred to Committee on Rules for second reading.

February 28, 2019

SB 5317 Prime Sponsor, Senator Wellman: Concerning nonfirearm measures to increase school safety and student well-being. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5317 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

Referred to Committee on Ways & Means.

March 1, 2019

SB 5327 Prime Sponsor, Senator Wellman: Expanding career connected learning opportunities. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5327 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Darneille; Hunt; Keiser; Liias; Palumbo; Pedersen; Rivers; Van De Wege; Wagoner; Warnick and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Hasegawa and Schoesler.

Referred to Committee on Ways & Means.

February 25, 2019

SB 5338 Prime Sponsor, Senator Darneille: Concerning the protection of vulnerable adults. Reported by Committee on Ways & Means

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

Referred to Committee on Ways & Means.

February 6, 2019

SB 5355 Prime Sponsor, Senator Holy: Recovering service credit withdrawn from the public employees' retirement system for certain law enforcement officers and firefighters. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5355 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Billig; Carlyle; Conway; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen; Schoesler; Wagoner; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

February 5, 2019

SB 5362 Prime Sponsor, Senator Wilson, L.: Addressing the creation of a deferred prosecution program for nonpayment of license fees and taxes for vehicle, vessel, and aircraft registrations. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5362 be substituted therefor, and the substitute bill do pass. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Sheldon, Assistant Ranking Member; Cleveland; Das; Dhingra; Fortunato; Nguyen; O'Ban; Padden; Randall; Takko; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

March 1, 2019

SB 5363 Prime Sponsor, Senator Palumbo: Extending the property tax exemption for new and rehabilitated multiple-unit dwellings in urban centers. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5363 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Conway; Darneille; Hunt; Keiser; Liias; Palumbo; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

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

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Frockt, Vice Chair, Operating, Capital Lead; Carlyle and Pedersen.

Referred to Committee on Ways & Means.

February 6, 2019

SB 5387 Prime Sponsor, Senator Becker: Concerning physician credentialing in telemedicine services. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: Do pass. Signed by Senators Cleveland, Chair; Randall, Vice Chair; O'Ban, Ranking Member; Bailey; Becker; Conway; Dhingra; Frockt; Keiser and Van De Wege.

Referred to Committee on Rules for second reading.

February 5, 2019

SB 5410 Prime Sponsor, Senator Mullet: Establishing a systemwide credit policy regarding advanced placement, international baccalaureate, and Cambridge international exams. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That Substitute Senate Bill No. 5410 be substituted therefor, and the substitute bill do pass. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown; Liias and Wellman.

Referred to Committee on Rules for second reading.

February 26, 2019

SB 5415 Prime Sponsor, Senator McCoy: Creating the Washington Indian health improvement act. Reported by Committee on Ways & Means

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

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Brown, Assistant Ranking Member, Operating and Becker.

Referred to Committee on Ways & Means.

February 5, 2019

SB 5417 Prime Sponsor, Senator Padden: Authorizing military surplus vehicles to operate on public highways. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5417 be substituted therefor, and the substitute bill do pass. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Sheldon, Assistant Ranking Member; Cleveland; Das; Dhingra; Fortunato; Nguyen; O'Ban; Padden; Randall; Takko; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

February 25, 2019

SB 5428 Prime Sponsor, Senator Wilson, L.: Concerning veterans' mental health services at institutions of higher education. Reported by Committee on Ways & Means

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

Referred to Committee on Ways & Means.

February 25, 2019

SB 5458 Prime Sponsor, Senator Hobbs: Expanding access to building trades apprenticeships. Reported by Committee on Ways & Means

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen; Rivers; Van De Wege; Wagoner; Warnick and Wilson, L.

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

Referred to Committee on Ways & Means.

February 6, 2019

SB 5485 Prime Sponsor, Senator Darneille: Licensing of music therapists. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 5485 be substituted therefor, and the substitute bill do pass. Signed by Senators Cleveland, Chair; Randall, Vice Chair; O'Ban, Ranking Member; Bailey; Becker; Conway; Dhingra; Frockt; Keiser and Van De Wege.

Referred to Committee on Rules for second reading.

February 5, 2019

SB 5488 Prime Sponsor, Senator Darneille: Concerning the sentencing of persons under the age of twenty-one years at the time of the commission of a crime. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: That Substitute Senate Bill No. 5488 be substituted therefor, and the substitute bill do pass. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; Cleveland; O'Ban; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

February 6, 2019

SB 5514 Prime Sponsor, Senator Padden: Concerning first responder agency notifications to schools regarding potential threats. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 5514 be substituted therefor, and the substitute bill do pass. Signed by Senators Wellman, Chair; Wilson, C., Vice

Chair; Hawkins, Ranking Member; Holy; Hunt; McCoy; Mullet; Padden; Pedersen; Salomon and Wagoner.

Referred to Committee on Rules for second reading.

February 5, 2019

SB 5570 Prime Sponsor, Senator Saldaña: Concerning port district worker development and occupational training programs. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: Do pass. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown; Liias and Wellman.

Referred to Committee on Rules for second reading.

February 25, 2019

SB 5668 Prime Sponsor, Senator Takko: Concerning moneys received at auctions conducted by registered tow truck operators. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5668 be substituted therefor, and the substitute bill do pass. Signed by Senators Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Bailey; Becker; Billig; Carlyle; Hunt; Keiser; Palumbo; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

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

Referred to Committee on Ways & Means.

February 5, 2019

SB 5684 Prime Sponsor, Senator Nguyen: Revising economic assistance programs by updating standards of need, revising outcome measures and data collected, and reducing barriers to participation. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: That Substitute Senate Bill No. 5684 be substituted therefor, and the substitute bill do pass. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; Cleveland and Wilson, C.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators O'Ban and Zeiger.

Referred to Committee on Ways & Means.

February 5, 2019

SB 5810 Prime Sponsor, Senator Nguyen: Providing a working families' tax credit. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; Cleveland; O'Ban; Wilson, C. and Zeiger.

Referred to Committee on Ways & Means.

February 6, 2019

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SJM 8008 Prime Sponsor, Senator Bailey: Urging federal legislation to prohibit the sale of tobacco and vapor products to anyone under the age of twenty-one. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: Do pass. Signed by Senators Cleveland, Chair; Randall, Vice Chair; O'Ban, Ranking Member; Bailey; Becker; Conway; Dhingra; Frockt; Keiser and Van De Wege.

Referred to Committee on Rules for second reading.

February 5, 2019

SGA 9010 WAYNE J. MARTIN, reappointed on April 30, 2015, for the term ending April 3, 2019, as Member of the State Board for Community and Technical Colleges. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown; Liias and Wellman.

Referred to Committee on Rules for second reading.

February 5, 2019

SGA 9011 TORAYA MILLER, appointed on November 9, 2015, for the term ending September 30, 2020, as Member of the Everett Community College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown; Liias and Wellman.

Referred to Committee on Rules for second reading.

February 5, 2019

SGA 9027 HAROLD W. WITHROW, appointed on February 24, 2016, for the term ending September 30, 2020, as Member of the Clover Park Technical College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown; Liias and Wellman.

Referred to Committee on Rules for second reading.

February 5, 2019

SGA 9059 CHRISTINA BLOCKER, appointed on October 4, 2016, for the term ending September 30, 2021, as Member of the Bates Technical College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown; Liias and Wellman.

Referred to Committee on Rules for second reading.

February 5, 2019

SGA 9060 HEATHER L. MANSY, appointed on October 3, 2016, for the term ending September 30, 2021, as Member of the Lower Columbia College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown; Liias and Wellman.

Referred to Committee on Rules for second reading.

February 5, 2019

SGA 9089 GREGORY A. CHRISTIANSEN, appointed on July 1, 2017, for the term ending June 30, 2021, as Member of the Workforce Training and Education Coordinating Board. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown; Liias and Wellman.

Referred to Committee on Rules for second reading.

February 5, 2019

SGA 9092 LAURA S. WILDFONG, appointed on August 7, 2017, for the term ending September 30, 2021, as Member of the Lake Washington Institute of Technology Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown; Liias and Wellman.

Referred to Committee on Rules for second reading.

February 5, 2019

SGA 9125 MARK C. SCHEIBMEIR, appointed on December 14, 2017, for the term ending September 30, 2021, as Member of the Centralia College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown; Liias and Wellman.

Referred to Committee on Rules for second reading.

February 5, 2019

SGA 9127 FLORA E. LUCATERO, appointed on December 20, 2017, for the term ending September 30, 2022, as Member of the Skagit Valley College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown; Liias and Wellman.

Referred to Committee on Rules for second reading.

February 5, 2019

SGA 9128 BAHRAM BAGHERPOUR, appointed on December 28, 2017, for the term ending April 3, 2021, as Member of the State Board for Community and Technical Colleges. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown; Liias and Wellman.

Referred to Committee on Rules for second reading.

February 5, 2019

SGA 9129 CHERYL A. MILLER, appointed on January 15, 2018, for the term ending September 30, 2021, as Member of the Olympic College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown; Liias and Wellman.

Referred to Committee on Rules for second reading.

February 5, 2019

SGA 9139 CRYSTAL DONNER, appointed on January 18, 2018, for the term ending April 3, 2021, as Member of the State Board for Community and Technical Colleges. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown; Liias and Wellman.

Referred to Committee on Rules for second reading.

February 5, 2019

SGA 9146 GLENN A. JOHNSON, appointed on February 5, 2018, for the term ending September 30, 2022, as Member of the Community Colleges of Spokane Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown; Liias and Wellman.

Referred to Committee on Rules for second reading.

February 5, 2019

SGA 9148 RAYMOND CONNER, appointed on February 15, 2018, for the term ending September 30, 2023, as Member of the Central Washington University Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown; Liias and Wellman.

Referred to Committee on Rules for second reading.

February 5, 2019

SGA 9149 ROSALINDA MENDOZA, reappointed on December 15, 2015, for the term ending September 30, 2020, as Member of the Yakima Valley Community College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown; Liias and Wellman.

Referred to Committee on Rules for second reading.

February 5, 2019

SGA 9186 ANGELA M. DURHAM, appointed on July 1, 2018, for the term ending June 30, 2019, as Member of the Edmonds Community College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown; Liias and Wellman.

Referred to Committee on Rules for second reading.

February 5, 2019

SGA 9187 JOEDY R. MORROW, appointed on July 16, 2018, for the term ending June 30, 2019, as Member of the Bellevue College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown; Liias and Wellman.

Referred to Committee on Rules for second reading.

February 5, 2019

SGA 9216 MARTY J. DICKINSON, appointed on September 19, 2018, for the term ending September 30, 2023, as Member of the Board of Regents, Washington State University. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown; Liias and Wellman.

Referred to Committee on Rules for second reading.

February 5, 2019

SGA 9226 ALICE E. DIETZ, appointed on October 3, 2018, for the term ending September 30, 2023, as Member of the Lower Columbia College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown; Liias and Wellman.

Referred to Committee on Rules for second reading.

TWENTY FIFTH DAY, FEBRUARY 7, 2019

2019 REGULAR SESSION

February 5, 2019

SGA 9229 ARLENE M. PIERINI, appointed on October 11, 2018, for the term ending September 30, 2020, as Member of the Green River College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown; Liias and Wellman.

Referred to Committee on Rules for second reading.

February 5, 2019

SGA 9230 DEBBIE A. CAMPBELL, appointed on October 5, 2018, for the term ending September 30, 2023, as Member of the Centralia College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown; Liias and Wellman.

Referred to Committee on Rules for second reading.

February 5, 2019

SGA 9232 ELAINE CHU, appointed on October 15, 2018, for the term ending September 30, 2023, as Member of the Green River College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown; Liias and Wellman.

Referred to Committee on Rules for second reading.

February 5, 2019

SGA 9238 ROBERT H. MALTE, appointed on October 18, 2018, for the term ending September 30, 2023, as Member of the Lake Washington Institute of Technology Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown; Liias and Wellman.

Referred to Committee on Rules for second reading.

February 5, 2019

SGA 9241 TERESA N. TAYLOR, appointed on October 22, 2018, for the term ending September 30, 2023, as Member of the Whatcom Community College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown; Liias and Wellman.

Referred to Committee on Rules for second reading.

February 5, 2019

SGA 9242 STEVEN H. YOSHIHARA, appointed on October 23, 2018, for the term ending September 30, 2021, as Member of the Community Colleges of Spokane Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown; Liias and Wellman.

Referred to Committee on Rules for second reading.

February 5, 2019

SGA 9244 LISA T. KEOHOKALO LE SCHAUER, appointed on November 1, 2018, for the term ending September 30, 2020, as Member of the Board of Regents, Washington State University. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown; Liias and Wellman.

Referred to Committee on Rules for second reading.

February 5, 2019

SGA 9256 RHONDA SALVESEN, appointed on November 27, 2018, for the term ending September 25, 2020, as Member of the Clemency and Pardons Board. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; Cleveland; O'Ban; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

February 5, 2019

SGA 9271 CHERYL ANGELETTI-HARRIS, appointed on January 16, 2019, for the term ending September 25, 2021, as Member of the Clemency and Pardons Board. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; Cleveland; O'Ban; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

MOTION

On motion of Liias, all measures listed on the Standing Committee report were referred to the committees as designated with the exception of Senate Bill No. 5458 which had been referred to the Committee on Rules and was referred to the Committee on Ways & Means.

COMMITTEE ON HEALTH & LONG TERM CARE

Pursuant to Senate Rule 45(13) and without objection, notice was received from the Committee on Health & Long Term Care that the following measure had been re-referred to the Subcommittee on Behavioral Health:

Senate Bill No. 5842.

MOTION

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

MESSAGES FROM THE SECRETARY OF STATE

February 6, 2019

To the Honorable Cyrus Habib
 President of the Senate
 Legislative Building
 Olympia, WA 98501

I, Kim Wyman, Secretary of the State of Washington and custodian of the State Seal, do hereby certify that the attached is a true and correct copy of the County Resolutions now on file with the Secretary of State relating to the resignation of Kevin Ranker from the office of State Senator for the 40th Legislative District of the State of Washington, and the appointment of Liz Lovelett to fill the vacancy created thereby.

I further certify that Liz Lovelett has been duly appointed by action of the County Council of County Council of San Juan County, the Skagit County Board of Commissioners and the County Council of Whatcom County, meeting jointly, to the office of State Senator from the 40th Legislative District.

In Testimony Whereof, I have hereunto set
 my hand and affixed the Seal of the State of
 Washington on this 6th Day of February
 2019, at Olympia, the State Capitol.

(Seal) /s/
 Kim Wyman
 Secretary of State
 (By Sheri Nelson, Deputy Secretary of State)

EDITOR'S NOTE: See twenty-fourth legislative day, January 16, 2019, for appointing Joint Resolution of San Juan County Council, Skagit County Board of Commissioners, and Whatcom County Council.

CERTIFICATION OF INITIATIVE TO THE LEGISLATURE
 NO. 1000

On January 4, 2019, petition sheets containing voter signatures in favor of Initiative to the Legislature No. 1000 were submitted to the Secretary of State Elections Division by the sponsor. The following is the certificate of the facts relating to the filing, verification, and canvass of this initiative, as required by RCW 29A.72.230.

- 64 petition sheets contained a ballot title, ballot summary, and initiative text that was different than the established ballot title, ballot summary, and initiative text for No. 1000. (Exhibit A) These petition sheets were removed and were not included in the total signature count.

- 218 petition sheets contained a sticker with the established ballot title and ballot summary for No. 1000 on the front side of the petition sheet, but containing the text of a different measure on the backside of the petition sheet. (Exhibit B) These petition

sheets were included in the total signature count in accordance with RCW 29A.72.170.

- 21,258 petition sheets contained the established ballot title, ballot summary, and initiative text for No. 1000. (Exhibit C) These petition sheets were included in the total signature count.

Pursuant to Article 11, Section 1 of the Washington State Constitution, RCW 29A.72.230, and WAC 434-379-010, the Office of the Secretary of State has caused the signatures submitted in support of Initiative to the Legislature No. 1000 to be examined in the following manner:

1. It was determined that 395,938 signatures were submitted by the sponsors of the initiative. A random sample of 11,919 signatures was taken from those submitted;

2. Each sampled signature was examined to determine if the signer was a registered voter of the state, if the signature was reasonably similar to the one appearing on the record of that voter, and if the same signature appeared more than once in the sample. We found 9,047 valid signatures, 2,859 signatures that were invalid and 13 pairs of duplicated signatures in the sample;

3. We calculated an allowance for the chance error of sampling (80) by multiplying the square root of the number of invalid signatures by 1.5;

4. We estimated the upper limit of the number of signatures on the initiative petition which were invalid (97,638) by dividing the sum of the number of invalid signatures in the sample and allowance for the chance of error of sampling by the sampling ratio;

5. We determined the maximum allowable number of duplicate pairs of signatures on the petition (38,678) by subtracting the sum of the number of signatures required by Article 11, Section 1 of the Washington State Constitution (259,622) and the estimate of the upper limit of the number of invalid signatures on the petition from the number of signatures submitted;

6. We determined the expected number of duplicate pairs of signatures in the sample (35) by multiplying the square of the sampling ratio by the maximum allowable number of pairs of signatures on the initiative petition;

7. We determined the acceptable number of duplicate pairs of signatures in the sample (25) by subtracting 1.65 times the square root of the expected number of pairs of signatures in the sample from the expected number of pairs of signatures in the sample; and

8. The number of duplicate pairs of signatures in the sample is less than the acceptable number of duplicate pairs of signatures in the sample.

Therefore, I hereby declare Initiative to the Legislature No. 1000 to contain sufficient signatures.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the State of Washington this 6th day of February, 2019

(SEAL) /s/
 KIM WYMAN
 Secretary of State
 (By Sheri Nelson, Deputy Secretary of State)

MOTION

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

INTRODUCTION AND FIRST READING

TWENTY FIFTH DAY, FEBRUARY 7, 2019

2019 REGULAR SESSION

SB 5850 by Senators Salomon, Pedersen, Wilson, C., Kuderer, Hunt, Keiser, Frockt and Das

AN ACT Relating to identifying and responding to bias-based criminal offenses; amending RCW 9A.36.078, 9A.36.080, 2.56.030, 9.94A.030, 9A.36.083, 9A.46.060, 43.43.830, and 48.18.553; reenacting and amending RCW 9.94A.515; and adding a new section to chapter 43.10 RCW.

Referred to Committee on Law & Justice.

SB 5851 by Senators Frockt and Saldaña

AN ACT Relating to enhancing educational opportunities for vulnerable children and youth using funding distributed from the Puget Sound taxpayer accountability account; and amending RCW 43.79.520.

Referred to Committee on Ways & Means.

SB 5852 by Senators Randall and Takko

AN ACT Relating to revising the lease terms for managing first-class unplatted tidelands and shorelands; amending RCW 79.125.400, 79.130.020, and 79.125.030; and repealing RCW 79.125.020 and 79.125.410.

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

SB 5853 by Senators Pedersen, Warnick, Frockt, Bailey, Carlyle, Zeiger, Dhingra, Becker, Wellman, Walsh, King, Liias, Wagoner, Palumbo, Hobbs, Rivers, Keiser, Hunt, Darneille, Rolfes, Hasegawa, Conway, Braun, Billig, Kuderer, Salomon, Cleveland, McCoy, Nguyen, Short, Das, Hawkins, Takko, Saldaña, Randall, O'Ban, Wilson, C. and Van De Wege

AN ACT Relating to the school construction assistance program; amending RCW 28A.525.166; creating a new section; providing an effective date; and declaring an emergency.

Referred to Committee on Ways & Means.

SB 5854 by Senators Palumbo, Rivers, Hobbs and Liias

AN ACT Relating to ensuring the long-term economic and environmental sustainability of the state's recycling system within the existing regulatory structure; amending RCW 70.95.010, 81.80.470, 70.95.130, and 70.95.080; adding new sections to chapter 70.95 RCW; adding new sections to chapter 35.21 RCW; adding new sections to chapter 35A.21 RCW; adding a new section to chapter 36.58 RCW; adding a new section to chapter 81.80 RCW; adding new sections to chapter 43.131 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Environment, Energy & Technology.

SB 5855 by Senators Fortunato and Hobbs

AN ACT Relating to commute trip reduction; amending RCW 70.94.521, 70.94.527, 70.94.531, 70.94.534, 70.94.541, and 70.94.544; creating a new section; and repealing RCW 35.58.250.

Referred to Committee on Transportation.

SB 5856 by Senator Fortunato

AN ACT Relating to providing for a one hundred twenty day study of traffic flow on Interstate 405 and state route number 167 by temporarily suspending express toll lanes and high occupancy toll lanes; creating a new section; providing an expiration date; and declaring an emergency.

Referred to Committee on Transportation.

SB 5857 by Senators Hasegawa, Nguyen, Pedersen, Conway, Keiser and Das

AN ACT Relating to providing an aggravating circumstance for assault against a utility worker; and amending RCW 9.94A.535.

Referred to Committee on Law & Justice.

SB 5858 by Senator Hobbs

AN ACT Relating to funding and uses of the military department active state service account; amending RCW 38.40.220; and adding a new section to chapter 48.14 RCW.

Referred to Committee on Financial Institutions, Economic Development & Trade.

SB 5859 by Senators Mullet, Salomon, Wilson and C.

AN ACT Relating to improving high school graduation success by investing in educational mentor programs; adding a new section to chapter 28A.600 RCW; and creating a new section.

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

SB 5860 by Senators King, Hobbs, Saldaña, Cleveland, Wilson and C.

AN ACT Relating to kinship care; and amending RCW 74.13.600.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SB 5861 by Senators Dhingra, Rivers, Hunt, Wellman, Hasegawa, Darneille and Saldaña

AN ACT Relating to extending respectful workplace code of conduct provisions to all members of the legislative community; amending RCW 42.17A.105, 42.17A.600, 42.17A.605, and 42.17A.655; adding new sections to chapter 42.17A RCW; and providing an effective date.

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

SB 5862 by Senators Das, Padden, Keiser, Wilson and C.

AN ACT Relating to supporting warehousing and manufacturing job centers; adding new sections to chapter 82.14 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Ways & Means.

SB 5863 by Senators Van De Wege and Holy

AN ACT Relating to creating transient accommodation short-term agreement standards; amending RCW 70.62.210; and adding a new section to chapter 70.62 RCW.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SB 5864 by Senators Hobbs, King, Mullet, Braun, Palumbo and Saldaña

AN ACT Relating to financing local public works through the creation of the Washington state infrastructure bank; amending RCW 43.84.180, 43.155.020, 43.155.060, 43.155.070, 43.155.090, 43.160.070, 82.16.020, 82.18.040, 82.45.060, and 90.71.370; reenacting and amending RCW 43.155.050 and 43.84.092; and providing a contingent effective date.

Referred to Committee on Financial Institutions, Economic Development & Trade.

SB 5865 by Senators Hasegawa, Nguyen, Conway, Dhingra, Schoesler, Billig and Honeyford

AN ACT Relating to declaring October as Filipino American history month; adding a new section to chapter 43.117 RCW; and creating a new section.

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

SB 5866 by Senators Zeiger, Bailey, Braun, Fortunato, Rivers, Wilson and L.

AN ACT Relating to the appointment of public disclosure commission members; and amending RCW 42.17A.100.

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

SB 5867 by Senators Zeiger, Pedersen, Nguyen, Darneille, Ericksen and Walsh

AN ACT Relating to the resentencing of persons convicted of drug offenses; adding a new section to chapter 9.94A RCW; and providing an expiration date.

Referred to Committee on Law & Justice.

SB 5868 by Senators Saldaña and Randall

AN ACT Relating to recognizing the tenth day of April as Dolores Huerta day; and amending RCW 1.16.050.

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

SB 5869 by Senators Becker and Wellman

AN ACT Relating to the exhibition of art on the capitol campus; adding a new section to chapter 43.46 RCW; and creating a new section.

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

SJM 8009 by Senators Fortunato and Palumbo
Addressing marine plastic pollution prevention.

Referred to Committee on Environment, Energy & Technology.

SJR 8209 by Senators Hobbs, King, Mullet, Braun, Palumbo and Saldaña

Proposing an amendment to the Constitution creating the Washington state infrastructure bank.

Referred to Committee on Financial Institutions, Economic Development & Trade.

MOTIONS

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

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

MOTION

Senator Fortunato moved adoption of the following resolution:

SENATE RESOLUTION 8613

By Senators Fortunato and Padden

WHEREAS, The Knights of Columbus, founded in 1882 by the venerable Father Michael Joseph McGivney, is the world's largest Catholic fraternal service organization, with over 1.9 million members and fifteen thousand councils worldwide; and

WHEREAS, The Knights of Columbus was instituted to serve working-class and immigrant Catholics in the United States who faced discrimination, unfairness, and exclusion from public life; and

WHEREAS, The Knights of Columbus were active during the Cristero War, starting schools and hospitals and invigorating the spiritual life of parishes between 1910 and 1930; and

WHEREAS, The Knights of Columbus initiated a campaign in 1951 to lobby for the public adoption of the phrase "under God" in the United States Pledge of Allegiance that eventually led the way to the signing of the phrase into law by President Dwight D. Eisenhower on Flag Day, June 14, 1954; and

WHEREAS, The Knights of Columbus are dedicated to living out the mission of the Church through charitable, humanitarian, and philanthropic works, contributing over 1.5 billion dollars to charity in the past ten years alone; and

WHEREAS, The Knights of Columbus work to support refugees fleeing violence and persecution in the Middle East including the rebuilding of Karamles, a Christian village in Iraq that had been devastated by ISIS, and construction of housing for Syriac and Chaldeans in Erbil; and

WHEREAS, The Knights of Columbus are committed to supporting and defending the Catholic faith and promoting Catholic education in ninety-six Catholic schools in Washington state; and

WHEREAS, The more than seventeen thousand members of the Knights of Columbus in Washington state in one hundred sixty-five councils continue to serve their communities, parishes, schools, and our state and nation with acts of charity rooted in the Catholic tradition;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate recognize and commend the contributions of the Knights of Columbus to a strong civil society, for their work serving the poor and vulnerable in our state and around the world, reflected in their principles of charity, unity, fraternity, and patriotism.

Senators Fortunato, Padden and Liias spoke in favor of adoption of the resolution.

TWENTY FIFTH DAY, FEBRUARY 7, 2019

2019 REGULAR SESSION

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8613.

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

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced Archbishop J. Peter Sartain and Auxiliary Bishop Eusebio Elizondo of the Archdiocese of Seattle who were seated in the gallery.

The President further welcomed representatives of the Knights of Columbus who were seated in the gallery.

The President welcomed former Senator Mark Miloscia, Thirtieth Legislative District, who was seated in the gallery.

REMARKS BY SENATOR LIAS

Senator Lias: "Mr. President, I want to continue a storied tradition of recognizing Bob Cantore's birthday, which is today. He is turning 71 and we wish him and Loretta incredibly well. I understand that they are going to be drinking some wine in California which I think we all wish we could be doing today as well."

MOTION

At 12:16 p.m., on motion of Senator Lias, the Senate adjourned until 12:15 p.m. Friday, February 8, 2019.

CYRUS HABIB, President of the Senate

BRAD HENDRICKSON, Secretary of the Senate

TWENTY SIXTH DAY

AFTERNOON SESSION

Senate Chamber, Olympia
Friday, February 8, 2019

The Senate was called to order at 12:17 p.m. by the President of the Senate, Lt. Governor Habib presiding. No roll call was taken.

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

MOTION

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

The President announced that due to inclement weather concerns, the Joint Session authorized by Senate Joint Resolution No. 8402, scheduled for 12:15 p.m., February 8, 2019, to receive an address from the Honorable John Horgan, Premier of British Columbia, had been cancelled.

EDITOR'S NOTE: On February 8, 2019, the National Weather Service issued warnings for a major winter storm that included forecasts of up to eight inches of snow and temperatures below freezing in Olympia on Friday and through the weekend. The storm was expected to affect much of Washington and British Columbia. Later in the day, the Governor issued a proclamation declaring a state of emergency for all counties in the state. Many state and local agencies closed by mid-afternoon as a precaution.

REPORTS OF STANDING COMMITTEES

February 7, 2019

SB 5008 Prime Sponsor, Senator Palumbo: Concerning short subdivisions. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Senators Short, Ranking Member; Salomon, Vice Chair Takko, Chair.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Honeyford.

Referred to Committee on Rules for second reading.

February 20, 2019

SB 5064 Prime Sponsor, Senator Nguyen: Protecting personal information. Reported by Committee on Transportation

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Sheldon, Assistant Ranking Member; Cleveland; Das; Fortunato; Lovelett; Nguyen; O'Ban; Padden; Randall; Takko; Wilson, C. and Zeiger.

Referred to Committee on Transportation.

February 7, 2019

SB 5065 Prime Sponsor, Senator Hobbs: Concerning consumer competitive group insurance. Reported by Committee on Financial Institutions, Economic Development & Trade

MAJORITY recommendation: That Substitute Senate Bill No. 5065 be substituted therefor, and the substitute bill do pass. Signed by Senators Hasegawa, Vice Chair; Wilson, L., Ranking Member; Braun; Das; Ericksen; Hobbs Mullet, Chair.

Referred to Committee on Ways & Means.

February 7, 2019

SB 5093 Prime Sponsor, Senator Fortunato: Enhancing litter control along state highways. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: That Substitute Senate Bill No. 5093 be substituted therefor, and the substitute bill do pass. Signed by Senators Rivers; Nguyen; McCoy; Hobbs; Das; Brown; Billig; Ericksen, Ranking Member; Palumbo, Vice Chair; Carlyle, Chair; Wellman and Short.

Referred to Committee on Transportation.

February 7, 2019

SB 5120 Prime Sponsor, Senator Palumbo: Contracting with private correctional facilities for the transfer or placement of offenders. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: That Substitute Senate Bill No. 5120 be substituted therefor, and the substitute bill do pass. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Cleveland and Wilson, C.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Zeiger; O'Ban Walsh, Ranking Member.

Referred to Committee on Ways & Means.

February 7, 2019

SB 5162 Prime Sponsor, Senator Dhingra: Clarifying qualifications for jury service. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; Holy; Kuderer; Salomon and Wilson, L.

Referred to Committee on Rules for second reading.

February 7, 2019

SB 5218 Prime Sponsor, Senator Zeiger: Concerning mobile food units. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: That Substitute Senate Bill No. 5218 be substituted therefor, and the substitute bill do

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pass. Signed by Senators Short; Rolfes; McCoy; Honeyford; Warnick, Ranking Member; Salomon, Vice Chair Van De Wege, Chair.

MAJORITY recommendation: Do pass. Signed by Senators Wilson, L.; Salomon; Kuderer; Holy; Padden, Ranking Member; Dhingra, Vice Chair Pedersen, Chair.

Referred to Committee on Rules for second reading.

Referred to Committee on Ways & Means.

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SB 5276 Prime Sponsor, Senator Ericksen: Authorizing hemp production in conformance with the agriculture improvement act of 2018. Reported by Committee on Agriculture, Water, Natural Resources & Parks

SB 5300 Prime Sponsor, Senator Padden: Providing coroners with additional subpoena duces tecum authority. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 5276 be substituted therefor, and the substitute bill do pass. Signed by Senators Van De Wege, Chair; Salomon, Vice Chair; Warnick, Ranking Member; Rolfes and Short.

MAJORITY recommendation: Do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; Holy; Kuderer; Salomon and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Honeyford and McCoy.

Referred to Committee on Rules for second reading.

Referred to Committee on Ways & Means.

February 21, 2019

SB 5328 Prime Sponsor, Senator Salomon: Concerning driver's license suspensions and revocations. Reported by Committee on Transportation

February 7, 2019
SB 5291 Prime Sponsor, Senator Darneille: Creating alternatives to total confinement for certain qualifying persons with minor children. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: That Substitute Senate Bill No. 5328 be substituted therefor, and the substitute bill do pass. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Sheldon, Assistant Ranking Member; Cleveland; Padden; Takko and Zeiger.

MAJORITY recommendation: That Substitute Senate Bill No. 5291 be substituted therefor, and the substitute bill do pass. Signed by Senators Zeiger; Wilson, C.; Cleveland; Walsh, Ranking Member; Nguyen, Vice Chair Darneille, Chair.

MINORITY recommendation: Do not pass. Signed by Senators Das; Nguyen; Randall and Wilson, C.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator O'Ban.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators O'Ban; Fortunato and Lovelett.

Referred to Committee on Ways & Means.

Referred to Committee on Transportation.

February 7, 2019

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SB 5293 Prime Sponsor, Senator Carlyle: Concerning energy efficiency. Reported by Committee on Environment, Energy & Technology

SB 5330 Prime Sponsor, Senator Braun: Analyzing state regulatory impact on small forest landowners. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: That Substitute Senate Bill No. 5293 be substituted therefor, and the substitute bill do pass. Signed by Senators Carlyle, Chair; Palumbo, Vice Chair; Billig; Das; Liias; McCoy; Nguyen and Wellman.

MAJORITY recommendation: That Substitute Senate Bill No. 5330 be substituted therefor, and the substitute bill do pass. Signed by Senators Short; Rolfes; McCoy; Honeyford; Warnick, Ranking Member; Salomon, Vice Chair Van De Wege, Chair.

MINORITY recommendation: Do not pass. Signed by Senators Short; Brown; Fortunato, Assistant Ranking Member, Environment Ericksen, Ranking Member.

Referred to Committee on Rules for second reading.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Rivers.

February 7, 2019
SB 5332 Prime Sponsor, Senator Pedersen: Concerning vital statistics. Reported by Committee on Law & Justice

Referred to Committee on Ways & Means.

MAJORITY recommendation: That Substitute Senate Bill No. 5332 be substituted therefor, and the substitute bill do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Kuderer and Salomon.

February 7, 2019

SB 5299 Prime Sponsor, Senator Padden: Concerning impaired driving. Reported by Committee on Law & Justice

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Padden, Ranking Member; Holy and Wilson, L.

Referred to Committee on Ways & Means.

February 7, 2019

SB 5339 Prime Sponsor, Senator Carlyle: Reducing criminal justice expenses by eliminating the death penalty and instead requiring life imprisonment without possibility of release or parole as the sentence for aggravated first degree murder. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Salomon; Kuderer; Dhingra, Vice Chair Pedersen, Chair.

MINORITY recommendation: Do not pass. Signed by Senators Holy and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Padden, Ranking Member.

Referred to Committee on Rules for second reading.

February 7, 2019

SB 5368 Prime Sponsor, Senator Wagoner: Requiring the department of natural resources to maintain the department's roads that are the exclusive means of accessing private property by road. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: Do pass. Signed by Senators Van De Wege, Chair; Warnick, Ranking Member; Honeyford; McCoy and Short.

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

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Salomon, Vice Chair.

Referred to Committee on Ways & Means.

February 7, 2019

SB 5397 Prime Sponsor, Senator Rolfes: Concerning the responsible management of plastic packaging. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: That Substitute Senate Bill No. 5397 be substituted therefor, and the substitute bill do pass. Signed by Senators Nguyen; Wellman; McCoy; Liias; Das; Billig; Palumbo, Vice Chair Carlyle, Chair.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Rivers.

MINORITY recommendation: Do not pass. Signed by Senators Ericksen, Ranking Member; Fortunato, Assistant Ranking Member, Environment; Brown and Short.

Referred to Committee on Ways & Means.

February 7, 2019

SB 5404 Prime Sponsor, Senator Rolfes: Expanding the definition of fish habitat enhancement projects. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: Do pass. Signed by Senators Short; Rolfes; McCoy; Honeyford; Warnick, Ranking Member; Salomon, Vice Chair Van De Wege, Chair.

Referred to Committee on Rules for second reading.

February 7, 2019

SB 5426 Prime Sponsor, Senator Mullet: Reducing greenhouse gas emissions from hydrofluorocarbons. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: That Substitute Senate Bill No. 5426 be substituted therefor, and the substitute bill do pass. Signed by Senators Carlyle, Chair; Palumbo, Vice Chair; Billig; Das; Hobbs; Liias; McCoy; Nguyen and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Short; Brown Ericksen, Ranking Member.

Referred to Committee on Ways & Means.

February 7, 2019

SB 5461 Prime Sponsor, Senator Cleveland: Concerning the sharing of information between participants in multidisciplinary coordination of child sexual abuse investigations. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: That Substitute Senate Bill No. 5461 be substituted therefor, and the substitute bill do pass. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; Cleveland; O'Ban; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

February 7, 2019

SB 5479 Prime Sponsor, Senator Mullet: Concerning the Washington state credit union act. Reported by Committee on Financial Institutions, Economic Development & Trade

MAJORITY recommendation: Do pass. Signed by Senators Mullet, Chair; Wilson, L., Ranking Member; Braun; Das; Ericksen and Hobbs.

Referred to Committee on Rules for second reading.

February 7, 2019

SB 5486 Prime Sponsor, Senator Padden: Concerning activities that exploit persons with dwarfism. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 5486 be substituted therefor, and the substitute bill do pass. Signed by Senators Dhingra, Vice Chair; Padden, Ranking Member; Kuderer; Salomon Pedersen, Chair.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Holy and Wilson, L.

Referred to Committee on Rules for second reading.

February 7, 2019

SB 5490 Prime Sponsor, Senator Frockt: Transferring duties of the life sciences discovery fund. Reported by Committee on Financial Institutions, Economic Development & Trade

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MAJORITY recommendation: Do pass. Signed by Senators Hobbs; Das; Braun; Wilson, L., Ranking Member Mullet, Chair.

MINORITY recommendation: Do not pass. Signed by Senators Hasegawa, Vice Chair and Ericksen.

Referred to Committee on Rules for second reading.

February 7, 2019

SB 5494 Prime Sponsor, Senator Zeiger: Concerning the baby court initiative. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: That Substitute Senate Bill No. 5494 be substituted therefor, and the substitute bill do pass. Signed by Senators Wilson, C.; O'Ban; Cleveland; Walsh, Ranking Member; Nguyen, Vice Chair; Darneille, Chair and Zeiger.

Referred to Committee on Ways & Means.

February 7, 2019

SB 5518 Prime Sponsor, Senator Cleveland: Requiring property sold in tax lien foreclosure proceedings to be sold as is. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Senators Takko, Chair; Salomon, Vice Chair; Short, Ranking Member and Honeyford.

Referred to Committee on Rules for second reading.

February 7, 2019

SB 5519 Prime Sponsor, Senator Cleveland: Concerning mosquito control districts. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Senators Honeyford; Short, Ranking Member; Salomon, Vice Chair Takko, Chair.

Referred to Committee on Rules for second reading.

February 7, 2019

SB 5560 Prime Sponsor, Senator Padden: Concerning mediation of disputes between elected officials. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 5560 be substituted therefor, and the substitute bill do pass. Signed by Senators Kuderer; Holy; Padden, Ranking Member; Dhingra, Vice Chair; Pedersen, Chair; Salomon and Wilson, L.

Referred to Committee on Rules for second reading.

February 7, 2019

SB 5564 Prime Sponsor, Senator Brown: Creating the building business ecosystems act. Reported by Committee on Financial Institutions, Economic Development & Trade

MAJORITY recommendation: That Substitute Senate Bill No. 5564 be substituted therefor, and the substitute bill do

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pass. Signed by Senators Mullet, Chair; Wilson, L., Ranking Member; Braun; Das; Ericksen and Hobbs.

MINORITY recommendation: Do not pass. Signed by Senator Hasegawa, Vice Chair.

Referred to Committee on Ways & Means.

February 7, 2019

SB 5567 Prime Sponsor, Senator Honeyford: Revising hydraulic project eligibility standards under RCW 77.55.181 for conservation district-sponsored fish habitat enhancement projects. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: Do pass. Signed by Senators Rolfes; Van De Wege, Chair; Salomon, Vice Chair; Warnick, Ranking Member; Honeyford; McCoy and Short.

Referred to Committee on Rules for second reading.

February 7, 2019

SB 5571 Prime Sponsor, Senator Randall: Creating a military benefit zone program. Reported by Committee on Financial Institutions, Economic Development & Trade

MAJORITY recommendation: That Substitute Senate Bill No. 5571 be substituted therefor, and the substitute bill do pass. Signed by Senators Hobbs; Ericksen; Das; Braun; Wilson, L., Ranking Member Mullet, Chair.

MINORITY recommendation: Do not pass. Signed by Senator Hasegawa, Vice Chair.

Referred to Committee on Ways & Means.

February 7, 2019

SB 5578 Prime Sponsor, Senator Van De Wege: Reducing threats to southern resident killer whales by improving the safety of oil transportation. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: That Substitute Senate Bill No. 5578 be substituted therefor, and the substitute bill do pass. Signed by Senators Wellman; Nguyen; McCoy; Liias; Das; Billig; Palumbo, Vice Chair Carlyle, Chair.

MINORITY recommendation: Do not pass. Signed by Senators Fortunato, Assistant Ranking Member, Environment; Brown; Rivers; Short Ericksen, Ranking Member.

Referred to Committee on Ways & Means.

February 7, 2019

SB 5579 Prime Sponsor, Senator Billig: Concerning the volatility of crude oil received in the state by rail. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: That Substitute Senate Bill No. 5579 be substituted therefor, and the substitute bill do pass. Signed by Senators Carlyle, Chair; Palumbo, Vice Chair; Billig; Das; Liias; McCoy; Nguyen and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Ericksen, Ranking Member; Fortunato, Assistant Ranking Member, Environment; Brown; Rivers and Short.

Referred to Committee on Rules for second reading.

February 7, 2019

SB 5584 Prime Sponsor, Senator Mullet: Concerning joint self-insurance programs for property and liability risks. Reported by Committee on Financial Institutions, Economic Development & Trade

MAJORITY recommendation: Do pass. Signed by Senators Mullet, Chair; Hasegawa, Vice Chair; Wilson, L., Ranking Member; Braun; Das; Ericksen and Hobbs.

Referred to Committee on Rules for second reading.

February 7, 2019

SB 5585 Prime Sponsor, Senator Takko: Concerning cooperation between conservation districts. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Senators Takko, Chair; Salomon, Vice Chair; Short, Ranking Member and Honeyford.

Referred to Committee on Rules for second reading.

February 7, 2019

SB 5588 Prime Sponsor, Senator Hawkins: Authorizing the production, distribution, and sale of renewable hydrogen. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: That Substitute Senate Bill No. 5588 be substituted therefor, and the substitute bill do pass. Signed by Senators Carlyle, Chair; Palumbo, Vice Chair; Das; Liias; McCoy; Nguyen; Wellman; Ericksen, Ranking Member; Fortunato, Assistant Ranking Member, Environment; Hobbs; Short; Rivers and Brown.

Referred to Committee on Rules for second reading.

February 7, 2019

SB 5604 Prime Sponsor, Senator Pedersen: Concerning the uniform guardianship, conservatorship, and other protective arrangements act. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 5604 be substituted therefor, and the substitute bill do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Kuderer and Salomon.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Padden, Ranking Member; Holy and Wilson, L.

Referred to Committee on Ways & Means.

February 7, 2019

SB 5622 Prime Sponsor, Senator Randall: Revising the authority of commissioners of courts of limited jurisdiction. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Salomon; Kuderer; Holy; Padden, Ranking

Member; Dhingra, Vice Chair; Pedersen, Chair and Wilson, L.

Referred to Committee on Rules for second reading.

February 7, 2019

SB 5641 Prime Sponsor, Senator Holy: Adopting the 2018 uniform law commission amendments to the uniform law on notarial acts. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; Holy; Kuderer; Salomon and Wilson, L.

Referred to Committee on Rules for second reading.

February 7, 2019

SB 5654 Prime Sponsor, Senator Mullet: Concerning rewards cards. Reported by Committee on Financial Institutions, Economic Development & Trade

MAJORITY recommendation: That Substitute Senate Bill No. 5654 be substituted therefor, and the substitute bill do pass. Signed by Senators Ericksen; Das; Braun; Wilson, L., Ranking Member; Mullet, Chair and Hobbs.

MINORITY recommendation: Do not pass. Signed by Senator Hasegawa, Vice Chair.

Referred to Committee on Ways & Means.

February 7, 2019

SB 5662 Prime Sponsor, Senator Palumbo: Concerning cloud computing solutions. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: That Substitute Senate Bill No. 5662 be substituted therefor, and the substitute bill do pass. Signed by Senators Carlyle, Chair; Palumbo, Vice Chair; Ericksen, Ranking Member; Billig; Brown; Das; Hobbs; Liias; McCoy; Nguyen; Rivers; Short and Wellman.

Referred to Committee on Ways & Means.

February 7, 2019

SB 5665 Prime Sponsor, Senator Wilson, C.: Concerning the creation of a youth development work group within the department of children, youth, and families. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: That Substitute Senate Bill No. 5665 be substituted therefor, and the substitute bill do pass. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; Cleveland and Wilson, C.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators O'Ban and Zeiger.

Referred to Committee on Ways & Means.

February 7, 2019

SB 5676 Prime Sponsor, Senator Takko: Authorizing cities planning under the growth management act to impose certain real estate excise taxes by councilmanic action. Reported by Committee on Local Government

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MAJORITY recommendation: That Substitute Senate Bill No. 5676 be substituted therefor, and the substitute bill do pass. Signed by Senators Takko, Chair; Salomon, Vice Chair Short, Ranking Member.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Honeyford.

Referred to Committee on Rules for second reading.

February 7, 2019

SB 5826 Prime Sponsor, Senator Darneille: Maximizing federal funding for prevention and family services and programs. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: Do pass. Signed by Senators Zeiger; Wilson, C.; O'Ban; Cleveland; Walsh, Ranking Member; Nguyen, Vice Chair Darneille, Chair.

Referred to Committee on Ways & Means.

February 7, 2019

SGA 9101 JON J. TUNHEIM, reappointed on September 11, 2017, for the term ending August 2, 2020, as Member of the Sentencing Guidelines Commission. Reported by Committee on Law & Justice

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Salomon; Kuderer; Holy; Padden, Ranking Member; Dhingra, Vice Chair; Pedersen, Chair and Wilson, L.

Referred to Committee on Rules for second reading.

February 7, 2019

SGA 9257 PAUL A. PASTOR, reappointed on November 28, 2018, for the term ending August 2, 2021, as Member of the Sentencing Guidelines Commission. Reported by Committee on Law & Justice

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; Holy; Kuderer; Salomon and Wilson, L.

Referred to Committee on Rules for second reading.

MOTION

On motion of Liias, all measures listed on the Standing Committee report were referred to the committees as designated with the exceptions of Senate Bill No. 5641 which had been referred to the Committee on Way & Means and was referred to the Committee on Rules and Senate Bill No. 5654 which had been referred to the Committee on Rules and was referred to the Committee on Way & Means.

MOTION

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

MESSAGE FROM THE GOVERNOR
GUBERNATORIAL APPOINTMENTS

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

ELEANOR K. KIRTLEY, reappointed February 6, 2019, for the term ending December 26, 2022, as Member of the Board of Pilotage Commissioners.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Transportation as Senate Gubernatorial Appointment No. 9275.

February 7, 2019

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

MICHELLE L. MILNE, appointed February 7, 2019, for the term ending June 30, 2022, as Member of the Professional Educator Standards Board.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Early Learning & K-12 Education as Senate Gubernatorial Appointment No. 9276.

MOTION

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

MESSAGE FROM OTHER STATE OFFICERS

Commerce, Department of – *“Financial Fraud and Identity Theft Investigation and Prosecution Program, Progress Report on Task Force and Recommendations”*, pursuant to 43.330.300 RCW; *“Promoting Renewable Natural Gas in Washington State”*, in accordance with Engrossed Substitute House Bill No. 2580; *“Associate Development Organizations, 2017-2018 Report”*, pursuant to 43.330.082 RCW;

Conservation Commission, Washington State – *“Food Policy Forum, 2018 Report”*, in accordance with Second Engrossed Substitute House Bill No. 2376;

Financial Management, Office of – *“One Washington Quarterly Report, October – December 2018”*, in accordance with Substitute Senate Bill No. 5883;

Salmon Recovery, Governor’s Office of – *“Saving Salmon for the Future: 2018 State of Salmon in Watersheds Executive Summary”*, pursuant to 77.85.020 RCW;

Social & Health Services, Department of – *“WorkFirst Maintenance of Effort and Work Participation Rate, April – June 2018”*, in accordance with Engrossed Substitute Senate Bill No. 6032.

The reports listed were submitted to the Secretary of the Senate and made available online by the Office of the Secretary.

MOTION

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

MESSAGE FROM THE HOUSE

February 7, 2019

MR. PRESIDENT:

The House has passed:

SUBSTITUTE HOUSE BILL NO. 1002,
 SUBSTITUTE HOUSE BILL NO. 1012,
 HOUSE BILL NO. 1014,
 HOUSE BILL NO. 1016,
 SUBSTITUTE HOUSE BILL NO. 1023,
 HOUSE BILL NO. 1120,
 HOUSE BILL NO. 1252,
 HOUSE BILL NO. 1486,
 HOUSE BILL NO. 1490,

and the same are herewith transmitted.

NONA SNELL, Deputy Chief Clerk

MOTION

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

INTRODUCTION AND FIRST READING

SB 5870 by Senators Liias and Walsh

AN ACT Relating to short-term rentals; adding a new chapter to Title 64 RCW; and prescribing penalties.

Referred to Committee on Financial Institutions, Economic Development & Trade.

SB 5871 by Senators Warnick and Takko

AN ACT Relating to the Columbia river recreational salmon and steelhead endorsement program; amending RCW 77.12.712, 77.12.714, 77.12.716, 77.12.718, and 77.32.580; repealing 2009 c 420 s 7, 2011 c 339 s 40, 2016 c 223 ss 7, 8, and 9, and 2017 3rd sp.s. c 3 ss 1, 2, and 3 (uncodified); providing expiration dates; and declaring an emergency.

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

SB 5872 by Senators Honeyford, Keiser, Rivers, Cleveland and Bailey

AN ACT Relating to providing enhanced payment to low volume, small rural hospitals; amending RCW 74.09.5225; and creating a new section.

Referred to Committee on Ways & Means.

SB 5873 by Senators Hawkins and Van De Wege

AN ACT Relating to community forests; and adding a new chapter to Title 79 RCW.

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

SB 5874 by Senators Warnick, Billig, Becker, Short, Fortunato, Rivers, Walsh, O'Ban, Bailey, Wilson, L., Holy, Wagoner and Wellman

AN ACT Relating to direct funding for rural satellite skill centers; and amending RCW 28A.245.020.

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

SB 5875 by Senator Palumbo

AN ACT Relating to unfair practices involving compensation of athletes in higher education; adding a new section to chapter 19.86 RCW; and creating a new section.

Referred to Committee on Higher Education & Workforce Development.

SB 5876 by Senators Darneille, Rivers, Rolfes, Wilson, C., Kuderer, Walsh, Randall, Brown, Keiser, Saldaña, Frockt, Warnick, Cleveland and Das

AN ACT Relating to creating a women's division and system of gender-responsive, risk-need-responsivity, and trauma-informed practices within the department of corrections; amending RCW 72.09.010, 72.09.015, 72.09.060, and 43.06C.040; and adding a new section to chapter 72.09 RCW.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SB 5877 by Senators Kuderer, Fortunato, Conway, Hasegawa, Wilson, C., Walsh, Zeiger, Billig, Keiser, Hunt, Rivers, Nguyen, Takko, Carlyle, Darneille, Liias and Das

AN ACT Relating to establishing minimum crew size on certain trains; adding new sections to chapter 81.40 RCW; creating a new section; repealing RCW 81.40.010 and 81.40.035; prescribing penalties; and declaring an emergency.

Referred to Committee on Labor & Commerce.

SB 5878 by Senators Conway, Keiser, Hasegawa, Wilson, C., Zeiger, Fortunato, Kuderer, Hunt, Takko, Nguyen, Carlyle, Darneille, Liias and Das

AN ACT Relating to hours of service for certain railroad employees; adding a new chapter to Title 81 RCW; prescribing penalties; and declaring an emergency.

Referred to Committee on Labor & Commerce.

SB 5879 by Senators Kuderer, Zeiger, Conway, Fortunato, Wilson, C., Hasegawa, Keiser, Hunt, Takko, Nguyen, Carlyle, Darneille, Liias and Das

AN ACT Relating to safeguarding the public safety by protecting railroad workers; adding new sections to chapter 81.40 RCW; adding a new title to the Revised Code of Washington to be codified as Title 50B RCW; prescribing penalties; and providing an effective date.

Referred to Committee on Labor & Commerce.

SB 5880 by Senators Kuderer and Darneille

AN ACT Relating to juvenile sentencing; amending RCW 13.40.0357, 13.04.030, 13.40.110, and 13.40.300; and prescribing penalties.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SB 5881 by Senators King, Hobbs, Takko, Wellman, Saldaña, Rivers, Holy and Keiser

AN ACT Relating to the installation of safety glazing or film sunscreening materials; amending RCW 46.37.435; and prescribing penalties.

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Referred to Committee on Transportation.

SB 5882 by Senators King, Hobbs, Takko, Fortunato, Wellman, Rivers and Keiser

AN ACT Relating to prohibiting the location of homeless encampments near schools and early learning facilities; adding a new section to chapter 35.63 RCW; adding a new section to chapter 35A.63 RCW; adding a new section to chapter 36.70 RCW; adding a new section to chapter 36.70A RCW; and creating a new section.

Referred to Committee on Housing Stability & Affordability.

SB 5883 by Senators King, Hobbs, Takko, Wellman, Rivers and Keiser

AN ACT Relating to authorizing vehicles or combinations of vehicles carrying farm products to exceed total gross weight limits by two thousand pounds; and amending RCW 46.44.041, 46.44.091, and 36.75.270.

Referred to Committee on Transportation.

SB 5884 by Senators Frockt, Palumbo and Liias

AN ACT Relating to establishing the evergreen promise pilot program, which provides for affordable access to institutions of higher education; adding a new chapter to Title 28B RCW; and providing an expiration date.

Referred to Committee on Higher Education & Workforce Development.

MOTION

On motion of Senator Liias, all measures listed on the Introduction and First Reading report were referred to the committees as designated with the exception of Senate Bill No. 5881 which had been designated to the Committee on Labor & Commerce and was referred to the Committee on Transportation.

MOTION

At 12:22 p.m., on motion of Senator Liias, the Senate adjourned until 12:00 o'clock noon, Monday, February 11, 2019.

CYRUS HABIB, President of the Senate

BRAD HENDRICKSON, Secretary of the Senate

TWENTY NINTH DAY

 NOON SESSION

Senate Chamber, Olympia
Monday, February 11, 2019

The Senate was called to order at 12:01 p.m. by the President Pro Tempore, Senator Keiser presiding. No roll call was taken.

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

MOTION

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

EDITOR'S NOTE: Due to inclement weather, notification was distributed on the previous day that committee hearings scheduled for the day had been cancelled. From February 10 through February 11, just over twenty inches of snow fell on Olympia. The winter storm created difficult driving conditions and numerous power outages throughout the Puget Sound region.

MOTION

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

REPORTS OF STANDING COMMITTEES

February 8, 2019

SB 5004 Prime Sponsor, Senator Cleveland: Allowing animal care and control agencies and nonprofit humane societies to provide additional veterinary services to low-income households. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 5004 be substituted therefor, and the substitute bill do pass. Signed by Senators Cleveland, Chair; Randall, Vice Chair; O'Ban, Ranking Member; Becker; Dhingra; Frockt; Keiser and Van De Wege.

Referred to Committee on Rules for second reading.

February 8, 2019

SB 5292 Prime Sponsor, Senator Keiser: Concerning prescription drug cost transparency. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 5292 be substituted therefor, and the substitute bill do pass. Signed by Senators Van De Wege; Keiser; Frockt; Dhingra; Randall, Vice Chair Cleveland, Chair.

MINORITY recommendation: Do not pass. Signed by Senators O'Ban, Ranking Member and Becker.

Referred to Committee on Ways & Means.

February 8, 2019

SB 5380 Prime Sponsor, Senator Cleveland: Concerning opioid use disorder treatment, prevention, and related services. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 5380 be substituted therefor, and the substitute bill do pass. Signed by Senators Cleveland, Chair; Randall, Vice Chair; O'Ban, Ranking Member; Becker; Dhingra; Frockt; Keiser and Van De Wege.

Referred to Committee on Ways & Means.

February 8, 2019

SB 5386 Prime Sponsor, Senator Becker: Concerning training standards in providing telemedicine services. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 5386 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser; Frockt; Dhingra; Becker; O'Ban, Ranking Member; Randall, Vice Chair; Cleveland, Chair and Van De Wege.

Referred to Committee on Rules for second reading.

February 8, 2019

SB 5403 Prime Sponsor, Senator Bailey: Concerning safe egress from adult family homes. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 5403 be substituted therefor, and the substitute bill do pass. Signed by Senators Cleveland, Chair; Randall, Vice Chair; O'Ban, Ranking Member; Becker; Dhingra; Frockt; Keiser and Van De Wege.

Referred to Committee on Rules for second reading.

February 8, 2019

SB 5405 Prime Sponsor, Senator Padden: Concerning nondiscrimination in access to organ transplants. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 5405 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser; Frockt; Dhingra; Becker; O'Ban, Ranking Member; Randall, Vice Chair; Cleveland, Chair and Van De Wege.

Referred to Committee on Rules for second reading.

February 7, 2019

SB 5581 Prime Sponsor, Senator Rolfes: Improving the effectiveness and adequacy of state tax laws by clarifying and simplifying nexus provisions, by decreasing compliance and administrative burdens for taxpayers and the department of revenue, by facilitating the collection of new tax revenue resulting from the United States supreme court's decision in South Dakota v. Wayfair, Inc., by providing more consistent tax obligations for both domestic and foreign sellers, and by simplifying the

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expiration of sales tax sourcing mitigation payments to local governments on September 30, 2019. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5581 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Pedersen; Hasegawa; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Honeyford, Assistant Ranking Member, Capital; Billig; Carlyle; Darneille; Hunt; Keiser; Liias; Palumbo; Rivers; Schoesler; Warnick; Van De Wege and Conway.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Becker; Brown, Assistant Ranking Member, Operating; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

February 8, 2019

SB 5699 Prime Sponsor, Senator Cleveland: Protecting consumers from charges for out-of-network health care services. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: Do pass. Signed by Senators Cleveland, Chair; Randall, Vice Chair; O'Ban, Ranking Member; Becker; Dhingra; Frockt; Keiser and Van De Wege.

Referred to Committee on Ways & Means.

MOTIONS

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

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

INTRODUCTION AND FIRST READING

SB 5885 by Senators Padden, Dhingra and O'Ban

AN ACT Relating to the admissibility of testimony of children in criminal and dependency proceedings; and amending RCW 9A.44.120.

Referred to Committee on Law & Justice.

SB 5886 by Senators Mullet and Braun

AN ACT Relating to promoting the economic growth of the video game industry.

Held at the desk.

SB 5887 by Senators Short and Keiser

AN ACT Relating to health carrier requirements for prior authorization standards; and amending RCW 48.43.016.

Referred to Committee on Health & Long Term Care.

SB 5888 by Senators Walsh and Padden

AN ACT Relating to prison safety; amending RCW 9.94.045; and reenacting and amending RCW 42.56.240.

Referred to Committee on Law & Justice.

SB 5889 by Senator Dhingra

AN ACT Relating to insurance communications confidentiality; amending RCW 48.43.005, 48.43.505, 48.43.510, and 48.43.530; adding a new section to chapter 48.43 RCW; creating a new section; and providing an effective date.

Referred to Committee on Health & Long Term Care.

SB 5890 by Senator O'Ban

AN ACT Relating to providing tax exemptions for the assistance of disabled veterans and members of the armed forces of the United States of America; adding a new section to chapter 82.04 RCW; adding a new section to chapter 82.08 RCW; and creating new sections.

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

SB 5891 by Senators Salomon, Holy, Palumbo, Rivers and Liias

AN ACT Relating to establishing the Washington adult diploma and workforce training program; and adding a new chapter to Title 28B RCW.

Referred to Committee on Higher Education & Workforce Development.

SB 5892 by Senators Nguyen, Darneille, Wilson and C.

AN ACT Relating to factors to be considered in a shelter care hearing; and amending RCW 13.34.065.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SB 5893 by Senators Hobbs and King

AN ACT Relating to the private vehicle rental act; amending RCW 46.30.020; adding a new chapter to Title 46 RCW; and creating a new section.

Referred to Committee on Financial Institutions, Economic Development & Trade.

SB 5894 by Senator Braun

AN ACT Relating to clarifying that the firefighters' pension levy may continue to be levied to fund benefits under the law enforcement officers' and firefighters' retirement system; and amending RCW 41.16.060.

Referred to Committee on Ways & Means.

SB 5895 by Senators Wilson, C., Nguyen and Darneille

AN ACT Relating to fingerprint background checks for guardians ad litem; and amending RCW 13.34.100.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SB 5896 by Senators Palumbo, Zeiger, Wilson, C. and Hobbs

AN ACT Relating to shared employer shuttles; and amending RCW 35.58.250 and 47.04.290.

Referred to Committee on Transportation.

SB 5897 by Senator Padden

AN ACT Relating to child sex trafficking and sexual exploitation; adding a new section to chapter 19.320 RCW; adding a new section to chapter 9.68A RCW; creating new sections; prescribing penalties; and providing an effective date.

Referred to Committee on Law & Justice.

SB 5898 by Senator Rolfes

AN ACT Relating to the surcharge for local homeless housing and assistance; and amending RCW 36.22.179.

Referred to Committee on Ways & Means.

SB 5899 by Senators Mullet, Walsh, Cleveland, Ericksen, Wilson, L. and Takko

AN ACT Relating to sales and use tax for public facilities in rural or border counties; and amending RCW 82.14.370.

Referred to Committee on Financial Institutions, Economic Development & Trade.

SB 5900 by Senators Randall, Wilson, C., Takko, Saldaña, Van De Wege, Salomon, Liias and Das

AN ACT Relating to promoting access to earned benefits and services for lesbian, gay, bisexual, transgender, and queer veterans; adding a new section to chapter 43.60A RCW; and creating a new section.

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

SJM 8010 by Senators Frockt, Dhingra, Randall and Keiser

Asking Congress to include dental care in Medicare.

Referred to Committee on Health & Long Term Care.

SCR 8403 by Senator Hunt

Renaming Marathon Park after Joan Benoit Samuelson.

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

SHB 1002 by House Committee on Public Safety (originally sponsored by Orwall, Mosbrucker, Goodman, Griffey, Lovick, Pellicciotti, Kraft, Valdez, Irwin, Jinkins, Macri, Wylie, Bergquist, Doglio, Ortiz-Self and Frame)

AN ACT Relating to modifying the offense of rape in the third degree; amending RCW 9A.44.060; and prescribing penalties.

Referred to Committee on Law & Justice.

SHB 1012 by House Committee on Transportation (originally sponsored by Bergquist, Barkis, Jinkins, Steele, Riccelli, Fey, Valdez, Fitzgibbon, Appleton, Robinson, Pollet and Stanford)

AN ACT Relating to the use of child passenger restraint systems; amending RCW 46.61.687; adding a new section to chapter 43.59 RCW; and providing an effective date.

Referred to Committee on Transportation.

HB 1014 by Representatives Jenkin, Kirby, Harris, Bergquist, Stanford, Sells, Barkis, Eslick and Rude

AN ACT Relating to financial responsibility of motorcycle operators; and amending RCW 46.30.020.

Referred to Committee on Transportation.

HB 1016 by Representatives Caldier, Cody, Griffey, Mosbrucker, Maycumber, Macri, Jinkins, Slatter, Shea, Van Werven, Irwin, Fitzgibbon, Appleton, Wylie, Doglio, Robinson, Chambers, Orwall, Stanford, Rude, Frame, Leavitt, Walen and Young

AN ACT Relating to hospital notification of availability of sexual assault evidence kit collection; adding a new section to chapter 70.41 RCW; and prescribing penalties.

Referred to Committee on Health & Long Term Care.

SHB 1023 by House Committee on Health Care & Wellness (originally sponsored by Macri, Harris, Cody, MacEwen, Pollet, DeBolt, Springer, Kretz, Appleton, Caldier, Slatter, Vick, Stanford, Fitzgibbon, Riccelli, Robinson, Kloba, Valdez, Ryu, Tharinger, Jinkins, Wylie, Goodman, Bergquist, Doglio, Chambers, Senn, Ortiz-Self, Stonier, Frame, Ormsby and Reeves)

AN ACT Relating to allowing certain adult family homes to increase capacity to eight beds; amending RCW 70.128.010 and 70.128.060; and adding a new section to chapter 70.128 RCW.

Referred to Committee on Health & Long Term Care.

HB 1120 by Representative Dolan

AN ACT Relating to updating the term essential academic learning requirements to state learning standards to reflect current terminology; amending RCW 28A.150.220, 28A.195.010, 28A.200.010, 28A.210.360, 28A.230.095, 28A.230.130, 28A.300.130, 28A.300.440, 28A.300.462, 28A.305.215, 28A.320.173, 28A.320.240, 28A.410.046, 28A.600.310, 28A.655.061, 28A.655.068, 28A.655.070, 28A.655.071, 28A.655.075, 28A.655.130, 28A.655.140, 28A.710.040, 43.06B.020, and 79A.05.351; and repealing RCW 28A.655.010.

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

HB 1252 by Representatives Pellicciotti, Klippert, Dolan, Valdez, Orwall, Pollet, Riccelli, Goodman, Kilduff, Bergquist, Robinson, Doglio, Macri, Appleton, Hudgins, Peterson, Fitzgibbon, Stonier, Lovick, Jinkins, Tharinger, Stanford, Senn, Leavitt, Slatter, Chapman, Frame, Fey and Wylie

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

Referred to Committee on Law & Justice.

HB 1486 by Representatives Mosbrucker, Gregerson and Chandler

AN ACT Relating to delegation of inspection duties for factory built housing and commercial structures; and amending RCW 43.22.470 and 43.22.450.

Referred to Committee on Labor & Commerce.

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HB 1490 by Representatives Ormsby, Sells, Tarleton, Doglio and Pollet

AN ACT Relating to amending the application of the occupational disease presumption for cancer for Hanford site workers; and amending RCW 51.32.187.

Referred to Committee on Labor & Commerce.

MOTION

On motion of Senator Liias, the measures listed on the Introduction and First Reading report were referred to the committees as designated with the exceptions of Senate Bill No. 5886, which had been designated to the Committee on Financial Institutions, Economic Development & Trade and was held at the desk; and Senate Bill No. 5893 which had been designated to the Committee on Transportation and was referred to the Committee on Financial Institutions, Economic Development & Trade.

MOTIONS

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

Senator Liias moved adoption of the following resolution:

SENATE RESOLUTION
8610

By Senator Hunt

WHEREAS, Dorothy H. O'Loughlin was born in Malden, Massachusetts, on March 11, 1911, and died in Lacey, Washington, on January 11, 2019, at the age of 107; and

WHEREAS, Dorothy worked for the federal government for thirty-four years in Boston, New York City, and Fort Devins, Massachusetts, the Army Corps of Engineers in Waltham, Massachusetts, and the Offices of Naval Research at MIT and Harvard University; and

WHEREAS, She moved to Lacey in 1980 and volunteered for North Thurston Public Schools (where she was known as Grandma Dorothy) and Lacey Timberland Library, serving as Outreach Coordinator for the homebound delivery program for twenty-seven years, as well as liaison for the Washington Talking Book and Braille Library; and

WHEREAS, She also volunteered with the Lacey Sunrise Lions, and Downtown YWCA; and

WHEREAS, Dorothy was recognized for her service by five City of Lacey Mayors and in 1986 Governor Booth Gardner honored her work by presenting her with the State Governor's Award for Outstanding Volunteer; and

WHEREAS, She was named 1988 Thurston County Citizen of the Year; and

WHEREAS, In 2001 she rode in a bright red Corvette in the Lakefair Parade as the Thurston County representative of the International Year of Volunteers; and

WHEREAS, She received the President's Volunteer Service Award recognizing America's most committed volunteers in 2005; and

WHEREAS, In 2009 the Timberland Library created the Dorothy O'Loughlin Distinguished Volunteer Service Award which is given annually; and

WHEREAS, Dorothy O'Loughlin was an active Democrat who often brought her fresh, homemade cookies to events, and it was commonly agreed that "No one could work a room like her";

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate honor Dorothy H. O'Loughlin for her many years of service to the people of Washington and Thurston County and celebrate her 107 years; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the Senate to Dorothy's daughter, Christie O'Loughlin, and the Lacey Timberland Library.

Senators Liias and Short spoke in favor of adoption of the resolution.

The President Pro Tempore declared the question before the Senate to be the adoption of Senate Resolution No. 8610.

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

MOTION

At 12:06 p.m., on motion of Senator Liias, the Senate adjourned until 12:00 o'clock noon Tuesday, February 12, 2019.

KAREN KEISER, President Pro Tempore of the Senate

BRAD HENDRICKSON, Secretary of the Senate

THIRTIETH DAY

NOON SESSION

8616

Senate Chamber, Olympia
Tuesday, February 12, 2019

The Senate was called to order at 12:00 o'clock noon by the President of the Senate, Lt. Governor Habib presiding. No roll call was taken.

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

MOTIONS

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

Pursuant to Rule 46, on motion of Senator Liias, and without objection, the standing committees of the senate were granted special leave to meet during the day's floor session.

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

INTRODUCTION AND FIRST READING

SB 5901 by Senator Wagoner

AN ACT Relating to providing information on volunteer refreshment and coffee services at safety rest areas; and adding a new section to chapter 47.38 RCW.

Referred to Committee on Transportation.

SB 5902 by Senators Hunt, Zeiger, Takko and Honeyford

AN ACT Relating to providing funding for the Washington state library-archives building and operations of library and archives facilities; amending RCW 36.18.010, 36.22.175, 36.22.175, 43.07.128, 43.07.129, and 43.07.370; reenacting and amending RCW 43.79A.040; adding a new section to chapter 43.07 RCW; creating new sections; providing an effective date; and providing an expiration date.

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

MOTION

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

MOTIONS

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

Senator Liias moved adoption of the following resolution:

SENATE RESOLUTION

By Senators Ericksen, Carlyle, Bailey, Liias, Van De Wege, Keiser, Takko, Hunt, Braun, Randall, Wagoner, Rivers, Walsh, Cleveland, Wilson, L., Pedersen, Brown, Hawkins, and Dhingra

WHEREAS, The Washington State commercial fishing fleet will set off for the waters of the Pacific in May of 2019; and

WHEREAS, The Blessing of the Fleet will happen in Blaine Harbor on May 5, 2019; and

WHEREAS, The commercial and tribal fishing industries have long been cornerstones of the state, and is essential to the economic prosperity of many Washingtonian families; and

WHEREAS, The courageous fishers on the treacherous seas, who risk life and limb to provide us the necessities we take for granted, deserve our utmost respect and gratitude; and

WHEREAS, The dangers of the sea all too often steal the lives of the brave men and women who voluntarily risk it all for our benefit; and

WHEREAS, The heartbreak of losing our beloved friends and neighbors on the high seas impact not only the families of those we lose, but also our entire state;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate extend its condolences to the families and friends of all our fishers who have lost their lives at sea, wish the entire commercial fishing fleet a safe and prosperous season, and express its hope that all of our fishers will return home safely to their families, friends, and communities.

Senator Liias spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8616.

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

REMARKS BY SENATOR LIAS

Senator Liias: "Thank you Mr. President. For the information of members, we are planning to convene for floor action tomorrow at 10:00 a.m. We will be welcoming our newest member with a ceremonial swearing in. We are also anticipating some action on measures on the second reading calendar and gubernatorial appointments, so I encourage all members that are able to make it that, there are folks who can't make it, Andy Staubitz with Security or Secretary Hendrickson can try and help organize as well."

MOTION

At 12:03 p.m., on motion of Senator Liias, the Senate adjourned until 10:00 o'clock a.m. Wednesday, February 13, 2019.

CYRUS HABIB, President of the Senate

BRAD HENDRICKSON, Secretary of the Senate

THIRTY FIRST DAY

MORNING SESSION

Senate Chamber, Olympia
Wednesday, February 13, 2019

The Senate was called to order at 10:03 a.m. by the President of the Senate, Lt. Governor Habib presiding. The Secretary called the roll and announced to the President that all Senators were present with the exceptions of Senators Erickson and Sheldon.

The Sergeant at Arms Color Guard consisting of Pages Miss Grace Bryan and Mr. Akash Mungra, presented the Colors. Page Mr. Samuel Lee led the Senate in the Pledge of Allegiance.

The prayer was offered by Pastor Eric Lundberg of Abundant Life Foursquare Church, Orting. Pastor Lundberg was a guest of Senator Becker.

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

MOTION

Pursuant to Rule 46, on motion of Senator Liias, and without objection, the Committee on State Government, Tribal Relations & Elections was granted special leave to meet during the day's floor session.

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

MOTION

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

APPOINTMENT OF SPECIAL COMMITTEE

The President of the Senate appointed a committee of honor consisting of Senators Randi Becker and Rebecca Saldaña to escort Justice Steven González to the rostrum.

The President welcomed and introduced the Honorable Steven González, Justice of the Supreme Court of the state of Washington, who was present to administer the oath of office to the newly appointed senator.

Sergeant-at-Arms Staubitz escorted newly appointed Senator Liz Lovelett to the rostrum.

Justice Steven González thereupon administered the oath of office to Senator Lovelett.

The Sergeant-at-Arms escorted the newly appointed member to her seat in the chamber.

The committee of honor escorted Justice Steven González from the Chamber.

REMARKS BY THE PRESIDENT

President Habib: "On behalf of the Senate, congratulations to Senator Lovelett. An honor to have you here with us and I know that this I guess as I was I was saying to her earlier that it might feel like she's coming here in the middle of the session but since there's not been a cutoff yet. It's still early days."

MOTION

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

REPORTS OF STANDING COMMITTEES

March 1, 2019

SB 5066 Prime Sponsor, Senator Wellman: Concerning school district elections. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5066 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Billig; Carlyle; Conway; Darneille; Hasegawa; Keiser; Liias; Palumbo; Pedersen and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Senators Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Schoesler; Wagoner; Warnick and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Rivers.

Referred to Committee on Ways & Means.

February 12, 2019

SB 5603 Prime Sponsor, Senator Randall: Concerning enrollment and course registration access for children of military families. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 5603 be substituted therefor, and the substitute bill do pass. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Holy; Hunt; McCoy; Mullet; Padden; Pedersen; Salomon and Wagoner.

Referred to Committee on Rules for second reading.

February 12, 2019

SB 5613 Prime Sponsor, Senator Rivers: Concerning the authority of counties to vacate a county road that abuts on a body of water if the county road is hazardous or creates a significant risk to public safety. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Senators Takko, Chair; Salomon, Vice Chair; Short, Ranking Member and Honeyford.

Referred to Committee on Rules for second reading.

February 12, 2019

SB 5792 Prime Sponsor, Senator Salomon: Making statutory requirements and policies for cultural access programs the same in all counties of the state. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Senators Takko, Chair; Salomon, Vice Chair and Honeyford.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Short, Ranking Member.

Referred to Committee on Rules for second reading.

March 1, 2019

SJR 8201 Prime Sponsor, Senator Wellman: Amending the Constitution to allow a simple majority of voters voting to authorize school district bonds. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Joint Resolution No. 8201 be substituted therefor, and the substitute joint resolution do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Becker; Billig; Carlyle; Conway; Darneille; Hasegawa; Keiser; Liias; Palumbo; Pedersen and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Senators Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Rivers; Schoesler; Wagoner; Warnick and Wilson, L.

Referred to Committee on Ways & Means.

MOTION

On motion of Liias, all measures listed on the Standing Committee report were referred to the committees as designated with the exceptions of Senate Bill No. 5066 and Senate Joint Resolution No. 8201 which had been designated to the Committee on Rules and were referred to the Committee on Ways & Means.

MOTION

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

INTRODUCTION AND FIRST READING

SB 5903 by Senators Darneille and Warnick

AN ACT Relating to implementing policies related to children's mental health as reviewed and recommended by the children's mental health work group; amending RCW 28B.20.445, 28B.30.357, and 43.216.745; adding a new section to chapter 28A.310 RCW; adding a new section to chapter 28A.415 RCW; adding a new section to chapter 28A.300 RCW; adding a new section to chapter 28B.20 RCW; adding new sections to chapter 71.34 RCW; creating new sections; repealing 2018 c 175 s 12 (uncodified); providing a contingent effective date; and providing expiration dates.

Referred to Committee on Health & Long Term Care.

SB 5904 by Senators Warnick and Darneille

AN ACT Relating to implementing policies related to expanding adolescent behavioral health care access as reviewed and recommended by the children's mental health work group; amending RCW 71.34.020, 71.34.500,

71.34.510, 71.34.520, 71.34.530, 71.34.700, 71.34.700, 71.34.710, 71.34.710, and 74.13.280; adding new sections to chapter 71.34 RCW; creating a new section; providing an effective date; and providing an expiration date.

Referred to Committee on Health & Long Term Care.

SB 5905 by Senators Saldaña, Cleveland, Hunt, Hasegawa and Conway

AN ACT Relating to prohibiting funds available to port districts from being allocated for the purchase of fully automated cargo handling equipment; and amending RCW 53.08.040.

Referred to Committee on Local Government.

SB 5906 by Senator Becker

AN ACT Relating to the regulation of ambulatory surgical facilities; amending RCW 70.230.020, 70.230.050, 70.230.090, 70.230.100, 43.70.250, and 43.70.110; adding new sections to chapter 70.230 RCW; and declaring an emergency.

Referred to Committee on Health & Long Term Care.

SB 5907 by Senator Kuderer

AN ACT Relating to a comparative study of the impact of attorney representation for tenants in unlawful detainer proceedings; creating a new section; making appropriations; providing an effective date; and declaring an emergency.

Referred to Committee on Housing Stability & Affordability.

MOTION

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

MOTION

At 10:15 a.m., on motion of Senator Liias, the Senate was declared to be at ease for the purpose of caucuses.

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

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

The Senate was called to order at 11:44 a.m. by President Habib.

MOTION

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

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

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Senator Randall moved that Yazmin Aguilar, Senate Gubernatorial Appointment No. 9207, be confirmed as a member of the Washington Student Achievement Council.

Senator Randall spoke in favor of the motion.

APPOINTMENT OF YAZMIN AGUILAR

The President declared the question before the Senate to be the confirmation of Yazmin Aguilar, Senate Gubernatorial Appointment No. 9207, as a member of the Washington Student Achievement Council.

The Secretary called the roll on the confirmation of Yazmin Aguilar, Senate Gubernatorial Appointment No. 9207, as a member of the Washington Student Achievement Council and the appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 2; Excused, 0.

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

Absent: Senators Ericksen and Sheldon

Yazmin Aguilar, Senate Gubernatorial Appointment No. 9207, having received the constitutional majority was declared confirmed as a member of the Washington Student Achievement Council.

THIRD READING
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Palumbo moved that Gary Epp, Senate Gubernatorial Appointment No. 9237, be confirmed as a member of the Central Washington University Board of Trustees.

Senator Palumbo spoke in favor of the motion.

APPOINTMENT OF GARY EPP

The President declared the question before the Senate to be the confirmation of Gary Epp, Senate Gubernatorial Appointment No. 9237, as a member of the Central Washington University Board of Trustees.

The Secretary called the roll on the confirmation of Gary Epp, Senate Gubernatorial Appointment No. 9237, as a member of the Central Washington University Board of Trustees and the appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Ericksen and Sheldon

Gary Epp, Senate Gubernatorial Appointment No. 9237, having received the constitutional majority was declared

confirmed as a member of the Central Washington University Board of Trustees.

THIRD READING
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Warnick moved that Ronald P. Erickson, Senate Gubernatorial Appointment No. 9017, be confirmed as a member of the Central Washington University Board of Trustees.

Senator Warnick spoke in favor of the motion.

APPOINTMENT OF RONALD P. ERICKSON

The President declared the question before the Senate to be the confirmation of Ronald P. Erickson, Senate Gubernatorial Appointment No. 9017, as a member of the Central Washington University Board of Trustees.

The Secretary called the roll on the confirmation of Ronald P. Erickson, Senate Gubernatorial Appointment No. 9017, as a member of the Central Washington University Board of Trustees and the appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Ericksen and Sheldon

Ronald P. Erickson, Senate Gubernatorial Appointment No. 9017, having received the constitutional majority was declared confirmed as a member of the Central Washington University Board of Trustees.

MOTION

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

SECOND READING

SENATE BILL NO. 5333, by Senators Pedersen and Rivers

Making changes related to the uniform parentage act for access to court records, compliance with regulations of the food and drug administration, enacting a repealed section of chapter 26.26 RCW, and correcting citations and terminology.

MOTIONS

On motion of Senator Pedersen, Substitute Senate Bill No. 5333 was substituted for Senate Bill No. 5333 and the substitute bill was placed on the second reading and read the second time.

Revised for 1st Substitute: Making changes related to the uniform parentage act for access to court records, entry of protective orders by the court, use of mandatory forms, criteria for notice of a proceeding to adjudicate parentage, compliance with regulations of the food and drug administration, enacting a repealed section of chapter 26.26 RCW, clarifying the crimes

included in sexual assault for purposes of preclusion of parentage, and correcting citations and terminology.

On motion of Senator Pedersen, the rules were suspended, Substitute Senate Bill No. 5333 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Pedersen spoke in favor of passage of the bill.
Senator Padden spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5333.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5333 and the bill passed the Senate by the following vote: Yeas, 33; Nays, 14; Absent, 0; Excused, 2.

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

Voting nay: Senators Bailey, Becker, Braun, Brown, Fortunato, Holy, Honeyford, O'Ban, Padden, Schoesler, Short, Wagoner, Warnick and Zeiger

Excused: Senators Ericksen and Sheldon

SUBSTITUTE SENATE BILL NO. 5333, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SIGNED BY THE PRESIDENT

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

HOUSE CONCURRENT RESOLUTION NO. 4401,
and SENATE CONCURRENT RESOLUTION NO. 8402.

SECOND READING

SENATE BILL NO. 5113, by Senators Liias, Zeiger and Kuderer

Concerning community and technical colleges granting high school diplomas.

The measure was read the second time.

MOTION

On motion of Senator Liias, the rules were suspended, Senate Bill No. 5113 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Senate Bill No. 5113.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5113 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Ericksen and Sheldon

SENATE BILL NO. 5113, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5258, by Senators Keiser, Wellman, Saldaña, Randall, Das, Dhingra, Cleveland, Conway, Wilson, C., Darneille, Kuderer, Takko, Salomon, Hasegawa and Hunt

Preventing the sexual harassment and sexual assault of certain isolated workers.

MOTION

On motion of Senator Keiser, Substitute Senate Bill No. 5258 was substituted for Senate Bill No. 5258 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Keiser moved that the following striking amendment no. 023 by Senator Keiser be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** A new section is added to chapter 49.60 RCW to read as follows:

(1) Every hotel, motel, retail, behavioral health, or custodial employer, or property services contractor, who employs a custodian, security guard, hotel or motel housekeeper, or room service employee who spends a majority of her or his working hours alone or whose primary work responsibility involves working without another coworker present, at a location that is not her or his home must:

(a) Adopt a sexual harassment policy;

(b) Provide mandatory training to the employer's managers, supervisors, and employees to:

(i) Prevent sexual assault and sexual harassment in the workplace;

(ii) Prevent sexual discrimination in the workplace; and

(iii) Educate the employer's workforce regarding protection for employees who report violations of a state or federal law, rule, or regulation;

(c) Provide a list of resources for the employer's employees to utilize. At a minimum, the resources must include contact information of the equal employment opportunity commission, the Washington state human rights commission, and local advocacy groups focused on preventing sexual harassment and sexual assault; and

(d) Provide a panic button to each worker that spends a majority of her or his working hours alone or whose primary work responsibility involves working without another coworker

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present, at a location that is not her or his home. The department of labor and industries must publish advice and guidance for employers with fifty or fewer employees relating to this subsection.

(2)(a) The director of the department of labor and industries must establish, by rule, procedures for licensing property service contractors.

(b) The rules adopted under this subsection (2) must require that a property service contractor provide the following information to the director:

(i) The total number of employees employed by the property service contractor who perform janitorial services;

(ii) The physical address of the work location or locations at which janitorial services are provided by an employee of the property service contractor; and

(iii) Demographic data that is voluntarily provided by employees relating to race, sex, sexual orientation, national origin, marital status, and age.

(3) For the purposes of this section:

(a) "Employer" means any person, association, partnership, labor contractor, or public or private corporation, whether for-profit or not, who employs one or more persons.

(b) "Panic button" means an emergency contact device carried by an employee by which the employee may summon immediate on-scene assistance from another employee, security guard, or representative of the employer.

(c) "Property services contractor" does not mean the employment security department or individuals who perform labor under an agreement for exchanging their own labor or services with each other, provided the work is performed on land owned or leased by the individuals. "Property services contractor" means any person that for an agreed remuneration or rate of pay, recruits, solicits, supplies, or employs workers:

(i) To perform labor for another person to provide services that include janitorial services;

(ii) On behalf of an employer to provide services that include janitorial services; or

(iii) By a subcontract with another for any of the activities described in (c)(i) or (ii) of this subsection.

(d) "Security guard" means an individual who is principally employed as, or typically referred to as, a security officer or guard, regardless of whether the individual is employed by private security company or a single employer. An individual not licensed under chapter 18.170 RCW may still be considered a security guard under this section.

(4)(a) Hotels and motels with sixty or more rooms must meet the requirements of this section by January 1, 2020.

(b) All other businesses must meet the requirements of this section by January 1, 2021."

On page 1, line 2 of the title, after "workers;" strike the remainder of the title and insert "and adding a new section to chapter 49.60 RCW."

The President declared the question before the Senate to be the adoption of striking amendment no. 023 by Senator Keiser Substitute Senate Bill No. 5258.

The motion by Senator Keiser carried and striking amendment no. 023 was adopted by voice vote.

MOTION

On motion of Senator Keiser, the rules were suspended, Engrossed Substitute Senate Bill No. 5258 was advanced to third

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

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

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5258.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5258 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Ericksen and Sheldon

ENGROSSED SUBSTITUTE SENATE BILL NO. 5258, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5471, by Senators King and Keiser

Extending the validity of temporary elevator licenses, expanding membership of the elevator safety advisory committee, allowing homeowners to remove certain conveyances from their residences, and eliminating duplicate paperwork.

MOTIONS

On motion of Senator King, Substitute Senate Bill No. 5471 was substituted for Senate Bill No. 5471 and the substitute bill was placed on the second reading and read the second time.

Revised for 1st Substitute: Extending the validity of temporary elevator licenses, expanding membership of the elevator safety advisory committee, and allowing homeowners to remove certain conveyances from their residences.

On motion of Senator King, the rules were suspended, Substitute Senate Bill No. 5471 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5471.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5471 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen,

O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senators Ericksen and Sheldon

SUBSTITUTE SENATE BILL NO. 5471, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5145, by Senators Salomon, Nguyen, Dhingra, Rolfes, Frockt, Hunt, Billig, Darneille, Palumbo, Kuderer, Saldaña and Van De Wege

Concerning the use of hydraulic fracturing in the exploration for and production of oil and natural gas.

The measure was read the second time.

MOTION

Senator Honeyford moved that the following amendment no. 026 by Senator Honeyford be adopted:

Beginning on page 1, line 5, strike all of section 1

On page 1, line 2 of the title, after "gas;" insert "and" and on line 3, after "RCW" strike "; and creating a new section"

Senator Honeyford spoke in favor of adoption of the amendment.

Senator Van De Wege spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 026 by Senator Honeyford on page 1, line 5 to Senate Bill No. 5145.

The motion by Senator Honeyford did not carry and amendment no. 026 was not adopted by voice vote.

MOTION

Senator Short moved that the following amendment no. 021 by Senator Ericksen be adopted:

On page 2, line 18, after "prohibited." insert "This prohibition applies only west of the crest of the Cascade mountains."

Senators Short and Warnick spoke in favor of adoption of the amendment.

Senator Van De Wege spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 021 by Senator Ericksen on page 2, line 18 to Senate Bill No. 5145.

The motion by Senator Short did not carry and amendment no. 021 was not adopted by voice vote.

MOTION

Senator Honeyford moved that the following amendment no. 025 by Senator Honeyford be adopted:

On page 2, line 18, after "prohibited." insert "Nothing in this section prohibits the development of geothermal resources under chapter 78.60 RCW."

Senator Honeyford spoke in favor of adoption of the amendment.

Senator Van De Wege spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 025 by Senator Honeyford on page 2, line 18 to Senate Bill No. 5145.

The motion by Senator Honeyford did not carry and amendment no. 025 was not adopted by voice vote.

MOTION

On motion of Senator Salomon, the rules were suspended, Senate Bill No. 5145 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Salomon spoke in favor of passage of the bill.

Senator Short spoke against passage of the bill.

POINT OF INQUIRY

Senator Hobbs: "Yes, I'm not a lawyer. Big words confuse me. But in your speech he said 'isomassity'? I tried to google it but I don't know how to spell it. So, I was wondering if you could tell me what that means?"

Senator Salomon: "I sure can. I'm sorry I didn't speak clearly. I meant seismocity, which means increased movement of the ground such as earthquakes. Maybe this doesn't quite go so far as to create earthquakes but create some problems around that."

Senator Hobbs: "And you said 'fracking,' right?"

Senator Salomon: "Yes."

Senator Hobbs: "OK, thank you."

The President declared the question before the Senate to be the final passage of Senate Bill No. 5145.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5145 and the bill passed the Senate by the following vote: Yeas, 29; Nays, 18; Absent, 0; Excused, 2.

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

Voting nay: Senators Bailey, Becker, Braun, Brown, Fortunato, Holy, Honeyford, King, O'Ban, Padden, Rivers, Schoesler, Short, Wagoner, Walsh, Warnick, Wilson, L. and Zeiger

Excused: Senators Ericksen and Sheldon

SENATE BILL NO. 5145, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

PERSONAL PRIVILEGE

Senator Salomon: "Thank you. You know I look around and sometimes I still can't believe I'm here. It even took me a week to believe that the voters didn't actually make a mistake. Before I came down here my father took me aside and he said

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'Look Jesse, there's always one jerk in the room, always' and I want to say as a as I look around the room here, you all have been so nice to me, I just don't see anybody like that. Maybe it's me. He also said you only get one chance to make a first impression so seeing as how I might have messed that up and I'm asking for a second chance. I do agree that a good speech is a short speech and as a trial attorney I tried to keep my closing arguments to about five or ten minutes and I always surprised myself how long I would go without realizing. So knowing that I have that proclivity, I bought you all some gifts. The first thing I have is some coffee, and you'll see on there it says that it is to keep you awake during my floor speeches. And so I recommend that if you see that I have a bill coming up that, it's extra strength, you pour yourself a coffee and get going. Also, my family is from New York City. And I was born on the East Coast. My wife was born here in Seattle and so she says, 'You know, Jesse, you can be kind of direct you know, which is good, but you're not very sweet.' So what I said is, you know, I brought you guys but you got some honey here today. And it's the sweetest that I will ever be. So, enjoy that now. Thank you very much."

REMARKS BY THE PRESIDENT

President Habib: "That was, I think, the most self-deprecating point of personal privilege that I think I have ever heard. I would just that that the old saying is that if you're looking for the one jerk in the room and you look around and you don't see them ..."

PERSONAL PRIVILEGE

Senator Liias: "Thank you Mr. President. Typically, when our new members have asked for their first bill they've picked highly important things like adjusting timelines for mortgage; individuals; cleaning up motor vehicle statutes; and uniform notarial acts but Senator Salomon said he's going to break the mold. He's going to ban fracking as his first bill and I think that it is a testament to the seriousness and the drive that Senator Salomon brings. He is my neighbor to the south. Our districts have, share a very long border and I certainly saw a lot of that hard work and determination over the last few months as his signs and leaflets were all over the place. And, so I think that he has brought that same spirit here. And we welcome him and thank him for taking on a big issue on his first bill and I know that all of us join him and welcoming him to the Senate."

SECOND READING

SENATE BILL NO. 5641, by Senators Holy, Pedersen and Padden

Adopting the 2018 uniform law commission amendments to the uniform law on notarial acts.

The measure was read the second time.

MOTION

On motion of Senator Holy, the rules were suspended, Senate Bill No. 5641 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

Senators Short, Hunt, Walsh, King, Fortunato and Wellman spoke on final passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5641.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5641 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Ericksen and Sheldon

SENATE BILL NO. 5641, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

PERSONAL PRIVILEGE

Senator Holy: "Thank you. I want to thank the body for not using my last name in the hazing that has gone on around here. You know, being a cop, an attorney, and a politician, I think I offered a wide array of subject titles available to them. I'm what this Chamber refers to as 'House broke', and I guess that acknowledges that I sort of know the procedure here, but I don't know the culture yet. Dramatically different over here. Yet, in the short time I have been here I somehow feel like this is a move from the junior varsity to the varsity or maybe having like a seat at the adult table. And since arriving I want to thank the members here, seriously, for being gracious and the reception and willingness to work together in solutions. It's been much appreciated and most of all, thank you for letting me become a member of the best club on campus here, Washington State Senate. And I want to point out one thing, my gift today is to complement the good Senator Salomon's coffee or to fortify it."

PERSONAL PRIVILEGE

Senator Padden: "Well, Mr. President, I've been in the Senate now for almost a little over eight years and during part of that time the good gentleman who now represents the 6th District in our august body was over in the other chamber. So had a number of chances to work with him and also knew him back home. He's unique combination of an attorney and law enforcement official having been, I believe, a cop for eighteen years or so with the Spokane Police Department and I know worked hard. Went to night school to get his law degree for awhile while he was working. Anyway, I think he brings a lot of experience in everything. Hopefully, though, before he's done, he'll be able to explain a bill that the gentle lady from the 16th District will understand so ... Welcome to the Senate"

SECOND READING

SENATE BILL NO. 5260, by Senators Zeiger, Hunt, Hobbs, Takko, Bailey and Conway

Concerning powers to waive statutory obligations or limitations during a state of emergency in order to cope with the emergency.

The measure was read the second time.

MOTION

On motion of Senator Zeiger, the rules were suspended, Senate Bill No. 5260 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Zeiger spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5260.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5260 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 2; Absent, 0; Excused, 2.

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

Voting nay: Senators Hasegawa and Short

Excused: Senators Ericksen and Sheldon

SENATE BILL NO. 5260, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Short announced that, immediately upon adjournment, a "On Wednesdays we wear pink" photo will be taken at the rostrum in solidarity with Senator Lynda Wilson and to raise awareness of breast cancer.

MOTION

At 12:56 p.m., on motion of Senator Liias, the Senate adjourned until 12:00 o'clock p.m. Thursday, February 14, 2019.

CYRUS HABIB, President of the Senate

BRAD HENDRICKSON, Secretary of the Senate

THIRTY SECOND DAY

 NOON SESSION

Senate Chamber, Olympia
Thursday, February 14, 2019

The Senate was called to order at 12:03 p.m. by the President Pro Tempore of the Senate, Senator Keiser presiding. No roll call was taken.

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

MOTIONS

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

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

REPORTS OF STANDING COMMITTEES

February 12, 2019

SB 5006 Prime Sponsor, Senator Takko: Allowing the sale of wine by microbrewery license holders. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 5006 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Braun; Saldaña and Walsh.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Wellman.

Referred to Committee on Rules for second reading.

February 12, 2019

SB 5035 Prime Sponsor, Senator Saldaña: Enhancing the prevailing wage laws to ensure contractor and owner accountability and worker protection. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 5035 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Saldaña and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun and Walsh.

Referred to Committee on Rules for second reading.

February 12, 2019

SB 5110 Prime Sponsor, Senator Zeiger: Concerning the consumption of alcohol for certain special events held on agricultural fairgrounds. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 5110 be substituted therefor, and the substitute bill do

pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Braun; Saldaña; Walsh and Wellman.

Referred to Committee on Ways & Means.

February 12, 2019

SB 5119 Prime Sponsor, Senator Palumbo: Including highway workers employed on a transportation project by a contractor in the tuition and fee exemption for children and surviving spouses of highway workers. Reported by Committee on Ways & Means

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Pedersen; Van De Wege; Wagoner; Warnick and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Schoesler.

Referred to Committee on Rules for second reading.

February 12, 2019

SB 5167 Prime Sponsor, Senator Hasegawa: Addressing the linked deposit program. Reported by Committee on Ways & Means

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

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Schoesler.

Referred to Committee on Rules for second reading.

February 13, 2019

SB 5257 Prime Sponsor, Senator Keiser: Restricting the practice of female genital mutilation. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: Do pass. Signed by Senators Cleveland, Chair; Randall, Vice Chair; O'Ban, Ranking Member; Conway; Dhingra; Frockt; Keiser and Van De Wege.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Bailey and Becker.

Referred to Committee on Rules for second reading.

February 12, 2019

SB 5285 Prime Sponsor, Senator Palumbo: Concerning reviews of voluntary cleanups. Reported by Committee on Ways & Means

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

Referred to Committee on Rules for second reading.

February 12, 2019

SB 5351 Prime Sponsor, Senator Darneille: Concerning juvenile sex offense registration waivers under the special sexual offender disposition alternative. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: That Substitute Senate Bill No. 5351 be substituted therefor, and the substitute bill do pass. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; Wilson, C. and Zeiger.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator O'Ban.

Referred to Committee on Rules for second reading.

February 13, 2019

SB 5357 Prime Sponsor, Senator Darneille: Authorizing cities and counties to impose additional taxes for affordable housing. Reported by Committee on Housing Stability & Affordability

MAJORITY recommendation: That Substitute Senate Bill No. 5357 be substituted therefor, and the substitute bill do pass. Signed by Senators Kuderer, Chair; Das, Vice Chair; Darneille and Saldaña.

MINORITY recommendation: Do not pass. Signed by Senators Zeiger, Ranking Member and Fortunato.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Warnick.

Referred to Committee on Ways & Means.

February 27, 2019

SB 5359 Prime Sponsor, Senator Cleveland: Funding investigations to protect individuals with disabilities in the supported living program. Reported by Committee on Ways & Means

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

Referred to Committee on Ways & Means.

February 13, 2019

SB 5361 Prime Sponsor, Senator Zeiger: Enacting the recommendations of the joint legislative audit and review committee's report analyzing development costs for low-income housing. Reported by Committee on Housing Stability & Affordability

MAJORITY recommendation: Do pass. Signed by Senators Kuderer, Chair; Das, Vice Chair; Zeiger, Ranking Member; Darneille; Fortunato; Saldaña and Warnick.

Referred to Committee on Rules for second reading.

February 12, 2019

SB 5367 Prime Sponsor, Senator Wagoner: Creating the purple star award for military friendly schools. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Holy; Hunt; McCoy; Mullet; Padden; Pedersen; Salomon and Wagoner.

Referred to Committee on Rules for second reading.

February 12, 2019

SB 5379 Prime Sponsor, Senator Wilson, C.: Providing services and supports to parenting minors to improve educational attainment. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 5379 be substituted therefor, and the substitute bill do pass. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hunt; McCoy; Pedersen and Salomon.

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

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Mullet; Padden and Wagoner.

Referred to Committee on Ways & Means.

February 13, 2019

SB 5383 Prime Sponsor, Senator Zeiger: Concerning tiny houses. Reported by Committee on Housing Stability & Affordability

MAJORITY recommendation: That Substitute Senate Bill No. 5383 be substituted therefor, and the substitute bill do pass. Signed by Senators Kuderer, Chair; Das, Vice Chair; Zeiger, Ranking Member; Darneille; Fortunato; Saldaña and Warnick.

Referred to Committee on Rules for second reading.

February 12, 2019

SB 5398 Prime Sponsor, Senator Keiser: Concerning unemployment benefit eligibility for apprentices. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Braun; Saldaña; Walsh and Wellman.

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Referred to Committee on Rules for second reading.

February 12, 2019

SB 5406 Prime Sponsor, Senator Warnick: Providing small winery tax relief. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 5406 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Braun; Walsh and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Saldaña.

Referred to Committee on Ways & Means.

February 12, 2019

SB 5416 Prime Sponsor, Senator Conway: Creating a self-exclusion program for persons with a gambling problem or gambling disorder. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 5416 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña and Wellman.

MINORITY recommendation: Do not pass. Signed by Senator King, Ranking Member.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun and Walsh.

Referred to Committee on Rules for second reading.

February 27, 2019

SB 5425 Prime Sponsor, Senator Cleveland: Concerning maternal mortality reviews. Reported by Committee on Ways & Means

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

Referred to Committee on Ways & Means.

March 1, 2019

SB 5437 Prime Sponsor, Senator Wilson, C.: Expanding eligibility to the early childhood education and assistance program. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5437 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Brown, Assistant Ranking Member, Operating; Billig; Carlyle; Conway; Darneille; Hasegawa;

Keiser; Liias; Palumbo; Pedersen; Rivers; Van De Wege; Wagoner; Warnick and Wilson, L.

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

Referred to Committee on Ways & Means.

February 12, 2019

SB 5480 Prime Sponsor, Senator Brown: Concerning the renewal of real estate appraiser certificates, licenses, and registrations. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 5480 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Braun; Saldaña; Walsh and Wellman.

Referred to Committee on Rules for second reading.

February 12, 2019

SB 5493 Prime Sponsor, Senator Zeiger: Establishing a board of advisors to provide local guidance to community services offices operated by the department of social and health services. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: That Substitute Senate Bill No. 5493 be substituted therefor, and the substitute bill do pass. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; O'Ban; Wilson, C. and Zeiger.

Referred to Committee on Ways & Means.

February 12, 2019

SB 5498 Prime Sponsor, Senator Takko: Establishing compassionate care renewals for medical marijuana qualifying patients. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 5498 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Braun; Saldaña; Walsh and Wellman.

Referred to Committee on Ways & Means.

February 13, 2019

SB 5505 Prime Sponsor, Senator Hobbs: Addressing the use of local stormwater charges paid by the department of transportation. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Cleveland; Das; Fortunato; Nguyen; Randall; Takko; Wilson, C. and Zeiger.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators O'Ban and Padden.

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

Referred to Committee on Rules for second reading.

February 13, 2019

SB 5506 Prime Sponsor, Senator Hobbs: Concerning parking at rest areas. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Cleveland; Fortunato; Lovelett; O'Ban; Padden; Takko; Wilson, C. and Zeiger.

MINORITY recommendation: Do not pass. Signed by Senators Das; Nguyen and Randall.

Referred to Committee on Rules for second reading.

February 27, 2019

SB 5533 Prime Sponsor, Senator Braun: Concerning certificates of parental improvement. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5533 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Billig; Conway; Darneille; Hasegawa; Hunt; Rivers; Schoesler; Wagoner; Warnick and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Frockt, Vice Chair, Operating, Capital Lead; Carlyle; Keiser; Liias and Palumbo.

MINORITY recommendation: Do not pass. Signed by Senators Pedersen and Van De Wege.

Referred to Committee on Ways & Means.

February 27, 2019

SB 5536 Prime Sponsor, Senator Braun: Concerning intermediate care facilities for individuals with intellectual disability. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5536 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

Referred to Committee on Ways & Means.

February 13, 2019

SB 5544 Prime Sponsor, Senator Hobbs: Increasing the types of commercial driver waivers allowed for military veterans. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5544 be substituted therefor, and the substitute bill do

pass. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Cleveland; Das; Fortunato; Lovelett; Nguyen; O'Ban; Padden; Randall; Takko; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

February 12, 2019

SB 5558 Prime Sponsor, Senator Saldaña: Reinstating the authority of the department of social and health services and the health care authority to purchase interpreter services for applicants and recipients of public assistance who are sensory-impaired. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: Do pass. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; O'Ban; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

February 12, 2019

SB 5568 Prime Sponsor, Senator Wilson, C.: Concerning certain providers sharing background checks. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: That Substitute Senate Bill No. 5568 be substituted therefor, and the substitute bill do pass. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; O'Ban; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

February 12, 2019

SB 5573 Prime Sponsor, Senator Warnick: Concerning domestic violence and traumatic brain injury. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: Do pass. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; O'Ban; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

February 12, 2019

SB 5583 Prime Sponsor, Senator Wilson, C.: Increasing access to fruits and vegetables for individuals with limited incomes. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: Do pass. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; O'Ban; Wilson, C. and Zeiger.

Referred to Committee on Ways & Means.

February 13, 2019

SB 5591 Prime Sponsor, Senator Schoesler: Exempting previously registered vehicles from the stolen vehicle check fee. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5591 be substituted therefor, and the substitute bill do pass. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Cleveland; Das; Fortunato;

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Lovelett; Nguyen; O'Ban; Padden; Randall; Takko; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

February 12, 2019

SB 5640 Prime Sponsor, Senator Holy: Concerning youth courts. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: Do pass. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; O'Ban; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

February 12, 2019

SB 5645 Prime Sponsor, Senator Darneille: Concerning child-placing agencies. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: Do pass. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; O'Ban; Wilson, C. and Zeiger.

Referred to Committee on Ways & Means.

February 13, 2019

SB 5653 Prime Sponsor, Senator Fortunato: Establishing permissible methods of parking a motorcycle. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Cleveland; Das; Fortunato; Lovelett; Nguyen; O'Ban; Padden; Randall; Takko; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

February 12, 2019

SB 5661 Prime Sponsor, Senator Conway: Clarifying the written consent requirement for survivorship benefit options. Reported by Committee on Ways & Means

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

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Hasegawa.

Referred to Committee on Rules for second reading.

February 12, 2019

SB 5683 Prime Sponsor, Senator Wellman: Establishing the welcome to Washington baby act to create family supports through universal home visiting programs and a statewide family linkage program for resources and referrals. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 5683 be substituted therefor, and the substitute bill do pass. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hunt; McCoy; Pedersen and Salomon.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Mullet.

MINORITY recommendation: Do not pass. Signed by Senators Holy; Padden and Wagoner.

Referred to Committee on Ways & Means.

February 12, 2019

SB 5687 Prime Sponsor, Senator Bailey: Allowing new government employees the option of opting out of retirement system membership if the employee is age sixty or older when first hired, or when the employee's employer opts into retirement plan participation. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5687 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Carlyle; Darneille; Hunt; Keiser; Pedersen; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Hasegawa.

Referred to Committee on Rules for second reading.

February 13, 2019

SB 5694 Prime Sponsor, Senator King: Concerning commercial beekeeper drivers. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5694 be substituted therefor, and the substitute bill do pass. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Cleveland; Das; Fortunato; Lovelett; Nguyen; O'Ban; Padden; Randall; Takko; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

February 13, 2019

SGA 9246 NOE JR CASTILLO, appointed on November 8, 2018, for the term ending June 30, 2021, as Member of the Housing Finance Commission. Reported by Committee on Housing Stability & Affordability

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Kuderer, Chair; Das, Vice Chair; Darneille and Saldaña.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Fortunato and Warnick.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Zeiger, Ranking Member.

Referred to Committee on Rules for second reading.

MOTION

On motion of Senator Liias, all measures listed on the Standing Committee report were referred to the committees as designated.

COMMITTEE ON HEALTH & LONG TERM CARE

Pursuant to Senate Rule 45(13) and without objection, notice was received from the Committee on Health & Long Term Care that the following measures were re-referred to the Subcommittee on Behavioral Health:

Senate Bill No. 5903
and Senate Bill No. 5904.

MOTION

On motion of Senator Liias, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 5908 by Senators Das, Randall, Saldaña, Nguyen, Liias and Salomon

AN ACT Relating to equity and cultural competency in the public school system; amending RCW 28A.345.100 and 28A.415.420; adding a new section to chapter 28A.300 RCW; adding a new section to chapter 28A.415 RCW; creating a new section; repealing RCW 28A.657.140; providing an effective date; and providing an expiration date.

Referred to Committee on Early Learning & K-12 Education.

SB 5909 by Senator King

AN ACT Relating to the license to manufacture, import, sell, and export liquor; and amending RCW 66.24.150.

Referred to Committee on Labor & Commerce.

SB 5910 by Senators Randall, Nguyen and Das

AN ACT Relating to hospital notification of availability of sexual assault evidence kit collection; adding a new section to chapter 70.41 RCW; and prescribing penalties.

Referred to Committee on Health & Long Term Care.

SB 5911 by Senators Randall, Hunt, Wilson and C.

AN ACT Relating to providing reasonable accommodation for the expression of breast milk in the workplace; and amending RCW 43.10.005.

Referred to Committee on Labor & Commerce.

SB 5912 by Senators Keiser and Walsh

AN ACT Relating to workplace violence in health care settings; amending RCW 49.19.020, 49.19.030, and 49.19.040; reenacting and amending RCW 49.19.010; and providing an effective date.

Referred to Committee on Labor & Commerce.

SB 5913 by Senators Randall, O'Ban, Wilson, C., Darneille and Zeiger

AN ACT Relating to providing toll relief for users of the Tacoma Narrows bridge; amending RCW 47.46.110, 47.46.190, and 47.46.200; creating a new section; and declaring an emergency.

Referred to Committee on Transportation.

SB 5914 by Senator Ericksen

AN ACT Relating to providing equity and fairness in the faculties of the institutions of higher education; adding a new section to chapter 28B.10 RCW; and creating new sections.

Referred to Committee on Higher Education & Workforce Development.

SB 5915 by Senator Ericksen

AN ACT Relating to creating greater flexibility for cities and counties to plan for the future of their citizens by minimizing costs; amending RCW 36.70A.040; creating a new section; and repealing RCW 36.70A.540, 36.70A.250, 36.70A.252, 36.70A.260, 36.70A.270, 36.70A.280, 36.70A.290, 36.70A.295, 36.70A.300, 36.70A.302, 36.70A.305, 36.70A.310, 36.70A.320, 36.70A.3201, 36.70A.330, 36.70A.335, and 36.70A.340.

Referred to Committee on Local Government.

SB 5916 by Senators Hasegawa, Nguyen and Saldaña

AN ACT Relating to collecting data regarding the use of force; adding a new section to chapter 10.93 RCW; and adding a new section to chapter 18.170 RCW.

Referred to Committee on Law & Justice.

SB 5917 by Senators Hasegawa, Saldaña, Nguyen, Randall and Das

AN ACT Relating to petitions to the clemency and pardons board for persons subject to deportation proceedings; and reenacting and amending RCW 9.94A.885.

Referred to Committee on Law & Justice.

MOTION

On motion of Senator Liias, all measures listed on the Introduction and First Reading report were referred to the committees as designated with the exception of Senate Bill No. 5912 which had been designated to the Committee on Health & Long Term Care and was referred to the Committee on Labor & Commerce.

MOTION

At 12:06 p.m., on motion of Senator Liias, the Senate adjourned until 10:00 o'clock a.m. Friday, February 15, 2019.

CYRUS HABIB, President of the Senate

BRAD HENDRICKSON, Secretary of the Senate

THIRTY THIRD DAY

MORNING SESSION

Senate Chamber, Olympia
Friday, February 15, 2019

The Senate was called to order at 10:07 a.m. by the President Pro Tempore, Senator Keiser presiding. The Secretary called the roll and announced to the President Pro Tempore that all senators were present with the exceptions of Senators Fortunato and Wilson, L.

The Sergeant at Arms Color Guard consisting of Pages Mr. Riley Kuh and Mr. Aram Matagi, presented the Colors. Page Mr. Nicholas Duncan led the Senate in the Pledge of Allegiance. The prayer was offered by Rabbi Yosef Schtroks of the Chabad Jewish Center of Olympia.

The President called upon the Secretary to read the journal of the preceding day.

MOTIONS

On motion of Senator Liias, the reading of the Journal of the previous day was dispensed with and it was approved.

There being no objection, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

February 14, 2019

SB 5077 Prime Sponsor, Senator Kuderer: Prohibiting single-use plastic straws. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: That Substitute Senate Bill No. 5077 be substituted therefor, and the substitute bill do pass. Signed by Senators Carlyle, Chair; Palumbo, Vice Chair; Billig; Das; Hobbs; Liias; McCoy and Nguyen.

MINORITY recommendation: Do not pass. Signed by Senators Ericksen, Ranking Member; Fortunato, Assistant Ranking Member, Environment; Sheldon, Assistant Ranking Member, Energy & Technology; Brown; Rivers and Short.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Wellman.

Referred to Committee on Rules for second reading.

February 26, 2019

SB 5135 Prime Sponsor, Senator Rolfes: Preventing toxic pollution that affects public health or the environment. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Senators Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member,

Capital; Bailey; Becker; Schoesler; Wagoner; Warnick and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Mullet, Capital Budget Cabinet and Rivers.

Referred to Committee on Ways & Means.

February 14, 2019

SB 5156 Prime Sponsor, Senator Hunt: Concerning diaper changing stations at restaurants. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Saldaña; Walsh and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Braun.

Referred to Committee on Rules for second reading.

February 14, 2019

SB 5165 Prime Sponsor, Senator Saldaña: Concerning discrimination based on citizenship or immigration status. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Kuderer and Salomon.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Padden, Ranking Member; Holy and Wilson, L.

Referred to Committee on Rules for second reading.

February 14, 2019

SB 5305 Prime Sponsor, Senator Van De Wege: Concerning electric utility wildland fire prevention. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: That Substitute Senate Bill No. 5305 be substituted therefor, and the substitute bill do pass. Signed by Senators Van De Wege, Chair; Salomon, Vice Chair; Warnick, Ranking Member; Honeyford; McCoy; Rolfes and Short.

Referred to Committee on Rules for second reading.

February 26, 2019

SB 5352 Prime Sponsor, Senator Walsh: Concerning the Walla Walla watershed management pilot program. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5352 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Braun, Ranking

Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Billig; Carlyle; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

Referred to Committee on Ways & Means.

February 14, 2019

SB 5391 Prime Sponsor, Senator Zeiger: Requiring the disclosure of drug production in improved residential real property sales. Reported by Committee on Financial Institutions, Economic Development & Trade

MAJORITY recommendation: That Substitute Senate Bill No. 5391 be substituted therefor, and the substitute bill do pass. Signed by Senators Mullet, Chair; Hasegawa, Vice Chair; Wilson, L., Ranking Member; Braun; Das and Hobbs.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Ericksen.

Referred to Committee on Rules for second reading.

February 28, 2019

SB 5432 Prime Sponsor, Senator Dhingra: Concerning fully implementing behavioral health integration for January 1, 2020, by removing behavioral health organizations from law; clarifying the roles and responsibilities among the health care authority, department of social and health services, and department of health, and the roles and responsibilities of behavioral health administrative services organizations and medicaid managed care organizations; and making technical corrections related to the behavioral health system. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5432 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Bailey; Billig; Carlyle; Conway; Darneille; Keiser; Liias; Palumbo; Pedersen; Van De Wege and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Hasegawa; Hunt; Rivers; Schoesler and Wilson, L.

Referred to Committee on Ways & Means.

February 27, 2019

SB 5438 Prime Sponsor, Senator McCoy: Concerning the H-2A temporary agricultural program. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5438 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Senators Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Schoesler; Wagoner; Warnick and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Rivers.

Referred to Committee on Ways & Means.

February 14, 2019

SB 5478 Prime Sponsor, Senator Liias: Concerning restraints on persons engaging in lawful professions, trades, or businesses. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 5478 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators King, Ranking Member; Braun and Walsh.

Referred to Committee on Rules for second reading.

February 25, 2019

SB 5492 Prime Sponsor, Senator Billig: Sentencing of motor vehicle-related felonies. Reported by Committee on Ways & Means

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

Referred to Committee on Ways & Means.

February 14, 2019

SB 5503 Prime Sponsor, Senator Das: Concerning state board of health rules regarding on-site sewage systems. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: Do pass. Signed by Senators Carlyle, Chair; Palumbo, Vice Chair; Ericksen, Ranking Member; Fortunato, Assistant Ranking Member, Environment; Sheldon, Assistant Ranking Member, Energy & Technology; Billig; Brown; Das; Hobbs; Liias; McCoy; Nguyen; Rivers; Short and Wellman.

Referred to Committee on Rules for second reading.

February 14, 2019

SB 5515 Prime Sponsor, Senator Walsh: Concerning certain public facilities district's authorization to acquire, construct, own, remodel, maintain, equip, reequip, repair, finance, and operate one or more recreational facilities other than a ski area with voter approval. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Senators Takko, Chair; Salomon, Vice Chair; Short, Ranking Member; Honeyford and Lovelett.

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Referred to Committee on Rules for second reading.

February 14, 2019

SB 5522 Prime Sponsor, Senator Takko: Providing code cities with the ability to annex unincorporated areas pursuant to a jointly approved interlocal agreement with the county. Reported by Committee on Local Government

MAJORITY recommendation: That Substitute Senate Bill No. 5522 be substituted therefor, and the substitute bill do pass. Signed by Senators Takko, Chair; Salomon, Vice Chair and Lovelett.

MINORITY recommendation: Do not pass. Signed by Senators Short, Ranking Member and Honeyford.

Referred to Committee on Rules for second reading.

February 27, 2019

SB 5545 Prime Sponsor, Senator Das: Concerning sustainable recycling. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5545 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen; Rivers; Van De Wege and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Bailey; Schoesler; Warnick and Wilson, L.

MINORITY recommendation: Do not pass. Signed by Senators Honeyford, Assistant Ranking Member, Capital and Becker.

Referred to Committee on Ways & Means.

February 14, 2019

SB 5557 Prime Sponsor, Senator Liias: Concerning seismic hazard risk reduction. Reported by Committee on Local Government

MAJORITY recommendation: That Substitute Senate Bill No. 5557 be substituted therefor, and the substitute bill do pass. Signed by Senators Takko, Chair; Salomon, Vice Chair; Short, Ranking Member and Lovelett.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Honeyford.

Referred to Committee on Ways & Means.

February 26, 2019

SB 5605 Prime Sponsor, Senator Nguyen: Concerning misdemeanor marijuana offense convictions. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Billig; Carlyle;

Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen and Van De Wege.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Bailey; Becker; Rivers; Schoesler and Wilson, L.

MINORITY recommendation: Do not pass. Signed by Senators Honeyford, Assistant Ranking Member, Capital; Wagoner and Warnick.

Referred to Committee on Ways & Means.

February 14, 2019

SB 5616 Prime Sponsor, Senator Rivers: Manicuring for diabetics. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Braun; Saldaña and Walsh.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Wellman.

Referred to Committee on Rules for second reading.

February 14, 2019

SB 5621 Prime Sponsor, Senator Warnick: Increasing the jurisdictional amount for small claims courts. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 5621 be substituted therefor, and the substitute bill do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Kuderer and Salomon.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Holy and Wilson, L.

MINORITY recommendation: Do not pass. Signed by Senator Padden, Ranking Member.

Referred to Committee on Rules for second reading.

February 14, 2019

SB 5649 Prime Sponsor, Senator Dhingra: Adjusting the statute of limitations for sexual assault. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; Holy; Kuderer; Salomon and Wilson, L.

Referred to Committee on Rules for second reading.

February 27, 2019

SB 5666 Prime Sponsor, Senator Sheldon: Modifying the types of off-road vehicles subject to local government regulation. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5666 be substituted therefor, and the substitute bill do pass. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Sheldon, Assistant Ranking

Member; Cleveland; Das; Fortunato; Nguyen; O'Ban; Padden; Randall; Takko; Wilson, C. and Zeiger.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Lovelett.

Referred to Committee on Transportation.

February 14, 2019

SB 5679 Prime Sponsor, Senator Hasegawa: Concerning the mitigation of public facilities in certain cities. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Senators Takko, Chair; Salomon, Vice Chair; Short, Ranking Member; Honeyford and Lovelett.

Referred to Committee on Rules for second reading.

March 1, 2019

SB 5740 Prime Sponsor, Senator Mullet: Creating the secure choice retirement savings program. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5740 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Darneille; Hunt; Keiser; Liias; Palumbo; Pedersen; Rivers; Van De Wege; Wagoner; Warnick and Wilson, L.

MINORITY recommendation: Do not pass. Signed by Senators Hasegawa and Schoesler.

Referred to Committee on Ways & Means.

February 14, 2019

SB 5811 Prime Sponsor, Senator Nguyen: Reducing emissions by making changes to the clean car standards and clean car program. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: Do pass. Signed by Senators Carlyle, Chair; Palumbo, Vice Chair; Billig; Das; Liias; McCoy; Nguyen and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Ericksen, Ranking Member; Fortunato, Assistant Ranking Member, Environment; Brown; Rivers and Short.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Sheldon, Assistant Ranking Member, Energy & Technology and Hobbs.

Referred to Committee on Rules for second reading.

February 14, 2019

SJM 8005 Prime Sponsor, Senator Short: Supporting the continued research, development, production, and application of biochar from our forests and agricultural lands. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: Do pass. Signed by Senators Van De Wege, Chair; Salomon, Vice Chair;

Warnick, Ranking Member; Honeyford; McCoy; Rolfes and Short.

Referred to Committee on Rules for second reading.

February 14, 2019

SGA 9093 JEFFREY BRECKEL, reappointed on August 14, 2017, for the term ending July 15, 2021, as Member of the Salmon Recovery Funding Board. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Van De Wege, Chair; Salomon, Vice Chair; Warnick, Ranking Member; Honeyford; McCoy and Rolfes.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Short.

Referred to Committee on Rules for second reading.

February 14, 2019

SGA 9132 MICHAEL S. SHIOSAKI, reappointed on January 1, 2018, for the term ending December 31, 2020, as Member of the Recreation and Conservation Funding Board. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Van De Wege, Chair; Salomon, Vice Chair; Warnick, Ranking Member; Honeyford; McCoy and Rolfes.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Short.

Referred to Committee on Rules for second reading.

February 14, 2019

SGA 9134 THEODORE R. WILLHITE, reappointed on January 1, 2018, for the term ending December 31, 2020, as Member of the Recreation and Conservation Funding Board. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Van De Wege, Chair; Salomon, Vice Chair; Warnick, Ranking Member; Honeyford; McCoy and Rolfes.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Short.

Referred to Committee on Rules for second reading.

February 14, 2019

SGA 9219 DEBORAH COOK, appointed on September 25, 2018, for the term ending June 17, 2023, as Member of the Human Rights Commission. Reported by Committee on Law & Justice

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; Holy; Kuderer; Salomon and Wilson, L.

Referred to Committee on Rules for second reading.

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SGA 9259 MICHAEL S. LATIMER, reappointed on December 3, 2018, for the term ending December 31, 2024, as Member of the Parks and Recreation Commission. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Van De Wege, Chair; Salomon, Vice Chair; Warnick, Ranking Member; Honeyford; McCoy; Rolfes and Short.

Referred to Committee on Rules for second reading.

MOTION

On motion of Liias, all measures listed on the Standing Committee report were referred to the committees as designated with the exceptions of Senate Bill No. 5492 which had been designated to the Committee on Rules and was referred to the Committee on Ways & Means; and Senate Bill No. 5666 which had been designated to the Committee on Rules and was referred to the Committee on Transportation.

MOTION

On motion of Senator Liias, the Senate advanced to the fourth order of business.

MESSAGES FROM THE HOUSE

February 14, 2019

MR. PRESIDENT:
The House has passed:

- HOUSE BILL NO. 1020,
- SUBSTITUTE HOUSE BILL NO. 1028,
- HOUSE BILL NO. 1055,
- HOUSE BILL NO. 1066,
- HOUSE BILL NO. 1133,
- ENGROSSED HOUSE BILL NO. 1175,
- HOUSE BILL NO. 1176,
- HOUSE BILL NO. 1187,
- HOUSE BILL NO. 1208,
- SUBSTITUTE HOUSE BILL NO. 1244,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1428,

and the same are herewith transmitted.

NONA SNELL, Deputy Chief Clerk

February 14, 2019

MR. PRESIDENT:
The Speaker has signed

SENATE CONCURRENT RESOLUTION NO. 8402,
and the same is herewith transmitted.

NONA SNELL, Deputy Chief Clerk

MOTION

On motion of Senator Liias, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

I 1000 by People of the State of Washington
Concerning diversity, equity, and inclusion.

Referred to Committee on State Government, Tribal Relations & Elections.

SB 5918 by Senators Lovelett, Warnick, Van De Wege, Conway, Hasegawa, Hobbs, King, Wilson, C., Randall, Nguyen, Dhingra, Frockt, Hawkins, Billig and Das
AN ACT Relating to providing whale watching guidelines in the boating safety education program; and amending RCW 79A.60.630.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

SB 5919 by Senators Lovelett, Nguyen, Dhingra, Hawkins, Randall, Frockt and Das
AN ACT Relating to creating a San Juan Islands stewardship special license plate; amending RCW 46.18.200, 46.17.220, and 46.68.420; and adding a new section to chapter 46.04 RCW.

Referred to Committee on Transportation.

SB 5920 by Senators Conway, Bailey, Keiser and Schoesler
AN ACT Relating to firefighters and law enforcement officers pension and disability boards; amending RCW 41.16.010, 41.16.020, 41.18.015, 41.20.010, and 41.26.030; and reenacting and amending RCW 41.18.010 and 41.26.110.

Referred to Committee on Ways & Means.

SB 5921 by Senators Conway, Walsh, Keiser, Braun, Darneille, Zeiger, Becker, Hunt and Brown
AN ACT Relating to community respite services for people with developmental disabilities; adding a new section to chapter 43.20A RCW; creating a new section; providing an effective date; providing an expiration date; and declaring an emergency.

Referred to Committee on Health & Long Term Care.

SB 5922 by Senators Conway, Walsh, Keiser, Braun, Darneille, Zeiger, Becker, Hunt and Brown
AN ACT Relating to community engagement and community guide services for people with developmental disabilities; adding a new section to chapter 43.20A RCW; creating a new section; providing an effective date; providing an expiration date; and declaring an emergency.

Referred to Committee on Health & Long Term Care.

SB 5923 by Senators Hobbs and King
AN ACT Relating to establishing an emergency loan program to be administered by the county road administration board; amending RCW 36.78.070; reenacting and amending RCW 43.79A.040; adding new sections to chapter 36.78 RCW; and creating a new section.

Referred to Committee on Transportation.

SB 5924 by Senators Bailey, Becker, Warnick, Walsh, Rivers, Hasegawa, Brown, Conway, King, Palumbo, Rolfes, Wagoner, Padden, Holy, Honeyford, Zeiger and Van De Wege
AN ACT Relating to requiring proof of auto insurance to be shown upon vehicle registration and renewal; and amending RCW 46.16A.040 and 46.16A.110.

Referred to Committee on Transportation.

SB 5925 by Senators Fortunato, Schoesler, Rivers, Padden and Wagoner

AN ACT Relating to renaming the department of revenue as the department of taxation; amending RCW 6.13.090, 6.13.090, 9.41.100, 9.41.110, 9.41.135, 9.46.070, 11.08.170, 11.08.180, 11.08.185, 11.08.200, 11.08.210, 11.08.220, 11.08.230, 11.08.240, 11.08.250, 11.08.260, 11.08.300, 11.44.015, 11.76.220, 11.76.240, 11.76.245, 14.08.122, 15.100.040, 15.100.050, 15.100.100, 18.11.085, 18.11.095, 18.16.050, 18.16.175, 18.27.030, 18.27.390, 18.300.020, 18.300.070, 19.02.020, 19.02.050, 19.02.115, 19.02.210, 19.94.015, 19.240.080, 19.305.010, 19.305.030, 19.305.040, 19.305.060, 19.365.010, 19.370.060, 22.28.040, 22.28.060, 23.90.040, 24.03.220, 24.06.260, 26.23.065, 28A.150.400, 28A.150.412, 28C.04.420, 30A.22.200, 34.05.010, 34.05.030, 34.05.110, 34.05.328, 34.05.422, 35.21.392, 35.42.090, 35.90.010, 35.100.050, 35.101.052, 35.101.090, 35.102.040, 35.102.1301, 35A.21.340, 36.21.011, 36.21.015, 36.21.100, 36.35.140, 36.38.020, 36.57A.210, 36.57A.224, 36.100.040, 36.100.090, 36.102.070, 36.120.050, 38.52.510, 39.08.010, 39.08.030, 39.12.100, 39.26.010, 39.88.070, 39.100.010, 39.100.040, 39.102.020, 39.102.040, 39.102.210, 39.102.220, 39.104.020, 39.104.100, 39.104.150, 40.07.070, 42.56.390, 43.05.140, 43.06.400, 43.06.455, 43.06.465, 43.06.466, 43.06.475, 43.06.490, 43.07.200, 43.07.390, 43.08.290, 43.09.475, 43.10.067, 43.17.010, 43.31C.020, 43.42A.010, 43.62.040, 43.136.035, 43.136.075, 43.136.080, 43.330.737, 43.365.040, 44.28.805, 44.73.015, 46.12.560, 46.12.650, 46.12.695, 46.37.427, 46.68.124, 46.68.250, 46.70.021, 46.70.101, 46.71.090, 46.85.060, 47.01.412, 47.46.060, 48.31.155, 49.48.086, 50.04.140, 50.04.145, 50A.04.010, 51.08.181, 51.08.195, 53.08.090, 54.16.425, 54.28.040, 54.28.050, 54.28.055, 54.28.125, 57.08.005, 59.18.312, 59.18.595, 59.30.010, 59.30.020, 60.28.011, 60.28.021, 60.28.051, 60.28.060, 63.29.135, 63.29.230, 63.29.350, 63.29.380, 66.08.150, 66.20.370, 66.24.010, 66.24.620, 67.28.200, 69.07.210, 69.43.035, 69.50.375, 69.50.535, 69.51A.230, 70.93.180, 70.94.161, 70.94.162, 70.94.483, 70.95.510, 70.95.515, 70.95C.220, 70.105D.070, 70.108.140, 70.155.120, 70.157.010, 70.158.020, 74.04.014, 74.08A.350, 74.20A.020, 76.09.040, 76.09.240, 76.13.120, 76.13.160, 79.100.170, 79.100.180, 81.100.030, 81.100.070, 81.104.190, 81.112.360, 82.01.050, 82.01.060, 82.01.070, 82.01.100, 82.02.010, 82.02.210, 82.03.130, 82.03.150, 82.03.160, 82.03.190, 82.04.020, 82.04.090, 82.04.44525, 82.04.447, 82.04.450, 82.08.0201, 82.08.0266, 82.08.02665, 82.08.0268, 82.08.0273, 82.08.060, 82.08.080, 82.08.090, 82.08.100, 82.08.120, 82.08.160, 82.08.811, 82.08.820, 82.08.890, 82.12.010, 82.12.024, 82.12.0256, 82.12.045, 82.12.070, 82.12.811, 82.14.048, 82.14.0485, 82.14.0494, 82.14.050, 82.14.070, 82.14.370, 82.14.390, 82.14.400, 82.14.415, 82.14.430, 82.14A.020, 82.16.0495, 82.16.0497, 82.16.055, 82.16.120, 82.16.165, 82.18.060, 82.18.080, 82.19.010, 82.19.030, 82.21.050, 82.23B.010, 82.24.030, 82.24.090, 82.24.110, 82.24.120, 82.24.180, 82.24.190, 82.24.210, 82.24.520, 82.24.560, 82.26.090, 82.27.060, 82.27.070, 82.29A.010, 82.29A.020, 82.29A.040, 82.29A.050, 82.29A.060, 82.29A.070, 82.29A.080, 82.29A.130, 82.29A.135, 82.29A.140, 82.32.030, 82.32.033, 82.32.045, 82.32.050, 82.32.070, 82.32.090, 82.32.110, 82.32.120, 82.32.140, 82.32.200, 82.32.215, 82.32.220, 82.32.230, 82.32.240, 82.32.260, 82.32.270, 82.32.300, 82.32.310, 82.32.320, 82.32.330, 82.32.340,

82.32.360, 82.32.394, 82.32.410, 82.32.532, 82.32.533, 82.32.580, 82.32.785, 82.32.790, 82.32.900, 82.32A.005, 82.32A.010, 82.32A.020, 82.32A.030, 82.32A.050, 82.33.040, 82.34.010, 82.45.035, 82.45.090, 82.45.100, 82.45.180, 82.48.020, 82.49.010, 82.49.040, 82.49.050, 82.49.080, 82.60.020, 82.60.080, 82.62.010, 82.62.060, 82.63.010, 82.66.010, 82.73.010, 82.74.010, 82.75.010, 82.80.010, 82.80.110, 82.80.120, 82.82.010, 83.100.160, 84.04.047, 84.08.010, 84.08.020, 84.08.030, 84.08.040, 84.08.050, 84.08.060, 84.08.070, 84.08.080, 84.08.120, 84.08.140, 84.08.190, 84.12.220, 84.12.230, 84.12.240, 84.12.250, 84.12.260, 84.12.270, 84.12.300, 84.12.310, 84.12.330, 84.12.340, 84.12.350, 84.12.360, 84.12.370, 84.12.390, 84.14.020, 84.16.010, 84.16.020, 84.16.030, 84.16.032, 84.16.034, 84.16.036, 84.16.040, 84.16.050, 84.16.090, 84.16.100, 84.16.110, 84.16.120, 84.16.130, 84.25.040, 84.26.040, 84.26.080, 84.33.051, 84.33.074, 84.33.075, 84.33.0775, 84.33.086, 84.33.091, 84.33.200, 84.34.030, 84.34.041, 84.34.065, 84.34.141, 84.34.145, 84.34.160, 84.36.037, 84.36.041, 84.36.049, 84.36.255, 84.36.260, 84.36.264, 84.36.310, 84.36.383, 84.36.385, 84.36.387, 84.36.389, 84.36.400, 84.36.590, 84.36.630, 84.36.635, 84.36.640, 84.36.660, 84.36.812, 84.36.813, 84.36.815, 84.36.820, 84.36.830, 84.36.835, 84.36.840, 84.36.850, 84.36.860, 84.36.865, 84.37.070, 84.38.020, 84.38.050, 84.38.100, 84.38.110, 84.38.180, 84.40.025, 84.40.038, 84.40.040, 84.40.065, 84.40.190, 84.40.320, 84.40.340, 84.40.405, 84.41.041, 84.41.060, 84.41.070, 84.41.080, 84.41.090, 84.41.110, 84.41.120, 84.41.130, 84.44.090, 84.48.010, 84.48.014, 84.48.032, 84.48.042, 84.48.046, 84.48.050, 84.48.075, 84.48.080, 84.48.130, 84.48.200, 84.52.043, 84.52.0502, 84.52.063, 84.52.065, 84.55.060, 84.55.100, 84.56.025, 84.56.290, 84.56.440, 84.64.050, 84.68.120, 84.68.130, 84.68.140, 84.69.050, 84.69.100, 84.72.010, 84.72.020, 84.72.030, 88.02.370, 88.02.420, 88.02.570, 88.26.020, 89.08.440, 90.76.010, and 90.76.020; reenacting and amending RCW 11.08.160, 19.80.005, 28B.145.040, 63.29.010, 82.26.010, 82.32.235, 82.33.020, 82.45.150, 83.100.020, 84.12.200, 84.34.310, 84.34.360, and 84.48.120; creating a new section; and providing effective dates.

Referred to Committee on State Government, Tribal Relations & Elections.

SB 5926 by Senators Hobbs, King, Takko and Zeiger

AN ACT Relating to the creation of a statewide regulatory structure for transportation network companies; amending RCW 19.182.040 and 46.72.010; reenacting and amending RCW 43.79A.040; and adding a new chapter to Title 46 RCW.

Referred to Committee on Transportation.

SB 5927 by Senators Saldaña, King, Hobbs and Hasegawa

AN ACT Relating to modifying the definition of retail car rental for the purposes of chapter 82.08 RCW in order to create tax equity; and amending RCW 82.08.011.

Referred to Committee on Ways & Means.

SB 5928 by Senator Hasegawa

AN ACT Relating to eliminating the prohibition on local net income taxes if certain revenue neutrality requirements are met; adding a new section to chapter 36.65 RCW; and repealing RCW 36.65.030.

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Referred to Committee on Ways & Means.

SB 5929 by Senators Keiser, Saldaña, Hasegawa, Walsh and Das
AN ACT Relating to exempting the disclosure of names in employment investigation records; amending RCW 42.56.250; and creating a new section.

Referred to Committee on State Government, Tribal Relations & Elections.

SB 5930 by Senators Randall, Lovelett, Liias, Nguyen, Wilson, C., Palumbo, Sheldon and Mullet

AN ACT Relating to creating Seattle Storm special license plates to fund youth leadership and sports programs; amending RCW 46.18.200, 46.17.220, and 46.68.420; and providing an effective date.

Referred to Committee on Transportation.

SB 5931 by Senator Becker

AN ACT Relating to creating the nurse educator incentive grant program; and adding a new section to chapter 28B.50 RCW.

Referred to Committee on Higher Education & Workforce Development.

SB 5932 by Senator Becker

AN ACT Relating to salaries for faculty at community and technical colleges; amending RCW 28B.52.035; and creating a new section.

Referred to Committee on Higher Education & Workforce Development.

SB 5933 by Senator Mullet

AN ACT Relating to base compensation hours for teachers; amending RCW 28A.400.200 and 41.59.105; and creating a new section.

Referred to Committee on Early Learning & K-12 Education.

SB 5934 by Senator Ericksen

AN ACT Relating to improving affordability in K-12 school construction; and amending RCW 39.12.020.

Referred to Committee on Labor & Commerce.

SB 5935 by Senator Ericksen

AN ACT Relating to complete equity in Washington state; amending RCW 28B.20.744, 39.10.430, 39.10.450, and 49.04.100; adding a new section to chapter 49.60 RCW; creating new sections; repealing RCW 49.60.400 and 49.60.401; providing for submission of this act to a vote of the people; and declaring an emergency.

Referred to Committee on State Government, Tribal Relations & Elections.

MOTION

On motion of Senator Liias, all measures listed on the Introduction and First Reading report were referred to the

committees as designated with the exception of Senate Bill No. 5927 which had been designated to the Committee on Transportation and was referred to the Committee on Ways & Means.

MOTION

On motion of Senator Liias, the Senate advanced to the seventh order of business.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Randall moved that Kaitlyn Zhou, Senate Gubernatorial Appointment No. 9177, be confirmed as a member of the University of Washington Board of Regents.

Senator Randall spoke in favor of the motion.

APPOINTMENT OF KAITLYN ZHOU

The President Pro Tempore declared the question before the Senate to be the confirmation of Kaitlyn Zhou, Senate Gubernatorial Appointment No. 9177, as a member of the University of Washington Board of Regents.

The Secretary called the roll on the confirmation of Kaitlyn Zhou, Senate Gubernatorial Appointment No. 9177, as a member of the University of Washington Board of Regents and the appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Excused: Senators Fortunato and Wilson, L.

Kaitlyn Zhou, Senate Gubernatorial Appointment No. 9177, having received the constitutional majority was declared confirmed as a member of the University of Washington Board of Regents.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Holy moved that Jordan Frost, Senate Gubernatorial Appointment No. 9179, be confirmed as a member of the Board of Regents, Washington State University.

Senator Holy spoke in favor of the motion.

APPOINTMENT OF JORDAN FROST

The President Pro Tempore declared the question before the Senate to be the confirmation of Jordan Frost, Senate Gubernatorial Appointment No. 9179, as a member of the Board of Regents, Washington State University.

The Secretary called the roll on the confirmation of Jordan Frost, Senate Gubernatorial Appointment No. 9179, as a member

of the Board of Regents, Washington State University and the appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Erickson, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Excused: Senators Fortunato and Wilson, L.

Jordan Frost, Senate Gubernatorial Appointment No. 9179, having received the constitutional majority was declared confirmed as a member of the Board of Regents, Washington State University.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Mullet moved that Judy F. Kuschel, Senate Gubernatorial Appointment No. 9160, be confirmed as a member of the State Investment Board.

Senators Mullet and Rivers spoke in favor of passage of the motion.

APPOINTMENT OF JUDY F. KUSCHEL

The President Pro Tempore declared the question before the Senate to be the confirmation of Judy F. Kuschel, Senate Gubernatorial Appointment No. 9160, as a member of the State Investment Board.

The Secretary called the roll on the confirmation of Judy F. Kuschel, Senate Gubernatorial Appointment No. 9160, as a member of the State Investment Board and the appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Erickson, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Excused: Senators Fortunato and Wilson, L.

Judy F. Kuschel, Senate Gubernatorial Appointment No. 9160, having received the constitutional majority was declared confirmed as a member of the State Investment Board.

MOTION

On motion of Senator Liias, the Senate reverted to the sixth order of business.

SECOND READING

SENATE BILL NO. 5339, by Senators Carlyle, Walsh, Pedersen, Wellman, Keiser, Liias, Hunt, Kuderer, Nguyen and Saldaña

Reducing criminal justice expenses by eliminating the death penalty and instead requiring life imprisonment without possibility of release or parole as the sentence for aggravated first degree murder.

The measure was read the second time.

MOTION

Senator Wagoner moved that the following amendment no. 030 by Senator Wagoner be adopted:

On page 4, after line 37, insert the following:

"**Sec. 2.** RCW 10.95.040 and 1981 c 138 s 4 are each amended to read as follows:

(1) If a person is charged with aggravated first degree murder and the murder occurred while the person was already serving a term of incarceration as ((defined by)) provided in RCW 10.95.020 (2) or (3), the prosecuting attorney shall forward a request for review along with all relevant materials to the death penalty review panel as provided in section 3 of this act for a determination of whether the death penalty should be sought.

(2) If a majority of the members of the death penalty review panel recommend pursuing the death penalty, the prosecuting attorney shall file written notice of a special sentencing proceeding to determine whether or not the death penalty should be imposed ((when there is reason to believe that there are not sufficient mitigating circumstances to merit leniency)).

~~((2))~~ (3) The notice of special sentencing proceeding shall be filed and served on the defendant or the defendant's attorney within thirty days after the defendant's arraignment upon the charge of aggravated first degree murder unless the court, for good cause shown, extends or reopens the period for filing and service of the notice. Except with the consent of the prosecuting attorney, during the period in which the prosecuting attorney may file the notice of special sentencing proceeding, the defendant may not tender a plea of guilty to the charge of aggravated first degree murder nor may the court accept a plea of guilty to the charge of aggravated first degree murder or any lesser included offense.

~~((3))~~ (4) If a notice of special sentencing proceeding is not filed and served as provided in this section, the prosecuting attorney may not request the death penalty.

NEW SECTION. **Sec. 3.** A new section is added to chapter 10.95 RCW to read as follows:

(1) A death penalty review panel is established. The panel includes the following permanent members:

(a) Four prosecuting attorneys recommended by the Washington association of prosecuting attorneys. Urban and rural areas must be equally represented among the prosecuting attorneys;

(b) The attorney general, or his or her designee; and

(c) The secretary of the department of corrections, or his or her designee.

(2) The prosecuting attorney from the county in which the murder occurred shall serve as an ad hoc member of the panel.

(3) Upon receipt of a request for review, the attorney general shall convene a meeting of the death penalty review panel. The panel shall review all materials submitted from the prosecuting attorney and any materials submitted by defense counsel and shall make a recommendation as to whether the death penalty should be sought after considering:

(a) Whether there are sufficient mitigating circumstances to merit leniency;

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(b) Whether imposition of the death penalty measurably contributes to the core purposes of retribution and deterrence of capital crimes by prospective offenders; and

(c) Whether imposition of the death penalty meets the goal of fairness and consistency in the criminal justice system.

(4) The panel shall memorialize its recommendation in a memorandum and submit the recommendation to the prosecuting attorney of the county in which the murder occurred."

Renumber the remaining section consecutively.

On page 5, beginning on line 1, strike all of subsection (1)

Renumber the remaining subsections consecutively.

On page 1, line 4 of the title, after "10.95.030" insert "and 10.95.040"

On page 1, line 4 of the title, after "10.95.030;" insert "adding a new section to chapter 10.95 RCW;"

On page 1, line 5 of the title, after "RCW" strike "10.95.040,"

POINT OF ORDER

Senator Pedersen: "Thank you Madam President. Amendment number 30 would preserve the death penalty and is therefore inconsistent with the scope and object of the bill, which is to eliminate the death penalty. I believe that the amendment is out of order. Thank you."

Senator Wagoner: "I believe that the scope of this amendment is very narrow and does not in its intent overthrow the intent of the basic bill."

RULING BY THE PRESIDENT PRO TEMPORE

President Pro Tempore Keiser: "In ruling on the point of order raised by Senator Peterson as to the scope and object of amendment no. 030 by Senator Wagoner to Senate Bill No. 5339, the President Pro Tempore finds and rules as follows: Senate Bill No. 5339 eliminates the death penalty in exactly the same manner and using the exact same language as Senate Bill No. 6052, which was passed out of this chamber on February 14, 2018. At that time, several amendments were offered that the President ruled were outside the object of that bill. In accordance with the President's previous ruling on February 14, 2018, I find amendment no. 030 to be beyond the object of the underlying bill and Senator Peterson's point is well taken."

MOTION

On motion of Senator Carlyle, the rules were suspended, Senate Bill No. 5339 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Carlyle, Pedersen, Dhingra and Conway spoke in favor of passage of the bill.

Senators Wagoner, O'Ban, Ericksen, Padden and Sheldon spoke against passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5339.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5339 and the bill passed the Senate by the following vote: Yeas, 28; Nays, 19; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hawkins, Hunt,

Keiser, Kuderer, Lias, Lovelett, McCoy, Mullet, Nguyen, Palumbo, Pedersen, Randall, Rolfes, Saldaña, Salomon, Walsh, Warnick, Wellman and Wilson, C.

Voting nay: Senators Bailey, Becker, Braun, Brown, Ericksen, Hobbs, Holy, Honeyford, King, O'Ban, Padden, Rivers, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner and Zeiger

Excused: Senators Fortunato and Wilson, L.

SENATE BILL NO. 5339, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5010, by Senators Rolfes, Van De Wege and Ranker

Concerning protected lands not being assessed local fire district levies.

MOTIONS

On motion of Senator Rolfes, Substitute Senate Bill No. 5010 was substituted for Senate Bill No. 5010 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Rolfes, the rules were suspended, Substitute Senate Bill No. 5010 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Rolfes and Short spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5010.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5010 and the bill passed the Senate by the following vote: Yeas, 43; Nays, 4; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Hunt, Keiser, King, Kuderer, Lias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Sheldon, Short, Takko, Van De Wege, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Voting nay: Senators Ericksen, Honeyford, Schoesler and Wagoner

Excused: Senators Fortunato and Wilson, L.

SUBSTITUTE SENATE BILL NO. 5010, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5588, by Senators Hawkins, Palumbo, Ericksen, Van De Wege, Fortunato, Short, Billig, Hobbs, Braun, Takko, Warnick, Sheldon, Wagoner, Hunt, Das, Zeiger, Wellman, King, Nguyen, Hasegawa, Kuderer, Bailey, Rivers, Holy, Wilson, L., Padden, Walsh, Dhingra, Frockt, Keiser, Lias, O'Ban, and Wilson, C.

Authorizing the production, distribution, and sale of renewable hydrogen.

MOTIONS

On motion of Senator Hawkins, Substitute Senate Bill No. 5588 was substituted for Senate Bill No. 5588 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Hawkins, the rules were suspended, Substitute Senate Bill No. 5588 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Hawkins, Carlyle, Sheldon and Palumbo spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5588.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5588 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Excused: Senators Fortunato and Wilson, L.

SUBSTITUTE SENATE BILL NO. 5588, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5131, by Senators Takko, Short and Kuderer

Regarding foreclosure and distraint sales of manufactured/mobile or park model homes.

MOTION

On motion of Senator Takko, Substitute Senate Bill No. 5131 was substituted for Senate Bill No. 5131 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Kuderer moved that the following amendment no. 008 by Senators Kuderer and Takko be adopted:

On page 3, after line 2, insert the following:

"**Sec. 2.** RCW 84.56.070 and 2015 c 95 s 8 are each amended to read as follows:

(1) The county treasurer must proceed to collect all personal property taxes after first completing the tax roll for the current year's collection.

(2) The treasurer must give notice by mail to all persons charged with personal property taxes, and if the taxes are not paid before they become delinquent, the treasurer must commence

delinquent collection efforts. A delinquent collection charge for costs incurred by the treasurer may be added to the account.

(3) In the event that the treasurer is unable to collect the taxes when due under this section, the treasurer must prepare papers in distraint. The papers must contain a description of the personal property, the amount of taxes including any amounts deferred under chapters 84.37 and 84.38 RCW that are a lien on the personal property to be distrained, the amount of the accrued interest at the rate provided by law from the date of delinquency, and the name of the owner or reputed owner.

(a) The treasurer must without demand or notice distraint sufficient goods and chattels belonging to the person charged with the taxes to pay the same, with interest at the rate provided by law from the date of delinquency, together with all accruing costs. The treasurer must proceed to advertise the distraint by posting written notices in three public places in the county in which the property has been distrained, including the county courthouse. The notice must state the time when and place where the property will be sold.

(b) The county treasurer, or the treasurer's deputy, must tax the same fees for making the distraint and sale of goods and chattels for the payment of taxes as are allowed by law to sheriffs for making levy and sale of property on execution. Traveling fees must be computed from the county seat of the county to the place of making distraint.

(c) If the taxes for which the property is distrained, and the interest and costs accruing thereon, are not paid before the date appointed for the sale, which may not be less than ten days after the taking of the property, the treasurer or treasurer's designee must proceed to sell the property at public auction, or so much thereof as is sufficient to pay the taxes and any amounts deferred under chapters 84.37 and 84.38 RCW that are a lien on the property to be sold, with interest and costs. If there is any excess of money arising from the sale of any personal property, the treasurer must pay the excess less any cost of the auction to the owner of the property so sold or to his or her legal representative.

(d) If necessary to distraint any standing timber owned separately from the ownership of the land upon which the same may stand, or any fish trap, pound net, reef net, set net, or drag seine fishing location, or any other personal property as the treasurer determines to be incapable or reasonably impracticable of manual delivery, it is deemed to have been distrained and taken into possession when the treasurer has, at least thirty days before the date fixed for the sale thereof, filed with the auditor of the county wherein the property is located a notice in writing reciting that the treasurer has distrained the property. The notice must describe the property, give the name of the owner or reputed owner, the amount of the tax due, with interest, and the time and place of sale. A copy of the notice must also be sent to the owner or reputed owner at his or her last known address, by registered letter at least thirty days prior to the date of sale.

(e) If the county treasurer has reasonable grounds to believe that any personal property, including mobile homes, manufactured homes, or park model trailers, upon which taxes have been levied, but not paid, is about to be removed from the county where the property has been assessed, or is about to be destroyed, sold, or disposed of, the county treasurer may demand the taxes, without the notice provided for in this section, and if necessary distraint sufficient goods and chattels to pay the same.

(4) As an alternative to the sale procedure specified in this section, the county treasurer may conduct a public auction sale by electronic media pursuant to RCW 36.16.145."

On page 1, line 3 of the title, after "46.12.700" insert "and 84.56.070"

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Senators Kuderer and Short spoke in favor of adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 008 by Senators Kuderer and Takko on page 3, after line 2 to Substitute Senate Bill No. 5131.

The motion by Senator Kuderer carried and amendment no. 008 was adopted by voice vote.

MOTION

On motion of Senator Takko, the rules were suspended, Engrossed Substitute Senate Bill No. 5131 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Takko and Zeiger spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5131.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5131 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Excused: Senators Fortunato and Wilson, L.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5131, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5036, by Senators Conway and Takko

Concerning the compensation of commissioners of certain metropolitan park districts.

The measure was read the second time.

MOTION

On motion of Senator Conway, the rules were suspended, Senate Bill No. 5036 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Conway and Short spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5036.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5036 and the bill passed the Senate by the following vote: Yeas, 40; Nays, 7; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Billig, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Palumbo, Pedersen, Randall, Rolfes, Saldaña, Salomon, Sheldon, Short, Takko, Van De Wege, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Voting nay: Senators Braun, Ericksen, Honeyford, Padden, Rivers, Schoesler and Wagoner

Excused: Senators Fortunato and Wilson, L.

SENATE BILL NO. 5036, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Wilson, C., Senator Palumbo was excused.

SECOND READING

SENATE BILL NO. 5581, by Senators Rolfes, Braun, Carlyle, Keiser and Saldaña

Improving the effectiveness and adequacy of state tax laws by clarifying and simplifying nexus provisions, by decreasing compliance and administrative burdens for taxpayers and the department of revenue, by facilitating the collection of new tax revenue resulting from the United States supreme court's decision in South Dakota v. Wayfair, Inc., by providing more consistent tax obligations for both domestic and foreign sellers, and by simplifying the expiration of sales tax sourcing mitigation payments to local governments on September 30, 2019.

MOTIONS

On motion of Senator Rolfes, Substitute Senate Bill No. 5581 was substituted for Senate Bill No. 5581 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Rolfes, the rules were suspended, Substitute Senate Bill No. 5581 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Rolfes and Braun spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5581.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5581 and the bill passed the Senate by the following vote: Yeas, 33; Nays, 13; Absent, 0; Excused, 3.

Voting yea: Senators Billig, Braun, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Pedersen, Randall, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Takko, Van De Wege, Wagoner, Walsh, Wellman and Wilson, C.

Voting nay: Senators Bailey, Becker, Brown, Ericksen, Hawkins, Holy, Honeyford, O'Ban, Padden, Rivers, Short, Warnick and Zeiger

Excused: Senators Fortunato, Palumbo and Wilson, L.

SUBSTITUTE SENATE BILL NO. 5581, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator McCoy announced a meeting of the Democratic Caucus at 12:00 noon.

Senator Becker announced a meeting of the Republican Caucus immediately upon adjournment.

MOTION

At 11:45 a.m., on motion of Senator Liias, the Senate adjourned until 12:00 o'clock p.m. Monday, February 18, 2019.

KAREN KEISER, President Pro Tempore of the Senate

BRAD HENDRICKSON, Secretary of the Senate

THIRTY SIXTH DAY

NOON SESSION

Senate Chamber, Olympia
Monday, February 18, 2019

The Senate was called to order at 12:04 p.m. by the President of the Senate, Lt. Governor Habib presiding. No roll call was taken.

The Sergeant at Arms Color Guard consisting of Pages Miss Michele Jimenez and Miss Denisa Zerivakova, presented the Colors.

Page Mr. Kelan McGrady led the Senate in the Pledge of Allegiance.

Pastor Arthur C. Banks of Eastside Baptist Church, Tacoma offered the prayer.

The President called upon the Secretary to read the journal of the preceding day.

MOTION

On motion of Senator Liias the reading of the Journal of the previous day was dispensed with and it was approved.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced Mr. & Mrs. Rob and Suzanne Alvarez, the parents of YMCA Youth Governor Gabby Alvarez, who were seated in the gallery.

The President welcomed and introduced Mr. Sam Reed, former Washington Secretary of State and current Chairman of the Board of Directors for the YMCA Youth and Government program, who was seated in the gallery.

The President welcomed and introduced Miss Gabby Alvarez, Youth Governor 2019, YMCA Youth and Government program, who was seated at the rostrum. Miss Alvarez, a senior high school student at North Star School, Mead School District, Spokane, represents the Central YMCA, YMCA of the Inland Northwest.

With permission of the Senate, business was suspended to allow Youth Legislature Governor Gabby Alvarez, YMCA Youth and Government, Miss to address the Senate.

REMARKS BY MISS GABBY ALVAREZ

Youth Governor Alvarez: "Thank you thank you for inviting me to speak today I am honored to stand before you and share my journey of becoming an advocate for student civic engagement. Youth civics day is more than a single day. It is a continuous campaign of students becoming leaders in their community and a voice for the issues that affect them. Each generation must learn the importance of being involved in the government for we are all members in our democracy. Eighteen years ago, my birth parents wrapped to me in a black leather jacket, placed me in a box on the streets a southern China, and disappeared into the shadows of the city.

I was left orphaned and alone. A nameless girl in a country where they have no voice. But, instead of being confined to an orphanage, I like many people before me made a journey across the ocean to a new life in America, a new home, a family, and a

new name. I stand before you now as a citizen in the greatest country in the world where I have a right to participate in my government without fear, without apprehension, and without persecution. A letter from the White House the accompanied my United States certificate of citizenship says *'Americans are united across the generations by grand and enduring ideals. The grandest of these ideals is an unfolding promise that everyone belongs that everyone deserves a chance and that no insignificant person was ever born. As you begin to participate in our democracy remember that what you do is as important as anything the government does. Welcome to the joy, responsibility, and freedom of American citizenship.'* I have learned to participate and to take an interest in my government because of programs like Y.M.C.A. Youth and Government. This program empowers young people by teaching us the joy and responsibility we have in becoming involved in our government. The first words in the Constitution are *'We the people'* and that *'we'* includes us as students.

Every week during the school year eighth graders through high school met with a local delegation to write and propose bills and prepare for session. The experience concludes in May with a trip to our Capitol where we replicate our state government. During those four days we are not sophomores or juniors but are senators, representatives, attorney general, secretary of state and most importantly we are leaders. In 2017, I was in this Chamber as a Youth Senator Alvarez. It was sitting at Senator Hawkins's desk looking up at this rostrum that I realized the amazing opportunity that Youth and Government offers. I know that the rest of my fellow youth senators felt the same way for just being able to debate in this chamber filled us with awe. For many delegates it isn't until they walk the halls of our state capitol and sit on the floor of the House and Senate that they fully understand the ownership they have in their government.

Five years ago when I joined the program, I was an extremely shy and introverted person. Whether it was because I only heard Chinese when I was a baby or the many untreated ear infections I had when I was in the orphanage, fate would have it that I would struggle with a speech impediment. I have been mocked by kids and adults, told that I sound weird, and that I really should get myself fixed. As if I was a broken toy that was useless because I couldn't pronounce my Rs. When you fail to be understood, it is easier to stand in the corner than speak up and risk being made fun of. However, my parents knew that I would never grow if I sat in a corner and refused to speak up. So, in the eighth grade they enrolled me into the Y.M.C.A. Youth and Government program. At my first meeting, I had to debate ice cream versus popsicles and when I spoke the most amazing thing happened. No one laughed or snickered and the family nods and smiles motivated me to keep going and finish my thoughts. The Y.M.C.A. advisors constantly encourage my efforts of public speaking and I found that the more I spoke out the braver I became. Slowly, I began to realize that I indeed had a voice and I could use it to encourage others.

Today, I have gone from being a shy and timid eighth grader in the program to being elected youth governor for the 72nd session of the Y.M.C.A. Youth Legislature. I have had the privilege of representing our state in Washington D.C. where I spoke to members of Congress at the Capitol. I also made lasting friendships with other Y.M.C.A. youth governors at our national conference. But, even more than that I have had the incredible

opportunity to speak to other teenagers across our state, encouraging them to become involved in this program and their government. A democracy cannot exist without its citizens choosing to step up and be informed and be engaged. I hope to not only inspire others but also let them know that we as students can make a difference in our communities and our government.

This is our future. This is our voice and it is our America. Thank you and God bless the great state of Washington.”

REMARKS BY THE PRESIDENT

President Habib: “I hope you guys were taking notes on how to give a speech. That was unbelievable. Thank you to Governor Alvarez. Thank you the Y.M.C.A. Youth and Government program for doing this tremendous public service to our state.”

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced members of the Washington World Fellows program who were seated in the gallery.

MOTIONS

Pursuant to Rule 46, on motion of Senator Liias, and without objection, the standing committees of the senate were granted special leave to meet during the day’s floor session.

On motion of Senator Liias, the Senate advanced to the eighth order of business.

MOTION

Senator Wagoner moved adoption of the following resolution:

SENATE RESOLUTION 8617

By Senators Wagoner, Padden, Holy, Hunt, Salomon, McCoy, Mullet, Wellman, Van De Wege, Brown, Walsh, Becker, Schoesler, O'Ban, Wilson, C., Palumbo, Short, Lovelett, Kuderer, Pedersen, Das, Cleveland, Dhingra, Takko, Nguyen, Ericksen, Warnick, Rivers, Hawkins, Zeiger, Liias, and Saldaña

WHEREAS, By an act of Congress, the birthday of President George Washington has been officially observed on the third Monday of February since 1971; and

WHEREAS, The holiday has become known as Presidents' Day, for it also commemorates the birthday of President Abraham Lincoln; and

WHEREAS, George Washington, who was born on February 22, 1732, served as the commander-in-chief of the Continental Army during the American Revolution, was elected the first President of the United States in 1789, and reelected in 1792; and

WHEREAS, The first town to sponsor a public celebration of Washington's Birthday was Richmond, Virginia in 1782, and celebrations became even more popular during Washington's first term in office, and after his death in 1799, Congress passed a resolution calling on the nation to observe the date of his birth; and

WHEREAS, Unofficial celebrations carried on until 1885, when action by Congress made the observance official throughout the nation; and

WHEREAS, Abraham Lincoln, born on February 12, 1809, was elected to the Illinois State Legislature at the age of 25, served

in the United States House of Representatives from 1847 to 1849, and gained such esteem while campaigning for the United States Senate in 1858 that he received the nomination for President at the Republican Convention in 1860; and

WHEREAS, Abraham Lincoln's accomplishments in his first term as our nation's 16th President included his Emancipation Proclamation of January 1863, which freed five million slaves; and

WHEREAS, In December 1864, shortly after his reelection, President Lincoln announced his plan for the Reconstruction of the Nation following the Civil War; and

WHEREAS, In January 1865, less than three months before his assassination, President Lincoln signed the Thirteenth Amendment to the Constitution, which abolished slavery in the United States, and which led to the Fourteenth Amendment with its guarantee of civil rights; and

WHEREAS, President Lincoln's birthday is still observed as a holiday in several states, while in the state bearing President Washington's name, the Great Emancipator is remembered on Presidents' Day, which also recognizes and honors all those who have come after to serve in the highest office in the United States;

NOW, THEREFORE, BE IT RESOLVED, That in celebration of Presidents' Day the Washington State Senate express its gratitude to all persons who have served as President for their many services to our nation.

Senator Wagoner spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8617.

The motion by Senator Wagoner carried and the resolution was adopted by voice vote.

MOTION

Senator Wilson, C. moved adoption of the following resolution:

SENATE RESOLUTION 8618

By Senators Wilson, C., Liias, Hasegawa, and Saldaña

WHEREAS, Civic education is the foundation for an informed citizenry and a representative democracy; and

WHEREAS, It is vital to provide strong educational resources to teach students and the public about our Constitution and instill youth with the value of meaningful participation in our democratic institutions and processes; and

WHEREAS, Civic education empowers us to be well-informed, active citizens and gives us the opportunity to change the world around us; and

WHEREAS, Students who receive a comprehensive civics education learn to think critically about the world around them, enabling them to become informed and proactive voters as well as participants in our democratic process; and

WHEREAS, Civic education is vital in imparting a fundamental understanding of the political processes and of the role of legislators in a representative democracy; and

WHEREAS, By gathering those dedicated to civic education in the state Capitol, we recognize the significance of civic education in Washington state and establish a forum for civic educators across the state to collaborate with legislators and other supporters; and

WHEREAS, Many organizations such as the Legislative Youth Advisory Council, We the People Foundation, Washington State Council of Social Studies, 4-H Know Your Government, YMCA

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Youth & Government, Office of the Superintendent of Public Instruction, Office of the Secretary of State, Washington State Historical Society, Legislative Scholars Program, Washington State Boys and Girls State, League of Women Voters, TVW, and others are dedicated to prioritizing civic education for students across Washington state; and

WHEREAS, The contributions of committed teachers, principals, community leaders, parents, state employees, and volunteers help accomplish the goal of these laudable organizations to create an engaged citizenry;

NOW, THEREFORE, BE IT RESOLVED, That on February 18, 2019, the Washington state Senate reaffirm the importance of civic education and recognize the dedication of civic educators across the state to serve and inform all Washingtonians; and

BE IT FURTHER RESOLVED, That the Washington state Senate honor, thank, and celebrate the civic educators and civic education organizations of our state.

Senator Wilson, C. spoke in favor of adoption of the resolution. The President declared the question before the Senate to be the adoption of Senate Resolution No. 8618.

The motion by Senator Wilson, C. carried and the resolution was adopted by voice vote.

REMARKS BY THE PRESIDENT

President Habib: “The President would just like to echo that and say, thank the Senate once again, not only for the Youth and Government program that we heard about so eloquently from Governor Alvarez, the World Fellows Program that I mentioned to you but also LYAC, the Legislative Youth Advisory Council Program and of course our own Senate Page Program. All of these are wonderful initiatives that you all have supported and they speak precisely to the resolution that you just adopted.”

MOTION

Senator Darneille moved adoption of the following resolution:

SENATE RESOLUTION
8619

By Senators Darneille, Hasegawa, Saldaña, and Liias

WHEREAS, The celebration of Children's Day reminds us that children deserve faith, hope, love, and commitment to their future; and

WHEREAS, Since 1925, Children's Day has been celebrated worldwide to promote the welfare of and mutual understanding and togetherness between the world's children; and

WHEREAS, Professor and author Dr. Jess Lair wrote "Children are not things to be molded, but are people to be unfolded"; and

WHEREAS, The Senate recognizes that children represent the future of our state, nation, and world; and

WHEREAS, This body has observed Children's Day since 1995 to commemorate the special place children hold in our hearts and communities and to remind us to keep children central to our efforts; and

WHEREAS, Writer Richard L. Evans noted "While we try to teach our children all about life, our children teach us what life is all about"; and

WHEREAS, Washington state's children must be cherished and deserve a nurturing, protective environment where they are able to flourish and realize their full potential; and

WHEREAS, Educator Maria Montessori said "The greatest gifts we can give our children are the roots of responsibility and the wings of independence"; and

WHEREAS, The Senate recognizes that every child in Washington state deserves access to quality education, wholesome recreation, excellent health care, and safe communities; and

WHEREAS, Author C.S. Lewis once observed that "Children are not a distraction from more important work. They are the most important work"; and

WHEREAS, Children are the leaders of tomorrow, and it is our solemn obligation to instill in them the necessary values, convictions, goodwill, and fortitude so that they can continue the wonderful legacy of freedom, peace, and prosperity inherited from those who came before us; and

WHEREAS, Every child deserves the chance to succeed, and their future success depends on education and guidance from early childhood onward; and

WHEREAS, There can be no better measure of our governance than the way in which we treat our children; and

WHEREAS, This body recognizes that in order to thrive as a state and nation, we must empower children through policies that foster their success; and

WHEREAS, The Senate continues to support the goals of Children's Day and welcomes children into the Senate Chamber so they may witness the legislative process;

NOW, THEREFORE, BE IT RESOLVED, That the Senate encourage all Washingtonians to celebrate children on Children's Day and throughout the year by spending more quality time with them, by emphasizing their special place in our lives, and by working together daily to strengthen the foundation upon which our children will build and sustain their future.

Senators Darneille, Sheldon and Palumbo spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8619.

The motion by Senator Darneille carried and the resolution was adopted by voice vote.

MOTION

On motion of Senator Liias, the Senate reverted to the first order of business.

REPORTS OF STANDING COMMITTEES

February 15, 2019
SB 5087 Prime Sponsor, Senator Wellman: Establishing the world language competency grant program. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Holy; Hunt; McCoy; Mullet; Pedersen; Salomon and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Padden.

Referred to Committee on Ways & Means.

February 14, 2019

SB 5150 Prime Sponsor, Senator Wilson, L.: Authorizing security for community and technical colleges. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That Substitute Senate Bill No. 5150 be substituted therefor, and the substitute bill do pass. Signed by Senators Palumbo, Chair; Holy, Ranking Member; Brown and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Randall, Vice Chair.

Referred to Committee on Rules for second reading.

February 14, 2019

SB 5212 Prime Sponsor, Senator Palumbo: Concerning the adoption of dogs and cats used for science or research purposes. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That Substitute Senate Bill No. 5212 be substituted therefor, and the substitute bill do pass. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown; Liias and Wellman.

Referred to Committee on Rules for second reading.

February 15, 2019

SB 5227 Prime Sponsor, Senator Kuderer: Concerning deadlines for receipt of voter registrations by election officials. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Hunt, Chair; Kuderer, Vice Chair; Zeiger, Ranking Member; Bailey; Hasegawa; Hawkins and Takko.

Referred to Committee on Rules for second reading.

February 15, 2019

SB 5311 Prime Sponsor, Senator Hunt: Eliminating, revising, or decodifying obsolete or inactive statutory provisions that concern the office of financial management. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: That Substitute Senate Bill No. 5311 be substituted therefor, and the substitute bill do pass. Signed by Senators Hunt, Chair; Kuderer, Vice Chair; Hasegawa and Takko.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Zeiger, Ranking Member; Bailey and Hawkins.

Referred to Committee on Rules for second reading.

April 2, 2019

SB 5313 Prime Sponsor, Senator Wellman: Concerning school levies. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5313 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Billig; Carlyle; Conway; Darneille; Hunt; Keiser; Liias; Palumbo; Pedersen and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Senators Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Hasegawa; Schoesler; Wagoner and Warnick.

Referred to Committee on Ways & Means.

February 14, 2019

SB 5321 Prime Sponsor, Senator Carlyle: Concerning ticket sales over the internet. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: That Substitute Senate Bill No. 5321 be substituted therefor, and the substitute bill do pass. Signed by Senators Carlyle, Chair; Palumbo, Vice Chair; Sheldon, Assistant Ranking Member, Energy & Technology; Billig; Das; Hobbs; Liias; McCoy; Nguyen and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Fortunato, Assistant Ranking Member, Environment; Brown; Rivers and Short.

MINORITY recommendation: Do not pass. Signed by Senator Ericksen, Ranking Member.

Referred to Committee on Ways & Means.

February 28, 2019

SB 5376 Prime Sponsor, Senator Carlyle: Protecting consumer data. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5376 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Honeyford, Assistant Ranking Member, Capital; Billig; Carlyle; Conway; Darneille; Hunt; Keiser; Liias; Palumbo; Pedersen; Rivers; Schoesler; Van De Wege and Warnick.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Brown, Assistant Ranking Member, Operating; Bailey; Becker; Hasegawa; Wagoner and Wilson, L.

Referred to Committee on Ways & Means.

March 1, 2019

SB 5444 Prime Sponsor, Senator Dhingra: Providing timely competency evaluations and restoration services to persons suffering from behavioral health disorders within the framework of the forensic mental health care system consistent with the requirements agreed to in the Trueblood settlement agreement. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5444 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Darneille; Hasegawa; Keiser; Liias; Palumbo; Pedersen;

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Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

Reported by Committee on Higher Education & Workforce Development

Referred to Committee on Ways & Means.

MAJORITY recommendation: That Substitute Senate Bill No. 5704 be substituted therefor, and the substitute bill do pass. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown; Liias and Wellman.

February 15, 2019

SB 5501 Prime Sponsor, Senator Zeiger: Repealing the electronic authentication act. Reported by Committee on State Government, Tribal Relations & Elections

Referred to Committee on Ways & Means.

MAJORITY recommendation: Do pass. Signed by Senators Hunt, Chair; Kuderer, Vice Chair; Zeiger, Ranking Member; Bailey; Hasegawa; Hawkins and Takko.

February 14, 2019

SB 5705 Prime Sponsor, Senator Palumbo: Concerning the Washington opportunity scholarship program. Reported by Committee on Higher Education & Workforce Development

Referred to Committee on Rules for second reading.

MAJORITY recommendation: That Substitute Senate Bill No. 5705 be substituted therefor, and the substitute bill do pass. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown; Liias and Wellman.

February 15, 2019

SB 5502 Prime Sponsor, Senator Zeiger: Aligning statutory redistricting deadlines to the Constitution. Reported by Committee on State Government, Tribal Relations & Elections

Referred to Committee on Ways & Means.

MAJORITY recommendation: That Substitute Senate Bill No. 5502 be substituted therefor, and the substitute bill do pass. Signed by Senators Hunt, Chair; Kuderer, Vice Chair; Zeiger, Ranking Member; Bailey; Hasegawa; Hawkins and Takko.

February 14, 2019

SB 5706 Prime Sponsor, Senator Randall: Requiring accreditation standards for college in the high school programs. Reported by Committee on Higher Education & Workforce Development

Referred to Committee on Rules for second reading.

MAJORITY recommendation: That Substitute Senate Bill No. 5706 be substituted therefor, and the substitute bill do pass. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown; Liias and Wellman.

February 15, 2019

SB 5509 Prime Sponsor, Senator Zeiger: Concerning names used by candidates in elections. Reported by Committee on State Government, Tribal Relations & Elections

Referred to Committee on Rules for second reading.

MAJORITY recommendation: That Substitute Senate Bill No. 5509 be substituted therefor, and the substitute bill do pass. Signed by Senators Hunt, Chair; Kuderer, Vice Chair; Zeiger, Ranking Member; Bailey; Hasegawa; Hawkins and Takko.

February 28, 2019

SB 5713 Prime Sponsor, Senator Randall: Concerning resident student status as applied to veterans. Reported by Committee on Ways & Means

Referred to Committee on Rules for second reading.

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Billig; Carlyle; Conway; Darneille; Hunt; Keiser; Liias; Palumbo; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

February 28, 2019

SB 5511 Prime Sponsor, Senator Wellman: Expanding affordable, resilient broadband service to enable economic development, public safety, health care, and education in Washington's communities. Reported by Committee on Ways & Means

MINORITY recommendation: Do not pass. Signed by Senator Hasegawa.

MAJORITY recommendation: That Second Substitute Senate Bill No. 5511 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

Referred to Committee on Ways & Means.

February 28, 2019

SB 5720 Prime Sponsor, Senator Dhingra: Concerning the involuntary treatment act. Reported by Committee on Ways & Means

Referred to Committee on Ways & Means.

MAJORITY recommendation: That Second Substitute Senate Bill No. 5720 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking

February 14, 2019

SB 5704 Prime Sponsor, Senator Liias: Establishing the Washington children's educational savings account program.

Member, Capital; Bailey; Becker; Billig; Carlyle; Darneille; Hunt; Keiser; Liias; Palumbo; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Hasegawa and Pedersen.

Referred to Committee on Ways & Means.

February 14, 2019

SB 5727 Prime Sponsor, Senator Palumbo: Concerning college bound scholarships for students in dual enrollment programs. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: Do pass. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown; Liias and Wellman.

Referred to Committee on Ways & Means.

February 27, 2019

SB 5755 Prime Sponsor, Senator Randall: Concerning veteran and national guard tuition waivers. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Brown, Assistant Ranking Member, Operating; Becker; Billig; Carlyle; Conway; Darneille; Hunt; Keiser; Liias; Palumbo; Pedersen; Van De Wege; Wagoner; Warnick and Wilson, L.

MINORITY recommendation: Do not pass. Signed by Senator Hasegawa.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Braun, Ranking Member.

Referred to Committee on Ways & Means.

March 1, 2019

SB 5845 Prime Sponsor, Senator Braun: Concerning sexual harassment policies, training, and reporting requirements throughout state government. Reported by Committee on

MAJORITY recommendation:

Referred to Committee on Ways & Means.

February 14, 2019

SGA 9026 JANE L. JACOBSEN, appointed on February 23, 2016, for the term ending September 30, 2019, as Member of the Clark College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown; Liias and Wellman.

Referred to Committee on Rules for second reading.

February 14, 2019

SGA 9055 PATRICK BALDOZ, appointed on September 29, 2016, for the term ending September 30, 2021, as Member of the Yakima Valley Community College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown; Liias and Wellman.

Referred to Committee on Rules for second reading.

February 14, 2019

SGA 9056 JEFFERSON S. DAVIS, appointed on September 30, 2016, for the term ending September 30, 2019, as Member of the South Puget Sound Community College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown; Liias and Wellman.

Referred to Committee on Rules for second reading.

February 14, 2019

SGA 9063 LOIS BERNSTEIN, appointed on December 7, 2016, for the term ending September 30, 2021, as Member of the Tacoma Community College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown; Liias and Wellman.

Referred to Committee on Rules for second reading.

MOTION

On motion of Liias, all measures listed on the Standing Committee report were referred to the committees as designated with the exceptions of Senate Bill No. 5087 and Senate Bill No. 5705 which had been designated to the Committee on Rules and were referred to the Committee on Ways & Means.

MOTION

On motion of Senator Liias, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 5936 by Senators Brown, Walsh, Hasegawa and Rolfes
AN ACT Relating to use of industrial waste through industrial symbioses; and amending RCW 43.31.545.

Referred to Committee on Environment, Energy & Technology.

SB 5937 by Senators Lovelett, Nguyen, Fortunato, Das, Billig and Hunt

AN ACT Relating to the color of stop lamps on vehicles; and amending RCW 46.37.100 and 46.37.200.

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Referred to Committee on Transportation.

SB 5938 by Senators Rolfes and Frockt

AN ACT Relating to funding the state debt reduction account; amending RCW 82.45.060, 82.16.020, and 82.18.040; and adding a new section to chapter 43.79 RCW.

Referred to Committee on Ways & Means.

SB 5939 by Senators Mullet and Fortunato

AN ACT Relating to removing disincentives to the creation of community facilities districts; amending RCW 36.145.110; and adding a new section to chapter 43.21C RCW.

Referred to Committee on Local Government.

SB 5940 by Senators Keiser and Kuderer

AN ACT Relating to imposing a business and occupation surtax on prescription opioid drugs; adding a new section to chapter 82.04 RCW; and creating a new section.

Referred to Committee on Ways & Means.

SB 5941 by Senator Rolfes

AN ACT Relating to the placement and treatment of conditionally released sexually violent predators; amending RCW 71.09.080, 71.09.090, 71.09.092, 71.09.096, 71.09.140, and 71.09.250; and adding a new section to chapter 71.09 RCW.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SB 5942 by Senators Das, Lovelett, Nguyen, Hasegawa, Keiser, Kuderer, Wilson and C.

AN ACT Relating to the budgeting process for core state services for children; amending RCW 43.88C.010 and 43.88.058; and creating a new section.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SB 5943 by Senators Hasegawa, Hunt and Kuderer

AN ACT Relating to establishing the task force on motion picture competitiveness; creating new sections; and providing an expiration date.

Referred to Committee on Financial Institutions, Economic Development & Trade.

SB 5944 by Senators Bailey, Van De Wege, Wilson, L., Becker, Warnick, Hunt, Honeyford and Wagoner

AN ACT Relating to the timeline for commencing basic law enforcement training; and amending RCW 43.101.200.

Referred to Committee on Law & Justice.

SB 5945 by Senators Warnick, Sheldon, King, Conway, Honeyford, Brown and Walsh

AN ACT Relating to creation of a pilot project to reduce youth gang involvement, crime, and violence in eastern Washington; and making an appropriation.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SB 5946 by Senators Nguyen, Saldaña, Hasegawa, Das and Lovelett

AN ACT Relating to the application of the state environmental policy act to temporary shelters and transitional encampments; and adding a new section to chapter 43.21C RCW.

Referred to Committee on Housing Stability & Affordability.

SB 5947 by Senators McCoy, Schoesler, Palumbo, King, Salomon and Warnick

AN ACT Relating to establishing the sustainable farms and fields grant program; and adding new sections to chapter 43.23 RCW.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

SB 5948 by Senators Palumbo, Wilson, L., Becker, Brown, Warnick, Rolfes, Bailey, Mullet, Braun, Honeyford, Van De Wege and Short

AN ACT Relating to creating a small business bill of rights; adding new sections to chapter 34.05 RCW; and creating new sections.

Referred to Committee on Financial Institutions, Economic Development & Trade.

SB 5949 by Senators Hasegawa, Nguyen, Hunt, Van De Wege, Randall, Conway, Das, Wilson and C.

AN ACT Relating to establishing the Washington investment trust; amending RCW 30A.04.020, 43.08.135, and 43.84.080; reenacting and amending RCW 42.56.270 and 42.56.400; adding a new section to chapter 39.58 RCW; adding a new section to chapter 41.06 RCW; adding a new chapter to Title 43 RCW; creating a new section; providing an expiration date; and declaring an emergency.

Referred to Committee on Financial Institutions, Economic Development & Trade.

SB 5950 by Senators Randall, Lovelett, O'Ban, Hasegawa, Kuderer, Nguyen, Wilson and C.

AN ACT Relating to creating the social work professional loan repayment program; reenacting and amending RCW 43.79A.040; and adding a new chapter to Title 28B RCW.

Referred to Committee on Higher Education & Workforce Development.

SB 5951 by Senators Braun, Takko, Palumbo, Short, Salomon, Zeiger, Rivers, Becker, Lovelett, Honeyford, Wilson and L.

AN ACT Relating to tax incentives to encourage residential and mixed-use development in urban infill areas; adding a new section to chapter 82.08 RCW; adding a new chapter to Title 84 RCW; and providing expiration dates.

Referred to Committee on Local Government.

SB 5952 by Senators Lovelett, Wagoner, Nguyen, Randall and Hasegawa

AN ACT Relating to local government infrastructure funding; amending RCW 43.155.020 and 82.45.060; reenacting and amending RCW 43.155.050; providing an effective date; and declaring an emergency.

Referred to Committee on Ways & Means.

SB 5953 by Senator Ericksen

AN ACT Relating to designating the peace arch as the state peace monument; adding a new section to chapter 1.20 RCW; and creating a new section.

Referred to Committee on State Government, Tribal Relations & Elections.

SB 5954 by Senator Rolfes

AN ACT Relating to the bump-fire stock buy-back program; amending RCW 43.43.920; making an appropriation; and declaring an emergency.

Referred to Committee on Ways & Means.

SB 5955 by Senators Lovelett, Zeiger, Darneille, Walsh, Randall, Nguyen, Wilson and C.

AN ACT Relating to making necessary changes allowing the department of children, youth, and families to effectively manage a statewide system of care for children, youth, and families; amending RCW 13.34.136, 13.34.270, 13.36.030, 18.19.020, 26.26A.260, 26.50.150, 41.04.674, 41.37.010, 42.56.230, 43.43.837, 43.216.390, 68.50.105, 74.04.790, 74.13.110, 74.13.350, 74.15.030, and 13.50.100; adding a new section to chapter 43.20B RCW; adding a new section to chapter 43.216 RCW; adding a new section to chapter 74.14B RCW; and repealing RCW 43.20A.870 and 74.14C.070.

Referred to Committee on Human Services, Reentry & Rehabilitation.

HB 1020 by Representatives Eslick and Stanford

AN ACT Relating to modifying the qualifications of members composing the county road administration board; and amending RCW 36.78.040.

Referred to Committee on Transportation.

SHB 1028 by House Committee on Transportation (originally sponsored by Shea, Kraft and Eslick)

AN ACT Relating to modifying the types of off-road vehicles subject to local government regulation; and amending RCW 46.09.360.

Referred to Committee on Transportation.

HB 1055 by Representatives Entenman, Orwall, Mosbrucker, Valdez, Goodman, Slatter, Riccelli, Ryu, Blake, Wylie, Irwin, Appleton, Jinkins, Doglio, Stanford, Leavitt and Walen

AN ACT Relating to authorizing law enforcement to arrest persons in violation of certain no-contact orders involving victims of trafficking and promoting prostitution offenses; and reenacting and amending RCW 10.31.100.

Referred to Committee on Law & Justice.

HB 1066 by Representatives Kilduff, Valdez, Orwall, Jinkins, Ryu, Bergquist, Stanford, Leavitt, Walen and Young

AN ACT Relating to the service of legal actions to collect a debt by a collection agency; amending RCW 19.16.250; and creating a new section.

Referred to Committee on Law & Justice.

HB 1133 by Representatives Peterson, Griffey, Irwin, McCaslin, Lekanoff, Shea, Goodman and Stanford

AN ACT Relating to limiting liability for registered apiarists; and adding a new section to chapter 15.60 RCW.

Referred to Committee on Law & Justice.

EHB 1175 by Representatives Kilduff, Irwin, Jinkins, Klippert, Valdez and Ortiz-Self

AN ACT Relating to authorization of health care decisions by an individual or designated person; and amending RCW 7.70.065 and 70.122.030.

Referred to Committee on Law & Justice.

HB 1176 by Representatives Hoff and Kirby

AN ACT Relating to providing consistency and efficiency in the regulation of auctioneers and auction companies, engineering and land surveying, real estate, funeral directors, and cosmetology; and amending RCW 18.11.085, 18.11.095, 18.43.130, 18.85.171, 18.43.050, 18.39.070, and 18.16.030.

Referred to Committee on Labor & Commerce.

HB 1187 by Representatives Dent, Blake, Chandler, Kretz, Schmick and Bergquist

AN ACT Relating to revising hydraulic project eligibility standards under RCW 77.55.181 for conservation district-sponsored fish habitat enhancement projects; and amending RCW 77.55.181.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

HB 1208 by Representatives Vick, Kirby and Wylie

AN ACT Relating to public accounting services; amending RCW 18.04.055, 18.04.195, 18.04.195, 18.04.205, 18.04.345, and 18.04.345; providing an effective date; and providing an expiration date.

Referred to Committee on Labor & Commerce.

SHB 1244 by House Committee on Consumer Protection & Business (originally sponsored by Walen)

AN ACT Relating to appraisal management companies; amending RCW 18.310.040, 18.310.060, 18.310.090, and 18.310.120; and providing effective dates.

Referred to Committee on Labor & Commerce.

ESHB 1428 by House Committee on Environment & Energy (originally sponsored by Shewmake, Tarleton, Lekanoff and Fitzgibbon)

AN ACT Relating to the disclosure of attributes of electricity products; amending RCW 19.29A.050, 19.29A.060, and 19.29A.080; amending 2000 c 213 s 1 (uncodified);

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reenacting and amending RCW 19.29A.010; adding new sections to chapter 19.29A RCW; and repealing RCW 19.29A.070.

Referred to Committee on Environment, Energy & Technology.

MOTION

On motion of Senator Liias, all measures listed on the Introduction and First Reading report were referred to the committees as designated.

MOTION

At 12:40 p.m., on motion of Senator Liias, the Senate adjourned until 12:00 o'clock p.m. Tuesday, February 19, 2019.

CYRUS HABIB, President of the Senate

BRAD HENDRICKSON, Secretary of the Senate

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NOON SESSION

Senate Chamber, Olympia
Tuesday, February 19, 2019

The Senate was called to order at 12:02 p.m. by the President of the Senate, Lt. Governor Habib presiding. No roll call was taken.

The President called upon the Secretary to read the journal of the preceding day.

MOTIONS

On motion of Senator Liias, the reading of the Journal of the previous day was dispensed with and it was approved.

There being no objection, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

February 28, 2019

SB 5091 Prime Sponsor, Senator Wellman: Concerning state and federal special education funding. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5091 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

Referred to Committee on Ways & Means.

February 18, 2019

SB 5197 Prime Sponsor, Senator Hobbs: Concerning the Washington national guard postsecondary education grant program. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Billig; Carlyle; Conway; Darneille; Hunt; Keiser; Liias; Palumbo; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner and Warnick.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Hasegawa.

Referred to Committee on Rules for second reading.

February 18, 2019

SB 5223 Prime Sponsor, Senator Palumbo: Concerning net metering. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5223 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Billig; Carlyle; Conway; Darneille; Hunt; Keiser; Liias; Palumbo; Pedersen; Rivers and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Senators Brown, Assistant Ranking Member, Operating; Bailey; Becker and Schoesler.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun, Ranking Member; Honeyford, Assistant Ranking Member, Capital; Wagoner and Warnick.

Referred to Committee on Rules for second reading.

March 1, 2019

SB 5354 Prime Sponsor, Senator Rivers: Concerning programs for highly capable students. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5354 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

Referred to Committee on Ways & Means.

February 18, 2019

SB 5370 Prime Sponsor, Senator Keiser: Creating a state commercial aviation coordinating commission. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5370 be substituted therefor, and the substitute bill do pass. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Sheldon, Assistant Ranking Member; Cleveland; Das; Fortunato; Lovelett; Nguyen; O'Ban; Padden; Randall; Takko; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

February 18, 2019

SB 5382 Prime Sponsor, Senator Zeiger: Concerning tiny houses serving as accessory dwelling units. Reported by Committee on Housing Stability & Affordability

MAJORITY recommendation: That Substitute Senate Bill No. 5382 be substituted therefor, and the substitute bill do pass. Signed by Senators Kuderer, Chair; Das, Vice Chair;

THIRTY SEVENTH DAY, FEBRUARY 19, 2019

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Zeiger, Ranking Member; Darneille; Fortunato; Saldaña and Warnick.

Referred to Committee on Ways & Means.

Referred to Committee on Rules for second reading.

February 18, 2019

February 18, 2019
SB 5413 Prime Sponsor, Senator Keiser: Concerning the pipeline for paraeducators conditional scholarship program. Reported by Committee on Early Learning & K-12 Education

SB 5574 Prime Sponsor, Senator Salomon: Concerning K-12 computer science education data. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 5413 be substituted therefor, and the substitute bill do pass. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Holy; Hunt; McCoy; Mullet; Padden; Pedersen; Salomon and Wagoner.

MAJORITY recommendation: That Substitute Senate Bill No. 5574 be substituted therefor, and the substitute bill do pass. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Holy; Hunt; McCoy; Mullet; Padden; Pedersen; Salomon and Wagoner.

Referred to Committee on Ways & Means.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Hawkins, Ranking Member.

February 18, 2019

SB 5419 Prime Sponsor, Senator Hobbs: Providing an adjustment of vehicle service fees. Reported by Committee on Transportation

Referred to Committee on Rules for second reading.

February 18, 2019

MAJORITY recommendation: That Substitute Senate Bill No. 5419 be substituted therefor, and the substitute bill do pass. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Sheldon, Assistant Ranking Member; Cleveland; Das; Lovelett; Nguyen; Padden; Randall; Takko; Wilson, C. and Zeiger.

SB 5600 Prime Sponsor, Senator Kuderer: Concerning residential tenant protections. Reported by Committee on Housing Stability & Affordability

MINORITY recommendation: That it be referred without recommendation. Signed by Senator O'Ban.

MAJORITY recommendation: That Substitute Senate Bill No. 5600 be substituted therefor, and the substitute bill do pass. Signed by Senators Kuderer, Chair; Das, Vice Chair; Darneille and Saldaña.

Referred to Committee on Rules for second reading.

MINORITY recommendation: Do not pass. Signed by Senators Zeiger, Ranking Member; Fortunato and Warnick.

Referred to Committee on Rules for second reading.

February 28, 2019

SB 5532 Prime Sponsor, Senator Braun: Concerning special education. Reported by Committee on Ways & Means

February 26, 2019

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

SB 5682 Prime Sponsor, Senator King: Allowing certain beer and wine license holders to sell small amounts of spirits. Reported by Committee on Ways & Means

Referred to Committee on Ways & Means.

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Billig; Conway; Hasegawa; Hunt; Keiser; Palumbo; Pedersen; Rivers; Schoesler; Wagoner; Warnick and Wilson, L.

February 26, 2019

SB 5572 Prime Sponsor, Senator Honeyford: Authorizing modernization grants for small school districts. Reported by Committee on Ways & Means

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Carlyle and Liias.

MAJORITY recommendation: That Second Substitute Senate Bill No. 5572 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Palumbo; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

MINORITY recommendation: Do not pass. Signed by Senators Darneille and Van De Wege.

Referred to Committee on Ways & Means.

March 1, 2019

SB 5739 Prime Sponsor, Senator Sheldon: Promoting affordable housing in unincorporated areas of rural counties within urban growth areas. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5739 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair,

Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Lias; Palumbo; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Pedersen.

Referred to Committee on Ways & Means.

February 18, 2019

SB 5746 Prime Sponsor, Senator Saldaña: Providing for adequate provisions for low-income homeownership opportunities. Reported by Committee on Housing Stability & Affordability

MAJORITY recommendation: That Substitute Senate Bill No. 5746 be substituted therefor, and the substitute bill do pass. Signed by Senators Kuderer, Chair; Das, Vice Chair; Zeiger, Ranking Member; Darneille; Fortunato and Saldaña.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Warnick.

Referred to Committee on Rules for second reading.

February 18, 2019

SB 5748 Prime Sponsor, Senator Conway: Creating an account to support necessary infrastructure nearby military installations. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5748 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Lias; Palumbo; Wagoner and Warnick.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Pedersen; Rivers; Schoesler and Van De Wege.

Referred to Committee on Rules for second reading.

February 18, 2019

SB 5766 Prime Sponsor, Senator Conway: Addressing the methodology for establishing the prevailing rate of wages for the construction of affordable housing, homeless and domestic violence shelters, and low-income weatherization and home rehabilitation public works. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 5766 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Braun; Saldaña; Walsh and Wellman.

Referred to Committee on Rules for second reading.

February 18, 2019

SB 5808 Prime Sponsor, Senator King: Establishing the opportunities for employment in hospitality grant. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Braun; Saldaña; Walsh and Wellman.

Referred to Committee on Ways & Means.

February 18, 2019

SB 5909 Prime Sponsor, Senator King: Concerning the license to manufacture, import, sell, and export liquor. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Braun; Saldaña; Walsh and Wellman.

Referred to Committee on Rules for second reading.

MOTION

On motion of Lias, all measures listed on the Standing Committee report were referred to the committees as designated with the exception of Senate Bill No. 5682 which had been designated to the Committee on Rules and was referred to the Committee on Ways & Means.

MOTION

On motion of Senator Lias, the Senate advanced to the third order of business.

MESSAGE FROM THE GOVERNOR GUBERNATORIAL APPOINTMENTS

February 13, 2019

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

BILL KALLAPPA, appointed February 13, 2019, for the term ending January 12, 2023, as Member of the State Board of Education.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Early Learning & K-12 Education as Senate Gubernatorial Appointment No. 9277.

February 15, 2019

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

ADAM L. AGUILERA, appointed February 14, 2019, for the term ending September 30, 2021, as Member of the Professional Educator Standards Board.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Early Learning & K-12 Education as Senate Gubernatorial Appointment No. 9278.

MOTION

On motion of Senator Liias, all appointees listed on the Gubernatorial Appointments report were referred to the committees as designated.

MOTION

On motion of Senator Liias, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 5956 by Senators Warnick and Van De Wege
AN ACT Relating to livestock inspection; and amending RCW 16.57.160 and 16.57.450.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

SB 5957 by Senator Carlyle
AN ACT Relating to strengthening consumer rights to personal property stored in self-storage units; amending RCW 19.150.040, 19.150.050, 19.150.060, and 19.150.150; and creating a new section.

Referred to Committee on Labor & Commerce.

SB 5958 by Senators Lovelett and Nguyen
AN ACT Relating to public works contracts and interlocal agreements by second-class cities and towns; and amending RCW 35.23.352.

Referred to Committee on Local Government.

SB 5959 by Senator Warnick
AN ACT Relating to livestock identification; amending RCW 16.57.015, 16.57.020, 16.57.025, 16.57.160, 16.57.220, 16.57.450, 16.58.050, 16.58.130, 16.65.080, 16.65.037, 16.65.090, and 16.65.170; and adding a new section to chapter 16.57 RCW.

Referred to Committee on Ways & Means.

SB 5960 by Senator Palumbo
AN ACT Relating to higher education data and transparency; amending RCW 43.41.400; reenacting and amending RCW 43.88.160; adding a new section to chapter 28B.92 RCW; adding a new section to chapter 28C.18 RCW; adding a new section to chapter 18.16 RCW; and adding a new section to chapter 28B.10 RCW.

Referred to Committee on Higher Education & Workforce Development.

SB 5961 by Senators Saldaña, Kuderer and Dhingra
AN ACT Relating to improving the equity and sustainability of Washington's tax structure; amending RCW 82.08.0206; adding a new section to chapter 82.04 RCW; adding a new section to chapter 82.32 RCW; adding a new chapter to Title 82 RCW; creating a new section; prescribing penalties; providing an effective date; and providing a contingent expiration date.

Referred to Committee on Ways & Means.

On motion of Senator Liias, all measures listed on the Introduction and First Reading report were referred to the committees as designated with the exception of Senate Bill No. 5958 which had been designated to the Committee on Ways & Means and was referred to the Committee on Local Government.

On motion of Senator Liias, the Senate advanced to the eighth order of business.

Senator Hasegawa moved adoption of the following resolution:

SENATE RESOLUTION
8620

By Senators Hasegawa, Hobbs, Brown, Wellman, Kuderer, Darneille, Das, Hunt, Salomon, Schoesler, Lovelett, Wilson, C., Billig, Saldaña, Zeiger, Frockt, and Palumbo

WHEREAS, Seventy-seven years ago, on February 19, 1942, during World War II, persons of Japanese, Korean, and Taiwanese ancestry, including United States citizens, were ordered to live in concentration camps and subject to a strict curfew; and

WHEREAS, Over 120,000 United States citizens and permanent residents of Japanese ancestry were required to leave their homes on the West Coast and submit to imprisonment based solely on their ancestry. This was required by Civilian Exclusion Order 34 which was authorized by President Franklin D. Roosevelt's Executive Order 9066; and

WHEREAS, The first civilian evacuation order gave Japanese Americans from Bainbridge Island less than one week to leave behind homes, personal belongings, farms, businesses, friends, and family; allowed them only two suitcases of personal belongings; and transported them to hastily constructed detention centers, like Camp Harmony located in the horse stalls on the grounds of the Washington State Fair in Puyallup where they were held until more permanent concentration camps could be built in more remote locations, like Hunt, Idaho (Mimidoka) and Tule Lake, California, which is where most Japanese Americans from the Puget Sound region were held; and

WHEREAS, This drastic course of action allegedly aimed to prevent acts of espionage and sabotage by Japanese Americans who were deemed untrustworthy and disloyal to the United States even though no evidence was ever presented to support such distrust; and

WHEREAS, On March 23, 1943, the War Department organized a segregated unit of Japanese Americans; and, from within those American concentration camps where they and their families were incarcerated, surrounded by barbed wire and armed guards, thousands responded to questions of their loyalty and patriotism by volunteering to serve in the segregated Army unit known as the 442nd Regimental Combat Team, which went on to amass a battle record unmatched in United States military history earning 7 Presidential Unit Citations, 21 Medals of Honor, 29 Distinguished Service Crosses, a Distinguished Service Medal, 588 Silver Stars, more than 4,000 Bronze Stars, 22 Legion of Merit Medals, 15 Soldier's Medals, 9,486 Purple Hearts, and a total of 16 decorations from the governments of France and Italy; and

WHEREAS, Equally loyal and patriotic Japanese Americans fought to protect our constitutional rights and liberties through dissent, like Minoru Yasui; Fred Korematsu; and University of Washington student Gordon Hirabayashi who was arrested,

convicted, and imprisoned for defying the military curfew on select civilians and challenging the constitutionality of the exclusion and incarceration orders. Korematsu and Hirabayashi were eventually awarded the Presidential Medal of Freedom for their principled actions and sacrifices; and

WHEREAS, In 1982, the Congressional Commission on Wartime Relocation and Internment of Civilians found "no military or security reason for the internment" of persons of Japanese ancestry. Rather, it found the denial of constitutional rights "was caused by racial prejudice, war hysteria, and a failure of political leadership"; and

WHEREAS, In 1976, President Gerald Ford rescinded Executive Order 9066 saying, "I call upon the American people to affirm with me this American Promise—that we have learned from the tragedy of that long-ago experience forever to treasure liberty and justice for each individual American, and resolve that this kind of action shall never again be repeated"; and

WHEREAS, In 1979, newly elected Washington State Congressman Mike Lowry introduced H.R. 5977: The Civil Liberties Act of 1988, which was signed 10 years later by President Ronald Reagan who said, "So what is most important in this bill has less to do with property than with honor, for here, we admit a wrong. Here we reaffirm our commitment as a nation to equal justice under the law."; and

WHEREAS, In 2010, the United States Congress recognized the unparalleled record of Nisei soldiers by awarding the Congressional Gold Medal to the 100th Infantry Battalion, the 442nd Regimental Combat Team, and the Military Intelligence Service (MIS) of the United States Army who fought in the Pacific Theater as interpreters and code breakers; and

WHEREAS, Throughout Washington State, survivors of the European and Asian Pacific battlefields of World War II and of American incarceration camps continue to live their golden years in quiet contrast to their extraordinary acts of patriotism, conscience, and valor;

NOW, THEREFORE, BE IT RESOLVED, That on this auspicious occasion of the 75th Anniversary of the signing of Executive Order 9066, the Washington State Senate, along with the people of Washington State, pause to acknowledge and reflect on the significance of Executive Order 9066 and its effect in denying constitutional freedoms and protections. We also reflect on our democracy's greatness in recognizing the need to correct this failure, the need for constant vigilance to protect our constitutional rights and freedoms; and

BE IT FURTHER RESOLVED, That we recognize the Japanese American internees, constitutional protectors, and World War II veterans from the state of Washington; honor their patience, heroism, sacrifice, and loyalty; and remember the lessons, rights, and responsibilities that come with the phrase, "liberty and justice for all"; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the Senate to the Nisei Veterans Committee, the Military Intelligence Service-Northwest Association, the Japanese American Citizens League National and Seattle Chapter, the Japanese Cultural and Community Center of Washington State, the Japanese American National Museum, and the Wing Luke Museum of the Asian Pacific American Experience.

Senators Hasegawa, Short, Liias, Saldaña and Carlyle spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8620.

The motion by Senator Hasegawa carried and the resolution was adopted by voice vote.

MOTION

At 12:19 p.m., on motion of Senator Liias, the Senate adjourned until 10:00 o'clock a.m. Wednesday, February 20, 2019.

CYRUS HABIB, President of the Senate

BRAD HENDRICKSON, Secretary of the Senate

THIRTY EIGHTH DAY

MORNING SESSION

Senate Chamber, Olympia
Wednesday, February 20, 2019

The Senate was called to order at 10:02 a.m. by the President of the Senate, Lt. Governor Habib presiding. The Secretary called the roll and announced to the President that all senators were present with the exception of Senator Van De Wege.

The Sergeant at Arms Color Guard consisting of Pages Miss Annabella Hoffman and Miss Anisa Robinson, presented the Colors.

Page Mr. Luis Bravo led the Senate in the Pledge of Allegiance.

The prayer was offered by Father Louis Cunningham, Parochial Vicar of Saint Michael's Church, Olympia.

The President called upon the Secretary to read the journal of the preceding day.

MOTIONS

On motion of Senator Liias, the reading of the Journal of the previous day was dispensed with and it was approved.

There being no objection, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

February 18, 2019

SB 5011 Prime Sponsor, Senator Honeyford: Concerning a community aviation revitalization loan program. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5011 be substituted therefor, and the substitute bill do pass. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Sheldon, Assistant Ranking Member; Cleveland; Das; Fortunato; Lovelett; Nguyen; O'Ban; Padden; Randall; Takko; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

February 18, 2019

SB 5012 Prime Sponsor, Senator Takko: Concerning governmental continuity during emergency periods. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5012 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Billig; Carlyle; Conway; Darneille; Hunt; Keiser; Liias; Palumbo; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner and Warnick.

MINORITY recommendation: Do not pass. Signed by Senator Hasegawa.

Referred to Committee on Rules for second reading.

February 18, 2019

SB 5023 Prime Sponsor, Senator Hasegawa: Concerning an ethnic studies curriculum for public school students. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Bailey; Becker; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner and Warnick.

Referred to Committee on Rules for second reading.

February 18, 2019

SB 5088 Prime Sponsor, Senator Wellman: Awarding credits for computer science. Reported by Committee on Ways & Means

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner and Warnick.

Referred to Committee on Rules for second reading.

February 18, 2019

SB 5184 Prime Sponsor, Senator Kuderer: Concerning prescription coverage and the use of nonresident pharmacies. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 5184 be substituted therefor, and the substitute bill do pass. Signed by Senators Cleveland, Chair; Randall, Vice Chair; Bailey; Becker; Conway; Dhingra; Frockt; Keiser; Rivers and Van De Wege.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator O'Ban, Ranking Member.

Referred to Committee on Rules for second reading.

February 18, 2019

SB 5196 Prime Sponsor, Senator Hobbs: Concerning national guard pay in state active service for wildland fire response duty. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Billig; Carlyle; Conway; Darneille;

Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner and Warnick.

Referred to Committee on Rules for second reading.

February 18, 2019

SB 5198 Prime Sponsor, Senator Darneille: Exempting certain leasehold interests in arenas with a seating capacity of more than two thousand from the leasehold excise tax. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo and Van De Wege.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Pedersen; Schoesler; Wagoner and Warnick.

Referred to Committee on Rules for second reading.

February 18, 2019

SB 5282 Prime Sponsor, Senator Liias: Requiring informed consent for pelvic exams. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: Do pass. Signed by Senators Cleveland, Chair; Randall, Vice Chair; O'Ban, Ranking Member; Conway; Dhingra; Frockt; Keiser and Van De Wege.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Bailey and Becker.

Referred to Committee on Rules for second reading.

February 19, 2019

SB 5295 Prime Sponsor, Senator Keiser: Concerning labor neutrality and contractor compliance for certain contracted service providers. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 5295 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators King, Ranking Member; Braun and Walsh.

Referred to Committee on Rules for second reading.

February 19, 2019

SB 5353 Prime Sponsor, Senator Zeiger: Promoting redevelopment of certain areas to encourage transit supportive densities and efficient land use. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Senators Takko, Chair; Salomon, Vice Chair; Short, Ranking Member; Honeyford and Lovelett.

Referred to Committee on Ways & Means.

February 18, 2019

SB 5407 Prime Sponsor, Senator Mullet: Providing that scan-down allowances on food and beverages intended for human and pet consumption are bona fide discounts for purposes of the business and occupation tax. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Rivers; Schoesler; Van De Wege; Wagoner and Warnick.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Pedersen.

Referred to Committee on Rules for second reading.

February 19, 2019

SB 5418 Prime Sponsor, Senator Takko: Concerning local government procurement modernization and efficiency. Reported by Committee on Local Government

MAJORITY recommendation: That Substitute Senate Bill No. 5418 be substituted therefor, and the substitute bill do pass. Signed by Senators Takko, Chair; Salomon, Vice Chair; Short, Ranking Member and Lovelett.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Honeyford.

Referred to Committee on Rules for second reading.

March 1, 2019

SB 5483 Prime Sponsor, Senator Braun: Improving services for individuals with developmental disabilities. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5483 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Darneille; Hunt; Keiser; Palumbo; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

Referred to Committee on Ways & Means.

February 28, 2019

SB 5489 Prime Sponsor, Senator Saldaña: Establishing a healthy environment for all by creating a definition of environmental justice, directing agencies to address environmental health disparities, and creating a task force. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5489 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital

THIRTY EIGHTH DAY, FEBRUARY 20, 2019

2019 REGULAR SESSION

Budget Cabinet; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen and Van De Wege.

pass. Signed by Senators Takko, Chair; Salomon, Vice Chair; Short, Ranking Member and Lovelett.

MINORITY recommendation: Do not pass. Signed by Senators Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Schoesler; Wagoner; Warnick and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Honeyford.

Referred to Committee on Rules for second reading.

Referred to Committee on Ways & Means.

February 19, 2019

SB 5680 Prime Sponsor, Senator Liias: Concerning the creation of parks benefit districts. Reported by Committee on Local Government

February 18, 2019

SB 5553 Prime Sponsor, Senator Hunt: Concerning safety and sanitation of fitness centers. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 5680 be substituted therefor, and the substitute bill do pass. Signed by Senators Takko, Chair; Salomon, Vice Chair; Short, Ranking Member and Lovelett.

MAJORITY recommendation: That Substitute Senate Bill No. 5553 be substituted therefor, and the substitute bill do pass. Signed by Senators Cleveland, Chair; Randall, Vice Chair; Conway; Dhingra; Keiser and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Senator Honeyford.

MINORITY recommendation: Do not pass. Signed by Senators O'Ban, Ranking Member; Bailey and Becker.

Referred to Committee on Ways & Means.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Frockt.

February 19, 2019

SB 5795 Prime Sponsor, Senator Zeiger: Increasing contractor bonding requirements. Reported by Committee on Labor & Commerce

Referred to Committee on Ways & Means.

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Braun; Saldaña; Walsh and Wellman.

February 18, 2019

SB 5592 Prime Sponsor, Senator Schoesler: Easing ambulance restrictions in rural areas. Reported by Committee on Health & Long Term Care

Referred to Committee on Rules for second reading.

MAJORITY recommendation: Do pass. Signed by Senators Cleveland, Chair; Randall, Vice Chair; O'Ban, Ranking Member; Bailey; Becker; Conway; Dhingra; Frockt; Keiser; Rivers and Van De Wege.

February 19, 2019

SB 5831 Prime Sponsor, Senator Keiser: Concerning an employer's payment of indebtedness. Reported by Committee on Labor & Commerce

Referred to Committee on Rules for second reading.

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Braun; Saldaña; Walsh and Wellman.

February 19, 2019

SB 5638 Prime Sponsor, Senator Brown: Recognizing the validity of distributed ledger technology. Reported by Committee on Environment, Energy & Technology

Referred to Committee on Rules for second reading.

February 19, 2019

SB 5844 Prime Sponsor, Senator Dhingra: Concerning the confidentiality of industrial insurance claim records. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 5638 be substituted therefor, and the substitute bill do pass. Signed by Senators Carlyle, Chair; Palumbo, Vice Chair; Erickson, Ranking Member; Fortunato, Assistant Ranking Member, Environment; Sheldon, Assistant Ranking Member, Energy & Technology; Billig; Brown; Das; Hobbs; Liias; McCoy; Nguyen; Rivers; Short and Wellman.

MAJORITY recommendation: That Substitute Senate Bill No. 5844 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Braun; Saldaña; Walsh and Wellman.

Referred to Committee on Rules for second reading.

Referred to Committee on Rules for second reading.

February 19, 2019

SB 5670 Prime Sponsor, Senator Wagoner: Expanding the allowable powers of fire protection districts. Reported by Committee on Local Government

February 19, 2019

SB 5951 Prime Sponsor, Senator Braun: Concerning tax incentives to encourage residential and mixed-use development in urban infill areas. Reported by Committee on Local Government

MAJORITY recommendation: That Substitute Senate Bill No. 5670 be substituted therefor, and the substitute bill do

MAJORITY recommendation: That Substitute Senate Bill No. 5951 be substituted therefor, and the substitute bill do pass. Signed by Senators Takko, Chair; Salomon, Vice Chair; Short, Ranking Member; Honeyford and Lovelett.

Referred to Committee on Ways & Means.

MOTIONS

On motion of Senator Liias, all measures listed on the Standing Committee report were referred to the committees as designated.

On motion of Senator Liias, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 5962 by Senators Nguyen, Darneille, Wilson, C. and Kuderer AN ACT Relating to providing for the welfare of children in the custody of juvenile rehabilitation; and adding a new section to chapter 43.216 RCW.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SB 5963 by Senator Rolfes

AN ACT Relating to the state budget outlook; amending RCW 82.33.060; and declaring an emergency.

Referred to Committee on Ways & Means.

MOTIONS

On motion of Senator Liias, all measures listed on the Introduction and First Reading report were referred to the committees as designated.

At 10:12 a.m., on motion of Senator Liias, the Senate was declared to be at ease subject to the call of the President.

Senator Becker announced a meeting of the Republican Caucus immediately upon going at ease.

The Senate was called to order at 11:34 a.m. by President Habib.

MOTION

On motion of Senator Liias, the Senate advanced to the seventh order of business.

MOTION

On motion of Senator Wilson, C., Senators Hasegawa and Lovelett were excused.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Keiser moved that Suzan Levine, Senate Gubernatorial Appointment No. 9192, be confirmed as a Commissioner of the Employment Security Department.

Senators Keiser and Liias spoke in favor of the motion.

MOTION

On motion of Senator Rivers, Senator Sheldon was excused.

APPOINTMENT OF SUZAN LEVINE

The President declared the question before the Senate to be the confirmation of Suzan Levine, Senate Gubernatorial Appointment No. 9192, as Commissioner of the Employment Security Department.

The Secretary called the roll on the confirmation of Suzan Levine, Senate Gubernatorial Appointment No. 9192, as Commissioner of the Employment Security Department and the appointment was confirmed by the following vote: Yeas, 45; Nays, 0; Absent, 1; Excused, 3.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Short, Takko, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Absent: Senator Van De Wege

Excused: Senators Hasegawa, Lovelett and Sheldon

Suzan Levine, Senate Gubernatorial Appointment No. 9192, having received the constitutional majority was declared confirmed as a Commissioner of the Employment Security Department.

MOTION

On motion of Senator Wilson, C., Senator Van De Wege was excused.

MOTIONS

On motion of Senator Liias, the Senate reverted to the sixth order of business.

On motion of Senator Liias, Senate Bill No. 5544 was removed from the Consent Calendar and placed on the day's Second Reading Calendar.

SECOND READING

SENATE BILL NO. 5083, by Senators McCoy, Hasegawa and Saldaña

Allowing certain records, documents, proceedings, and published laws of federally recognized Indian tribes to be admitted as evidence in courts of Washington state.

The measure was read the second time.

MOTION

On motion of Senator McCoy, the rules were suspended, Senate Bill No. 5083 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators McCoy and Padden spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5083.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5083 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 0; Absent, 0; Excused, 4.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Erickson, Fortunato, Frockt, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Lias, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Short, Takko, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senators Hasegawa, Lovelett, Sheldon and Van De Wege

SENATE BILL NO. 5083, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5003, by Senators Pedersen and Padden

Concerning Washington's business corporation act.

MOTIONS

On motion of Senator Pedersen, Substitute Senate Bill No. 5003 was substituted for Senate Bill No. 5003 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Pedersen, the rules were suspended, Substitute Senate Bill No. 5003 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Pedersen and Padden spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5003.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5003 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 0; Absent, 0; Excused, 4.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Erickson, Fortunato, Frockt, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Lias, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Short, Takko, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senators Hasegawa, Lovelett, Sheldon and Van De Wege

SUBSTITUTE SENATE BILL NO. 5003, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5017, by Senators Salomon, Van De Wege and Pedersen

Concerning the uniform unsworn declarations act.

MOTION

On motion of Senator Lias, further consideration of Senate Bill No. 5017 was deferred and the bill held its place on the second reading calendar.

SECOND READING

SENATE BILL NO. 5300, by Senators Padden, Lias, Pedersen and Van De Wege

Providing coroners with additional subpoena duces tecum authority.

The measure was read the second time.

MOTION

On motion of Senator Padden, the rules were suspended, Senate Bill No. 5300 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Padden and Pedersen spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5300.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5300 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 0; Absent, 0; Excused, 4.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Erickson, Fortunato, Frockt, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Lias, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Short, Takko, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senators Hasegawa, Lovelett, Sheldon and Van De Wege

SENATE BILL NO. 5300, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5122, by Senators Takko, Short, Honeyford and Hasegawa

Addressing insurance coverage for water-sewer district commissioners.

The measure was read the second time.

MOTION

On motion of Senator Takko, the rules were suspended, Senate Bill No. 5122 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Takko and Short spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5122.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5122 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 1; Excused, 2.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Short, Takko, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Absent: Senator McCoy

Excused: Senators Sheldon and Van De Wege

SENATE BILL NO. 5122, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Wilson, C., Senator McCoy was excused.

SECOND READING

SENATE BILL NO. 5591, by Senator Schoesler

Exempting previously registered vehicles from the stolen vehicle check fee.

MOTIONS

On motion of Senator Schoesler, Substitute Senate Bill No. 5591 was substituted for Senate Bill No. 5591 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Schoesler, the rules were suspended, Substitute Senate Bill No. 5591 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Schoesler spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5591.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5591 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Short, Takko, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senators McCoy, Sheldon and Van De Wege

SUBSTITUTE SENATE BILL NO. 5591, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5017, by Senators Salomon, Van De Wege and Pedersen

Concerning the uniform unsworn declarations act.

MOTIONS

On motion of Senator Salomon, Substitute Senate Bill No. 5017 was substituted for Senate Bill No. 5017 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Salomon, the rules were suspended, Substitute Senate Bill No. 5017 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Salomon and Padden spoke in favor of passage of the bill.

Senator Hasegawa spoke on final passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5017.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5017 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Short, Takko, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senators McCoy, Sheldon and Van De Wege

SUBSTITUTE SENATE BILL NO. 5017, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5032, by Senators Cleveland, Keiser and O'Ban

Concerning medicare supplemental insurance policies.

The measure was read the second time.

MOTION

On motion of Senator Cleveland, the rules were suspended, Senate Bill No. 5032 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Cleveland spoke in favor of passage of the bill.

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The President declared the question before the Senate to be the final passage of Senate Bill No. 5032.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5032 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Erickson, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Short, Takko, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senators Sheldon and Van De Wege

SENATE BILL NO. 5032, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5603, by Senators Randall, Wilson, C., Rolfes, O'Ban, Conway, Cleveland, Das, Zeiger, Hobbs, Kuderer and Nguyen

Concerning enrollment and course registration access for children of military families.

MOTIONS

On motion of Senator Randall, Substitute Senate Bill No. 5603 was substituted for Senate Bill No. 5603 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Randall, the rules were suspended, Substitute Senate Bill No. 5603 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Randall spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5603.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5603 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Erickson, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Short, Takko, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senators Sheldon and Van De Wege

SUBSTITUTE SENATE BILL NO. 5603, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

NOTICE OF RECONSIDERATION

Pursuant to Rule 37, Senator Hunt, having voted on the prevailing side, gave notice of his intent to move to reconsider the vote by which Substitute Senate Bill No. 5603 passed the Senate earlier in the day.

On motion of Senator Hunt, the notice given by Senator Hunt of his intent to reconsider the vote by which Substitute Senate Bill No. 5603 passed the senate was withdrawn.

PERSONAL PRIVILEGE

Senator Hobbs: "So, I was afraid no one was going to object or something. I thought this was going to happen so, I was, I was attempting to save the freshman's bill. I really don't care I guess. We'll just sit down."

REMARKS BY THE PRESIDENT

President Habib: "That was a point of very personal privilege I think."

PERSONAL PRIVILEGE

Senator Randall: "This week like so many of you I had occasion to welcome some of my youngest constituents to the Capitol. While not everything impressed them, young people can be very discerning customers, there were moments of true wonderment as they stood and looked at the high ceiling, at the rostrum, and learned more about what we do here. I share that awe each morning as I walk into the doors. This storied place has housed historical decisions, protecting women's rights, expanding Medicaid to those like my family who desperately needed help, creating financial aid options for first generation students like me, students like our recent gubernatorial appointment Yazmin Aguilar, students like those who visited me this week who otherwise might not be able to access higher education. I'm here on this floor serving alongside you because this body has made brave decisions in an effort to make Washington work better for all of us residents. To extend the power of economic opportunity to more of us and to ensure that we have broader access to democracy. I stand here as the first queer woman elected to this body, the youngest serving member, the first woman of color from my district, because this body has worked alongside our neighbors to continue opening doors. I'm honored to serve here with you as this body looks more and more like the community members we represent. I am honored to be someone that young people who haven't before seen themselves in the halls of power can look up to so that this career becomes one alongside professional soccer player, doctor, teacher, magician that young folks can imagine for themselves. We know that representation is not enough. We know that there are still folks in our community of all ages who are facing tough seemingly insurmountable challenges. The young people who visited me this week may not yet be voters but they're struggling and they and their families need us to act. They are facing expensive health challenges, bullying and discrimination in and outside of school, the tough reality of living in a rural district lacking the transportation infrastructure investments they need, making it harder to get to school, to their first job, to their doctor's appointments. These young people, these future voters and Washingtonians across our state are depending on us to continue making brave decisions. Decisions about what to fund, which policies to pass, how to balance personal freedom with the common good. Let us always feel comfortable asking questions and generous when answering them. Let us always be respectful of opposing viewpoints and let us be guided by the desire to do

right by our neighbors. In the spirit of gracious cooperation and as a reminder of the fact that our words in this chamber live on forever in the public record, in the laws we pass and in the legacy we leave I offer you this gift. It is a collaboration from two local artists in my community. An image that reflects the natural beauty of our Salish Sea and is inscribed with the words, *‘The words you speak become the house you live in’*. Thank you.”

The President asked the Senate to join him in welcoming Senator Emily Randall to the Washington State Senate.

PERSONAL PRIVILEGE

Senator Liias: “Thank you Mr. President. Earlier today, when I spoke about Ambassador Levine’s commitment to public service I noted that it is awe inspiring to see amazing accomplished people enter public service and Mr. President I would add Senator Randall to that list. In her very brief tenure on this planet, she’s a bit younger than me, she has already accomplished some amazing things as an advocate for healthier communities, as a, at the front lines of raising money to fight the AIDS crisis in in the United States, as an accomplished graduate of Wellesley College and it’s inspiring to see her take that commitment and drive and passion and come into public service. I think not enough younger people in our state, I think Mr. President, you and I are the rare exception of young inspired motivated people that have come into public service, so it’s inspiring to see someone even more accomplished than us joining us and hopefully out shining us over the course of her tenure. And I just, as a member of the LGBT caucus, also want to note that this is our first queer member of the legislature. And I think for members of the legislature who come from previous generations that term queer carries a lot of connotations and meaning and I know that Senator Randall has already helped educate some of our members but I think over the course the next few weeks and months we will all learn about what it means to be queer in Washington in 2019 and I encourage you to have those conversations with Senator Randall and other members of our LGBT community to understand the many identities of the many representations we see both here in the legislature and across the state. I just want to lend my voice and saluting her and welcoming her to the Senate and I look forward to many years of service with her.”

PERSONAL PRIVILEGE

Senator Takko: “Yeah, I also would like to welcome the new senator and I thought that was a very powerful speech and I really appreciated it. But, in my advancing years, my age, or my ears don’t work quite as well and she said the children. I’m just kind of wondering if you could clarify? She said that the children were excited to see and I wasn’t sure if she said restroom or restroom. I wonder if she could clarify that for me?”

REMARKS BY THE PRESIDENT

President Habib: “I take that personally Senator Takko. I don’t know. Wow. Thank you again to Senator Randall and just a reminder to all senators because I know it was a long interim and I know we’ve got a number of new members. Just a reminder to everyone to refrain from reading your remarks. And, also, to address the President when giving a floor speech on the Senate, even a point of personal privilege. Also, don’t, don’t call us the restroom up here. I think those are a few reminders.”

SECOND READING

SENATE BILL NO. 5429, by Senators Nguyen, Das, Saldaña, Hasegawa, Salomon, Darneille, Wilson, C., Zeiger, Randall and Kuderer

Including referred and diverted youth in establishing community juvenile accountability program guidelines.

The measure was read the second time.

MOTION

Senator Nguyen moved that the following amendment no. 024 by Senator Nguyen be adopted:

On page 3, beginning on line 32, after "RCW 13.40.510." strike all material through "percent" on line 34 and insert "The stop loss policy must limit the loss in funding for any juvenile court"

Senator Nguyen spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 024 by Senator Nguyen on page 3, line 32 to Senate Bill No. 5429.

The motion by Senator Nguyen carried and amendment no. 024 was adopted by voice vote.

MOTION

On motion of Senator Nguyen, the rules were suspended, Engrossed Senate Bill No. 5429 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Nguyen and Walsh spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 5429.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5429 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Erickson, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O’Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senator Van De Wege

ENGROSSED SENATE BILL NO. 5429, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

PERSONAL PRIVILEGE

Senator Darneille: “Thank you Mr. President. You know the prime sponsor of the bill we’ve just passed is, has, brings a lot of new strange ideas to the legislature and I’m, I really want to just, I think the bill was a good bill but I wanted to make sure we understood that this is a person who rejected all the furniture in his office. He cleaned out his office. He’s actually had the temerity to put his desk in the place where the Legislative

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Assistant should be having his or her office and he's instead relegated them to this big office where they have to share space. And he's got his office full of things like Swedish furniture and televisions, junk food, toys. It is just actually amazing to see this lack of respect for our traditions here in the Senate. So, I just wanted to warn everyone about that. But, I also wanted to say, if I could Mr. President, that Senator Nugyen is the vice chair for the Human Services Re-entry & Rehabilitation Committee and I could not have lucked out any better than to have a vice chair with his kind of integrity, great ideas, his commitment to improving everything about the justice system for people here in Washington State, as well as caring for children and immigrant families. He's just, he's so assured and so knowledgeable about this place and how his values will be spoken of and respected for years to come because of the kind of person that he is and I'm just honored to know him. Thank you Mr. President."

PERSONAL PRIVILEGE

Senator Fortunato: "I have a question. I would like to know how you get WIN out of N-G-U-Y-E-N? I mean, really. It should be Senator 'Naguyen.' So I mean, that is just my question. So, maybe the senator would like to address that issue."

PERSONAL PRIVILEGE

Senator Keiser: "My point is that Senator Nguyen is a disrupter. You know what he has done? He has put a table outside of his office. He's moving, he's encroaching into the ante-, the hallway, and he's put a table there. He put fresh flowers on that table. He has an electronic sign in machine, right there. And then you go in that office and he has a picnic table. Please. What kind of senator will he be?"

REMARKS BY THE PRESIDENT

President Habib: "Senator Keiser, I believe the warning about placing flowers on desks is a very important one in this body for any new senator to receive."

PERSONAL PRIVILEGE

Senator Schoesler: "Mr President I'm going to work really hard to learn to spell and pronounce member new guy's name. And hopefully by the end of this session he will be able to pronounce and spell my name."

PERSONAL PRIVILEGE

Senator Saldaña: "Well, for me having Senator Nguyen joining this prestigious place as the state senator of my most precious people in my life, my parents, my brothers and where my children play and go into my every day, in the 34th Legislative District. I could not ask for a better representative and state senator for my, my family, so I just want to thank you already for the work that, I thank the new senator for the representation he's already done. We share an alma mater, both for high school and college and, and so he's a little bit younger, but it has been really great to have someone that was raised and knows my community so well and is committed to really making sure that everyone is represented and that, and he takes the time to understand the different stories that, and that, and the different heritages that he has the privilege to represent. And I know that that is the intent

of everyone in this floor and I hope that we will make note of that as we move forward."

PERSONAL PRIVILEGE

Senator Wellman: "Well, I just find it very interesting that Senator Nguyen has brought forth a bill about juvenile diversion because as someone of my age I find someone of his juvenile status very diverting. You, we have heard about his office and I certainly, actually think that everyone should go over and experience, you know, kind of this new way of doing business, which is very progressive. But, I also find it very unusual that the new senator has risen at his desk to speak. He's standing still and speaking at his desk. For those of you who have been on social media, this man is walking and talking constantly. One video after another. I think that we don't have any worry or fear for not being represented in the media this man is on the media every single day multiple times and so I think he will be a great addition to this body. Thank you."

PERSONAL PRIVILEGE

Senator Braun: "Thank you Mr. President. So, I just want to say that I believe Senator Nguyen is finally comfortable here. For the first time, I think this is week six of the session, he didn't greet me as Senator Braun. He actually greeted me by my first name, which is very pleasing and means that he's comfortable. He started to do good work here and I'm very happy to have him. Thank you Mr. President."

PERSONAL PRIVILEGE

Senator Nguyen: "Thank you Mr. President. First, I just want to say thank you to everybody so much for the hospitality and grace that you've shown me in the past few, to members of the body, for the past few months of hospitality and grace. You know, as a poor kid from South Seattle, that's actually kind of intense to get used to all the marble in this building. I've never seen a bathroom lined with marble walls before, so that's kind of an interesting dynamic for me. In commemoration of my first floor speech, I offer a humble gift. It is a black and white depiction of hope over peonies. Created by a White Center artist named Stephanie Mi. Symbolically, for folks who don't know, peonies represents not just hope, but honor and compassion as well. All traits I know each of us try to model in our representing of the people in Washington state. More importantly, peonies represents a tradition offering, a traditional offering of longevity in marriages and I want to take a moment to thank my wife. She's not actually here. We have two young kids, breaking nap time is not a good idea. But, she's watching on TVW. I just want to say thank you for her love and support through all of this. In fact peonies, there's a lesser known fact about them as well, they remedy headaches. In case you ever need it. I'd recommend taking a dose about twenty minutes before Transportation Committee. And speaking, and speaking of Transportation Committee you'll notice that my second gift is actually, you'll be receiving a, now, it's a pint of Lucille I.P.A. from Georgetown Brewing Company. And, although the brewing company itself is not in my district, the owners are and that's close enough for me. And there's no symbolism of the beer. It is just good beer and I wanted to share. So you're welcome. You're welcome. But, in all seriousness, I really wanted to talk about where I came from and kind of our shared moment now. Yesterday I was fortunate enough to have lunch with a few of the pages downstairs from my district and we were

talking about the state of politics in 2019 and I was so impressed by their story of optimism and hope and how they were going to make a big difference here. In fact, one of them became a page after experiencing the political process this past year at a candidates form and she mentioned that she loved the engagement from her community and was so inspired. But there was actually one point that kind of stuck out with me in fact that there was a bit of hostility in some and some of the questions that came from the audience which is unfortunate. And I don't think it's much of a surprise that skepticism in government seems to be at an all time high but honestly this is not new, especially in the communities where I was raised. So I'm from Whitecenter and in White Center we've always felt ignored. It's a community where, despite its richness in people and culture and, of course, the food, we have a good Salvadoran bakery there, we've been historically left out of the conversation. We've been the subject of decision making and rather than being the decision makers ourselves. And that's a feeling that more and more Washingtonians have with every passing year that they don't have a voice and even when they stand up and shout oftentimes nobody is listening. And so often, the shouting has gotten louder and the reason why I'm here is that I believe that there is hope. And I actually saw it this past summer going door to door in my hometown and seeing the excitement on people's faces as I knocked on their door. And it wasn't because I was at their door. It was because someone like me, that looked like them was showing up at their door. I happen to be the first Vietnamese senator, of Vietnamese decent, in this body and it matters. That is because when we work with our constituents in this age of cynicism, I believe that we should join each other's hands and lead with conviction and really admit to our fellow Washingtonians that sometimes things are broken but that we can actually fix this together. Before being elected, I've actually visit the capitol a few times and I've always felt a sense of awe knowing that I stood in the presence of tremendous history. And as you know, to get to the wings and onto the floor you need to be escorted on, then to be a guest of this space. Obviously, now, things are very different. When I first walked onto the floor for the first time as a senator a few months ago I remember looking around and waiting for somebody to stop me because usually you have staff watching. And after realizing that nobody's going to stop me, I took about five steps and I was hit by a wave of emotion. And it finally occurred to me what it meant for someone like me, for someone from White Center, to be here. We are no longer just guests in a space where I once felt unworthy of occupying. I will always remember this time and I will never forget the sacrifices made by so many before me that allowed me to be here. So, thank you Mr. President for the time and members of the Senate for this opportunity."

The President congratulated Senator Nguyen and asked the Senate to join him in welcoming the new senator.

SECOND READING

SENATE BILL NO. 5221, by Senators Palumbo, Rivers, Billig, Wellman, Rolfes, Frockt, Hasegawa, Hunt, Kuderer, Mullet, Pedersen and Saldaña

Concerning disclosure of contributions from political committees to other political committees.

The measure was read the second time.

MOTION

Senator Zeiger moved that the following amendment no. 038 by Senator Zeiger be adopted:

On page 2, line 19, after "determined", strike "solely" and after "follows" insert "when the sponsor has received fifty percent or more of its aggregate contributions from a single source"

Senator Zeiger spoke in favor of adoption of the amendment.

Senator Palumbo spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 038 by Senator Zeiger on page 2, line 19 to .Senate Bill No. 5221.

The motion by Senator Zeiger did not carry and amendment no. 038 was not adopted by voice vote.

MOTION

On motion of Senator Palumbo, the rules were suspended, Senate Bill No. 5221 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Palumbo spoke in favor of passage of the bill.

Senator Zeiger spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5221.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5221 and the bill passed the Senate by the following vote: Yeas, 33; Nays, 14; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Palumbo, Pedersen, Rivers, Rolfes, Saldaña, Salomon, Sheldon, Takko, Wellman, Wilson, C. and Zeiger

Voting nay: Senators Bailey, Becker, Braun, Brown, Fortunato, Honeyford, King, Padden, Schoesler, Short, Wagoner, Walsh, Warnick and Wilson, L.

Excused: Senators Randall and Van De Wege

SENATE BILL NO. 5221, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5148, by Senators Wilson, L., Becker, Fortunato, Palumbo, Short, Takko, Wagoner and Warnick

Concerning visible clothing requirements for hunting.

MOTION

On motion of Senator Wilson, L., Substitute Senate Bill No. 5148 was substituted for Senate Bill No. 5148 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Wilson, L. moved that the following amendment no. 013 by Senator Wilson, L. be adopted:

On page 1, line 8, after "wear" strike all material through "clothing" and insert "either fluorescent orange or fluorescent

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pink clothing or both. The rules must allow a person hunting to wear either fluorescent orange or fluorescent pink clothing, or both, in order to meet a visible clothing requirement when hunting"

The President declared the question before the Senate to be the adoption of amendment no. 013 by Senator Wilson, L. on page 1, line 8 to Senate Bill No. 5148.

The motion by Senator Wilson, L. carried and amendment no. 013 was adopted by voice vote.

On motion of Senator Wilson, L., the rules were suspended, Engrossed Substitute Senate Bill No. 5148 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Wilson, L. spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5148.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5148 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senator Van De Wege

ENGROSSED SUBSTITUTE SENATE BILL NO. 5148, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5649, by Senators Dhingra, Pedersen, Palumbo, Saldaña, Das, Wilson, C., Frockt, Keiser and Kuderer

Adjusting the statute of limitations for sexual assault.

The measure was read the second time.

MOTION

On motion of Senator Dhingra, the rules were suspended, Senate Bill No. 5649 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Dhingra, Padden and Pedersen spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5649.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5649 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senator Van De Wege

SENATE BILL NO. 5649, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5613, by Senators Rivers, Schoesler, Becker, Brown, Short, Warnick, Wilson, L. and Fortunato

Concerning the authority of counties to vacate a county road that abuts on a body of water if the county road is hazardous or creates a significant risk to public safety.

The measure was read the second time.

MOTION

On motion of Senator Rivers, the rules were suspended, Senate Bill No. 5613 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Rivers and Takko spoke in favor of passage of the bill.

MOTION

On motion of Senator Wilson, C., Senator Wellman was excused.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5613.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5613 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Wagoner, Walsh, Warnick, Wilson, C., Wilson, L. and Zeiger

Excused: Senators Van De Wege and Wellman

SENATE BILL NO. 5613, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 1:16 p.m., on motion of Senator Liias, the Senate adjourned until 12:00 o'clock noon Thursday, February 21, 2019.

CYRUS HABIB, President of the Senate

BRAD HENDRICKSON, Secretary of the Senate

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Senate Chamber, Olympia
Thursday, February 21, 2019

The Senate was called to order at 12:02 p.m. by the President of the Senate, Lt. Governor Habib presiding. No roll call was taken.

The President called upon the Secretary to read the journal of the preceding day.

MOTION

On motion of Senator Liias, the reading of the Journal of the previous day was dispensed with and it was approved.

MOTION

There being no objection, the Senate advanced to the first order of business.

MOTION

Pursuant to Rule 46, on motion of Senator Liias, and without objection, the standing committees of the senate were granted special leave to meet during the day's floor session.

REPORTS OF STANDING COMMITTEES

March 1, 2019

SB 5064 Prime Sponsor, Senator Nguyen: Protecting personal information. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5064 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

Referred to Committee on Ways & Means.

February 19, 2019

SB 5096 Prime Sponsor, Senator O'Ban: Concerning short-term case aides that provide temporary assistance for foster parents. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: That Substitute Senate Bill No. 5096 be substituted therefor, and the substitute bill do pass. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; Cleveland; O'Ban; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

February 18, 2019

SB 5116 Prime Sponsor, Senator Carlyle: Supporting Washington's clean energy economy and transitioning to a clean, affordable, and reliable energy future. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5116 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen and Van De Wege.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun, Ranking Member and Rivers.

MINORITY recommendation: Do not pass. Signed by Senators Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Wagoner and Warnick.

Referred to Committee on Rules for second reading.

February 19, 2019

SB 5182 Prime Sponsor, Senator Kuderer: Concerning juvenile record sealing. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: That Substitute Senate Bill No. 5182 be substituted therefor, and the substitute bill do pass. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; Cleveland; Wilson, C. and Zeiger.

MINORITY recommendation: Do not pass. Signed by Senator O'Ban.

Referred to Committee on Rules for second reading.

February 25, 2019

SB 5183 Prime Sponsor, Senator Kuderer: Concerning relocation assistance for manufactured/mobile home park tenants. Reported by Committee on Ways & Means

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen; Rivers; Van De Wege; Wagoner; Warnick and Wilson, L.

MINORITY recommendation: Do not pass. Signed by Senator Schoesler.

Referred to Committee on Ways & Means.

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SB 5263 Prime Sponsor, Senator Zeiger: Concerning school bus driver requirements. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Holy; Hunt; McCoy; Mullet; Padden; Pedersen; Salomon and Wagoner.

Referred to Committee on Rules for second reading.

February 28, 2019

SB 5308 Prime Sponsor, Senator Short: Concerning performance-based contracting services by energy service contractors. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5308 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Billig; Carlyle; Darneille; Hunt; Liias; Palumbo; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Conway; Hasegawa and Pedersen.

Referred to Committee on Ways & Means.

February 20, 2019

SB 5322 Prime Sponsor, Senator Palumbo: Ensuring compliance with the federal clean water act by prohibiting certain discharges into waters of the state. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: That Substitute Senate Bill No. 5322 be substituted therefor, and the substitute bill do pass. Signed by Senators Carlyle, Chair; Palumbo, Vice Chair; Billig; Das; Hobbs; Liias; McCoy; Nguyen and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Ericksen, Ranking Member; Fortunato, Assistant Ranking Member, Environment; Brown and Short.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Sheldon, Assistant Ranking Member, Energy & Technology and Rivers.

Referred to Committee on Rules for second reading.

March 6, 2019

SB 5336 Prime Sponsor, Senator Palumbo: Advancing electric transportation. Reported by Committee on Transportation

MAJORITY recommendation: That Second Substitute Senate Bill No. 5336 be substituted therefor, and the second substitute bill do pass. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; Cleveland; Das; Lovelett; Nguyen; Randall; Takko and Wilson, C.

MINORITY recommendation: Do not pass. Signed by Senators King, Ranking Member; Sheldon, Assistant Ranking Member; Fortunato; O'Ban; Padden and Zeiger.

Referred to Committee on Transportation.

February 28, 2019

SB 5344 Prime Sponsor, Senator Cleveland: Concerning nursing fatigue. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Carlyle; Palumbo; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

MINORITY recommendation: Do not pass. Signed by Senators Conway; Hasegawa and Hunt.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Frockt, Vice Chair, Operating, Capital Lead; Darneille and Keiser.

Referred to Committee on Ways & Means.

March 1, 2019

SB 5356 Prime Sponsor, Senator Wilson, C.: Establishing the Washington state LGBTQ commission. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5356 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Brown, Assistant Ranking Member, Operating; Becker; Billig; Carlyle; Conway; Darneille; Hasegawa; Keiser; Liias; Palumbo; Pedersen; Rivers; Van De Wege; Warnick and Wilson, L.

MINORITY recommendation: Do not pass. Signed by Senators Honeyford, Assistant Ranking Member, Capital and Schoesler.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun, Ranking Member and Wagoner.

Referred to Committee on Ways & Means.

February 20, 2019

SB 5377 Prime Sponsor, Senator Carlyle: Concerning data sales and governance. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: That Substitute Senate Bill No. 5377 be substituted therefor, and the substitute bill do pass. Signed by Senators Carlyle, Chair; Palumbo, Vice Chair; Ericksen, Ranking Member; Fortunato, Assistant Ranking Member, Environment; Sheldon, Assistant Ranking Member, Energy & Technology; Billig; Brown; Das; Hobbs; Liias; McCoy; Nguyen; Rivers; Short and Wellman.

Referred to Committee on Ways & Means.

March 1, 2019

SB 5388 Prime Sponsor, Senator Becker: Establishing a training course for campaign treasurers. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5388 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Braun, Ranking Member; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Darneille; Hasegawa; Hunt; Keiser; Liias; Rivers; Schoesler; Wagoner; Warnick and Wilson, L.

MINORITY recommendation: Do not pass. Signed by Senators Carlyle and Pedersen.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Palumbo and Van De Wege.

Referred to Committee on Ways & Means.

February 20, 2019

SB 5499 Prime Sponsor, Senator Kuderer: Requiring the secretary of state to print and distribute a voters' pamphlet for the primary in each even-numbered year and for the general election every year. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Hunt, Chair; Kuderer, Vice Chair; Zeiger, Ranking Member; Bailey; Hasegawa and Takko.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Hawkins.

Referred to Committee on Ways & Means.

February 28, 2019

SB 5526 Prime Sponsor, Senator Frockt: Increasing the availability of quality, affordable health coverage in the individual market. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Senators Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Schoesler; Wagoner; Warnick and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Rivers.

Referred to Committee on Ways & Means.

February 19, 2019

SB 5538 Prime Sponsor, Senator Braun: Concerning free speech at institutions of higher education. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That Substitute Senate Bill No. 5538 be substituted therefor, and the substitute bill do pass. Signed by Senators Palumbo, Chair; Holy, Ranking Member; Brown and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Erickson and Liias.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Randall, Vice Chair.

Referred to Committee on Ways & Means.

February 20, 2019

SB 5563 Prime Sponsor, Senator Hobbs: Concerning mandatory rest periods for pilots. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Sheldon, Assistant Ranking Member; Cleveland; Das; Fortunato; Lovelett; Nguyen; Randall; Takko; Wilson, C. and Zeiger.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators O'Ban and Padden.

Referred to Committee on Rules for second reading.

February 19, 2019

SB 5586 Prime Sponsor, Senator Darneille: Requiring traumatic brain injury screenings for children entering the foster care system. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: That Substitute Senate Bill No. 5586 be substituted therefor, and the substitute bill do pass. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; Cleveland; O'Ban; Wilson, C. and Zeiger.

Referred to Committee on Ways & Means.

February 27, 2019

SB 5635 Prime Sponsor, Senator Brown: Expanding opportunities for students to pursue mental and behavioral health professions. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

Referred to Committee on Ways & Means.

February 25, 2019

SB 5656 Prime Sponsor, Senator Frockt: Concerning public works contracting procedures. Reported by Committee on Ways & Means

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Rolfes, Chair; Frockt,

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Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

Referred to Committee on Ways & Means.

Referred to Committee on Ways & Means.

February 20, 2019

SB 5697 Prime Sponsor, Senator Cleveland: Concerning the sale and installation of solid fuel burning devices. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: That Substitute Senate Bill No. 5697 be substituted therefor, and the substitute bill do pass. Signed by Senators Carlyle, Chair; Palumbo, Vice Chair; Billig; Das; Liias; McCoy; Nguyen and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Ericksen, Ranking Member; Fortunato, Assistant Ranking Member, Environment; Sheldon, Assistant Ranking Member, Energy & Technology; Brown; Rivers and Short.

Referred to Committee on Rules for second reading.

February 19, 2019

SB 5700 Prime Sponsor, Senator Nguyen: Concerning the release of juveniles in the custody of juvenile rehabilitation. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: That Substitute Senate Bill No. 5700 be substituted therefor, and the substitute bill do pass. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; Cleveland; O'Ban; Wilson, C. and Zeiger.

Referred to Committee on Ways & Means.

February 19, 2019

SB 5709 Prime Sponsor, Senator McCoy: Creating the Native American opportunity scholarship program. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That Substitute Senate Bill No. 5709 be substituted therefor, and the substitute bill do pass. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Liias and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Holy, Ranking Member; Brown and Ericksen.

Referred to Committee on Ways & Means.

February 27, 2019

SB 5718 Prime Sponsor, Senator Saldaña: Establishing the child welfare housing assistance program that provides housing assistance to parents reunifying with a child and parents at risk of having a child removed. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5718 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital

February 19, 2019

SB 5735 Prime Sponsor, Senator Darneille: Concerning the appropriate age for juvenile court adjudication. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: That Substitute Senate Bill No. 5735 be substituted therefor, and the substitute bill do pass. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; Cleveland and Wilson, C.

MINORITY recommendation: Do not pass. Signed by Senators O'Ban and Zeiger.

Referred to Committee on Rules for second reading.

February 20, 2019

SB 5737 Prime Sponsor, Senator Darneille: Concerning confinement in juvenile rehabilitation facilities. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: That Substitute Senate Bill No. 5737 be substituted therefor, and the substitute bill do pass. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; Cleveland; Wilson, C. and Zeiger.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator O'Ban.

Referred to Committee on Ways & Means.

February 19, 2019

SB 5738 Prime Sponsor, Senator Darneille: Requiring postsecondary institutions to plan for the needs of certain students experiencing homelessness. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: Do pass. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Liias and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Holy, Ranking Member; Brown and Ericksen.

Referred to Committee on Ways & Means.

March 1, 2019

SB 5741 Prime Sponsor, Senator Keiser: Making changes to support future operations of the state all payer claims database by transferring the responsibility to the health care authority, partnering with a lead organization with broad data experience, including with self-insured employers, and other changes to improve and ensure successful and sustainable database operations for access to and use of the data to improve health care, providing consumers useful and consistent quality and cost

measures, and assess total cost of care in Washington state. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen; Rivers and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Senators Schoesler and Warnick.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun, Ranking Member; Honeyford, Assistant Ranking Member, Capital; Becker; Wagoner and Wilson, L.

Referred to Committee on Ways & Means.

February 20, 2019

SB 5744 Prime Sponsor, Senator Dhingra: Concerning commercially sexually exploited children. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: That Substitute Senate Bill No. 5744 be substituted therefor, and the substitute bill do pass. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; Cleveland; O'Ban; Wilson, C. and Zeiger.

Referred to Committee on Ways & Means.

February 20, 2019

SB 5749 Prime Sponsor, Senator Mullet: Concerning faith-based exemptions regarding criminal mistreatment of children and vulnerable adults. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: Do pass. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; Cleveland; O'Ban; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

February 19, 2019

SB 5764 Prime Sponsor, Senator Randall: Changing the name of the medical quality assurance commission to the Washington medical commission. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: Do pass. Signed by Senators Cleveland, Chair; Randall, Vice Chair; O'Ban, Ranking Member; Bailey; Becker; Conway; Dhingra; Frockt; Keiser; Rivers and Van De Wege.

Referred to Committee on Rules for second reading.

March 1, 2019

SB 5774 Prime Sponsor, Senator Liias: Relieving student debt. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5774 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant

Ranking Member, Operating; Becker; Billig; Carlyle; Conway; Darneille; Keiser; Liias; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Honeyford, Assistant Ranking Member, Capital and Hasegawa.

Referred to Committee on Ways & Means.

February 19, 2019

SB 5786 Prime Sponsor, Senator Brown: Concerning research in public institutions of higher education. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: Do pass. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown; Ericksen and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Liias.

Referred to Committee on Rules for second reading.

February 26, 2019

SB 5800 Prime Sponsor, Senator Randall: Concerning homeless college students. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5800 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Honeyford, Assistant Ranking Member, Capital; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen; Rivers; Van De Wege and Warnick.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Bailey; Becker; Schoesler; Wagoner and Wilson, L.

Referred to Committee on Ways & Means.

February 19, 2019

SB 5805 Prime Sponsor, Senator Cleveland: Making state law consistent with selected federal consumer protections in the patient protection and affordable care act. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 5805 be substituted therefor, and the substitute bill do pass. Signed by Senators Cleveland, Chair; Randall, Vice Chair; Conway; Dhingra; Frockt; Keiser and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Senators O'Ban, Ranking Member; Bailey and Becker.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Rivers.

Referred to Committee on Rules for second reading.

February 20, 2019

THIRTY NINTH DAY, FEBRUARY 21, 2019

2019 REGULAR SESSION

SB 5812 Prime Sponsor, Senator Palumbo: Concerning local governments planning and zoning for accessory dwelling units. Reported by Committee on Housing Stability & Affordability

MAJORITY recommendation: That Substitute Senate Bill No. 5812 be substituted therefor, and the substitute bill do pass. Signed by Senators Kuderer, Chair; Das, Vice Chair; Darneille and Saldaña.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Zeiger, Ranking Member; Fortunato and Warnick.

Referred to Committee on Rules for second reading.

March 1, 2019

SB 5815 Prime Sponsor, Senator Nguyen: Concerning individuals placed in minimum security status by the department of children, youth, and families. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Honeyford, Assistant Ranking Member, Capital; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen; Van De Wege and Warnick.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun, Ranking Member; Becker; Rivers; Schoesler; Wagoner and Wilson, L.

Referred to Committee on Ways & Means.

February 20, 2019

SB 5816 Prime Sponsor, Senator Carlyle: Clarifying the valuation and determination of used and useful property for rate making purposes. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: Do pass. Signed by Senators Carlyle, Chair; Palumbo, Vice Chair; Ericksen, Ranking Member; Fortunato, Assistant Ranking Member, Environment; Sheldon, Assistant Ranking Member, Energy & Technology; Billig; Brown; Das; Hobbs; Liias; McCoy; Nguyen; Rivers; Short and Wellman.

Referred to Committee on Rules for second reading.

February 19, 2019

SB 5817 Prime Sponsor, Senator Rivers: Concerning senior students in accredited schools of chiropractic. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: Do pass. Signed by Senators Cleveland, Chair; Randall, Vice Chair; O'Ban, Ranking Member; Bailey; Becker; Conway; Dhingra; Frockt; Keiser; Rivers and Van De Wege.

Referred to Committee on Rules for second reading.

February 28, 2019

SB 5822 Prime Sponsor, Senator Randall: Providing a pathway to establish a universal health care system for the residents of Washington state. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5822 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Senators Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Schoesler; Wagoner; Warnick and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Rivers.

Referred to Committee on Ways & Means.

February 20, 2019

SB 5838 Prime Sponsor, Senator Darneille: Concerning correctional industries. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: That Substitute Senate Bill No. 5838 be substituted therefor, and the substitute bill do pass. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; Cleveland; O'Ban; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

February 19, 2019

SB 5839 Prime Sponsor, Senator Darneille: Creating a pilot project to provide personal care services for homeless seniors and persons with disabilities. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: That Substitute Senate Bill No. 5839 be substituted therefor, and the substitute bill do pass. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; Cleveland; O'Ban; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

February 27, 2019

SB 5848 Prime Sponsor, Senator Darneille: Concerning individuals under the department of corrections' jurisdiction. Reported by Committee on Ways & Means

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen; Rivers and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Senators Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Wagoner; Warnick and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Schoesler.

Referred to Committee on Ways & Means.

March 1, 2019

SB 5876 Prime Sponsor, Senator Darneille: Creating a women's division and system of gender-responsive, risk-need-responsivity, and trauma-informed practices within the department of corrections. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5876 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen; Rivers and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Senators Braun, Ranking Member; Honeyford, Assistant Ranking Member, Capital; Becker; Schoesler and Warnick.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Wagoner and Wilson, L.

Referred to Committee on Ways & Means.

February 20, 2019

SB 5880 Prime Sponsor, Senator Kuderer: Concerning juvenile sentencing. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: Do pass. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; Cleveland; O'Ban; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

February 19, 2019

SB 5884 Prime Sponsor, Senator Frockt: Establishing the evergreen promise pilot program, which provides for affordable access to institutions of higher education. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: Do pass as amended. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Liias and Wellman.

MINORITY recommendation: Do not pass. Signed by Senator Ericksen.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Brown.

Referred to Committee on Ways & Means.

February 19, 2019

SB 5887 Prime Sponsor, Senator Short: Concerning health carrier requirements for prior authorization standards. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 5887 be substituted therefor, and the substitute bill do pass. Signed by Senators Randall, Vice Chair; Bailey; Conway; Frockt; Keiser; Rivers and Van De Wege.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators O'Ban, Ranking Member and Becker.

Referred to Committee on Rules for second reading.

February 19, 2019

SB 5892 Prime Sponsor, Senator Nguyen: Concerning factors to be considered in a shelter care hearing. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: Do pass. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; Cleveland; O'Ban; Wilson, C. and Zeiger.

Referred to Committee on Ways & Means.

February 19, 2019

SB 5895 Prime Sponsor, Senator Wilson, C.: Concerning fingerprint background checks for guardians ad litem. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: Do pass. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; Cleveland; O'Ban; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

February 20, 2019

SB 5900 Prime Sponsor, Senator Randall: Promoting access to earned benefits and services for lesbian, gay, bisexual, transgender, and queer veterans. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Hunt, Chair; Kuderer, Vice Chair; Hasegawa and Takko.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Zeiger, Ranking Member; Bailey and Hawkins.

Referred to Committee on Ways & Means.

February 20, 2019

SB 5907 Prime Sponsor, Senator Kuderer: Requiring the office of civil legal aid to conduct a comparative study of the impact of attorney representation for tenants in unlawful detainer proceedings. Reported by Committee on Housing Stability & Affordability

MAJORITY recommendation: That Substitute Senate Bill No. 5907 be substituted therefor, and the substitute bill do pass. Signed by Senators Kuderer, Chair; Das, Vice Chair; Darneille and Saldaña.

MINORITY recommendation: Do not pass. Signed by Senators Fortunato and Warnick.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Zeiger, Ranking Member.

Referred to Committee on Ways & Means.

THIRTY NINTH DAY, FEBRUARY 21, 2019

2019 REGULAR SESSION

March 1, 2019

SB 5936 Prime Sponsor, Senator Brown: Concerning use of industrial waste through industrial symbioses. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5936 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

Referred to Committee on Ways & Means.

February 20, 2019

SB 5942 Prime Sponsor, Senator Das: Concerning the budgeting process for core state services for children. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: Do pass. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; Cleveland and Wilson, C.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Zeiger.

MINORITY recommendation: Do not pass. Signed by Senator O'Ban.

Referred to Committee on Ways & Means.

February 20, 2019

SB 5946 Prime Sponsor, Senator Nguyen: Concerning the application of the state environmental policy act to temporary shelters and transitional encampments. Reported by Committee on Housing Stability & Affordability

MAJORITY recommendation: That Substitute Senate Bill No. 5946 be substituted therefor, and the substitute bill do pass. Signed by Senators Kuderer, Chair; Das, Vice Chair; Zeiger, Ranking Member; Darneille; Fortunato; Saldaña and Warnick.

Referred to Committee on Rules for second reading.

February 19, 2019

SB 5955 Prime Sponsor, Senator Lovelett: Making necessary changes allowing the department of children, youth, and families to effectively manage a statewide system of care for children, youth, and families. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: That Substitute Senate Bill No. 5955 be substituted therefor, and the substitute bill do pass. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; Cleveland; O'Ban; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

February 20, 2019

SGA 9266 RUSSELL LEHMAN, appointed on January 9, 2019, for the term ending December 31, 2021, as Member of the Public Disclosure Commission. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Hunt, Chair; Kuderer, Vice Chair; Hasegawa; Hawkins and Takko.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Zeiger, Ranking Member and Bailey.

Referred to Committee on Rules for second reading.

MOTION

On motion of Liias, all measures listed on the Standing Committee report were referred to the committees as designated with the exception of Senate Bill No. 5586 which had been designated to the Committee on Rules and was referred to the Committee on Ways & Means.

MOTION

On motion of Senator Liias, the Senate advanced to the fourth order of business.

MESSAGES FROM THE HOUSE

February 20, 2019

MR. PRESIDENT:
The House has passed:

HOUSE BILL NO. 1149,
SUBSTITUTE HOUSE BILL NO. 1197,
HOUSE BILL NO. 1533,
and the same are herewith transmitted.
NONA SNELL, Deputy Chief Clerk

February 20, 2019

MR. PRESIDENT:
The House has passed:

ENGROSSED HOUSE BILL NO. 1074,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1138,
and the same are herewith transmitted.
BERNARD DEAN, Chief Clerk

MOTION

On motion of Senator Liias, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 5964 by Senators Padden and Schoesler
AN ACT Relating to misconduct for purposes of unemployment insurance; and amending RCW 50.04.294.

Referred to Committee on Labor & Commerce.

SCR 8404 by Senators Liias and Short
Honoring former members of the Senate and House of Representatives of the State of Washington who have passed from this life.

Placed on the second reading calendar

HB 1149 by Representatives Jinkins, Griffey, Doglio, Kilduff, Macri, Valdez, Irwin, Dolan, Appleton, Tarleton, Goodman, Orwall, Stanford and Walen

AN ACT Relating to clarifying requirements to obtain a sexual assault protection order; amending RCW 7.90.020; and creating a new section.

Referred to Committee on Law & Justice.

SHB 1197 by House Committee on Transportation (originally sponsored by Riccelli, Irwin, Lovick, Barkis, Reeves, Blake, Ortiz-Self, Ormsby, Valdez, Bergquist, Mead, Fey, Volz, Chapman, Pellicciotti, Kilduff, Dolan, Sells, Maycumber, Shea, Griffey, Leavitt and Stanford)

AN ACT Relating to gold star license plates; and amending RCW 46.18.245.

Referred to Committee on Transportation.

HB 1533 by Representatives Mosbrucker, Pettigrew, Corry, Goodman, Maycumber, Dye, Macri, Griffey, Kraft, Van Werven, Chambers, Walsh, Graham, Appleton, Blake, Doglio, Reeves, Stanford, Valdez and Leavitt

AN ACT Relating to making information about domestic violence resources available in the workplace; adding a new section to chapter 50.12 RCW; and creating a new section.

Referred to Committee on Labor & Commerce.

MOTION

On motion of Senator Liias, all measures listed on the Introduction and First Reading report were referred to the committees as designated with the exception of Senate Concurrent Resolution No. 8404 which was placed on the second reading calendar.

MOTION

At 12:05 p.m., on motion of Senator Liias, the Senate adjourned until 12:00 o'clock noon Friday, February 22, 2019.

CYRUS HABIB, President of the Senate

BRAD HENDRICKSON, Secretary of the Senate

FORTIETH DAY

NOON SESSION

Senate Chamber, Olympia
Friday, February 22, 2019

The Senate was called to order at 12:01 p.m. by the Vice President Pro Tempore of the Senate, Senator Conway presiding. No roll call was taken.

The Vice President Pro Tempore called upon the Secretary to read the journal of the preceding day.

MOTIONS

On motion of Senator Lias, the reading of the Journal of the previous day was dispensed with and it was approved.

There being no objection, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

February 21, 2019

SB 5016 Prime Sponsor, Senator Van De Wege: Allowing animal control officers to carry firearms for personal protection. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Kuderer and Salomon.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Padden, Ranking Member; Holy and Wilson, L.

Referred to Committee on Rules for second reading.

February 20, 2019

SB 5090 Prime Sponsor, Senator Wellman: Addressing wage and salary information. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 5090 be substituted therefor, and the substitute bill do pass. Signed by Senators Walsh; Saldaña; King, Ranking Member; Conway, Vice Chair; Keiser, Chair and Wellman.

Referred to Committee on Rules for second reading.

February 21, 2019

SB 5099 Prime Sponsor, Senator Sheldon: Establishing recreational target shooting areas on public lands. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: That Substitute Senate Bill No. 5099 be substituted therefor, and the substitute bill do pass. Signed by Senators Van De Wege, Chair; Salomon, Vice Chair; Warnick, Ranking Member; Rolfes and Short.

MINORITY recommendation: Do not pass. Signed by Senator McCoy.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Honeyford.

Referred to Committee on Rules for second reading.

February 20, 2019

SB 5146 Prime Sponsor, Senator Wellman: Concerning flexibility in high school graduation requirements. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 5146 be substituted therefor, and the substitute bill do pass. Signed by Senators Wagoner; Salomon; Pedersen; Padden; McCoy; Hunt; Holy; Hawkins, Ranking Member; Wilson, C., Vice Chair Wellman, Chair.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Mullet.

Referred to Committee on Ways & Means.

February 21, 2019

SB 5193 Prime Sponsor, Senator Short: Concerning the process of identifying limited areas of more intensive rural development. Reported by Committee on Local Government

MAJORITY recommendation: That Substitute Senate Bill No. 5193 be substituted therefor, and the substitute bill do pass. Signed by Senators Honeyford; Short, Ranking Member Takko, Chair.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Salomon, Vice Chair and Lovelett.

Referred to Committee on Ways & Means.

February 20, 2019

SB 5199 Prime Sponsor, Senator Keiser: Granting certain correctional employees binding interest arbitration. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Saldaña; Walsh and Wellman.

Referred to Committee on Rules for second reading.

February 20, 2019

SB 5217 Prime Sponsor, Senator Keiser: Concerning industrial insurance wage loss. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Wellman; Saldaña; Conway, Vice Chair Keiser, Chair.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators King, Ranking Member and Walsh.

Referred to Committee on Rules for second reading.

February 21, 2019

SB 5279 Prime Sponsor, Senator Van De Wege: Regulating outdoor burning for the protection of life or property and for public health, safety, and welfare. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: That Substitute Senate Bill No. 5279 be substituted therefor, and the substitute bill do pass. Signed by Senators Short; Rolfes; McCoy; Honeyford; Warnick, Ranking Member; Salomon, Vice Chair Van De Wege, Chair.

Referred to Committee on Ways & Means.

February 21, 2019

SB 5284 Prime Sponsor, Senator Liias: Concerning smoke detection devices. Reported by Committee on Financial Institutions, Economic Development & Trade

MAJORITY recommendation: That Substitute Senate Bill No. 5284 be substituted therefor, and the substitute bill do pass. Signed by Senators Hobbs; Das; Wilson, L., Ranking Member; Hasegawa, Vice Chair Mullet, Chair.

MINORITY recommendation: Do not pass. Signed by Senator Ericksen.

Referred to Committee on Ways & Means.

February 21, 2019

SB 5288 Prime Sponsor, Senator Darneille: Sentencing for persistent offenders. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 5288 be substituted therefor, and the substitute bill do pass. Signed by Senators Salomon; Kuderer; Dhingra, Vice Chair Pedersen, Chair.

MINORITY recommendation: Do not pass. Signed by Senators Wilson, L.; Holy Padden, Ranking Member.

Referred to Committee on Rules for second reading.

February 20, 2019

SB 5296 Prime Sponsor, Senator Keiser: Concerning the liquor and cannabis board. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 5296 be substituted therefor, and the substitute bill do pass. Signed by Senators Saldaña; Walsh; Wellman; Conway, Vice Chair; King, Ranking Member Keiser, Chair.

Referred to Committee on Rules for second reading.

February 20, 2019

SB 5298 Prime Sponsor, Senator Rivers: Regarding labeling of marijuana products. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 5298 be substituted therefor, and the substitute bill do pass. Signed by Senators Conway, Vice Chair; Keiser, Chair; Wellman and Saldaña.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators King, Ranking Member and Walsh.

Referred to Committee on Rules for second reading.

February 20, 2019

SB 5303 Prime Sponsor, Senator Liias: Addressing motorcycle safety. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5303 be substituted therefor, and the substitute bill do pass. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Sheldon, Assistant Ranking Member; Cleveland; Das; Fortunato; Lovelett; Randall; Takko; Wilson, C.; Zeiger and Nguyen.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators O'Ban and Padden.

Referred to Committee on Rules for second reading.

February 20, 2019

SB 5315 Prime Sponsor, Senator Wellman: Increasing student support staff in the prototypical school funding model. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 5315 be substituted therefor, and the substitute bill do pass. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hunt; McCoy; Mullet; Pedersen and Salomon.

MINORITY recommendation: Do not pass. Signed by Senator Holy.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Hawkins, Ranking Member; Padden and Wagoner.

Referred to Committee on Ways & Means.

February 20, 2019

SB 5318 Prime Sponsor, Senator Rivers: Reforming the compliance and enforcement provisions for marijuana licensees. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 5318 be substituted therefor, and the substitute bill do pass. Signed by Senators King, Ranking Member; Saldaña; Walsh; Wellman; Keiser, Chair Conway, Vice Chair.

Referred to Committee on Ways & Means.

February 21, 2019

FORTIETH DAY, FEBRUARY 22, 2019

2019 REGULAR SESSION

SB 5328 Prime Sponsor, Senator Salomon: Concerning driver's license suspensions and revocations. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5328 be substituted therefor, and the substitute bill do pass. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Sheldon, Assistant Ranking Member; Cleveland; Padden; Takko and Zeiger.

MINORITY recommendation: Do not pass. Signed by Senators Das; Nguyen; Randall and Wilson, C.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators O'Ban; Fortunato and Lovelett.

Referred to Committee on Ways & Means.

February 21, 2019

SB 5384 Prime Sponsor, Senator Zeiger: Concerning the location of tiny house communities. Reported by Committee on Local Government

MAJORITY recommendation: That Substitute Senate Bill No. 5384 be substituted therefor, and the substitute bill do pass. Signed by Senators Takko, Chair; Short, Ranking Member; Honeyford and Lovelett.

MINORITY recommendation: Do not pass. Signed by Senator Salomon, Vice Chair.

Referred to Committee on Rules for second reading.

February 20, 2019

SB 5395 Prime Sponsor, Senator Wilson, C.: Concerning comprehensive sexual health education. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 5395 be substituted therefor, and the substitute bill do pass. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hunt; McCoy; Mullet; Pedersen and Salomon.

MINORITY recommendation: Do not pass. Signed by Senators Hawkins, Ranking Member; Holy; Padden and Wagoner.

Referred to Committee on Rules for second reading.

February 21, 2019

SB 5431 Prime Sponsor, Senator Frockt: Concerning community facilities needed to ensure a continuum of care for behavioral health patients. Reported by Committee on Behavioral Health Subcommittee to Health & Long Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 5431 be substituted therefor, and the substitute bill do pass. Signed by Senators Dhingra, Chair; Wagoner, Ranking Member; Darneille; Frockt and O'Ban.

Referred to Committee on Ways & Means.

February 21, 2019

SB 5434 Prime Sponsor, Senator Wilson, C.: Restricting possession of weapons in certain locations. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 5434 be substituted therefor, and the substitute bill do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Kuderer and Salomon.

MINORITY recommendation: Do not pass. Signed by Senators Padden, Ranking Member; Holy and Wilson, L.

Referred to Committee on Rules for second reading.

February 21, 2019

SB 5440 Prime Sponsor, Senator Palumbo: Concerning the housing element of comprehensive plans required under the growth management act. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Senators Lovelett; Salomon, Vice Chair Takko, Chair.

MINORITY recommendation: Do not pass. Signed by Senator Honeyford.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Short, Ranking Member.

Referred to Committee on Ways & Means.

February 20, 2019

SB 5465 Prime Sponsor, Senator Wellman: Concerning basic education funding. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 5465 be substituted therefor, and the substitute bill do pass. Signed by Senators Salomon; Mullet; McCoy; Hunt; Wilson, C., Vice Chair Wellman, Chair.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Wagoner; Pedersen; Padden; Holy Hawkins, Ranking Member.

Referred to Committee on Ways & Means.

February 21, 2019

SB 5467 Prime Sponsor, Senator Lias: Extending the tax preferences in RCW 82.04.260(12). Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: Do pass. Signed by Senators Van De Wege, Chair; Short; Rolfes; McCoy; Honeyford; Warnick, Ranking Member Salomon, Vice Chair.

Referred to Committee on Ways & Means.

February 21, 2019

SB 5468 Prime Sponsor, Senator Van De Wege: Concerning device registration, civil penalties, and service agent registration for the weights and measures program. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: Do pass. Signed by Senators Rolfes; McCoy; Short; Van De Wege, Chair; Salomon, Vice Chair; Warnick, Ranking Member and Honeyford.

Referred to Committee on Rules for second reading.

February 20, 2019

SB 5474 Prime Sponsor, Senator Keiser: Concerning industrial insurance and self-insurers. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 5474 be substituted therefor, and the substitute bill do pass. Signed by Senators Conway, Vice Chair; King, Ranking Member; Saldaña; Walsh; Wellman Keiser, Chair.

Referred to Committee on Rules for second reading.

February 21, 2019

SB 5487 Prime Sponsor, Senator Padden: Providing personal caregiver access in places of public resort, accommodation, assemblage, or amusement. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 5487 be substituted therefor, and the substitute bill do pass. Signed by Senators Wilson, L.; Salomon; Kuderer; Padden, Ranking Member; Dhingra, Vice Chair Pedersen, Chair.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Holy.

Referred to Committee on Rules for second reading.

February 21, 2019

SB 5497 Prime Sponsor, Senator Wellman: Establishing a statewide policy supporting Washington state's economy and immigrants' role in the workplace. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 5497 be substituted therefor, and the substitute bill do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Kuderer and Salomon.

MINORITY recommendation: Do not pass. Signed by Senators Padden, Ranking Member; Holy and Wilson, L.

Referred to Committee on Ways & Means.

February 21, 2019

SB 5508 Prime Sponsor, Senator Fortunato: Clarifying background check requirements for an application for a concealed pistol license. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Wilson, L.; Salomon; Kuderer; Holy; Padden, Ranking Member; Dhingra, Vice Chair Pedersen, Chair.

Referred to Committee on Rules for second reading.

February 21, 2019

SB 5516 Prime Sponsor, Senator Cleveland: Establishing a behavioral health innovation and integration campus within the University of Washington school of medicine. Reported by Committee on Behavioral Health Subcommittee to Health & Long Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 5516 be substituted therefor, and the substitute bill do pass. Signed by Senators O'Ban; Frockt; Darneille; Wagoner, Ranking Member Dhingra, Chair.

Referred to Committee on Ways & Means.

February 21, 2019

SB 5524 Prime Sponsor, Senator Short: Concerning agency obligations. Reported by Committee on Local Government

MAJORITY recommendation: That Substitute Senate Bill No. 5524 be substituted therefor, and the substitute bill do pass. Signed by Senators Takko, Chair; Salomon, Vice Chair; Short, Ranking Member; Honeyford and Lovelett.

Referred to Committee on Ways & Means.

February 21, 2019

SB 5525 Prime Sponsor, Senator Short: Concerning whitetail deer population estimates. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: That Substitute Senate Bill No. 5525 be substituted therefor, and the substitute bill do pass. Signed by Senators Short; Rolfes; McCoy; Honeyford; Warnick, Ranking Member; Salomon, Vice Chair Van De Wege, Chair.

Referred to Committee on Rules for second reading.

February 21, 2019

SB 5543 Prime Sponsor, Senator Takko: Retaining productive farmland. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: That Substitute Senate Bill No. 5543 be substituted therefor, and the substitute bill do pass. Signed by Senators Van De Wege, Chair; Salomon, Vice Chair; Warnick, Ranking Member; McCoy and Rolfes.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Honeyford and Short.

Referred to Committee on Ways & Means.

February 21, 2019

SB 5547 Prime Sponsor, Senator Van De Wege: Concerning the proposed department of natural resources' marbled murrelet long-

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term conservation strategy. Reported by Committee on Agriculture, Water, Natural Resources & Parks

Vice Chair; Warnick, Ranking Member; McCoy; Rolfes and Short.

MAJORITY recommendation: That Substitute Senate Bill No. 5547 be substituted therefor, and the substitute bill do pass. Signed by Senators Short; Honeyford; Warnick, Ranking Member Van De Wege, Chair.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Honeyford.

MINORITY recommendation: Do not pass. Signed by Senators Rolfes; McCoy Salomon, Vice Chair.

Referred to Committee on Ways & Means.

Referred to Committee on Ways & Means.

February 20, 2019

SB 5549 Prime Sponsor, Senator Liias: Modernizing resident distillery marketing and sales restrictions. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 5549 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Saldaña; Walsh and Wellman.

February 21, 2019
SB 5597 Prime Sponsor, Senator Rolfes: Creating a work group on aerial pesticide applications in forestlands. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: That Substitute Senate Bill No. 5597 be substituted therefor, and the substitute bill do pass. Signed by Senators Van De Wege, Chair; Short; Rolfes; McCoy; Warnick, Ranking Member Salomon, Vice Chair.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Honeyford.

Referred to Committee on Ways & Means.

Referred to Committee on Rules for second reading.

February 21, 2019

SB 5551 Prime Sponsor, Senator Dhingra: Concerning courthouse facility dog assistance for testifying witnesses. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; Holy; Kuderer; Salomon and Wilson, L.

February 21, 2019
SB 5614 Prime Sponsor, Senator Rivers: Harming police animals. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 5614 be substituted therefor, and the substitute bill do pass. Signed by Senators Wilson, L.; Kuderer; Holy; Padden, Ranking Member; Dhingra, Vice Chair Pedersen, Chair.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Salomon.

Referred to Committee on Rules for second reading.

Referred to Committee on Rules for second reading.

February 21, 2019

SB 5552 Prime Sponsor, Senator Liias: Concerning the protection of native pollinators, including bees. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: That Substitute Senate Bill No. 5552 be substituted therefor, and the substitute bill do pass. Signed by Senators Short; Van De Wege, Chair; Salomon, Vice Chair; Warnick, Ranking Member; McCoy and Rolfes.

February 21, 2019
SB 5617 Prime Sponsor, Senator Salomon: Banning the use of nontribal gill nets. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: That Substitute Senate Bill No. 5617 be substituted therefor, and the substitute bill do pass. Signed by Senators Van De Wege, Chair; Salomon, Vice Chair; Warnick, Ranking Member and Rolfes.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Honeyford.

MINORITY recommendation: Do not pass. Signed by Senators McCoy and Short.

Referred to Committee on Ways & Means.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Honeyford.

Referred to Committee on Ways & Means.

February 21, 2019

SB 5577 Prime Sponsor, Senator Rolfes: Concerning the protection of southern resident orca whales from vessels. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: That Substitute Senate Bill No. 5577 be substituted therefor, and the substitute bill do pass. Signed by Senators Van De Wege, Chair; Salomon,

February 20, 2019
SB 5623 Prime Sponsor, Senator Van De Wege: Strengthening the rights of workers through collective bargaining by addressing authorizations and revocations, certifications, and the authority to

deduct and accept union dues and fees. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 5623 be substituted therefor, and the substitute bill do pass. Signed by Senators Saldaña; Conway, Vice Chair; Keiser, Chair and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators King, Ranking Member and Walsh.

Referred to Committee on Rules for second reading.

February 21, 2019

SB 5626 Prime Sponsor, Senator Takko: Ensuring the safe and productive cultivation of shellfish. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: Do pass. Signed by Senators Van De Wege, Chair; Short; Honeyford; Warnick, Ranking Member Salomon, Vice Chair.

MINORITY recommendation: Do not pass. Signed by Senators Rolfes and McCoy.

Referred to Committee on Ways & Means.

February 20, 2019

SB 5627 Prime Sponsor, Senator Brown: Establishing the healthy energy workers board. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 5627 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Saldaña; Walsh and Wellman.

Referred to Committee on Rules for second reading.

February 20, 2019

SB 5643 Prime Sponsor, Senator King: Modifying theater license provisions. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Walsh; Saldaña; King, Ranking Member Keiser, Chair.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Conway, Vice Chair and Wellman.

Referred to Committee on Ways & Means.

February 21, 2019

SB 5651 Prime Sponsor, Senator King: Establishing a kinship care legal aid coordinator. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; Holy; Kuderer; Salomon and Wilson, L.

Referred to Committee on Ways & Means.

February 21, 2019

SB 5693 Prime Sponsor, Senator Saldaña: Creating transparency in agricultural supply chains. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 5693 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Walsh; King, Ranking Member and Braun.

Referred to Committee on Rules for second reading.

February 21, 2019

SB 5696 Prime Sponsor, Senator Warnick: Concerning payments in lieu of real property taxes. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: Do pass. Signed by Senators Short; Van De Wege, Chair; Salomon, Vice Chair; Warnick, Ranking Member; McCoy and Rolfes.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Honeyford.

Referred to Committee on Ways & Means.

February 21, 2019

SB 5714 Prime Sponsor, Senator Dhingra: Concerning the reliability of evidence in criminal proceedings. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 5714 be substituted therefor, and the substitute bill do pass. Signed by Senators Wilson, L.; Salomon; Kuderer; Holy; Padden, Ranking Member; Dhingra, Vice Chair Pedersen, Chair.

Referred to Committee on Rules for second reading.

February 21, 2019

SB 5715 Prime Sponsor, Senator Frockt: Establishing a streamlined process to increase the capacity of certain mental health providers to offer substance use disorder treatment. Reported by Committee on Behavioral Health Subcommittee to Health & Long Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 5715 be substituted therefor, and the substitute bill do pass. Signed by Senators Dhingra, Chair; Wagoner, Ranking Member; Darneille; Frockt and O'Ban.

Referred to Committee on Ways & Means.

February 21, 2019

SB 5717 Prime Sponsor, Senator Saldaña: Concerning employer and employee scheduling. Reported by Committee on Labor & Commerce

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MAJORITY recommendation: That Substitute Senate Bill No. 5717 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Walsh; King, Ranking Member and Braun.

Referred to Committee on Ways & Means.

February 21, 2019

SB 5733 Prime Sponsor, Senator Saldaña: Protecting tenants in residential tenancies. Reported by Committee on Financial Institutions, Economic Development & Trade

MAJORITY recommendation: That Substitute Senate Bill No. 5733 be substituted therefor, and the substitute bill do pass. Signed by Senators Braun; Hobbs; Wilson, L., Ranking Member Mullet, Chair.

MINORITY recommendation: Do not pass. Signed by Senator Ericksen.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Das Hasegawa, Vice Chair.

Referred to Committee on Rules for second reading.

February 21, 2019

SB 5734 Prime Sponsor, Senator Cleveland: Concerning the hospital safety net assessment. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5734 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Wagoner; Van De Wege; Schoesler; Rivers; Palumbo; Pedersen; Liias; Keiser; Hunt; Darneille; Hasegawa; Conway; Carlyle; Billig; Honeyford, Assistant Ranking Member, Capital; Becker; Bailey; Brown, Assistant Ranking Member, Operating; Braun, Ranking Member; Mullet, Capital Budget Cabinet; Frockt, Vice Chair, Operating, Capital Lead; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

February 21, 2019

SB 5745 Prime Sponsor, Senator Liias: Concerning extreme risk protection orders. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 5745 be substituted therefor, and the substitute bill do pass. Signed by Senators Salomon; Kuderer; Dhingra, Vice Chair Pedersen, Chair.

MINORITY recommendation: Do not pass. Signed by Senators Padden, Ranking Member; Holy and Wilson, L.

Referred to Committee on Rules for second reading.

SB 5765 Prime Sponsor, Senator Kuderer: Creating a new exclusion from mandatory industrial insurance coverage for persons transporting freight. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 5765 be substituted therefor, and the substitute bill do pass. Signed by Senators Wellman; Saldaña; Keiser, Chair Conway, Vice Chair.

MINORITY recommendation: Do not pass. Signed by Senators Braun King, Ranking Member.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Walsh.

Referred to Committee on Rules for second reading.

February 21, 2019

SB 5782 Prime Sponsor, Senator Zeiger: Concerning spring blade knives. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Wilson, L.; Salomon; Kuderer; Holy; Padden, Ranking Member; Dhingra, Vice Chair Pedersen, Chair.

Referred to Committee on Rules for second reading.

February 21, 2019

SB 5819 Prime Sponsor, Senator Darneille: Establishing a postconviction review board and review process for early release of qualifying offenders. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 5819 be substituted therefor, and the substitute bill do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Kuderer and Salomon.

MINORITY recommendation: Do not pass. Signed by Senators Wilson, L.; Padden, Ranking Member and Holy.

Referred to Committee on Ways & Means.

February 21, 2019

SB 5850 Prime Sponsor, Senator Salomon: Concerning identifying and responding to bias-based criminal offenses. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 5850 be substituted therefor, and the substitute bill do pass. Signed by Senators Salomon; Kuderer; Dhingra, Vice Chair Pedersen, Chair.

MINORITY recommendation: Do not pass. Signed by Senators Wilson, L.; Holy Padden, Ranking Member.

Referred to Committee on Rules for second reading.

February 21, 2019

SB 5858 Prime Sponsor, Senator Hobbs: Concerning funding and uses of the military department active state service account. Reported by Committee on Financial Institutions, Economic Development & Trade

MAJORITY recommendation: That Substitute Senate Bill No. 5858 be substituted therefor, and the substitute bill do pass. Signed by Senators Mullet, Chair; Wilson, L., Ranking Member; Das; Ericksen and Hobbs.

MINORITY recommendation: Do not pass. Signed by Senator Hasegawa, Vice Chair.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Braun.

Referred to Committee on Ways & Means.

February 21, 2019

SB 5873 Prime Sponsor, Senator Hawkins: Concerning community forests. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: That Substitute Senate Bill No. 5873 be substituted therefor, and the substitute bill do pass. Signed by Senators Van De Wege, Chair; Short; Rolfes; McCoy; Honeyford; Warnick, Ranking Member Salomon, Vice Chair.

Referred to Committee on Ways & Means.

February 21, 2019

SB 5875 Prime Sponsor, Senator Palumbo: Concerning unfair practices involving compensation of athletes in higher education. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That Substitute Senate Bill No. 5875 be substituted therefor, and the substitute bill do pass. Signed by Senators Wellman; Liias; Randall, Vice Chair Palumbo, Chair.

MINORITY recommendation: Do not pass. Signed by Senators Holy, Ranking Member; Brown and Ericksen.

Referred to Committee on Ways & Means.

February 21, 2019

SB 5885 Prime Sponsor, Senator Padden: Creating an exemption to hearsay for child sex trafficking victims. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 5885 be substituted therefor, and the substitute bill do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; Holy; Kuderer; Salomon and Wilson, L.

Referred to Committee on Rules for second reading.

February 21, 2019

SB 5899 Prime Sponsor, Senator Mullet: Concerning sales and use tax for public facilities in rural or border counties. Reported

by Committee on Financial Institutions, Economic Development & Trade

MAJORITY recommendation: That Substitute Senate Bill No. 5899 be substituted therefor, and the substitute bill do pass. Signed by Senators Mullet, Chair; Wilson, L., Ranking Member; Ericksen and Hobbs.

MINORITY recommendation: Do not pass. Signed by Senators Hasegawa, Vice Chair and Das.

Referred to Committee on Ways & Means.

February 21, 2019

SB 5918 Prime Sponsor, Senator Lovelett: Providing whale watching guidelines in the boating safety education program. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: Do pass. Signed by Senators Rolfes; McCoy; Short; Van De Wege, Chair; Salomon, Vice Chair; Warnick, Ranking Member and Honeyford.

Referred to Committee on Ways & Means.

February 21, 2019

SB 5931 Prime Sponsor, Senator Becker: Creating the nurse educator incentive grant program. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: Do pass. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown; Ericksen; Liias and Wellman.

Referred to Committee on Ways & Means.

February 21, 2019

SB 5932 Prime Sponsor, Senator Becker: Concerning salaries for faculty at community and technical colleges. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That Substitute Senate Bill No. 5932 be substituted therefor, and the substitute bill do pass. Signed by Senators Ericksen; Brown; Holy, Ranking Member; Randall, Vice Chair; Palumbo, Chair; Liias and Wellman.

Referred to Committee on Ways & Means.

February 21, 2019

SB 5939 Prime Sponsor, Senator Mullet: Removing disincentives to the creation of community facilities districts. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Senators Short, Ranking Member; Salomon, Vice Chair; Takko, Chair; Honeyford and Lovelett.

Referred to Committee on Rules for second reading.

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SB 5947 Prime Sponsor, Senator McCoy: Establishing the sustainable farms and fields grant program. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: That Substitute Senate Bill No. 5947 be substituted therefor, and the substitute bill do pass. Signed by Senators Van De Wege, Chair; Short; Rolfes; McCoy; Warnick, Ranking Member Salomon, Vice Chair.

MINORITY recommendation: Do not pass. Signed by Senator Honeyford.

Referred to Committee on Ways & Means.

February 21, 2019

SB 5948 Prime Sponsor, Senator Palumbo: Creating a small business bill of rights. Reported by Committee on Financial Institutions, Economic Development & Trade

MAJORITY recommendation: That Substitute Senate Bill No. 5948 be substituted therefor, and the substitute bill do pass. Signed by Senators Hobbs; Ericksen; Das; Braun; Wilson, L., Ranking Member Mullet, Chair.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Hasegawa, Vice Chair.

Referred to Committee on Ways & Means.

February 21, 2019

SB 5950 Prime Sponsor, Senator Randall: Creating the social work professional loan repayment program. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That Substitute Senate Bill No. 5950 be substituted therefor, and the substitute bill do pass. Signed by Senators Liias; Brown; Holy, Ranking Member; Randall, Vice Chair; Palumbo, Chair and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Ericksen.

Referred to Committee on Ways & Means.

February 21, 2019

SB 5954 Prime Sponsor, Senator Rolfes: Concerning the bump-fire stock buy-back program. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5954 be substituted therefor, and the substitute bill do pass. Signed by Senators Wilson, L.; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Bailey; Becker; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Palumbo; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Frockt, Vice Chair, Operating, Capital Lead Rolfes, Chair.

Referred to Committee on Rules for second reading.

February 21, 2019
SB 5958 Prime Sponsor, Senator Lovelett: Concerning public works contracts and interlocal agreements by second-class cities and towns. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Senators Takko, Chair; Salomon, Vice Chair; Short, Ranking Member; Honeyford and Lovelett.

Referred to Committee on Rules for second reading.

February 21, 2019

SB 5960 Prime Sponsor, Senator Palumbo: Concerning higher education data and transparency. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That Substitute Senate Bill No. 5960 be substituted therefor, and the substitute bill do pass. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown; Ericksen; Liias and Wellman.

Referred to Committee on Ways & Means.

February 21, 2019

SJR 8209 Prime Sponsor, Senator Hobbs: Proposing an amendment to the Constitution creating the Washington state infrastructure bank. Reported by Committee on Financial Institutions, Economic Development & Trade

MAJORITY recommendation: That Substitute Senate Joint Resolution No. 8209 be substituted therefor, and the substitute joint resolution do pass. Signed by Senators Mullet, Chair; Wilson, L., Ranking Member; Braun and Hobbs.

MINORITY recommendation: Do not pass. Signed by Senators Das; Ericksen Hasegawa, Vice Chair.

Referred to Committee on Ways & Means.

February 21, 2019

SGA 9006 TERESITA BATAYOLA, reappointed on August 28, 2015, for the term ending September 30, 2020, as Member of the Seattle College District Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Liias and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Holy, Ranking Member; Brown and Ericksen.

Referred to Committee on Rules for second reading.

February 21, 2019

SGA 9007 LOUISE CHERNIN, appointed on June 5, 2015, for the term ending September 30, 2019, as Member of the Seattle College District Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Wellman; Liias; Randall, Vice Chair Palumbo, Chair.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Brown; Holy, Ranking Member and Ericksen.

Referred to Committee on Rules for second reading.

February 21, 2019

SGA 9014 JOHN M. MEYER, appointed on October 21, 2015, for the term ending September 30, 2021, as Member of the Western Washington University Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Liias and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Holy, Ranking Member; Brown and Ericksen.

Referred to Committee on Rules for second reading.

February 21, 2019

SGA 9018 JOHN W. PEDLOW, appointed on December 15, 2015, for the term ending September 30, 2020, as Member of the Whatcom Community College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Wellman; Liias; Randall, Vice Chair Palumbo, Chair.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Holy, Ranking Member; Brown and Ericksen.

Referred to Committee on Rules for second reading.

February 21, 2019

SGA 9021 JULIE MCCULLOCH, reappointed on December 15, 2015, for the term ending September 30, 2020, as Member of the Peninsula College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Wellman; Liias; Randall, Vice Chair Palumbo, Chair.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Brown; Holy, Ranking Member and Ericksen.

Referred to Committee on Rules for second reading.

February 21, 2019

SGA 9029 DEBRA J. ENTENMAN, appointed on June 5, 2015, for the term ending September 30, 2019, as Member of the Renton

Technical College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Liias and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Brown and Ericksen.

Referred to Committee on Rules for second reading.

February 21, 2019

SGA 9030 DOUG MAH, appointed on March 10, 2016, for the term ending September 30, 2020, as Member of the South Puget Sound Community College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Liias and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Holy, Ranking Member; Brown and Ericksen.

Referred to Committee on Rules for second reading.

February 21, 2019

SGA 9033 DARRELL S. MITSUNAGA, reappointed on December 15, 2015, for the term ending September 30, 2020, as Member of the Lake Washington Institute of Technology Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Wellman; Liias; Randall, Vice Chair Palumbo, Chair.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Brown; Holy, Ranking Member and Ericksen.

Referred to Committee on Rules for second reading.

February 21, 2019

SGA 9035 MAUREEN P. WEST, appointed on October 21, 2015, for the term ending September 30, 2021, as Member of the Western Washington University Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Liias and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Holy, Ranking Member; Brown and Ericksen.

Referred to Committee on Rules for second reading.

February 21, 2019

FORTIETH DAY, FEBRUARY 22, 2019

2019 REGULAR SESSION

SGA 9036 CLARA R PELLHAM, reappointed on September 28, 2015, for the term ending September 30, 2020, as Member of the Shoreline Community College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Wellman; Liias; Randall, Vice Chair Palumbo, Chair.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Brown; Holy, Ranking Member and Ericksen.

Referred to Committee on Rules for second reading.

February 21, 2019

SGA 9049 ARTHUR A. BLAUVELT III, reappointed on September 21, 2016, for the term ending September 30, 2021, as Member of the Grays Harbor College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Liias and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Holy, Ranking Member; Brown and Ericksen.

Referred to Committee on Rules for second reading.

February 21, 2019

SGA 9050 CATHERINE P. D'AMBROSIO, reappointed on September 21, 2016, for the term ending September 30, 2021, as Member of the Shoreline Community College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Wellman; Liias; Randall, Vice Chair Palumbo, Chair.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Brown; Holy, Ranking Member and Ericksen.

Referred to Committee on Rules for second reading.

February 21, 2019

SGA 9061 RUSSELL D. HAUGE, appointed on November 1, 2016, for the term ending August 2, 2019, as Chair of the Sentencing Guidelines Commission. Reported by Committee on Law & Justice

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Wilson, L.; Salomon; Kuderer; Holy; Padden, Ranking Member; Dhingra, Vice Chair Pedersen, Chair.

Referred to Committee on Rules for second reading.

February 21, 2019
SGA 9075 J. A. VANDER STOEP, appointed on May 1, 2017, for the term ending June 30, 2020, as Member of the Chehalis Board. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Short; Rolfes; Van De Wege, Chair; Salomon, Vice Chair; Warnick, Ranking Member; Honeyford and McCoy.

Referred to Committee on Rules for second reading.

February 21, 2019

SGA 9076 STEVEN MALLOCH, appointed on July 1, 2017, for the term ending June 30, 2019, as Member of the Chehalis Board. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Short; Rolfes; McCoy; Honeyford; Warnick, Ranking Member; Salomon, Vice Chair Van De Wege, Chair.

Referred to Committee on Rules for second reading.

February 21, 2019

SGA 9091 ROY CAPTAIN, appointed on July 31, 2017, for the term ending September 30, 2021, as Member of the Cascadia College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Liias and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Holy, Ranking Member; Brown and Ericksen.

Referred to Committee on Rules for second reading.

February 21, 2019

SGA 9104 JANET M. MCDANIEL, reappointed on September 29, 2017, for the term ending September 30, 2022, as Member of the Cascadia College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Liias and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Holy, Ranking Member and Brown.

Referred to Committee on Rules for second reading.

February 21, 2019

SGA 9108 DOUGLASS L. JACKSON, reappointed on October 1, 2017, for the term ending September 30, 2022, as Member of

the Shoreline Community College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Wellman; Liias; Randall, Vice Chair Palumbo, Chair.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Holy, Ranking Member and Brown.

Referred to Committee on Rules for second reading.

February 21, 2019

SGA 9111 HEATHER B. REDMAN, appointed on October 12, 2017, for the term ending September 30, 2021, as Member of the Board of Regents, Washington State University. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Wellman; Liias; Randall, Vice Chair Palumbo, Chair.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Holy, Ranking Member; Brown and Ericksen.

Referred to Committee on Rules for second reading.

February 21, 2019

SGA 9119 NEIL A. MCCLURE, appointed on October 30, 2017, for the term ending September 30, 2022, as Member of the Yakima Valley Community College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Wellman; Liias; Randall, Vice Chair Palumbo, Chair.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Brown; Holy, Ranking Member and Ericksen.

Referred to Committee on Rules for second reading.

February 21, 2019

SGA 9121 WENDY K. BOHLKE, appointed on November 2, 2017, for the term ending September 30, 2019, as Member of the Whatcom Community College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Liias and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Holy, Ranking Member; Brown and Ericksen.

Referred to Committee on Rules for second reading.

February 21, 2019

SGA 9122 REBECCA M. JOHNSON, appointed on November 20, 2017, for the term ending September 30, 2022, as Member of the Whatcom Community College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Liias and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Holy, Ranking Member; Brown and Ericksen.

Referred to Committee on Rules for second reading.

February 21, 2019

SGA 9126 STEVEN R. HILL, reappointed on December 20, 2017, for the term ending September 30, 2022, as Member of the Seattle College District Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Wellman; Liias; Randall, Vice Chair Palumbo, Chair.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Brown; Holy, Ranking Member and Ericksen.

Referred to Committee on Rules for second reading.

February 21, 2019

SGA 9131 ROSA PERALTA, appointed on January 3, 2018, for the term ending September 30, 2021, as Member of the Seattle College District Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Liias and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Holy, Ranking Member; Brown and Ericksen.

Referred to Committee on Rules for second reading.

February 21, 2019

SGA 9141 RICHARD LEIGH, appointed on January 22, 2018, for the term ending September 30, 2020, as Member of the Bellevue College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Wellman; Liias; Randall, Vice Chair Palumbo, Chair.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Brown; Holy, Ranking Member and Ericksen.

Referred to Committee on Rules for second reading.

FORTIETH DAY, FEBRUARY 22, 2019

2019 REGULAR SESSION

February 21, 2019

SGA 9143 DAVID ZEECK, appointed on January 29, 2018, for the term ending September 30, 2023, as Member of the University of Washington Board of Regents. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Liias and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Holy, Ranking Member; Brown and Ericksen.

Referred to Committee on Rules for second reading.

February 22, 2019

SGA 9154 HOLLY A. KOON, reappointed on February 27, 2018, for the term ending January 12, 2022, as Member of the State Board of Education. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Wagoner; Salomon; Pedersen; Mullet; McCoy; Hunt; Hawkins, Ranking Member; Wilson, C., Vice Chair Wellman, Chair.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Holy and Padden.

Referred to Committee on Rules for second reading.

February 21, 2019

SGA 9156 KIM PEARMAN-GILLMAN, appointed on February 21, 2018, for the term ending September 30, 2023, as Member of the Eastern Washington University Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Wellman; Liias; Randall, Vice Chair Palumbo, Chair.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Holy, Ranking Member; Brown and Ericksen.

Referred to Committee on Rules for second reading.

February 22, 2019

SGA 9159 JEFFREY C. ESTES, appointed on March 20, 2018, for the term ending January 12, 2022, as Member of the State Board of Education. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Wagoner; Salomon; Pedersen; Mullet; McCoy; Hunt; Holy; Hawkins, Ranking Member; Wilson, C., Vice Chair Wellman, Chair.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Padden.

Referred to Committee on Rules for second reading.

February 21, 2019

SGA 9161 BRADLEY F SMITH, appointed on March 23, 2018, for the term ending September 30, 2022, as Member of the Bellingham Technical College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Liias and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Holy, Ranking Member; Brown and Ericksen.

Referred to Committee on Rules for second reading.

February 21, 2019

SGA 9166 FIASILI L. SAVUSA, reappointed on April 3, 2018, for the term ending September 30, 2022, as Member of the Highline College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Wellman; Liias; Randall, Vice Chair Palumbo, Chair.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Brown; Holy, Ranking Member and Ericksen.

Referred to Committee on Rules for second reading.

February 21, 2019

SGA 9172 VICKIE K. NORRIS, appointed on May 29, 2018, for the term ending September 30, 2019, as Member of the Everett Community College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Wellman; Liias; Randall, Vice Chair Palumbo, Chair.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Holy, Ranking Member; Brown and Ericksen.

Referred to Committee on Rules for second reading.

February 21, 2019

SGA 9178 PAULA M. AKERLUND, appointed on July 1, 2018, for the term ending September 30, 2022, as Member of the Grays Harbor College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Liias and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Holy, Ranking Member; Brown and Ericksen.

Referred to Committee on Rules for second reading.

February 22, 2019

SGA 9201 JUANITA J. KAMPHUIS, reappointed on July 23, 2018, for the term ending July 1, 2023, as Member of the Center for Childhood Deafness and Hearing Loss Board of Trustees. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Holy; Hunt; McCoy; Mullet; Pedersen; Salomon and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Padden.

Referred to Committee on Rules for second reading.

February 21, 2019

SGA 9206 CATHERINE SHAFFER, reappointed on August 20, 2018, for the term ending August 2, 2021, as Member of the Sentencing Guidelines Commission. Reported by Committee on Law & Justice

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; Holy; Kuderer; Salomon and Wilson, L.

Referred to Committee on Rules for second reading.

February 21, 2019

SGA 9211 STEVEN J. DREW, appointed on November 2, 2018, for the term ending September 30, 2023, as Member of the South Puget Sound Community College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Liias and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Holy, Ranking Member and Brown.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Ericksen.

Referred to Committee on Rules for second reading.

February 21, 2019

SGA 9213 KAREN FRASER, appointed on August 22, 2018, for the term ending September 30, 2021, as Member of the The Evergreen State College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Wellman; Liias; Randall, Vice Chair Palumbo, Chair.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Ericksen and Brown.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Holy, Ranking Member.

Referred to Committee on Rules for second reading.

February 22, 2019

SGA 9215 DENNIS W. MATHEWS, reappointed on September 6, 2018, for the term ending July 1, 2023, as Member of the Washington State School for the Blind Board of Trustees. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Wagoner; Salomon; Pedersen; Mullet; McCoy; Hunt; Holy; Hawkins, Ranking Member; Wilson, C., Vice Chair Wellman, Chair.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Padden.

Referred to Committee on Rules for second reading.

February 21, 2019

SGA 9220 D. MICHAEL KELLY, reappointed on September 25, 2018, for the term ending September 30, 2023, as Member of the Cascadia College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Liias and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Holy, Ranking Member; Brown and Ericksen.

Referred to Committee on Rules for second reading.

February 22, 2019

SGA 9221 NANCY L. MCDANIEL, reappointed on September 25, 2018, for the term ending July 1, 2023, as Member of the Washington State School for the Blind Board of Trustees. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Holy; Hunt; McCoy; Mullet; Pedersen; Salomon and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Padden.

Referred to Committee on Rules for second reading.

February 21, 2019

SGA 9224 DEBBIE J. AHL, reappointed on September 27, 2018, for the term ending September 30, 2023, as Member of the Bellingham Technical College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

FORTIETH DAY, FEBRUARY 22, 2019

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MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Liias and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Holy, Ranking Member; Brown and Ericksen.

Referred to Committee on Rules for second reading.

February 21, 2019

SGA 9231 ASTRID E. AVELEDO, appointed on October 15, 2018, for the term ending September 30, 2023, as Member of the Grays Harbor College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Wellman; Liias; Randall, Vice Chair Palumbo, Chair.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Holy, Ranking Member; Brown and Ericksen.

Referred to Committee on Rules for second reading.

February 21, 2019

SGA 9233 JEREMY JAECH, appointed on October 15, 2018, for the term ending September 30, 2024, as Member of the University of Washington Board of Regents. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Liias and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Holy, Ranking Member; Brown and Ericksen.

Referred to Committee on Rules for second reading.

February 21, 2019

SGA 9234 THOMAS W. LUX, appointed on October 15, 2018, for the term ending September 30, 2023, as Member of the Shoreline Community College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Wellman; Liias; Randall, Vice Chair Palumbo, Chair.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Holy, Ranking Member; Brown and Ericksen.

Referred to Committee on Rules for second reading.

February 21, 2019

SGA 9236 DIANA L. CLAY, reappointed on October 18, 2018, for the term ending September 30, 2023, as Member of the

Edmonds Community College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Liias and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Holy, Ranking Member; Brown and Ericksen.

Referred to Committee on Rules for second reading.

February 21, 2019

SGA 9240 FAITH L. PETTIS, appointed on October 22, 2018, for the term ending September 30, 2024, as Member of the Western Washington University Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Wellman; Liias; Randall, Vice Chair Palumbo, Chair.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Holy, Ranking Member; Brown and Ericksen.

Referred to Committee on Rules for second reading.

February 21, 2019

SGA 9245 PAUL B. SPEER, appointed on October 31, 2018, for the term ending September 30, 2023, as Member of the Clark College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Wellman; Liias; Randall, Vice Chair Palumbo, Chair.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Holy, Ranking Member; Brown and Ericksen.

Referred to Committee on Rules for second reading.

February 21, 2019

SGA 9249 "GIDGET" JENNIE H. TERPSTRA, appointed on November 8, 2018, for the term ending September 30, 2019, as Member of the Shoreline Community College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Liias and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Holy, Ranking Member; Brown and Ericksen.

Referred to Committee on Rules for second reading.

February 21, 2019

SGA 9254 PATRICIA E. SHUMAN, appointed on November 19, 2018, for the term ending September 30, 2023, as Member of the Tacoma Community College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Liias and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Holy, Ranking Member; Brown and Ericksen.

Referred to Committee on Rules for second reading.

February 21, 2019

SGA 9264 ELI TAYLOR, appointed on December 20, 2018, for the term ending September 30, 2023, as Member of the Clover Park Technical College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Liias and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Holy, Ranking Member and Brown.

Referred to Committee on Rules for second reading.

February 21, 2019

SGA 9269 CHELSEA MASON, appointed on January 9, 2019, for the term ending April 3, 2022, as Member of the State Board for Community and Technical Colleges. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Wellman; Liias; Randall, Vice Chair Palumbo, Chair.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Holy, Ranking Member and Brown.

Referred to Committee on Rules for second reading.

February 21, 2019

SGA 9270 LIBBY MACPHEE, appointed on January 11, 2019, for the term ending September 30, 2024, as Member of the University of Washington Board of Regents. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Wellman; Liias; Randall, Vice Chair Palumbo, Chair.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Holy, Ranking Member; Brown and Ericksen.

Referred to Committee on Rules for second reading.

MOTION

On motion of Liias, all measures listed on the Standing Committee report were referred to the committees as designated with the exceptions of Senate Bill No. 5395 and Senate Bill No. 5525 which had been designated to the Committee on Ways & Means and were referred to the Committee on Rules and Senate Bill No. 5467, Senate Bill No. 5543, Senate Bill No. 5873, and Senate Bill No. 5947 which had been designated to the Committee on Rules and were referred to the Committee on Ways & Means.

MOTION

On motion of Senator Liias, the Senate advanced to the fourth order of business.

MESSAGE FROM THE HOUSE

February 21, 2019

MR. PRESIDENT:

The House has passed

SECOND SUBSTITUTE HOUSE BILL NO. 1087,
and the same are herewith transmitted.

NONA SNELL, Deputy Chief Clerk

MOTION

On motion of Senator Liias, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 5965 by Senator Rivers

AN ACT Relating to sports wagering.

Referred to Committee on Ways & Means.

SB 5966 by Senator Fortunato

AN ACT Relating to the establishment of a woman's right to be fully informed about abortions and the potential risks associated with abortions; amending RCW 9.02.100; and creating a new section.

Referred to Committee on Health & Long Term Care.

SB 5967 by Senator Rolfes

AN ACT Relating to removing the authority of the department of agriculture to conduct livestock brand inspections; amending RCW 16.24.110, 16.24.120, 16.24.130, 16.24.160, 16.57.160, 16.57.280, and 16.65.015; reenacting and amending RCW 16.57.010; creating a new section; and repealing RCW 16.57.170, 16.57.180, 16.57.200, 16.57.210, 16.57.220, 16.57.223, 16.57.230, 16.57.240, 16.57.243, 16.57.245, 16.57.260, 16.57.267, 16.57.270, 16.57.290, 16.57.300, 16.57.310, 16.57.320, 16.57.330, 16.57.400, 16.57.430, 16.57.440, 16.58.010, 16.58.020, 16.58.030, 16.58.040, 16.58.050, 16.58.060, 16.58.070, 16.58.080, 16.58.095, 16.58.100, 16.58.110, 16.58.120, 16.58.130, 16.58.140, 16.58.150, 16.58.160, 16.58.170, 16.58.900, 16.65.090, 16.65.100, and 16.65.390.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

SB 5968 by Senators Becker and Schoesler

AN ACT Relating to requiring the governor to provide background check information regarding gubernatorial appointees; and amending RCW 43.06.030.

Referred to Committee on State Government, Tribal Relations & Elections.

SB 5969 by Senator Wagoner

AN ACT Relating to authorizing certain marijuana advertisements at privately owned outdoor stadiums or raceways; and amending RCW 69.50.369.

Referred to Committee on Labor & Commerce.

SB 5970 by Senators Hobbs, King, Saldaña, Sheldon, Cleveland, Fortunato, Randall, Zeiger, Palumbo, Takko, Nguyen, Wilson, C., Mullet, Liias, Lovelett and Das

AN ACT Relating to authorizing bonds for transportation funding; adding new sections to chapter 47.10 RCW; and declaring an emergency.

Referred to Committee on Transportation.

SB 5971 by Senators Hobbs, Saldaña, Sheldon, Cleveland, Randall, Palumbo, Takko, Nguyen, Mullet, Liias and Lovelett

AN ACT Relating to transportation funding; amending RCW 82.08.020, 82.38.030, 46.68.090, 46.17.355, 46.17.350, 46.68.030, 46.17.365, 46.17.400, 46.68.455, 82.38.110, 46.20.202, 46.68.041, 46.17.323, 46.61.165, 46.63.110, 3.62.090, 2.68.040, 47.60.315, 46.25.100, 46.25.052, and 46.25.060; reenacting and amending RCW 43.84.092; adding a new section to chapter 36.73 RCW; adding a new section to chapter 46.01 RCW; adding new sections to chapter 46.68 RCW; adding a new chapter to Title 82 RCW; creating a new section; prescribing penalties; providing an effective date; providing a contingent effective date; and declaring an emergency.

Referred to Committee on Transportation.

SB 5972 by Senators Hobbs, King, Saldaña, Sheldon, Cleveland, Fortunato, Randall, Zeiger, Palumbo, Takko, Nguyen, Wilson, C., Mullet, Liias, Padden, Lovelett and Das

AN ACT Relating to additive transportation funding and appropriations; creating new sections; making appropriations; and declaring an emergency.

Referred to Committee on Transportation.

SB 5973 by Senators Wellman, Nguyen, Rolfes, Kuderer, Carlyle, Palumbo, Liias and Saldaña

AN ACT Relating to providing a pathway to modernize and rebalance the Washington state tax structure so that it is equitable, adequate, stable, and transparent for the people of Washington state; adding a new section to chapter 82.32 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Ways & Means.

EHB 1074 by Representatives Harris, Orwall, Riccelli, Jinkins, DeBolt, Pollet, Stonier, Stanford, Rude, Davis, Tharinger, Macri, Slatter, Kloba, Peterson, Valdez, Kilduff, Ryu, Fitzgibbon, Robinson, Appleton, Wylie, Cody, Bergquist, Doglio, Senn, Frame, Walen and Callan

AN ACT Relating to protecting youth from tobacco products and vapor products by increasing the minimum legal age of sale of tobacco and vapor products; amending RCW 26.28.080, 70.155.005, 70.155.010, 70.345.010, 70.155.020, 70.345.070, 70.345.100, 70.155.030, 70.345.080, and 70.155.120; creating a new section; and providing an effective date.

Referred to Committee on Ways & Means.

ESHB 1138 by House Committee on Civil Rights & Judiciary (originally sponsored by Ryu, Barkis, Leavitt, Reeves, Harris, Macri, Klippert, Kilduff, Dolan, Shea, Sells, Appleton, Goodman, Young, Riccelli and Stanford)

AN ACT Relating to the armed forces exceptions for giving notice of termination of tenancy; amending RCW 59.18.200, 59.18.220, 59.20.030, and 59.20.090; and reenacting and amending RCW 59.18.030.

Referred to Committee on Financial Institutions, Economic Development & Trade.

MOTION

On motion of Senator Liias, all measures listed on the Introduction and First Reading report were referred to the committees as designated with the exception of Senate Bill No. 5965 which had been designated to the Committee on Labor & Commerce and was referred to the Committee on Ways & Means.

MOTION

At 12:10 p.m., on motion of Senator Liias, the Senate was declared to be at ease subject to the call of the President for the purposes of reading in standing committee reports later in the day.

AFTERNOON SESSION

The Senate was called to order at 4:55 p.m. by the Acting President Pro Tempore, Senator Hunt presiding.

MOTION

On motion of Senator Liias, the Senate reverted to the first order of business.

SUPPLEMENTAL REPORTS OF STANDING COMMITTEES

February 21, 2019

SB 5139 Prime Sponsor, Senator Honeyford: Concerning daylight saving time in Washington state. Reported by Committee on State Government, Tribal Relations & Elections

February 22, 2019

MAJORITY recommendation: That Substitute Senate Bill No. 5139 be substituted therefor, and the substitute bill do pass. Signed by Senators Hunt, Chair; Kuderer, Vice Chair; Zeiger, Ranking Member; Bailey; Hasegawa; Hawkins and Takko.

Referred to Committee on Rules for second reading.

February 22, 2019

SB 5159 Prime Sponsor, Senator McCoy: Concerning the definition of eligible pupil for purposes of the transitional bilingual instruction program. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Salomon; Pedersen; Mullet; McCoy; Hunt; Wilson, C., Vice Chair Wellman, Chair.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Padden; Holy; Hawkins, Ranking Member and Wagoner.

Referred to Committee on Ways & Means.

February 22, 2019

SB 5187 Prime Sponsor, Senator Kuderer: Concerning school composting and recycling. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Holy; Hunt; McCoy; Mullet; Pedersen; Salomon and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Padden.

Referred to Committee on Rules for second reading.

February 26, 2019

SB 5211 Prime Sponsor, Senator Palumbo: Prohibiting the use of live animals to practice invasive medical procedures in paramedic training programs. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5211 be substituted therefor, and the substitute bill do pass. Signed by Senators Pedersen; Hunt; Warnick; Rivers; Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Billig; Darneille; Hasegawa; Keiser; Lias; Palumbo Mullet, Capital Budget Cabinet.

MINORITY recommendation: Do not pass. Signed by Senators Bailey; Schoesler; Van De Wege; Wagoner Honeyford, Assistant Ranking Member, Capital.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Carlyle; Wilson, L.; Becker and Conway.

Referred to Committee on Ways & Means.

SB 5238 Prime Sponsor, Senator Carlyle: Concerning concussions in youth sports. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Holy; Hunt; McCoy; Mullet; Pedersen; Salomon and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Padden.

Referred to Committee on Ways & Means.

February 21, 2019

SB 5265 Prime Sponsor, Senator Zeiger: Concerning the role of volunteerism within state government. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: That Substitute Senate Bill No. 5265 be substituted therefor, and the substitute bill do pass. Signed by Senators Hunt, Chair; Kuderer, Vice Chair; Zeiger, Ranking Member; Bailey; Hawkins and Takko.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Hasegawa.

Referred to Committee on Rules for second reading.

February 21, 2019

SB 5270 Prime Sponsor, Senator Hunt: Concerning dates and timelines associated with the operation of the state primary and elections. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: That Substitute Senate Bill No. 5270 be substituted therefor, and the substitute bill do pass. Signed by Senators Takko; Hasegawa; Kuderer, Vice Chair Hunt, Chair.

MINORITY recommendation: Do not pass. Signed by Senators Bailey; Zeiger, Ranking Member and Hawkins.

Referred to Committee on Rules for second reading.

March 1, 2019

SB 5287 Prime Sponsor, Senator Darneille: Ensuring accurate redistricting. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5287 be substituted therefor, and the second substitute bill do pass. Signed by Senators Mullet, Capital Budget Cabinet; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Lias; Palumbo; Pedersen; Van De Wege; Frockt, Vice Chair, Operating, Capital Lead Rolfes, Chair.

MINORITY recommendation: Do not pass. Signed by Senators Braun, Ranking Member; Wilson, L.; Warnick; Wagoner; Schoesler; Rivers; Becker Honeyford, Assistant Ranking Member, Capital.

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Referred to Committee on Ways & Means.

February 22, 2019

SB 5343 Prime Sponsor, Senator Mullet: Facilitating high school success. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 5343 be substituted therefor, and the substitute bill do pass. Signed by Senators Wagoner; Salomon; Pedersen; Padden; Mullet; McCoy; Hunt; Holy; Hawkins, Ranking Member; Wilson, C., Vice Chair Wellman, Chair.

Referred to Committee on Ways & Means.

February 22, 2019

SB 5365 Prime Sponsor, Senator Wagoner: Concerning vaccination and antibody titer test notification. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: Do pass. Signed by Senators Cleveland, Chair; Randall, Vice Chair; O'Ban, Ranking Member; Bailey; Becker; Rivers and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Senators Dhingra and Keiser.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Frockt.

Referred to Committee on Ways & Means.

February 22, 2019

SB 5385 Prime Sponsor, Senator Becker: Concerning telemedicine payment parity. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 5385 be substituted therefor, and the substitute bill do pass. Signed by Senators Van De Wege; Rivers; Keiser; Frockt; Dhingra; Conway; Becker; Bailey; O'Ban, Ranking Member; Randall, Vice Chair Cleveland, Chair.

Referred to Committee on Rules for second reading.

March 1, 2019

SB 5389 Prime Sponsor, Senator Becker: Establishing a telehealth training and treatment program to assist youth. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5389 be substituted therefor, and the substitute bill do pass. Signed by Senators Braun, Ranking Member; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Darneille; Hunt; Keiser; Liias; Palumbo; Rivers; Schoesler; Van De Wege; Wagoner; Warnick; Wilson, L.; Mullet, Capital Budget Cabinet Rolfes, Chair.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Frockt, Vice Chair, Operating, Capital Lead; Pedersen; Hasegawa; Conway and Carlyle.

Referred to Committee on Ways & Means.

March 1, 2019

SB 5443 Prime Sponsor, Senator Van De Wege: Concerning the state board of registration for professional engineers and land surveyors. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Warnick; Wilson, L.; Rolfes, Chair; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Hunt; Keiser; Liias; Palumbo; Rivers; Schoesler; Van De Wege; Wagoner and Darneille.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Carlyle; Frockt, Vice Chair, Operating, Capital Lead and Hasegawa.

MINORITY recommendation: Do not pass. Signed by Senator Pedersen.

Referred to Committee on Ways & Means.

February 21, 2019

SB 5456 Prime Sponsor, Senator Keiser: Requiring the use of American or recycled steel products on certain public works. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: That Substitute Senate Bill No. 5456 be substituted therefor, and the substitute bill do pass. Signed by Senators Hunt, Chair; Kuderer, Vice Chair; Hasegawa and Takko.

MINORITY recommendation: Do not pass. Signed by Senators Zeiger, Ranking Member; Bailey and Hawkins.

Referred to Committee on Transportation.

February 21, 2019

SB 5457 Prime Sponsor, Senator Keiser: Naming of subcontractors by prime contract bidders on public works contracts. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Hunt, Chair; Kuderer, Vice Chair; Hasegawa and Takko.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Zeiger, Ranking Member; Bailey and Hawkins.

Referred to Committee on Rules for second reading.

February 22, 2019

SB 5464 Prime Sponsor, Senator Frockt: Concerning opioid overdose medication at schools with grades seven through twelve and higher education institutions. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 5464 be substituted therefor, and the substitute bill do pass. Signed by Senators Van De Wege; Keiser; Frockt; Dhingra; Conway; Bailey; O'Ban, Ranking Member; Randall, Vice Chair Cleveland, Chair.

MINORITY recommendation: Do not pass. Signed by Senator Rivers.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Becker.

Referred to Committee on Ways & Means.

February 21, 2019

SB 5496 Prime Sponsor, Senator Zeiger: Concerning modification of precinct and district boundary lines. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Takko; Hasegawa; Bailey; Zeiger, Ranking Member; Kuderer, Vice Chair Hunt, Chair.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Hawkins.

Referred to Committee on Rules for second reading.

February 21, 2019

SB 5504 Prime Sponsor, Senator Warnick: Concerning state agency employee access to peer-reviewed journals. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Hawkins; Hasegawa; Bailey; Zeiger, Ranking Member; Kuderer, Vice Chair; Hunt, Chair and Takko.

Referred to Committee on Ways & Means.

February 22, 2019

SB 5512 Prime Sponsor, Senator McCoy: Concerning basic skills assessments for approved teacher preparation programs. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Salomon; Pedersen; Padden; McCoy; Hunt; Holy; Hawkins, Ranking Member; Wilson, C., Vice Chair Wellman, Chair.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Mullet and Wagoner.

Referred to Committee on Rules for second reading.

February 22, 2019

SB 5548 Prime Sponsor, Senator Wellman: Providing multiple pathways to a meaningful high school diploma. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 5548 be substituted therefor, and the substitute bill do pass. Signed by Senators Wagoner; Salomon; Pedersen;

Padden; Mullet; Hunt; Holy; Hawkins, Ranking Member; Wilson, C., Vice Chair Wellman, Chair.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator McCoy.

Referred to Committee on Rules for second reading.

February 22, 2019

SB 5576 Prime Sponsor, Senator Wilson, C.: Improving climate science education. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hunt; McCoy; Mullet; Pedersen and Salomon.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Hawkins, Ranking Member; Holy and Padden.

MINORITY recommendation: Do not pass. Signed by Senator Wagoner.

Referred to Committee on Ways & Means.

February 22, 2019

SB 5590 Prime Sponsor, Senator Schoesler: Establishing school district depreciation subfunds for the purposes of preventative maintenance. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 5590 be substituted therefor, and the substitute bill do pass. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Holy; Hunt; McCoy; Mullet; Padden; Pedersen; Salomon and Wagoner.

Referred to Committee on Rules for second reading.

February 22, 2019

SB 5593 Prime Sponsor, Senator Liias: Addressing equity in access to dual credit opportunities. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 5593 be substituted therefor, and the substitute bill do pass. Signed by Senators Wagoner; Salomon; Pedersen; Mullet; McCoy; Hunt; Holy; Hawkins, Ranking Member; Wilson, C., Vice Chair Wellman, Chair.

MINORITY recommendation: Do not pass. Signed by Senator Padden.

Referred to Committee on Rules for second reading.

February 22, 2019

SB 5594 Prime Sponsor, Senator Liias: Supporting media literacy and digital citizenship. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hawkins,

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Ranking Member; Holy; Hunt; McCoy; Mullet; Pedersen; Salomon and Wagoner.

Referred to Committee on Ways & Means.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Padden.

March 1, 2019
SB 5672 Prime Sponsor, Senator Cleveland: Concerning adult family home specialty services. Reported by Committee on Ways & Means

Referred to Committee on Ways & Means.

MAJORITY recommendation: That Second Substitute Senate Bill No. 5672 be substituted therefor, and the second substitute bill do pass. Signed by Senators Hunt; Wagoner; Van De Wege; Schoesler; Rivers; Pedersen; Palumbo; Keiser; Rolfes, Chair; Warnick; Frockt, Vice Chair, Operating, Capital Lead; Braun, Ranking Member; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Darneille; Hasegawa; Mullet, Capital Budget Cabinet and Wilson, L.

February 28, 2019
SB 5602 Prime Sponsor, Senator Randall: Eliminating barriers to reproductive health care for all. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5602 be substituted therefor, and the second substitute bill do pass. Signed by Senators Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen; Van De Wege; Rolfes, Chair; Billig; Mullet, Capital Budget Cabinet Frockt, Vice Chair, Operating, Capital Lead.

Referred to Committee on Ways & Means.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Rivers.

February 22, 2019
SB 5688 Prime Sponsor, Senator Cleveland: Concerning athletic trainers. Reported by Committee on Health & Long Term Care

MINORITY recommendation: Do not pass. Signed by Senators Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Schoesler; Wagoner; Warnick and Wilson, L.

MAJORITY recommendation: That Substitute Senate Bill No. 5688 be substituted therefor, and the substitute bill do pass. Signed by Senators Randall, Vice Chair; O'Ban, Ranking Member; Bailey; Becker; Conway; Dhingra; Frockt; Keiser; Rivers; Van De Wege Cleveland, Chair.

Referred to Committee on Ways & Means.

Referred to Committee on Rules for second reading.

March 1, 2019
SB 5612 Prime Sponsor, Senator Rivers: Concerning Holocaust education. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Conway; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Darneille; Wagoner; Hasegawa; Keiser; Liias; Palumbo; Pedersen; Rivers; Schoesler; Van De Wege; Wilson, L. and Warnick.

February 22, 2019
SB 5689 Prime Sponsor, Senator Liias: Concerning harassment, intimidation, bullying, and discrimination in public schools. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 5689 be substituted therefor, and the substitute bill do pass. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hunt; McCoy; Mullet; Pedersen and Salomon.

Referred to Committee on Ways & Means.

MINORITY recommendation: Do not pass. Signed by Senators Hawkins, Ranking Member and Padden.

February 27, 2019
SB 5633 Prime Sponsor, Senator Brown: Supporting and expanding behavioral health workforce pathway programs. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5633 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Wagoner; Van De Wege; Schoesler; Rivers; Pedersen; Palumbo; Liias; Keiser; Hunt; Hasegawa; Darneille; Conway; Carlyle; Billig; Becker; Bailey; Honeyford, Assistant Ranking Member, Capital; Brown, Assistant Ranking Member, Operating; Braun, Ranking Member; Mullet, Capital Budget Cabinet; Frockt, Vice Chair, Operating, Capital Lead; Warnick and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Holy and Wagoner.

Referred to Committee on Rules for second reading.

February 22, 2019
SB 5728 Prime Sponsor, Senator Walsh: Concerning the establishment of a training network for adult family homes. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 5728 be substituted therefor, and the substitute bill do pass. Signed by Senators Van De Wege; Rivers; Keiser; Frockt; Dhingra; Conway; Randall, Vice Chair Cleveland, Chair.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator O'Ban, Ranking Member.

MINORITY recommendation: Do not pass. Signed by Senators Becker and Bailey.

Referred to Committee on Ways & Means.

February 22, 2019

SB 5729 Prime Sponsor, Senator Rivers: Concerning enrollment priority in dual credit courses. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Holy; Hunt; McCoy; Mullet; Padden; Pedersen; Salomon and Wagoner.

Referred to Committee on Rules for second reading.

February 22, 2019

SB 5731 Prime Sponsor, Senator Short: Concerning petitions for proposed transfer of school district territory. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wagoner; Salomon; Pedersen; Padden; Mullet; McCoy; Hunt; Holy; Hawkins, Ranking Member; Wilson, C., Vice Chair Wellman, Chair.

Referred to Committee on Rules for second reading.

February 21, 2019

SB 5762 Prime Sponsor, Senator Hasegawa: Concerning state contracts with veteran-owned businesses. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Hunt, Chair; Kuderer, Vice Chair; Zeiger, Ranking Member; Bailey; Hasegawa; Hawkins and Takko.

Referred to Committee on Rules for second reading.

February 21, 2019

SB 5779 Prime Sponsor, Senator Kuderer: Concerning ballot drop box placement requirements. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Hawkins; Hasegawa; Bailey; Zeiger, Ranking Member; Kuderer, Vice Chair; Hunt, Chair and Takko.

Referred to Committee on Rules for second reading.

February 21, 2019

SB 5787 Prime Sponsor, Senator Walsh: Concerning hours of availability for inspection and copying of public records. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Hunt, Chair; Kuderer, Vice Chair; Zeiger, Ranking Member; Bailey; Hasegawa; Hawkins and Takko.

Referred to Committee on Rules for second reading.

March 1, 2019

SB 5820 Prime Sponsor, Senator Nguyen: Increasing eligibility for child care and early learning programs for homeless and other vulnerable children. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5820 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen; Rivers and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Senator Honeyford, Assistant Ranking Member, Capital.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Wagoner; Schoesler; Becker; Braun, Ranking Member; Warnick and Wilson, L.

Referred to Committee on Ways & Means.

February 22, 2019

SB 5841 Prime Sponsor, Senator Cleveland: Modifying certain vaccine provisions. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: Do pass. Signed by Senators Cleveland, Chair; Randall, Vice Chair; Conway; Dhingra; Frockt; Keiser and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Senators O'Ban, Ranking Member; Bailey and Becker.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Rivers.

Referred to Committee on Rules for second reading.

February 28, 2019

SB 5846 Prime Sponsor, Senator Saldaña: Concerning the integration of international medical graduates into Washington's health care delivery system. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5846 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Rivers; Conway; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Bailey; Becker; Billig; Carlyle; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen; Van De Wege; Wagoner and Warnick.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Brown, Assistant

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Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Schoesler and Wilson, L.

Referred to Committee on Ways & Means.

February 22, 2019

SB 5859 Prime Sponsor, Senator Mullet: Investing in educational mentor programs. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 5859 be substituted therefor, and the substitute bill do pass. Signed by Senators Salomon; Pedersen; Padden; Mullet; McCoy; Hunt; Holy; Hawkins, Ranking Member; Wilson, C., Vice Chair; Wellman, Chair and Wagoner.

Referred to Committee on Ways & Means.

February 21, 2019

SB 5861 Prime Sponsor, Senator Dhingra: Extending respectful workplace code of conduct provisions to all members of the legislative community. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: That Substitute Senate Bill No. 5861 be substituted therefor, and the substitute bill do pass. Signed by Senators Takko; Hasegawa; Kuderer, Vice Chair Hunt, Chair.

MINORITY recommendation: Do not pass. Signed by Senators Bailey and Hawkins.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Zeiger, Ranking Member.

Referred to Committee on Rules for second reading.

February 21, 2019

SB 5865 Prime Sponsor, Senator Hasegawa: Declaring October as Filipino American history month. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Kuderer, Vice Chair; Zeiger, Ranking Member; Bailey; Hasegawa; Hawkins; Takko Hunt, Chair.

Referred to Committee on Rules for second reading.

February 21, 2019

SB 5868 Prime Sponsor, Senator Saldaña: Recognizing the tenth day of April as Dolores Huerta day. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Bailey; Zeiger, Ranking Member; Kuderer, Vice Chair; Hunt, Chair; Takko; Hasegawa and Hawkins.

Referred to Committee on Rules for second reading.

February 22, 2019

SB 5874 Prime Sponsor, Senator Warnick: Funding rural satellite skill centers. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 5874 be substituted therefor, and the substitute bill do pass. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Holy; Hunt; McCoy; Mullet; Padden; Pedersen; Salomon and Wagoner.

Referred to Committee on Rules for second reading.

February 22, 2019

SB 5889 Prime Sponsor, Senator Dhingra: Concerning insurance communications confidentiality. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 5889 be substituted therefor, and the substitute bill do pass. Signed by Senators Cleveland, Chair; Randall, Vice Chair; Conway; Dhingra; Frockt; Keiser and Van De Wege.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Rivers.

MINORITY recommendation: Do not pass. Signed by Senators O'Ban, Ranking Member; Bailey and Becker.

Referred to Committee on Rules for second reading.

February 28, 2019

SB 5903 Prime Sponsor, Senator Darneille: Concerning children's mental health. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5903 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick; Wilson, L.; Mullet, Capital Budget Cabinet Frockt, Vice Chair, Operating, Capital Lead.

Referred to Committee on Ways & Means.

February 22, 2019

SB 5904 Prime Sponsor, Senator Warnick: Implementing policies related to expanding adolescent behavioral health care access as reviewed and recommended by the children's mental health work group. Reported by Committee on Behavioral Health Subcommittee to Health & Long Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 5904 be substituted therefor, and the substitute bill do pass. Signed by Senators Frockt; Darneille; Wagoner, Ranking Member Dhingra, Chair.

Referred to Committee on Rules for second reading.

February 22, 2019

SJM 8001 Prime Sponsor, Senator Hasegawa: Calling on Congress to exercise its authority under Article V of the United States Constitution to regulate money spent on elections. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: That Substitute Senate Joint Memorial No. 8001 be substituted therefor, and the substitute joint memorial do pass. Signed by Senators Hunt, Chair; Kuderer, Vice Chair; Hasegawa and Takko.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Zeiger, Ranking Member.

Referred to Committee on Rules for second reading.

February 22, 2019

SJM 8002 Prime Sponsor, Senator Kuderer: Asking Congress to call a limited convention, authorized under Article V of the United States Constitution, for the purpose of proposing a free and fair elections amendment to that Constitution. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Takko; Hasegawa; Kuderer, Vice Chair Hunt, Chair.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Zeiger, Ranking Member.

Referred to Committee on Rules for second reading.

February 22, 2019

SJM 8006 Prime Sponsor, Senator Hasegawa: Requesting that Congress establish more checks and balances to reduce the possibility of nuclear war. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Hunt, Chair; Kuderer, Vice Chair; Hasegawa and Takko.

MINORITY recommendation: Do not pass. Signed by Senator Zeiger, Ranking Member.

Referred to Committee on Rules for second reading.

February 22, 2019

SJM 8010 Prime Sponsor, Senator Frockt: Asking Congress to include dental care in Medicare. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: Do pass. Signed by Senators Van De Wege; Rivers; Keiser; Frockt; Dhingra; Conway; Becker; Bailey; O'Ban, Ranking Member; Randall, Vice Chair Cleveland, Chair.

Referred to Committee on Rules for second reading.

February 21, 2019

SCR 8403 Prime Sponsor, Senator Hunt: Renaming Marathon Park after Joan Benoit Samuelson. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Kuderer, Vice Chair; Zeiger, Ranking Member; Bailey; Hasegawa; Hawkins; Takko Hunt, Chair.

Referred to Committee on Rules for second reading.

MOTION

On motion of Senator Liias, all measures listed on the Standing Committee report were referred to the committees as designated.

MOTION

On motion of Senator Liias, the Senate advanced to the third order of business.

MESSAGE FROM OTHER STATE OFFICERS

Children, Youth and Families, Department of – *“Achieving Educational Success for Washington’s Children, Youth and Young Adults in Foster Care and/or Experiencing Homelessness”*, in accordance with Engrossed Substitute Senate Bill No. 6032; *“Caseload Forecast and Licensed Foster Home Capacity”*, in accordance with Engrossed House Bill No. 2008; *“Behavioral Rehabilitation Services Increase Utilization Incentive Payments”*, in accordance with Engrossed Substitute Senate Bill No. 6032; *“Behavioral Rehabilitation Services Rate Study”*, in accordance with Engrossed House Bill No. 2008;

Commerce, Department of – *“Rural Procurement, the Impact of”*, in accordance with Substitute Senate Bill No. 5883; *“Electric Utility Resource Planning, 2018 Report”*, pursuant to 19.280 RCW;

Ecology, Department of – *“Cannabis Laboratory Accreditation Recommendations”*, in accordance with Engrossed Substitute Senate Bill No. 6032;

Health, Department of – *“Long-Term Care Workforce Development”*, in accordance with Engrossed Substitute Senate Bill No. 6032; *“Streamlining Military and Military Affiliated Licensing”*, pursuant to 18.340 RCW;

Public Instruction, Office of the Superintendent of – *“Transportation Contracting in Washington, 2018”*, in accordance with Engrossed Substitute Senate Bill No. 6032; *“Financial Education Public-Private Partnership, 2017-18”*, pursuant to 28A.300.460 RCW;

Social & Health Services, Department of – *“WorkFirst Wage Progression Report through First Quarter 2018”*, pursuant to 74.08A.411 RCW; *“Implementing Automatic Voter Registration”*, in accordance with Engrossed Second Substitute House Bill No. 2595;

Transportation, Department of – *“Kingsgate Park-and-Ride Transit-Oriented Development Feasibility Study”*, in accordance with Engrossed Senate Bill No. 5096; *“Capital Projects and Nickel/TPA Projects Quarterly Reports - 2017- 2019 Biennium Quarter 6”*, in accordance with Engrossed Senate Bill No. 5096; *“Fund Transfers Report, October - December 2018”*, in accordance with Engrossed Substitute Senate Bill No. 6106; *“Fund Transfers Report (Nickel and TPA Accounts), October - December 2018”*, in accordance with Engrossed Substitute Senate Bill No. 6106; *“Studded Tires Campaign, 2019 Legislative Update”*, in accordance with Engrossed Substitute Senate Bill No. 6106.

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The reports listed were submitted to the Secretary of the Senate and made available online by the Office of the Secretary.

MOTION

At 4:56 p.m., on motion of Senator Liias, the Senate adjourned until 10:00 o'clock a.m. Monday, February 25, 2019.

STEVE CONWAY, Vice President Pro Tempore of the Senate

BRAD HENDRICKSON, Secretary of the Senate

FORTY THIRD DAY

MORNING SESSION

Senate Chamber, Olympia
Monday, February 25, 2019

The Senate was called to order at 10:07 a.m. by the Vice President Pro Tempore, Senator Conway presiding. The Secretary called the roll and announced to the Vice President Pro Tempore that all Senators were present.

The Sergeant at Arms Color Guard consisting of Pages Mr. Kai Johnson and Miss Brooke Swanson, presented the Colors. Page Miss Elena Weymiller led the Senate in the Pledge of Allegiance.

The prayer was offered by Sheikh Sophiyan Sen, Imam, Islamic Center of Olympia, Masjid Al-Nur.

The Vice President Pro Tempore called upon the Secretary to read the journal of the preceding day.

MOTIONS

On motion of Senator Liias, the reading of the Journal of the previous day was dispensed with and it was approved.

On motion of Senator Liias, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 5974 by Senators Hasegawa, Nguyen and Das

AN ACT Relating to providing sustainable support for new businesses; adding new sections to chapter 82.04 RCW; creating new sections; and providing an expiration date.

Referred to Committee on Financial Institutions, Economic Development & Trade.

SB 5975 by Senators Lovelett and Wagoner

AN ACT Relating to the distribution of moneys derived from certain state forestlands; and reenacting and amending RCW 79.64.110.

Referred to Committee on Ways & Means.

SB 5976 by Senator Rolfes

AN ACT Relating to the access to baby and child dentistry program for children with disabilities; and amending RCW 74.09.390.

Referred to Committee on Ways & Means.

2SHB 1087 by House Committee on Appropriations (originally sponsored by Jinkins, MacEwen, Cody, Harris, Tharinger, Slatter, Kloba, Ryu, Macri, DeBolt, Bergquist, Doglio, Robinson, Stanford, Stonier, Frame and Leavitt)

AN ACT Relating to long-term services and supports; amending RCW 74.39A.076 and 18.88B.041; reenacting and amending RCW 43.79A.040; adding a new section to chapter 44.28 RCW; and adding a new chapter to Title 50A RCW.

Referred to Committee on Health & Long Term Care.

MOTION

On motion of Senator Liias, all measures listed on the Introduction and First Reading report were referred to the committees as designated.

MOTION

On motion of Senator Liias, the Senate advanced to the seventh order of business.

**THIRD READING
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS**

MOTION

Senator Mullet moved that Greg B. Markley, Senate Gubernatorial Appointment No. 9268, be confirmed as a member of the State Investment Board.

Senator Mullet spoke in favor of the motion.

APPOINTMENT OF GREG B. MARKLEY

The Vice President Pro Tempore declared the question before the Senate to be the confirmation of Greg B. Markley, Senate Gubernatorial Appointment No. 9268, as a member of the State Investment Board.

MOTIONS

On motion of Senator Rivers, Senator Ericksen was excused.

On motion of Senator Wilson, C., Senators Hobbs, Keiser, Rolfes and Salomon were excused.

The Secretary called the roll on the confirmation of Greg B. Markley, Senate Gubernatorial Appointment No. 9268, as a member of the State Investment Board and the appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Holy, Honeyford, Hunt, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senators Hobbs and Keiser

Greg B. Markley, Senate Gubernatorial Appointment No. 9268, having received the constitutional majority was declared confirmed as a member of the State Investment Board.

INTRODUCTION OF SPECIAL GUESTS

The Vice President Pro Tempore welcomed and introduced members of the 2019 Christine Gregoire Emerge WA cohort who were seated in the gallery.

PERSONAL PRIVILEGE

Senator Wilson, C.: “Assume, thank you so much. As a 2017 Emerge graduate, it’s a humbling opportunity to be on the floor today and to have the 2019 class be with us today where they’ll be shadowing legislators and, also, figuring out where their next steps might be related to running for office across this great state of Washington, to represent fifty-one percent of the women in this state who really need to be represented at all levels of government. So, just really pleased to have them here today. Excited that we are opening our doors to the house and having them be here. And I would hope that, if you see them, you would give them a warm welcome. Thanks so much.”

MOTION

At 10:20 a.m., on motion of Senator Liias, the Senate was declared to be at ease for the purposes of a brief meeting of the Committee on Rules at the bar of the senate.

The Senate was called to order at 10:24 a.m. by Vice President Pro Tempore Conway.

MOTION

On motion of Senator Liias, the Senate advanced to the eighth order of business.

MOTION

Senator Hasegawa moved adoption of the following resolution:

SENATE RESOLUTION
8621

By Senators Hasegawa and Nguyen

WHEREAS, Asian Pacific Americans have played a rich role in the history and cultural development of Washington for more than one hundred fifty years; and

WHEREAS, About 760,760 residents of Washington are of Asian and Pacific Islander descent; and

WHEREAS, Asian Pacific Americans have contributed significantly to the development of the arts, sciences, government, military, commerce, and education of Washington; and

WHEREAS, Asian Pacific Americans have made personal sacrifices that have advanced the cause of civil rights and equal opportunity for all residents of Washington; and

WHEREAS, On February 26, 1974, the 43rd Washington State Legislature formally created the agency that would become the Commission on Asian Pacific American Affairs (CAPAA); and

WHEREAS, CAPAA has since worked to improve the well-being of Asian Pacific Americans by identifying and examining issues impacting their community, ensuring their access to participation in government services, and advising the governor, state agencies, and the state legislature on laws and programs impacting them; and

WHEREAS, This year, the Commission will celebrate its 45th anniversary with an event on April 13, 2019;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate encourage all Washington residents to

join us in observing the Sapphire Anniversary of the Washington State Commission on Asian Pacific American Affairs; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the Senate to the Washington State Commission on Asian Pacific American Affairs.

Senator Hasegawa spoke in favor of adoption of the resolution.

The Vice President Pro Tempore declared the question before the Senate to be the adoption of Senate Resolution No. 8621.

The motion by Senator Hasegawa carried and the resolution was adopted by voice vote.

MOTION

On motion of Senator Liias, the Senate reverted to the sixth order of business.

SECOND READING

SENATE CONCURRENT RESOLUTION NO. 8404, by Senators Liias, Short and Zeiger

Honoring former members of the Senate and House of Representatives of the State of Washington who have passed from this life.

The measure was read the second time.

MOTION

On motion of Senator Liias, the rules were suspended, Senate Concurrent Resolution No. 8404 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Senate Concurrent Resolution No. 8404.

SENATE CONCURRENT RESOLUTION NO. 8404 having received a majority was adopted by voice vote.

MOTION

On motion of Senator Liias, the Senate advanced to the seventh order of business.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Palumbo moved that Raymond Conner, Senate gubernatorial appointment No. 9148, be confirmed as a member of the Central Washington University Board of Trustees.

Senators Palumbo and Warnick spoke in favor of passage of the motion.

APPOINTMENT OF RAYMOND CONNER

The Vice President Pro Tempore declared the question before the Senate to be the confirmation of Raymond Conner, Senate gubernatorial appointment No. 9148, as a member of the Central Washington University Board of Trustees.

The Secretary called the roll on the confirmation of Raymond Conner, Senate Gubernatorial Appointment No. 9148, as a member of the Central Washington University Board of Trustees and the appointment was confirmed by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Erickson, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, King, Kuderer, Lias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senator Keiser

Raymond Conner, Senate Gubernatorial Appointment No. 9148, having received the constitutional majority was declared confirmed as a member of the Central Washington University Board of Trustees.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Lias moved that Bob Bolerjack, Senate Gubernatorial Appointment No. 9102, be confirmed as a member of the Everett Community College Board of Trustees.

Senator Lias spoke in favor of the motion.

APPOINTMENT OF BOB BOLERJACK

The Vice President Pro Tempore declared the question before the Senate to be the confirmation of Bob Bolerjack, Senate Gubernatorial Appointment No. 9102, as a member of the Everett Community College Board of Trustees.

The Secretary called the roll on the confirmation of Bob Bolerjack, Senate Gubernatorial Appointment No. 9102, as a member of the Everett Community College Board of Trustees and the appointment was confirmed by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Erickson, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, King, Kuderer, Lias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senator Keiser

Bob Bolerjack, Senate Gubernatorial Appointment No. 9102, having received the constitutional majority was declared confirmed as a member of the Everett Community College Board of Trustees.

MOTION

On motion of Senator Lias, the Senate reverted to the sixth order of business.

SECOND READING

SENATE BILL NO. 5125, by Senator Conway

Providing consistency and efficiency in the regulation of auctioneers and auction companies, engineering and land surveying, real estate, funeral directors, and cosmetology.

The measure was read the second time.

MOTION

On motion of Senator Saldaña, the rules were suspended, Senate Bill No. 5125 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Saldaña and King spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5125.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5125 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Erickson, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, King, Kuderer, Lias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senator Keiser

SENATE BILL NO. 5125, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5132, by Senators Takko and Short

Addressing noncollection of taxes by county treasurers.

The measure was read the second time.

MOTION

On motion of Senator Takko, the rules were suspended, Senate Bill No. 5132 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Takko and Short spoke in favor of passage of the bill.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5132.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5132 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Erickson, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, King, Kuderer, Lias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De

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Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senator Keiser

SENATE BILL NO. 5132, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5162, by Senators Dhingra, Pedersen, Wellman, Das, Keiser, Palumbo, Carlyle, Darneille, Hasegawa, Saldaña and Kuderer

Clarifying qualifications for jury service.

The measure was read the second time.

MOTION

On motion of Senator Dhingra, the rules were suspended, Senate Bill No. 5162 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Dhingra and Padden spoke in favor of passage of the bill.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5162.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5162 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Erickson, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senator Keiser

SENATE BILL NO. 5162, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5560, by Senators Padden and Pedersen

Concerning mediation of disputes between elected officials.

MOTIONS

On motion of Senator Padden, Substitute Senate Bill No. 5560 was substituted for Senate Bill No. 5560 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Padden, the rules were suspended, Substitute Senate Bill No. 5560 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Padden and Pedersen spoke in favor of passage of the bill.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5560.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5560 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Erickson, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senator Keiser

SUBSTITUTE SENATE BILL NO. 5560, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5179, by Senators Liias, King, Takko and Rolfes

Concerning county electrical traffic control signals, illumination equipment, and other electrical equipment conveying an electrical current.

The measure was read the second time.

MOTION

On motion of Senator Liias, the rules were suspended, Senate Bill No. 5179 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Liias and Short spoke in favor of passage of the bill.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5179.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5179 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Erickson, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senator Keiser

SENATE BILL NO. 5179, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE JOINT MEMORIAL NO. 8005, by Senators Short, Van De Wege, Warnick, Palumbo, Brown, McCoy, Braun, Liias, Schoesler, Hunt, Wilson, C., Wilson, L., Rolfes, Das and Rivers

Supporting the continued research, development, production, and application of biochar from our forests and agricultural lands.

The measure was read the second time.

MOTION

On motion of Senator Short, the rules were suspended, Senate Joint Memorial No. 8005 was advanced to third reading, the second reading considered the third and the memorial was placed on final passage.

Senator Short spoke in favor of passage of the memorial.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Senate Joint Memorial No. 8005.

ROLL CALL

The Secretary called the roll on the final passage of Senate Joint Memorial No. 8005 and the memorial passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Erickson, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

SENATE JOINT MEMORIAL NO. 8005, having received the constitutional majority, was declared passed.

SECOND READING

SENATE BILL NO. 5305, by Senators Van De Wege, Warnick, McCoy, Takko, Short, Sheldon and Nguyen

Concerning electric utility wildland fire prevention.

MOTIONS

On motion of Senator Van De Wege, Substitute Senate Bill No. 5305 was substituted for Senate Bill No. 5305 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Van De Wege, the rules were suspended, Substitute Senate Bill No. 5305 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Sensors Van De Wege and Warnick spoke in favor of passage of the bill.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5305.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5305 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Erickson, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

SUBSTITUTE SENATE BILL NO. 5305, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5435, by Senators Wilson, C., Darneille, Keiser, Kuderer and Saldaña

Expanding membership of the department of children, youth, and families oversight board to include two youth under the age of twenty-five.

The measure was read the second time.

MOTION

On motion of Senator Wilson, C., the rules were suspended, Senate Bill No. 5435 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Sensors Wilson, C. and Walsh spoke in favor of passage of the bill.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5435.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5435 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Erickson, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

SENATE BILL NO. 5435, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The President Pro Tempore, Senator Keiser, assumed the chair.

SECOND READING

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SENATE BILL NO. 5461, by Senators Cleveland, Darneille, Wilson and C.

Concerning the sharing of information between participants in multidisciplinary coordination of child sexual abuse investigations.

MOTIONS

On motion of Senator Cleveland, Substitute Senate Bill No. 5461 was substituted for Senate Bill No. 5461 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Cleveland, the rules were suspended, Substitute Senate Bill No. 5461 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Cleveland and Walsh spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5461.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5461 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

SUBSTITUTE SENATE BILL NO. 5461, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5694, by Senators King and Saldaña

Concerning commercial beekeeper drivers.

MOTIONS

On motion of Senator King, Substitute Senate Bill No. 5694 was substituted for Senate Bill No. 5694 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator King, the rules were suspended, Substitute Senate Bill No. 5694 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator King spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5694.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5694 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senator Hasegawa

SUBSTITUTE SENATE BILL NO. 5694, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5585, by Senator Takko

Concerning cooperation between conservation districts.

The measure was read the second time.

MOTION

On motion of Senator Takko, the rules were suspended, Senate Bill No. 5585 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Takko and Short spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5585.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5585 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

SENATE BILL NO. 5585, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5207, by Senators Dhingra, Hunt, Saldaña, Darneille, Das, Cleveland, Kuderer, Pedersen, Salomon, Nguyen, Rolfes, Hasegawa, Keiser and Randall

Concerning notification of felony voting rights and restoration.

The measure was read the second time.

MOTION

Senator Zeiger moved that the following amendment no. 047 by Senators Zeiger, Fortunato and Padden be adopted:

On page 1, beginning on line 10, after "inmate" strike all material through "Written" on line 13 and insert "with written"
 Senator Zeiger spoke in favor of adoption of the amendment.
 Senator Dhingra spoke against adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 047 by Senators Zeiger, Fortunato and Padden on page 1, line 10 to Senate Bill No. 5207.

The motion by Senator Zeiger did not carry and amendment no. 047 was not adopted by voice vote.

MOTION

On motion of Senator Dhingra, the rules were suspended, Senate Bill No. 5207 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Dhingra, Zeiger and Darneille spoke in favor of passage of the bill.

Senators Padden and Fortunato spoke against passage of the bill.

Senator Walsh spoke on final passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5207.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5207 and the bill passed the Senate by the following vote: Yeas, 37; Nays, 12; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Braun, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Hunt, Keiser, King, Kuderer, Lias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Sheldon, Takko, Van De Wege, Walsh, Wellman, Wilson, C. and Zeiger

Voting nay: Senators Bailey, Becker, Brown, Ericksen, Fortunato, Honeyford, Padden, Schoesler, Short, Wagoner, Warnick and Wilson, L.

SENATE BILL NO. 5207, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5166, by Senators Hasegawa, Carlyle, Frockt, Palumbo and Nguyen

Providing religious accommodations for postsecondary students.

MOTIONS

On motion of Senator Hasegawa, Substitute Senate Bill No. 5166 was substituted for Senate Bill No. 5166 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Hasegawa, the rules were suspended, Substitute Senate Bill No. 5166 was advanced to third reading,

the second reading considered the third and the bill was placed on final passage.

Senator Hasegawa spoke in favor of passage of the bill.

Senator Holy spoke against passage of the bill.

Senator Schoesler spoke on final passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5166.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5166 and the bill passed the Senate by the following vote: Yeas, 33; Nays, 16; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Lias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Sheldon, Takko, Van De Wege, Warnick, Wellman, Wilson, C. and Zeiger

Voting nay: Senators Bailey, Becker, Braun, Brown, Ericksen, Fortunato, Hawkins, Holy, Honeyford, King, Padden, Schoesler, Short, Wagoner, Walsh and Wilson, L.

SUBSTITUTE SENATE BILL NO. 5166, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5387, by Senators Becker, Cleveland, Rivers, O'Ban, Short, Bailey, Braun, Wilson, L., Warnick, Zeiger, Van De Wege and Keiser

Concerning physician credentialing in telemedicine services.

The measure was read the second time.

MOTION

On motion of Senator Becker, the rules were suspended, Senate Bill No. 5387 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Becker and Cleveland spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5387.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5387 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Lias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

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SENATE BILL NO. 5387, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5399, by Senators Pedersen, Walsh, Dhingra, Frockt, Kuderer, Salomon, Mullet, Palumbo, Holy, Wellman, Wilson and C.

Concerning child relocation by a person with joint decision-making authority and equal residential time.

MOTIONS

On motion of Senator Pedersen, Substitute Senate Bill No. 5399 was substituted for Senate Bill No. 5399 and the substitute bill was placed on the second reading and read the second time.

Revised for 1st Substitute: Concerning child relocation by a person with substantially equal residential time.

On motion of Senator Pedersen, the rules were suspended, Substitute Senate Bill No. 5399 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Pedersen spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5399.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5399 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Lias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senator Padden

SUBSTITUTE SENATE BILL NO. 5399, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5334, by Senators Pedersen, Padden, Mullet, Fortunato, Carlyle, Rivers, Kuderer, Dhingra, Palumbo, Frockt, Wellman, Salomon, Saldaña, Keiser, O'Ban, Billig, Holy and Darneille

Concerning the Washington uniform common interest ownership act.

The measure was read the second time.

MOTION

Senator Pedersen moved that the following amendment no. 028 by Senators Pedersen and Padden be adopted:

On page 15, line 6, after "state" insert "on or"

On page 15, line 8, after "created" insert "on or"

On page 15, line 31, after "state" insert "on or"

On page 16, line 11, after "occurring" insert "on or"

On page 16, line 19, after "created" insert "on or"

On page 16, line 22, after "created" insert "on or"

On page 16, line 28, after "created" insert "on or"

On page 49, after line 14, insert the following:

"**Sec. 213.** RCW 64.90.650 and 2018 c 277 s 411 are each amended to read as follows:

(1) In the case of a sale of a unit when delivery of a public offering statement is required pursuant to RCW 64.90.605(3) and subject to subsection (2) of this section, a seller before conveying a unit:

(a) Must record or furnish to the purchaser releases of all liens that encumber:

(i) In a condominium, that unit and its common element interest; and

(ii) In a cooperative, plat community, or miscellaneous community, that unit and any limited common elements assigned to that unit; or

(b) Must provide the purchaser of that unit with title insurance from a licensed title insurance company against any lien not released pursuant to (a) of this subsection.

(2) Subsection (1) of this section does not apply to liens that encumber:

(a) Real estate that a declarant has the right to withdraw from the common interest community;

(b) In a condominium, the unit and its common element interest being purchased, but no other unit, if the purchaser expressly agrees in writing to take subject to or assume such lien;

(c) In a cooperative, plat community, or miscellaneous community, the unit and any limited common element allocated to the unit being purchased, but no other unit, if the purchaser expressly agrees in writing to take subject to or assume such lien.

(3) Before conveying real property to the association, the declarant must have that real property released from:

(a) All liens the foreclosure of which would deprive unit owners of any right of access to or easement of support of their units; and

(b) All other liens on that real property unless the public offering statement describes certain real property that may be conveyed subject to liens in specified amounts.

(4) In the case of a cooperative, the provisions of this section do not apply to liens securing indebtedness that represent a common expense liability for which the purchaser expressly agrees in writing to be responsible."

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 1, line 4 of the title, after "64.90.610," insert "64.90.650,"

Senators Pedersen and Padden spoke in favor of adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 028 by Senators Pedersen and Padden on page 15, line 6 to Senate Bill No. 5334.

The motion by Senator Pedersen carried and amendment no. 028 was adopted by voice vote.

MOTION

On motion of Senator Pedersen, the rules were suspended, Engrossed Senate Bill No. 5334 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Pedersen, Padden and Mullet spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 5334.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5334 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Erickson, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

ENGROSSED SENATE BILL NO. 5334, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5004, by Senators Cleveland, Rivers, Conway, Fortunato, Frockt, Palumbo, Rolfes, Saldaña and Kuderer

Allowing animal care and control agencies and nonprofit humane societies to provide additional veterinary services to low-income households.

MOTIONS

On motion of Senator Cleveland, Substitute Senate Bill No. 5004 was substituted for Senate Bill No. 5004 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Cleveland, the rules were suspended, Substitute Senate Bill No. 5004 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Cleveland and Rivers spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5004.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5004 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Erickson, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet,

Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

SUBSTITUTE SENATE BILL NO. 5004, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Becker announced a meeting of the Republican Caucus immediately upon adjournment.

Senator McCoy announced a meeting of the Democratic Caucus immediately upon adjournment.

MOTION

At 12:30 p.m., on motion of Senator Liias, the Senate adjourned until 9:00 o'clock a.m. Tuesday, February 26, 2019.

KAREN KEISER, President Pro Tempore of the Senate

BRAD HENDRICKSON, Secretary of the Senate

FORTY FOURTH DAY

MORNING SESSION

Senate Chamber, Olympia
Tuesday, February 26, 2019

The Senate was called to order at 9:03 a.m. by the President of the Senate, Lt. Governor Habib presiding. The Secretary called the roll and announced to the President that all senators were present.

The Sergeant at Arms Color Guard consisting of Pages Miss Haley Stark and Mr. Braxton Trotter, presented the Colors. Page Miss Paige Williams led the Senate in the Pledge of Allegiance.

The prayer was offered by Reverend Tim Ilgen, Pastor, Sacred Heart Parish, Lacey.

The President called upon the Secretary to read the journal of the preceding day.

MOTIONS

On motion of Senator Liias, the reading of the Journal of the previous day was dispensed with and it was approved.

On motion of Senator Liias, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 5977 by Senator Fortunato

AN ACT Relating to allowing public school districts and private schools to adopt a policy authorizing permanent employees to possess firearms on school grounds under certain conditions; amending RCW 9.41.280; adding a new section to chapter 28A.320 RCW; adding a new section to chapter 28A.195 RCW; adding a new section to chapter 43.101 RCW; creating new sections; making an appropriation; and declaring an emergency.

Referred to Committee on Law & Justice.

SB 5978 by Senator King

AN ACT Relating to vehicle taxation; amending RCW 82.08.020 and 82.12.020; adding a new section to chapter 82.08 RCW; providing an effective date; and declaring an emergency.

Referred to Committee on Ways & Means.

MOTION

On motion of Senator Liias, the measures listed on the Introduction and First Reading report were referred to the committees as designated with the exception of Senate Bill No. 5978 which had been designated to the Committee on Transportation and was referred to the Committee on Ways & Means.

MOTION

On motion of Senator Liias, the Senate advanced to the eighth order of business.

MOTION

Senator Warnick moved adoption of the following resolution:

SENATE RESOLUTION
8622

By Senators Warnick, Becker, Schoesler, King, Short, Fortunato, Hawkins, O'Ban, Rivers, Walsh, Honeyford, Bailey, Wagoner, Zeiger, Holy, Wilson, L., Salomon, Brown, Das, Dhingra, Wellman, and Rolfes

WHEREAS, Indian Americans who call Washington state home are part of the 3.5 million individuals who make up the United States Indian Diaspora; and

WHEREAS, The youth of this community have preserved and helped the rich Indian culture continue to thrive; and

WHEREAS, The Miss India USA and Miss India Worldwide pageants, organized by the New York-based India Festival Committee, are cornerstones of instilling Indian values, traditions, and culture among Indian-origin youths; and

WHEREAS, The Miss India USA and Miss India Worldwide pageants are part of the oldest and largest events for the Indian Diaspora community; and

WHEREAS, Shree Saini, 22, of Moses Lake won the 37th annual Miss India USA pageant, where she represented Washington, competing with 52 contestants from across the nation; and

WHEREAS, Shree Saini went on to represent and win for the United States at the 27th annual Miss India Worldwide pageant, which included young women from the Indian communities in over 42 countries; and

WHEREAS, Shree Saini was told by her doctors that she could never dance after being installed with a pacemaker at the age of 12, but persevered through these challenges and volunteers her time to work with the American Heart Association; and

WHEREAS, Her efforts in promoting her two main charitable causes, heart disease and mental health, since the age of 15, have earned her the respect and admiration of those in her community; and

WHEREAS, Her advocacy for mental health and emotional well-being through thousands of articles and hundreds of speeches delivered in over 70 cities, 11 states, and 4 countries, has touched countless lives; and

WHEREAS, Her enterprise as Shree Investments in the city of George, Washington, is a recipient of over 500 certificates of appreciation from regional organizations over its 11 years of business, and the recipient of the Corporations for Communities Award and the National Association of Secretaries of State Medal;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate recognize Shree Saini for her longtime advocacy and promotion of Indian culture, and commend her leadership and philanthropy in devotion to Washington State and the Indian community; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the Senate to Shree Saini.

Senator Warnick spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8622.

The motion by Senator Warnick carried and the resolution was adopted by voice vote.

INTRODUCTION OF SPECIAL GUEST

The President welcomed and introduced Miss Shree Saini, Miss India Worldwide 2018, who was present at the rostrum.

MOTION

On motion of Senator Liias, the Senate reverted to the sixth order of business.

SECOND READING

SENATE BILL NO. 5447, by Senators Van De Wege and Warnick

Extending the dairy milk assessment fee to June 30, 2025.

The measure was read the second time.

MOTION

On motion of Senator Van De Wege, the rules were suspended, Senate Bill No. 5447 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Van De Wege spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5447.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5447 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 3; Excused, 0.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Erickson, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Absent: Senators Palumbo, Rolfes and Saldaña

SENATE BILL NO. 5447, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Mullet, Senators Palumbo, Rolfes and Saldaña were excused.

SECOND READING

SENATE BILL NO. 5518, by Senators Cleveland, King, Takko, Warnick, Short, Wilson, L. and Honeyford

Requiring property sold in tax lien foreclosure proceedings to be sold as is.

The measure was read the second time.

MOTION

On motion of Senator Cleveland, the rules were suspended, Senate Bill No. 5518 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Cleveland spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5518.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5518 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Erickson, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senators Rolfes and Saldaña

SENATE BILL NO. 5518, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5653, by Senators Fortunato, Hasegawa, Takko, Brown, Becker, Padden, Wilson, L., Schoesler, Short, Holy, Warnick, Sheldon, Honeyford, Saldaña, Hobbs, Palumbo and Randall

Establishing permissible methods of parking a motorcycle.

The measure was read the second time.

MOTION

On motion of Senator Fortunato, the rules were suspended, Senate Bill No. 5653 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Fortunato spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5653.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5653 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Erickson, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De

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Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senator Rolfes

SENATE BILL NO. 5653, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5519, by Senators Cleveland, King, Takko, Warnick, Short, Braun, Wilson, L. and Honeyford

Concerning mosquito control districts.

The measure was read the second time.

MOTION

On motion of Senator Cleveland, the rules were suspended, Senate Bill No. 5519 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Cleveland and Short spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5519.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5519 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Erickson, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senator Rolfes

SENATE BILL NO. 5519, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Liias, the Senate advanced to the seventh order of business.

THIRD READING
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Braun moved that Doris Wood, Senate Gubernatorial Appointment No. 9110, be confirmed as a member of the Centralia College Board of Trustees.

Senator Braun spoke in favor of the motion.

APPOINTMENT OF DORIS WOOD

The President declared the question before the Senate to be the confirmation of Doris Wood, Senate Gubernatorial Appointment No. 9110, as a member of the Centralia College Board of Trustees.

The Secretary called the roll on the confirmation of Doris Wood, Senate Gubernatorial Appointment No. 9110, as a member of the Centralia College Board of Trustees and the appointment was confirmed by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Erickson, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senator Rolfes

Doris Wood, Senate Gubernatorial Appointment No. 9110, having received the constitutional majority was declared confirmed as a member of the Centralia College Board of Trustees.

THIRD READING
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Braun moved that Mark C. Scheibmeir, Senate Gubernatorial Appointment No. 9125, be confirmed as a member of the Centralia College Board of Trustees.

Senator Braun spoke in favor of the motion.

APPOINTMENT OF MARK C. SCHEIBMEIR

The President declared the question before the Senate to be the confirmation of Mark C. Scheibmeir, Senate Gubernatorial Appointment No. 9125, as a member of the Centralia College Board of Trustees.

The Secretary called the roll on the confirmation of Mark C. Scheibmeir, Senate Gubernatorial Appointment No. 9125, as a member of the Centralia College Board of Trustees and the appointment was confirmed by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Erickson, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senator Rolfes

Mark C. Scheibmeir, Senate Gubernatorial Appointment No. 9125, having received the constitutional majority was declared confirmed as a member of the Centralia College Board of Trustees.

MOTION

On motion of Senator Liias, the Senate reverted to the sixth order of business.

SECOND READING

SENATE BILL NO. 5028, by Senators Hunt, Wilson, C. and O'Ban

Declaring September the month of the kindergartner.

MOTIONS

On motion of Senator Hunt, Substitute Senate Bill No. 5028 was substituted for Senate Bill No. 5028 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Hunt, the rules were suspended, Substitute Senate Bill No. 5028 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Hunt and O'Ban spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5028.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5028 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

SUBSTITUTE SENATE BILL NO. 5028, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5000, by Senators Palumbo, Rivers, Cleveland, Conway, Saldaña and Kuderer

Concerning online access to health care resources for veterinarians and veterinary technicians.

The measure was read the second time.

MOTION

On motion of Senator Palumbo, the rules were suspended, Senate Bill No. 5000 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Palumbo spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5000.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5000 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

SENATE BILL NO. 5000, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5734, by Senators Cleveland and Becker

Concerning the hospital safety net assessment.

MOTIONS

On motion of Senator Cleveland, Substitute Senate Bill No. 5734 was substituted for Senate Bill No. 5734 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Cleveland, the rules were suspended, Substitute Senate Bill No. 5734 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Cleveland spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5734.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5734 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senator Ericksen

SUBSTITUTE SENATE BILL NO. 5734, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5218, by Senators Zeiger, Takko and King

Concerning mobile food units.

MOTIONS

FORTY FOURTH DAY, FEBRUARY 26, 2019

2019 REGULAR SESSION

On motion of Senator Zeiger, Substitute Senate Bill No. 5218 was substituted for Senate Bill No. 5218 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Zeiger, the rules were suspended, Substitute Senate Bill No. 5218 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Zeiger and Padden spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5218.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5218 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

SUBSTITUTE SENATE BILL NO. 5218, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5367, by Senators Wagoner, Bailey, Warnick, Honeyford, Wilson and L.

Creating the purple star award for military friendly schools.

The measure was read the second time.

MOTION

On motion of Senator Wagoner, the rules were suspended, Senate Bill No. 5367 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wagoner and Wellman spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5367.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5367 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

SENATE BILL NO. 5367, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Liias, the Senate advanced to the seventh order of business.

THIRD READING
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Conway moved that Julia L. Patterson, Senate Gubernatorial Appointment No. 9169, be confirmed as a member of the Gambling Commission.

Senator Conway spoke in favor of the motion.

APPOINTMENT OF JULIA L. PATTERSON

The President declared the question before the Senate to be the confirmation of Julia L. Patterson, Senate Gubernatorial Appointment No. 9169, as a member of the Gambling Commission.

The Secretary called the roll on the confirmation of Julia L. Patterson, Senate Gubernatorial Appointment No. 9169, as a member of the Gambling Commission and the appointment was confirmed by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Julia L. Patterson, Senate Gubernatorial Appointment No. 9169, having received the constitutional majority was declared confirmed as a member of the Gambling Commission.

MOTION

On motion of Senator Liias, the Senate reverted to the sixth order of business.

SECOND READING

SENATE BILL NO. 5266, by Senators Saldaña, Hunt, Hasegawa, McCoy, Keiser and Das

Concerning timely elections for governing body members in jurisdictions modifying districting plans under the Washington voting rights act.

MOTION

On motion of Senator Saldaña, Substitute Senate Bill No. 5266 was substituted for Senate Bill No. 5266 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Zeiger moved that the following amendment no. 045 by Senator Zeiger be adopted:

On page 2, beginning on line 38, after "section" strike all material through "positions" on line 39 and insert ", but the terms for each position may remain staggered as under the existing election system"

On page 4, beginning on line 17, after "(3)" strike all material through "positions" on line 18 and insert ", but the terms for each position may remain staggered as under the existing election system"

Senators Zeiger, Sheldon and Padden spoke in favor of adoption of the amendment.

Senators Saldaña and Hunt spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 045 by Senator Zeiger on page 2, line 38 to Substitute Senate Bill No. 5266.

The motion by Senator Zeiger did not carry and amendment no. 045 was not adopted by voice vote.

MOTION

On motion of Senator Saldaña, the rules were suspended, Substitute Senate Bill No. 5266 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Saldaña and Sheldon spoke in favor of passage of the bill.

Senators Schoesler and Zeiger spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5266.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5266 and the bill passed the Senate by the following vote: Yeas, 29; Nays, 20; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Palumbo, Pedersen, Randall, Rolfes, Saldaña, Salomon, Sheldon, Takko, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Bailey, Becker, Braun, Brown, Ericksen, Fortunato, Hawkins, Holy, Honeyford, King, O'Ban, Padden, Rivers, Schoesler, Short, Wagoner, Walsh, Warnick, Wilson, L. and Zeiger

SUBSTITUTE SENATE BILL NO. 5266, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5165, by Senators Saldaña, Hasegawa, Wellman, Darneille, Keiser, Nguyen, Wilson and C.

Concerning discrimination based on citizenship or immigration status.

The measure was read the second time.

MOTION

Senator Saldaña moved that the following amendment no. 048 by Senator Saldaña be adopted:

On page 2, line 26, after "is" strike "required" and insert "authorized"

On page 3, at the beginning of line 1, strike "required" and insert "authorized"

Senator Saldaña spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 048 by Senator Saldaña on page 2, line 26 to Senate Bill No. 5165.

The motion by Senator Saldaña carried and amendment no. 048 was adopted by voice vote.

MOTION

Senator Ericksen moved that the following amendment no. 057 by Senator Ericksen be adopted:

On page 8, line 19, insert a new section (3) Provided that, all public and private employers having more than 15 employees on the effective date of this act must enroll in the federal work authorization program (E-Verify) no later than January 1, 2020 and after enrollment must use the program for each newly hired employee who will work in Washington state.

Renumber the remaining sections consecutively and correct any internal references accordingly.

Senators Ericksen and Padden spoke in favor of adoption of the amendment.

Senator Pedersen spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 057 by Senator Ericksen on page 8, line 19 to Senate Bill No. 5165.

The motion by Senator Ericksen did not carry and amendment no. 057 was not adopted by voice vote.

MOTION

On motion of Senator Saldaña, the rules were suspended, Engrossed Senate Bill No. 5165 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Saldaña and Liias spoke in favor of passage of the bill.

Senators Padden, Ericksen and Walsh spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 5165.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5165 and the bill passed the Senate by the following vote: Yeas, 29; Nays, 20; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Palumbo, Pedersen, Randall, Rolfes, Saldaña, Salomon, Sheldon, Takko, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Bailey, Becker, Braun, Brown, Ericksen, Fortunato, Hawkins, Holy, Honeyford, King, O'Ban, Padden, Rivers, Schoesler, Short, Wagoner, Walsh, Warnick, Wilson, L. and Zeiger

ENGROSSED SENATE BILL NO. 5165, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5074, by Senators Kuderer, Pedersen, Hunt, Conway, Nguyen, Saldaña, Palumbo, Wellman and Darneille

Enacting the uniform faithful presidential electors act.

The measure was read the second time.

MOTION

On motion of Senator Kuderer, the rules were suspended, Senate Bill No. 5074 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Kuderer spoke in favor of passage of the bill.
 Senator Zeiger spoke against passage of the bill.

POINT OF INQUIRY

Senator Liias: "I wonder if Senator Padden would yield to a question?:"

President Habib: "He will. Please continue."

Senator Liias: "Thank you Mr. President. I know from the history books that in 1976, one of Washington's electors did not vote for the candidate who won the state's majority vote, and I wonder if Senator Padden remembers who that was and if he has any insights into that elector's motivations?"

Senator Padden: "Thank you Senator Liias. It might have been before you were born, I don't know. But, yes, and I get to tell the story every four years. I really think this can be solved, as a private matter among the parties. I think the problem, if indeed there was one, and 2016 was who the electors were that were selected. I mean, and just for the record, in my case there never was any pledge. There never was a requirement. I wasn't asked to do that and I went through a process. I think like the founding fathers envisioned for the electoral college on making a decision. I mean if you really pass this bill what you are saying is that we don't need the electoral college and that might well be the position of people, and just have the electoral votes automatically cast for whoever carries the state. But, this could be solved by a better vetting of who the electors are, that are going to be selected by whichever party. Unfortunately, recently it has been, always been your party that has carried the state and so you would have to do a better job, I think, of doing that."

Senator Hasegawa spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5074.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5074 and the bill passed the Senate by the following vote: Yeas, 29; Nays, 20; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hawkins, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Palumbo, Pedersen, Randall, Rolfes, Saldaña, Salomon, Sheldon, Takko, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Bailey, Becker, Braun, Brown, Ericksen, Fortunato, Hasegawa, Holy, Honeyford, King, O'Ban, Padden, Rivers, Schoesler, Short, Wagoner, Walsh, Warnick, Wilson, L. and Zeiger

SENATE BILL NO. 5074, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5616, by Senators Rivers, Cleveland, Keiser, Saldaña and Kuderer

Manicuring for diabetics.

The measure was read the second time.

MOTION

Senator Rivers moved that the following amendment no. 035 by Senator Rivers be adopted:

On page 1, after line 14, insert the following:

"NEW SECTION. **Sec. 2.** This act takes effect January 1, 2020."

On page 1, line 1 of the title, after "diabetics;" strike "and"

On page 1, line 2 of the title, after "RCW" insert "; and providing an effective date"

Senator Rivers spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 035 by Senator Rivers on page 1, after line 14 to Senate Bill No. 5616.

The motion by Senator Rivers carried and amendment no. 035 was adopted by voice vote.

MOTION

On motion of Senator Rivers, the rules were suspended, Engrossed Senate Bill No. 5616 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Rivers and Keiser spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 5616.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5616 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford,

Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senator Wellman

ENGROSSED SENATE BILL NO. 5616, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5304, by Senator Mullet

Concerning the financing of local infrastructure.

The measure was read the second time.

MOTION

On motion of Senator Mullet, the rules were suspended, Senate Bill No. 5304 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Mullet and Zeiger spoke in favor of passage of the bill.

Senator Hasegawa spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5304.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5304 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 2; Absent, 0; Excused, 0.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senators Hasegawa and Padden

SENATE BILL NO. 5304, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5622, by Senators Randall, Pedersen, Walsh and Liias

Revising the authority of commissioners of courts of limited jurisdiction.

The measure was read the second time.

MOTION

On motion of Senator Randall, the rules were suspended, Senate Bill No. 5622 was advanced to third reading, the second

reading considered the third and the bill was placed on final passage.

Senator Randall spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5622.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5622 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

SENATE BILL NO. 5622, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5909, by Senator King

Concerning the license to manufacture, import, sell, and export liquor.

The measure was read the second time.

MOTION

On motion of Senator King, the rules were suspended, Senate Bill No. 5909 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators King and Keiser spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5909.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5909 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

SENATE BILL NO. 5909, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5558, by Senators Saldaña, Darneille, Keiser and Nguyen

Reinstating the authority of the department of social and health services and the health care authority to purchase interpreter services for applicants and recipients of public assistance who are sensory-impaired.

The measure was read the second time.

MOTION

On motion of Senator Saldaña, the rules were suspended, Senate Bill No. 5558 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Saldaña and Walsh spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5558.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5558 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

SENATE BILL NO. 5558, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator McCoy announced a meeting of the Democratic Caucus immediately upon adjournment.

Senator Becker announced a meeting of the Republican Caucus immediately upon adjournment.

Senator Liias announced a meeting of the Committee on Rules at 12:30 p.m. in the Senate Rules Room.

MOTION

At 11:25 a.m., on motion of Senator Liias, the Senate adjourned until 9:00 o'clock a.m. Wednesday, February 27, 2019.

CYRUS HABIB, President of the Senate

BRAD HENDRICKSON, Secretary of the Senate

FORTY FIFTH DAY

MORNING SESSION

Senate Chamber, Olympia
Wednesday, February 27, 2019

The Senate was called to order at 9:08 a.m. by the President Pro Tempore, Senator Keiser presiding. The Secretary called the roll and announced to the President Pro Tempore that all Senators were present.

The Sergeant at Arms Color Guard consisting of Pages Miss Hanaan Ali and Mr. Richard King, presented the Colors. Page Miss McKenna White led the Senate in the Pledge of Allegiance.

The prayer was offered by Dr. Joe Fuiten, Pastor Emeritus, Cedar Park Assembly of God, Bothell.

MOTION

At 9:11 a.m., on motion of Senator Liias, the Senate was declared to be at recess until 9:30 a.m. for the purposes of caucuses.

The Senate was called to order at 9:30 a.m. by the President Pro Tempore, Senator Keiser presiding.

The President called upon the Secretary to read the journal of the preceding day.

MOTION

On motion of Senator Liias, the reading of the Journal of the previous day was dispensed with and it was approved.

MOTION

On motion of Senator Liias, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

February 25, 2019

SB 5019 Prime Sponsor, Senator Takko: Modifying the expiration date of certain state fire service mobilization laws. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5019 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

February 25, 2019

SB 5021 Prime Sponsor, Senator Van De Wege: Granting interest arbitration to department of corrections employees. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5021 be substituted therefor, and the second substitute bill do pass. Signed by Senators Carlyle; Wagoner; Mullet, Capital Budget Cabinet; Billig; Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Schoesler; Rivers; Pedersen; Palumbo; Liias; Keiser; Hunt; Darneille; Conway and Van De Wege.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Honeyford, Assistant Ranking Member, Capital; Brown, Assistant Ranking Member, Operating; Braun, Ranking Member; Wilson, L.; Warnick; Bailey and Becker.

Referred to Committee on Rules for second reading.

February 25, 2019

SB 5022 Prime Sponsor, Senator Keiser: Granting binding interest arbitration rights to certain higher education uniformed personnel. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Pedersen; Frockt, Vice Chair, Operating, Capital Lead; Carlyle; Conway; Darneille; Hunt; Keiser; Liias; Palumbo; Van De Wege; Wagoner and Billig.

MINORITY recommendation: Do not pass. Signed by Senator Schoesler.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Rivers; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

February 25, 2019

SB 5089 Prime Sponsor, Senator Wellman: Increasing early learning access for children ages thirty months and older with developmental delays or disabilities. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5089 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet and Wilson, L.

Referred to Committee on Rules for second reading.

FORTY FIFTH DAY, FEBRUARY 27, 2019

2019 REGULAR SESSION

February 25, 2019

SB 5115 Prime Sponsor, Senator Carlyle: Concerning appliance efficiency standards. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5115 be substituted therefor, and the second substitute bill do pass. Signed by Senators Pedersen; Palumbo; Liias; Keiser; Hunt; Hasegawa; Darneille; Conway; Carlyle; Billig; Mullet, Capital Budget Cabinet; Frockt, Vice Chair, Operating, Capital Lead Rolfes, Chair.

MINORITY recommendation: Do not pass. Signed by Senators Warnick; Wagoner; Van De Wege; Schoesler; Becker; Bailey; Honeyford, Assistant Ranking Member, Capital; Brown, Assistant Ranking Member, Operating; Braun, Ranking Member and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Rivers.

Referred to Committee on Rules for second reading.

February 25, 2019

SB 5127 Prime Sponsor, Senator McCoy: Increasing the traumatic brain injury fee. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5127 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner and Warnick.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker and Wilson, L.

Referred to Committee on Rules for second reading.

February 25, 2019

SB 5163 Prime Sponsor, Senator Hasegawa: Concerning actions for wrongful injury or death. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Mullet, Capital Budget Cabinet; Van De Wege; Hunt; Liias; Palumbo; Pedersen; Hasegawa; Darneille; Conway; Carlyle; Billig; Frockt, Vice Chair, Operating, Capital Lead and Keiser.

MINORITY recommendation: Do not pass. Signed by Senators Wilson, L.; Warnick; Wagoner; Schoesler; Becker; Bailey Braun, Ranking Member.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Brown, Assistant Ranking Member, Operating Honeyford, Assistant Ranking Member, Capital.

Referred to Committee on Rules for second reading.

February 25, 2019

SB 5183 Prime Sponsor, Senator Kuderer: Concerning relocation assistance for manufactured/mobile home park tenants. Reported by Committee on Ways & Means

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen; Rivers; Van De Wege; Wagoner; Warnick; Wilson, L.; Frockt, Vice Chair, Operating, Capital Lead Rolfes, Chair.

MINORITY recommendation: Do not pass. Signed by Senator Schoesler.

Referred to Committee on Rules for second reading.

February 25, 2019

SB 5231 Prime Sponsor, Senator Bailey: Concerning veteran survivor tuition waiver eligibility. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Billig; Carlyle; Conway; Frockt, Vice Chair, Operating, Capital Lead; Darneille; Keiser; Liias; Palumbo; Rivers; Schoesler; Van De Wege; Wagoner; Warnick; Wilson, L.; Hunt Rolfes, Chair.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Pedersen.

Referred to Committee on Rules for second reading.

February 25, 2019

SB 5276 Prime Sponsor, Senator Erickson: Authorizing hemp production in conformance with the agriculture improvement act of 2018. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5276 be substituted therefor, and the second substitute bill do pass. Signed by Senators Frockt, Vice Chair, Operating, Capital Lead; Wagoner; Van De Wege; Schoesler; Rivers; Pedersen; Palumbo; Liias; Keiser; Hunt; Hasegawa; Carlyle; Billig; Becker; Bailey; Brown, Assistant Ranking Member, Operating; Braun, Ranking Member; Mullet, Capital Budget Cabinet; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

February 25, 2019

SB 5277 Prime Sponsor, Senator Warnick: Ensuring the funding of agricultural fairs. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5277 be substituted therefor, and the substitute bill do pass. Signed by Senators Brown, Assistant Ranking Member, Operating; Bailey; Becker; Billig; Hunt; Keiser; Liias; Palumbo; Pedersen; Rivers; Van De Wege; Wagoner;

Warnick; Mullet, Capital Budget Cabinet Frockt, Vice Chair, Operating, Capital Lead.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun, Ranking Member; Schoesler; Wilson, L. and Carlyle.

MINORITY recommendation: Do not pass. Signed by Senator Hasegawa.

Referred to Committee on Rules for second reading.

February 25, 2019

SB 5323 Prime Sponsor, Senator Das: Reducing pollution from plastic bags by establishing minimum state standards for the use of bags at retail establishments. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Senators Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Rivers; Schoesler; Wagoner; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

February 25, 2019

SB 5332 Prime Sponsor, Senator Pedersen: Concerning vital statistics. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Honeyford, Assistant Ranking Member, Capital; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen; Rivers; Van De Wege; Wagoner; Warnick; Wilson, L.; Frockt, Vice Chair, Operating, Capital Lead; Rolfes, Chair; Braun, Ranking Member Mullet, Capital Budget Cabinet.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Schoesler; Brown, Assistant Ranking Member, Operating; Becker and Bailey.

Referred to Committee on Rules for second reading.

February 25, 2019

SB 5337 Prime Sponsor, Senator Takko: Expanding a sales and use tax exemption for personal property sold between political subdivisions to include sales or uses of personal property as a result of a merger or sales or uses of personal property made under contractual consolidations in which the taxpayer that originally paid the sales or use tax continues to benefit from the personal property. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Mullet, Capital Budget Cabinet; Warnick; Wagoner; Van De Wege; Schoesler; Rivers; Pedersen; Palumbo; Liias; Keiser; Hunt; Hasegawa; Billig; Carlyle; Becker; Bailey; Brown, Assistant Ranking Member, Operating; Braun, Ranking Member; Wilson, L. Frockt, Vice Chair, Operating, Capital Lead.

Referred to Committee on Rules for second reading.

February 25, 2019

SB 5338 Prime Sponsor, Senator Darneille: Concerning the protection of vulnerable adults. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Frockt, Vice Chair, Operating, Capital Lead; Warnick; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Bailey; Becker; Billig; Carlyle; Wilson, L.; Hasegawa; Keiser; Liias; Palumbo; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Hunt and Conway.

Referred to Committee on Rules for second reading.

February 25, 2019

SB 5428 Prime Sponsor, Senator Wilson, L.: Concerning veterans' mental health services at institutions of higher education. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Wilson, L.; Van De Wege; Schoesler; Rivers; Pedersen; Palumbo; Liias; Keiser; Hunt; Hasegawa; Darneille; Conway; Carlyle; Billig; Becker; Bailey; Honeyford, Assistant Ranking Member, Capital; Brown, Assistant Ranking Member, Operating; Braun, Ranking Member; Mullet, Capital Budget Cabinet; Frockt, Vice Chair, Operating, Capital Lead; Rolfes, Chair; Wagoner and Warnick.

Referred to Committee on Rules for second reading.

February 25, 2019

SB 5523 Prime Sponsor, Senator Braun: Improving managed care organization performance in caring for medicaid clients. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5523 be substituted therefor, and the substitute bill do pass. Signed by Senators Brown, Assistant Ranking Member, Operating; Braun, Ranking Member; Mullet, Capital Budget Cabinet; Frockt, Vice Chair, Operating, Capital Lead; Rolfes, Chair; Liias; Palumbo; Rivers; Schoesler; Van De Wege; Wagoner; Warnick; Wilson, L.; Becker; Carlyle; Honeyford, Assistant Ranking Member, Capital and Bailey.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Hasegawa; Hunt; Keiser; Pedersen; Billig; Conway and Darneille.

Referred to Committee on Rules for second reading.

February 25, 2019

SB 5537 Prime Sponsor, Senator Braun: Expanding community-based behavioral health facilities through issuance of state bonds. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5537 be substituted therefor, and the substitute bill do pass. Signed by Senators Wilson, L.; Frockt, Vice Chair, Operating, Capital Lead; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Bailey; Becker; Hunt;

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Keiser; Palumbo; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Liias.

Referred to Committee on Rules for second reading.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Billig and Carlyle.

February 25, 2019

MINORITY recommendation: Do not pass. Signed by Senator Hasegawa.

SB 5826 Prime Sponsor, Senator Darneille: Maximizing federal funding for prevention and family services and programs. Reported by Committee on Ways & Means

Referred to Committee on Rules for second reading.

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

February 25, 2019

SB 5550 Prime Sponsor, Senator Saldaña: Implementing the recommendations of the pesticide application safety work group. Reported by Committee on Ways & Means

Referred to Committee on Rules for second reading.

MAJORITY recommendation: That Substitute Senate Bill No. 5550 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen; Rivers; Schoesler; Van De Wege and Warnick.

MOTION

On motion of Senator Liias, all measures listed on the Standing Committee report were referred to the committees as designated.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Becker; Wagoner and Wilson, L.

MOTION

On motion of Senator Liias, the Senate advanced to the fifth order of business.

Referred to Committee on Rules for second reading.

INTRODUCTION AND FIRST READING

February 25, 2019

SB 5636 Prime Sponsor, Senator Brown: Concerning fiscal notes. Reported by Committee on Ways & Means

SB 5979 by Senator Honeyford
AN ACT Relating to providing a sales and use tax deferral for the construction of facilities used for mushroom farming; and adding a new section to chapter 82.32 RCW.

Referred to Committee on Ways & Means.

MAJORITY recommendation: Do pass. Signed by Senators Wilson, L.; Warnick; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Bailey; Becker; Billig; Hasegawa; Hunt; Keiser; Liias; Palumbo; Rivers; Schoesler; Van De Wege and Wagoner.

SJM 8011 by Senators Takko, Van De Wege, Mullet, Saldaña, Liias, Randall, Kuderer, Billig, Hunt, Wilson, C., Nguyen, Dhingra, Palumbo, Lovelett, Conway, Pedersen, Carlyle, Cleveland, Rolfes, Keiser, Hobbs, Darneille, McCoy, Das, Wellman, Hasegawa, Salomon and Frockt

Requesting the federal government to address tariffs on agricultural commodities.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Carlyle and Pedersen.

Referred to Committee on Ways & Means.

Referred to Committee on Rules for second reading.

MOTION

February 25, 2019

SB 5668 Prime Sponsor, Senator Takko: Concerning moneys received at auctions conducted by registered tow truck operators. Reported by Committee on Ways & Means

On motion of Senator Liias, all measures listed on the Introduction and First Reading report were referred to the committees as designated with the exception of Senate Bill No. 5979 which had been designated to the Committee on Agriculture, Water, Natural Resources & Parks and was referred to the Committee on Ways & Means.

MAJORITY recommendation: That Substitute Senate Bill No. 5668 be substituted therefor, and the substitute bill do pass. Signed by Senators Wagoner; Warnick; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Bailey; Becker; Wilson, L.; Billig; Hunt; Keiser; Palumbo; Pedersen; Rivers; Schoesler; Van De Wege and Carlyle.

MOTION

On motion of Senator Liias, the Senate advanced to the seventh order of business.

MINORITY recommendation: Do not pass. Signed by Senator Hasegawa.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Randall moved that Citlaly P. Ramirez, Senate Gubernatorial Appointment No. 9176, be confirmed as a member of the Western Washington University Board of Trustees.

Senator Randall spoke in favor of the motion.

APPOINTMENT OF CITLALY P. RAMIREZ

The President Pro Tempore declared the question before the Senate to be the confirmation of Citlaly P. Ramirez, Senate Gubernatorial Appointment No. 9176, as a member of the Western Washington University Board of Trustees.

The Secretary called the roll on the confirmation of Citlaly P. Ramirez, Senate Gubernatorial Appointment No. 9176, as a member of the Western Washington University Board of Trustees and the appointment was confirmed by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Citlaly P. Ramirez, Senate Gubernatorial Appointment No. 9176, having received the constitutional majority was declared confirmed as a member of the Western Washington University Board of Trustees.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Braun moved that Debbie A. Campbell, Senate Gubernatorial Appointment No. 9230, be confirmed as a member of the Centralia College Board of Trustees.

Senator Braun spoke in favor of the motion.

APPOINTMENT OF DEBBIE A. CAMPBELL

The President Pro Tempore declared the question before the Senate to be the confirmation of Debbie A. Campbell, Senate Gubernatorial Appointment No. 9230, as a member of the Centralia College Board of Trustees.

The Secretary called the roll on the confirmation of Debbie A. Campbell, Senate Gubernatorial Appointment No. 9230, as a member of the Centralia College Board of Trustees and the appointment was confirmed by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Debbie A. Campbell, Senate Gubernatorial Appointment No. 9230, having received the constitutional majority was declared confirmed as a member of the Centralia College Board of Trustees.

PERSONAL PRIVILEGE

Senator Honeyford: "Well thank you Madam President. One hundred sixty-five years ago on this day the first Territorial Legislature met, so we are celebrating an anniversary. Per diem for sixty days was, it looks like, \$192. The total cost was \$3,560.80 for that first Territorial Legislative day. Thank you Madam President."

EDITOR'S NOTE: Pursuant to a gubernatorial proclamation issued November 28, 1853, on Monday at 10:00 o'clock a.m., February 27, 1854 the Washington Territorial Assembly met at Olympia for the first time. The then twenty-seven member Assembly met on the second floor of the Parker & Coulter express office and general store. The building, at what is now 214 North Capitol Way, was owned by Edmund Sylvester who had founded and platted Olympia.

MOTION

On motion of Senator Liias, the Senate reverted to the sixth order of business.

SECOND READING

SENATE BILL NO. 5544, by Senators Hobbs, King, Saldaña, Zeiger, Mullet, Padden, Fortunato, O'Ban, Wilson and L.

Increasing the types of commercial driver waivers allowed for military veterans.

MOTION

On motion of Senator Hobbs, Substitute Senate Bill No. 5544 was substituted for Senate Bill No. 5544 and the substitute bill was placed on the second reading and read the second time.

MOTION

On motion of Senator Liias, further consideration of Substitute Senate Bill No. 5544 was deferred and the bill held its place on the second reading calendar.

SECOND READING

SENATE BILL NO. 5689, by Senators Liias, Saldaña, Pedersen, Wellman, Wilson, C., Randall, Hunt, McCoy, Salomon, Darneille, Hasegawa, Keiser, Kuderer and Nguyen

Concerning harassment, intimidation, bullying, and discrimination in public schools.

MOTIONS

On motion of Senator Liias, Substitute Senate Bill No. 5689 was substituted for Senate Bill No. 5689 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Liias, the rules were suspended, Substitute Senate Bill No. 5689 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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Senators Liias and Wellman spoke in favor of passage of the bill.

Senators Hawkins, Schoesler, Padden and Walsh spoke against passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5689.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5689 and the bill passed the Senate by the following vote: Yeas, 29; Nays, 20; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Palumbo, Pedersen, Randall, Rolfes, Saldaña, Salomon, Takko, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Bailey, Becker, Braun, Brown, Ericksen, Fortunato, Hawkins, Holy, Honeyford, O'Ban, Padden, Rivers, Schoesler, Sheldon, Short, Wagoner, Walsh, Warnick, Wilson, L. and Zeiger

SUBSTITUTE SENATE BILL NO. 5689, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5480, by Senators Brown, Conway, Honeyford and Takko

Concerning the renewal of real estate appraiser certificates, licenses, and registrations.

MOTION

On motion of Senator Brown, Substitute Senate Bill No. 5480 was substituted for Senate Bill No. 5480 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Brown moved that the following amendment no. 041 by Senator Brown be adopted:

On page 4, after line 20 insert the following:

“NEW SECTION. **Sec. 5.** This act takes effect September 1, 2020.”

On page 1, line 2 of the title, after “registrations;” strike the remainder of the title and insert “amending RCW 18.140.130, 18.140.060, 18.140.160, and 18.140.280; and providing an effective date.”

Senator Brown spoke in favor of adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 041 by Senator Brown on page 4, after line 20 to Substitute Senate Bill No. 5480.

The motion by Senator Brown carried and amendment no. 041 was adopted by voice vote.

MOTION

On motion of Senator Brown, the rules were suspended, Engrossed Substitute Senate Bill No. 5480 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Brown and Conway spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5480.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5480 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

ENGROSSED SUBSTITUTE SENATE BILL NO. 5480, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Liias, the Senate advanced to the eighth order of business.

MOTION

Senator Mullet moved adoption of the following resolution:

SENATE RESOLUTION

8614

By Senators Mullet and Das

WHEREAS, The students of the Tahoma High School enrolled in the We the People: The Citizen and Constitution program have exhibited superior knowledge of the Constitution of the United States and the lessons taught by our forefathers; and

WHEREAS, On Saturday, January 12, 2019, the Tahoma High School team won the state We the People competition, the school's 10th consecutive state championship and its twenty-third state championship in the last twenty-five years; and

WHEREAS, These students will represent their state this spring at the thirty-second annual We the People finals in Washington, D.C., where they will aspire to uphold the standards of excellence for which Tahoma High School is known; and

WHEREAS, The Tahoma team is coached by Gretchen Wulfig, who was named Washington's Civic Educator of the Year in 2011 and was honored as one of Washington's Civic Educators of 2016, and who, having coached Tahoma's team for eleven years, has significantly deepened her students' knowledge of the U.S. Constitution and Bill of Rights, helping them build important 21st-century workplace skills, such as working cooperatively as a team, public speaking, managing conflict, and reaching consensus; and

WHEREAS, Studies have shown that students who participate in the We the People program score significantly higher than their peers on tests of both civic knowledge and civic dispositions, including respect for the rule of law, political attentiveness, civic duty, community involvement, commitment to government service, and the norms of political efficacy and political tolerance; and

WHEREAS, In 2018 the Tahoma team took seventh place at the We the People National Finals in Washington, D.C., marking the fifth time in the last seven years that the school has advanced to the top ten at the finals;

NOW, THEREFORE, BE IT RESOLVED, That the Senate honor Leah Billings, Hitesh Boinpally, Jeremiah Briere, Mahek Buddhdeo, Jacob Burianek, Aidan Callen, Victoria Chung, Melinda Day, Emily DeBolt, Elizabeth Diaz, Drew Fleming, Jacquelyn Gaither, Joshua Hren, Makenna Kilgallon, Gabriel Kilwein, Madeleine Magana, Sierra Muehlbauer, Estelle Neathery, Madeline Nielsen, Emma Percival, Laura Pierson, Joseph Ribera, Christina Ring, Briana Rogers, Eric Rogers, Laena Tieng, Adam Wengreen, and Anika Wilson as “Warriors of the Constitution”; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the Senate to the members of Tahoma High School's We the People team, team advisor Gretchen Wulfing, and Tahoma High School Principal Terry Duty to convey the respect of this body for a job well done and to wish them success in their continuing endeavors.

Senator Mullet spoke in favor of adoption of the resolution.

The President Pro Tempore declared the question before the Senate to be the adoption of Senate Resolution No. 8614.

The motion by Senator Mullet carried and the resolution was adopted by voice vote.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced members of the Tahoma High School We the People team and their teacher Ms. Gretchen Wulfing who were seated in the gallery.

MOTION

On motion of Senator Liias, the Senate advanced to the sixth order of business.

SECOND READING

SENATE BILL NO. 5330, by Senators Braun, Van De Wege, Takko, Short, Becker, Rivers, Wagoner and Warnick

Analyzing state regulatory impact on small forest landowners.

MOTION

On motion of Senator Braun, Substitute Senate Bill No. 5330 was substituted for Senate Bill No. 5330 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Braun moved that the following striking amendment no. 050 by Senators Braun and Van De Wege be adopted:

Strike everything after the enacting clause and insert the following:

“NEW SECTION. Sec. 1. (1) Small forestland owners own and manage approximately three million two hundred thousand acres of Washington's forestlands and exert a tremendous influence on public resources, including fish bearing streams, water quality, air, wildlife habitat, and carbon sequestration.

(2) Adoption of the forests and fish report was made possible, in part, by the agreement of small forestland owners who supported the intent of the law despite significant economic impacts to some members of the small forestland owner community. Twenty years after the adoption of the forests and fish report, it is time to evaluate how the increased regulations have impacted small forestland owners and their land.

(3) When the forests and fish report was adopted, the legislature enacted RCW 76.13.100 as follows:

“(1) The legislature finds that increasing regulatory requirements continue to diminish the economic viability of small forest landowners. The concerns set forth in RCW 77.85.180 about the importance of sustaining forestry as a viable land use are particularly applicable to small landowners because of the location of their holdings, the expected complexity of the regulatory requirements, and the need for significant technical expertise not readily available to small landowners. The further reduction in harvestable timber owned by small forest landowners as a result of the rules to be adopted under RCW 76.09.055 will further erode small landowners' economic viability and willingness or ability to keep the lands in forestry use and, therefore, reduce the amount of habitat available for salmon recovery and conservation of other aquatic resources, as defined in RCW 76.09.020.

(2) The legislature finds that the concerns identified in subsection (1) of this section should be addressed by establishing within the department of natural resources a small forest landowner office that shall be a resource and focal point for small forest landowner concerns and policies. The legislature further finds that a forestry riparian easement program shall be established to acquire easements from small landowners along riparian and other areas of value to the state for protection of aquatic resources. The legislature further finds that small forest landowners should have the option of alternate management plans or alternate harvest restrictions on smaller harvest units that may have a relatively low impact on aquatic resources. The small forest landowner office should be responsible for assisting small landowners in the development and implementation of these plans or restrictions.”

(4) The twentieth anniversary of the adoption of the forests and fish report into law presents an optimal time to review how the state's regulatory actions, intended to benefit both landowners and habitat, have affected small forestland owners. How have programs intended to make up for the disproportionate economic impact been implemented? What can the legislature do to keep small forestland owners on the landscape, so their land will be available for salmon habitat and water quality rather than converted?

(5)(a) The school of environmental and forest sciences within the college of the environment at the University of Washington must complete a trends analysis.

(b) The trends analysis must address, at a minimum, the following questions:

(i) Have the number of small forestland owners increased or decreased?

(ii)(A) Has the acreage held by small forestland owners increased or decreased?

(B) Of the land no longer owned by small forestland owners, what percentage was converted to nonforest use, became industrial forestland, trust land, or some other use?

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(c)(i) The school of environmental and forest sciences at the University of Washington, using the data from the trends analysis and other pertinent information, must:

(A) Determine which factors contributed to small forestland owners selling their land;

(B) Recommend actions the legislature can take to help keep forestland working; and

(C) Assess the effectiveness and implementation of the programs created in RCW 76.13.100(2) which described three programs to assist small forestland owners and mitigate the disproportionate economic impact. The assessment must include:

(I) Evaluating the effectiveness of the small forest landowner office: Does it have adequate resources and authority to successfully address landowner concerns? Has it received adequate funding to implement fully the duties as assigned through RCW 76.13.110?

(II) Forest riparian easement program: Does the structure of the program adequately address economic impact to small forestland owners? Has funding kept up with need? Has the lack of funding resulted in the loss of riparian habitat?

(III) Have meaningful alternate management plans or alternate harvest restrictions been developed for smaller harvest units?

(IV) Has the family forest fish passage program addressed economic impact to landowners and fish passage barriers adequately?

(i) Would meaningful alternate harvest restrictions reduce the financial burden on the forest riparian easement program?

(ii) How can the legislature incentivize small forestland owners to maintain their land as forestland?

(iii) How can the legislature incentivize small forestland owners to maintain their land as forestland?

(iv) Could a program be developed to facilitate small forestland owner's participation in carbon markets?

(6) The University of Washington may reach out to a broad variety of stakeholders for input.

(7) The policy analysis must use the trends analysis, the regulatory impact analysis, and other data to provide recommendations on ways the forest practices board and the legislature can provide more effective incentives to encourage continued management of nonindustrial forests for forestry uses, including traditional timber harvest uses, open space uses, or as part of developing carbon market schemes.

(8) The University of Washington must report the results of the trends analysis and policy analysis to the appropriate committees of the legislature and the forest practices board by November 1, 2020, with recommendations to improve mitigation measures for small forestland owners and improve retention of working forestland held by small forestland owners.

(9) This section expires December 31, 2020."

On page 1, line 2 of the title, after "owners;" strike the remainder of the title and insert "creating a new section; and providing an expiration date."

Senator Braun spoke in favor of adoption of the striking amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of striking amendment no. 050 by Senators Braun and Van De Wege to Substitute Senate Bill No. 5330.

The motion by Senator Braun carried and striking amendment no. 050 was adopted by voice vote.

MOTION

On motion of Senator Braun, the rules were suspended, Engrossed Substitute Senate Bill No. 5330 was advanced to third

reading, the second reading considered the third and the bill was placed on final passage.

Senators Braun and Van De Wege spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5330.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5330 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

ENGROSSED SUBSTITUTE SENATE BILL NO. 5330, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5439, by Senators Keiser, King, Kuderer, Conway, McCoy, Saldaña and Wellman

Concerning confidentiality of employment security department records and data.

The measure was read the second time.

MOTION

Senator Conway moved that the following striking amendment no. 027 by Senators Keiser and Conway be adopted:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 50.13.020 and 2004 c 121 s 5 are each amended to read as follows:

Any information or records concerning an individual or employing unit obtained by the employment security department ((of employment security)) pursuant to the administration of this title ((or other programs for which the department has responsibility)) shall be private and confidential, except as otherwise provided in this chapter. This chapter does not create a rule of evidence. Information or records may be released by the employment security department ((of employment security)) when the release is:

(1) Required by the federal government in connection with, or as a condition of funding for, a program being administered by the employment security department; or

(2) Requested by a county clerk for the purposes of RCW 9.94A.760.

The provisions of RCW 50.13.060 (1) (a), (b) and (c) will not apply to such release.

"**Sec. 2.** RCW 50.13.030 and 2005 c 274 s 320 are each amended to read as follows:

The commissioner shall have the authority to adopt, amend, or rescind rules interpreting and implementing the provisions of this chapter. ((In particular, these rules shall specify the procedure to be followed to obtain information or records to which the public has access under this chapter or chapter 42.56 RCW.))

Sec. 3. RCW 50.13.040 and 2005 c 274 s 321 are each amended to read as follows:

(1) An individual shall have access to all records and information concerning that individual held by the employment security department, unless the information is exempt from disclosure under RCW 42.56.410.

(2) An employing unit shall have access to its own records and to any records and information relating to a benefit claim by an individual if the employing unit is either the individual's last employer or is the individual's base year employer.

(3) An employing unit shall have access to any records and information relating to any decision to allow or deny benefits if:

(a) The decision is based on employment or an offer of employment with the employing unit; or

(b) If the decision is based on material information provided by the employing unit.

(4) An employing unit shall have access to general summaries of benefit claims by individuals whose benefits are chargeable to the employing unit's experience rating or reimbursement account.

(5) The employment security department may disclose records and information deemed confidential under this chapter to a third party acting on behalf of an individual or employing unit that would otherwise be eligible to receive records under subsections (1) through (4) of this section when the employment security department receives a release from the individual, the employing unit, or the third party. The release must be signed and include a statement:

(a) Specifically identifying the information that is to be disclosed;

(b) That state government files will be accessed to obtain the information;

(c) Of the specific purpose or purposes for which the information is sought and that the information obtained under the release will only be used for that purpose or purposes; and

(d) Indicating all the parties who may receive the information disclosed.

Sec. 4. RCW 50.13.060 and 2011 1st sp.s. c 43 s 466 are each amended to read as follows:

(1) Unless otherwise required by federal law, only state and local governmental agencies((, including law enforcement agencies, prosecuting agencies, and the executive branch, whether state, local, or federal shall)) and federally recognized Indian tribes as defined in Title 26 U.S.C. Sec. 3306(u) of the federal unemployment tax act may have access to information or records deemed private and confidential under this chapter if the information or records are needed by the agency for official purposes and:

(a) The agency submits an application in ((writing to)) a manner specified by the employment security department for the records or information containing a statement of the official purposes for which the information or records are needed and specific identification of the records or information sought from the employment security department; and

(b) The director, commissioner, chief executive, or other official of the agency requesting records or information has verified the need for the specific information ((in writing either on the application or on a separate document)); and

(c) The agency requesting access has served a copy of the application for records or information on the individual or employing unit whose records or information are sought and has provided the employment security department with proof of

service. Service shall be made in a manner which conforms to the civil rules for superior court. The requesting agency shall include with the copy of the application a statement to the effect that the individual or employing unit may contact the public records officer of the employment security department to state any objections to the release of the records or information. The employment security department shall not act upon the application of the requesting agency until at least five days after service on the concerned individual or employing unit. The employment security department shall consider any objections raised by the concerned individual or employing unit in deciding whether the requesting agency needs the information or records for official purposes.

(2) The requirements of subsection((s)) (1) ((and (9))) of this section shall not apply to the state legislative branch. The state legislature ((shall)) may have access to information or records deemed private and confidential under this chapter, if the legislature or a legislative committee finds that the information or records are necessary and for official purposes. ((If the employment security department does not make information or records available as provided in this subsection, the legislature may exercise its authority granted by chapter 44.16 RCW.))

(3) In cases of emergency the governmental agency requesting access shall not be required to formally comply with the provisions of subsection (1) of this section at the time of the request if the procedures required by subsection (1) of this section are complied with by the requesting agency following the receipt of any records or information deemed private and confidential under this chapter. An emergency is defined as a situation in which irreparable harm or damage could occur if records or information are not released immediately.

(4) The requirements of subsection (1)(c) of this section shall not apply to state and local governmental agencies and federally recognized Indian tribes as defined in Title 26 U.S.C. Sec. 3306(u) of the federal unemployment tax act where the procedures would frustrate the investigation of possible violations of criminal laws or to the release of employing unit names, addresses, number of employees, and aggregate employer wage data for the purpose of state governmental agencies preparing small business economic impact statements under chapter 19.85 RCW or preparing cost-benefit analyses under RCW 34.05.328(1) (c) and (d). ((Information provided by the department and held to be private and confidential under state or federal laws must not be misused or released to unauthorized parties. A person who misuses such information or releases such information to unauthorized parties is subject to the sanctions in RCW 50.13.080.))

(5) State and local governmental agencies ((shall)) and federally recognized Indian tribes as defined in Title 26 U.S.C. Sec. 3306(u) of the federal unemployment tax act may have access to certain records or information((, limited to such items as names, addresses, social security numbers, and general information about benefit entitlement or employer information possessed by the department,)) deemed private and confidential under this chapter for comparison purposes with records or information possessed by the requesting agency to detect improper or fraudulent claims, ((or)) to determine potential tax liability or employer compliance with registration and licensing requirements, or for reasons otherwise within the discharge of their official duties. In those cases the state or local governmental agency or federally recognized Indian tribe as defined in Title 26 U.S.C. Sec. 3306(u) of the federal unemployment tax act shall not be required to comply with subsection (1)(c) of this section, but the requirements of ((the remainder of)) subsection (1)(a) and (b) of this section must be satisfied.

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(6) Governmental agencies may have access to certain records and information, limited to employer information possessed by the employment security department for purposes authorized in chapter 50.38 RCW. Access to these records and information is limited to only those individuals conducting authorized statistical analysis, research, and evaluation studies. Only in cases consistent with the purposes of chapter 50.38 RCW are governmental agencies not required to comply with subsection (1)(c) of this section, but the requirements of ((the remainder of)) subsection (1)(a) and (b) of this section must be satisfied. ((Information provided by the department and held to be private and confidential under state or federal laws shall not be misused or released to unauthorized parties subject to the sanctions in RCW 50.13.080.))

(7) Disclosure to governmental agencies of information or records obtained by the employment security department from the federal government shall be governed by any applicable federal law or any agreement between the federal government and the employment security department where so required by federal law. When federal law does not apply to the records or information state law shall control.

(8) The employment security department may provide information for purposes of statistical analysis and evaluation of the WorkFirst program or any successor state welfare program to the department of social and health services, the office of financial management, and other governmental entities with oversight or evaluation responsibilities for the program in accordance with RCW 43.20A.080. The confidential information provided by the employment security department shall remain the property of the employment security department and may be used by the authorized requesting agencies only for statistical analysis, research, and evaluation purposes as provided in RCW 74.08A.410 and 74.08A.420. The department of social and health services, the office of financial management, or other governmental entities with oversight or evaluation responsibilities for the program are not required to comply with subsection (1)(c) of this section, but the requirements of the remainder of subsection (1) of this section and applicable federal laws and regulations must be satisfied. The confidential information used for evaluation and analysis of welfare reform supplied to the authorized requesting entities with regard to the WorkFirst program or any successor state welfare program are exempt from public inspection and copying under chapter 42.56 RCW.

(9) ((The disclosure of any records or information by a governmental agency which has obtained the records or information under this section is prohibited unless the disclosure is (a) directly connected to the official purpose for which the records or information were obtained or (b) to another governmental agency which would be permitted to obtain the records or information under subsection (4) or (5) of this section.

(10)) In conducting periodic salary or fringe benefit studies pursuant to law, the office of financial management shall have access to records of the employment security department as may be required for such studies. For such purposes, the requirements of subsection (1)(c) of this section need not apply.

((11)) (10)(a) To promote the reemployment of job seekers, the commissioner may enter into data-sharing contracts with partners of the one-stop ((career development)) system established by P.L. 113-128 or its successor and identified as signatories of local memoranda of understanding. The contracts shall provide for the transfer of data only to the extent that the transfer is necessary for the efficient provisions of workforce programs, including but not limited to public labor exchange, unemployment insurance, worker training and retraining,

vocational rehabilitation, vocational education, adult education, transition from public assistance, and support services. The transfer of information under contracts with one-stop partners is exempt from subsection (1)(c) of this section.

(b) An individual who applies for services from the employment security department and whose information will be shared under (a) of this subsection (((1))) must be notified that his or her private and confidential information in the employment security department's records will be shared among the one-stop partners to facilitate the delivery of one-stop services to the individual. The notice must advise the individual that he or she may request that private and confidential information not be shared among the one-stop partners and the employment security department must honor the request. In addition, the notice must:

(i) Advise the individual that if he or she requests that private and confidential information not be shared among one-stop partners, the request will in no way affect eligibility for services;

(ii) Describe the nature of the information to be shared, the general use of the information by one-stop partner representatives, and among whom the information will be shared;

(iii) Inform the individual that shared information will be used only for the purpose of delivering one-stop services and that further disclosure of the information is prohibited under contract and is not subject to disclosure under chapter 42.56 RCW; and

(iv) Be provided in English and an alternative language selected by the one-stop center or job service center as appropriate for the community where the center is located.

If the notice is provided in-person, the individual who does not want private and confidential information shared among the one-stop partners must immediately advise the one-stop partner representative of that decision. The notice must be provided to an individual who applies for services telephonically, electronically, or by mail, in a suitable format and within a reasonable time after applying for services, which shall be no later than ten working days from the employment security department's receipt of the application for services. ((A one-stop representative must be available to answer specific questions regarding)) Information describing the nature, extent, and purpose for which the information may be shared must be available upon request.

((12)) (11) To facilitate improved operation and evaluation of state programs, the commissioner may enter into data-sharing contracts with other state and local governmental agencies and federally recognized Indian tribes as defined in Title 26 U.S.C. Sec. 3306(u) of the federal unemployment tax act, and by extension their agents, only to the extent that such transfer is necessary for the efficient operation or evaluation of outcomes for those programs. The transfer of information by contract under this subsection is exempt from subsection (1)(c) of this section.

((13) The misuse or unauthorized release of records or information by any person or organization to which access is permitted by this chapter subjects the person or organization to a civil penalty of five thousand dollars and other applicable sanctions under state and federal law. Suit to enforce this section shall be brought by the attorney general and the amount of any penalties collected shall be paid into the employment security department administrative contingency fund. The attorney general may recover reasonable attorneys' fees for any action brought to enforce this section.))

Sec. 5. RCW 50.13.070 and 1977 ex.s. c 153 s 7 are each amended to read as follows:

Information or records deemed private and confidential under this chapter shall be available to parties to judicial or formal administrative proceedings only upon a written finding by the presiding officer that the need for the information or records in the proceeding outweighs any reasons for the privacy and

confidentiality of the information or records. Information or records deemed private and confidential under this chapter shall not be available in discovery proceedings unless the court in which the action has been filed has made the finding specified above. A judicial or administrative subpoena directed to the employment security department must contain this finding. A subpoena for records or information ((held by the department may be directed to and served upon any employee of the department, but the department may specify by rule which employee shall produce the records or information in compliance with the subpoena)) under this section must be submitted in a manner prescribed by the employment security department. The employment security department may recover costs of responding to subpoenas, consistent with 20 C.F.R. Sec. 603.8 (2012), for proceedings where the employment security department is not a party.

Sec. 6. RCW 50.13.080 and 2005 c 274 s 323 are each amended to read as follows:

(1) The employment security department shall have the right to disclose information or records deemed private and confidential under this chapter to any private person or organization when such disclosure is necessary to permit private contracting parties to assist in the operation and management of the employment security department in instances where certain employment security departmental functions may be delegated to private parties to increase the employment security department's efficiency or quality of service to the public. The private persons or organizations shall use the information or records solely for the purpose for which the information was disclosed and shall be bound by the same rules of privacy and confidentiality as employment security department employees.

(2) Nothing in this section shall be construed as limiting or restricting the effect of RCW 42.56.070(((9))) (8).

(((3) The misuse or unauthorized release of records or information deemed private and confidential under this chapter by any private person or organization to which access is permitted by this section shall subject the person or organization to a civil penalty of five thousand dollars and other applicable sanctions under state and federal law. Suit to enforce this section shall be brought by the attorney general and the amount of any penalties collected shall be paid into the employment security department administrative contingency fund. The attorney general may recover reasonable attorneys' fees for any action brought to enforce this section.))

Sec. 7. RCW 50.13.100 and 1977 ex.s. c 153 s 10 are each amended to read as follows:

Nothing in this chapter shall prevent the disclosure of information or records deemed private and confidential under this chapter if all details identifying an individual or employing unit are deleted so long as the information or records cannot be foreseeably combined with other publicly available information to reveal the identity of an individual or employing unit or the individual or employing unit consents to the disclosure in a manner prescribed by the employment security department.

NEW SECTION. Sec. 8. A new section is added to chapter 50.13 RCW to read as follows:

(1) All private persons, governmental agencies, and organizations authorized to receive information from the employment security department under this chapter have an affirmative obligation to take all reasonable actions necessary that are designed to prevent the disclosure of confidential information.

(2) The disclosure of any records or information by a private person, governmental agency, or organization that obtained the records or information from the employment security department under this chapter is prohibited unless expressly permitted by this chapter.

(3) If misuse or an unauthorized disclosure of confidential records or information occurs, all parties aware of the violation must inform the employment security department immediately and take all reasonably available actions to rectify the disclosure to the employment security department's standards.

(4) The misuse or unauthorized disclosure of records or information deemed private and confidential under this chapter by any private person, governmental agency, or organization to which access is permitted by this chapter shall subject the person, governmental agency, or organization to a civil penalty of up to twenty thousand dollars in 2018 and annually adjusted by the employment security department on the first calendar day of each year based on changes in the United States consumer price index for all urban consumers. Other applicable sanctions under state and federal law also apply. The amount of any penalties collected shall be paid into the employment security department administrative contingency fund. The attorney general may recover reasonable attorneys' fees for any action brought to enforce this section.

(5) Any redisclosure of information obtained under this chapter by a private person, governmental agency, or organization must be expressly permitted by the employment security department prior to redisclosure. Failure to obtain prior approval by the employment security department could subject the private person, governmental agency, or organization to the penalties described in subsection (4) of this section.

(6) State and local governmental agencies and federally recognized Indian tribes as defined in Title 26 U.S.C. Sec. 3306(u) of the federal unemployment tax act are exempt from the penalties described in subsection (4) of this section if the redisclosure is necessary for the state, local, or tribal government to conduct a criminal prosecution.

NEW SECTION. Sec. 9. A new section is added to chapter 50.13 RCW to read as follows:

(1) The employment security department shall designate an agency privacy officer to oversee the administration of this chapter and chapter 50A.-- RCW (the new chapter created in section . . ., chapter . . . (Z-0085/19), Laws of 2019. In coordination with the state office of privacy and data protection, the agency privacy officer must:

(a) Develop an agency personal information minimization policy to reduce the use and retention of personal information wherever possible;

(b) Create a work plan that includes the estimated costs of execution for the following:

(i) An inventory of all personal information prepared, owned, used, or retained by the employment security department, that would include the specific type of information, the purpose for its collection, and the extent to which the information is protected from unauthorized access; and

(ii) A map of the physical or digital location of all personal information collected by the employment security department, indexed to the inventory created in (b)(i) of this subsection; and

(c) Report the work plan created under (b) of this subsection to the state office of privacy and data protection annually.

(2) Any inventory or data map records created under subsection (1)(b) of this section that reveal the location of personal information or the extent to which it is protected may not be disclosed under the public records act, chapter 42.56 RCW.

(3) On December 1st of each odd-numbered year, the employment security department must report to the governor and the legislature on the implementation and maintenance of this section, including best practices and recommendations for developing and implementing the employment security department's policy and plan under this section.

(4) For purposes of this section, "personal information" means any information obtained by the employment security department deemed private and confidential under this chapter and chapter 50A.--- RCW (the new chapter created in section . . . , chapter . . . (Z-0085/19), Laws of 2019.

Sec. 10. RCW 42.56.410 and 2005 c 274 s 421 are each amended to read as follows:

The following information related to employment security is exempt from disclosure under this chapter:

(1) Records maintained by the employment security department and subject to chapter 50.13 RCW if provided to another individual or organization for operational, research, or evaluation purposes are exempt from disclosure under this chapter; and

(2) Any inventory or data map records created under section 9(1)(b) of this act that reveal the location of personal information or the extent to which it is protected.

NEW SECTION. Sec. 11. A new section is added to chapter 50.13 RCW to read as follows:

Except for section 9 of this act, the provisions of this chapter do not apply to information obtained by the employment security department under Title 50A RCW."

On page 1, line 2 of the title, after "data;" strike the remainder of the title and insert "amending RCW 50.13.020, 50.13.030, 50.13.040, 50.13.060, 50.13.070, 50.13.080, 50.13.100, and 42.56.410; adding new sections to chapter 50.13 RCW; and prescribing penalties."

The President Pro Tempore declared the question before the Senate to be the adoption of striking amendment no. 027 by Senators Keiser and Conway to Senate Bill No. 5439.

The motion by Senator Conway carried and striking amendment no. 027 was adopted by voice vote.

MOTION

On motion of Senator Conway, the rules were suspended, Engrossed Senate Bill No. 5439 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Conway and King spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 5439.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5439 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Erickson, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

ENGROSSED SENATE BILL NO. 5439, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The senate resumed consideration of Substitute Senate Bill No. 5544 which had been deferred earlier in the day.

SECOND READING

SUBSTITUTE SENATE BILL NO. 5544, by Senate Committee on Transportation (originally sponsored by Hobbs, King, Saldaña, Zeiger, Mullet, Padden, Fortunato, O'Ban, Wilson and L.)

Increasing the types of commercial driver waivers allowed for military veterans.

MOTION

Senator Hobbs moved that the following striking amendment no. 080 by Senators Hobbs and King be adopted:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 46.25.060 and 2015 3rd sp.s. c 44 s 207 are each amended to read as follows:

(1)(a) No person may be issued a commercial driver's license unless that person:

(i) Is a resident of this state;

(ii) Has successfully completed a course of instruction in the operation of a commercial motor vehicle that has been approved by the director or has been certified by an employer as having the skills and training necessary to operate a commercial motor vehicle safely;

(iii) If he or she does not hold a valid commercial driver's license of the appropriate classification, has been issued a commercial learner's permit under RCW 46.25.052; and

(iv) Has passed a knowledge and skills examination for driving a commercial motor vehicle that complies with minimum federal standards established by federal regulation enumerated in 49 C.F.R. Part 383, subparts F, G, and H, in addition to other requirements imposed by state law or federal regulation. The department may not allow the person to take the skills examination during the first fourteen days after initial issuance of the person's commercial learner's permit. The examinations must be prescribed and conducted by the department.

(b) In addition to the fee charged for issuance or renewal of any license, the applicant shall pay a fee of no more than ten dollars until June 30, 2016, and thirty-five dollars beginning July 1, 2016, for the classified knowledge examination, classified endorsement knowledge examination, or any combination of classified license and endorsement knowledge examinations. The applicant shall pay a fee of no more than one hundred dollars until June 30, 2016, and two hundred fifty dollars beginning July 1, 2016, for each classified skill examination or combination of classified skill examinations conducted by the department.

(c) The department may authorize a person, including an agency of this or another state, an employer, a private driver training facility, or other private institution, or a department, agency, or instrumentality of local government, to administer the skills examination specified by this section under the following conditions:

(i) The examination is the same which would otherwise be administered by the state;

(ii) The third party has entered into an agreement with the state that complies with the requirements of 49 C.F.R. Sec. 383.75; and

(iii) The director has adopted rules as to the third party testing program and the development and justification for fees charged by any third party.

(d) If the applicant's primary use of a commercial driver's license is for any of the following, then the applicant shall pay a fee of no more than seventy-five dollars until June 30, 2016, and two hundred twenty-five dollars beginning July 1, 2016, for the classified skill examination or combination of classified skill examinations whether conducted by the department or a third-party tester:

(i) Public benefit not-for-profit corporations that are federally supported head start programs; or

(ii) Public benefit not-for-profit corporations that support early childhood education and assistance programs as described in RCW ((43.215.405(2))) 43.216.505.

(e) Beginning July 1, 2016, if the applicant's primary use of a commercial driver's license is to drive a school bus, the applicant shall pay a fee of no more than one hundred dollars for the classified skill examination or combination of classified skill examinations conducted by the department.

(f) Beginning July 1, 2016, payment of the examination fees under this subsection entitles the applicant to take the examination up to two times in order to pass.

(2)(a) The department may waive ((the skills examination and)) the requirement for completion of a course of instruction in the operation of a commercial motor vehicle specified in this section for a commercial driver's license applicant who meets the requirements of 49 C.F.R. Sec. 383.77.

(b) For current or former military service members that meet the requirements of 49 C.F.R. Sec. 383.77, the department must require verification of a military service member's driving experience to ensure the requirements for a military waiver are met. The department must obtain and record the training documents of the federal department of defense form 346 for training documentation and verify the federal department of defense form 348 for military license. The form documentation must also include the signature of an authorized commander to verify the number of years of driving experience, miles driven, if applicable, the type of vehicle driven, and provide the rank and position of the military service member. The department must verify the experience has been completed within the last two years.

(i) In order to better prepare military service members for transition to commercial driver employment, careers in construction and transportation, and to understand Washington state's commercial driver's license laws, hours of service, log book, and related civilian requirements, the former military service member must take the basic skills examination and the knowledge test.

(ii) To improve employability in careers in construction and transportation, additional education and training may be made available to former military service members based on their level of experience, interest, or if current experience is older than two years, or not able to be verified. The basic skills examination and the knowledge test basic skills may be taken at any federal veterans affairs approved commercial driver training schools in Washington state.

(c) An applicant who operates a commercial motor vehicle for agribusiness purposes is exempt from the course of instruction completion and employer skills and training certification requirements under this section. By January 1, 2010, the department shall submit recommendations regarding the continuance of this exemption to the transportation committees of the legislature. For purposes of this subsection (2)((b)) (c), "agribusiness" means a private carrier who in the normal course of business primarily transports:

(i) Farm machinery, farm equipment, implements of husbandry, farm supplies, and materials used in farming;

(ii) Agricultural inputs, such as seed, feed, fertilizer, and crop protection products;

(iii) Unprocessed agricultural commodities, as defined in RCW 17.21.020, where such commodities are produced by farmers, ranchers, vineyardists, or orchardists; or

(iv) Any combination of ((b)) (c)(i) through (iii) of this subsection.

The department shall notify the transportation committees of the legislature if the federal government takes action affecting the exemption provided in this subsection (2)((b)) (c).

(3) A commercial driver's license or commercial learner's permit may not be issued to a person while the person is subject to a disqualification from driving a commercial motor vehicle, or while the person's driver's license is suspended, revoked, or canceled in any state, nor may a commercial driver's license be issued to a person who has a commercial driver's license issued by any other state unless the person first surrenders all such licenses, which must be returned to the issuing state for cancellation.

(4) The fees under this section must be deposited into the highway safety fund unless prior to July 1, 2023, the actions described in (a) or (b) of this subsection occur, in which case the portion of the revenue that is the result of the fee increased in section 207, chapter 44, Laws of 2015 3rd sp. sess. must be distributed to the connecting Washington account created under RCW 46.68.395.

(a) Any state agency files a notice of rule making under chapter 34.05 RCW for a rule regarding a fuel standard based upon or defined by the carbon intensity of fuel, including a low carbon fuel standard or clean fuel standard.

(b) Any state agency otherwise enacts, adopts, orders, or in any way implements a fuel standard based upon or defined by the carbon intensity of fuel, including a low carbon fuel standard or clean fuel standard.

(c) Nothing in this subsection acknowledges, establishes, or creates legal authority for the department of ecology or any other state agency to enact, adopt, order, or in any way implement a fuel standard based upon or defined by the carbon intensity of fuel, including a low carbon fuel standard or clean fuel standard.

NEW SECTION. Sec. 2. This act takes effect October 1, 2019."

On page 1, line 2 of the title, after "veterans;" strike the remainder of the title and insert "amending RCW 46.25.060; and providing an effective date."

The President Pro Tempore declared the question before the Senate to be the adoption of striking amendment no. 080 by Senators Hobbs and King to Substitute Senate Bill No. 5544.

The motion by Senator Hobbs carried and striking amendment no. 080 was adopted by voice vote.

MOTION

On motion of Senator Hobbs, the rules were suspended, Engrossed Substitute Senate Bill No. 5544 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Hobbs and Braun spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5544.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5544 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

ENGROSSED SUBSTITUTE SENATE BILL NO. 5544, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Liias, the Senate advanced to the seventh order of business.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Hunt moved that Scott E. Carson, Senate Gubernatorial Appointment No. 9001, be confirmed as a member of the Board of Regents, Washington State University.

Senator Hunt spoke in favor of the motion.

APPOINTMENT OF SCOTT E. CARSON

The President Pro Tempore declared the question before the Senate to be the confirmation of Scott E. Carson, Senate Gubernatorial Appointment No. 9001, as a member of the Board of Regents, Washington State University.

The Secretary called the roll on the confirmation of Scott E. Carson, Senate Gubernatorial Appointment No. 9001, as a member of the Board of Regents, Washington State University and the appointment was confirmed by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Scott E. Carson, Senate Gubernatorial Appointment No. 9001, having received the constitutional majority was declared confirmed as a member of the Board of Regents, Washington State University.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Billig moved that Marty J. Dickinson, Senate Gubernatorial Appointment No. 9216, be confirmed as a member of the Board of Regents, Washington State University.

Senators Billig, Holy and Padden spoke in favor of passage of the motion.

APPOINTMENT OF MARTY J. DICKINSON

The President Pro Tempore declared the question before the Senate to be the confirmation of Marty J. Dickinson, Senate Gubernatorial Appointment No. 9216, as a member of the Board of Regents, Washington State University.

The Secretary called the roll on the confirmation of Marty J. Dickinson, Senate Gubernatorial Appointment No. 9216, as a member of the Board of Regents, Washington State University and the appointment was confirmed by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Marty J. Dickinson, Senate Gubernatorial Appointment No. 9216, having received the constitutional majority was declared confirmed as a member of the Board of Regents, Washington State University.

MOTION

On motion of Senator Liias, the Senate reverted to the sixth order of business.

SECOND READING

SENATE BILL NO. 5395, by Senators Wilson, C., Randall, Keiser, Saldaña, Takko, Mullet, Wellman, Das, Nguyen, Billig, Pedersen, Rolfes, Darneille, Dhingra, Hasegawa, Hunt and Kuderer

Concerning comprehensive sexual health education.

MOTION

On motion of Senator Wilson, C., Substitute Senate Bill No. 5395 was substituted for Senate Bill No. 5395 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Padden moved that the following amendment no. 063 by Senator Ericksen be adopted:

On page 1, line 8, after “(1)” strike “(a) By September 1, ((2008)) 2021” and insert “((By September 1, 2008)) (a) Subject to the requirements under section 2 of this act”

On page 2, beginning on line 25, after “(2)” strike all material through “(3)” on line 31

Renumber the remaining subsections consecutively and correct any internal references accordingly.

On page 4, after line 25, insert the following:

NEW SECTION. Sec. 2. A new section is added to chapter 28A.315 RCW to read as follows:

(1) The office of the superintendent of public instruction must develop a statewide curriculum for mathematics.

(2) School districts must adopt the statewide curriculum for mathematics.”

On page 1, line 4 of the title, after “curriculum;” strike “and” and after “28A.300.475” insert “; and adding a new section to chapter 28A.315 RCW”

Senator Ericksen spoke in favor of adoption of the amendment.

Senator Wellman spoke against adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 063 by Senator Ericksen on page 1, line 8 to Substitute Senate Bill No. 5395.

The motion by Senator Padden did not carry and amendment no. 063 was not adopted by voice vote.

MOTION

Senator Ericksen moved that the following amendment no. 064 by Senator Ericksen be adopted:

On page 1, line 8, after “(1)” strike “(a) By September 1, ((2008)) 2021” and insert “((By September 1, 2008)) (a) Subject to the requirements under section 2 of this act”

On page 2, beginning on line 25, after “(2)” strike all material through “(3)” on line 31

Renumber the remaining subsections consecutively and correct any internal references accordingly.

On page 4, after line 25, insert the following:

NEW SECTION. Sec. 2. A new section is added to chapter 28A.315 RCW to read as follows:

(1) The office of the superintendent of public instruction must develop a statewide curriculum for English language arts.

(2) School districts must adopt the statewide curriculum for English language arts.”

On page 1, line 4 of the title, after “curriculum;” strike “and” and after “28A.300.475” insert “; and adding a new section to chapter 28A.315 RCW”

Senators Ericksen and Padden spoke in favor of adoption of the amendment.

Senator Wellman spoke against adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 064 by Senator Ericksen on page 1, line 8 to Substitute Senate Bill No. 5395.

The motion by Senator Ericksen did not carry and amendment no. 064 was not adopted by voice vote.

MOTION

Senator Ericksen moved that the following amendment no. 065 by Senator Ericksen be adopted:

On page 1, line 8, after “(1)” strike “(a) By September 1, ((2008)) 2021” and insert “((By September 1, 2008)) (a) Subject to the requirements under section 2 of this act”

On page 2, beginning on line 25, after “(2)” strike all material through “(3)” on line 31

Renumber the remaining subsections consecutively and correct any internal references accordingly.

On page 4, after line 25, insert the following:

NEW SECTION. Sec. 2. A new section is added to chapter 28A.315 RCW to read as follows:

(1) The office of the superintendent of public instruction must develop a statewide curriculum for science.

(2) School districts must adopt the statewide curriculum for science.”

On page 1, line 4 of the title, after “curriculum;” strike “and” and after “28A.300.475” insert “; and adding a new section to chapter 28A.315 RCW”

Senators Ericksen and Fortunato spoke in favor of adoption of the amendment.

Senator Wellman spoke against adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 065 by Senator Ericksen on page 1, line 8 to Substitute Senate Bill No. 5395.

The motion by Senator Ericksen did not carry and amendment no. 065 was not adopted by voice vote.

MOTION

Senator Ericksen moved that the following amendment no. 066 by Senator Ericksen be adopted:

On page 1, line 8, after “(1)” strike “(a) By September 1, ((2008)) 2021” and insert “((By September 1, 2008)) (a) Subject to the requirements in subsection (2) of this section”

On page 2, beginning on line 25, after “(2)” strike all material through “2021.” on line 30 and insert “The requirements in this section apply to public schools when eighty percent of students in the school's district are proficient by meeting state standards on the English language arts, mathematics, and science statewide student assessments.”

Senator Ericksen spoke in favor of adoption of the amendment.

Senator Wellman spoke against adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 066 by Senator Ericksen on page 1, line 8 to Substitute Senate Bill No. 5395.

The motion by Senator Ericksen did not carry and amendment no. 066 was not adopted by voice vote.

MOTION

Senator Padden moved that the following amendment no. 070 by Senator Padden be adopted:

On page 1, line 8, after “2021,” insert “and subject to subsection (2) of this section.”

On page 2, line 19, after “((.);” strike “and”

On page 2, beginning on line 24, after “instruction” strike all material through “2021.” on line 30 and insert “; and

(vi) By September 1, 2020, comprehensive sexual health education must be phased in beginning with students in grades six through twelve. By September 1, 2021, comprehensive sexual health education must be phased in for students in grades kindergarten through five. Full statewide implementation for all public schools and all grade levels must be achieved by September 1, 2021.

(2) The requirements on public schools in this section are subject to a majority approval vote by each school district board of directors.”

Senators Padden, Fortunato, Short and O'Ban spoke in favor of adoption of the amendment.

Senator Wellman spoke against adoption of the amendment.

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Senator Ericksen demanded a roll call.

The President Pro Tempore declared that one-sixth of the members supported the demand and the demand was sustained.

The President Pro Tempore declared the question before the Senate to be the adoption of the amendment by Senator Padden on page 1, line 8 to Substitute Senate Bill No. 5395.

ROLL CALL

The Secretary called the roll on the adoption of the amendment by Senator Padden and the amendment was not adopted by the following vote: Yeas, 21; Nays, 28; Absent, 0; Excused, 0.

Voting yea: Senators Bailey, Becker, Braun, Brown, Ericksen, Fortunato, Hawkins, Holy, Honeyford, King, O'Ban, Padden, Rivers, Schoesler, Sheldon, Short, Wagoner, Walsh, Warnick, Wilson, L. and Zeiger

Voting nay: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Palumbo, Pedersen, Randall, Rolfes, Saldaña, Salomon, Takko, Van De Wege, Wellman and Wilson, C.

WITHDRAWAL OF AMENDMENT

On motion of Senator Short and without objection, amendment no. 071 by Senator Short on page 1, line 8 to Substitute Senate Bill No. 5395 was withdrawn.

MOTION

Senator Short moved that the following amendment no. 074 by Senator Short be adopted:

On page 1, line 10, after "education))" insert "to students in grades six through twelve"

On page 2, beginning on line 25, after "(2)" strike all material through "(3)" on line 31

Renumber the remaining subsections consecutively and correct any internal references accordingly.

Senators Short, Hawkins, Padden, Wilson, L. and Ericksen spoke in favor of adoption of the amendment.

Senators Wellman and Takko spoke against adoption of the amendment.

Senator Short demanded a roll call.

The President Pro Tempore declared that one-sixth of the members supported the demand and the demand was sustained.

The President Pro Tempore declared the question before the Senate to be the adoption of the amendment by Senator Short on page 1, line 10, to Substitute Senate Bill No. 5395.

ROLL CALL

The Secretary called the roll on the adoption of the amendment by Senator Short and the amendment was not adopted by the following vote: Yeas, 21; Nays, 28; Absent, 0; Excused, 0.

Voting yea: Senators Bailey, Becker, Braun, Brown, Ericksen, Fortunato, Hawkins, Holy, Honeyford, King, O'Ban, Padden, Rivers, Schoesler, Sheldon, Short, Wagoner, Walsh, Warnick, Wilson, L. and Zeiger

Voting nay: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser,

Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Palumbo, Pedersen, Randall, Rolfes, Saldaña, Salomon, Takko, Van De Wege, Wellman and Wilson, C.

MOTION

Senator Becker moved that the following amendment no. 075 by Senator Becker be adopted:

On page 2, line 8, after "((-))" insert "and must use clinical terminology"

On page 3, after line 29, insert the following:

"(c) All comprehensive sexual health education curricula and instructional materials must be reviewed by a gynecologist or urologist."

Senator Becker spoke in favor of adoption of the amendment.

Senator Wellman spoke against adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 075 by Senator Becker on page 2, line 8 to Substitute Senate Bill No. 5395.

The motion by Senator Becker did not carry and amendment no. 075 was not adopted by voice vote.

MOTION

Senator Wagoner moved that the following amendment no. 067 by Senator Wagoner be adopted:

On page 4, beginning on line 1, strike all material through "(8)" on line 12 and insert the following:

~~"((6) Any parent or legal guardian who wishes to have his or her child excused from any planned instruction in sexual health education may do so upon filing a written request with the school district board of directors or its designee, or the principal of the school his or her child attends, or the principal's designee. In addition, any parent or legal guardian may review the sexual health education curriculum offered in his or her child's school by filing a written request with the school district board of directors, the principal of the school his or her child attends, or the principal's designee.)"~~

(7)(a) Public schools that offer comprehensive sexual health education must provide a separate written notice as described in (c) of this subsection to the parent or legal guardian of a student receiving the instruction no less than thirty days in advance of the instruction. The separate written notice is an advisory that comprehensive sexual health education will be provided to the parent or legal guardian's child.

(b) Any parent or legal guardian who chooses to have his or her child excused from any planned instruction in comprehensive sexual health education may do so by notifying the child's school. In addition, any parent or legal guardian may review the comprehensive sexual health education curriculum offered in his or her child's school by notifying the child's school.

(c) The notice required by this subsection must be titled "Comprehensive Sexual Health Education Notification." The title must be printed at the top of the page. The notice shall include all of the following information:

(i) The date, time, and location of the instruction;

(ii) The name of the teacher or administrator in charge of the instruction, and the name and affiliation of any presenters;

(iii) The telephone number at which the teacher or administrator in charge may be reached during regular school hours;

(iv) A reminder that parents and legal guardians may attend the class or assembly;

(v) A reminder of the parent or legal guardian's right to have his or her child not participate in comprehensive sexual health education, and the alternative educational program or activity that will be available if the parent or legal guardian chooses to have his or her child not participate in the comprehensive sexual health education;

(vi) Times and location in which the curriculum and any written, video, or audio materials used are available for review by the parent or legal guardian; and

(vii) Instructions for notifying the school if a parent or legal guardian chooses to have his or her child not participate in comprehensive sexual health education, or chooses to review the curriculum.

(8)”

Senators Wagoner, Short, Warnick and Ericksen spoke in favor of adoption of the amendment.

Senator Wellman spoke against adoption of the amendment.

Senator Short demanded a roll call.

The President Pro Tempore declared that one-sixth of the members supported the demand and the demand was sustained.

The President Pro Tempore declared the question before the Senate to be the adoption of the amendment by Senator Wagoner on page 4, line 1, to Substitute Senate Bill No. 5395.

ROLL CALL

The Secretary called the roll on the adoption of the amendment by Senator Wagoner and the amendment was not adopted by the following vote: Yeas, 21; Nays, 28; Absent, 0; Excused, 0.

Voting yea: Senators Bailey, Becker, Braun, Brown, Ericksen, Fortunato, Hawkins, Holy, Honeyford, King, O'Ban, Padden, Rivers, Schoesler, Sheldon, Short, Wagoner, Walsh, Warnick, Wilson, L. and Zeiger

Voting nay: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Palumbo, Pedersen, Randall, Rolfes, Saldaña, Salomon, Takko, Van De Wege, Wellman and Wilson, C.

MOTION

Senator Hawkins moved that the following amendment no. 058 by Senator Hawkins, Wilson, C. and Wellman be adopted:

On page 4, line 6, after “designee.” insert “School districts must grant a parent's or legal guardian's written request to have his or her child excused from this instruction.”

Senators Hawkins and Wellman spoke in favor of adoption of the amendment.

Senator Ericksen spoke on the adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 058 by Senator Hawkins, Wilson, C. and Wellman on page 4, line 6 to Substitute Senate Bill No. 5395.

The motion by Senator Hawkins carried and amendment no. 058 was adopted by voice vote.

MOTION

Senator Becker moved that the following amendment no. 076 by Senator Becker be adopted:

On page 4, line 12, after “(8)” insert “A parent or legal guardian may attend his or her child's class during planned instruction in comprehensive sexual health education.”

(9)”

Renumber the remaining subsection consecutively and correct any internal references accordingly.

Senators Becker and Rivers spoke in favor of adoption of the amendment.

Senator Wellman spoke against adoption of the amendment.

Senator Becker demanded a roll call.

The President Pro Tempore declared that one-sixth of the members supported the demand and the demand was sustained.

The President Pro Tempore declared the question before the Senate to be the adoption of the amendment by Senator Becker on page 4, line 12 to Substitute Senate Bill No. 5395.

ROLL CALL

The Secretary called the roll on the adoption of the amendment by Senator Becker and the amendment was not adopted by the following vote: Yeas, 21; Nays, 28; Absent, 0; Excused, 0.

Voting yea: Senators Bailey, Becker, Braun, Brown, Ericksen, Fortunato, Hawkins, Holy, Honeyford, King, O'Ban, Padden, Rivers, Schoesler, Sheldon, Short, Wagoner, Walsh, Warnick, Wilson, L. and Zeiger

Voting nay: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Palumbo, Pedersen, Randall, Rolfes, Saldaña, Salomon, Takko, Van De Wege, Wellman and Wilson, C.

MOTION

Senator Padden moved that the following amendment no. 069 by Senator Padden be adopted:

On page 4, after line 25, insert the following:

“(10) This section does not apply to charter schools established under chapter 28A.710 RCW.”

Senator Padden spoke in favor of adoption of the amendment.

Senator Wellman spoke against adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 069 by Senator Padden on page 4, after line 25 to Substitute Senate Bill No. 5395.

The motion by Senator Padden did not carry and amendment no. 069 was not adopted by voice vote.

MOTION

Senator Ericksen moved that the following amendment no. 077 by Senator Ericksen be adopted:

On page 4, after line 25, insert the following:

“NEW SECTION. Sec. 2. A new section is added to chapter 28A.300 RCW to read as follows:

(1) If public schools are required to provide comprehensive sexual health education under RCW 28A.300.475, a Washington K-12 education voucher program is established.

(2) The K-12 education voucher amount for each eligible child shall not be less than the total amount of local, state, and federal funding dedicated per student within the previous school year as determined by each school district.”

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On page 1, line 4 of the title, after “curriculum;” strike “and” and after “28A.300.475” insert “; and adding a new section to chapter 28A.300 RCW”

Senator Ericksen spoke in favor of adoption of the amendment.

Senator Wellman spoke against adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 077 by Senator Ericksen on page 4, after line 25 to Substitute Senate Bill No. 5395.

The motion by Senator Ericksen did not carry and amendment no. 077 was not adopted by voice vote.

MOTION

On motion of Senator Wilson, C., the rules were suspended, Engrossed Substitute Senate Bill No. 5395 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wilson, C., Wellman and Randall spoke in favor of passage of the bill.

Senators Schoesler, Ericksen, Becker, Fortunato, Warnick, Padden, Walsh, Short, Bailey and Wagoner spoke against passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5395.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5395 and the bill passed the Senate by the following vote: Yeas, 28; Nays, 21; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Palumbo, Pedersen, Randall, Rolfes, Saldaña, Salomon, Takko, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Bailey, Becker, Braun, Brown, Ericksen, Fortunato, Hawkins, Holy, Honeyford, King, O'Ban, Padden, Rivers, Schoesler, Sheldon, Short, Wagoner, Walsh, Warnick, Wilson, L. and Zeiger

ENGROSSED SUBSTITUTE SENATE BILL NO. 5395, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 12:56 p.m., on motion of Senator Liias, the Senate adjourned until 9:00 o'clock a.m. Thursday, February 28, 2019.

KAREN KEISER, President Pro Tempore of the Senate

BRAD HENDRICKSON, Secretary of the Senate

FORTY SIXTH DAY

MORNING SESSION

Senate Chamber, Olympia
Thursday, February 28, 2019

The Senate was called to order at 9:05 a.m. by the Vice President Pro Tempore, Senator Conway presiding. The Secretary called the roll and announced to the Vice President Pro Tempore that all senators were present.

The Sergeant at Arms Color Guard consisting of Pages Miss Ellie Turner, and Miss Sara Baldwin, presented the Colors. Page Mr. Benjamin Brokaw led the Senate in the Pledge of Allegiance.

The prayer was offered by Pastor Troy Carr of Grace United Methodist Church, Seattle.

The Vice President Pro Tempore called upon the Secretary to read the journal of the preceding day.

MOTIONS

On motion of Senator Liias, the reading of the Journal of the previous day was dispensed with and it was approved.

There being no objection, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

February 25, 2019

SB 5065 Prime Sponsor, Senator Hobbs: Concerning consumer competitive group insurance. Reported by Committee on Ways & Means

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Rolfes, Chair; Wagoner; Van De Wege; Schoesler; Rivers; Pedersen; Palumbo; Liias; Keiser; Hunt; Hasegawa; Darneille; Conway; Carlyle; Billig; Becker; Bailey; Honeyford, Assistant Ranking Member, Capital; Brown, Assistant Ranking Member, Operating; Braun, Ranking Member; Mullet, Capital Budget Cabinet; Frockt, Vice Chair, Operating, Capital Lead; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

February 26, 2019

SB 5082 Prime Sponsor, Senator McCoy: Creating a committee to promote and expand social emotional learning. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5082 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Van De Wege; Rivers; Pedersen; Liias; Keiser; Hunt; Hasegawa; Darneille; Conway; Carlyle; Billig; Mullet, Capital Budget Cabinet and Palumbo.

MINORITY recommendation: Do not pass. Signed by Senators Wagoner; Schoesler; Becker; Bailey; Honeyford, Assistant Ranking Member, Capital; Brown, Assistant

Ranking Member, Operating; Braun, Ranking Member; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

February 26, 2019

SB 5181 Prime Sponsor, Senator Kuderer: Concerning certain procedures upon initial detention under the involuntary treatment act. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5181 be substituted therefor, and the substitute bill do pass. Signed by Senators Mullet, Capital Budget Cabinet; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen; Rivers; Van De Wege; Frockt, Vice Chair, Operating, Capital Lead Rolfes, Chair.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Warnick; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Becker and Schoesler.

MINORITY recommendation: Do not pass. Signed by Senators Honeyford, Assistant Ranking Member, Capital; Bailey; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

February 25, 2019

SB 5236 Prime Sponsor, Senator Keiser: Encouraging apprenticeships. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5236 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen; Rivers and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Senator Schoesler.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Wagoner; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

February 26, 2019

SB 5274 Prime Sponsor, Senator Hasegawa: Concerning dental coverage for Pacific islanders residing in Washington. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Wilson, L.; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital;

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Bailey; Becker; Billig; Carlyle; Conway; Frockt, Vice Chair, Operating, Capital Lead; Darneille; Hunt; Keiser; Liias; Palumbo; Rivers; Schoesler; Van De Wege; Wagoner; Warnick; Hasegawa Rolfes, Chair.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Becker; Wilson, L. and Schoesler.

Referred to Committee on Rules for second reading.

Referred to Committee on Rules for second reading.

February 26, 2019

SB 5291 Prime Sponsor, Senator Darneille: Creating alternatives to total confinement for certain qualifying persons with minor children. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5291 be substituted therefor, and the second substitute bill do pass. Signed by Senators Mullet, Capital Budget Cabinet; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen; Frockt, Vice Chair, Operating, Capital Lead Rolfes, Chair.

February 26, 2019

SB 5352 Prime Sponsor, Senator Walsh: Concerning the Walla Walla watershed management pilot program. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5352 be substituted therefor, and the second substitute bill do pass. Signed by Senators Warnick; Frockt, Vice Chair, Operating, Capital Lead; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Billig; Carlyle; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Rolfes, Chair and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun, Ranking Member Honeyford, Assistant Ranking Member, Capital.

Referred to Committee on Rules for second reading.

MINORITY recommendation: Do not pass. Signed by Senators Brown, Assistant Ranking Member, Operating; Bailey; Becker; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

February 26, 2019

SB 5380 Prime Sponsor, Senator Cleveland: Concerning opioid use disorder treatment, prevention, and related services. Reported by Committee on Ways & Means

Referred to Committee on Rules for second reading.

MAJORITY recommendation: Do pass. Signed by Senators Wilson, L.; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick; Frockt, Vice Chair, Operating, Capital Lead Rolfes, Chair.

February 26, 2019

SB 5292 Prime Sponsor, Senator Keiser: Concerning prescription drug cost transparency. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5292 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Wagoner; Van De Wege; Schoesler; Rivers; Pedersen; Palumbo; Liias; Keiser; Hunt; Hasegawa; Darneille; Conway; Carlyle; Billig; Becker; Bailey; Honeyford, Assistant Ranking Member, Capital; Brown, Assistant Ranking Member, Operating; Braun, Ranking Member; Mullet, Capital Budget Cabinet; Frockt, Vice Chair, Operating, Capital Lead; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

February 26, 2019

SB 5415 Prime Sponsor, Senator McCoy: Creating the Washington Indian health improvement act. Reported by Committee on Ways & Means

Referred to Committee on Rules for second reading.

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Wilson, L.; Warnick; Wagoner; Van De Wege; Schoesler; Rivers; Pedersen; Palumbo; Liias; Keiser; Hunt; Hasegawa; Darneille; Conway; Carlyle; Billig; Bailey; Honeyford, Assistant Ranking Member, Capital; Braun, Ranking Member; Mullet, Capital Budget Cabinet Frockt, Vice Chair, Operating, Capital Lead.

February 26, 2019

SB 5324 Prime Sponsor, Senator Frockt: Concerning support for students experiencing homelessness. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5324 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Warnick; Wagoner; Van De Wege; Rivers; Pedersen; Palumbo; Liias; Keiser; Hunt; Hasegawa; Darneille; Conway; Carlyle; Billig; Bailey; Honeyford, Assistant Ranking Member, Capital; Brown, Assistant Ranking Member, Operating; Braun, Ranking Member; Mullet, Capital Budget Cabinet Frockt, Vice Chair, Operating, Capital Lead.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Becker Brown, Assistant Ranking Member, Operating.

Referred to Committee on Rules for second reading.

February 26, 2019

SB 5426 Prime Sponsor, Senator Mullet: Reducing greenhouse gas emissions from hydrofluorocarbons. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5426 be substituted therefor, and the second

substitute bill do pass. Signed by Senators Rolfes, Chair; Van De Wege; Rivers; Pedersen; Palumbo; Liias; Keiser; Hunt; Hasegawa; Darneille; Conway; Carlyle; Billig; Mullet, Capital Budget Cabinet Frockt, Vice Chair, Operating, Capital Lead.

MINORITY recommendation: Do not pass. Signed by Senators Wilson, L.; Wagoner; Schoesler; Becker; Bailey; Honeyford, Assistant Ranking Member, Capital Brown, Assistant Ranking Member, Operating.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun, Ranking Member and Warnick.

Referred to Committee on Rules for second reading.

February 26, 2019

SB 5450 Prime Sponsor, Senator Rivers: Concerning superior court judges. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Billig; Carlyle; Conway; Darneille; Mullet, Capital Budget Cabinet; Hasegawa; Palumbo; Rivers; Schoesler; Van De Wege; Wagoner; Warnick; Wilson, L.; Rolfes, Chair; Hunt Frockt, Vice Chair, Operating, Capital Lead.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Liias and Keiser.

Referred to Committee on Rules for second reading.

February 25, 2019

SB 5458 Prime Sponsor, Senator Hobbs: Expanding access to building trades apprenticeships. Reported by Committee on Ways & Means

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Rolfes, Chair; Warnick; Wagoner; Van De Wege; Rivers; Pedersen; Palumbo; Liias; Keiser; Hunt; Hasegawa; Darneille; Conway; Carlyle; Billig; Becker; Bailey; Honeyford, Assistant Ranking Member, Capital; Brown, Assistant Ranking Member, Operating; Braun, Ranking Member; Mullet, Capital Budget Cabinet; Frockt, Vice Chair, Operating, Capital Lead and Wilson, L.

MINORITY recommendation: Do not pass. Signed by Senator Schoesler.

Referred to Committee on Rules for second reading.

February 25, 2019

SB 5492 Prime Sponsor, Senator Billig: Sentencing of motor vehicle-related felonies. Reported by Committee on Ways & Means

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Rolfes, Chair; Wagoner; Van De Wege; Schoesler; Rivers; Pedersen; Palumbo; Liias; Keiser; Hunt; Hasegawa; Darneille; Conway; Carlyle; Billig; Becker; Bailey; Honeyford, Assistant Ranking Member, Capital; Brown, Assistant Ranking

Member, Operating; Braun, Ranking Member; Mullet, Capital Budget Cabinet; Frockt, Vice Chair, Operating, Capital Lead; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

February 25, 2019

SB 5596 Prime Sponsor, Senator Holy: Extending the expiration date on the health sciences and services authority sales and use tax authorization. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Brown, Assistant Ranking Member, Operating; Bailey; Becker; Billig; Hasegawa; Liias; Rivers; Schoesler; Van De Wege; Wagoner; Warnick; Wilson, L.; Braun, Ranking Member Mullet, Capital Budget Cabinet.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Carlyle; Pedersen; Keiser; Hunt; Palumbo Frockt, Vice Chair, Operating, Capital Lead.

Referred to Committee on Rules for second reading.

February 26, 2019

SB 5605 Prime Sponsor, Senator Nguyen: Concerning misdemeanor marijuana offense convictions. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Palumbo; Liias; Keiser; Hunt; Hasegawa; Darneille; Conway; Carlyle; Billig; Mullet, Capital Budget Cabinet; Frockt, Vice Chair, Operating, Capital Lead; Rolfes, Chair; Pedersen and Van De Wege.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun, Ranking Member; Schoesler; Wilson, L.; Rivers; Becker; Bailey Brown, Assistant Ranking Member, Operating.

MINORITY recommendation: Do not pass. Signed by Senators Warnick; Wagoner Honeyford, Assistant Ranking Member, Capital.

Referred to Committee on Rules for second reading.

February 25, 2019

SB 5656 Prime Sponsor, Senator Frockt: Concerning public works contracting procedures. Reported by Committee on Ways & Means

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Wilson, L.; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick; Frockt, Vice Chair, Operating, Capital Lead Rolfes, Chair.

Referred to Committee on Rules for second reading.

February 27, 2019

SB 5665 Prime Sponsor, Senator Wilson, C.: Concerning the creation of a youth development work group within the

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department of children, youth, and families. Reported by Committee on Ways & Means

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Wilson, L.; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick; Frockt, Vice Chair, Operating, Capital Lead Rolfes, Chair.

Referred to Committee on Rules for second reading.

February 27, 2019

SB 5848 Prime Sponsor, Senator Darneille: Concerning individuals under the department of corrections' jurisdiction. Reported by Committee on Ways & Means

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Rolfes, Chair; Van De Wege; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen; Rivers; Billig; Mullet, Capital Budget Cabinet Frockt, Vice Chair, Operating, Capital Lead.

MINORITY recommendation: Do not pass. Signed by Senators Warnick; Wagoner; Becker; Bailey; Honeyford, Assistant Ranking Member, Capital; Brown, Assistant Ranking Member, Operating; Braun, Ranking Member and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Schoesler.

Referred to Committee on Rules for second reading.

February 26, 2019

SB 5851 Prime Sponsor, Senator Frockt: Enhancing educational opportunities for vulnerable children and youth using funding distributed from the Puget Sound taxpayer accountability account. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5851 be substituted therefor, and the substitute bill do pass. Signed by Senators Warnick; Van De Wege; Schoesler; Rivers; Palumbo; Liias; Keiser; Hunt; Hasegawa; Darneille; Wagoner; Conway; Billig; Becker; Bailey; Honeyford, Assistant Ranking Member, Capital; Brown, Assistant Ranking Member, Operating; Braun, Ranking Member; Mullet, Capital Budget Cabinet; Frockt, Vice Chair, Operating, Capital Lead; Rolfes, Chair; Carlyle and Wilson, L.

Referred to Committee on Rules for second reading.

February 25, 2019

SB 5894 Prime Sponsor, Senator Braun: Clarifying that the firefighters' pension levy may continue to be levied to fund benefits under the law enforcement officers' and firefighters' retirement system. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5894 be substituted therefor, and the substitute bill do

pass. Signed by Senators Wilson, L.; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Bailey; Becker; Billig; Carlyle; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick; Mullet, Capital Budget Cabinet Frockt, Vice Chair, Operating, Capital Lead.

Referred to Committee on Rules for second reading.

February 25, 2019

SB 5898 Prime Sponsor, Senator Rolfes: Concerning the surcharge for local homeless housing and assistance. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5898 be substituted therefor, and the substitute bill do pass. Signed by Senators Mullet, Capital Budget Cabinet; Warnick; Wagoner; Van De Wege; Schoesler; Rivers; Pedersen; Palumbo; Liias; Keiser; Hunt; Hasegawa; Carlyle; Billig; Becker; Bailey; Brown, Assistant Ranking Member, Operating; Braun, Ranking Member; Frockt, Vice Chair, Operating, Capital Lead and Wilson, L.

Referred to Committee on Rules for second reading.

February 25, 2019

SB 5920 Prime Sponsor, Senator Conway: Concerning firefighters and law enforcement officers pension and disability boards. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rivers; Pedersen; Palumbo; Liias; Keiser; Hunt; Hasegawa; Carlyle; Billig; Bailey; Braun, Ranking Member; Mullet, Capital Budget Cabinet; Van De Wege Frockt, Vice Chair, Operating, Capital Lead.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Brown, Assistant Ranking Member, Operating; Wilson, L.; Warnick; Wagoner; Schoesler and Becker.

Referred to Committee on Rules for second reading.

February 27, 2019

SGA 9003 JOE M. TORTORELLI, appointed on July 1, 2014, for the term ending June 30, 2020, as Member of the Transportation Commission. Reported by Committee on Transportation

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Sheldon, Assistant Ranking Member; Cleveland; Das; Fortunato; Lovelett; Nguyen; O'Ban; Padden; Randall; Takko; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

February 27, 2019

SGA 9019 HESTER SEREBRIN, appointed on December 29, 2015, for the term ending June 30, 2021, as Member of the Transportation Commission. Reported by Committee on Transportation

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Zeiger; Wilson, C.; Takko;

Randall; Nguyen; Lovelett; Fortunato; Das; Cleveland; Sheldon, Assistant Ranking Member; King, Ranking Member; Saldaña, Vice Chair Hobbs, Chair.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators O'Ban and Padden.

Referred to Committee on Rules for second reading.

February 27, 2019

SGA 9023 SHIV BATRA, appointed on January 12, 2016, for the term ending June 30, 2019, as Member of the Transportation Commission. Reported by Committee on Transportation

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Sheldon, Assistant Ranking Member; Cleveland; Das; Fortunato; Lovelett; Nguyen; O'Ban; Padden; Randall; Takko; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

February 27, 2019

SGA 9041 DEBORAH C. YOUNG, reappointed on July 1, 2016, for the term ending June 30, 2022, as Member of the Transportation Commission. Reported by Committee on Transportation

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Takko; Randall; Padden; O'Ban; Nguyen; Lovelett; Fortunato; Das; Cleveland; Sheldon, Assistant Ranking Member; King, Ranking Member; Saldaña, Vice Chair; Hobbs, Chair; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

February 27, 2019

SGA 9090 JERALD (JERRY) R. LITT, reappointed on July 12, 2017, for the term ending June 30, 2023, as Member of the Transportation Commission. Reported by Committee on Transportation

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Sheldon, Assistant Ranking Member; Cleveland; Das; Fortunato; Lovelett; Nguyen; O'Ban; Padden; Randall; Takko; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

February 27, 2019

SGA 9136 JOHN C. SCRAGG, appointed on January 19, 2018, for the term ending December 26, 2020, as Member of the Board of Pilotage Commissioners. Reported by Committee on Transportation

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Sheldon, Assistant Ranking Member; Cleveland; Das; Fortunato; Lovelett; Nguyen; O'Ban; Padden; Randall; Takko; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

February 27, 2019

SGA 9138 MICHAEL L. ANTHONY, appointed on January 19, 2018, for the term ending December 26, 2019, as Member of the Board of Pilotage Commissioners. Reported by Committee on Transportation

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Takko; Randall; Padden; O'Ban; Nguyen; Lovelett; Fortunato; Das; Cleveland; Sheldon, Assistant Ranking Member; King, Ranking Member; Saldaña, Vice Chair; Hobbs, Chair; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

February 27, 2019

SGA 9194 JAMES A. RESTUCCI, appointed on July 16, 2018, for the term ending June 30, 2024, as Member of the Transportation Commission. Reported by Committee on Transportation

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Takko; Randall; Padden; O'Ban; Nguyen; Lovelett; Fortunato; Das; Cleveland; Sheldon, Assistant Ranking Member; King, Ranking Member; Saldaña, Vice Chair; Hobbs, Chair; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

February 27, 2019

SGA 9261 HENRIK KROMBEEN, appointed on January 1, 2019, for the term ending December 26, 2020, as Member of the Board of Pilotage Commissioners. Reported by Committee on Transportation

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Sheldon, Assistant Ranking Member; Cleveland; Das; Fortunato; Lovelett; Nguyen; O'Ban; Padden; Randall; Takko; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

February 27, 2019

SGA 9265 TIMOTHY J. FARRELL, appointed on January 1, 2019, for the term ending December 26, 2020, as Member of the Board of Pilotage Commissioners. Reported by Committee on Transportation

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Takko; Randall; Padden; O'Ban; Nguyen; Lovelett; Fortunato; Das; Cleveland; Sheldon, Assistant Ranking Member; King, Ranking Member; Saldaña, Vice Chair; Hobbs, Chair; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

February 27, 2019

SGA 9275 ELEANOR K. KIRTLEY, reappointed on February 6, 2019, for the term ending December 26, 2022, as Member of the Board of Pilotage Commissioners. Reported by Committee on Transportation

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Hobbs, Chair; Saldaña, Vice

Chair; King, Ranking Member; Sheldon, Assistant Ranking Member; Cleveland; Das; Fortunato; Lovelett; Nguyen; O'Ban; Padden; Randall; Takko; Wilson, C. and Zeiger.

On motion of Senator Liias, the Senate advanced to the eighth order of business.

Referred to Committee on Rules for second reading.

MOTION

MOTIONS

On motion of Senator Liias, all measures listed on the Standing Committee report were referred to the committees as designated.

Senator Saldaña moved adoption of the following resolution:

SENATE RESOLUTION
8623

On motion of Senator Liias, the Senate advanced to the third order of business.

By Senators Saldaña, Conway, Kuderer, Lovelett, Liias, Dhingra, Das, Pedersen, Wellman, Nguyen, Keiser, Billig, Palumbo, Salomon, Randall, Hobbs, Sheldon, Hasegawa, Hunt, Zeiger, Warnick, Darneille, McCoy, Wilson, C., and Wagoner

MESSAGE FROM THE GOVERNOR
GUBERNATORIAL APPOINTMENTS

WHEREAS, Black History Month was established in February 1926 by Carter G. Woodson as Negro History Week and was later expanded to Afro-American History Month in 1976 in honor of the nation's bicentennial; and

February 19, 2019
TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

LISA BROWN, appointed February 11, 2019, for the term ending at the governor's pleasure, as a Director of the Department of Commerce - Agency Head.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Financial Institutions, Economic Development & Trade as Senate Gubernatorial Appointment No. 9279.

WHEREAS, It was Carter G. Woodson's hope that, through this special observance, all Americans would be reminded of their ethnic roots and develop a mutual respect for the contributions of all racial groups in America; and

WHEREAS, For more than 300 years as part of an established system of slavery and human bondage, Black Americans toiled and survived, and then overcame the degradation and shame of this system to become contributors at every level of our public and private endeavors; and

WHEREAS, The desire to succeed and contribute to America caused Black Americans to defy racial hostility, Jim Crow Laws, and economic and social injustices; and

February 19, 2019
TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

GLADYS T. GILLIS, appointed February 19, 2019, for the term ending September 30, 2024, as Member of the Central Washington University Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9280.

WHEREAS, This willingness to succeed and the love for their country has left a positive impact on American culture and society in areas of education, medicine, industry, the military, religion, social sciences, philosophy, agriculture, engineering, and the arts; and

WHEREAS, Black Americans continue to contribute widely to the attainment of peace, equality, and justice, and all Americans deserve to know of the great moments and accomplishments of Black Americans; and

WHEREAS, We honor the accomplishments of the first African American President of the United States, Barack Obama, and the legacy that he and his wife, Michelle Obama, will leave for us all; and

February 19, 2019
TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

MARISSA WINMILL, reappointed February 19, 2019, for the term ending September 30, 2021, as Member of the Professional Educator Standards Board.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Early Learning & K-12 Education as Senate Gubernatorial Appointment No. 9281.

WHEREAS, George Washington Bush was the first Black American to serve in the Washington Territorial Legislature; Representatives Charles Stokes and Marjorie Pitter King were the first Black American man and woman to serve in the legislature following the proclamation of Washington statehood; and Charles Z. Smith was the first Black American to serve on the Washington State Supreme Court; and

WHEREAS, The Washington State Legislature is honored to have among its current and former members the following elected Black American Representatives and Senators: Rosa Franklin, Kristine Reeves, Debra Entenman, John Lovick, Eric Pettigrew, Melanie Morgan, Sam Smith, Michael Ross, Peggie Joan Maxie, George Fleming, Bill Smitherman, Jesse Wineberry, Vivian Caver, and Dawn Mason; and

MOTIONS

On motion of Senator Liias, all appointees listed on the Gubernatorial Appointments report were referred to the committees as designated.

WHEREAS, There have been major contributions made to Washington State history by Black American citizens including: Civil rights leader Edwin T. Pratt; poet Mona Lake Jones; artists Jacob Lawrence and James Washington; historian Esther Mumford; and musicians Quincy Jones, Ernestine Anderson, and Jimi Hendrix; and

WHEREAS, Washington is a beautiful state, and America is a proud nation due to our recognition of the contributions made by many diverse ethnic populations and because of our ability to work together as a state dependent upon international peace, harmony, and cooperation;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate recognize and honor the African American citizens of this great country and their innumerable contributions, and support the observance of the month of February as African American history month.

Senators Saldaña, Short, King, Randall, Sheldon, Walsh, Liias and Nguyen spoke in favor of adoption of the resolution.

The Vice President Pro Tempore declared the question before the Senate to be the adoption of Senate Resolution No. 8623.

The motion by Senator Saldaña carried and the resolution was adopted by voice vote.

Senator McCoy announced a meeting of the Democratic Caucus immediately upon going at ease.

Senator Becker announced a meeting of the Republican Caucus immediately upon going at ease.

MOTION

At 9:30 a.m., on motion of Senator Liias, the Senate was declared to be at ease for the purposes of caucus.

The Senate was called to order at 11:18 a.m. by Vice President Pro Tempore Conway.

MOTION

On motion of Senator Liias, the Senate reverted to the sixth order of business.

SECOND READING

SENATE BILL NO. 5955, by Senators Lovelett, Zeiger, Darneille, Walsh, Randall, Nguyen, Wilson and C.

Making necessary changes allowing the department of children, youth, and families to effectively manage a statewide system of care for children, youth, and families.

MOTIONS

On motion of Senator Lovelett, Substitute Senate Bill No. 5955 was substituted for Senate Bill No. 5955 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Lovelett, the rules were suspended, Substitute Senate Bill No. 5955 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Lovelett and Walsh spoke in favor of passage of the bill.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5955.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5955 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Erickson, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

SUBSTITUTE SENATE BILL NO. 5955, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

PERSONAL PRIVILEGE

Senator Lovelett: "Thank you. So, as you all know I came late in the game and in a hot rush. I would say I'm probably the unexpected senator to arrive but, I have been serving my community in my area for years. I started out as a record store owner with a business called The Business in Anacortes that's been around for forty one years now. And in that role, I met people in the community. I heard about their needs. It seems like an unlikely place to have people come as a clearinghouse for information but it was. My first step into service was in the humble beginnings of being my P.T.A. president when my daughter first entered kindergarten. So, my kids have been raised in this lifetime of service. They will never remember a time before their mom was a public servant and when I finally decided to run for the city council in Anacortes we flipped our board. I ran against a two-term incumbent, our mayor ran against a twenty-year incumbent, and we flipped it and ushered in a new era of leadership in Anacortes and I'm very proud of that. I'm from a scrappy little fishing town that my family has lived in since the late eighteen hundreds and over my lifetime I've managed to travel to every corner of the 40th District. From the rich arts and intellect of the people of Bellingham, to the gorgeous tulip fields and hardworking people of Western Skagit County and to the majesty of the San Juan Islands. Where I'm sure a lot of you have traveled and visited and appreciated the beauty there. One of my favorite things about the 40th is the culture and the esthetic we have around do it yourself culture and ideals. You know, we the we in the 40th, we work from home and create unique employment opportunities for ourselves or crafters, we're boot-strappers or D.I.Y.ers and we know that resources are finite and so many of us choose to live off the land and live on less so that others can have more. So my gift for you today is a testament to all of these places and the ideals that we have in the 40th. When you get them I ask you take a look first at the art on the envelopes. My daughters were very keen on making sure that there were personalized decorations on every one, so make sure you take a look at not only yours but your neighbors. They're nine and eleven. Yma and Mirabel, and they're very proud. And as I said, you know a life of service in their family is all they've ever known. And we're taking forward those values our community but as we all know our families and loved ones have to make sacrifices for us to stand here on the floor every day that we're here and I just want to take a moment to honor our families, our spouses, our loved ones, our children for the sacrifices that they make for us to serve. So, in the envelope is a heart stone. It's handmade by this Guemes Island artist named Julie deRouche and they are up-cycled using broken glass and porcelain. Things that most of us would take as being broken

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relics relegated to the trash bin, but she's transformed into something truly beautiful. And what I wanted to speak to with that is that we all come here with the unique story of what compelled us to serve. We come with our hearts open to witnessing both the small moments and the hugely transformative ones that showcase our common humanity and compel us into the work we do. We come with our hearts open to doing our best work, only to have it torn down and have our motives questioned. And we come here with our hearts open to those triumphant times where we passed legislation that creates meaningful measurable progress for the communities we serve. Today, I'm very excited to have a conversation on this floor about the clean renewable energy bill, I know that something that my district really wanted me to come and fight for. So, these stones are a testament to these ideas that our hearts may break for the good and for the bad but that we can always put those pieces back together and create something beautiful and lasting. Thank you."

PERSONAL PRIVILEGE

Senator Walsh: "Thank you Mr. President for your indulgence. I am, I feel terribly remiss that we didn't haze the good lady for her first bill. So, I apologize for that, but welcome aboard. We're glad to have you and thank you very much Mr. Speaker, or, Mr. President."

PERSONAL PRIVILEGE

Senator Becker: "I can't help but think of you and how much information you just covered in that speech. Holy moly. I, it reminded me of Senator Fain sitting here, who could talk faster than anybody I've ever seen, along with Lieutenant Governor and how they would go so quickly you almost have to pay so much attention to try to hear everything they were talking about. I hope that you continue that so that we don't sit here for hours as as people talk of odd things on the floor. Thank you very much."

PERSONAL PRIVILEGE

Senator Rolfe: "I wanted to turn and give a warm welcome to Senator Lovelett. On behalf of myself, I'm delighted to have you here. Your district has long had a reputation for sending senators to Olympia who are dynamic and energetic and engaged. And, I have all enjoyed working with you already and I admire you the strength that you have brought with you and the grace with which you have taken on this job. So quickly, and so suddenly and unexpectedly for you and your daughters. And I'm very moved by your commitment and your ability to just fit right in, I think impresses most of us. So, welcome to the Senate and I really look forward to working with you."

PERSONAL PRIVILEGE

Senator Bailey: "I do want to thank you for being willing to serve. The 10th and the 40th have a great relationship and I'm really looking forward to you and I having an opportunity to work together on many things that will help our part of the state. So, thank you for being here tell your girls that we also appreciate very much them letting their mom come here. Thank you"

PERSONAL PRIVILEGE

Senator Hobbs: "Seriously? We're not going to burn Senator Lovelett? I mean, that's the whole point of these things.

I don't get it. We just, I mean, I had the record of the worst gift, but geez. She gives you a rock and a picture of more rocks and you give her a round of applause? I don't get it. I could take a picture some gravel and just digitally send it to all of you if that's what it takes around here. I don't understand. She just passed a bill that really doesn't do ..., it's a technical bill, but I guess that's the tradition of all of our freshman. You know, just technical bills. And the greatest legislative accomplishment that she's got, or is going to happen, is a San Juan license plate. Which I reluctantly pushed out because leadership told me I got to 'take care of the freshman'. So, you know, I did that. I don't get around applause for that? And of course, you know I, and by the way I did in a bipartisan manner sent out a Sasquatch plate for Senator Rivers because that's what she wanted. And hopefully she will bother me year after year after year after year. But I just want to welcome the new senator to this chamber. It's a delight to have you on my committee. It's another way for Senator Billig to control me and to try to get bills out of there. But I'm going to just kill things I don't like anyway. But again, welcome, I'm glad you're on the committee. We do need a person that takes a perspective of the ferries and you definitely do that, so thank you very much."

PERSONAL PRIVILEGE

Senator Hawkins: "Thank you Mr. President. Yeah, that's a tough act to follow, I'll tell you. And I'm not one to throw rocks as you know, these are pretty though so I'll hold on to these. I would just like to thank the kind lady's comments, you know, I too, she has you know two daughters age nine eleven. I have two boys the same age, nine eleven. Her two daughters, from what I learned today, and what they're accustomed to is knowing their mother as a public servant and that's the same situation for me and my two boys. And I think just some of the things I learned from her floor speech today just help illustrate that we do have more in common than our differences so, look forward to serving with you thank you."

PERSONAL PRIVILEGE

Senator Sheldon: "Thank you Mr. President. I happen to agree with Senator Walsh and Senator Hobbs, it's really tradition here to say a little something about our new member and we have so many new members I thought I might just take this opportunity Mr. President, to tell you a little story, if I might, from my personal experience. I got a call from Senator Lovelett here the other day and she said she wanted to meet me in my office. And I thought, well that was great so, and she said she'd like to bring some of the other members. She mentioned Senator Wilson over here Senator Claire Wilson, Senator Randall, Senator Salomon, Senator Nguyen and Senator Das. They'd all like to visit with me. Well, I thought that's important so I went home and you know, thought about a little bit I found an old Mao jacket I had in the closet. I got that on and I scraped some stickers off my wife's car to bring in and put around the office. I had I had one of the *Feel the Bern*, I had *Pro-Choice America* on there, *Protect our children not our guns* I did that for Senator Pedersen, he gave me that. And also, I put a little incense in my room, I had that burning. I felt, I felt pretty good. I think I was ready. I put some Bob Dylan on. I put 'the times there are they are a changin' and I had it I had my subscription to Mother Jones that I was reading that when they all five, six I think, six came in. I was excited and they said 'Well, Senator Sheldon', I said 'Just call me Tim, sit down and call me Tim'. 'You're the longest serving Democratic senator and we just came over to get some

advice you know we've been in caucus for you know about six weeks now' and I said 'It's is the food, isn't it?' and they said 'Yes, it's the food. The arugula', I don't even know if I can pronounce it right. 'The kale. It's getting tough you know we know you served in there a long time what did you do?' Well, you know there's a lot of things you can do. You do have six members so do you have a name for your caucus yet? And they said no. I said 'Well you might suggest S.D.R.C. And that would stand for Senate Democratic Rookie Caucus. Excellent name for yourselves. You need a name if you're going to make an impact.' So, they sat down for a little bit and they sat on the floor. We all kind of got together, got another, turned up another Bob Dylan song and we started talking about other things and they said well you know I said 'You know the food was tough but the aroma therapy really was tough on me.' I'm still kind of coughing and Senator Lovelett kept grabbing at her nose like that like she really had enough aroma therapy. So I don't want to go on too long but you know they were asking about different things and, and, all five are members of Senator Hobbs' and Senator King's Transportation Committee and they all sit together. I thought that was interesting. So, and then Senator Salomon said 'I'm not on the committee.' he says 'I really don't know, I'm on six committees.' I think something like that so, he said that he had he had passed by Senator Billig's office. Hadn't been in it yet, and I said well that's pretty nice. You know if you go in there it has its own bathroom, it and and that's where the Lieutenant Governor used to be. And they said well, Lieutenant Governor, he's got a whole floor now doesn't he? He just doesn't have an office? And I said, 'Yeah that's correct, that's correct.. So they talked a little bit about some of the members and then they said Senator Billig, he has that nice a red Ford Focus doesn't he? I said 'Yeah I've seen the car.' We see him. He drives down underneath the Capitol steps. We don't know where, where does he go down there? And I said well that's where he gets all the pens from the Governor. He's passed so many bills, he has the time that he goes down and the Governor comes in and hands out pills. I mean pens, not pills. Excuse me. So, then the last thing they want to know, that that nice Senator Liias, that stands up. He makes these motions. We go to like the first, second or third order of business, the fifth order of business, the eighth order of business. And then they said, I think it was Senator Lovelett that said, 'Senator, why don't we ever go to the ninth order of business?' I said 'Well, now you're talking' so that's when we really started to hold hands and started to talk. And I explained a little bit about the ninth order of business and then I kind of blacked out. I don't remember what happened after that. So, that's my personal experience with all six new members. Thank you Mr. President."

SECOND READING

SENATE BILL NO. 5292, by Senators Keiser, Cleveland, Randall, Hasegawa, Das, Saldaña, Wilson, C., Liias, Conway, Kuderer, Nguyen, Van De Wege and Wellman

Concerning prescription drug cost transparency.

MOTIONS

On motion of Senator Liias, Second Substitute Senate Bill No. 5292 was substituted for Senate Bill No. 5292 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Keiser, the rules were suspended, Second Substitute Senate Bill No. 5292 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Keiser, Rivers, Cleveland and O'Ban spoke in favor of passage of the bill.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 5292.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 5292 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

SECOND SUBSTITUTE SENATE BILL NO. 5292, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

President Pro Tempore Keiser assumed the chair.

SECOND READING

SENATE BILL NO. 5116, by Senators Carlyle, Palumbo, McCoy, Pedersen, Wellman, Das, Rolfes, Frockt, Wilson, C., Kuderer, Nguyen, Keiser, Liias, Hunt, Saldaña, Darneille and Billig

Supporting Washington's clean energy economy and transitioning to a clean, affordable, and reliable energy future.

MOTIONS

On motion of Senator Carlyle, Second Substitute Senate Bill No. 5116 was substituted for Senate Bill No. 5116 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Ericksen moved that the following amendment no. 096 by Senator Ericksen, pursuant to Senate Rule No. 64, be read in full and that it be adopted:

Beginning on page 1, line 9, strike all of section 1 and insert the following:

NEW SECTION. Sec. 3. The legislature finds that historical data proves that the climate of the earth changes. The legislature further finds that the national oceanic and atmospheric administration has documented that nothing in this act, or any combination of legislation in Washington, will in any way impact global climate. The legislature acknowledges that nothing in this act will increase or decrease snowpack in the Cascades, stop wildfires, lower or raise sea levels, save polar bears, impact ocean acidity levels, affect wine grapes in eastern Washington, or impact global climate in any measurable way. The legislature understands that this act will increase energy prices, drive manufacturing jobs to other states, and have a disproportionate impact on middle class citizens, lower income citizens, and senior

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citizens. Therefore, the legislature recognizes that this act is about virtue signaling and not about changing world climate.”

Senator Ericksen spoke in favor of adoption of the amendment.

POINT OF ORDER

Senator Billig: “Thank you Madam President. I believe the gentleman was impugning motives related to this bill by talking about candidates you referenced a statewide candidate but then he said generally candidates I believe he was referring to people in this body and I know that that is a violation of our rules.”

President Pro Tempore Keiser: “Senator Erikson please keep your remarks to the amendment before us.”

Senator Ericksen continued his remarks.

Senator Carlyle spoke against adoption of the amendment.

MOTION

On motion of Senator Wilson, C., Senator Nguyen was excused.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 096 by Senator Ericksen on page 1, line 9 to Second Substitute Senate Bill No. 5116.

The motion by Senator Ericksen did not carry and amendment no. 096 was not adopted by voice vote.

MOTION

Senator Hawkins moved that the following amendment no. 085 by Senators Hawkins and Palumbo be adopted:

On page 2, line 17, after “continuing to” strike “electrify” and insert “encourage and provide incentives for clean alternative energy sources, including providing electricity for”

On page 5, line 38, after “vehicles” insert “, both battery and fuel cell powered”

On page 5, line 40, after “vehicles;” strike “and”

On page 6, line 1, after “fleets” insert “utilizing a battery or fuel cell for electric supply;

(E) Incentives to install and operate equipment to produce or distribute renewable hydrogen; and

(F) Incentives for renewable hydrogen fueling stations”

On page 6, beginning on line 3, after “(iv)” strike all material through “consumption” on line 5 and insert “Investments in equipment for renewable natural gas processing, conditioning, and production, or equipment used solely for the purpose of delivering renewable natural gas for consumption”

On page 6, beginning on line 11, after “needs” strike all material through “biogas” on line 12 and insert “, including battery and fuel cell electrification; or (E) renewable natural gas processing, conditioning, or production”

On page 6, line 15, after “and” strike “biogas” and insert “renewable natural gas”

On page 8, line 12, after “(33)” insert ““Renewable hydrogen” means hydrogen produced using renewable resources both as the source for the hydrogen and the source for the energy input into the production process.

(34)”

Remember the remaining subsections consecutively and correct any internal references accordingly.

On page 8, line 17, after “(f)” insert “renewable hydrogen; (g)” Reletter the remaining subsections consecutively and correct any internal references accordingly.

On page 12, line 5, after “electricity” insert “, or for energy transformation projects in the transportation sector, consistent with default emissions or conversion factors established by other jurisdictions for clean alternative fuels”

Senators Hawkins and Carlyle spoke in favor of adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 085 by Senators Hawkins and Palumbo on page 2, line 17 to Second Substitute Senate Bill No. 5116.

The motion by Senator Hawkins carried and amendment no. 085 was adopted by voice vote.

MOTION

Senator Short moved that the following amendment no. 094 by Senator Short be adopted:

On page 3, after line 6, insert the following:

“NEW SECTION. Sec. 2. It is unlawful to generate or supply electricity from an electric generation resource built with or containing materials sourced from countries with a history of violations of employment-related laws and incidents of slavery, peonage, or human trafficking.”

Remember the remaining sections consecutively and correct any internal references accordingly.

Senator Short spoke in favor of adoption of the amendment.

Senator Carlyle spoke against adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 094 by Senator Short on page 3, after line 6 to Second Substitute Senate Bill No. 5116.

The motion by Senator Short did not carry and amendment no. 094 was not adopted by voice vote.

MOTION

Senator Short moved that the following amendment no. 102 by Senator Short be adopted:

On page 3, after line 6, insert the following:

“(7) The legislature intends to make adjustments to this act if Washington falls out of the top five ranking among states for lowest average cost of electricity, as documented by the energy information administration, at any time between 2019 and 2045.”

Senators Short and Ericksen spoke in favor of adoption of the amendment.

Senator Carlyle spoke against adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 102 by Senator Short on page 3, after line 6 to Second Substitute Senate Bill No. 5116.

The motion by Senator Short did not carry and amendment no. 102 was not adopted by voice vote.

MOTION

Senator Fortunato moved that the following amendment no. 108 by Senator Fortunato be adopted:

On page 3, line 28, after “crops;” strike “and”

On page 3, line 28, after “yard waste” insert “; and (x) municipal solid waste”

On page 3, line 31, before “(ii)” insert “or”

On page 3, line 32, after “forests” strike all material through “waste”

On page 34, line 34, after “copper-chrome-arsenic;” insert “or”

On page 34, line 35, after “forests” strike “; or municipal solid waste” and insert “(~~;- or municipal solid waste~~)”

Senators Fortunato, Rivers and Short spoke in favor of adoption of the amendment.

Senator Carlyle spoke against adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 108 by Senator Fortunato on page 3, line 28 to Second Substitute Senate Bill No. 5116.

The motion by Senator Fortunato did not carry and amendment no. 108 was not adopted by voice vote.

MOTION

Senator Brown moved that the following amendment no. 095 by Senator Brown be adopted:

On page 7, line 21, after “generation.” insert ““Nonemitting electric generation” includes nuclear energy.”

Senators Brown and Short spoke in favor of adoption of the amendment.

Senator Carlyle spoke against adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 095 by Senator Brown on page 7, line 21 to Second Substitute Senate Bill No. 5116.

The motion by Senator Brown did not carry and amendment no. 095 was not adopted by voice vote.

MOTION

Senator Fortunato moved that the following amendment no. 107 by Senator Fortunato be adopted:

Beginning on page 10, line 36, after “subsection” strike all material through “standards” on page 11, line 2

On page 16, beginning on line 28, after “(8)” strike all material through “(9)” on line 33

Renumber the remaining subsection consecutively and correct any internal references accordingly.

Senators Fortunato and Ericksen spoke in favor of adoption of the amendment.

Senator Carlyle spoke against adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 107 by Senator Fortunato on page 10, line 36 to Second Substitute Senate Bill No. 5116.

The motion by Senator Fortunato did not carry and amendment no. 107 was not adopted by voice vote.

MOTION

Senator Takko moved that the following amendment no. 092 by Senator Takko be adopted:

On page 11, line 6, after “(d)” insert “(i)”

On page 11, after line 10, insert the following:

“(ii) It is the intent of the legislature to provide flexible tools to address the variability of hydropower for compliance under this act.”

Senators Takko and Carlyle spoke in favor of adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 092 by Senator Takko on page 11, line 6 to Second Substitute Senate Bill No. 5116.

The motion by Senator Takko carried and amendment no. 092 was adopted by voice vote.

MOTION

Senator Fortunato moved that the following amendment no. 105 by Senator Fortunato be adopted:

On page 11, beginning on line 11, strike all of subsections (e) and (f)

Reletter the remaining subsections consecutively and correct any internal references accordingly.

On page 16, beginning on line 8, strike all of subsection (6)

Renumber the remaining subsections consecutively and correct any internal references accordingly.

Senators Fortunato, Ericksen and Short spoke in favor of adoption of the amendment.

Senator Carlyle spoke against adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 105 by Senator Fortunato on page 11, line 11 to Second Substitute Senate Bill No. 5116.

The motion by Senator Fortunato did not carry and amendment no. 105 was not adopted by voice vote.

MOTION

Senator Ericksen moved that the following amendment no. 097 by Senator Ericksen be adopted:

On page 18, at the beginning of line 26, insert “or rate”

On page 18, line 29, after “reliability” insert “or rate”

Senator Ericksen spoke in favor of adoption of the amendment.

Senator Carlyle spoke against adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 097 by Senator Ericksen on page 18, line 26 to Second Substitute Senate Bill No. 5116.

The motion by Senator Ericksen did not carry and amendment no. 097 was not adopted by voice vote.

MOTION

Senator Carlyle moved that the following amendment no. 089 by Senator Carlyle be adopted:

On page 22, line 35, after “exceed a” strike “three” and insert “two”

On page 23, line 16, after “exceed a” strike “three” and insert “two”

Senators Carlyle and Ericksen spoke in favor of adoption of the amendment.

Senator King spoke against adoption of the amendment.

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The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 089 by Senator Carlyle on page 22, line 35 to Second Substitute Senate Bill No. 5116.

The motion by Senator Carlyle carried and amendment no. 089 was adopted by voice vote.

MOTION

Senator Carlyle moved that the following amendment no. 090 by Senator Carlyle be adopted:

On page 24, after line 20, insert the following:

“(17) For an asset acquired or used to comply with this act that is condemned by a consumer-owned utility, compensation must include the stranded cost, if applicable, and the greater of the:

- (a) Book value of the asset; or
- (b) Fair market value of that asset, which may include replacement value.”

Senators Carlyle and Sheldon spoke in favor of adoption of the amendment.

Senators Padden and Ericksen spoke against adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 090 by Senator Carlyle on page 24, after line 20 to Second Substitute Senate Bill No. 5116.

The motion by Senator Carlyle carried and amendment no. 090 was adopted by voice vote.

MOTION

Senator Ericksen moved that the following amendment no. 098 by Senator Ericksen be adopted:

On page 24, after line 29, insert the following:

“NEW SECTION. **Sec. 10.** The department must contract with an independent third-party consultant to review and report on the cost impact to ratepayers attributable to this act for the previous year for each electric utility serving customers in the state of Washington. Each electric utility must display the annual cost impact to its ratepayers reported by the independent consultant on customer billing statements.”

Renumber the remaining sections consecutively and correct any internal references accordingly.

Senators Ericksen and Short spoke in favor of adoption of the amendment.

Senator Carlyle spoke against adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 098 by Senator Ericksen on page 24, after line 29 to Second Substitute Senate Bill No. 5116.

The motion by Senator Ericksen did not carry and amendment no. 098 was not adopted by voice vote.

MOTION

Senator Ericksen moved that the following amendment no. 099 by Senator Ericksen be adopted:

On page 27, after line 5, insert the following:

“(8) No actions by an electric utility to fund an energy assistance program may result in increased costs to other retail electric customers.”

Senator Ericksen spoke in favor of adoption of the amendment.

Senator Carlyle spoke against adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 099 by Senator Ericksen on page 27, after line 5 to Second Substitute Senate Bill No. 5116.

The motion by Senator Ericksen did not carry and amendment no. 099 was not adopted by voice vote.

MOTION

Senator Fortunato moved that the following amendment no. 106 by Senator Fortunato be adopted:

Beginning on page 29, line 37, strike all of subsection (3) Renumber the remaining subsections consecutively and correct any internal references accordingly.

On page 31, beginning on line 13, strike all of section 15

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 1, line 4 of the title, after “adding” strike “new sections” and insert “a new section”

Senator Fortunato spoke in favor of adoption of the amendment.

Senator Carlyle spoke against adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 106 by Senator Fortunato on page 29, line 37 to Second Substitute Senate Bill No. 5116.

The motion by Senator Fortunato did not and amendment no. 106 was not adopted by voice vote.

MOTION

Senator Braun moved that the following amendment no. 109 by Senator Braun be adopted:

Beginning on page 32, line 1, strike all of sections 17 through 19 and insert the following:

“NEW SECTION. **Sec. 17.** This section is the tax preference performance statement for the tax preferences contained in sections 18 and 19, chapter . . ., Laws of 2019 (sections 18 and 19 of this act). This performance statement is only intended to be used for subsequent evaluation of the tax preference. It is not intended to create a private right of action by any party or be used to determine eligibility for preferential tax treatment.

(1) The legislature categorizes this tax preference as one intended to induce certain designated behavior by taxpayers, as indicated in RCW 82.32.808(2)(a).

(2) It is the legislature’s specific public policy objective to reduce the amount of carbon dioxide emissions in Washington. It is the legislature’s intent to extend the expiration date of the existing sales and use tax exemption for machinery and equipment used directly in generating certain types of alternative energy, in order to reduce the price charged to customers for that machinery and equipment, thereby inducing some customers to buy machinery and equipment for alternative energy when they might not otherwise, thereby displacing electricity from fossil-

fueled generating resources, thereby reducing the amount of carbon dioxide emissions in Washington.

(3) The joint legislative audit and review committee is not required to perform a tax preference review under chapter 43.136 RCW for the tax preferences contained in sections 18 and 19, chapter . . ., Laws of 2019 (sections 18 and 19 of this act) and it is the intent of the legislature to allow the tax preferences to expire upon their scheduled expiration dates.

Sec. 18. RCW 82.08.962 and 2018 c 164 s 5 are each amended to read as follows:

(1)(a) (~~Except as provided in RCW 82.08.963,~~) Purchasers who have paid the tax imposed by RCW 82.08.020 on machinery and equipment used directly in generating electricity using fuel cells, wind, sun, biomass energy, tidal or wave energy, geothermal resources, or technology that converts otherwise lost energy from exhaust, as the principal source of power, or to sales of or charges made for labor and services rendered in respect to installing such machinery and equipment, are eligible for an exemption as provided in this section, but only if the purchaser develops with such machinery, equipment, and labor a facility capable of generating not less than one thousand watts of electricity.

(b) Beginning on July 1, 2011, through January 1, (~~2020~~) 2030, the amount of the exemption under this subsection (1) is equal to seventy-five percent of the state and local sales tax paid. The purchaser is eligible for an exemption under this subsection (1)(b) in the form of a remittance.

(2) For purposes of this section and RCW 82.12.962, the following definitions apply:

(a) "Biomass energy" includes: (i) By-products of pulping and wood manufacturing process; (ii) animal waste; (iii) solid organic fuels from wood; (iv) forest or field residues; (v) wooden demolition or construction debris; (vi) food waste; (vii) liquors derived from algae and other sources; (viii) dedicated energy crops; (ix) biosolids; and (x) yard waste. "Biomass energy" does not include wood pieces that have been treated with chemical preservatives such as creosote, pentachlorophenol, or copper-chrome-arsenic; wood from old growth forests; or municipal solid waste.

(b) "Fuel cell" means an electrochemical reaction that generates electricity by combining atoms of hydrogen and oxygen in the presence of a catalyst.

(c)(i) "Machinery and equipment" means fixtures, devices, and support facilities that are integral and necessary to the generation of electricity using fuel cells, wind, sun, biomass energy, tidal or wave energy, geothermal resources, or technology that converts otherwise lost energy from exhaust.

(ii) "Machinery and equipment" does not include: (A) Hand-powered tools; (B) property with a useful life of less than one year; (C) repair parts required to restore machinery and equipment to normal working order; (D) replacement parts that do not increase productivity, improve efficiency, or extend the useful life of machinery and equipment; (E) buildings; or (F) building fixtures that are not integral and necessary to the generation of electricity that are permanently affixed to and become a physical part of a building.

(3)(a) Machinery and equipment is "used directly" in generating electricity by wind energy, solar energy, biomass energy, tidal or wave energy, geothermal resources, or technology that converts otherwise lost energy from exhaust if it provides any part of the process that captures the energy of the wind, sun, biomass energy, tidal or wave energy, geothermal resources, or technology that converts otherwise lost energy from exhaust, converts that energy to electricity, and stores, transforms, or

transmits that electricity for entry into or operation in parallel with electric transmission and distribution systems.

(b) Machinery and equipment is "used directly" in generating electricity by fuel cells if it provides any part of the process that captures the energy of the fuel, converts that energy to electricity, and stores, transforms, or transmits that electricity for entry into or operation in parallel with electric transmission and distribution systems.

(4)(a) A purchaser claiming an exemption in the form of a remittance under subsection (1)(b) of this section must pay the tax imposed by RCW 82.08.020 and all applicable local sales taxes imposed under the authority of chapters 82.14 and 81.104 RCW. The purchaser may then apply to the department for remittance in a form and manner prescribed by the department. A purchaser may not apply for a remittance under this section more frequently than once per quarter. The purchaser must specify the amount of exempted tax claimed and the qualifying purchases for which the exemption is claimed. The purchaser must retain, in adequate detail, records to enable the department to determine whether the purchaser is entitled to an exemption under this section, including: Invoices; proof of tax paid; and documents describing the machinery and equipment.

(b) The department must determine eligibility under this section based on the information provided by the purchaser, which is subject to audit verification by the department. The department must on a quarterly basis remit exempted amounts to qualifying purchasers who submitted applications during the previous quarter.

(5) The exemption provided by this section expires September 30, 2017, as it applies to: (a) Machinery and equipment that is used directly in the generation of electricity using solar energy and capable of generating no more than five hundred kilowatts of electricity; or (b) sales of or charges made for labor and services rendered in respect to installing such machinery and equipment.

(6) This section expires January 1, (~~2020~~) 2030.

Sec. 19. RCW 82.12.962 and 2018 c 164 s 7 are each amended to read as follows:

(1)(a) (~~Except as provided in RCW 82.12.963,~~) Consumers who have paid the tax imposed by RCW 82.12.020 on machinery and equipment used directly in generating electricity using fuel cells, wind, sun, biomass energy, tidal or wave energy, geothermal resources, or technology that converts otherwise lost energy from exhaust, or to sales of or charges made for labor and services rendered in respect to installing such machinery and equipment, are eligible for an exemption as provided in this section, but only if the purchaser develops with such machinery, equipment, and labor a facility capable of generating not less than one thousand watts of electricity.

(b) Beginning on July 1, 2011, through January 1, (~~2020~~) 2030, the amount of the exemption under this subsection (1) is equal to seventy-five percent of the state and local sales tax paid. The consumer is eligible for an exemption under this subsection (1)(b) in the form of a remittance.

(2)(a) A person claiming an exemption in the form of a remittance under subsection (1)(b) of this section must pay the tax imposed by RCW 82.12.020 and all applicable local use taxes imposed under the authority of chapters 82.14 and 81.104 RCW. The consumer may then apply to the department for remittance in a form and manner prescribed by the department. A consumer may not apply for a remittance under this section more frequently than once per quarter. The consumer must specify the amount of exempted tax claimed and the qualifying purchases or acquisitions for which the exemption is claimed. The consumer must retain, in adequate detail, records to enable the department to determine whether the consumer is entitled to an exemption

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under this section, including: Invoices; proof of tax paid; and documents describing the machinery and equipment.

(b) The department must determine eligibility under this section based on the information provided by the consumer, which is subject to audit verification by the department. The department must on a quarterly basis remit exempted amounts to qualifying consumers who submitted applications during the previous quarter.

(3) Purchases exempt under RCW 82.08.962 are also exempt from the tax imposed under RCW 82.12.020.

(4) The definitions in RCW 82.08.962 apply to this section.

(5) The exemption provided in subsection (1) of this section does not apply:

(a) To machinery and equipment used directly in the generation of electricity using solar energy and capable of generating no more than five hundred kilowatts of electricity, or to sales of or charges made for labor and services rendered in respect to installing such machinery and equipment, when first use within this state of such machinery and equipment, or labor and services, occurs after September 30, 2017; and

(b) To any other machinery and equipment described in subsection (1)(a) of this section, or to sales of or charges made for labor and services rendered in respect to installing such machinery or equipment, when first use within this state of such machinery and equipment, or labor and services, occurs after December 31, ~~((2019))~~ 2029.

(6) This section expires January 1, ~~((2020))~~ 2030."

Senators Braun and Ericksen spoke in favor of adoption of the amendment.

Senator Carlyle spoke against adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 109 by Senator Braun on page 32, line 1 to Second Substitute Senate Bill No. 5116.

The motion by Senator Braun did not carry and amendment no. 109 was not adopted by voice vote.

MOTION

Senator Rivers moved that the following amendment no. 111 by Senator Rivers be adopted:

On page 43, line 27, after "19.280.030." insert "To promote environmental justice, it is unlawful to construct new electricity transmission infrastructure within the boundaries of any highly impacted community designated under this section."

Senators Rivers, Short and Ericksen spoke in favor of adoption of the amendment.

Senator Carlyle spoke against adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 111 by Senator Rivers on page 43, line 27 to Second Substitute Senate Bill No. 5116.

The motion by Senator Rivers did not carry and amendment no. 111 was not adopted by voice vote.

MOTION

Senator Rivers moved that the following amendment no. 112 by Senator Rivers be adopted:

On page 43, line 27, after "19.280.030." insert "The rules establishing the requirements for incorporating the cumulative impact analysis must require the department of commerce and

utilities and transportation commission to suspend enforcement of chapter 19.--- RCW (the new chapter created in section 27 of this act) if any community identified as being highly impacted by fossil fuel pollution and climate change in the cumulative impact analysis is subjected to an increase in electric rates as a result of the application of chapter 19.--- RCW (the new chapter created in section 27 of this act) to a utility serving a highly impacted community."

Senators Rivers and Short spoke in favor of adoption of the amendment.

Senator Carlyle spoke against adoption of the amendment.

Senator Short demanded a roll call.

The President Pro Tempore declared that one-sixth of the members supported the demand and the demand was sustained.

The President declared the question before the Senate to be the adoption of the amendment by Senator Rivers on page 43, line 27, to Second Substitute Senate Bill No. 5116.

ROLL CALL

The Secretary called the roll on the adoption of the amendment by Senator Rivers and the amendment was not adopted by the following vote: Yeas, 24; Nays, 25; Absent, 0; Excused, 0.

Voting yea: Senators Bailey, Becker, Braun, Brown, Ericksen, Fortunato, Hasegawa, Hawkins, Holy, Honeyford, King, O'Ban, Padden, Randall, Rivers, Schoesler, Sheldon, Short, Wagoner, Walsh, Warnick, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Palumbo, Pedersen, Rolfes, Saldaña, Salomon, Takko, Van De Wege and Wellman .

MOTION

Senator Short moved that the following amendment no. 093 by Senator Short be adopted:

On page 44, after line 34, insert the following:

"NEW SECTION. Sec. 26. No permit may be issued that would result in the elimination of nonemitting electric generation or a renewable resource unless and until an equivalent amount of nonemitting electric generation or renewable resources are available to replace the nonemitting electric generation or renewable resource that is being eliminated."

Renumber the remaining sections consecutively and correct any internal references accordingly.

Senator Short spoke in favor of adoption of the amendment.

Senator Carlyle spoke against adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 093 by Senator Short on page 44, after line 34 to Second Substitute Senate Bill No. 5116.

The motion by Senator Short did not carry and amendment no. 093 was not adopted by voice vote.

MOTION

Senator Short moved that the following amendment no. 103 by Senator Short be adopted:

On page 53, after line 22, insert the following:

“**NEW SECTION. Sec. 30.** A new section is added to chapter 34.05 RCW to read as follows:

(1) The department of ecology shall not enforce chapter 173-442 WAC.

(2) The department of ecology shall repeal: (a) Chapter 173-442 WAC; and (b) the associated amendments to chapter 173-441 WAC that were adopted for the purpose of aligning chapters 173-441 and 173-442 WAC.

(3) The repeal of rules authorized and required by subsection (2) of this section is not subject to judicial review under this chapter.”

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 1, line 5 of the title, after “80.28 RCW;” insert “adding a new section to chapter 34.05 RCW;”

Senator Short spoke in favor of adoption of the amendment.

Senator Carlyle spoke against adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 103 by Senator Short on page 53, after line 22 to Second Substitute Senate Bill No. 5116.

The motion by Senator Short did not carry and amendment no. 103 was not adopted by voice vote.

MOTION

Senator Short moved that the following amendment no. 104 by Senator Short be adopted:

On page 53, after line 22, insert the following:

“**NEW SECTION. Sec. 30.** The following acts or parts of acts are each repealed, effective January 1, 2020:

(1)RCW 19.285.010 (Intent) and 2007 c 1 s 1;

(2)RCW 19.285.020 (Declaration of policy) and 2007 c 1 s 2;

(3)RCW 19.285.030 (Definitions) and 2017 c 315 s 1 & 2014 c 45 s 1;

(4)RCW 19.285.040 (Energy conservation and renewable energy targets) and 2017 c 315 s 2, 2014 c 26 s 1, 2013 c 158 s 2, 2012 c 22 s 3, & 2007 c 1 s 4;

(5)RCW 19.285.045 (Energy conservation and renewable energy targets—Analysis and advisory opinion) and 2012 c 254 s 1;

(6)RCW 19.285.050 (Resource costs) and 2007 c 1 s 5;

(7)RCW 19.285.060 (Accountability and enforcement—Energy independence act special account) and 2015 c 225 s 22 & 2007 c 1 s 6;

(8)RCW 19.285.070 (Reporting and public disclosure) and 2007 c 1 s 7;

(9)RCW 19.285.080 (Rule making) and 2017 c 315 s 3 & 2007 c 1 s 8;

(10)RCW 19.285.900 (Construction—2007 c 1) and 2007 c 1 s 9; and

(11)RCW 19.285.902 (Short title—2007 c 1) and 2007 c 1 s 11.”

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 1, line 6 of the title, after “sections;” insert “repealing RCW 19.285.010, 19.285.020, 19.285.030, 19.285.040, 19.285.045, 19.285.050, 19.285.060, 19.285.070, 19.285.080, 19.285.900, and 19.285.902;”

Senator Short spoke in favor of adoption of the amendment.

Senator Carlyle spoke against adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 104 by Senator Short on page 53, after line 22 to Second Substitute Senate Bill No. 5116.

The motion by Senator Short did not carry and amendment no. 104 was not adopted by voice vote.

MOTION

Senator Ericksen moved that the following amendment no. 101 by Senator Ericksen be adopted:

On page 53, beginning on line 27, strike all of section 31 and insert the following:

“**NEW SECTION. Sec. 31.** The secretary of state shall submit this act to the people for their adoption and ratification, or rejection, at the next general election to be held in this state, in accordance with Article II, section 1 of the state Constitution and the laws adopted to facilitate its operation.”

On page 1, at the beginning of line 7 of the title, strike “declaring an emergency” and insert “providing for submission of this act to a vote of the people”

Senator Ericksen spoke in favor of adoption of the amendment.

Senator Ericksen demanded a roll call.

The President Pro Tempore declared that one-sixth of the members supported the demand and the demand was sustained.

Senator Carlyle spoke against adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of the amendment by Senator Ericksen on page 53, line 27, to Second Substitute Senate Bill No. 5116.

ROLL CALL

The Secretary called the roll on the adoption of the amendment by Senator Ericksen and the amendment was not adopted by the following vote: Yeas, 21; Nays, 28; Absent, 0; Excused, 0.

Voting yea: Senators Bailey, Becker, Braun, Brown, Ericksen, Fortunato, Hawkins, Holy, Honeyford, King, O’Ban, Padden, Rivers, Schoesler, Sheldon, Short, Wagoner, Walsh, Warnick, Wilson, L. and Zeiger

Voting nay: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Froct, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Palumbo, Pedersen, Randall, Rolfes, Saldaña, Salomon, Takko, Van De Wege, Wellman and Wilson, C. .

WITHDRAWAL OF AMENDMENT

On motion of Senator Ericksen and without objection, amendment no. 100 by Senator Ericksen on page 53, line 27 to Second Substitute Senate Bill No. 5116 was withdrawn.

MOTION

Senator Ericksen moved that the following striking amendment no. 088 by Senator Ericksen be adopted:

Strike everything after the enacting clause and insert the following:

“**NEW SECTION. Sec. 32.** A new section is added to chapter 19.29A RCW to read as follows:

The legislature finds that Washington is capable of achieving an eighty percent nonemitting electric generation standard in the near future. It is the policy of the state that the aggregate fuel mix for electric utilities in Washington must not include more than twenty percent fossil fuel generation resources by 2025. The standard established under this section is a statewide aggregate standard based on fuel mix information provided to the department. The eighty percent standard must not be determined on a utility-by-utility basis. For the purposes of this section, “fossil fuel” generation resource means coal, natural gas, or petroleum.”

On page 1, line 2 of the title, after “future;” strike the remainder of the title and insert “and adding a new section to chapter 19.29A RCW.”

Senators Ericksen and Short spoke in favor of adoption of the striking amendment.

Senator Ericksen demanded a roll call.

The President Pro Tempore declared that one-sixth of the members supported the demand and the demand was sustained.

Senator Carlyle spoke against adoption of the striking amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of the striking amendment by Senator Ericksen to Second Substitute Senate Bill No. 5116.

ROLL CALL

The Secretary called the roll on the adoption of the striking amendment by Senator Ericksen and the striking amendment was not adopted by the following vote: Yeas, 21; Nays, 28; Absent, 0; Excused, 0.

Voting yea: Senators Bailey, Becker, Braun, Brown, Ericksen, Fortunato, Hawkins, Holy, Honeyford, King, O’Ban, Padden, Rivers, Schoesler, Sheldon, Short, Wagoner, Walsh, Warnick, Wilson, L. and Zeiger

Voting nay: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Palumbo, Pedersen, Randall, Rolfes, Saldaña, Salomon, Takko, Van De Wege, Wellman and Wilson, C. .

MOTION

Senator Carlyle moved that the rules be suspended and Engrossed Second Substitute Senate Bill No. 5116 be advanced to third reading, the second reading considered the third and the bill be placed on final passage.

Senator Short objected to the motion by Senator Carlyle to suspend the rules and advance the bill to third reading and final passage.

MOTION

On motion of Senator Liias, further consideration of Second Substitute Senate Bill No. 5116 was deferred and the bill held its place on the second reading calendar.

SECOND READING

SENATE BILL NO. 5954, by Senator Rolfes

Concerning the bump-fire stock buy-back program.

MOTIONS

On motion of Senator Rolfes, Substitute Senate Bill No. 5954 was substituted for Senate Bill No. 5954 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Rolfes, the rules were suspended, Substitute Senate Bill No. 5954 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Rolfes and Braun spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5954.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5954 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O’Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

SUBSTITUTE SENATE BILL NO. 5954, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Liias announced that the fiscal committees, previously scheduled for 1:30 p.m., would be meeting at 2:00 o’clock p.m.

MOTION

At 1:35 p.m., on motion of Senator Liias, the Senate adjourned until 9:00 o’clock a.m. Friday, March 1, 2019.

KAREN KEISER, President Pro Tempore of the Senate

BRAD HENDRICKSON, Secretary of the Senate

FORTY SEVENTH DAY

MORNING SESSION

Senate Chamber, Olympia
Friday, March 1, 2019

The Senate was called to order at 9:06 a.m. by the President of the Senate, Lt. Governor Habib presiding. The Secretary called the roll and announced to the President that all senators were present with the exception of Senators Hobbs and Walsh.

The Sergeant at Arms Color Guard consisting of Pages Mr. Cody Felling and Mr. Quinn Martin, presented the Colors. Page Miss Adelaide Lennemann led the Senate in the Pledge of Allegiance.

The prayer was offered by Ms. Jennifer Chamberlin of the International Humanist Society of Bremerton.

The President called upon the Secretary to read the journal of the preceding day.

MOTION

On motion of Senator Liias, the reading of the Journal of the previous day was dispensed with and it was approved.

There being no objection, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

February 26, 2019

SB 5063 Prime Sponsor, Senator Nguyen: Providing prepaid postage for all election ballots. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5063 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Wagoner; Van De Wege; Schoesler; Rivers; Pedersen; Palumbo; Liias; Keiser; Hunt; Hasegawa; Darneille; Conway; Carlyle; Billig; Becker; Bailey; Honeyford, Assistant Ranking Member, Capital; Brown, Assistant Ranking Member, Operating; Braun, Ranking Member; Mullet, Capital Budget Cabinet; Frockt, Vice Chair, Operating, Capital Lead; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

February 27, 2019

SB 5093 Prime Sponsor, Senator Fortunato: Enhancing litter control along state highways. Reported by Committee on Transportation

MAJORITY recommendation: That Second Substitute Senate Bill No. 5093 be substituted therefor, and the second substitute bill do pass. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Sheldon, Assistant Ranking Member; Cleveland; Das; Fortunato; Lovelett; Nguyen; O'Ban; Padden; Randall; Takko; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

February 27, 2019

SB 5120 Prime Sponsor, Senator Palumbo: Contracting with private correctional facilities for the transfer or placement of offenders. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5120 be substituted therefor, and the second substitute bill do pass. Signed by Senators Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Billig; Rivers; Pedersen; Palumbo; Liias; Keiser; Hunt; Hasegawa; Darneille; Conway; Carlyle; Van De Wege; Wagoner Rolfes, Chair.

MINORITY recommendation: Do not pass. Signed by Senators Wilson, L.; Brown, Assistant Ranking Member, Operating; Bailey; Becker; Honeyford, Assistant Ranking Member, Capital; Schoesler and Warnick.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Braun, Ranking Member.

Referred to Committee on Rules for second reading.

February 26, 2019

SB 5135 Prime Sponsor, Senator Rolfes: Preventing toxic pollution that affects public health or the environment. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Conway; Frockt, Vice Chair, Operating, Capital Lead; Billig; Carlyle; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Senators Wilson, L.; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Schoesler; Wagoner and Warnick.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Rivers Mullet, Capital Budget Cabinet.

Referred to Committee on Rules for second reading.

February 27, 2019

SB 5141 Prime Sponsor, Senator Wellman: Concerning school resource officer mandatory training and policies. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5141 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Warnick; Wagoner; Van De Wege; Schoesler; Rivers; Pedersen; Liias; Keiser; Hunt; Wilson, L.; Hasegawa; Conway; Carlyle; Billig; Bailey; Honeyford, Assistant Ranking Member, Capital; Brown, Assistant Ranking Member, Operating; Braun, Ranking Member; Mullet,

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Capital Budget Cabinet; Frockt, Vice Chair, Operating, Capital Lead and Darneille.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Becker.

Referred to Committee on Rules for second reading.

February 26, 2019

SB 5164 Prime Sponsor, Senator Saldaña: Providing public assistance to certain victims of human trafficking. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5164 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Wagoner; Van De Wege; Schoesler; Rivers; Pedersen; Palumbo; Liias; Keiser; Hunt; Hasegawa; Darneille; Conway; Carlyle; Billig; Becker; Bailey; Honeyford, Assistant Ranking Member, Capital; Brown, Assistant Ranking Member, Operating; Braun, Ranking Member; Mullet, Capital Budget Cabinet; Frockt, Vice Chair, Operating, Capital Lead; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

February 27, 2019

SB 5190 Prime Sponsor, Senator Keiser: Concerning meal and rest breaks and mandatory overtime for certain health care employees. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5190 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser; Liias; Palumbo; Pedersen; Hasegawa; Darneille; Conway; Carlyle; Billig; Frockt, Vice Chair, Operating, Capital Lead; Rolfes, Chair; Hunt and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Senators Braun, Ranking Member; Wilson, L.; Warnick; Wagoner; Schoesler; Becker; Honeyford, Assistant Ranking Member, Capital; Brown, Assistant Ranking Member, Operating.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Rivers; Bailey; Mullet, Capital Budget Cabinet.

Referred to Committee on Rules for second reading.

February 26, 2019

SB 5211 Prime Sponsor, Senator Palumbo: Prohibiting the use of live animals to practice invasive medical procedures in paramedic training programs. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5211 be substituted therefor, and the substitute bill do pass. Signed by Senators Pedersen; Hunt; Warnick; Rivers; Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Billig; Darneille; Hasegawa; Keiser; Liias; Palumbo; Mullet, Capital Budget Cabinet.

MINORITY recommendation: Do not pass. Signed by Senators Bailey; Schoesler; Van De Wege; Wagoner; Honeyford, Assistant Ranking Member, Capital.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Carlyle; Wilson, L.; Becker and Conway.

Referred to Committee on Rules for second reading.

February 27, 2019

SB 5247 Prime Sponsor, Senator Frockt: Addressing catastrophic incidents that are natural or human-caused emergencies by providing guidance that may be used by state public schools to plan for seismic catastrophic incidents. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5247 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Wagoner; Van De Wege; Schoesler; Rivers; Pedersen; Palumbo; Liias; Keiser; Hunt; Hasegawa; Darneille; Conway; Carlyle; Billig; Becker; Bailey; Honeyford, Assistant Ranking Member, Capital; Brown, Assistant Ranking Member, Operating; Braun, Ranking Member; Mullet, Capital Budget Cabinet; Frockt, Vice Chair, Operating, Capital Lead; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

February 27, 2019

SB 5359 Prime Sponsor, Senator Cleveland: Funding investigations to protect individuals with disabilities in the supported living program. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Wagoner; Van De Wege; Schoesler; Rivers; Pedersen; Palumbo; Liias; Keiser; Hunt; Hasegawa; Darneille; Conway; Carlyle; Billig; Becker; Bailey; Honeyford, Assistant Ranking Member, Capital; Brown, Assistant Ranking Member, Operating; Braun, Ranking Member; Mullet, Capital Budget Cabinet; Frockt, Vice Chair, Operating, Capital Lead; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

February 27, 2019

SB 5425 Prime Sponsor, Senator Cleveland: Concerning maternal mortality reviews. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Wilson, L.; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick; Frockt, Vice Chair, Operating, Capital Lead; Rolfes, Chair.

Referred to Committee on Rules for second reading.

February 27, 2019

SB 5433 Prime Sponsor, Senator Wilson, C.: Providing postsecondary education opportunities to enhance public safety. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5433 be substituted therefor, and the second substitute bill do pass. Signed by Senators Pedersen; Palumbo; Liias; Keiser; Hunt; Hasegawa; Darneille; Conway; Billig; Van De Wege; Honeyford, Assistant Ranking Member, Capital; Rolfes, Chair; Mullet, Capital Budget Cabinet and Warnick.

MINORITY recommendation: Do not pass. Signed by Senator Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Wilson, L.; Schoesler; Rivers; Carlyle; Becker; Bailey; Brown, Assistant Ranking Member, Operating Braun, Ranking Member.

Referred to Committee on Rules for second reading.

February 26, 2019

SB 5441 Prime Sponsor, Senator Nguyen: Extending rental vouchers for eligible offenders. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5441 be substituted therefor, and the substitute bill do pass. Signed by Senators Braun, Ranking Member; Conway; Mullet, Capital Budget Cabinet; Honeyford, Assistant Ranking Member, Capital; Bailey; Billig; Carlyle; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen; Rivers; Van De Wege; Wagoner; Warnick; Frockt, Vice Chair, Operating, Capital Lead Rolfes, Chair.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Becker; Wilson, L.; Schoesler Brown, Assistant Ranking Member, Operating.

Referred to Committee on Rules for second reading.

February 26, 2019

SB 5484 Prime Sponsor, Senator Wilson, C.: Implementing improvements to the early achievers program as reviewed and recommended by the joint select committee on the early achievers program. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5484 be substituted therefor, and the second substitute bill do pass. Signed by Senators Braun, Ranking Member; Conway; Mullet, Capital Budget Cabinet; Brown, Assistant Ranking Member, Operating; Bailey; Becker; Billig; Carlyle; Darneille; Hunt; Keiser; Liias; Palumbo; Pedersen; Rivers; Van De Wege; Wagoner; Warnick; Wilson, L.; Frockt, Vice Chair, Operating, Capital Lead Rolfes, Chair.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Schoesler.

MINORITY recommendation: Do not pass. Signed by Senators Honeyford, Assistant Ranking Member, Capital and Hasegawa.

Referred to Committee on Rules for second reading.

February 27, 2019

SB 5536 Prime Sponsor, Senator Braun: Concerning intermediate care facilities for individuals with intellectual disability. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5536 be substituted therefor, and the substitute bill do pass. Signed by Senators Wilson, L.; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick; Frockt, Vice Chair, Operating, Capital Lead Rolfes, Chair.

Referred to Committee on Rules for second reading.

February 27, 2019

SB 5545 Prime Sponsor, Senator Das: Concerning sustainable recycling. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5545 be substituted therefor, and the substitute bill do pass. Signed by Senators Mullet, Capital Budget Cabinet; Billig; Carlyle; Conway; Rivers; Pedersen; Palumbo; Liias; Keiser; Hunt; Hasegawa; Darneille; Van De Wege; Wagoner; Frockt, Vice Chair, Operating, Capital Lead Rolfes, Chair.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Wilson, L.; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Bailey; Schoesler and Warnick.

MINORITY recommendation: Do not pass. Signed by Senators Honeyford, Assistant Ranking Member, Capital and Becker.

Referred to Committee on Rules for second reading.

February 26, 2019

SB 5552 Prime Sponsor, Senator Liias: Concerning the protection of native pollinators, including bees. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Wagoner; Van De Wege; Schoesler; Rivers; Pedersen; Palumbo; Liias; Keiser; Hunt; Hasegawa; Darneille; Conway; Carlyle; Billig; Becker; Bailey; Honeyford, Assistant Ranking Member, Capital; Brown, Assistant Ranking Member, Operating; Braun, Ranking Member; Mullet, Capital Budget Cabinet; Frockt, Vice Chair, Operating, Capital Lead; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

February 26, 2019

SB 5572 Prime Sponsor, Senator Honeyford: Authorizing modernization grants for small school districts. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5572 be substituted therefor, and the second substitute bill do pass. Signed by Senators Mullet, Capital Budget Cabinet; Wagoner; Van De Wege; Schoesler; Rivers; Pedersen; Palumbo; Keiser; Hunt; Hasegawa; Warnick;

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Darneille; Carlyle; Billig; Becker; Bailey; Honeyford, Assistant Ranking Member, Capital; Brown, Assistant Ranking Member, Operating; Braun, Ranking Member; Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Conway and Wilson, L.

MAJORITY recommendation: Do pass. Signed by Senators Mullet, Capital Budget Cabinet; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen; Rivers; Van De Wege; Wagoner; Warnick; Wilson, L.; Frockt, Vice Chair, Operating, Capital Lead Rolfes, Chair.

Referred to Committee on Rules for second reading.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Schoesler Braun, Ranking Member.

February 27, 2019

SB 5611 Prime Sponsor, Senator Rivers: Creating a special license plate to support the maintenance and improvements of Washington state parks. Reported by Committee on Transportation

Referred to Committee on Rules for second reading.

MAJORITY recommendation: That Substitute Senate Bill No. 5611 be substituted therefor, and the substitute bill do pass. Signed by Senators Zeiger; Takko; Padden; O'Ban; Fortunato; Cleveland; Sheldon, Assistant Ranking Member; King, Ranking Member Hobbs, Chair.

February 27, 2019

SB 5652 Prime Sponsor, Senator Fortunato: Clarifying personal belonging disposal for impounded vehicles. Reported by Committee on Transportation

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Lovelett; Nguyen; Wilson, C.; Randall and Das.

MAJORITY recommendation: That Substitute Senate Bill No. 5652 be substituted therefor, and the substitute bill do pass. Signed by Senators Zeiger; Wilson, C.; Takko; Padden; O'Ban; Fortunato; Sheldon, Assistant Ranking Member; Cleveland; Saldaña, Vice Chair Hobbs, Chair.

Referred to Committee on Rules for second reading.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Randall; Nguyen; Lovelett and Das.

February 27, 2019

SB 5633 Prime Sponsor, Senator Brown: Supporting and expanding behavioral health workforce pathway programs. Reported by Committee on Ways & Means

Referred to Committee on Rules for second reading.

MAJORITY recommendation: That Substitute Senate Bill No. 5633 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Wagoner; Van De Wege; Schoesler; Rivers; Pedersen; Palumbo; Liias; Keiser; Hunt; Hasegawa; Darneille; Conway; Carlyle; Billig; Becker; Bailey; Honeyford, Assistant Ranking Member, Capital; Brown, Assistant Ranking Member, Operating; Braun, Ranking Member; Mullet, Capital Budget Cabinet; Frockt, Vice Chair, Operating, Capital Lead; Warnick and Wilson, L.

February 27, 2019

SB 5666 Prime Sponsor, Senator Sheldon: Modifying the types of off-road vehicles subject to local government regulation. Reported by Committee on Transportation

Referred to Committee on Rules for second reading.

MAJORITY recommendation: That Substitute Senate Bill No. 5666 be substituted therefor, and the substitute bill do pass. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Sheldon, Assistant Ranking Member; Cleveland; Das; Fortunato; Nguyen; O'Ban; Padden; Randall; Takko; Wilson, C. and Zeiger.

February 27, 2019

SB 5635 Prime Sponsor, Senator Brown: Expanding opportunities for students to pursue mental and behavioral health professions. Reported by Committee on Ways & Means

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Lovelett.

Referred to Committee on Rules for second reading.

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Wagoner; Van De Wege; Schoesler; Rivers; Pedersen; Palumbo; Liias; Keiser; Hunt; Hasegawa; Darneille; Conway; Carlyle; Billig; Becker; Bailey; Honeyford, Assistant Ranking Member, Capital; Brown, Assistant Ranking Member, Operating; Braun, Ranking Member; Mullet, Capital Budget Cabinet; Frockt, Vice Chair, Operating, Capital Lead; Warnick and Wilson, L.

February 26, 2019

SB 5682 Prime Sponsor, Senator King: Allowing certain beer and wine license holders to sell small amounts of spirits. Reported by Committee on Ways & Means

Referred to Committee on Rules for second reading.

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Conway; Mullet, Capital Budget Cabinet; Wilson, L.; Warnick; Wagoner; Schoesler; Rivers; Pedersen; Palumbo; Keiser; Hunt; Hasegawa; Billig; Becker; Honeyford, Assistant Ranking Member, Capital; Bailey; Brown, Assistant Ranking Member, Operating; Braun, Ranking Member Frockt, Vice Chair, Operating, Capital Lead.

February 27, 2019

SB 5651 Prime Sponsor, Senator King: Establishing a kinship care legal aid coordinator. Reported by Committee on Ways & Means

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Carlyle and Liias.

MINORITY recommendation: Do not pass. Signed by Senators Darneille and Van De Wege.

Referred to Committee on Rules for second reading.

February 27, 2019

SB 5710 Prime Sponsor, Senator Liias: Establishing the active transportation safety advisory council. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5710 be substituted therefor, and the substitute bill do pass. Signed by Senators Wilson, C.; Takko; Randall; Padden; O'Ban; Nguyen; Lovelett; Fortunato; Das; Cleveland; Sheldon, Assistant Ranking Member; King, Ranking Member; Saldaña, Vice Chair; Hobbs, Chair and Zeiger.

Referred to Committee on Rules for second reading.

February 27, 2019

SB 5723 Prime Sponsor, Senator Randall: Increasing safety on roadways for pedestrians, bicyclists, and other roadway users. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5723 be substituted therefor, and the substitute bill do pass. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Sheldon, Assistant Ranking Member; Cleveland; Das; Fortunato; Lovelett; Nguyen; O'Ban; Padden; Randall; Takko; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

February 27, 2019

SB 5763 Prime Sponsor, Senator Wagoner: Concerning collector truck operators. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5763 be substituted therefor, and the substitute bill do pass. Signed by Senators Wilson, C.; Takko; Randall; Padden; O'Ban; Nguyen; Lovelett; Fortunato; Das; Cleveland; Sheldon, Assistant Ranking Member; King, Ranking Member; Saldaña, Vice Chair; Hobbs, Chair and Zeiger.

Referred to Committee on Rules for second reading.

February 26, 2019

SB 5801 Prime Sponsor, Senator Wellman: Concerning teachers' postretirement employment options. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5801 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Conway; Mullet, Capital Budget Cabinet; Billig; Pedersen; Liias; Keiser; Hunt; Hasegawa; Darneille; Carlyle; Frockt, Vice Chair, Operating, Capital Lead; Palumbo and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Senators Wagoner; Schoesler; Becker; Bailey; Honeyford, Assistant Ranking Member, Capital Braun, Ranking Member.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Brown, Assistant Ranking Member, Operating; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

February 27, 2019

SB 5827 Prime Sponsor, Senator Randall: Clarifying the exemption from safety belt use for physical or medical reasons. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Sheldon, Assistant Ranking Member; Cleveland; Das; Fortunato; Lovelett; O'Ban; Randall; Takko; Wilson, C. and Zeiger.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Padden.

Referred to Committee on Rules for second reading.

February 27, 2019

SB 5847 Prime Sponsor, Senator Cleveland: Facilitating transportation projects of statewide significance. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5847 be substituted therefor, and the substitute bill do pass. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Sheldon, Assistant Ranking Member; Cleveland; Das; Fortunato; Lovelett; Nguyen; O'Ban; Padden; Randall; Takko; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

February 27, 2019

SB 5881 Prime Sponsor, Senator King: Addressing the installation of safety glazing or film sunscreening materials. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Wilson, C.; Takko; Randall; Padden; O'Ban; Nguyen; Lovelett; Fortunato; Das; Cleveland; Sheldon, Assistant Ranking Member; King, Ranking Member; Saldaña, Vice Chair; Hobbs, Chair and Zeiger.

Referred to Committee on Rules for second reading.

February 27, 2019

SB 5883 Prime Sponsor, Senator King: Authorizing vehicles or combinations of vehicles carrying farm products to exceed total gross weight limits by two thousand pounds. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5883 be substituted therefor, and the substitute bill do pass. Signed by Senators Hobbs, Chair; King, Ranking Member; Sheldon, Assistant Ranking Member; Cleveland; Das; Fortunato; Lovelett; Nguyen; O'Ban; Padden; Randall; Takko; Wilson, C. and Zeiger.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Saldaña, Vice Chair.

Referred to Committee on Rules for second reading.

February 27, 2019

SB 5896 Prime Sponsor, Senator Palumbo: Concerning shared employer shuttles. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5896 be substituted therefor, and the substitute bill do pass. Signed by Senators Hobbs, Chair; King, Ranking Member; Sheldon, Assistant Ranking Member; Fortunato; O'Ban; Padden; Takko; Wilson, C. and Zeiger.

MINORITY recommendation: Do not pass. Signed by Senators Saldaña, Vice Chair and Randall.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Cleveland; Das; Lovelett and Nguyen.

Referred to Committee on Rules for second reading.

February 27, 2019

SB 5919 Prime Sponsor, Senator Lovelett: Creating a San Juan Islands stewardship special license plate. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5919 be substituted therefor, and the substitute bill do pass. Signed by Senators Zeiger; Wilson, C.; Takko; Randall; Padden; O'Ban; Lovelett; Fortunato; Das; Cleveland; Sheldon, Assistant Ranking Member; King, Ranking Member; Saldaña, Vice Chair Hobbs, Chair.

Referred to Committee on Rules for second reading.

February 27, 2019

SB 5923 Prime Sponsor, Senator Hobbs: Establishing an emergency loan program to be administered by the county road administration board. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Zeiger; Wilson, C.; Takko; Randall; Padden; O'Ban; Nguyen; Lovelett; Fortunato; Das; Cleveland; Sheldon, Assistant Ranking Member; King, Ranking Member; Saldaña, Vice Chair Hobbs, Chair.

Referred to Committee on Rules for second reading.

February 27, 2019

SB 5930 Prime Sponsor, Senator Randall: Creating Seattle Storm special license plates to fund youth leadership and sports programs. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Sheldon, Assistant Ranking Member; Cleveland; Das; Fortunato; Lovelett; O'Ban; Padden; Randall; Takko; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

February 27, 2019

SB 5937 Prime Sponsor, Senator Lovelett: Clarifying the required color of certain lamps on vehicles. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Sheldon, Assistant Ranking Member; Cleveland; Das; Fortunato; Lovelett; Nguyen; O'Ban; Padden; Randall; Takko; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

February 26, 2019

SB 5959 Prime Sponsor, Senator Warnick: Revising livestock identification law. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5959 be substituted therefor, and the substitute bill do pass. Signed by Senators Braun, Ranking Member; Conway; Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Wilson, L.; Warnick; Wagoner; Van De Wege; Rivers; Pedersen; Palumbo; Liias; Keiser; Hunt; Hasegawa; Darneille; Carlyle; Billig; Becker; Bailey; Honeyford, Assistant Ranking Member, Capital; Brown, Assistant Ranking Member, Operating Mullet, Capital Budget Cabinet.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Schoesler.

Referred to Committee on Rules for second reading.

February 27, 2019

SJR 8206 Prime Sponsor, Senator Fortunato: Amending the state Constitution so that certain sales and use tax revenue collected from new and used car purchases are used for highway purposes. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Joint Resolution No. 8206 be substituted therefor, and the substitute joint resolution do pass. Signed by Senators Zeiger; Wilson, C.; Takko; Randall; Padden; O'Ban; Nguyen; Fortunato; Das; Cleveland; Sheldon, Assistant Ranking Member; King, Ranking Member; Saldaña, Vice Chair Hobbs, Chair.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Lovelett.

Referred to Committee on Rules for second reading.

MOTIONS

On motion of Senator Liias, all measures listed on the Standing Committee report were referred to the committees as designated.

On motion of Senator Liias, the Senate advanced to the third order of business.

MESSAGE FROM OTHER STATE OFFICERS

Labor and Industries, Department of – *“Farm Internship Pilot Project 2018 Report”*, pursuant to 49.12.470 RCW; *“Prevailing Wage Determinations, Fiscal Year 2018 Report”*, pursuant to 39.12 RCW; *“Underground Economy Benchmark Report for 2018”*, pursuant to 18.27.800 RCW; *“Wage, Child Labor and Protected Leave Investigations, 2018 Report”* pursuant to 49.12.180 RCW;

Social & Health Services, Department of – “*Western State Hospital - City of Lakewood Community Policing Program*”, in accordance with Substitute Senate Bill No. 5883; “*Child Fatality Report, April - June 2018*”, pursuant to 74.13.640 RCW; “*Child Fatality Report, July - September 2018*”, pursuant to 74.13.640 RCW;

Veterans Affairs, Department of – “*Veterans Peer Corps*”, in accordance with Senate Bill No. 5849.

The reports listed were submitted to the Secretary of the Senate and made available online by the Office of the Secretary.

MOTION

On motion of Senator Liias, the Senate advanced to the eighth order of business.

MOTION

Senator Hunt moved adoption of the following resolution:

SENATE RESOLUTION 8624

By Senators Hunt, Mullet, Lovelett, Conway, Hawkins, Billig, Schoesler, Becker, Bailey, Zeiger, Takko, Liias, Kuderer, Wilson, C., Sheldon, Holy, McCoy, and Wellman.

WHEREAS, Governor Jay Inslee issued a proclamation on February 8, 2019, declaring a state of emergency for all counties throughout the state of Washington as a result of a severe winter storm forecast; and

WHEREAS, Washington State was struck by a storm the ferocity and duration of which was unmatched by any previously encountered in 30 years; and

WHEREAS, On February 10 and 11, 2019, Olympia received 20.2 inches of snow; and

WHEREAS, Extensive snowfall and ice caused roads to become unnavigable, entire neighborhoods to lose power, and food and water to become dangerously scarce and hard to resupply in some jurisdictions of the state; and

WHEREAS, The Secretary of the Senate and Chief Clerk of the House of Representatives canceled committee hearings on February 11, 2019, due to the severity of the storm; and

WHEREAS, Employees of the Washington State Department of Enterprise Services were hard at work during and after the winter storm to keep conditions on the Capitol Campus safe and functional; and

WHEREAS, Despite the dangerous conditions, Department of Enterprise Services employees worked tirelessly to clear roads, sidewalks, and parking lots to ensure that state employees and visitors could safely navigate the Capitol Campus; and

WHEREAS, Department of Enterprise Services employees ensured campus security systems remained operational and buildings were accessible; and

WHEREAS, Many Department of Enterprise Services employees were called to work at 2:00 am to clear snow from campus streets and sidewalks; and

WHEREAS, Many Department of Enterprise Services employees worked daily snow shifts from February 9 through February 15, 2019; and

WHEREAS, Department of Enterprise Services employees worked a total of 1,523 hours on snow mitigation which included 331 hours of overtime; and

WHEREAS, The Legislature would not have been able to quickly recover from the storm in order to serve the citizens of

the State of Washington without the essential help of the Washington State Department of Enterprise Services and its staff;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate sincerely thanks the Washington State Department of Enterprise Services and its Buildings and Grounds and Capitol Security and Visitor Services crews for their unwavering commitment to keeping so many functions of the state government, including the State Legislature and Capitol Campus, smoothly running through even the toughest conditions; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the Senate to Chris Liu, Director of the Department of Enterprise Services.

Senators Liias and Becker spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8624.

The motion by Senator Hunt carried and the resolution was adopted by voice vote.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed staff, managers, and directors of the Department of Enterprise Services who were seated in the gallery and recognized by the senate.

PERSONAL PRIVILEGE

Senator Billig: “Thank you Mr. President. Well, we missed you the last couple of days but it was, you were gone for a very significant reason and wanted to take a moment just to make sure that everybody knew why you were gone. You were honored by the American Foundation for the Blind as a recipient of the very prestigious Helen Keller Award and this is an award for people that are a role model and an advocate for people with disabilities and I just wanted you to know that we are all very proud of you and wanted to say congratulations.”

REMARKS BY THE PRESIDENT

President Habib: “Thank you Senator Billig. I will let you know that in receiving the award I spent a little bit of time telling these leaders from all over the country about the system that our Senate has installed. That you all have adopted so well to allow me to be successful. And so, it was wonderful to be able to showcase our values in that way and tell the story but, it really wouldn't be possible without you all using these touchscreen devices and allowing me to do this job in a way that I try to do my best. But thank you Senator Billig for saying that, and thank you to Senator Keiser and Senator Conway for doing such a wonderful job presiding. So thank you all.”

Senator Becker announced a meeting of the Republican Caucus immediately upon going at ease.

Senator McCoy announced a meeting of the Democratic Caucus immediately upon going at ease.

MOTION

At 9:24 a.m., on motion of Senator Liias, the Senate was declared to be at ease subject to the call of the President.

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The Senate was called to order at 10:10 a.m. by President Habib.

Supporting Washington's clean energy economy and transitioning to a clean, affordable, and reliable energy future.

MOTION

On motion of Senator Liias, the Senate reverted to the seventh order of business.

The bill was read on Third Reading.

Senators Carlyle, Liias, Sheldon and Lovelett spoke in favor of passage of the bill.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

Senators Schoesler, Ericksen, Short, Fortunato, King, Brown, Wagoner and Hawkins spoke against passage of the bill.

MOTION

Senator Hunt moved that David Danner, Senate Gubernatorial Appointment No. 9253, be confirmed as a chair of the Utilities and Transportation Commission.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 5116.

Senator Hunt spoke in favor of the motion.

ROLL CALL

MOTION

On motion of Senator Rivers, Senators Ericksen and Walsh were excused.

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5116 and the bill passed the Senate by the following vote: Yeas, 28; Nays, 19; Absent, 0; Excused, 2.

Senator Sheldon spoke in favor of the motion to confirm the gubernatorial appointment.

Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Palumbo, Pedersen, Randall, Rolfes, Saldaña, Salomon, Sheldon, Takko, Van De Wege, Wellman and Wilson, C.

MOTION

On motion of Senator Mullet, Senator Hobbs was excused.

Voting nay: Senators Bailey, Becker, Braun, Brown, Ericksen, Fortunato, Hawkins, Holy, Honeyford, King, O'Ban, Padden, Rivers, Schoesler, Short, Wagoner, Warnick, Wilson, L. and Zeiger

Excused: Senators Hobbs and Walsh

APPOINTMENT OF DAVID DANNER

The President declared the question before the Senate to be the confirmation of David Danner, Senate Gubernatorial Appointment No. 9253, as a chair of the Utilities and Transportation Commission.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5116, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

The Secretary called the roll on the confirmation of David Danner, Senate Gubernatorial Appointment No. 9253, as a chair of the Utilities and Transportation Commission and the appointment was confirmed by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

On motion of Senator Liias, the Senate reverted to the sixth order of business.

SECOND READING

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Fortunato, Frockt, Hasegawa, Hawkins, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

SENATE BILL NO. 5375, by Senators Wellman, Hawkins, Wilson, C., Pedersen, Salomon, Saldaña, Hasegawa, Hunt and Zeiger

Making the public art capital budget language permanent for efficiency.

Excused: Senators Ericksen, Hobbs and Walsh

The measure was read the second time.

MOTION

David Danner, Senate Gubernatorial Appointment No. 9253, having received the constitutional majority was declared confirmed as a chair of the Utilities and Transportation Commission.

On motion of Senator Wellman, the rules were suspended, Senate Bill No. 5375 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

THIRD READING

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5116, by Senate Committee on Ways & Means (originally sponsored by Carlyle, Palumbo, McCoy, Pedersen, Wellman, Das, Rolfes, Frockt, Wilson, C., Kuderer, Nguyen, Keiser, Liias, Hunt, Saldaña, Darneille and Billig)

Senators Wellman and Honeyford spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5375.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5375 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Erickson, Fortunato, Frockt, Hasegawa, Hawkins, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senators Hobbs and Walsh

SENATE BILL NO. 5375, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5224, by Senators Kuderer, Hunt, Takko, Keiser, Nguyen, Darneille, Das, Wellman, Saldaña, McCoy, Hasegawa and Pedersen

Concerning advisory votes.

The measure was read the second time.

MOTION

On motion of Senator Kuderer, the rules were suspended, Senate Bill No. 5224 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Kuderer, Zeiger, Hawkins and Takko spoke in favor of passage of the bill.

Senators Padden and Becker spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5224.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5224 and the bill passed the Senate by the following vote: Yeas, 27; Nays, 20; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Billig, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hawkins, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Pedersen, Rolfes, Saldaña, Salomon, Takko, Van De Wege, Wellman, Wilson, C. and Zeiger

Voting nay: Senators Becker, Braun, Brown, Carlyle, Erickson, Fortunato, Holy, Honeyford, King, O'Ban, Padden, Palumbo, Randall, Rivers, Schoesler, Sheldon, Short, Wagoner, Warnick and Wilson, L.

Excused: Senators Hobbs and Walsh

SENATE BILL NO. 5224, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5410, by Senators Mullet, Rivers, Palumbo, Liias, Wilson and C.

Establishing a systemwide credit policy regarding advanced placement, international baccalaureate, and Cambridge international exams.

MOTIONS

On motion of Senator Mullet, Substitute Senate Bill No. 5410 was substituted for Senate Bill No. 5410 and the substitute bill was placed on the second reading and read the second time.

Senator Mullet moved that the following striking amendment no. 029 by Senators Mullet, Rivers and Palumbo be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 33. The legislature finds that advanced placement, international baccalaureate, and Cambridge assessment international education coursework prepares students for postsecondary success and provides opportunities for them to earn college credit or secure placement in advanced courses.

The legislature feels strongly that students who have earned minimum scores of three on advanced placement exams, four on standard-level and higher-level international baccalaureate exams, or scores of E or higher on Cambridge assessment international education exams deserve to receive undergraduate college credit, including elective credit and, where appropriate, course equivalent credit, for their work.

The legislature finds it necessary to develop a systemwide credit policy that allows those students to easily understand in advance whether institutions of higher education will award them credit, as well as which type of credit students will receive and the rationale for the institution of higher education's determination.

The legislature further encourages institutions of higher education to establish a policy favoring the award of course equivalent credit for the successful completion of standardized and commonly required courses.

Sec. 34. RCW 28B.10.054 and 2017 c 179 s 2 are each amended to read as follows:

(1) The institutions of higher education must establish a coordinated, evidence-based policy for granting as many undergraduate college credits, as possible and appropriate, to students who have earned minimum scores of three on ((AP)) advanced placement exams ((as possible and appropriate)), four on standard-level and higher-level international baccalaureate exams, or scores of E or higher on Cambridge assessment international education exams.

(2) Each institution of higher education must create a process for retroactively awarding international baccalaureate exam undergraduate college credits under the terms of this section to students who first enrolled in the institution of higher education in the 2018-19 academic year.

(3) Credit ~~((policy))~~ policies regarding all ~~((AP))~~ advanced placement and international baccalaureate exams must be posted on campus web sites effective for the ~~((2017))~~ 2019 fall academic term. Credit policies regarding all Cambridge assessment international education exams must be posted on campus web sites effective for the 2020 fall academic term. If an institution of higher education is unable to award a general education course equivalency, the student may request in writing an evidence-based reason as to why general education course equivalency cannot be granted. Institutions of higher education must maintain web sites regarding their advanced placement, international baccalaureate, and Cambridge assessment international education

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policies in a publicly accessible way. The institutions of higher education must conduct biennial reviews of their ~~((AP))~~ advanced placement, international baccalaureate, and Cambridge assessment international education credit ~~((policy))~~ policies and report noncompliance to the appropriate committees of the legislature by November 1st each ~~((year))~~ biennium beginning November 1, 2019.

(4) The institutions of higher education must provide an update to the joint legislative audit and review committee on their credit awarding policies by December 31, 2019.

(5) For the purposes of this section, "general education course equivalency" means credit that fulfills general education or major requirements and is not awarded as elective credit.

NEW SECTION. Sec. 35. RCW 28B.10.051 (International baccalaureate and Cambridge international exams credit policies) and 2018 c 124 s 2 are each repealed."

On page 1, line 1 of the title, after "Relating to" strike the remainder of the title and insert "a systemwide credit policy regarding advanced placement, international baccalaureate, and Cambridge international exams; amending RCW 28B.10.054; creating a new section; and repealing RCW 28B.10.051."

MOTION

Senator Hasegawa moved that the following amendment no. 083 by Senators Hasegawa and McCoy to the striking amendment be adopted:

On page 2, line 25, after "2019." insert "The institutions of higher education must include in biennial reviews data including the number and proportion of students who requested and subsequently received or were denied college credit by exam type, subject area, and appropriate demographic information about credit recipients including transfer status, race or ethnicity, and state need grant status."

Senators Hasegawa and Holy spoke in favor of adoption of the amendment.

Senator Padden made spoke on the adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 083 by Senators Hasegawa and McCoy on page 2, line 25 to striking amendment no. 029.

The motion by Senator Hasegawa carried and amendment no. 083 was adopted by voice vote.

The President declared the question before the Senate to be the adoption of striking amendment no. 029 by Senator Mullet, Rivers, and Palumbo, as amended, to Substitute Senate Bill No. 5410.

The motion by Senator Mullet carried and striking amendment no. 029, as amended, was adopted by voice vote.

MOTION

On motion of Senator Mullet, the rules were suspended, Engrossed Substitute Senate Bill No. 5410 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Mullet, Holy and Hasegawa spoke in favor of passage of the bill.

On motion of Senator Mullet, Senator Cleveland was excused.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5410.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5410 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Lias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senators Cleveland, Hobbs and Walsh

ENGROSSED SUBSTITUTE SENATE BILL NO. 5410, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5294, by Senators Hunt, Hasegawa, Pedersen, Kuderer, Zeiger, Takko, Keiser and Saldaña

Creating leave provisions for legislative service.

The measure was read the second time.

MOTION

Senator Pedersen moved that the following striking amendment no. 033 by Senator Hunt be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 36. (1) The Washington state legislature is purposefully designed to be a part-time legislature to provide people from all areas of life the opportunity to participate. All businesses and industries, in the private and public sector, benefit when the legislature is made up of the broadest possible representation.

(2) It is a significant public policy to encourage citizens to serve in the legislature. However, serving as a legislator is often demanding and time consuming, and most legislators have other employment to support themselves and their families.

(3) Other states have enacted legislation addressing the duties and responsibilities of legislators and prospective legislators in relation to their regular employment. It is the intent of this act to address potential uncertainties that can occur between employers and employees who are part-time legislators because of the time requirements of the legislature.

NEW SECTION. Sec. 37. For the purposes of this chapter, "employer" means: (1) Any person or business entity that employs or exercises control over wages, hours, or working conditions of ten or more employees; (2) the state, state institutions, and state agencies; and (3) any unit of local government including, but not limited to, a county, city, town, municipal corporation, quasi-municipal corporation, or political subdivision.

NEW SECTION. Sec. 38. (1) An employer must grant a temporary leave of absence without loss of job status or seniority

to an employee who is a member of the state legislature in order for that employee to perform any official duty as a member of the legislature during regular and special legislative sessions.

(2) The leave of absence under this chapter may be unpaid leave. However, an employee may elect to substitute any accrued paid leave to which the employee is entitled for any part of the leave provided under this chapter.

(3) An employer may not discharge or threaten to discharge an employee for taking a leave of absence under this chapter.

NEW SECTION. Sec. 39. (1) An employee who seeks leave under this chapter must provide the employer with notice of the employee's intention to take leave at least thirty days before a regular legislative session.

(2) When a special legislative session is called, the employee must provide notice to the employer as soon as the governor or legislature proclaims the special legislative session.

NEW SECTION. Sec. 40. (1) If an employer violates the provisions of this chapter, the employee may bring a civil action, at his or her own expense, in superior court for damages and for an order requiring the reinstatement of the employee. If the employee prevails, the employee is entitled to costs and reasonable attorneys' fees. Public resources may not be used, directly or indirectly, to bring or maintain a civil action under this section.

(2) The remedy provided in this section is in addition to any common law remedy or other remedy that may be available to the employee.

NEW SECTION. Sec. 41. Sections 1 through 5 of this act apply retroactively to January 1, 2019.

NEW SECTION. Sec. 42. Sections 1 through 6 of this act constitute a new chapter in Title 49 RCW."

On page 1, line 2 of the title, after "service;" strike the remainder of the title and insert "and adding a new chapter to Title 49 RCW."

MOTION

Senator Zeiger moved that the following amendment no. 121 by Senators Zeiger and Hunt to the striking amendment be adopted:

On page 2, line 15, after "may" insert "only"

On page 2, line 16, after "court" strike "for damages and"

On page 2, line 17, after "employee." strike all material through "fees." on line 18

On page 2, after line 20, strike all material through "employee." on line 23

Senators Zeiger and Pedersen spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 121 by Senators Zeiger and Hunt on page 2, line 15 to striking amendment no. 033.

The motion by Senator Zeiger carried and amendment no. 121 was adopted by voice vote.

Senator Pedersen spoke in favor of adoption of the striking amendment as amended.

The President declared the question before the Senate to be the adoption of striking amendment no. 033 by Senator Hunt, as amended, to Senate Bill No. 5294.

The motion by Senator Pedersen carried and striking amendment no. 033, as amended, was adopted by voice vote.

MOTION

On motion of Senator Hunt, the rules were suspended, Engrossed Senate Bill No. 5294 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Hunt, Zeiger and Hasegawa spoke in favor of passage of the bill.

Senators Ericksen and Wilson, L. spoke against passage of the bill.

Senator Schoesler spoke on final passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 5294.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5294 and the bill passed the Senate by the following vote: Yeas, 27; Nays, 19; Absent, 0; Excused, 3.

Voting yea: Senators Billig, Carlyle, Conway, Darneille, Das, Dhingra, Froct, Hasegawa, Hawkins, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Palumbo, Pedersen, Randall, Saldaña, Salomon, Takko, Van De Wege, Wellman, Wilson, C. and Zeiger

Voting nay: Senators Bailey, Becker, Braun, Brown, Ericksen, Fortunato, Holy, Honeyford, King, O'Ban, Padden, Rivers, Rolfes, Schoesler, Sheldon, Short, Wagoner, Warnick and Wilson, L.

Excused: Senators Cleveland, Hobbs and Walsh

ENGROSSED SENATE BILL NO. 5294, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5035, by Senators Saldaña, Hasegawa, Conway, Keiser, Wellman and Kuderer

Enhancing the prevailing wage laws to ensure contractor and owner accountability and worker protection.

MOTION

On motion of Senator Saldaña, Substitute Senate Bill No. 5035 was substituted for Senate Bill No. 5035 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Short moved that the following amendment no. 078 by Senators Short and Saldaña be adopted:

On page 3, line 3, after "employer." insert "An inadvertent filing or reporting error includes a contractor who, in good faith, relies on a written determination provided by the department of labor and industries and pays its workers, laborers, and mechanics accordingly, but is later found to have not paid the proper prevailing wage rate."

Senator Short spoke in favor of adoption of the amendment.

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The President declared the question before the Senate to be the adoption of amendment no. 078 by Senators Short and Saldaña on page 3, line 3 to Substitute Senate Bill No. 5035.

The motion by Senator Short carried and amendment no. 078 was adopted by voice vote.

MOTION

Senator King moved that the following amendment no. 079 by Senators King and Saldaña be adopted:

On page 7, beginning on line 39, after "industries" strike all material through "agency" on page 8, line 1

Senator King spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 079 by Senators King and Saldaña on page 7, line 39 to Substitute Senate Bill No. 5035.

The motion by Senator King carried and amendment no. 079 was adopted by voice vote.

MOTION

On motion of Senator Saldaña, the rules were suspended, Engrossed Substitute Senate Bill No. 5035 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Saldaña, King and Conway spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5035.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5035 and the bill passed the Senate by the following vote: Yeas, 40; Nays, 7; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Billig, Braun, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Fortunato, Frockt, Hasegawa, Hawkins, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C. and Zeiger

Voting nay: Senators Becker, Brown, Ericksen, Holy, Honeyford, Padden and Wilson, L.

Excused: Senators Hobbs and Walsh

ENGROSSED SUBSTITUTE SENATE BILL NO. 5035, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 11:51 a.m., on motion of Senator Liias, the Senate was declared to be at ease subject to the call of the President for the purposes of reading in reports of standing committees later in the day.

EVENING SESSION

The Senate was called to order at 8:01 p.m. by Senator Billig.

MOTION

On motion of Senator Liias, the Senate reverted to the first order of business.

SUPPLEMENTAL REPORTS OF STANDING COMMITTEES

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SB 5025 Prime Sponsor, Senator Das: Creating sales and use and excise tax exemptions for self-help housing development. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5025 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Mullet, Capital Budget Cabinet; Honeyford, Assistant Ranking Member, Capital; Billig; Conway; Darneille; Hunt; Keiser; Liias; Palumbo; Rivers; Schoesler; Van De Wege; Wagoner and Warnick.

MINORITY recommendation: Do not pass. Signed by Senators Braun, Ranking Member; Hasegawa and Becker.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Carlyle; Frockt, Vice Chair, Operating, Capital Lead; Pedersen and Wilson, L.

Referred to Committee on Rules for second reading.

March 1, 2019

SB 5064 Prime Sponsor, Senator Nguyen: Protecting personal information. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5064 be substituted therefor, and the second substitute bill do pass. Signed by Senators Frockt, Vice Chair, Operating, Capital Lead; Warnick; Wagoner; Van De Wege; Schoesler; Rivers; Pedersen; Palumbo; Liias; Keiser; Hunt; Hasegawa; Darneille; Conway; Carlyle; Billig; Becker; Honeyford, Assistant Ranking Member, Capital; Braun, Ranking Member; Mullet, Capital Budget Cabinet; Wilson, L. Rolfes, Chair.

Referred to Committee on Rules for second reading.

March 1, 2019

SB 5066 Prime Sponsor, Senator Wellman: Concerning school district elections. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5066 be substituted therefor, and the substitute bill do pass. Signed by Senators Frockt, Vice Chair, Operating, Capital Lead; Palumbo; Van De Wege; Pedersen; Liias; Rolfes, Chair; Keiser; Carlyle; Conway; Darneille; Hasegawa; Billig Mullet, Capital Budget Cabinet.

MINORITY recommendation: Do not pass. Signed by Senators Schoesler; Becker; Honeyford, Assistant Ranking Member, Capital; Brown, Assistant Ranking Member, Operating; Braun, Ranking Member; Wilson, L.; Wagoner and Warnick.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Rivers.

Referred to Committee on Rules for second reading.

February 28, 2019

SB 5091 Prime Sponsor, Senator Wellman: Concerning state and federal special education funding. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5091 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Wagoner; Van De Wege; Schoesler; Rivers; Pedersen; Palumbo; Liias; Keiser; Hunt; Hasegawa; Darneille; Conway; Carlyle; Billig; Becker; Bailey; Honeyford, Assistant Ranking Member, Capital; Brown, Assistant Ranking Member, Operating; Braun, Ranking Member; Mullet, Capital Budget Cabinet; Frockt, Vice Chair, Operating, Capital Lead; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

February 28, 2019

SB 5137 Prime Sponsor, Senator Honeyford: Modifying the aircraft excise tax. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5137 be substituted therefor, and the substitute bill do pass. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Cleveland; Lovelett; Randall; Takko and Wilson, C.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Fortunato; Nguyen; O'Ban and Padden.

Referred to Committee on Rules for second reading.

February 28, 2019

SB 5138 Prime Sponsor, Senator Honeyford: Concerning aircraft registration. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5138 be substituted therefor, and the substitute bill do pass. Signed by Senators Wilson, C.; Takko; Padden; Lovelett; Fortunato; Cleveland; Saldaña, Vice Chair Hobbs, Chair.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators O'Ban; Nguyen; Das; King, Ranking Member and Randall.

Referred to Committee on Rules for second reading.

February 26, 2019

SB 5160 Prime Sponsor, Senator Dhingra: Concerning property tax exemptions for service-connected disabled veterans and senior citizens. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5160 be substituted therefor, and the substitute bill do pass. Signed by Senators Warnick; Wagoner; Van De Wege; Palumbo; Liias; Keiser; Hasegawa; Darneille; Conway; Carlyle; Billig; Honeyford, Assistant Ranking Member, Capital; Mullet, Capital Budget Cabinet; Frockt, Vice Chair, Operating, Capital Lead; Rolfes, Chair and Hunt.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Schoesler.

MINORITY recommendation: Do not pass. Signed by Senators Brown, Assistant Ranking Member, Operating; Wilson, L.; Becker; Bailey; Braun, Ranking Member and Rivers.

Referred to Committee on Rules for second reading.

February 28, 2019

SB 5279 Prime Sponsor, Senator Van De Wege: Regulating outdoor burning for the protection of life or property and for public health, safety, and welfare. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Wilson, L.; Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Billig; Carlyle; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen; Schoesler; Van De Wege; Wagoner; Warnick; Mullet, Capital Budget Cabinet; Conway and Rivers.

Referred to Committee on Rules for second reading.

March 1, 2019

SB 5284 Prime Sponsor, Senator Liias: Concerning smoke detection devices. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5284 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rivers; Wagoner; Van De Wege; Schoesler; Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

March 1, 2019

SB 5287 Prime Sponsor, Senator Darneille: Ensuring accurate redistricting. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5287 be substituted therefor, and the second substitute bill do pass. Signed by Senators Mullet, Capital Budget Cabinet; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen; Van De Wege; Frockt, Vice Chair, Operating, Capital Lead Rolfes, Chair.

MINORITY recommendation: Do not pass. Signed by Senators Braun, Ranking Member; Wilson, L.; Warnick; Wagoner; Schoesler; Rivers; Becker Honeyford, Assistant Ranking Member, Capital.

Referred to Committee on Rules for second reading.

February 28, 2019

SB 5290 Prime Sponsor, Senator Darneille: Eliminating the use of the valid court order exception to place youth in detention for

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noncriminal behavior. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5290 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Pedersen; Palumbo; Liias; Keiser; Hunt; Hasegawa; Darneille; Conway; Carlyle; Billig; Mullet, Capital Budget Cabinet Frockt, Vice Chair, Operating, Capital Lead.

MINORITY recommendation: Do not pass. Signed by Senators Wagoner; Van De Wege; Schoesler; Rivers; Becker; Honeyford, Assistant Ranking Member, Capital; Brown, Assistant Ranking Member, Operating; Braun, Ranking Member; Warnick and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Bailey.

Referred to Committee on Rules for second reading.

February 28, 2019

SB 5293 Prime Sponsor, Senator Carlyle: Concerning energy efficiency. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5293 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Van De Wege; Pedersen; Palumbo; Liias; Keiser; Hunt; Hasegawa; Darneille; Conway; Carlyle; Billig Frockt, Vice Chair, Operating, Capital Lead.

MINORITY recommendation: Do not pass. Signed by Senators Warnick; Wagoner; Becker; Bailey; Honeyford, Assistant Ranking Member, Capital; Brown, Assistant Ranking Member, Operating; Braun, Ranking Member; Wilson, L. and Schoesler.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Mullet, Capital Budget Cabinet and Rivers.

Referred to Committee on Rules for second reading.

March 1, 2019

SB 5297 Prime Sponsor, Senator Hunt: Extending collective bargaining rights to assistant attorneys general. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Mullet, Capital Budget Cabinet; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Frockt, Vice Chair, Operating, Capital Lead; Liias; Pedersen; Van De Wege; Palumbo Rolfes, Chair.

MINORITY recommendation: Do not pass. Signed by Senators Braun, Ranking Member; Wilson, L.; Warnick; Wagoner; Schoesler; Becker Honeyford, Assistant Ranking Member, Capital.

Referred to Committee on Rules for second reading.

March 1, 2019

SB 5299 Prime Sponsor, Senator Padden: Concerning impaired driving. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5299 be substituted therefor, and the substitute bill do pass. Signed by Senators Warnick; Wagoner; Van De Wege; Schoesler; Rivers; Pedersen; Keiser; Darneille; Wilson, L.; Conway; Billig; Becker; Honeyford, Assistant Ranking Member, Capital; Braun, Ranking Member; Frockt, Vice Chair, Operating, Capital Lead; Rolfes, Chair; Carlyle and Palumbo.

MINORITY recommendation: Do not pass. Signed by Senator Hunt.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Mullet, Capital Budget Cabinet and Hasegawa.

Referred to Committee on Rules for second reading.

February 28, 2019

SB 5308 Prime Sponsor, Senator Short: Concerning performance-based contracting services by energy service contractors. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5308 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Rivers; Carlyle; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Darneille; Hunt; Liias; Schoesler; Van De Wege; Wagoner; Warnick; Wilson, L.; Palumbo and Billig.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Hasegawa; Pedersen and Conway.

Referred to Committee on Rules for second reading.

March 1, 2019

SB 5315 Prime Sponsor, Senator Wellman: Increasing student support staff in the prototypical school funding model. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5315 be substituted therefor, and the second substitute bill do pass. Signed by Senators Mullet, Capital Budget Cabinet; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen; Rivers; Van De Wege; Frockt, Vice Chair, Operating, Capital Lead Rolfes, Chair.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Schoesler; Wilson, L.; Warnick; Wagoner; Braun, Ranking Member; Honeyford, Assistant Ranking Member, Capital and Becker.

Referred to Committee on Rules for second reading.

February 28, 2019

SB 5317 Prime Sponsor, Senator Wellman: Concerning nonfirearm measures to increase school safety and student well-being. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5317 be substituted therefor, and the second substitute bill do pass. Signed by Senators Wilson, L.; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Lias; Palumbo; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick; Frockt, Vice Chair, Operating, Capital Lead Rolfes, Chair.

Referred to Committee on Rules for second reading.

March 1, 2019

SB 5318 Prime Sponsor, Senator Rivers: Reforming the compliance and enforcement provisions for marijuana licensees. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Darneille; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Becker; Billig; Carlyle; Conway; Hasegawa; Wilson, L.; Keiser; Lias; Palumbo; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner and Warnick.

MINORITY recommendation: Do not pass. Signed by Senator Honeyford, Assistant Ranking Member, Capital.

Referred to Committee on Rules for second reading.

March 1, 2019

SB 5327 Prime Sponsor, Senator Wellman: Expanding career connected learning opportunities. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5327 be substituted therefor, and the second substitute bill do pass. Signed by Senators Hunt; Warnick; Wagoner; Van De Wege; Rivers; Pedersen; Palumbo; Lias; Keiser; Wilson, L.; Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway and Darneille.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Hasegawa and Schoesler.

Referred to Committee on Rules for second reading.

February 28, 2019

SB 5344 Prime Sponsor, Senator Cleveland: Concerning nursing fatigue. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Braun, Ranking Member; Wilson, L.; Van De Wege; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Carlyle; Palumbo; Mullet, Capital Budget Cabinet; Pedersen; Wagoner; Warnick; Schoesler; Rolfes, Chair and Rivers.

MINORITY recommendation: Do not pass. Signed by Senators Hunt; Hasegawa and Conway.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Frockt, Vice Chair, Operating, Capital Lead; Darneille and Keiser.

Referred to Committee on Rules for second reading.

March 1, 2019

SB 5354 Prime Sponsor, Senator Rivers: Concerning programs for highly capable students. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5354 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Wagoner; Van De Wege; Schoesler; Rivers; Pedersen; Palumbo; Lias; Keiser; Hunt; Hasegawa; Darneille; Conway; Carlyle; Billig; Becker; Honeyford, Assistant Ranking Member, Capital; Braun, Ranking Member; Mullet, Capital Budget Cabinet; Frockt, Vice Chair, Operating, Capital Lead; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

March 1, 2019

SB 5356 Prime Sponsor, Senator Wilson, C.: Establishing the Washington state LGBTQ commission. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5356 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Warnick; Hasegawa; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Brown, Assistant Ranking Member, Operating; Becker; Billig; Carlyle; Conway; Darneille; Keiser; Lias; Palumbo; Pedersen; Rivers; Van De Wege and Wilson, L.

MINORITY recommendation: Do not pass. Signed by Senators Honeyford, Assistant Ranking Member, Capital and Schoesler.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun, Ranking Member and Wagoner.

Referred to Committee on Rules for second reading.

March 1, 2019

SB 5363 Prime Sponsor, Senator Palumbo: Extending the property tax exemption for new and rehabilitated multiple-unit dwellings in urban centers. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5363 be substituted therefor, and the substitute bill do pass. Signed by Senators Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Conway; Darneille; Hunt; Keiser; Mullet, Capital Budget Cabinet; Wilson, L.; Warnick; Wagoner; Van De Wege; Schoesler; Rivers; Palumbo; Lias; Braun, Ranking Member Rolfes, Chair.

MINORITY recommendation: Do not pass. Signed by Senator Hasegawa.

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MINORITY recommendation: That it be referred without recommendation. Signed by Senators Pedersen; Carlyle Frockt, Vice Chair, Operating, Capital Lead.

Referred to Committee on Rules for second reading.

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SB 5366 Prime Sponsor, Senator Wagoner: Expanding the property tax exemption for new and rehabilitated multiple-unit dwellings in urban centers. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5366 be substituted therefor, and the substitute bill do pass. Signed by Senators Braun, Ranking Member; Conway; Rivers; Rolfes, Chair; Mullet, Capital Budget Cabinet; Wilson, L.; Warnick; Wagoner; Van De Wege; Schoesler; Palumbo; Keiser; Hunt; Darneille; Billig; Becker; Bailey; Honeyford, Assistant Ranking Member, Capital Brown, Assistant Ranking Member, Operating.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Liias; Pedersen; Frockt, Vice Chair, Operating, Capital Lead and Carlyle.

MINORITY recommendation: Do not pass. Signed by Senator Hasegawa.

Referred to Committee on Rules for second reading.

February 28, 2019

SB 5376 Prime Sponsor, Senator Carlyle: Protecting consumer data. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5376 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Warnick; Van De Wege; Schoesler; Rivers; Pedersen; Palumbo; Liias; Keiser; Hunt; Darneille; Conway; Carlyle; Billig; Honeyford, Assistant Ranking Member, Capital; Braun, Ranking Member; Mullet, Capital Budget Cabinet Frockt, Vice Chair, Operating, Capital Lead.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Becker; Bailey; Brown, Assistant Ranking Member, Operating; Wagoner; Hasegawa and Wilson, L.

Referred to Committee on Rules for second reading.

February 28, 2019

SB 5378 Prime Sponsor, Senator Liias: Regulating personal delivery devices. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5378 be substituted therefor, and the substitute bill do pass. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Cleveland; Das; Fortunato; Lovelett; O'Ban; Padden; Takko and Wilson, C.

MINORITY recommendation: Do not pass. Signed by Senators Nguyen and Randall.

Referred to Committee on Rules for second reading.

SB 5388 Prime Sponsor, Senator Becker: Establishing a training course for campaign treasurers. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5388 be substituted therefor, and the substitute bill do pass. Signed by Senators Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Wilson, L.; Warnick; Wagoner; Schoesler; Rivers; Braun, Ranking Member; Liias; Hunt; Hasegawa; Darneille; Keiser Rolfes, Chair.

MINORITY recommendation: Do not pass. Signed by Senators Carlyle and Pedersen.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Van De Wege; Palumbo; Mullet, Capital Budget Cabinet Frockt, Vice Chair, Operating, Capital Lead.

Referred to Committee on Rules for second reading.

March 1, 2019

SB 5389 Prime Sponsor, Senator Becker: Establishing a telehealth training and treatment program to assist youth. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5389 be substituted therefor, and the substitute bill do pass. Signed by Senators Braun, Ranking Member; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Darneille; Hunt; Keiser; Liias; Palumbo; Rivers; Schoesler; Van De Wege; Wagoner; Warnick; Wilson, L.; Mullet, Capital Budget Cabinet Rolfes, Chair.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Frockt, Vice Chair, Operating, Capital Lead; Pedersen; Hasegawa; Conway and Carlyle.

Referred to Committee on Rules for second reading.

February 28, 2019

SB 5393 Prime Sponsor, Senator Palumbo: Establishing a statewide free college program by changing the state need grant to the Washington college promise scholarship. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5393 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Conway; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Billig; Carlyle; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen and Van De Wege.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Wagoner; Warnick; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Schoesler; Wilson, L. and Rivers.

Referred to Committee on Rules for second reading.

March 1, 2019

SB 5397 Prime Sponsor, Senator Rolfes: Concerning the responsible management of plastic packaging. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5397 be substituted therefor, and the second substitute bill do pass. Signed by Senators Palumbo; Becker; Pedersen; Rivers; Keiser; Billig; Conway; Darneille; Hasegawa; Mullet, Capital Budget Cabinet; Frockt, Vice Chair, Operating, Capital Lead; Rolfes, Chair; Liias; Van De Wege and Carlyle.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Brown, Assistant Ranking Member, Operating; Wilson, L.; Wagoner; Schoesler; Honeyford, Assistant Ranking Member, Capital and Warnick.

Referred to Committee on Rules for second reading.

February 27, 2019

SB 5431 Prime Sponsor, Senator Frockt: Concerning community facilities needed to ensure a continuum of care for behavioral health patients. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5431 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Wagoner; Van De Wege; Schoesler; Rivers; Pedersen; Palumbo; Liias; Keiser; Hunt; Hasegawa; Darneille; Conway; Carlyle; Billig; Becker; Bailey; Honeyford, Assistant Ranking Member, Capital; Brown, Assistant Ranking Member, Operating; Braun, Ranking Member; Mullet, Capital Budget Cabinet; Frockt, Vice Chair, Operating, Capital Lead; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

February 28, 2019

SB 5432 Prime Sponsor, Senator Dhingra: Concerning fully implementing behavioral health integration for January 1, 2020, by removing behavioral health organizations from law; clarifying the roles and responsibilities among the health care authority, department of social and health services, and department of health, and the roles and responsibilities of behavioral health administrative services organizations and medicaid managed care organizations; and making technical corrections related to the behavioral health system. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5432 be substituted therefor, and the second substitute bill do pass. Signed by Senators Mullet, Capital Budget Cabinet; Conway; Rolfes, Chair; Van De Wege; Pedersen; Frockt, Vice Chair, Operating, Capital Lead; Palumbo; Liias; Keiser; Darneille; Carlyle; Billig; Bailey and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Hunt; Hasegawa; Becker; Honeyford, Assistant Ranking Member, Capital; Brown, Assistant Ranking Member, Operating; Braun, Ranking Member; Wilson, L.; Schoesler and Rivers.

Referred to Committee on Rules for second reading.

March 1, 2019

SB 5437 Prime Sponsor, Senator Wilson, C.: Expanding eligibility to the early childhood education and assistance program. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5437 be substituted therefor, and the second substitute bill do pass. Signed by Senators Mullet, Capital Budget Cabinet; Warnick; Rolfes, Chair; Palumbo; Wilson, L.; Wagoner; Van De Wege; Rivers; Pedersen; Liias; Frockt, Vice Chair, Operating, Capital Lead; Keiser; Hasegawa; Darneille; Conway; Carlyle; Billig Brown, Assistant Ranking Member, Operating.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun, Ranking Member; Schoesler; Honeyford, Assistant Ranking Member, Capital and Becker.

Referred to Committee on Rules for second reading.

February 27, 2019

SB 5438 Prime Sponsor, Senator McCoy: Concerning the H-2A temporary agricultural program. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5438 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Van De Wege; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen; Billig; Mullet, Capital Budget Cabinet; Frockt, Vice Chair, Operating, Capital Lead.

MINORITY recommendation: Do not pass. Signed by Senators Warnick; Wagoner; Schoesler; Becker; Bailey; Honeyford, Assistant Ranking Member, Capital; Brown, Assistant Ranking Member, Operating; Braun, Ranking Member and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Rivers.

Referred to Committee on Rules for second reading.

March 1, 2019

SB 5443 Prime Sponsor, Senator Van De Wege: Concerning the state board of registration for professional engineers and land surveyors. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Warnick; Wilson, L.; Rolfes, Chair; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Hunt; Keiser; Liias; Palumbo; Rivers; Schoesler; Van De Wege; Wagoner and Darneille.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Carlyle; Frockt, Vice Chair, Operating, Capital Lead and Hasegawa.

MINORITY recommendation: Do not pass. Signed by Senator Pedersen.

Referred to Committee on Rules for second reading.

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SB 5444 Prime Sponsor, Senator Dhingra: Providing timely competency evaluations and restoration services to persons suffering from behavioral health disorders within the framework of the forensic mental health care system consistent with the requirements agreed to in the Trueblood settlement agreement. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5444 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Conway; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Darneille; Wagoner; Hasegawa; Keiser; Liias; Palumbo; Pedersen; Rivers; Schoesler; Van De Wege; Wilson, L. and Warnick.

Referred to Committee on Rules for second reading.

March 1, 2019

SB 5467 Prime Sponsor, Senator Liias: Extending the tax preferences in RCW 82.04.260(12). Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Braun, Ranking Member; Becker; Wilson, L.; Warnick; Wagoner; Van De Wege; Schoesler; Rivers; Mullet, Capital Budget Cabinet; Palumbo; Keiser; Hunt; Darneille; Conway; Billig; Liias Rolfes, Chair.

MINORITY recommendation: Do not pass. Signed by Senators Hasegawa and Pedersen.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Carlyle Honeyford, Assistant Ranking Member, Capital.

Referred to Committee on Rules for second reading.

March 1, 2019

SB 5483 Prime Sponsor, Senator Braun: Improving services for individuals with developmental disabilities. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5483 be substituted therefor, and the second substitute bill do pass. Signed by Senators Billig; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Honeyford, Assistant Ranking Member, Capital; Becker; Wilson, L.; Warnick; Wagoner; Van De Wege; Schoesler; Rivers; Pedersen; Palumbo; Keiser; Hunt; Darneille; Conway; Carlyle; Frockt, Vice Chair, Operating, Capital Lead Rolfes, Chair.

Referred to Committee on Rules for second reading.

February 28, 2019

SB 5489 Prime Sponsor, Senator Saldaña: Establishing a healthy environment for all by creating a definition of environmental justice, directing agencies to address environmental health disparities, and creating a task force. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5489 be substituted therefor, and the second substitute bill do pass. Signed by Senators Mullet, Capital Budget Cabinet; Conway; Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Pedersen; Palumbo; Liias; Keiser; Hunt; Hasegawa; Darneille; Carlyle; Billig and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Senators Warnick; Bailey; Becker; Schoesler; Wagoner; Wilson, L.; Honeyford, Assistant Ranking Member, Capital; Braun, Ranking Member Brown, Assistant Ranking Member, Operating.

Referred to Committee on Rules for second reading.

February 28, 2019

SB 5497 Prime Sponsor, Senator Wellman: Establishing a statewide policy supporting Washington state's economy and immigrants' role in the workplace. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5497 be substituted therefor, and the second substitute bill do pass. Signed by Senators Mullet, Capital Budget Cabinet; Conway; Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Carlyle; Darneille; Hasegawa; Keiser; Liias; Palumbo; Pedersen; Van De Wege; Hunt and Billig.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Brown, Assistant Ranking Member, Operating; Bailey; Warnick; Schoesler Braun, Ranking Member.

MINORITY recommendation: Do not pass. Signed by Senators Wagoner; Wilson, L.; Becker Honeyford, Assistant Ranking Member, Capital.

Referred to Committee on Rules for second reading.

February 28, 2019

SB 5511 Prime Sponsor, Senator Wellman: Expanding affordable, resilient broadband service to enable economic development, public safety, health care, and education in Washington's communities. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5511 be substituted therefor, and the second substitute bill do pass. Signed by Senators Wilson, L.; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick; Frockt, Vice Chair, Operating, Capital Lead Rolfes, Chair.

Referred to Committee on Rules for second reading.

February 28, 2019

SB 5526 Prime Sponsor, Senator Frockt: Increasing the availability of quality, affordable health coverage in the individual market. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Van De Wege; Pedersen; Palumbo; Liias; Keiser; Hunt; Hasegawa; Darneille; Conway; Carlyle; Billig; Mullet, Capital Budget Cabinet Frockt, Vice Chair, Operating, Capital Lead.

MINORITY recommendation: Do not pass. Signed by Senators Wagoner; Schoesler; Bailey; Honeyford, Assistant Ranking Member, Capital; Brown, Assistant Ranking Member, Operating; Braun, Ranking Member; Warnick; Becker and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Rivers.

Referred to Committee on Rules for second reading.

February 28, 2019

SB 5532 Prime Sponsor, Senator Braun: Concerning special education. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Wilson, L.; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick; Frockt, Vice Chair, Operating, Capital Lead Rolfes, Chair.

Referred to Committee on Rules for second reading.

February 27, 2019

SB 5533 Prime Sponsor, Senator Braun: Concerning certificates of parental improvement. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5533 be substituted therefor, and the second substitute bill do pass. Signed by Senators Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Billig; Conway; Darneille; Hasegawa; Hunt; Rivers; Schoesler; Wagoner; Warnick; Wilson, L.; Mullet, Capital Budget Cabinet Rolfes, Chair.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Carlyle; Palumbo; Liias; Keiser Frockt, Vice Chair, Operating, Capital Lead.

MINORITY recommendation: Do not pass. Signed by Senators Pedersen and Van De Wege.

Referred to Committee on Rules for second reading.

February 28, 2019

SB 5577 Prime Sponsor, Senator Rolfes: Concerning the protection of southern resident orca whales from vessels. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5577 be substituted therefor, and the second substitute bill do pass. Signed by Senators Frockt, Vice Chair, Operating, Capital Lead; Rivers; Conway; Rolfes, Chair; Warnick; Wagoner; Van De Wege; Pedersen;

Palumbo; Liias; Keiser; Hunt; Hasegawa; Darneille; Carlyle; Billig; Braun, Ranking Member Mullet, Capital Budget Cabinet.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Bailey; Becker; Wilson, L.; Honeyford, Assistant Ranking Member, Capital Brown, Assistant Ranking Member, Operating.

MINORITY recommendation: Do not pass. Signed by Senator Schoesler.

Referred to Committee on Rules for second reading.

February 28, 2019

SB 5602 Prime Sponsor, Senator Randall: Eliminating barriers to reproductive health care for all. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5602 be substituted therefor, and the second substitute bill do pass. Signed by Senators Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen; Van De Wege; Rolfes, Chair; Billig; Mullet, Capital Budget Cabinet Frockt, Vice Chair, Operating, Capital Lead.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Rivers.

MINORITY recommendation: Do not pass. Signed by Senators Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Schoesler; Wagoner; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

February 28, 2019

SB 5604 Prime Sponsor, Senator Pedersen: Concerning the uniform guardianship, conservatorship, and other protective arrangements act. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5604 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Van De Wege; Pedersen; Palumbo; Liias; Keiser; Hunt; Hasegawa; Darneille; Conway; Carlyle; Billig; Mullet, Capital Budget Cabinet Frockt, Vice Chair, Operating, Capital Lead.

MINORITY recommendation: Do not pass. Signed by Senator Schoesler.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Rivers; Becker; Honeyford, Assistant Ranking Member, Capital; Brown, Assistant Ranking Member, Operating; Braun, Ranking Member; Wagoner; Bailey; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

March 1, 2019

SB 5612 Prime Sponsor, Senator Rivers: Concerning Holocaust education. Reported by Committee on Ways & Means

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MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Conway; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Darneille; Wagoner; Hasegawa; Keiser; Liias; Palumbo; Pedersen; Rivers; Schoesler; Van De Wege; Wilson, L. and Warnick.

Referred to Committee on Rules for second reading.

March 1, 2019

SB 5662 Prime Sponsor, Senator Palumbo: Concerning cloud computing solutions. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5662 be substituted therefor, and the second substitute bill do pass. Signed by Senators Mullet, Capital Budget Cabinet; Braun, Ranking Member; Becker; Billig; Carlyle; Wilson, L.; Warnick; Wagoner; Frockt, Vice Chair, Operating, Capital Lead; Van De Wege; Rivers; Pedersen; Palumbo; Liias; Keiser; Hunt; Darneille; Schoesler Rolfes, Chair.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Honeyford, Assistant Ranking Member, Capital and Hasegawa.

Referred to Committee on Rules for second reading.

March 1, 2019

SB 5672 Prime Sponsor, Senator Cleveland: Concerning adult family home specialty services. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5672 be substituted therefor, and the second substitute bill do pass. Signed by Senators Hunt; Wagoner; Van De Wege; Schoesler; Rivers; Pedersen; Palumbo; Keiser; Rolfes, Chair; Warnick; Frockt, Vice Chair, Operating, Capital Lead; Braun, Ranking Member; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Darneille; Hasegawa; Mullet, Capital Budget Cabinet and Wilson, L.

Referred to Committee on Rules for second reading.

February 28, 2019

SB 5695 Prime Sponsor, Senator Liias: Concerning high occupancy vehicle lane penalties. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5695 be substituted therefor, and the substitute bill do pass. Signed by Senators Wilson, C.; Takko; Randall; Nguyen; Lovelett; Das; Cleveland; King, Ranking Member; Saldaña, Vice Chair Hobbs, Chair.

MINORITY recommendation: Do not pass. Signed by Senators Padden; O'Ban and Fortunato.

Referred to Committee on Rules for second reading.

March 1, 2019

SB 5696 Prime Sponsor, Senator Warnick: Concerning payments in lieu of real property taxes. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5696 be substituted therefor, and the substitute bill do pass. Signed by Senators Warnick; Wilson, L.; Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Braun, Ranking Member; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Conway; Keiser; Liias; Rivers; Schoesler; Van De Wege and Wagoner.

MINORITY recommendation: Do not pass. Signed by Senators Pedersen; Palumbo; Hunt; Hasegawa and Darneille.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Mullet, Capital Budget Cabinet and Carlyle.

Referred to Committee on Rules for second reading.

February 28, 2019

SB 5713 Prime Sponsor, Senator Randall: Concerning resident student status as applied to veterans. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Mullet, Capital Budget Cabinet; Frockt, Vice Chair, Operating, Capital Lead; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Billig; Carlyle; Conway; Darneille; Hunt; Keiser; Liias; Palumbo; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick; Wilson, L. Rolfes, Chair.

MINORITY recommendation: Do not pass. Signed by Senator Hasegawa.

Referred to Committee on Rules for second reading.

February 27, 2019

SB 5718 Prime Sponsor, Senator Saldaña: Establishing the child welfare housing assistance program that provides housing assistance to parents reunifying with a child and parents at risk of having a child removed. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5718 be substituted therefor, and the second substitute bill do pass. Signed by Senators Wilson, L.; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Rolfes, Chair and Warnick.

Referred to Committee on Rules for second reading.

February 28, 2019

SB 5720 Prime Sponsor, Senator Dhingra: Concerning the involuntary treatment act. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5720 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Rivers; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Billig; Carlyle; Hunt; Keiser; Liias; Palumbo; Schoesler; Van De Wege; Wagoner; Warnick; Wilson, L. and Darneille.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Hasegawa and Pedersen.

Referred to Committee on Rules for second reading.

March 1, 2019

SB 5739 Prime Sponsor, Senator Sheldon: Promoting affordable housing in unincorporated areas of rural counties within urban growth areas. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5739 be substituted therefor, and the substitute bill do pass. Signed by Senators Palumbo; Warnick; Wagoner; Van De Wege; Schoesler; Rivers; Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Pedersen.

Referred to Committee on Rules for second reading.

March 1, 2019

SB 5740 Prime Sponsor, Senator Mullet: Creating the secure choice retirement savings program. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5740 be substituted therefor, and the second substitute bill do pass. Signed by Senators Mullet, Capital Budget Cabinet; Wilson, L.; Warnick; Wagoner; Van De Wege; Rivers; Pedersen; Palumbo; Liias; Keiser; Hunt; Darneille; Conway; Carlyle; Billig; Becker; Honeyford, Assistant Ranking Member, Capital; Braun, Ranking Member; Frockt, Vice Chair, Operating, Capital Lead Rolfes, Chair.

MINORITY recommendation: Do not pass. Signed by Senators Hasegawa and Schoesler.

Referred to Committee on Rules for second reading.

March 1, 2019

SB 5741 Prime Sponsor, Senator Keiser: Making changes to support future operations of the state all payer claims database by transferring the responsibility to the health care authority, partnering with a lead organization with broad data experience, including with self-insured employers, and other changes to improve and ensure successful and sustainable database operations for access to and use of the data to improve health care, providing consumers useful and consistent quality and cost measures, and assess total cost of care in Washington state. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen; Rivers and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Senators Warnick and Schoesler.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Becker; Honeyford, Assistant Ranking Member, Capital; Braun, Ranking Member; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

February 28, 2019

SB 5751 Prime Sponsor, Senator Liias: Concerning motorized foot scooters. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5751 be substituted therefor, and the substitute bill do pass. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Cleveland; Das; Fortunato; Nguyen; Padden; Randall; Takko and Wilson, C.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Lovelett and O'Ban.

Referred to Committee on Rules for second reading.

February 27, 2019

SB 5755 Prime Sponsor, Senator Randall: Concerning veteran and national guard tuition waivers. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Wilson, L.; Mullet, Capital Budget Cabinet; Frockt, Vice Chair, Operating, Capital Lead; Liias; Becker; Billig; Darneille; Wagoner; Warnick; Brown, Assistant Ranking Member, Operating; Carlyle; Conway; Hunt; Keiser; Palumbo; Pedersen and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Senator Hasegawa.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Braun, Ranking Member.

Referred to Committee on Rules for second reading.

March 1, 2019

SB 5774 Prime Sponsor, Senator Liias: Relieving student debt. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5774 be substituted therefor, and the second substitute bill do pass. Signed by Senators Mullet, Capital Budget Cabinet; Liias; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Becker; Billig; Carlyle; Conway; Darneille; Keiser; Rivers; Schoesler; Van De Wege; Wagoner; Wilson, L.; Frockt, Vice Chair, Operating, Capital Lead; Rolfes, Chair; Warnick and Pedersen.

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MINORITY recommendation: That it be referred without recommendation. Signed by Senators Hasegawa Honeyford, Assistant Ranking Member, Capital.

Referred to Committee on Rules for second reading.

February 26, 2019

SB 5800 Prime Sponsor, Senator Randall: Concerning homeless college students. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5800 be substituted therefor, and the second substitute bill do pass. Signed by Senators Honeyford, Assistant Ranking Member, Capital; Mullet, Capital Budget Cabinet; Hunt; Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Warnick; Van De Wege; Rivers; Pedersen; Palumbo; Liias; Keiser; Hasegawa; Darneille; Carlyle; Billig and Conway.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun, Ranking Member; Schoesler; Wilson, L.; Wagoner; Becker; Brown, Assistant Ranking Member, Operating and Bailey.

Referred to Committee on Rules for second reading.

March 1, 2019

SB 5815 Prime Sponsor, Senator Nguyen: Concerning individuals placed in minimum security status by the department of children, youth, and families. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Mullet, Capital Budget Cabinet; Warnick; Van De Wege; Pedersen; Palumbo; Liias; Keiser; Hunt; Hasegawa; Darneille; Conway; Carlyle; Billig; Honeyford, Assistant Ranking Member, Capital; Frockt, Vice Chair, Operating, Capital Lead Rolfes, Chair.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun, Ranking Member; Wilson, L.; Wagoner; Schoesler; Rivers and Becker.

Referred to Committee on Rules for second reading.

March 1, 2019

SB 5820 Prime Sponsor, Senator Nguyen: Increasing eligibility for child care and early learning programs for homeless and other vulnerable children. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5820 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen; Rivers and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Senator Honeyford, Assistant Ranking Member, Capital.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Wagoner; Schoesler; Becker; Braun, Ranking Member; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

February 28, 2019

SB 5822 Prime Sponsor, Senator Randall: Providing a pathway to establish a universal health care system for the residents of Washington state. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5822 be substituted therefor, and the second substitute bill do pass. Signed by Senators Mullet, Capital Budget Cabinet; Conway; Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Van De Wege; Pedersen; Palumbo; Liias; Keiser; Hunt; Hasegawa; Darneille; Carlyle and Billig.

MINORITY recommendation: Do not pass. Signed by Senators Becker; Bailey; Honeyford, Assistant Ranking Member, Capital; Brown, Assistant Ranking Member, Operating; Braun, Ranking Member; Warnick; Wilson, L.; Wagoner and Schoesler.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Rivers.

Referred to Committee on Rules for second reading.

February 28, 2019

SB 5828 Prime Sponsor, Senator Cleveland: Concerning the medicaid home health reimbursement rate for medical assistance clients. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Wagoner; Van De Wege; Schoesler; Rivers; Pedersen; Palumbo; Liias; Keiser; Hunt; Hasegawa; Darneille; Conway; Carlyle; Billig; Becker; Bailey; Honeyford, Assistant Ranking Member, Capital; Brown, Assistant Ranking Member, Operating; Braun, Ranking Member; Mullet, Capital Budget Cabinet; Frockt, Vice Chair, Operating, Capital Lead; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

March 1, 2019

SB 5829 Prime Sponsor, Senator Mullet: Concerning pension benefits and contributions in the volunteer firefighters' and reserve officers' relief and pension system. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5829 be substituted therefor, and the substitute bill do pass. Signed by Senators Becker; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Honeyford, Assistant Ranking Member, Capital; Wilson, L.; Warnick; Wagoner; Van De Wege; Schoesler; Rivers; Pedersen; Palumbo; Liias; Keiser; Hunt; Hasegawa; Darneille; Conway; Carlyle; Billig; Frockt, Vice Chair, Operating, Capital Lead Rolfes, Chair.

Referred to Committee on Rules for second reading.

February 28, 2019

SB 5830 Prime Sponsor, Senator King: Concerning vehicle combinations that may be operated on public highways. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Takko; Padden; O'Ban; Fortunato; King, Ranking Member; Hobbs, Chair; Sheldon, Assistant Ranking Member and Zeiger.

MINORITY recommendation: Do not pass. Signed by Senators Wilson, C.; Randall; Nguyen; Lovelett; Das and Cleveland.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Saldaña, Vice Chair.

Referred to Committee on Rules for second reading.

February 28, 2019

SB 5846 Prime Sponsor, Senator Saldaña: Concerning the integration of international medical graduates into Washington's health care delivery system. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5846 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Rivers; Conway; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Bailey; Becker; Billig; Carlyle; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen; Van De Wege; Wagoner and Warnick.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Schoesler and Wilson, L.

Referred to Committee on Rules for second reading.

February 28, 2019

SB 5853 Prime Sponsor, Senator Pedersen: Regarding the school construction assistance program. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5853 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Keiser; Liias; Palumbo; Pedersen; Rivers; Schoesler; Hunt; Hasegawa; Darneille; Conway; Carlyle; Billig; Braun, Ranking Member Frockt, Vice Chair, Operating, Capital Lead.

MINORITY recommendation: Do not pass. Signed by Senator Mullet, Capital Budget Cabinet.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Wagoner; Van De Wege; Becker; Bailey; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

March 1, 2019

SB 5862 Prime Sponsor, Senator Das: Supporting warehousing and manufacturing job centers. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5862 be substituted therefor, and the substitute bill do pass. Signed by Senators Wagoner; Van De Wege; Schoesler; Palumbo; Keiser; Hunt; Hasegawa; Darneille; Frockt, Vice Chair, Operating, Capital Lead; Conway; Mullet, Capital Budget Cabinet; Billig Rolfes, Chair.

MINORITY recommendation: Do not pass. Signed by Senators Braun, Ranking Member; Wilson, L.; Warnick; Rivers; Pedersen; Carlyle; Becker Honeyford, Assistant Ranking Member, Capital.

Referred to Committee on Rules for second reading.

March 1, 2019

SB 5872 Prime Sponsor, Senator Honeyford: Providing enhanced payment to low volume, small rural hospitals. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Mullet, Capital Budget Cabinet; Braun, Ranking Member; Wilson, L.; Warnick; Wagoner; Van De Wege; Schoesler; Rivers; Palumbo; Keiser; Hunt; Hasegawa; Darneille; Conway; Billig; Becker; Honeyford, Assistant Ranking Member, Capital; Frockt, Vice Chair, Operating, Capital Lead Rolfes, Chair.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Carlyle; Pedersen and Liias.

Referred to Committee on Rules for second reading.

March 1, 2019

SB 5873 Prime Sponsor, Senator Hawkins: Concerning community forests. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5873 be substituted therefor, and the second substitute bill do pass. Signed by Senators Mullet, Capital Budget Cabinet; Rolfes, Chair; Hasegawa; Honeyford, Assistant Ranking Member, Capital; Billig; Carlyle; Darneille; Frockt, Vice Chair, Operating, Capital Lead; Keiser; Liias; Palumbo; Pedersen; Van De Wege; Wagoner; Braun, Ranking Member and Hunt.

MINORITY recommendation: Do not pass. Signed by Senator Rivers.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Warnick; Wilson, L.; Schoesler and Becker.

Referred to Committee on Rules for second reading.

March 1, 2019

SB 5876 Prime Sponsor, Senator Darneille: Creating a women's division and system of gender-responsive, risk-need-responsivity, and trauma-informed practices within the department of corrections. Reported by Committee on Ways & Means

FORTY SEVENTH DAY, MARCH 1, 2019

2019 REGULAR SESSION

MAJORITY recommendation: That Substitute Senate Bill No. 5876 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen; Rivers and Van De Wege.

Hunt; Hasegawa; Darneille; Conway; Carlyle; Billig; Becker; Frockt, Vice Chair, Operating, Capital Lead Rolfes, Chair.

Referred to Committee on Rules for second reading.

MINORITY recommendation: Do not pass. Signed by Senators Warnick; Braun, Ranking Member; Honeyford, Assistant Ranking Member, Capital; Becker and Schoesler.

March 1, 2019

SB 5947 Prime Sponsor, Senator McCoy: Establishing the sustainable farms and fields grant program. Reported by Committee on Ways & Means

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Wagoner and Wilson, L.

MAJORITY recommendation: That Second Substitute Senate Bill No. 5947 be substituted therefor, and the second substitute bill do pass. Signed by Senators Mullet, Capital Budget Cabinet; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen; Rivers; Van De Wege; Frockt, Vice Chair, Operating, Capital Lead Rolfes, Chair.

Referred to Committee on Rules for second reading.

February 28, 2019

SB 5903 Prime Sponsor, Senator Darneille: Concerning children's mental health. Reported by Committee on Ways & Means

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun, Ranking Member; Wilson, L.; Warnick; Wagoner; Schoesler; Becker Honeyford, Assistant Ranking Member, Capital.

MAJORITY recommendation: That Second Substitute Senate Bill No. 5903 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick; Wilson, L.; Mullet, Capital Budget Cabinet Frockt, Vice Chair, Operating, Capital Lead.

Referred to Committee on Rules for second reading.

February 28, 2019

SB 5963 Prime Sponsor, Senator Rolfes: Concerning the state budget outlook. Reported by Committee on Ways & Means

Referred to Committee on Rules for second reading.

MAJORITY recommendation: That Substitute Senate Bill No. 5963 be substituted therefor, and the substitute bill do pass. Signed by Senators Braun, Ranking Member; Rivers; Conway; Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Warnick; Wagoner; Pedersen; Palumbo; Liias; Keiser; Hunt; Hasegawa; Darneille; Carlyle and Billig.

February 28, 2019

SB 5918 Prime Sponsor, Senator Lovelett: Providing whale watching guidelines in the boating safety education program. Reported by Committee on Ways & Means

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Schoesler; Wilson, L.; Brown, Assistant Ranking Member, Operating; Van De Wege Mullet, Capital Budget Cabinet.

MAJORITY recommendation: Do pass. Signed by Senators Wagoner; Conway; Rivers; Rolfes, Chair; Warnick; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Honeyford, Assistant Ranking Member, Capital; Billig; Carlyle; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen; Schoesler and Van De Wege.

Referred to Committee on Rules for second reading.

March 1, 2019

SJR 8201 Prime Sponsor, Senator Wellman: Amending the Constitution to allow a simple majority of voters voting to authorize school district bonds. Reported by Committee on Ways & Means

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Wilson, L.; Brown, Assistant Ranking Member, Operating; Becker and Bailey.

Referred to Committee on Rules for second reading.

MAJORITY recommendation: That Substitute Senate Joint Resolution No. 8201 be substituted therefor, and the substitute joint resolution do pass. Signed by Senators Rolfes, Chair; Keiser; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Becker; Hasegawa; Darneille; Conway; Carlyle; Billig; Liias; Pedersen; Palumbo and Van De Wege.

March 1, 2019

SB 5936 Prime Sponsor, Senator Brown: Concerning use of industrial waste through industrial symbioses. Reported by Committee on Ways & Means

MINORITY recommendation: Do not pass. Signed by Senators Wagoner; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Rivers; Schoesler; Wilson, L. and Warnick.

MAJORITY recommendation: That Substitute Senate Bill No. 5936 be substituted therefor, and the substitute bill do pass. Signed by Senators Honeyford, Assistant Ranking Member, Capital; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Wilson, L.; Warnick; Wagoner; Van De Wege; Schoesler; Rivers; Pedersen; Palumbo; Liias; Keiser;

Referred to Committee on Rules for second reading.

MOTION

On motion of Senator Liias, all measures listed on the Supplemental Committee report were referred to the committees as designated.

MOTION

At 8:02 p.m., on motion of Senator Liias, the Senate adjourned until 10:00 o'clock a.m. Monday, March 4, 2019.

CYRUS HABIB, President of the Senate

BRAD HENDRICKSON, Secretary of the Senate

FIFTIETH DAY

MORNING SESSION

Senate Chamber, Olympia
Monday, March 4, 2019

The Senate was called to order at 10:05 a.m. by the President Pro Tempore, Senator Keiser presiding. The Secretary called the roll and announced to the President Pro Tempore that all senators were present with the exception of Senator Wagoner.

The Sergeant at Arms Color Guard consisting of Pages Mr. Adam Brooks and Mr. Jackson Van De Wege, presented the Colors. Page Miss Michaela Renick led the Senate in the Pledge of Allegiance.

The prayer was offered by Abbot Phra Ratsamee, Buddhangkura Buddhist Temple, Olympia.

The President Pro Tempore called upon the Secretary to read the journal of the preceding day.

MOTIONS

On motion of Senator Liias, the reading of the Journal of the previous day was dispensed with and it was approved.

On motion of Senator Liias, the Senate advanced to the fourth order of business.

MESSAGES FROM THE HOUSE

March 1, 2019

MR. PRESIDENT:

The House has adopted:

SENATE CONCURRENT RESOLUTION NO. 8404,
and the same is herewith transmitted.

NONA SNELL, Deputy Chief Clerk

March 1, 2019

MR. PRESIDENT:

The House has passed:

SUBSTITUTE HOUSE BILL NO. 1009,
SUBSTITUTE HOUSE BILL NO. 1034,
SUBSTITUTE HOUSE BILL NO. 1041,
SUBSTITUTE HOUSE BILL NO. 1071,
HOUSE BILL NO. 1137,
HOUSE BILL NO. 1146,
SUBSTITUTE HOUSE BILL NO. 1170,
SUBSTITUTE HOUSE BILL NO. 1189,
HOUSE BILL NO. 1212,
HOUSE BILL NO. 1247,
HOUSE BILL NO. 1255,
HOUSE BILL NO. 1335,
HOUSE BILL NO. 1341,
HOUSE BILL NO. 1349,
SUBSTITUTE HOUSE BILL NO. 1356,
HOUSE BILL NO. 1366,
HOUSE BILL NO. 1380,
HOUSE BILL NO. 1385,
SUBSTITUTE HOUSE BILL NO. 1399,
HOUSE BILL NO. 1412,
SUBSTITUTE HOUSE BILL NO. 1485,
SUBSTITUTE HOUSE BILL NO. 1520,
SUBSTITUTE HOUSE BILL NO. 1529,

SUBSTITUTE HOUSE BILL NO. 1531,
HOUSE BILL NO. 1534,
HOUSE BILL NO. 1568,
SUBSTITUTE HOUSE BILL NO. 1602,
SUBSTITUTE HOUSE BILL NO. 1633,
HOUSE BILL NO. 1657,
HOUSE BILL NO. 1672,
HOUSE BILL NO. 1730,
HOUSE BILL NO. 1743,
SUBSTITUTE HOUSE BILL NO. 1870,
HOUSE BILL NO. 1913,
SUBSTITUTE HOUSE BILL NO. 1919,

and the same are herewith transmitted.

NONA SNELL, Deputy Chief Clerk

MOTION

At 10:10 a.m., on motion of Senator Liias, the Senate was declared to be at ease subject to the call of the President.

Senator Becker announced a meeting of the Republican Caucus immediately upon going at ease.

Senator McCoy announced a meeting of the Democratic Caucus immediately upon going at ease.

AFTERNOON SESSION

The Senate was called to order at 1:15 p.m. by the President Pro Tempore, Senator Keiser presiding.

MOTION

On motion of Senator Liias, the Senate advanced to the seventh order of business.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Hunt moved that Karen Fraser, Senate Gubernatorial Appointment No. 9213, be confirmed as a member of The Evergreen State College Board of Trustees.

Senators Hunt and Conway spoke in favor of passage of the motion.

MOTION

On motion of Senator Rivers, Senators Fortunato and Wagoner were excused.

MOTION

On motion of Senator Mullet, Senator Nguyen was excused.

APPOINTMENT OF KAREN FRASER

The President Pro Tempore declared the question before the Senate to be the confirmation of Karen Fraser, Senate

Gubernatorial Appointment No. 9213, as a member of The Evergreen State College Board of Trustees.

The Secretary called the roll on the confirmation of Karen Fraser, Senate Gubernatorial Appointment No. 9213, as a member of The Evergreen State College Board of Trustees and the appointment was confirmed by the following vote: Yeas, 45; Nays, 0; Absent, 1; Excused, 3.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Erickson, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Short, Takko, Van De Wege, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Absent: Senator Sheldon

Excused: Senators Fortunato, Nguyen and Wagoner

Karen Fraser, Senate Gubernatorial Appointment No. 9213, having received the constitutional majority was declared confirmed as a member of The Evergreen State College Board of Trustees.

MOTION

On motion of Senator Liias, the Senate reverted to the sixth order of business.

SECOND READING

SENATE BILL NO. 5030, by Senators Mullet, Wilson and L.

Concerning service contract providers.

MOTIONS

On motion of Senator Mullet, Substitute Senate Bill No. 5030 was substituted for Senate Bill No. 5030 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Mullet, the rules were suspended, Substitute Senate Bill No. 5030 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Mullet and Wilson, L. spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5030.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5030 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Erickson, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senators Fortunato, Nguyen and Wagoner

SUBSTITUTE SENATE BILL NO. 5030, having received the constitutional majority, was declared passed. There being no

objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5106, by Senators Das, Mullet, Frockt, Keiser, Zeiger and Kuderer

Concerning the creation of a work group to study and make recommendations on natural disaster mitigation and resiliency activities.

MOTIONS

On motion of Senator Das, Substitute Senate Bill No. 5106 was substituted for Senate Bill No. 5106 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Das, the rules were suspended, Substitute Senate Bill No. 5106 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Das and Wilson, L. spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5106.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5106 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Erickson, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senators Fortunato and Wagoner

SUBSTITUTE SENATE BILL NO. 5106, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5267, by Senators Saldaña, Darneille, Kuderer, O'Ban, King and Randall

Exempting certain marine cargo from vehicle registrations.

MOTIONS

On motion of Senator Saldaña, Substitute Senate Bill No. 5267 was substituted for Senate Bill No. 5267 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Saldaña, the rules were suspended, Substitute Senate Bill No. 5267 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Saldaña spoke in favor of passage of the bill.

FIFTIETH DAY, MARCH 4, 2019

2019 REGULAR SESSION

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5267.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5267 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 1; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Erickson, Frockt, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senator Hasegawa

Excused: Senators Fortunato and Wagoner

SUBSTITUTE SENATE BILL NO. 5267, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5584, by Senators Mullet, Takko, Wilson, L. and Hobbs

Concerning joint self-insurance programs for property and liability risks.

The measure was read the second time.

MOTION

On motion of Senator Mullet, the rules were suspended, Senate Bill No. 5584 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Mullet and Wilson, L. spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5584.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5584 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Erickson, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senators Fortunato and Wagoner

SENATE BILL NO. 5584, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5839, by Senators Darneille, Nguyen, Hasegawa, Palumbo, Wilson, C.

Creating a pilot project to provide personal care services for homeless seniors and persons with disabilities.

MOTIONS

On motion of Senator Darneille, Substitute Senate Bill No. 5839 was substituted for Senate Bill No. 5839 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Darneille, the rules were suspended, Substitute Senate Bill No. 5839 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Darneille and Walsh spoke in favor of passage of the bill.

MOTION

On motion of Senator Wilson, C., Senator Wellman was excused.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5839.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5839 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Erickson, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Walsh, Warnick, Wilson, C., Wilson, L. and Zeiger

Excused: Senators Fortunato, Wagoner and Wellman

SUBSTITUTE SENATE BILL NO. 5839, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5107, by Senators Das and Mullet

Addressing trust institutions.

The measure was read the second time.

MOTION

On motion of Senator Das, the rules were suspended, Senate Bill No. 5107 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Das and Wilson, L. spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5107.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5107 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Erickson, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Walsh, Warnick, Wilson, C., Wilson, L. and Zeiger

Excused: Senators Fortunato, Wagoner and Wellman

SENATE BILL NO. 5107, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5627, by Senators Brown and Keiser

Establishing the healthy energy workers board.

MOTIONS

On motion of Senator Brown, Substitute Senate Bill No. 5627 was substituted for Senate Bill No. 5627 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Brown, the rules were suspended, Substitute Senate Bill No. 5627 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Brown and Conway spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5627.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5627 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Erickson, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Walsh, Warnick, Wilson, C., Wilson, L. and Zeiger

Excused: Senators Fortunato, Wagoner and Wellman

SUBSTITUTE SENATE BILL NO. 5627, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5551, by Senators Dhingra, Palumbo, Das, Kuderer, Wellman and Van De Wege

Concerning courthouse facility dog assistance for testifying witnesses.

The measure was read the second time.

MOTION

On motion of Senator Dhingra, the rules were suspended, Senate Bill No. 5551 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Dhingra and Padden spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5551.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5551 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Erickson, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senators Fortunato and Wagoner

SENATE BILL NO. 5551, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5508, by Senators Fortunato, Darneille, Saldaña, Pedersen, King, Sheldon, Hobbs, Dhingra, Holy, Wilson and L.

Clarifying background check requirements for an application for a concealed pistol license.

The measure was read the second time.

MOTION

On motion of Senator Padden, the rules were suspended, Senate Bill No. 5508 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Padden and Pedersen spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5508.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5508 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Erickson, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes,

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Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senators Fortunato and Wagoner

SENATE BILL NO. 5508, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5895, by Senators Wilson, C., Nguyen and Darneille

Concerning fingerprint background checks for guardians ad litem.

The measure was read the second time.

MOTION

On motion of Senator Wilson, C., the rules were suspended, Senate Bill No. 5895 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Wilson, C. spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5895.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5895 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Erickson, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senators Fortunato and Wagoner

SENATE BILL NO. 5895, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5398, by Senators Keiser, King, Van De Wege and Conway

Concerning unemployment benefit eligibility for apprentices.

The measure was read the second time.

MOTION

On motion of Senator Conway, the rules were suspended, Senate Bill No. 5398 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Conway spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5398.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5398 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Erickson, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senators Fortunato and Wagoner

SENATE BILL NO. 5398, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5502, by Senators Zeiger and Hunt

Aligning statutory redistricting deadlines to the Constitution.

MOTIONS

On motion of Senator Zeiger, Substitute Senate Bill No. 5502 was substituted for Senate Bill No. 5502 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Zeiger, the rules were suspended, Substitute Senate Bill No. 5502 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Zeiger spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5502.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5502 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Erickson, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senators Fortunato and Wagoner

SUBSTITUTE SENATE BILL NO. 5502, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5322, by Senators Palumbo, Carlyle, Wellman, Hunt, McCoy, Hasegawa, Kuderer, Nguyen and Saldaña

Ensuring compliance with the federal clean water act by prohibiting certain discharges into waters of the state.

MOTION

On motion of Senator Palumbo, Substitute Senate Bill No. 5322 was substituted for Senate Bill No. 5322 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Short moved that the following amendment no. 115 by Senators Fortunato and Palumbo be adopted:

On page 2, line 8, after "act." insert "The department shall evaluate whether the number of dischargers subject to this section warrants the adoption of a general permit for motorized or gravity siphon aquatic mining. If so, the department is directed to minimize the cost to permit applicants by basing general permit provisions on existing general permits adopted in other states to comply with the federal clean water act."

Senators Short and Palumbo spoke in favor of adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 115 by Senators Fortunato and Palumbo on page 2, line 8 to Substitute Senate Bill No. 5322.

The motion by Senator Short carried and amendment no. 115 was adopted by voice vote.

MOTION

On motion of Senator Palumbo, the rules were suspended, Engrossed Substitute Senate Bill No. 5322 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Palumbo spoke in favor of passage of the bill.

Senators Short, Sheldon and Becker spoke against passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5322.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5322 and the bill passed the Senate by the following vote: Yeas, 30; Nays, 17; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hawkins, Hobbs, Hunt, Keiser, Kuderer, Lias, Lovelett, McCoy, Mullet, Nguyen, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Takko, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Bailey, Becker, Braun, Brown, Ericksen, Holy, Honeyford, King, O'Ban, Padden, Schoesler, Sheldon, Short, Walsh, Warnick, Wilson, L. and Zeiger

Excused: Senators Fortunato and Wagoner

ENGROSSED SUBSTITUTE SENATE BILL NO. 5322, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5597, by Senators Rolfes, Saldaña, McCoy, Conway and Hasegawa

Creating a work group on aerial pesticide applications in forestlands.

MOTIONS

On motion of Senator Rolfes, Substitute Senate Bill No. 5597 was substituted for Senate Bill No. 5597 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Rolfes, the rules were suspended, Substitute Senate Bill No. 5597 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Rolfes and Warnick spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5597.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5597 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Lias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senators Fortunato and Wagoner

SUBSTITUTE SENATE BILL NO. 5597, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5579, by Senators Billig, Carlyle, Pedersen, Palumbo, Hasegawa, Keiser, Rolfes, Saldaña, Van De Wege, Frockt, Conway, Hunt, Lias, Dhingra, Kuderer and Nguyen

Concerning the volatility of crude oil received in the state by rail.

MOTION

On motion of Senator Billig, Substitute Senate Bill No. 5579 was substituted for Senate Bill No. 5579 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Ericksen moved that the following amendment no. 072 by Senator Ericksen be adopted:

On page 3, after line 5, insert the following:

“(4) This section does not: (a) Prohibit a railroad car carrying crude oil from entering Washington; (b) require a railroad car carrying crude oil to stop before entering Washington; or (c) require a railroad car carrying crude oil to be checked for vapor pressure before entering Washington.”

Senators Ericksen and Billig spoke in favor of adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 072 by Senator Ericksen on page 3, after line 5 to Substitute Senate Bill No. 5579.

The motion by Senator Ericksen carried and amendment no. 072 was adopted by voice vote.

MOTION

Senator Billig moved that the following amendment no. 124 by Senator Billig be adopted:

On page 4, after line 21, insert the following:

“NEW SECTION. **Sec. 4.** Section 2 of this act takes effect July 1, 2020.”

On page 1, line 3 of the title, after “section;” strike “and prescribing penalties” and insert “prescribing penalties; and providing an effective date”

Senators Billig, Lovelett and Sheldon spoke in favor of adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 124 by Senator Billig on page 4, after line 21 to Substitute Senate Bill No. 5579.

The motion by Senator Billig carried and amendment no. 124 was adopted by voice vote.

MOTION

Senator Ericksen moved that the following amendment no. 128 by Senator Ericksen be adopted:

On page 4, after line 21, insert the following:

“NEW SECTION. **Sec. 4.** This act may not take effect unless and until infrastructure and equipment is available in North Dakota to allow for crude oil being loaded into railroad cars in North Dakota to satisfy a vapor pressure standard of less than nine pounds per square inch.”

On page 1, line 3 of the title, after “section;” strike the remainder of the title and insert “prescribing penalties; and providing a contingent effective date.”

Senator Ericksen spoke in favor of adoption of the amendment. Senator Billig spoke against adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 128 by Senator Ericksen on page 4, after line 21 to Substitute Senate Bill No. 5579.

The motion by Senator Ericksen did not carry and amendment no. 128 was not adopted by voice vote.

MOTION

Senator Ericksen moved that the following striking amendment no. 129 by Senator Ericksen be adopted:

Strike everything after the enacting clause and insert the following:

“NEW SECTION. **Sec. 5.** The department of ecology must contact the North Dakota petroleum council and ask it to work with the North Dakota legislature and appropriate North Dakota regulatory agencies to establish a vapor pressure standard of less than nine pounds per square inch for crude oil that is loaded into railroad cars in North Dakota.”

On page 1, line 2 of the title, after “rail;” strike the remainder of the title and insert “and creating a new section.”

Senator Ericksen spoke in favor of adoption of the striking amendment.

Senator Billig spoke against adoption of the striking amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of striking amendment no. 129 by Senator Ericksen to Substitute Senate Bill No. 5579.

The motion by Senator Ericksen did not carry and striking amendment no. 129 was not adopted by voice vote.

MOTION

On motion of Senator Billig, the rules were suspended, Engrossed Substitute Senate Bill No. 5579 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Billig spoke in favor of passage of the bill.

Senators Ericksen and Sheldon spoke against passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5579.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5579 and the bill passed the Senate by the following vote: Yeas, 27; Nays, 20; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Darnelle, Das, Dhingra, Frockt, Hasegawa, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Palumbo, Pedersen, Randall, Rolfes, Saldaña, Salomon, Takko, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Bailey, Becker, Braun, Brown, Ericksen, Hawkins, Hobbs, Holy, Honeyford, King, O'Ban, Padden, Rivers, Schoesler, Sheldon, Short, Walsh, Warnick, Wilson, L. and Zeiger

Excused: Senators Fortunato and Wagoner

ENGROSSED SUBSTITUTE SENATE BILL NO. 5579, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

PERSONAL PRIVILEGE

Senator Liias: “Thank you Madam President. I want to first congratulate Senator Billig on passing his first bill of the 2019 session, but I also want to note that he was so committed to passing this bill that he actually brought in reinforcements. Today the 3rd District actually has a second senator with us,

Assistant Senator Sam Billig joined in the lobbying effort to protect their community from that issue and I know that he is in fact, because he's got that spacious corner office Senator Billig actually installed a second desk for the assistant senator as well and I know we all join in congratulating both Senator and Assistant Senator Billig on their first bill of the 2019 session."

REMARKS BY THE PRESIDENT PRO TEMPORE

President Pro Tempore Keiser: "Indeed, and it was also a pleasure to become Senator Sam's adopted grandmother today."

SECOND READING

SENATE BILL NO. 5403, by Senators Bailey, Darneille, Conway, Rivers, Keiser and Kuderer

Concerning safe egress from adult family homes.

MOTIONS

On motion of Senator Bailey, Substitute Senate Bill No. 5403 was substituted for Senate Bill No. 5403 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Bailey, the rules were suspended, Substitute Senate Bill No. 5403 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Bailey and Cleveland spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5403.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5403 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senators Fortunato and Wagoner

SUBSTITUTE SENATE BILL NO. 5403, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

INTRODUCTION OF SPECIAL GUESTS

The President Pro Tempore welcomed and introduced Mr. Butch Bailey, husband of Senator Bailey, who was seated in the gallery.

SECOND READING

SENATE BILL NO. 5811, by Senators Nguyen, Rolfes, Wilson, C., Liias, Das, Hunt, Kuderer and Saldaña

Reducing emissions by making changes to the clean car standards and clean car program.

The measure was read the second time.

MOTION

Senator Padden moved that the following striking amendment no. 044 by Senator Padden be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 6.** The following acts or parts of acts are each repealed:

(1)RCW 70.120A.010 (Department of ecology to adopt rules to implement California motor vehicle emission standards—Limitations—Advisory group—Exemptions) and 2010 c 76 s 1 & 2005 c 295 s 2;

(2)RCW 70.120A.020 (Early credits and banking—Alternative means of compliance) and 2005 c 295 s 3; and

(3)RCW 70.120A.050 (New vehicle greenhouse gas emissions disclosure—Rule-making authority) and 2014 c 76 s 8 & 2008 c 32 s 2."

On page 1, line 1 of the title, after "Relating to" strike the remainder of the title and insert "the clean car standards and clean car program; and repealing RCW 70.120A.010, 70.120A.020, and 70.120A.050."

Senators Padden, Ericksen, Sheldon and Short spoke in favor of adoption of the striking amendment.

Senator Nguyen spoke against adoption of the striking amendment.

Senator Short demanded a roll call.

The President Pro Tempore declared that one-sixth of the members supported the demand and the demand was sustained.

The President Pro Tempore declared the question before the Senate to be the adoption of the striking amendment by Senator Padden to Senate Bill No. 5811.

ROLL CALL

The Secretary called the roll on the adoption of the amendment by Senator Padden and the amendment was not adopted by the following vote: Yeas, 19; Nays, 28; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Braun, Brown, Ericksen, Hawkins, Holy, Honeyford, King, O'Ban, Padden, Rivers, Schoesler, Sheldon, Short, Walsh, Warnick, Wilson, L. and Zeiger

Voting nay: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Palumbo, Pedersen, Randall, Rolfes, Saldaña, Salomon, Takko, Van De Wege, Wellman and Wilson, C.

Excused: Senators Fortunato and Wagoner.

MOTION

On motion of Senator Nguyen, the rules were suspended, Senate Bill No. 5811 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Nguyen spoke in favor of passage of the bill.

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Senators Ericksen, King and Sheldon spoke against passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5811.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5811 and the bill passed the Senate by the following vote: Yeas, 26; Nays, 22; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Palumbo, Pedersen, Randall, Rolfes, Saldaña, Salomon, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Bailey, Becker, Braun, Brown, Ericksen, Fortunato, Hawkins, Hobbs, Holy, Honeyford, King, O'Ban, Padden, Rivers, Schoesler, Sheldon, Short, Takko, Walsh, Warnick, Wilson, L. and Zeiger

Excused: Senator Wagoner

SENATE BILL NO. 5811, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5298, by Senators Rivers, Palumbo and Wellman

Regarding labeling of marijuana products.

MOTION

On motion of Senator Rivers, Substitute Senate Bill No. 5298 was substituted for Senate Bill No. 5298 and the substitute bill was placed on the second reading and read the second time.

MOTION

On motion of Senator Liias, further consideration of Substitute Senate Bill No. 5298 was deferred and the bill held its place on the second reading calendar.

MOTION

At 3:24 p.m., on motion of Senator Liias, the Senate was declared to be at ease subject to the call of the President Pro Tempore.

The Senate was called to order at 3:38 p.m. by President Pro Tempore Keiser.

SECOND READING

The senate resumed consideration of Substitute Senate Bill No. 5298 which had been deferred earlier in the day.

SUBSTITUTE SENATE BILL NO. 5298, by Senate Committee on Labor & Commerce (originally sponsored by Rivers, Palumbo and Wellman)

Regarding labeling of marijuana products.

The measure was read the second time.

MOTION

On motion of Senator Liias, further consideration of Substitute Senate Bill No. 5298 was again deferred and the bill held its place on the second reading calendar.

MOTION

On motion of Senator Liias, the Senate reverted to the fourth order of business.

MESSAGE FROM THE HOUSE

March 1, 2019

MR. PRESIDENT:

The House has passed:

ENGROSSED HOUSE BILL NO. 1058,
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1112,

ENGROSSED HOUSE BILL NO. 1563,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1916,
and the same are herewith transmitted.

NONA SNELL, Deputy Chief Clerk

MOTION

On motion of Senator Liias, the Senate advanced to the sixth order of business.

SECOND READING

SENATE BILL NO. 5002, by Senators Pedersen and Padden

Concerning limited cooperative associations.

The measure was read the second time.

MOTION

On motion of Senator Pedersen, the rules were suspended, Senate Bill No. 5002 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Pedersen and Padden spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5002.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5002 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van

De Wege, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senator Wagoner

SENATE BILL NO. 5002, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5303, by Senators Liias and Saldaña

Addressing motorcycle safety.

MOTIONS

On motion of Senator Liias, Substitute Senate Bill No. 5303 was substituted for Senate Bill No. 5303 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Liias, the rules were suspended, Substitute Senate Bill No. 5303 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Liias spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5303.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5303 and the bill passed the Senate by the following vote: Yeas, 32; Nays, 16; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Palumbo, Pedersen, Randall, Rolfes, Saldaña, Salomon, Takko, Van De Wege, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Voting nay: Senators Bailey, Becker, Braun, Brown, Ericksen, Fortunato, Hawkins, Holy, Honeyford, O'Ban, Padden, Rivers, Schoesler, Sheldon, Short and Wilson, L.

Excused: Senator Wagoner

SUBSTITUTE SENATE BILL NO. 5303, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

PERSONAL PRIVILEGE

Senator Sheldon: "Madam President. Is there a reason my name was eliminated from the roll call on that last bill? I know I've suggested that Washington go back to being a territory and eliminating our licensing and perhaps having California plates but, am I on probation? Or is or is there something else brewing up there at the rostrum?"

President Pro Tempore Keiser: "Senator Sheldon, I am going to assure you it was an inadvertent oversight but it is also possible that we thought you had left for California driving a motorcycle in a split lane, as they are allowed to do in California."

Senator Sheldon: "Thank you Madam President but I don't have to leave for California because California is already taken over."

EDITOR'S NOTE: Although Senator Sheldon's name was not called during the initial roll call, the reader-in-training, Ms. Breann Sherrill, deftly recorded the Senator's vote prior to the vote closing.

SECOND READING

SENATE BILL NO. 5714, by Senators Dhingra, Padden, Salomon, Kuderer, Billig, Darneille, Das and Hasegawa

Concerning the reliability of evidence in criminal proceedings.

MOTIONS

On motion of Senator Dhingra, Substitute Senate Bill No. 5714 was substituted for Senate Bill No. 5714 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Dhingra, the rules were suspended, Substitute Senate Bill No. 5714 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Dhingra and Padden spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5714.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5714 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senator Wagoner

SUBSTITUTE SENATE BILL NO. 5714, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5386, by Senators Becker, Cleveland, Rivers, O'Ban, Short, Braun, Wilson, L., Holy, Brown, Warnick, Bailey, Zeiger, Conway and Van De Wege

Concerning training standards in providing telemedicine services.

MOTIONS

On motion of Senator Becker, Substitute Senate Bill No. 5386 was substituted for Senate Bill No. 5386 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Becker, the rules were suspended, Substitute Senate Bill No. 5386 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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Senators Becker and Cleveland spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5386.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5386 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senator Wagoner

SUBSTITUTE SENATE BILL NO. 5386, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5223, by Senators Palumbo, Rivers, Rolfes, King, Carlyle, Mullet, McCoy, Wellman, Das, Nguyen, Randall, Frockt, Salomon, Keiser, Wilson, C., Kuderer, Darneille, Cleveland, Saldaña, Dhingra, Pedersen, Conway and Van De Wege

Concerning net metering.

MOTION

On motion of Senator Palumbo, Second Substitute Senate Bill No. 5223 was substituted for Senate Bill No. 5223 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Rivers moved that the following striking amendment no. 126 by Senator Rivers be adopted:

Strike everything after the enacting clause and insert the following:

“Sec. 1. RCW 80.60.010 and 2007 c 323 s 1 are each amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly indicates otherwise.

(1) “Commission” means the utilities and transportation commission.

(2) “Customer-generator” means a user of a net metering system.

(3) “Electrical company” means a company owned by investors that meets the definition of RCW 80.04.010.

(4) “Electric cooperative” means a cooperative or association organized under chapter 23.86 or 24.06 RCW.

(5) “Electric utility” means any electrical company, public utility district, irrigation district, port district, electric cooperative,

or municipal electric utility that is engaged in the business of distributing electricity to retail electric customers in the state.

(6) “Irrigation district” means an irrigation district under chapter 87.03 RCW.

(7) “Meter aggregation” means the administrative combination of ~~((readings from and))~~ billing ~~((for all meters, regardless of the rate class, on premises owned or leased by a customer-generator located within the service territory of a single electric utility))~~ net energy consumption from a designated net meter and eligible aggregated meter.

(8) “Municipal electric utility” means a city or town that owns or operates an electric utility authorized by chapter 35.92 RCW.

(9) “Net metering” means measuring the difference between the electricity supplied by an electric utility and the excess electricity generated by a customer-generator's net metering system over the applicable billing period.

(10) “Net metering system” means a fuel cell, a facility that produces electricity and used and useful thermal energy from a common fuel source, or a facility for the production of electrical energy that generates renewable energy, and that:

(a) Has an electrical generating nameplate capacity of not more than one hundred kilowatts;

(b) Is located on the customer-generator's premises;

(c) Operates in parallel with the electric utility's transmission and distribution facilities and is connected to the electric utility's distribution system; and

(d) Is intended primarily to offset part or all of the customer-generator's requirements for electricity.

(11) “Premises” means any residential property, commercial real estate, or lands, owned or leased by a customer-generator within the service area of a single electric utility.

(12) “Port district” means a port district within which an industrial development district has been established as authorized by Title 53 RCW.

(13) “Public utility district” means a district authorized by chapter 54.04 RCW.

(14) “Renewable energy” means energy generated by a facility that uses water, wind, solar energy, or biogas ~~((from animal waste))~~ as a fuel.

(15) “Aggregated meter” means an electric service meter measuring electric energy consumption that is eligible to receive credits under a meter aggregation arrangement as described in RCW 80.60.030.

(16) “Consumer-owned utility” means a municipal electric utility formed under Title 35 RCW, a public utility district formed under Title 54 RCW, an irrigation district formed under chapter 87.03 RCW, a cooperative formed under chapter 23.86 RCW, or a mutual corporation or association formed under chapter 24.06 RCW, that is engaged in the business of distributing electricity to more than one retail electric customer in the state.

(17) “Designated meter” means an electric service meter at the service of a net metering system that is interconnected to the utility distribution system.

(18) “Investor-owned utility” means a company owned by investors that meets the definition of “corporation” in RCW 80.04.010 and is engaged in distributing electricity to more than one retail electric customer in the state.

(19) “Retail electric customer” includes an individual, organization, group, association, partnership, corporation, agency, unit of state government, or entity that is connected to the electric utility's distribution system and purchases electricity for ultimate consumption and not for resale.

Sec. 2. RCW 80.60.020 and 2007 c 323 s 2 are each amended to read as follows:

(1) An electric utility:

(a) Shall offer to make net metering, pursuant to RCW 80.60.030, available to eligible customers-generators on a first-come, first-served basis until the ~~((cumulative generating capacity of net metering systems equals 0.25 percent of the utility's peak demand during 1996. On January 1, 2014, the cumulative generating capacity available to net metering systems will equal 0.5 percent of the utility's peak demand during 1996))~~ earlier of either: (i) June 30, 2029; or (ii) until the cumulative generating capacity available to net metering systems pursuant to RCW 80.60.030 equals four percent of the utility's peak demand during 1996. Not less than one-half of the utility's 1996 peak demand available for net metering systems shall be reserved for the cumulative generating capacity attributable to net metering systems that generate renewable energy;

(b) Shall allow net metering systems to be interconnected using a standard kilowatt-hour meter capable of registering the flow of electricity in two directions, unless the commission, in the case of an electrical company, or the appropriate governing body, in the case of other electric utilities, determines, after appropriate notice and opportunity for comment:

(i) That the use of additional metering equipment to monitor the flow of electricity in each direction is necessary and appropriate for the interconnection of net metering systems, after taking into account the benefits and costs of purchasing and installing additional metering equipment; and

(ii) How the cost of purchasing and installing an additional meter is to be allocated between the customer-generator and the utility;

(c) Shall charge the customer-generator a minimum monthly fee that is the same as other customers of the electric utility in the same rate class, but shall not charge the customer-generator any additional standby, capacity, interconnection, or other fee or charge unless the commission, in the case of an electrical company, or the appropriate governing body, in the case of other electric utilities, determines, after appropriate notice and opportunity for comment that:

(i) The electric utility will incur direct costs associated with interconnecting or administering net metering systems that exceed any offsetting benefits associated with these systems; and

(ii) Public policy is best served by imposing these costs on the customer-generator rather than allocating these costs among the utility's entire customer base.

(2) If a production meter and software is required by the electric utility to provide meter aggregation under RCW 80.60.030(4), the customer-generator is responsible for the purchase of the production meter and software.

(3)(a)(i) An electric utility must provide net metering pursuant to RCW 80.60.030 to eligible customer-generators until the earlier of either: (A) June 30, 2029; or (B) until the cumulative generating capacity available to net metering systems pursuant to RCW 80.60.030 equals four percent of the utility's peak demand during 1996.

(ii) A consumer-owned utility may develop a standard rate or tariff schedule that deviates from RCW 80.60.030 for eligible customer-generators to take effect either upon reaching four percent of the cumulative generating capacity available to net metering systems pursuant to subsection (1) of this section or after June 30, 2029, whichever is earlier.

(iii) An investor-owned utility may submit a filing with the commission to develop a standard tariff schedule that deviates from RCW 80.60.030 for eligible customer-generators. The commission must approve, reject, or approve with conditions an alternative net metering tariff schedule within one year of an investor-owned utility filing. If the commission approves the filing with conditions, the investor-owned utility may choose to

accept the tariff schedule with conditions or file a new tariff schedule with the commission.

(b) An approved alternative standard rate or tariff schedule applies to any customer-generator subject to an interconnection agreement entered into: (i) After June 30, 2029, or (ii) the first date upon which the cumulative generating capacity available to net metering systems pursuant to RCW 80.60.030 equals four percent of the utility's peak demand during 1996, whichever is earlier, unless the commission or governing body determines that a customer-generator is eligible for net metering under a rate or tariff schedule pursuant to RCW 80.60.030.

(c)(i) A consumer-owned utility must notify the Washington State University extension energy program sixty days in advance of when a standard rate for an eligible customer-generator is first placed on the agenda of the governing body.

(ii) Each electric utility must give notice by July 31, 2020, and semiannually thereafter, to the Washington State University extension energy program of the current status of meeting the cumulative generating capacity available to net metering systems pursuant to subsection (1)(a) of this section.

(iii) The Washington State University extension energy program must make available on its web site a list of the following:

(A) Each electric utility's progress on reaching the cumulative generating capacity available to net metering systems pursuant to subsection (1)(a) of this section;

(B) Electric utilities that have provided notice of an alternative rate or tariff schedule under this subsection; and

(C) Electric utilities that have adopted an alternative standard rate or tariff schedule under this subsection.

(d) If the commission does not approve an investor-owned utility's alternative tariff schedule under (a)(iii) of this subsection, the commission may determine the alternative cumulative generating capacity available to net metering systems pursuant to RCW 80.60.030.

(4)(a) An electric utility must continue to credit a customer-generator pursuant to RCW 80.60.030 if:

(i) The customer-generator takes service under net metering prior to the earlier of: (A) June 30, 2029; or (B) the cumulative generating capacity available to net metering systems pursuant to RCW 80.60.030 reaches four percent of the utility's peak demand in 1996; and

(ii) The customer-generator's existing interconnection agreement for the net metering system remains valid.

(b) The commission, in the case of investor-owned utilities, and a governing body, in the case of consumer-owned utilities, must determine as part of an alternative standard rate or tariff schedule under this subsection when customer-generators become ineligible for credit pursuant to RCW 80.60.030.

(c) Upon adoption of a standard rate or tariff schedule by the commission or governing body pursuant to subsection (3)(a) of this section, the electric utility is exempt from requirements under subsection (1)(c) of this section and RCW 80.60.030 for new interconnection agreements.

Sec. 3. RCW 80.60.030 and 2007 c 323 s 3 are each amended to read as follows:

Consistent with the other provisions of this chapter, the net energy measurement, billed kilowatt-hour consumption charges, and kilowatt-hour credit for excess generation by a net metered system, must be calculated in the following manner:

(1) The electric utility shall measure the net electricity produced or consumed during the billing period, in accordance with normal metering practices.

(2) If the electricity supplied by the electric utility exceeds the electricity generated by the customer-generator's net metering

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system and fed back to the electric utility during the billing period, the customer-generator shall be billed for the net electricity supplied by the electric utility, in accordance with normal metering practices.

(3) If ~~excess~~ electricity generated by the ~~((customer-generator))~~ net metering system during a billing period exceeds the electricity supplied by the electric utility during the same billing period, the customer-generator:

(a) Shall be billed for the appropriate customer charges for that billing period, in accordance with RCW 80.60.020; and

(b) Shall be credited for the excess kilowatt-hours generated during the billing period, with this kilowatt-hour credit appearing on the bill for the following billing period.

(4) If a customer-generator requests, an electric utility shall provide such a customer-generator meter aggregation.

(a) For a customer-generator((s)) participating in meter aggregation, kilowatt-hours credits earned by ~~((a))~~ the customer-generator's net metering system during the billing period first shall be used to offset electricity supplied by the electric utility at the location of the customer-generator's designated meter.

~~(b) ((Not more than a total of one hundred kilowatts shall be aggregated among all customer generators participating in a generating facility under this subsection.~~

~~((b))~~ A customer-generator may aggregate a designated meter with one additional aggregated meter located on the same parcel as the designated meter or a parcel that is contiguous with the parcel where the designated meter is located.

(c) For the purposes of (b) of this subsection, a parcel is considered contiguous if they share a common property boundary, but may be separated only by a road or rail corridor.

(d) A retail electric customer who is a customer-generator and receives retail electric service from an electric utility at an aggregated meter must be the same retail electric customer who receives retail electric service from such an electric utility at the designated meter that is located on the premises where such a customer-generator's net metering system is located.

(e) Excess kilowatt-hours credits earned by the net metering system((s)) at the site of a designated meter during ((the same)) a billing period((s)) shall be credited ((equally)) by the electric utility ((to remaining meters located on all premises of a customer-generator)) for kilowatt hour charges due at the aggregated meter at the ((designated)) applicable rate of ((each)) the aggregated meter.

~~((d))~~ (f) If credits generated in any billing period exceed total consumption for that billing period at both meters that are part of an aggregated arrangement, credits are retained pursuant to subsections (3) and (5) of this section.

(g) Credits carried over from one billing period to the next pursuant to (f) of this subsection must be applied in subsequent billing periods in the same manner described under (a) and (e) of this subsection.

(h) Meters so aggregated shall not change rate classes due to meter aggregation under this section.

(5) On ~~((April 30th))~~ March 31st of each calendar year, any remaining unused kilowatt-hour credit accumulated during the previous year shall be granted to the electric utility, without any compensation to the customer-generator.

(6) Nothing in this section prohibits a utility from allowing aggregation under terms different than the requirements of subsection (4) of this section if a customer-generator has an existing arrangement for meter aggregation in effect or a customer submits a written request for aggregation on or before July 1, 2019.

(7) Nothing in this section prohibits the owner of multifamily residential facility from installing a net metering system as

defined in RCW 80.60.010 assigned to a single designated meter located on the premises of the multifamily residential facility where the tenants are not individually metered customers of the utility and distributing any benefits of the net metering to tenants of the facility where the net metering system is located. The utility must measure the net energy produced and provide credit to the single designated meter to which the net metering system is assigned in accordance with subsections (1) through (3) of this section or under the terms of a standard rate or tariff schedule established under RCW 80.60.020(3). The distribution of benefits to tenants of such a system, if any, is the responsibility of the owner of the net metering system and not the responsibility of the utility.

Sec. 4. RCW 80.60.040 and 2006 c 201 s 4 are each amended to read as follows:

(1) A net metering system used by a customer-generator shall include, at the customer-generator's own expense, all equipment necessary to meet applicable safety, power quality, and interconnection requirements established by the national electrical code, national electrical safety code, the institute of electrical and electronics engineers, and underwriters laboratories.

(2) The commission, in the case of an electrical company, or the appropriate governing body, in the case of other electric utilities, after appropriate notice and opportunity for comment, may adopt by regulation additional safety, power quality, and interconnection requirements for customer-generators, including limitations on the number of customer-generators and total capacity of net metering systems that may be interconnected to any distribution feeder line, circuit, or network that the commission or governing body determines are necessary to protect public safety and system reliability.

(3) An electric utility may not require a customer-generator whose net metering system meets the standards in subsections (1) and (2) of this section to comply with additional safety or performance standards, perform or pay for additional tests, or purchase additional liability insurance. However, an electric utility shall not be liable directly or indirectly for permitting or continuing to allow an attachment of a net metering system, or for the acts or omissions of the customer-generator that cause loss or injury, including death, to any third party.

(4) Except when required under the federal public utility regulatory policies act, an electric utility may not establish compensation arrangements or interconnection requirements, other than those permitted in this chapter, for a customer-generator that would have the effect of prohibiting or restricting the ability of a customer-generator to generate or store electricity for consumption on its premises.

Sec. 5. RCW 82.16.090 and 1988 c 228 s 1 are each amended to read as follows:

Any customer billing issued by a light or power business or gas distribution business that serves a total of more than twenty thousand customers and operates within the state shall include the following information:

(1) The rates and amounts of taxes paid directly by the customer upon products or services rendered by the light and power business or gas distribution business; ~~((and))~~

(2) The rate, origin and approximate amount of each tax levied upon the revenue of the light and power business or gas distribution business and added as a component of the amount charged to the customer. Taxes based upon revenue of the light and power business or gas distribution business to be listed on the customer billing need not include taxes levied by the federal

government or taxes levied under chapters 54.28, 80.24, or 82.04 RCW; and

(3) The total amount of kilowatt-hours of electricity consumed for the most recent twelve-month period or other information that provides the customer with information regarding their energy usage over a twelve-month period.

NEW SECTION. Sec. 6. A new section is added to chapter 19.27 RCW to read as follows:

The state building code council, in consultation with the department of commerce and local governments, shall conduct a study of the state building code and adopt changes necessary to encourage greater use of renewable energy systems as defined in RCW 82.16.110.”

On page 1, beginning on line 1 of the title, after “metering;” strike the remainder of the title and insert “amending RCW 80.60.010, 80.60.020, 80.60.030, 80.60.040, and 82.16.090; and adding a new section to chapter 19.27 RCW.”

MOTION

Senator Ericksen moved that the following amendment no. 137 by Senator Ericksen to striking amendment no. 126 be adopted:

On page 6, after line 5, insert the following:

“(5) If the use of net metering by customer-generators results in increased costs for electricity being borne by school districts, hospital districts, and other public entities that are not customer-generators, then the state of Washington shall reimburse the public entities for the additional costs imposed as a result of net metering.”

Senator Ericksen spoke in favor of adoption of the amendment to the striking amendment.

Senator Palumbo spoke against adoption of the amendment to the striking amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 137 by Senator Ericksen on page 6, after line 5 to striking amendment no 126.

The motion by Senator Ericksen did not carry and amendment no. 137 was not adopted by voice vote.

MOTION

Senator Ericksen moved that the following amendment no. 138 by Senator Ericksen to striking amendment no. 126 be adopted:

On page 6, after line 5, insert the following:

“(5) If the use of net metering by customer-generators results in increased costs for electricity being borne by an electric utility's residential customers who are not customer-generators, then the state of Washington shall reimburse the noncustomer-generators for the additional costs imposed as a result of net metering.”

Senator Ericksen spoke in favor of adoption of the amendment to the striking amendment.

Senator Palumbo spoke against adoption of the amendment to the striking amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 138 by Senator Ericksen on page 6, after line 5 to striking amendment no 126.

The motion by Senator Ericksen did not carry and amendment no. 138 was not adopted by voice vote.

Senators Rivers and Palumbo spoke in favor of adoption of the striking amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of striking amendment no. 126 by Senator Rivers to Second Substitute Senate Bill No. 5223.

The motion by Senator Rivers carried and striking amendment no. 126 was adopted by voice vote.

MOTION

On motion of Senator Palumbo, the rules were suspended, Engrossed Second Substitute Senate Bill No. 5223 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Palumbo spoke in favor of passage of the bill.

Senators Ericksen, Sheldon and Fortunato spoke against passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 5223.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5223 and the bill passed the Senate by the following vote: Yeas, 29; Nays, 19; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Lias, Lovelett, McCoy, Mullet, Nguyen, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Takko, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Bailey, Becker, Braun, Brown, Ericksen, Fortunato, Hawkins, Holy, Honeyford, King, O'Ban, Padden, Schoesler, Sheldon, Short, Walsh, Warnick, Wilson, L. and Zeiger

Excused: Senator Wagoner

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5223, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5077, by Senators Kuderer, Darneille, Palumbo, Hunt and Pedersen

Prohibiting single-use plastic straws.

MOTION

On motion of Senator Kuderer, Substitute Senate Bill No. 5077 was substituted for Senate Bill No. 5077 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Fortunato moved that the following amendment no. 054 by Senator Fortunato be adopted:

On page 2, line 20, after “(1)” strike “The” and insert “Except as provided in subsection (3) of this section, the”

On page 2, after line 30, insert the following:

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“(3) The department of health must enforce this chapter as applied to straws provided on vessels operating on waters within the seaward boundary of Washington.”

Senator Fortunato spoke in favor of adoption of the amendment.

Senator Kuderer spoke against adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 054 by Senator Fortunato on page 2, line 20 to Substitute Senate Bill No. 5077.

The motion by Senator Fortunato did not carry and amendment no. 054 was not adopted by voice vote.

MOTION

Senator Short moved that the following amendment no. 053 by Senator Short be adopted:

On page 2, beginning on line 31, strike all of section 4 and insert the following:

“NEW SECTION. **Sec. 4.** This chapter preempts all local government ordinances that apply to the provision of plastic beverage straws in food service establishments.”

Senator Short spoke in favor of adoption of the amendment.

Senator Kuderer spoke against adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 053 by Senator Short on page 2, line 31 to Substitute Senate Bill No. 5077.

The motion by Senator Short did not and amendment no. 053 was not adopted by voice vote.

MOTION

Senator Kuderer moved that the following amendment no. 051 by Senator Kuderer be adopted:

On page 2, line 34, after “act.” insert “This chapter does not preempt or limit a local government from enforcing a grandfathered ordinance. For the purposes of this chapter, “grandfathered ordinance” means a plastic beverage straw ordinance that was in effect as of the effective date of this section and meets at least the requirements of this chapter, as determined by the local health jurisdiction.”

Senator Kuderer spoke in favor of adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 051 by Senator Kuderer on page 2, line 34 to Substitute Senate Bill No. 5077.

The motion by Senator Kuderer carried and amendment no. 051 was adopted by voice vote.

MOTION

On motion of Senator Kuderer, the rules were suspended, Engrossed Substitute Senate Bill No. 5077 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Kuderer and Takko spoke in favor of passage of the bill.

Senators Fortunato, Padden, Ericksen and Schoesler spoke against passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5077.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5077 and the bill passed the Senate by the following vote: Yeas, 27; Nays, 21; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Palumbo, Pedersen, Randall, Rolfes, Saldaña, Salomon, Takko, Wellman and Wilson, C.

Voting nay: Senators Bailey, Becker, Braun, Brown, Ericksen, Fortunato, Hawkins, Holy, Honeyford, King, O'Ban, Padden, Rivers, Schoesler, Sheldon, Short, Van De Wege, Walsh, Warnick, Wilson, L. and Zeiger

Excused: Senator Wagoner

ENGROSSED SUBSTITUTE SENATE BILL NO. 5077, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5023, by Senators Hasegawa, Conway, Frockt, Wellman, Wilson, C. and Saldaña

Concerning an ethnic studies curriculum for public school students.

MOTIONS

On motion of Senator Hasegawa, Substitute Senate Bill No. 5023 was substituted for Senate Bill No. 5023 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Hasegawa, the rules were suspended, Substitute Senate Bill No. 5023 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Hasegawa spoke in favor of passage of the bill.

Senator Hawkins spoke against passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5023.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5023 and the bill passed the Senate by the following vote: Yeas, 43; Nays, 5; Absent, 0; Excused, 1.

Voting yea: Senators Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Frockt, Hasegawa, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Takko, Van De Wege, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senators Bailey, Fortunato, Hawkins, Padden and Short

Excused: Senator Wagoner

SUBSTITUTE SENATE BILL NO. 5023, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5621, by Senators Warnick, Padden, Holy, Wagoner, Wilson, L.

Increasing the jurisdictional amount for small claims courts.

MOTION

Senator Warnick moved that Substitute Senate Bill No. 5621 be substituted for Senate Bill No. 5621 and that the substitute bill be placed on the second reading and read the second time.

Senator Padden objected to the motion by Senator Warnick.

Senator Padden spoke against adoption of the substitute bill.

Senator Pedersen spoke in favor of adoption of the substitute bill.

The President Pro Tempore declared the question before the Senate to be the adoption of the substitute bill.

The motion by Senator Warnick carried and the substitute bill was adopted by voice vote.

WITHDRAWAL OF AMENDMENT

On motion of Senator Padden and without objection, striking amendment no. 140 by Senator Padden to Substitute Senate Bill No. 5621 was withdrawn.

MOTION

On motion of Senator Warnick, the rules were suspended, Substitute Senate Bill No. 5621 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Warnick spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5621.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5621 and the bill passed the Senate by the following vote: Yeas, 39; Nays, 9; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Braun, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Takko, Van De Wege, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Voting nay: Senators Bailey, Becker, Brown, Ericksen, Honeyford, O'Ban, Padden, Short and Wilson, L.

Excused: Senator Wagoner

SUBSTITUTE SENATE BILL NO. 5621, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5792, by Senators Salomon, Wellman, Walsh and Honeyford

Making statutory requirements and policies for cultural access programs the same in all counties of the state.

The measure was read the second time.

MOTION

On motion of Senator Salomon, the rules were suspended, Senate Bill No. 5792 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Salomon, Short and Takko spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5792.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5792 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senator Hasegawa

Excused: Senator Wagoner

SENATE BILL NO. 5792, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5332, by Senators Pedersen, Rivers, Wilson, C., Walsh, Randall, Cleveland and Liias

Concerning vital statistics.

MOTION

On motion of Senator Pedersen, Substitute Senate Bill No. 5332 was substituted for Senate Bill No. 5332 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Pedersen moved that the following amendment no. 113 by Senator Pedersen be adopted:

On page 21, line 7, after "archives" insert ", other than those charged through the central services billing model for the cost of operating the state archives"

Senator Pedersen spoke in favor of adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 113 by Senator Pedersen on page 21, line 7 to Substitute Senate Bill No. 5332.

FIFTIETH DAY, MARCH 4, 2019

2019 REGULAR SESSION

The motion by Senator Pedersen carried and amendment no. 113 was adopted by voice vote.

MOTION

On motion of Senator Pedersen, the rules were suspended, Engrossed Substitute Senate Bill No. 5332 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Pedersen spoke in favor of passage of the bill.
 Senator Padden spoke against passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5332.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5332 and the bill passed the Senate by the following vote: Yeas, 33; Nays, 15; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Billig, Braun, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Takko, Walsh, Wellman and Wilson, C.

Voting nay: Senators Becker, Brown, Ericksen, Fortunato, Hawkins, Holy, Honeyford, Padden, Schoesler, Sheldon, Short, Van De Wege, Warnick, Wilson, L. and Zeiger

Excused: Senator Wagoner

ENGROSSED SUBSTITUTE SENATE BILL NO. 5332, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5488, by Senators Darneille, Saldaña, Wilson, C., Keiser and Nguyen

Concerning the sentencing of persons under the age of twenty-one years at the time of the commission of a crime.

MOTIONS

On motion of Senator Darneille, Substitute Senate Bill No. 5488 was substituted for Senate Bill No. 5488 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Darneille, the rules were suspended, Substitute Senate Bill No. 5488 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Darneille and Walsh spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5488.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5488 and the bill passed the Senate by the following vote: Yeas, 37; Nays, 11; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Billig, Braun, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Sheldon, Takko, Van De Wege, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Voting nay: Senators Becker, Brown, Ericksen, Fortunato, Hawkins, Holy, Honeyford, Padden, Schoesler, Short and Wilson, L.

Excused: Senator Wagoner

SUBSTITUTE SENATE BILL NO. 5488, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5795, by Senators Zeiger and Saldaña

Increasing contractor bonding requirements.

The measure was read the second time.

MOTION

On motion of Senator Zeiger, the rules were suspended, Senate Bill No. 5795 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Zeiger and Conway spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5795.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5795 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senator Wagoner

SENATE BILL NO. 5795, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Wilson, C., Senator Takko was excused.

SECOND READING

SENATE BILL NO. 5490, by Senators Frockt, Brown, Hobbs and Mullet

Transferring duties of the life sciences discovery fund.

The measure was read the second time.

MOTION

On motion of Senator Frockt, the rules were suspended, Senate Bill No. 5490 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Frockt and Wilson, L. spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5490.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5490 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 1; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Van De Wege, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senator Hasegawa

Excused: Senators Takko and Wagoner

SENATE BILL NO. 5490, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5021, by Senators Van De Wege, Walsh, Keiser, Conway, Hunt, Hobbs, Wellman, Hasegawa and Kuderer

Granting interest arbitration to department of corrections employees.

MOTIONS

On motion of Senator Van De Wege, Second Substitute Senate Bill No. 5021 was substituted for Senate Bill No. 5021 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Van De Wege, the rules were suspended, Second Substitute Senate Bill No. 5021 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Van De Wege, Hasegawa and King spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 5021.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 5021 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Van De Wege, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senators Takko and Wagoner

SECOND SUBSTITUTE SENATE BILL NO. 5021, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Becker announced a meeting of the Republican Caucus immediately upon adjournment.

Senator McCoy announced a meeting of the Democratic Caucus immediately upon adjournment.

MOTION

At 5:43 p.m., on motion of Senator Liias, the Senate adjourned until 9:00 o'clock a.m. Tuesday, March 5, 2019.

KAREN KEISER, President Pro Tempore of the Senate

BRAD HENDRICKSON, Secretary of the Senate

FIFTY FIRST DAY

MORNING SESSION

Senate Chamber, Olympia
Tuesday, March 5, 2019

The Senate was called to order at 9:07 a.m. by the President Pro Tempore, Senator Keiser presiding. The Secretary called the roll and announced to the President Pro Tempore that all Senators were present with the exception of Senator Becker.

The Sergeant at Arms Color Guard consisting of Pages Mr. Jason Kush and Miss Brianna Althoff, presented the Colors. Page Mr. James Peterson led the Senate in the Pledge of Allegiance.

The prayer was offered by Pastor Doug Knutson-Keller of Gloria Dei Lutheran Church, Olympia.

The President called upon the Secretary to read the journal of the preceding day.

MOTIONS

On motion of Senator Liias, the reading of the Journal of the previous day was dispensed with and it was approved.

On motion of Senator Liias, Rule 15 was suspended for the remainder of the day for the purpose of allowing continued floor action.

EDITOR'S NOTE: Senate Rule 15 establishes the floor schedule and calls for a lunch and dinner break of 90 minutes each per day during regular daily sessions.

MOTION

On motion of Senator Liias, the Senate advanced to the fourth order of business.

MESSAGES FROM THE HOUSE

March 4, 2019

MR. PRESIDENT:

The House has passed:

ENGROSSED SENATE BILL NO. 5273.

and the same is herewith transmitted.

NONA SNELL, Deputy Chief Clerk

March 4, 2019

MR. PRESIDENT:

The House has passed:

SECOND SUBSTITUTE HOUSE BILL NO. 1039,

SECOND SUBSTITUTE HOUSE BILL NO. 1065,

HOUSE BILL NO. 1089,

SUBSTITUTE HOUSE BILL NO. 1091,

HOUSE BILL NO. 1147,

SUBSTITUTE HOUSE BILL NO. 1198,

SUBSTITUTE HOUSE BILL NO. 1199,

SUBSTITUTE HOUSE BILL NO. 1210,

SUBSTITUTE HOUSE BILL NO. 1264,

HOUSE BILL NO. 1279,

SUBSTITUTE HOUSE BILL NO. 1350,

SUBSTITUTE HOUSE BILL NO. 1403,

HOUSE BILL NO. 1408,

HOUSE BILL NO. 1429,

SECOND SUBSTITUTE HOUSE BILL NO. 1448,
HOUSE BILL NO. 1516,
HOUSE BILL NO. 1554,
HOUSE BILL NO. 1561,
SUBSTITUTE HOUSE BILL NO. 1577,
SUBSTITUTE HOUSE BILL NO. 1587,
SUBSTITUTE HOUSE BILL NO. 1595,
HOUSE BILL NO. 1604,
SUBSTITUTE HOUSE BILL NO. 1644,
HOUSE BILL NO. 1688,
HOUSE BILL NO. 1702,
HOUSE BILL NO. 1714,
SUBSTITUTE HOUSE BILL NO. 1724,
HOUSE BILL NO. 1726,
SUBSTITUTE HOUSE BILL NO. 1739,
SUBSTITUTE HOUSE BILL NO. 1742,
HOUSE BILL NO. 1755,
SUBSTITUTE HOUSE BILL NO. 1764,
HOUSE BILL NO. 1803,
SUBSTITUTE HOUSE BILL NO. 1826,
SUBSTITUTE HOUSE BILL NO. 1847,
HOUSE BILL NO. 1852,
SUBSTITUTE HOUSE BILL NO. 1869,
HOUSE BILL NO. 1906,
HOUSE BILL NO. 2008,
SUBSTITUTE HOUSE BILL NO. 2044,

and the same are herewith transmitted.

NONA SNELL, Deputy Chief Clerk

March 4, 2019

MR. PRESIDENT:

The House has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1130,

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1565,

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1799,

and the same are herewith transmitted.

NONA SNELL, Deputy Chief Clerk

MOTION

On motion of Senator Liias, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 5980 by Senator Carlyle

AN ACT Relating to greenhouse gas emissions.

Referred to Committee on Environment, Energy & Technology.

SHB 1009 by House Committee on State Government & Tribal Relations (originally sponsored by Dolan, Kirby and Jinkins)

AN ACT Relating to the state auditor's duties and procedures; amending RCW 43.09.185, 43.09.186, 43.09.230, and 43.09.420; repealing RCW 43.09.265, 43.09.430, 43.09.435, 43.09.440, 43.09.445, 43.09.450, 43.09.455, 43.09.460, and 43.88.162; and repealing 2012 c 164 s 709, 2012 c 1 s 201, and 2005 c 385 s 1 (uncodified).

Referred to Committee on State Government, Tribal Relations & Elections.

SHB 1034 by House Committee on Commerce & Gaming (originally sponsored by Ryu, Pellicciotti, Goodman, Kirby, Vick, Reeves and Bergquist)

AN ACT Relating to establishing a soju endorsement to beer and/or wine restaurant licenses and spirits, beer, and wine restaurant licenses; and amending RCW 66.04.010 and 66.24.400.

Referred to Committee on Labor & Commerce.

SHB 1041 by House Committee on Public Safety (originally sponsored by Hansen, Irwin, Ryu, Jinkins, Wylie, Santos and Caldier)

AN ACT Relating to promoting successful reentry by modifying the process for obtaining certificates of discharge and vacating conviction records; amending RCW 9.94A.640 and 9.94A.030; reenacting and amending RCW 9.94A.637 and 9.96.060; and creating a new section.

Referred to Committee on Law & Justice.

EHB 1058 by Representatives Irwin, Blake, Van Werven, Bergquist, Walsh, MacEwen, Shea, Jinkins, Wylie, Goodman and Barkis

AN ACT Relating to establishing permissible methods of parking a motorcycle; and amending RCW 46.61.575.

Referred to Committee on Transportation.

SHB 1071 by House Committee on Innovation, Technology & Economic Development (originally sponsored by Kloba, Dolan, Tarleton, Slatter, Valdez, Ryu, Appleton, Smith, Stanford and Frame)

AN ACT Relating to breach of security systems protecting personal information; amending RCW 19.255.010 and 42.56.590; adding new sections to chapter 19.255 RCW; adding new sections to chapter 42.56 RCW; and providing an effective date.

Referred to Committee on Environment, Energy & Technology.

E2SHB 1112 by House Committee on Appropriations (originally sponsored by Fitzgibbon, Kloba, Peterson, Tharinger, Jinkins, Macri, Goodman, Bergquist, Doglio, Robinson, Pollet, Stanford and Frame)

AN ACT Relating to reducing greenhouse gas emissions from hydrofluorocarbons; amending RCW 70.235.010, 70.94.430, 70.94.431, and 70.94.015; adding a new section to chapter 70.235 RCW; adding a new section to chapter 19.27 RCW; adding a new section to chapter 39.26 RCW; creating new sections; and prescribing penalties.

Referred to Committee on Environment, Energy & Technology.

HB 1137 by Representatives Leavitt, Klippert, Kilduff, Boehnke, Gildon, Callan, Reeves, Dolan, Barkis, Appleton, Goodman, Young, Riccelli, Bergquist and Stanford

AN ACT Relating to national guard pay in state active service for wildland fire response duty; and amending RCW 38.24.050.

Referred to Committee on State Government, Tribal Relations & Elections.

HB 1146 by Representatives MacEwen and Young

AN ACT Relating to extending the program establishing Christmas tree grower licensure; and amending 2013 c 72 s 1 (uncodified).

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

SHB 1170 by House Committee on Housing, Community Development & Veterans (originally sponsored by Griffey and Goodman)

AN ACT Relating to modifying the expiration date of certain state fire service mobilization laws; repealing 2015 c 181 s 5 (uncodified); providing an effective date; and declaring an emergency.

Referred to Committee on State Government, Tribal Relations & Elections.

SHB 1189 by House Committee on Transportation (originally sponsored by Fitzgibbon, Young, Cody, Caldier and Ortiz-Self)

AN ACT Relating to ferry system performance measures; and adding a new section to chapter 47.64 RCW.

Referred to Committee on Transportation.

HB 1212 by Representatives Shea and McCaslin

AN ACT Relating to prohibiting the names of county auditors and the secretary of state in their official capacity on election materials; and amending RCW 29A.32.070, 29A.32.241, and 29A.40.091.

Referred to Committee on State Government, Tribal Relations & Elections.

HB 1247 by Representatives Reeves and Hoff

AN ACT Relating to the Washington state credit union act; and amending RCW 31.12.185, 31.12.195, 31.12.335, 31.12.382, 31.12.404, and 31.12.436.

Referred to Committee on Financial Institutions, Economic Development & Trade.

HB 1255 by Representatives Lovick, Orwall, Sells, Stanford, Dufault and Irwin

AN ACT Relating to creating Patches pal special license plates; amending RCW 46.18.200, 46.17.220, and 46.68.420; adding a new section to chapter 46.04 RCW; and providing an effective date.

Referred to Committee on Transportation.

HB 1335 by Representatives Slatter, Schmick, Kloba and Springer

FIFTY FIRST DAY, MARCH 5, 2019

2019 REGULAR SESSION

AN ACT Relating to transferring duties of the life sciences discovery fund; amending RCW 43.350.040, 43.350.050, and 43.350.070; adding new sections to chapter 43.330 RCW; recodifying RCW 43.350.040, 43.350.050, and 43.350.070; and repealing RCW 43.350.005, 43.350.010, 43.350.020, 43.350.030, 43.350.060, 43.350.901, and 43.350.903.

Referred to Committee on Financial Institutions, Economic Development & Trade.

HB 1341 by Representatives Hudgins, Morris, Tarleton, Doglio and Kloba

AN ACT Relating to the use of unmanned aerial systems near certain protected marine species; and amending RCW 77.15.740.

Referred to Committee on Environment, Energy & Technology.

HB 1349 by Representatives Schmick, Cody, Jinkins, Doglio and Leavitt

AN ACT Relating to clarifying the definition of a geriatric behavioral health worker for individuals with a bachelor's or master's degree in social work, behavioral health, or other related areas; and amending RCW 74.42.010 and 74.42.360.

Referred to Committee on Health & Long Term Care.

SHB 1356 by House Committee on Civil Rights & Judiciary (originally sponsored by Lovick, Maycumber, Tarleton, Pettigrew, Doglio, Stonier, Morgan, Orwall, Gregerson, Kilduff, Mead, Kloba, Valdez, Ortiz-Self, Thai, Lekanoff, Cody, Stanford, Chapman, Walen, Sells, Kirby, Appleton, Blake, Ryu, Reeves, Bergquist, Jinkins, Goodman, Pollet, Leavitt and Ormsby)

AN ACT Relating to privileged communication with peer support group counselors; and amending RCW 5.60.060.

Referred to Committee on Law & Justice.

HB 1366 by Representatives Sullivan, Jenkin, Ryu, Entenman, Doglio, Pollet and Santos

AN ACT Relating to removing disincentives to the creation of community facilities districts; amending RCW 36.145.110 and 36.145.080; and adding a new section to chapter 43.21C RCW.

Referred to Committee on Local Government.

HB 1380 by Representatives Pellicciotti, Goodman, Pettigrew, Chapman, Ormsby, Reeves and Macri

AN ACT Relating to providing an aggravating circumstance for assault against a utility worker; and amending RCW 9.94A.535.

Referred to Committee on Law & Justice.

HB 1385 by Representatives Springer, Kretz, Blake, Chandler, Gregerson and Walsh

AN ACT Relating to exempting United States food and drug administration nonpublic information from disclosure under

the state public disclosure act; reenacting and amending RCW 42.56.380; adding a new section to chapter 15.130 RCW; and creating a new section.

Referred to Committee on State Government, Tribal Relations & Elections.

SHB 1399 by House Committee on Labor & Workplace Standards (originally sponsored by Robinson, Doglio, Sells, Hudgins, Ormsby, Springer, Gregerson, Frame, Appleton, Bergquist, Riccelli, Tharinger, Stanford, Slatter, Goodman, Reeves, Macri and Ortiz-Self)

AN ACT Relating to paid family and medical leave; amending RCW 50A.04.010, 50A.04.015, 50A.04.020, 50A.04.025, 50A.04.030, 50A.04.035, 50A.04.040, 50A.04.045, 50A.04.055, 50A.04.060, 50A.04.065, 50A.04.070, 50A.04.075, 50A.04.080, 50A.04.085, 50A.04.090, 50A.04.095, 50A.04.100, 50A.04.105, 50A.04.110, 50A.04.115, 50A.04.120, 50A.04.125, 50A.04.145, 50A.04.160, 50A.04.165, 50A.04.170, 50A.04.175, 50A.04.185, 50A.04.195, 50A.04.200, 50A.04.205, 50A.04.215, 50A.04.220, 50A.04.225, 50A.04.230, 50A.04.235, 50A.04.240, 50A.04.245, 50A.04.250, 50A.04.255, 50A.04.260, 50A.04.265, 50A.04.505, 50A.04.510, 50A.04.520, 50A.04.525, 50A.04.540, 50A.04.550, 50A.04.555, 50A.04.560, 50A.04.565, 50A.04.580, 50A.04.590, 50A.04.595, 50A.04.600, 50A.04.610, 50A.04.615, 50A.04.625, 50A.04.645, 50A.04.650, 50A.04.655, 50A.04.660, 50A.04.900, 50.29.021, 43.20A.080, and 42.56.410; reenacting and amending RCW 26.23.060; adding new chapters to Title 50A RCW; recodifying RCW 50A.04.005, 50A.04.010, 50A.04.195, 50A.04.200, 50A.04.205, 50A.04.210, 50A.04.215, 50A.04.220, 50A.04.225, 50A.04.235, 50A.04.255, 50A.04.265, 50A.04.900, 50A.04.105, 50A.04.110, 50A.04.115, 50A.04.120, 50A.04.125, 50A.04.015, 50A.04.020, 50A.04.030, 50A.04.035, 50A.04.040, 50A.04.045, 50A.04.050, 50A.04.055, 50A.04.060, 50A.04.065, 50A.04.240, 50A.04.250, 50A.04.230, 50A.04.600, 50A.04.605, 50A.04.610, 50A.04.615, 50A.04.620, 50A.04.625, 50A.04.630, 50A.04.635, 50A.04.640, 50A.04.645, 50A.04.650, 50A.04.655, 50A.04.660, 50A.04.665, 50A.04.025, 50A.04.245, 50A.04.260, 50A.04.085, 50A.04.095, 50A.04.100, 50A.04.090, 50A.04.130, 50A.04.135, 50A.04.140, 50A.04.145, 50A.04.150, 50A.04.155, 50A.04.160, 50A.04.165, 50A.04.170, 50A.04.175, 50A.04.180, 50A.04.185, 50A.04.190, 50A.04.500, 50A.04.505, 50A.04.510, 50A.04.515, 50A.04.520, 50A.04.525, 50A.04.530, 50A.04.535, 50A.04.540, 50A.04.545, 50A.04.550, 50A.04.555, 50A.04.560, 50A.04.565, 50A.04.570, 50A.04.575, 50A.04.580, 50A.04.585, 50A.04.590, 50A.04.595, 50A.04.070, 50A.04.075, and 50A.04.080; and prescribing penalties.

Referred to Committee on Labor & Commerce.

HB 1412 by Representatives Thai, DeBolt, Slatter, Cody, Jinkins and Riccelli

AN ACT Relating to nonresident pharmacies; and amending RCW 18.64.360.

Referred to Committee on Health & Long Term Care.

SHB 1485 by House Committee on State Government & Tribal Relations (originally sponsored by Lekanoff, Pettigrew, Shewmake, Gregerson, Entenman, Pellicciotti, Doglio, Appleton, Frame, Ormsby, Hudgins, Jinkins and Leavitt)

AN ACT Relating to the appointment of religious coordinators; and amending RCW 41.04.360, 72.01.210, 72.01.212, 72.01.220, 72.01.230, and 72.01.240.

Referred to Committee on State Government, Tribal Relations & Elections.

SHB 1520 by House Committee on State Government & Tribal Relations (originally sponsored by Morgan, Hudgins, Rude, Mead, Stonier, Frame, Riccelli, Appleton, Pellicciotti, Kilduff, Doglio and Reeves)

AN ACT Relating to calendar election dates on ballot envelopes; and amending RCW 29A.40.091.

Referred to Committee on State Government, Tribal Relations & Elections.

SHB 1529 by House Committee on Health Care & Wellness (originally sponsored by Davis, Corry, Frame, Kloba, Doglio and Ormsby)

AN ACT Relating to removing barriers for agency affiliated counselors practicing as peer counselors; and amending RCW 18.130.175 and 43.43.842.

Referred to Committee on Health & Long Term Care.

SHB 1531 by House Committee on Civil Rights & Judiciary (originally sponsored by Jinkins, Walen, Orwall, Cody, Robinson, Riccelli, Valdez, Ormsby and Macri)

AN ACT Relating to medical debt; amending RCW 6.01.060, 6.32.010, 19.16.100, 19.16.250, 19.52.010, and 19.52.020; and adding a new section to chapter 70.54 RCW.

Referred to Committee on Law & Justice.

HB 1534 by Representatives Dufault, Cody, Chandler, Mosbrucker, Chapman, Corry, Leavitt and Steele

AN ACT Relating to psychiatric payments under medical assistance programs for certain rural hospitals that are not designated as critical access hospitals, do not participate in the certified public expenditure program, have less than fifty acute care beds, and have combined medicare and medicaid inpatient days greater than fifty percent of total days; creating a new section; providing an expiration date; and declaring an emergency.

Referred to Committee on Health & Long Term Care.

EHB 1563 by Representatives Jenkin, Blake, Vick, Dent, Young, Kloba, MacEwen and Wylie

AN ACT Relating to liquor-related privileges of students who are enrolled in certain degree programs; and amending RCW 66.20.010 and 66.44.318.

Referred to Committee on Labor & Commerce.

HB 1568 by Representatives Chapman, Dent, Blake and Walsh
AN ACT Relating to port district worker development and occupational training programs; and amending RCW 53.08.245.

Referred to Committee on Higher Education & Workforce Development.

SHB 1602 by House Committee on Civil Rights & Judiciary (originally sponsored by Reeves, Walen, Jinkins, Appleton, Ryu, Morgan, Orwall, Ortiz-Self, Hudgins and Ormsby)

AN ACT Relating to consumer debt; and amending RCW 4.56.110, 6.01.060, 6.15.010, 6.27.100, 6.27.105, 6.27.140, and 6.27.150.

Referred to Committee on Law & Justice.

SHB 1633 by House Committee on Transportation (originally sponsored by Goehner, Entenman, Orcutt, Barkis, Boehnke, Steele, Chapman, Mead, Eslick and Van Werven)

AN ACT Relating to making permanent the posting of fuel tax rate information at fuel pumps; adding a new section to chapter 82.38 RCW; providing an effective date; and declaring an emergency.

Referred to Committee on Transportation.

HB 1657 by Representatives Callan, Eslick, Kilduff, Leavitt, Senn, Dolan, Lovick, Frame, Dent, Corry, Appleton, Ryu, Robinson, Jinkins, Goodman, Doglio, Fey, Macri, Ormsby and Davis

AN ACT Relating to services provided by the office of homeless youth prevention and protection programs; and amending RCW 13.32A.160, 43.185C.010, 43.185C.315, 43.330.700, 43.330.705, and 43.330.710.

Referred to Committee on Housing Stability & Affordability.

HB 1672 by Representatives Steele, Kirby, Rude, Jenkin, Eslick and Doglio

AN ACT Relating to recorking wine at wineries and tasting rooms; and amending RCW 66.24.170.

Referred to Committee on Labor & Commerce.

HB 1730 by Representatives Walen, Frame, Jinkins, Macri and Ormsby

AN ACT Relating to the effect of payment or acknowledgment made after the expiration of a limitations period; and amending RCW 4.16.270 and 4.16.280.

Referred to Committee on Law & Justice.

HB 1743 by Representatives Ormsby, Sells, Appleton, Fey, Tharinger and Kloba

AN ACT Relating to the methodology for establishing the prevailing rate of wages for the construction of affordable housing, homeless and domestic violence shelters, and low-income weatherization and home rehabilitation public

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works; reenacting and amending RCW 39.12.015; adding a new section to chapter 39.12 RCW; creating new sections; and declaring an emergency.

Referred to Committee on Labor & Commerce.

SHB 1870 by House Committee on Health Care & Wellness (originally sponsored by Davis, Cody, Ryu, Jinkins, Dolan, Senn, Bergquist, Peterson, Thai, Valdez, Morgan, Robinson, Goodman, Kilduff, Fey, Pollet, Appleton, Orwall, Mead, Kirby, Kloba, Gregerson, Fitzgibbon, Stanford and Tharinger)

AN ACT Relating to making state law consistent with selected federal consumer protections in the patient protection and affordable care act; amending RCW 48.43.005, 48.43.012, 48.21.270, 48.44.380, 48.46.460, 48.43.715, and 48.43.0122; adding new sections to chapter 48.43 RCW; adding a new section to chapter 43.71 RCW; repealing RCW 48.43.015, 48.43.017, 48.43.018, and 48.43.025; and prescribing penalties.

Referred to Committee on Health & Long Term Care.

HB 1913 by Representatives Doglio, Sells, Bergquist, Griffey, Peterson, Reeves, Lovick, Stonier, Orwall, Irwin, Appleton, Dolan, Leavitt, Ortiz-Self, Shewmake, Stanford, Valdez, Goodman, Pollet, Macri, Santos, Lekanoff, Ormsby, Tharinger, Young and Davis

AN ACT Relating to the presumption of occupational disease for purposes of workers' compensation by adding medical conditions to the presumption, extending the presumption to certain publicly employed firefighters and investigators and law enforcement, addressing the qualifying medical examination, and creating an advisory committee; and amending RCW 51.32.185.

Referred to Committee on Labor & Commerce.

ESHB 1916 by House Committee on Civil Rights & Judiciary (originally sponsored by Kilduff, Leavitt, Ortiz-Self and Ormsby)

AN ACT Relating to improving the delivery of child support services to families by increasing flexibility and efficiency; and amending RCW 26.19.025, 26.09.170, and 74.20A.059.

Referred to Committee on Law & Justice.

SHB 1919 by House Committee on Public Safety (originally sponsored by Mosbrucker, Appleton, Smith, Ybarra, Dye, Ormsby and Stanford)

AN ACT Relating to preventing and responding to animal abuse; amending RCW 16.52.117, 16.52.207, and 16.52.011; and prescribing penalties.

Referred to Committee on Law & Justice.

MOTION

On motion of Senator Liias, all measures listed on the Introduction and First Reading report were referred to the committees as designated.

MOTION

On motion of Senator Liias, the Senate advanced to the seventh order of business.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Kuderer moved that Greg Dietzel, Senate Gubernatorial Appointment No. 9103, be confirmed as a member of the Bellevue College Board of Trustees.

Senator Kuderer spoke in favor of the motion.

APPOINTMENT OF GREG DIETZEL

The President Pro Tempore declared the question before the Senate to be the confirmation of Greg Dietzel, Senate Gubernatorial Appointment No. 9103, as a member of the Bellevue College Board of Trustees.

MOTION

On motion of Senator Rivers, Senator Becker was excused.

MOTION

On motion of Senator Liias, Senator Conway was excused.

The Secretary called the roll on the confirmation of Greg Dietzel, Senate Gubernatorial Appointment No. 9103, as a member of the Bellevue College Board of Trustees and the appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Billig, Braun, Brown, Carlyle, Cleveland, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senators Becker and Conway

Greg Dietzel, Senate Gubernatorial Appointment No. 9103, having received the constitutional majority was declared confirmed as a member of the Bellevue College Board of Trustees.

MOTION

On motion of Senator Liias, the Senate reverted to the sixth order of business.

SECOND READING

SENATE BILL NO. 5278, by Senators Mullet and Wilson, L.

Concerning reporting suspected fraud and theft of payment cards.

MOTIONS

On motion of Senator Mullet, Substitute Senate Bill No. 5278 was substituted for Senate Bill No. 5278 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Mullet, the rules were suspended, Substitute Senate Bill No. 5278 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Mullet and Wilson, L. spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5278.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5278 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Billig, Braun, Brown, Carlyle, Cleveland, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senators Becker and Conway

SUBSTITUTE SENATE BILL NO. 5278, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5474, by Senator Keiser

Concerning industrial insurance and self-insurers.

MOTIONS

On motion of Senator Saldaña, Substitute Senate Bill No. 5474 was substituted for Senate Bill No. 5474 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Saldaña, the rules were suspended, Substitute Senate Bill No. 5474 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Saldaña spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5474.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5474 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 1; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Billig, Braun, Brown, Carlyle, Cleveland, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer,

Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senator Hasegawa

Excused: Senators Becker and Conway

SUBSTITUTE SENATE BILL NO. 5474, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5782, by Senators Zeiger, Fortunato, Takko, Padden, Palumbo and Wilson, L.

Concerning spring blade knives.

The measure was read the second time.

MOTION

On motion of Senator Zeiger, the rules were suspended, Senate Bill No. 5782 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Zeiger, Pedersen and Padden spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5782.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5782 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 1; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Billig, Braun, Brown, Carlyle, Cleveland, Darneille, Das, Dhingra, Ericksen, Fortunato, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senator Frockt

Excused: Senators Becker and Conway

SENATE BILL NO. 5782, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5831, by Senators Keiser, Van De Wege, Salomon and Saldaña

Concerning an employer's payment of indebtedness.

The measure was read the second time.

MOTION

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On motion of Senator Saldaña, the rules were suspended, Senate Bill No. 5831 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Saldaña spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5831.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5831 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Billig, Braun, Brown, Carlyle, Cleveland, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Lias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senators Becker and Conway

SENATE BILL NO. 5831, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5501, by Senators Zeiger and Hunt

Repealing the electronic authentication act.

The measure was read the second time.

MOTION

On motion of Senator Zeiger, the rules were suspended, Senate Bill No. 5501 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Zeiger spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5501.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5501 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Billig, Braun, Brown, Carlyle, Cleveland, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Lias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senators Becker and Conway

SENATE BILL NO. 5501, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5735, by Senators Darneille, Nguyen, Hasegawa and Wilson, C.

Concerning the appropriate age for juvenile court adjudication.

MOTIONS

On motion of Senator Darneille, Substitute Senate Bill No. 5735 was substituted for Senate Bill No. 5735 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Darneille, the rules were suspended, Substitute Senate Bill No. 5735 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Darneille and Walsh spoke in favor of passage of the bill.

Senators O'Ban and Padden spoke against passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5735.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5735 and the bill passed the Senate by the following vote: Yeas, 29; Nays, 18; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Carlyle, Cleveland, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Lias, Lovelett, McCoy, Mullet, Nguyen, Palumbo, Pedersen, Randall, Rolfes, Saldaña, Salomon, Sheldon, Takko, Van De Wege, Walsh, Wellman and Wilson, C.

Voting nay: Senators Bailey, Braun, Brown, Ericksen, Fortunato, Hawkins, Holy, Honeyford, King, O'Ban, Padden, Rivers, Schoesler, Short, Wagoner, Warnick, Wilson, L. and Zeiger

Excused: Senators Becker and Conway

SUBSTITUTE SENATE BILL NO. 5735, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SIGNED BY THE PRESIDENT

Pursuant to Article 2, Section 32 of the State Constitution and Senate Rule 1(5), the President announced the signing of and thereupon did sign in open session:

ENGROSSED SENATE BILL NO. 5273,
and SENATE CONCURRENT RESOLUTION NO. 8404.

SECOND READING

SENATE BILL NO. 5593, by Senators Lias, Wilson, C., Das, Kuderer, Nguyen and Saldaña

Addressing equity in access to dual credit opportunities.

MOTIONS

On motion of Senator Liias, Substitute Senate Bill No. 5593 was substituted for Senate Bill No. 5593 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Liias, the rules were suspended, Substitute Senate Bill No. 5593 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Liias and Hawkins spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5593.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5593 and the bill passed the Senate by the following vote: Yeas, 42; Nays, 5; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Billig, Brown, Carlyle, Cleveland, Darneille, Das, Dhingra, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senators Braun, Ericksen, Honeyford, Padden and Short

Excused: Senators Becker and Conway

SUBSTITUTE SENATE BILL NO. 5593, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE JOINT MEMORIAL NO. 8008, by Senators Bailey, O'Ban and Kuderer

Urging federal legislation to prohibit the sale of tobacco and vapor products to anyone under the age of twenty-one.

The measure was read the second time.

MOTION

On motion of Senator Bailey, the rules were suspended, Senate Joint Memorial No. 8008 was advanced to third reading, the second reading considered the third and the memorial was placed on final passage.

Senators Bailey and Cleveland spoke in favor of passage of the bill.

Senator Hasegawa spoke against passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Senate Joint Memorial No. 8008.

ROLL CALL

The Secretary called the roll on the final passage of Senate Joint Memorial No. 8008 and the memorial passed the Senate by the following vote: Yeas, 35; Nays, 12; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Billig, Braun, Carlyle, Cleveland, Darneille, Das, Dhingra, Frockt, Hawkins, Hobbs, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Short, Takko, Van De Wege, Wellman, Wilson, C. and Zeiger

Voting nay: Senators Brown, Ericksen, Fortunato, Hasegawa, Holy, Honeyford, Padden, Sheldon, Wagoner, Walsh, Warnick and Wilson, L.

Excused: Senators Becker and Conway

SENATE JOINT MEMORIAL NO. 8008, having received the constitutional majority, was declared passed. There being no objection, the title of the memorial was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5163, by Senators Hasegawa, Pedersen, Kuderer, Darneille, McCoy, Saldaña, Dhingra, Frockt, Wilson, C., Liias, Palumbo and Nguyen

Concerning actions for wrongful injury or death.

MOTION

On motion of Senator Hasegawa, Substitute Senate Bill No. 5163 was substituted for Senate Bill No. 5163 and the substitute bill was placed on the second reading and read the second time.

MOTION

On motion of Senator Liias, further consideration of Substitute Senate Bill No. 5163 was deferred and the bill held its place on the second reading calendar.

SECOND READING

SENATE BILL NO. 5946, by Senators Nguyen, Saldaña, Hasegawa, Das and Lovelett

Concerning the application of the state environmental policy act to temporary shelters and transitional encampments.

MOTION

On motion of Senator Nguyen, Substitute Senate Bill No. 5946 was substituted for Senate Bill No. 5946 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Nguyen moved that the following amendment no. 091 by Senator Nguyen be adopted:

On page 1, line 14, after "years;" strike "and"

On page 1, line 16, after "structure" insert ";

(e) The local jurisdiction has declared a state of emergency on homelessness"

Senator Nguyen spoke in favor of adoption of the amendment.

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The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 091 by Senator Nguyen on page 1, line 14 to Substitute Senate Bill No. 5946.

The motion by Senator Nguyen carried and amendment no. 091 was adopted by voice vote.

MOTION

Senator Zeiger moved that the following amendment no. 110 by Senator Zeiger be adopted:

On page 1, line 14, after “years;” strike “and”

On page 1, line 16, after “structure” insert “; and

(e) The facility does not allow the use of drugs or alcohol on its premises, except for medicines a sheltered individual has been prescribed by a licensed prescriber.”

Senators Zeiger and Nguyen spoke in favor of adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 110 by Senator Zeiger on page 1, line 14 to Substitute Senate Bill No. 5946.

The motion by Senator Zeiger carried and amendment no. 110 was adopted by voice vote.

MOTION

Senator Ericksen moved that the following amendment no. 144 by Senator Ericksen be adopted:

On page 1, line 14, after “years;” strike “and”

On page 1, line 16, after “structure” insert “; and

(e) The facility must be located in a county with a population of at least two million people”

Senator Ericksen spoke in favor of adoption of the amendment.

Senator Nguyen spoke against adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 144 by Senator Ericksen on page 1, line 14 to Substitute Senate Bill No. 5946.

The motion by Senator Ericksen failed and amendment no. 144 was not adopted by voice vote.

MOTION

Senator Ericksen moved that the following amendment no. 145 by Senator Ericksen be adopted:

On page 1, line 14, after “years;” strike “and”

On page 1, line 16, after “structure” insert “; and

(e) The facility is not located in a neighborhood where a significant number of households have an adjusted income of less than eighty percent of the median family income adjusted for household size, for the city or county where the facility is located”

Senator Ericksen spoke in favor of adoption of the amendment.

Senator Nguyen spoke against adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 145 by Senator Ericksen on page 1, line 14 to Substitute Senate Bill No. 5946.

The motion by Senator Ericksen failed and amendment no. 145 was not adopted by voice vote.

MOTION

Senator King moved that the following amendment no. 146 by Senator King be adopted:

On page 1, line 14, after “years;” strike “and”

On page 1, line 16, after “structure” insert “; and

(e) The facility may not be located within one thousand feet of a public or private school or an early learning facility, unless the public or private school, early learning facility, or controlling affiliate organization of the public or private school or early learning facility has approved the siting”

On page 1, line 19, after “(a)” insert ““School” means:

(i) A public school under RCW 28A.150.010;

(ii) A private school approved by the state under chapter 28A.195 RCW; and

(iii) A charter school under RCW 28A.710.010.

(b) “Early learning facility” means:

(i) A child day care center under RCW 43.216.010(1)(a);

(ii) An early childhood education and assistance program provider under RCW 43.216.010(8);

(iii) A family day care provider under RCW 43.216.010(1)(c);

(iv) A head start program under 42 U.S.C. 9801 et seq.; and

(v) A nursery school under RCW 43.216.010(2)(e).

(c)”

Reletter the remaining subsection consecutively and correct any internal references accordingly.

Senators King and Nguyen spoke in favor of adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 146 by Senator King on page 1, line 14 to Substitute Senate Bill No. 5946.

The motion by Senator King carried and amendment no. 146 was adopted by voice vote.

MOTION

On motion of Senator Nguyen, the rules were suspended, Engrossed Substitute Senate Bill No. 5946 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Nguyen, Zeiger, King, Sheldon and Braun spoke in favor of passage of the bill.

Senators Ericksen and Rolfes spoke against passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5946.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5946 and the bill passed the Senate by the following vote: Yeas, 35; Nays, 12; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Billig, Braun, Cleveland, Darneille, Das, Dhingra, Fortunato, Frockt, Hasegawa, Hobbs, Holy, Hunt, Keiser, King, Kuderer, Lias, Lovelett, Mullet, Nguyen, O’Ban, Pedersen, Randall, Rivers, Saldaña, Schoesler, Sheldon, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Voting nay: Senators Brown, Carlyle, Ericksen, Hawkins, Honeyford, McCoy, Padden, Palumbo, Rolfes, Salomon, Short and Wilson, L.

Excused: Senators Becker and Conway

ROLL CALL

ENGROSSED SUBSTITUTE SENATE BILL NO. 5946, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

INTRODUCTION OF SPECIAL GUESTS

The President Pro Tempore welcomed and introduced students and representatives of Simpson Elementary School of Montesano who were seated in the gallery.

The Senate resumed consideration of Substitute Senate Bill No. 5163 which had been deferred previously in the day.

SECOND READING

SUBSTITUTE SENATE BILL NO. 5163, by Senate Committee on Law & Justice (originally sponsored by Hasegawa, Pedersen, Kuderer, Darneille, McCoy, Saldaña, Dhingra, Frockt, Wilson, C., Liias, Palumbo and Nguyen)

Concerning actions for wrongful injury or death.

The measure was read the second time.

MOTION

Senator Braun moved that the following amendment no. 151 by Senator Braun be adopted:

On page 2, line 9, after “deceased” insert “However, a defendant’s liability is several only and not joint under RCW 4.22.070(1) (a) or (b) if the parent or sibling is not dependent upon the deceased person for support”

On page 2, line 30, after “(3)” insert “A defendant’s liability is several only and not joint under RCW 4.22.070(1) (a) or (b) if the decedent’s parent or sibling is not dependent upon the decedent for support.

(4)”

Renumber the remaining subsection consecutively and correct any internal references accordingly.

On page 3, after line 36, insert the following:

“(4) A defendant’s liability is several only and not joint under RCW 4.22.070(1) (a) or (b) if the decedent’s parent or sibling is not dependent upon the decedent for support.”

On page 4, line 22, after “(3)” insert “A defendant’s liability is several only and not joint under RCW 4.22.070(1) (a) or (b) if the decedent’s parent or legal guardian is not dependent upon the decedent for support.

(4)”

Renumber the remaining subsections consecutively and correct any internal references accordingly.

Senators Braun and Short spoke in favor of adoption of the amendment.

Senator Pedersen spoke against adoption of the amendment.

Senator Short demanded a roll call.

The President Pro Tempore declared that one-sixth of the members supported the demand and the demand was sustained.

The President Pro Tempore declared the question before the Senate to be the adoption of the amendment by Senator Braun on page 2, line 9, to Substitute Senate Bill No. 5163.

The Secretary called the roll on the adoption of the amendment by Senator Braun and the amendment was not adopted by the following vote: Yeas, 20; Nays, 27; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Braun, Brown, Ericksen, Fortunato, Hawkins, Holy, Honeyford, King, Mullet, O’Ban, Rivers, Schoesler, Sheldon, Short, Wagoner, Walsh, Warnick, Wilson, L. and Zeiger

Voting nay: Senators Billig, Carlyle, Cleveland, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Nguyen, Padden, Palumbo, Pedersen, Randall, Rolfes, Saldaña, Salomon, Takko, Van De Wege, Wellman and Wilson, C.

Excused: Senators Becker and Conway.

WITHDRAWAL OF AMENDMENT

On motion of Senator Padden and without objection, amendment no. 152 by Senator Padden on page 5, line 10 to Substitute Senate Bill No. 5163 was withdrawn.

MOTION

On motion of Senator Hasegawa, the rules were suspended, Substitute Senate Bill No. 5163 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

MOTION

On motion of Senator Liias, further consideration of Substitute Senate Bill No. 5163 was again deferred and the bill again held its place on the third reading calendar.

MOTION

At 10:43 a.m., on motion of Senator Liias, the Senate was declared to be at ease subject to the call of the President.

 AFTERNOON SESSION

The Senate was called to order at 1:11 p.m. by President Pro Tempore Keiser.

MOTION

On motion of Senator Liias, the Senate advanced to the seventh order of business.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Kuderer moved that Denise Jones, Senate Gubernatorial Appointment No. 9115, be confirmed as a member of the Lake Washington Institute of Technology Board of Trustees.

Senator Kuderer spoke in favor of the motion.

MOTION

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On motion of Senator Rivers, Senators Becker, Ericksen and Sheldon were excused.

APPOINTMENT OF DENISE JONES

The President Pro Tempore declared the question before the Senate to be the confirmation of Denise Jones, Senate Gubernatorial Appointment No. 9115, as a member of the Lake Washington Institute of Technology Board of Trustees.

The Secretary called the roll on the confirmation of Denise Jones, Senate Gubernatorial Appointment No. 9115, as a member of the Lake Washington Institute of Technology Board of Trustees and the appointment was confirmed by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Senators Bailey, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senators Becker, Ericksen and Sheldon

Denise Jones, Senate Gubernatorial Appointment No. 9115, having received the constitutional majority was declared confirmed as a member of the Lake Washington Institute of Technology Board of Trustees.

The Senate again resumed consideration of Substitute Senate Bill No. 5163 which had been deferred earlier in the day.

THIRD READING

SUBSTITUTE SENATE BILL NO. 5163, by Senate Committee on Law & Justice (originally sponsored by Hasegawa, Pedersen, Kuderer, Darneille, McCoy, Saldaña, Dhingra, Frockt, Wilson, C., Liias, Palumbo and Nguyen)

Concerning actions for wrongful injury or death.

The bill was read on Third Reading.

Senators Hasegawa and Pedersen spoke in favor of passage of the bill.

Senators Braun and Wagoner spoke against passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5163.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5163 and the bill passed the Senate by the following vote: Yeas, 30; Nays, 17; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Palumbo, Pedersen, Randall, Rolfes, Saldaña, Salomon, Takko, Van De Wege, Walsh, Wellman, Wilson, C. and Zeiger

Voting nay: Senators Bailey, Braun, Brown, Fortunato, Hawkins, Holy, Honeyford, King, O'Ban, Padden, Rivers, Schoesler, Sheldon, Short, Wagoner, Warnick and Wilson, L.

Excused: Senators Becker and Ericksen

SUBSTITUTE SENATE BILL NO. 5163, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Liias, the Senate reverted to the sixth order of business.

SECOND READING

SENATE BILL NO. 5492, by Senators Billig, Padden, Pedersen, Holy and Dhingra

Sentencing of motor vehicle-related felonies.

The measure was read the second time.

MOTION

On motion of Senator Liias, further consideration of Senate Bill No. 5492 was deferred and the bill held its place on the second reading calendar.

INTRODUCTION OF SPECIAL GUESTS

The President Pro Tempore welcomed and introduced her son, Mr. Mark Keiser, who was seated in the gallery on the anniversary of his birth. The senate recognized Mr. Keiser, performing a rendition of "*Happy Birthday*."

MOTION

At 1:32 p.m., on motion of Senator Liias, the Senate was declared to be at ease subject to the call of the President.

Senator McCoy announced a meeting of the Democratic Caucus immediately upon going at ease.

Senator Short announced a meeting of the Republican Caucus immediately upon going at ease.

The Senate was called to order at 4:35 p.m. by President Pro Tempore Keiser.

MOTION

There being no objection, the Senate reverted to the fourth order of business.

MESSAGE FROM THE HOUSE

March 5, 2019

MR. PRESIDENT:
The Speaker has signed:

ENGROSSED SENATE BILL NO. 5273,
SENATE CONCURRENT RESOLUTION NO. 8404,
and the same are herewith transmitted.

NONA SNELL, Deputy Chief Clerk

MOTION

On motion of Senator Liias, the Senate advanced to the sixth order of business.

SECOND READING

SENATE BILL NO. 5492, by Senators Billig, Padden, Pedersen, Holy and Dhingra

Sentencing of motor vehicle-related felonies.

MOTIONS

On motion of Senator Billig, Substitute Senate Bill No. 5492 was substituted for Senate Bill No. 5492 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Billig, the rules were suspended, Substitute Senate Bill No. 5492 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Billig, Padden, Pedersen and Braun spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5492.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5492 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senator Becker

SUBSTITUTE SENATE BILL NO. 5492, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5478, by Senators Liias, Keiser, Conway, Hunt, Pedersen, Kuderer and McCoy

Concerning restraints on persons engaging in lawful professions, trades, or businesses.

MOTION

On motion of Senator Liias, Substitute Senate Bill No. 5478 was substituted for Senate Bill No. 5478 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Liias moved that the following striking amendment no. 153 by Senator Liias be adopted:

Strike everything after the enacting clause and insert the following:

NEW SECTION. **Sec. 1.** The legislature finds that workforce mobility is important to economic growth and development. Further, the legislature finds that agreements limiting competition or hiring may be contracts of adhesion that may be unreasonable.

NEW SECTION. **Sec. 2.** The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Earnings" means the compensation reflected on box one of the employee's United States internal revenue service form W-2 that is paid to an employee over the prior year, or portion thereof for which the employee was employed, annualized and calculated as of the earlier of the date enforcement of the noncompetition covenant is sought or the date of separation from employment. "Earnings" also means payments reported on internal revenue service form 1099-MISC for independent contractors.

(2) "Employee" and "employer" have the same meanings as in RCW 49.17.020.

(3) "Franchisor" and "franchisee" have the same meanings as in RCW 19.100.010.

(4) "Noncompetition covenant" includes every written or oral covenant, agreement, or contract by which an employee or independent contractor is prohibited or restrained from engaging in a lawful profession, trade, or business of any kind. A "noncompetition covenant" does not include: (a) A nonsolicitation agreement; (b) a confidentiality agreement; (c) a covenant prohibiting use or disclosure of trade secrets or inventions; (d) a covenant entered into by a person purchasing or selling the goodwill of a business or otherwise acquiring or disposing of an ownership interest; or (e) a covenant entered into by a franchisee when the franchise sale complies with RCW 19.100.020(1).

(5) "Nonsolicitation agreement" means an agreement between an employer and employee that prohibits solicitation by an employee, upon termination of employment: (a) Of any employee of the employer to leave the employer; or (b) of any customer of the employer to cease or reduce the extent to which it is doing business with the employer.

(6) "Party seeking enforcement" means the named plaintiff or claimant in a proceeding to enforce a noncompetition covenant or the defendant in an action for declaratory relief.

NEW SECTION. **Sec. 3.** (1) A noncompetition covenant is void and unenforceable against an employee:

(a)(i) Unless the employer discloses the terms of the covenant in writing to the prospective employee no later than the time of the acceptance of the offer of employment and, if the agreement becomes enforceable only at a later date due to changes in the employee's compensation, the employer specifically discloses that the agreement may be enforceable against the employee in the future; or

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(ii) If the covenant is entered into after the commencement of employment, unless the employer provides independent consideration for the covenant;

(b) Unless the employee's earnings from the party seeking enforcement, when annualized, exceed one hundred thousand dollars per year. This dollar amount must be adjusted annually in accordance with section 5 of this act;

(c) If the employee is terminated as the result of a layoff, unless enforcement of the noncompetition covenant includes compensation equivalent to the employee's base salary at the time of termination for the period of enforcement minus compensation earned through subsequent employment during the period of enforcement.

(2) A court or arbitrator must presume that any noncompetition covenant with a duration exceeding eighteen months after termination of employment is unreasonable and unenforceable. A party seeking enforcement may rebut the presumption by proving by clear and convincing evidence that a duration longer than eighteen months is necessary to protect the party's business or goodwill.

NEW SECTION. Sec. 4. (1) A noncompetition covenant is void and unenforceable against an independent contractor unless the independent contractor's earnings from the party seeking enforcement exceed two hundred fifty thousand dollars per year. This dollar amount must be adjusted annually in accordance with section 5 of this act.

(2) The duration of a noncompetition covenant between a performer and a performance space, or a third party scheduling the performer for a performance space, must not exceed three calendar days.

NEW SECTION. Sec. 5. The dollar amounts specified in sections 3 and 4 of this act must be adjusted annually for inflation. Annually on September 30th the department of labor and industries will adjust the dollar amounts specified in this section by calculating to the nearest cent using the consumer price index for urban wage earners and clerical workers, CPI-W, or a successor index, for the twelve months prior to each September 1st as calculated by the United States department of labor. The adjusted dollar amount calculated under this section takes effect on the following January 1st.

NEW SECTION. Sec. 6. A provision in a noncompetition covenant signed by an employee or independent contractor who is Washington-based is void and unenforceable:

(1) If the covenant requires the employee or independent contractor to adjudicate a noncompetition covenant outside of this state; and

(2) To the extent it deprives the employee or independent contractor of the protections or benefits of this chapter.

NEW SECTION. Sec. 7. (1) No franchisor may restrict, restrain, or prohibit in any way a franchisee from soliciting or hiring any employee of a franchisee of the same franchisor.

(2) No franchisor may restrict, restrain, or prohibit in any way a franchisee from soliciting or hiring any employee of the franchisor.

NEW SECTION. Sec. 8. An employer may not restrict, restrain, or prohibit an employee earning less than twice the applicable state minimum hourly wage from having an additional job, supplementing their income by working for another employer, working as an independent contractor, or being self-

employed: Provided, that this section shall not apply to any such additional services when the specific services to be offered by the employee raise issues of safety for the employee, coworkers, or the public, or interfere with the reasonable and normal scheduling expectations of the employer. This section does not alter the obligations of an employee to an employer under existing law, including the common law duty of loyalty and laws preventing conflicts of interest and any corresponding policies addressing such obligations.

NEW SECTION. Sec. 9. (1) Upon a violation of this chapter, the attorney general, on behalf of a person or persons, may pursue any and all relief. A person aggrieved by a noncompetition covenant to which the person is a party may bring a cause of action to pursue any and all relief provided for in subsections (2) and (3) of this section.

(2) If a court or arbitrator determines that a noncompetition covenant violates this chapter, the violator must pay the aggrieved person the greater of his or her actual damages or a statutory penalty of five thousand dollars, plus reasonable attorneys' fees, expenses, and costs incurred in the proceeding.

(3) If a court or arbitrator reforms, rewrites, modifies, or only partially enforces any noncompetition covenant, the party seeking enforcement must pay the aggrieved person the greater of his or her actual damages or a statutory penalty of five thousand dollars, plus reasonable attorneys' fees, expenses, and costs incurred in the proceeding.

(4) A cause of action may not be brought regarding a noncompetition covenant signed prior to the effective date of this section if the noncompetition covenant is not being enforced.

NEW SECTION. Sec. 10. (1)(a) Subject to (b) of this subsection, this chapter displaces conflicting tort, restitutionary, contract, and other laws of this state pertaining to liability for competition by employees or independent contractors with their employers or principals, as appropriate.

(b) This chapter does not amend or modify chapter 19.108 RCW.

(2) Except as otherwise provided in this chapter, this chapter does not revoke, modify, or impede the development of the common law.

NEW SECTION. Sec. 11. This chapter applies to all proceedings commenced on or after the effective date of this section, regardless of when the cause of action arose. To this extent, this chapter applies retroactively, but in all other respects it applies prospectively.

NEW SECTION. Sec. 12. This chapter is an exercise of the state's police power and shall be construed liberally for the accomplishment of its purposes.

NEW SECTION. Sec. 13. This act takes effect January 1, 2020.

NEW SECTION. Sec. 14. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 15. Sections 1 through 13 of this act constitute a new chapter in Title 49 RCW."

On page 1, line 3 of the title, after "businesses;" strike the remainder of the title and insert "adding a new chapter to Title 49 RCW; and providing an effective date."

Senator Liias spoke in favor of adoption of the striking amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of striking amendment no. 153 by Senator Liias to Substitute Senate Bill No. 5478.

The motion by Senator Liias carried and striking amendment no. 153 was adopted by voice vote.

MOTION

On motion of Senator Liias, the rules were suspended, Engrossed Substitute Senate Bill No. 5478 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Liias, King and Conway spoke in favor of passage of the bill.

Senator Braun spoke against passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5478.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5478 and the bill passed the Senate by the following vote: Yeas, 30; Nays, 18; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Fortunato, Frockt, Hasegawa, Hobbs, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Palumbo, Pedersen, Randall, Rolfes, Saldaña, Salomon, Takko, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Bailey, Braun, Brown, Ericksen, Hawkins, Holy, Honeyford, O'Ban, Padden, Rivers, Schoesler, Sheldon, Short, Wagoner, Walsh, Warnick, Wilson, L. and Zeiger
Excused: Senator Becker

ENGROSSED SUBSTITUTE SENATE BILL NO. 5478, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5233, by Senators Keiser and Conway

Creating an alternative process for sick leave benefits for workers represented by collective bargaining agreements.

The measure was read the second time.

MOTION

On motion of Senator Conway, the rules were suspended, Senate Bill No. 5233 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Conway, King and Braun spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5233.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5233 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senator Becker

SENATE BILL NO. 5233, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5525, by Senator Short

Concerning whitetail deer population estimates.

MOTIONS

On motion of Senator Short, Substitute Senate Bill No. 5525 was substituted for Senate Bill No. 5525 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Short, the rules were suspended, Substitute Senate Bill No. 5525 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Short spoke in favor of passage of the bill.

MOTION

On motion of Senator Wilson, C., Senator Kuderer was excused.

Senator Liias spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5525.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5525 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senator Becker

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SUBSTITUTE SENATE BILL NO. 5525, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Vice President Pro Tempore Conway assumed the chair.

SECOND READING

SENATE BILL NO. 5919, by Senators Lovelett, Nguyen, Dhingra, Hawkins, Randall, Frockt, Das, Hunt and Palumbo

Creating a San Juan Islands stewardship special license plate.

MOTIONS

On motion of Senator Lovelett, Substitute Senate Bill No. 5919 was substituted for Senate Bill No. 5919 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Lovelett, the rules were suspended, Substitute Senate Bill No. 5919 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Lovelett and King spoke in favor of passage of the bill.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5919.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5919 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senator Schoesler
Excused: Senator Becker

SUBSTITUTE SENATE BILL NO. 5919, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5930, by Senators Randall, Lovelett, Liias, Nguyen, Wilson, C., Palumbo, Sheldon, Mullet and Hunt

Creating Seattle Storm special license plates to fund youth leadership and sports programs.

The measure was read the second time.

MOTION

On motion of Senator Randall, the rules were suspended, Senate Bill No. 5930 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Randall spoke in favor of passage of the bill.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5930.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5930 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senator Schoesler
Excused: Senator Becker

SENATE BILL NO. 5930, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5352, by Senators Walsh, Warnick, McCoy, Kuderer, Van De Wege and Hasegawa

Concerning the Walla Walla watershed management pilot program.

MOTIONS

On motion of Senator Walsh, Second Substitute Senate Bill No. 5352 was substituted for Senate Bill No. 5352 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Walsh, the rules were suspended, Second Substitute Senate Bill No. 5352 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Walsh spoke in favor of passage of the bill.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 5352.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 5352 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford,

Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senator Becker

SECOND SUBSTITUTE SENATE BILL NO. 5352, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5337, by Senators Takko and Holy

Expanding a sales and use tax exemption for personal property sold between political subdivisions to include sales or uses of personal property as a result of a merger or sales or uses of personal property made under contractual consolidations in which the taxpayer that originally paid the sales or use tax continues to benefit from the personal property.

The measure was read the second time.

MOTION

On motion of Senator Takko, the rules were suspended, Senate Bill No. 5337 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Takko and Short spoke in favor of passage of the bill.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5337.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5337 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senator Becker

SENATE BILL NO. 5337, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5763, by Senators Wagoner, Takko and Honeyford

Concerning collector truck operators.

MOTIONS

On motion of Senator Wagoner, Substitute Senate Bill No. 5763 was substituted for Senate Bill No. 5763 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Wagoner, the rules were suspended, Substitute Senate Bill No. 5763 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Wagoner spoke in favor of passage of the bill.

Senator Hasegawa spoke against passage of the bill.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5763.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5763 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 2; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senators Hasegawa and Liias

Excused: Senator Becker

SUBSTITUTE SENATE BILL NO. 5763, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE CONCURRENT RESOLUTION NO. 8403, by Senators Hunt and Wilson, C.

Renaming Marathon Park after Joan Benoit Samuelson.

The measure was read the second time.

MOTION

On motion of Senator Hunt, the rules were suspended, Senate Concurrent Resolution No. 8403 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Senate Concurrent Resolution No. 8403.

Senators Hunt and Zeiger spoke in favor of adoption of the resolution.

SENATE CONCURRENT RESOLUTION NO. 8403 having received a majority was adopted by voice vote.

SECOND READING

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SENATE BILL NO. 5723, by Senators Randall, Saldaña, Lias, Rolfes, Billig and Nguyen

Increasing safety on roadways for pedestrians, bicyclists, and other roadway users.

MOTIONS

On motion of Senator Randall, Substitute Senate Bill No. 5723 was substituted for Senate Bill No. 5723 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Randall, the rules were suspended, Substitute Senate Bill No. 5723 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Randall and King spoke in favor of passage of the bill.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5723.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5723 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Erickson, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Lias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senator Becker

SUBSTITUTE SENATE BILL NO. 5723, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5710, by Senators Lias, Saldaña, Cleveland, Takko, Billig, King, Nguyen and Dhingra

Establishing the active transportation safety advisory council.

MOTIONS

On motion of Senator Lias, Substitute Senate Bill No. 5710 was substituted for Senate Bill No. 5710 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Lias, the rules were suspended, Substitute Senate Bill No. 5710 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Lias and King spoke in favor of passage of the bill.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5710.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5710 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Erickson, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Lias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senator Becker

SUBSTITUTE SENATE BILL NO. 5710, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5093, by Senator Fortunato

Enhancing litter control along state highways.

MOTIONS

On motion of Senator Fortunato, Second Substitute Senate Bill No. 5093 was substituted for Senate Bill No. 5093 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Fortunato, the rules were suspended, Second Substitute Senate Bill No. 5093 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Fortunato, King and Rolfes spoke in favor of passage of the bill.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 5093.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 5093 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Erickson, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Lias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senator Becker

SUBSTITUTE SENATE BILL NO. 5093, having received the constitutional majority, was declared passed. There

being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5865, by Senators Hasegawa, Nguyen, Conway, Dhingra, Schoesler, Billig, Honeyford, King, Randall, Saldaña and Wilson, C.

Declaring October as Filipino American history month.

The measure was read the second time.

MOTION

On motion of Senator Hasegawa, the rules were suspended, Senate Bill No. 5865 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Hasegawa, Honeyford, Wagoner, Braun and King spoke in favor of passage of the bill.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5865.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5865 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senator Becker

SENATE BILL NO. 5865, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

President Pro Tempore Keiser resumed the chair.

SECOND READING

SENATE BILL NO. 5027, by Senators Frockt, Carlyle, Palumbo, Wellman, Pedersen, Keiser, Saldaña, Mullet and O'Ban

Concerning extreme risk protection orders.

MOTION

On motion of Senator Frockt, Substitute Senate Bill No. 5027 was substituted for Senate Bill No. 5027 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator O'Ban moved that the following amendment no. 167 by Senator O'Ban be adopted:

On page 1, beginning on line 4, strike all of section 1
Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 1, line 2 of the title, after "RCW", insert "7.94.120,"

Senators O'Ban and Frockt spoke in favor of adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 167 by Senator O'Ban on page 1, line 4 to Substitute Senate Bill No. 5027.

The motion by Senator O'Ban carried and amendment no. 167 was adopted by voice vote.

MOTION

Senator Holy moved that the following amendment no. 165 by Senator Holy be adopted:

On page 6, beginning on line 26, after "by" strike "a preponderance of the" and insert "~~((a preponderance of the))~~ clear and convincing"

Senators Holy and Padden spoke in favor of adoption of the amendment.

Senator Frockt spoke against adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 165 by Senator Holy on page 6, line 26 to Substitute Senate Bill No. 5027.

The motion by Senator Holy did not carry and amendment no. 165 was not adopted by voice vote.

WITHDRAWAL OF AMENDMENT

On motion of Senator Dhingra and without objection, amendment no. 039 by Senator Dhingra on page 7, line 22 to Substitute Senate Bill No. 5027 was withdrawn.

MOTION

Senator Dhingra moved that the following amendment no. 032 by Senator Dhingra be adopted:

On page 11, after line 34, insert the following:

"**Sec. 7.** RCW 10.31.100 and 2017 c 336 s 3 and 2017 c 223 s 1 are each reenacted and amended to read as follows:

A police officer having probable cause to believe that a person has committed or is committing a felony shall have the authority to arrest the person without a warrant. A police officer may arrest a person without a warrant for committing a misdemeanor or gross misdemeanor only when the offense is committed in the presence of an officer, except as provided in subsections (1) through (11) of this section.

(1) Any police officer having probable cause to believe that a person has committed or is committing a misdemeanor or gross misdemeanor, involving physical harm or threats of harm to any person or property or the unlawful taking of property or involving the use or possession of cannabis, or involving the acquisition, possession, or consumption of alcohol by a person under the age of twenty-one years under RCW 66.44.270, or involving criminal trespass under RCW 9A.52.070 or 9A.52.080, shall have the authority to arrest the person.

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(2) A police officer shall arrest and take into custody, pending release on bail, personal recognizance, or court order, a person without a warrant when the officer has probable cause to believe that:

(a) An order has been issued of which the person has knowledge under RCW 26.44.063, or chapter 7.92, 7.90, 9A.46, 10.99, 26.09, 26.10, 26.26, 26.50, or 74.34 RCW restraining the person and the person has violated the terms of the order restraining the person from acts or threats of violence, or restraining the person from going onto the grounds of or entering a residence, workplace, school, or day care, or prohibiting the person from knowingly coming within, or knowingly remaining within, a specified distance of a location or, in the case of an order issued under RCW 26.44.063, imposing any other restrictions or conditions upon the person; ((e))

(b) An extreme risk protection order has been issued against the person under RCW 7.94.040, the person has knowledge of the order, and the person has violated the terms of the order prohibiting the person from having in his or her custody or control, purchasing, possessing, accessing, or receiving a firearm or concealed pistol license;

(c) A foreign protection order, as defined in RCW 26.52.010, has been issued of which the person under restraint has knowledge and the person under restraint has violated a provision of the foreign protection order prohibiting the person under restraint from contacting or communicating with another person, or excluding the person under restraint from a residence, workplace, school, or day care, or prohibiting the person from knowingly coming within, or knowingly remaining within, a specified distance of a location, or a violation of any provision for which the foreign protection order specifically indicates that a violation will be a crime; or

((e)) (d) The person is eighteen years or older and within the preceding four hours has assaulted a family or household member as defined in RCW 10.99.020 and the officer believes: (i) A felonious assault has occurred; (ii) an assault has occurred which has resulted in bodily injury to the victim, whether the injury is observable by the responding officer or not; or (iii) that any physical action has occurred which was intended to cause another person reasonably to fear imminent serious bodily injury or death. Bodily injury means physical pain, illness, or an impairment of physical condition. When the officer has probable cause to believe that family or household members have assaulted each other, the officer is not required to arrest both persons. The officer shall arrest the person whom the officer believes to be the primary physical aggressor. In making this determination, the officer shall make every reasonable effort to consider: (A) The intent to protect victims of domestic violence under RCW 10.99.010; (B) the comparative extent of injuries inflicted or serious threats creating fear of physical injury; and (C) the history of domestic violence of each person involved, including whether the conduct was part of an ongoing pattern of abuse.

(3) Any police officer having probable cause to believe that a person has committed or is committing a violation of any of the following traffic laws shall have the authority to arrest the person:

(a) RCW 46.52.010, relating to duty on striking an unattended car or other property;

(b) RCW 46.52.020, relating to duty in case of injury to or death of a person or damage to an attended vehicle;

(c) RCW 46.61.500 or 46.61.530, relating to reckless driving or racing of vehicles;

(d) RCW 46.61.502 or 46.61.504, relating to persons under the influence of intoxicating liquor or drugs;

(e) RCW 46.61.503 or 46.25.110, relating to persons having alcohol or THC in their system;

(f) RCW 46.20.342, relating to driving a motor vehicle while operator's license is suspended or revoked;

(g) RCW 46.61.5249, relating to operating a motor vehicle in a negligent manner.

(4) A law enforcement officer investigating at the scene of a motor vehicle accident may arrest the driver of a motor vehicle involved in the accident if the officer has probable cause to believe that the driver has committed in connection with the accident a violation of any traffic law or regulation.

(5)(a) A law enforcement officer investigating at the scene of a motor vessel accident may arrest the operator of a motor vessel involved in the accident if the officer has probable cause to believe that the operator has committed, in connection with the accident, a criminal violation of chapter 79A.60 RCW.

(b) A law enforcement officer investigating at the scene of a motor vessel accident may issue a citation for an infraction to the operator of a motor vessel involved in the accident if the officer has probable cause to believe that the operator has committed, in connection with the accident, a violation of any boating safety law of chapter 79A.60 RCW.

(6) Any police officer having probable cause to believe that a person has committed or is committing a violation of RCW 79A.60.040 shall have the authority to arrest the person.

(7) An officer may act upon the request of a law enforcement officer in whose presence a traffic infraction was committed, to stop, detain, arrest, or issue a notice of traffic infraction to the driver who is believed to have committed the infraction. The request by the witnessing officer shall give an officer the authority to take appropriate action under the laws of the state of Washington.

(8) Any police officer having probable cause to believe that a person has committed or is committing any act of indecent exposure, as defined in RCW 9A.88.010, may arrest the person.

(9) A police officer may arrest and take into custody, pending release on bail, personal recognizance, or court order, a person without a warrant when the officer has probable cause to believe that an order has been issued of which the person has knowledge under chapter 10.14 RCW and the person has violated the terms of that order.

(10) Any police officer having probable cause to believe that a person has, within twenty-four hours of the alleged violation, committed a violation of RCW 9A.50.020 may arrest such person.

(11) A police officer having probable cause to believe that a person illegally possesses or illegally has possessed a firearm or other dangerous weapon on private or public elementary or secondary school premises shall have the authority to arrest the person.

For purposes of this subsection, the term "firearm" has the meaning defined in RCW 9.41.010 and the term "dangerous weapon" has the meaning defined in RCW 9.41.250 and 9.41.280(1) (c) through (e).

(12) A law enforcement officer having probable cause to believe that a person has committed a violation under RCW 77.15.160((4)) (5) may issue a citation for an infraction to the person in connection with the violation.

(13) A law enforcement officer having probable cause to believe that a person has committed a criminal violation under

RCW 77.15.809 or 77.15.811 may arrest the person in connection with the violation.

(14) Except as specifically provided in subsections (2), (3), (4), and (7) of this section, nothing in this section extends or otherwise affects the powers of arrest prescribed in Title 46 RCW.

(15) No police officer may be held criminally or civilly liable for making an arrest pursuant to subsection (2) or (9) of this section if the police officer acts in good faith and without malice.

(16)(a) Except as provided in (b) of this subsection, a police officer shall arrest and keep in custody, until release by a judicial officer on bail, personal recognizance, or court order, a person without a warrant when the officer has probable cause to believe that the person has violated RCW 46.61.502 or 46.61.504 or an equivalent local ordinance and the police officer: (i) Has knowledge that the person has a prior offense as defined in RCW 46.61.5055 within ten years; or (ii) has knowledge, based on a review of the information available to the officer at the time of arrest, that the person is charged with or is awaiting arraignment for an offense that would qualify as a prior offense as defined in RCW 46.61.5055 if it were a conviction.

(b) A police officer is not required to keep in custody a person under (a) of this subsection if the person requires immediate medical attention and is admitted to a hospital.”

On page 1, line 1 of the title, after “orders;” strike “and”

On page 1, line 2 of the title, after “7.94.150” insert “; and reenacting and amending RCW 10.31.100”

Senator Dhingra spoke in favor of adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 032 by Senator Dhingra on page 11, line 34 to Substitute Senate Bill No. 5027.

The motion by Senator Dhingra carried and amendment no. 032 was adopted by voice vote.

MOTION

On motion of Senator Frockt, the rules were suspended, Engrossed Substitute Senate Bill No. 5027 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Frockt, O’Ban and Braun spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5027.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5027 and the bill passed the Senate by the following vote: Yeas, 43; Nays, 5; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Lias, Lovelett, McCoy, Mullet, Nguyen, O’Ban, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Takko, Van De Wege, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Voting nay: Senators Fortunato, Padden, Short, Wagoner and Wilson, L.

Excused: Senator Becker

ENGROSSED SUBSTITUTE SENATE BILL NO. 5027, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5141, by Senators Wellman, Kuderer, Nguyen, Hunt, Das, Palumbo, Billig, Lias, Darneille, Frockt, Hasegawa and Wilson, C.

Concerning school resource officer mandatory training and policies.

MOTIONS

On motion of Senator Wellman, Second Substitute Senate Bill No. 5141 was substituted for Senate Bill No. 5141 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Wellman, the rules were suspended, Second Substitute Senate Bill No. 5141 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wellman and Hawkins spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 5141.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 5141 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Lias, Lovelett, McCoy, Mullet, Nguyen, O’Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senator Becker

SECOND SUBSTITUTE SENATE BILL NO. 5141, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5514, by Senators Padden, Wellman, Zeiger and Frockt

Concerning first responder agency notifications to schools regarding potential threats.

MOTIONS

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On motion of Senator Padden, Substitute Senate Bill No. 5514 was substituted for Senate Bill No. 5514 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Padden, the rules were suspended, Substitute Senate Bill No. 5514 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Padden, Wellman and Fortunato spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5514.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5514 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senator Becker

SUBSTITUTE SENATE BILL NO. 5514, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 6:46 p.m., on motion of Senator Liias, the Senate was declared to be at ease subject to the call of the President for the purposes of dinner.

EVENING SESSION

The Senate was called to order at 7:47 p.m. by President Pro Tempore Keiser.

MOTION

On motion of Senator Liias, the Senate advanced to the seventh order of business.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Kuderer moved that Merisa T. Heu-Weller, Senate Gubernatorial Appointment No. 9248, be confirmed as a member of the Bellevue College Board of Trustees.

Senator Kuderer spoke in favor of the motion.

MOTION

On motion of Senator Liias, Senator Conway was excused.

MOTION

On motion of Senator Rivers, Senators Sheldon and Walsh were excused.

APPOINTMENT OF MERISA T. HEU-WELLER

The President Pro Tempore declared the question before the Senate to be the confirmation of Merisa T. Heu-Weller, Senate Gubernatorial Appointment No. 9248, as a member of the Bellevue College Board of Trustees.

The Secretary called the roll on the confirmation of Merisa T. Heu-Weller, Senate Gubernatorial Appointment No. 9248, as a member of the Bellevue College Board of Trustees and the appointment was confirmed by the following vote: Yeas, 44; Nays, 0; Absent, 1; Excused, 4.

Voting yea: Senators Bailey, Billig, Braun, Brown, Carlyle, Cleveland, Darneille, Das, Dhingra, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Short, Takko, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Absent: Senator Ericksen

Excused: Senators Becker, Conway, Sheldon and Walsh

Merisa T. Heu-Weller, Senate Gubernatorial Appointment No. 9248, having received the constitutional majority was declared confirmed as a member of the Bellevue College Board of Trustees.

SECOND READING

SENATE BILL NO. 5063, by Senators Nguyen, Hasegawa, Billig, Carlyle, Cleveland, Conway, Darneille, Frockt, Palumbo, Hunt, Wilson, C., Pedersen, Keiser, Kuderer, Saldaña, Mullet and Takko

Providing prepaid postage for all election ballots.

MOTIONS

On motion of Senator Nguyen, Substitute Senate Bill No. 5063 was substituted for Senate Bill No. 5063 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Nguyen, the rules were suspended, Substitute Senate Bill No. 5063 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Nguyen, Zeiger, Hunt and Fortunato spoke in favor of passage of the bill.

Senator Mullet spoke on passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5063.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5063 and the bill passed the Senate by the following vote: Yeas, 42; Nays, 3; Absent, 0; Excused, 4.

Voting yea: Senators Bailey, Billig, Braun, Brown, Carlyle, Cleveland, Darneille, Das, Dhingra, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Short, Takko, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senators Ericksen, Honeyford and Padden

Excused: Senators Becker, Conway, Sheldon and Walsh

SUBSTITUTE SENATE BILL NO. 5063, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Liias, the Senate reverted to the sixth order of business.

SECOND READING

SENATE BILL NO. 5197, by Senators Hobbs, Zeiger, Wagoner, Short, Bailey, Hunt, Fortunato and Keiser

Concerning the Washington national guard postsecondary education grant program.

The measure was read the second time.

MOTION

On motion of Senator Liias, the rules were suspended, Senate Bill No. 5197 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Liias, Hobbs, Holy and Zeiger spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5197.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5197 and the bill passed the Senate by the following vote: Yeas, 44; Nays, 1; Absent, 0; Excused, 4.

Voting yea: Senators Bailey, Billig, Braun, Brown, Carlyle, Cleveland, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Short, Takko, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senator Hasegawa

Excused: Senators Becker, Conway, Sheldon and Walsh

SENATE BILL NO. 5197, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5817, by Senators Rivers, Cleveland, Walsh, Randall, Schoesler and Short

Concerning senior students in accredited schools of chiropractic.

The measure was read the second time.

MOTION

On motion of Senator Rivers, the rules were suspended, Senate Bill No. 5817 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Rivers and Cleveland spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5817.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5817 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 0; Absent, 0; Excused, 4.

Voting yea: Senators Bailey, Billig, Braun, Brown, Carlyle, Cleveland, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Short, Takko, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senators Becker, Conway, Sheldon and Walsh

SENATE BILL NO. 5817, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5755, by Senators Randall, Hobbs and Wilson, C.

Concerning veteran and national guard tuition waivers.

The measure was read the second time.

MOTION

Senator Randall moved that the following amendment no. 168 by Senators Randall and Holy be adopted:

On page 3, line 36, after "conditions", insert "and the narrative reason for separation on the DD 214 form includes reasons of gender or sexuality."

Senators Randall and Holy spoke in favor of adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 168 by Senators Randall and Holy on page 3, line 36 to Senate Bill No. 5755.

The motion by Senator Randall carried and amendment no. 168 was adopted by voice vote.

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MOTION

On motion of Senator Randall, the rules were suspended, Engrossed Senate Bill No. 5755 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Randall and Holy spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 5755.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5755 and the bill passed the Senate by the following vote: Yeas, 44; Nays, 1; Absent, 0; Excused, 4.

Voting yea: Senators Bailey, Billig, Braun, Brown, Carlyle, Cleveland, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Short, Takko, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senator Hasegawa

Excused: Senators Becker, Conway, Sheldon and Walsh

ENGROSSED SENATE BILL NO. 5755, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5297, by Senators Hunt, Conway, Keiser, Dhingra, Saldaña, Kuderer and Pedersen

Extending collective bargaining rights to assistant attorneys general.

MOTIONS

On motion of Senator Saldaña, Substitute Senate Bill No. 5297 was substituted for Senate Bill No. 5297 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Hunt, the rules were suspended, Substitute Senate Bill No. 5297 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Hunt, King, Saldaña and Frockt spoke in favor of passage of the bill.

Senator Braun spoke against passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5297.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5297 and the bill passed the Senate by the following vote: Yeas, 27; Nays, 18; Absent, 0; Excused, 4.

Voting yea: Senators Billig, Carlyle, Cleveland, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer,

Liias, Lovelett, McCoy, Mullet, Nguyen, Palumbo, Pedersen, Randall, Rolfes, Saldaña, Salomon, Takko, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Bailey, Braun, Brown, Ericksen, Fortunato, Hawkins, Holy, Honeyford, King, O'Ban, Padden, Rivers, Schoesler, Short, Wagoner, Warnick, Wilson, L. and Zeiger

Excused: Senators Becker, Conway, Sheldon and Walsh

SUBSTITUTE SENATE BILL NO. 5297, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5323, by Senators Das, Carlyle, Kuderer, Palumbo, Hunt, Rolfes, Frockt, Keiser, Pedersen and Saldaña

Reducing pollution from plastic bags by establishing minimum state standards for the use of bags at retail establishments.

MOTION

On motion of Senator Das, Substitute Senate Bill No. 5323 was substituted for Senate Bill No. 5323 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Das moved that the following striking amendment no. 123 by Senators Das and Carlyle be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** (1) State policy has long placed waste reduction as the highest priority in the collection, handling, and management of solid waste. Reducing plastic bag waste holds particular importance among state waste reduction efforts for a number of reasons:

(a) Single-use plastic carryout bags are made of nonrenewable resources and never biodegrade; instead, over time, they break down into tiny particles. Single-use plastic carryout bags, and the particles they break into, are carried into rivers, lakes, Puget Sound, and the world's oceans, posing a threat to animal life and the food chain;

(b) Plastic bags are one of the most commonly found items that litter state roads, beaches, and other public spaces; and

(c) Even when plastic bags avoid the common fate of becoming litter, they are a drain on public resources and a burden on environment and resource conservation goals. For example, if plastic bags are disposed of in commingled recycling systems rather than as garbage or in retailer drop-off programs, they clog processing and sorting machinery, resulting in missorted materials and costly inefficiencies that are ultimately borne by utility ratepayers. Likewise, when green or brown-tinted plastic bags confuse consumers into attempting to dispose of them as compost, the resultant plastic contamination undercuts the ability to use the compost in gardens, farms, landscaping, and surface water and transportation projects.

(2) Alternatives to single-use plastic carryout bags are convenient, functional, widely available, and measure as superior

across most environmental performance metrics. Alternatives to single-use plastic carryout bags feature especially superior environmental performance with respect to litter and marine debris, since plastic bags do not biodegrade.

(3) As of 2019, many local governments in Washington have shown leadership in regulating the use of single-use plastic carryout bags. This local leadership has shown the value of establishing state standards that will streamline regulatory inconsistency and reduce burdens on covered retailers caused by a patchwork of inconsistent local requirements across the state.

(4) Therefore, in order to reduce waste, litter, and marine pollution, conserve resources, and protect fish and wildlife, it is the intent of the legislature to:

- (a) Prohibit the use of single-use plastic carryout bags;
- (b) Require a pass-through charge on recycled content paper carryout bags and reusable carryout bags made of film plastic, to encourage shoppers to bring their own reusable carryout bags;
- (c) Require the use of recycled content bags; and
- (d) Encourage the provision of reusable and recycled content paper carryout bags by retail establishments.

NEW SECTION. Sec. 2. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) “Carryout bag” means any bag that is provided by a retail establishment at home delivery, the check stand, cash register, point of sale, or other point of departure to a customer for use to transport or carry away purchases.

(2) “Compostable” means that a product that is capable of being completely broken down in a timely manner, consistent with the standard specification as established in section 3(6) of this act, into a material safe and desirable as a soil amendment.

(3) “Compostable film bag” means a compostable bag that is designed and suitable only to be used once and disposed of or composted.

(4) “Department” means the department of ecology.

(5) “Pass-through charge” means a charge to be collected and retained by retailers from their customers when providing recycled content paper carryout bags and reusable carryout bags made of film plastic.

(6) “Recycled content paper carryout bag” means a paper carryout bag provided by a store to a customer at the point of sale that meets the requirements in section 3(6)(a) of this act.

(7) “Retail establishment” means any person, corporation, partnership, business, facility, vendor, organization, or individual that sells or provides food, merchandise, goods, or materials directly to a customer including home delivery, temporary stores, or vendors at farmers markets, street fairs, and festivals.

(8) “Reusable carryout bag” means a bag made of cloth or other durable material with handles that is specifically designed and manufactured for long-term multiple reuse and meets the requirements of section 3(6)(b) of this act.

(9) “Single-use plastic carryout bag” means any bag that is made from plastic that is designed and suitable only to be used once and disposed.

(10) “Standard specification” means the entire American society for testing and materials (ASTM) specification and associated test methods that must be met for:

(a) ASTM D6400 – standard specification labeling of plastics designed to be aerobically composted in municipal or industrial facilities, as it existed as of January 1, 2019; or

(b) ASTM D6868 – standard specification for labeling of end items that incorporate plastics and polymers as coatings or additives with paper and other substrates designed to be

aerobically composted in municipal or industrial facilities, as it existed as of January 1, 2019.

NEW SECTION. Sec. 3. (1) Except as provided in this section and section 4 of this act, a retail establishment may not provide to a customer or a person at an event:

- (a) A single-use plastic carryout bag; or
- (b) A paper carryout bag or reusable carryout bag made of film plastic that does not meet recycled content requirements.

(2)(a) A retail establishment may provide a reusable carryout bag or a recycled content paper carryout bag of any size to a customer at the point of sale.

(b) A retail establishment must collect a pass-through charge of not less than ten cents for every recycled content paper carryout bag or reusable carryout bag made of film plastic it provides, except as provided in subsection (5) of this section and section 4 of this act. A retail establishment may make reusable carryout bags available to customers through sale.

(c) A retail establishment must keep all revenue from pass-through charges. The pass-through charge is a taxable retail sale. A retail establishment must show all pass-through charges on any receipts provided to customers.

(3) Carryout bags provided by a retail establishment do not include:

- (a) Bags used by consumers inside stores to:
 - (i) Package bulk items, such as fruit, vegetables, nuts, grains, candy, greeting cards, or small hardware items such as nails, bolts, or screws;
 - (ii) Contain or wrap items where dampness or sanitation might be a problem including, but not limited to:
 - (A) Frozen foods;
 - (B) Meat;
 - (C) Fish;
 - (D) Flowers; and
 - (E) Potted plants;
 - (iii) Contain unwrapped prepared foods or bakery goods;
 - (iv) Contain prescription drugs; or
 - (v) Protect a purchased item from damaging or contaminating other purchased items when placed in a recycled content paper carryout bag or reusable carryout bag; or
- (b) Newspaper bags, door hanger bags, laundry/dry cleaning bags, or bags sold in packages containing multiple bags for uses such as food storage, garbage, or pet waste.

(4)(a) Any compostable film bag that a retail establishment provides to customers for products, including for products bagged in stores prior to checkout, must be tinted green or brown, and be labeled “compostable,” as required under subsection (6)(c)(i) of this section.

(b) A retail establishment may not use or provide polyethylene or other noncompostable plastic bags:

- (i) That are tinted green or brown for bagging of customer products in stores, as carryout bags, or for home delivery;
- (ii) To customers to bag products in stores, as a carryout bag, or for home delivery that is labeled with the term “biodegradable,” “compostable,” “degradable,” “decomposable,” “oxo-degradable,” or any similar terms, or in any way imply that the plastic bag will break down, fragment, biodegrade, or decompose in a landfill or other environment.

(5) Except as provided by local regulations in effect as of January 1, 2019, a retail establishment may provide a bag restricted under subsections (1) and (4) of this section from existing inventory until one year after the effective date of this section. The retail establishment, upon request by the department, must provide purchase invoices, distribution receipts, or other

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information documenting that the bag was acquired prior to the effective date of this section.

(6) For the purposes of this section:

(a) A recycled content paper carryout bag must:

(i) Contain a minimum of forty percent postconsumer recycled materials;

(ii) Be capable of composting, consistent with the timeline and specifications of ASTM D6868, as it existed as of January 1, 2019; and

(iii) Display the minimum percentage of postconsumer content in print on the exterior of the paper bag.

(b) A reusable carryout bag must:

(i) Have a minimum lifetime of one hundred twenty-five uses, which for purposes of this subsection means the capacity to carry a minimum of twenty-two pounds one hundred twenty-five times over a distance of at least one hundred seventy-five feet;

(ii) Be machine washable or made from a durable material that may be cleaned or disinfected; and

(iii) If made of film plastic:

(A) Be made from a minimum of forty percent postconsumer recycled material;

(B) Display the minimum percentage of postconsumer content in print on the exterior of the plastic bag;

(C) Have a minimum thickness of no less than three mils; and

(D) Display wording that the bag is reusable.

(c) A compostable film bag must:

(i) Be labeled as “compostable” consistent with green guides published by the United States federal trade commission (16 C.F.R. part 260, as published October 11, 2012) or similar formal guidance issued by the federal trade commission regarding misleading environmental claims; and

(ii) Meet the standard specification established in ASTM D6400, as it existed as of January 1, 2019.

(d) Except for the purposes of subsection (4) of this section, food banks and other food assistance programs are not retail establishments, but are encouraged to take actions to reduce the use of single-use plastic carryout bags.

NEW SECTION. Sec. 4. It is a violation of section 3 of this act for any retail establishment to pay or otherwise reimburse a customer for any portion of the pass-through charge; provided that retail establishments may not collect a pass-through charge from anyone using a voucher or electronic benefits card issued under the women, infants, and children (WIC) or temporary assistance for needy families (TANF) support programs, or the federal supplemental nutrition assistance program (SNAP, also known as basic food), or the Washington state food assistance program (FAP).

NEW SECTION. Sec. 5. (1) The department may adopt rules as necessary for the purpose of implementing, administering, and enforcing this chapter.

(2) The enforcement of this chapter must be based primarily on complaints filed with the department. The department must establish a forum, which may include a complaint form on the department’s web site, a telephone hotline, or a public outreach strategy relying upon electronic social media to receive complaints that allege violations. The department must provide education and outreach activities to inform retail establishments, consumers, and other interested individuals about the requirements of this chapter.

(3) The department may work with retail establishments, retail associations, unions, and other organizations to create educational

elements regarding the benefits of reusable bags. Educational elements may include signage at store locations, informational literature, and employee training.

(4) Retail establishments are encouraged to educate their staff to promote reusable bags as the best option for carry-out bags and to post signs encouraging customers to use reusable bags.

(5) A violation of this chapter is subject to a civil penalty of up to two hundred fifty dollars. Each calendar day of operation or activity in violation of this chapter comprises a new violation. Penalties issued under this section are appealable to the pollution control hearings board established in chapter 43.21B RCW.

NEW SECTION. Sec. 6. (1) Except as provided in subsection (2) of this section, a city, town, county, or municipal corporation may not implement a local carryout bag ordinance. Any carryout bag ordinance that was not in effect as of January 1, 2019, is preempted by this chapter, as of the effective date of this section.

(2)(a) A city, town, county, or municipal corporation may, by ordinance, increase the amount of the minimum pass-through charge established in section 3(2)(b) of this act.

(b) A city, town, county, or municipal corporation ordinance in effect as of January 1, 2019, is not preempted until January 1, 2020.

Sec. 7. RCW 43.21B.110 and 2013 c 291 s 34 are each amended to read as follows:

(1) The hearings board shall only have jurisdiction to hear and decide appeals from the following decisions of the department, the director, local conservation districts, the air pollution control boards or authorities as established pursuant to chapter 70.94 RCW, local health departments, the department of natural resources, the department of fish and wildlife, the parks and recreation commission, and authorized public entities described in chapter 79.100 RCW:

(a) Civil penalties imposed pursuant to RCW 18.104.155, 70.94.431, 70.105.080, 70.107.050, section 5 of this act, 76.09.170, 77.55.291, 78.44.250, 88.46.090, 90.03.600, 90.46.270, 90.48.144, 90.56.310, 90.56.330, and 90.64.102.

(b) Orders issued pursuant to RCW 18.104.043, 18.104.060, 43.27A.190, 70.94.211, 70.94.332, 70.105.095, 86.16.020, 88.46.070, 90.14.130, 90.46.250, 90.48.120, and 90.56.330.

(c) Except as provided in RCW 90.03.210(2), the issuance, modification, or termination of any permit, certificate, or license by the department or any air authority in the exercise of its jurisdiction, including the issuance or termination of a waste disposal permit, the denial of an application for a waste disposal permit, the modification of the conditions or the terms of a waste disposal permit, or a decision to approve or deny an application for a solid waste permit exemption under RCW 70.95.300.

(d) Decisions of local health departments regarding the grant or denial of solid waste permits pursuant to chapter 70.95 RCW.

(e) Decisions of local health departments regarding the issuance and enforcement of permits to use or dispose of biosolids under RCW 70.95J.080.

(f) Decisions of the department regarding waste-derived fertilizer or micronutrient fertilizer under RCW 15.54.820, and decisions of the department regarding waste-derived soil amendments under RCW 70.95.205.

(g) Decisions of local conservation districts related to the denial of approval or denial of certification of a dairy nutrient management plan; conditions contained in a plan; application of any dairy nutrient management practices, standards, methods, and

technologies to a particular dairy farm; and failure to adhere to the plan review and approval timelines in RCW 90.64.026.

(h) Any other decision by the department or an air authority which pursuant to law must be decided as an adjudicative proceeding under chapter 34.05 RCW.

(i) Decisions of the department of natural resources, the department of fish and wildlife, and the department that are reviewable under chapter 76.09 RCW, and the department of natural resources' appeals of county, city, or town objections under RCW 76.09.050(7).

(j) Forest health hazard orders issued by the commissioner of public lands under RCW 76.06.180.

(k) Decisions of the department of fish and wildlife to issue, deny, condition, or modify a hydraulic project approval permit under chapter 77.55 RCW.

(l) Decisions of the department of natural resources that are reviewable under RCW 78.44.270.

(m) Decisions of an authorized public entity under RCW 79.100.010 to take temporary possession or custody of a vessel or to contest the amount of reimbursement owed that are reviewable by the hearings board under RCW 79.100.120.

(2) The following hearings shall not be conducted by the hearings board:

(a) Hearings required by law to be conducted by the shorelines hearings board pursuant to chapter 90.58 RCW.

(b) Hearings conducted by the department pursuant to RCW 70.94.332, 70.94.390, 70.94.395, 70.94.400, 70.94.405, 70.94.410, and 90.44.180.

(c) Appeals of decisions by the department under RCW 90.03.110 and 90.44.220.

(d) Hearings conducted by the department to adopt, modify, or repeal rules.

(3) Review of rules and regulations adopted by the hearings board shall be subject to review in accordance with the provisions of the administrative procedure act, chapter 34.05 RCW.

NEW SECTION. Sec. 8. If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by July 1, 2019, from the waste reduction, recycling, and litter control account for purposes of implementing the education and outreach activities required under section 5 of this act, then this act is null and void.

NEW SECTION. Sec. 9. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 10. Sections 1 through 6 of this act constitute a new chapter in Title 70 RCW."

On page 1, line 3 of the title, after "establishments;" strike the remainder of the title and insert "amending RCW 43.21B.110; adding a new chapter to Title 70 RCW; creating a new section; and prescribing penalties."

MOTION

Senator Fortunato moved that the following amendment no. 127 by Senator Ericksen be adopted:

On page 2, beginning on line 11, after "(b)" strike all material through "(c)" on line 14

Reletter the remaining subsection consecutively and correct any internal references accordingly.

On page 2, beginning on line 32, after "(5)" strike all material through "(6)" on line 36

Renumber the remaining subsections consecutively and correct any internal references accordingly.

On page 3, beginning on line 24, after "section" strike "and section 4 of this act"

On page 3, beginning on line 33, after "(b)" strike all material through "act." on line 36

On page 4, beginning on line 1, strike all of subsection (2)(c)

On page 6, beginning on line 5, strike all of section 4

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 7, beginning on line 6, after "(2)" strike all material through "(b)" on line 9

Senators Fortunato and Ericksen spoke in favor of adoption of the amendment to the striking amendment.

Senator Carlyle spoke against adoption of the amendment to the striking amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 127 by Senator Ericksen on page 2, line 11 to striking amendment no. 123.

The motion by Senator Fortunato did not carry and amendment no. 127 was not adopted by voice vote.

MOTION

Senator Das moved that the following amendment no. 169 by Senators Das and Short be adopted:

On page 3, at the beginning of line 34, strike "not less than ten" and insert "eight"

On page 3, line 34, after "bag" insert "with a manufacturer's stated capacity of one-eighth barrel (eight hundred eighty-two cubic inches) or greater"

On page 5, line 30, after "than" strike "three" and insert "2.25"

On page 7, beginning on line 6, after "(2)(a)" strike all material through "act" on line 8 and insert "A city, town, county, or municipal corporation ordinance in effect as of January 1, 2019, that has established a pass-through charge of ten cents is not preempted"

Senator Das spoke in favor of adoption of the amendment to the striking amendment.

Senator Ericksen spoke against adoption of the amendment to the striking amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 169 by Senators Das and Short on page 3, line 34 to striking amendment no. 123.

The motion by Senator Das carried and amendment no. 169 was adopted by voice vote.

MOTION

Senator Fortunato moved that the following amendment no. 176 by Senator Fortunato be adopted:

On page 7, after line 10, insert the following:

NEW SECTION. Sec. 7. (1) The department of ecology must examine and compare the life-cycle environmental impacts of carryout bags, including the effects on water quality and greenhouse gas emissions. The examination must include a review and comparison of:

- (a) Paper and plastic bags;
- (b) Recycled content paper and plastic bags;
- (c) Compostable and biodegradable plastic bags; and
- (d) Bags designed specifically to have long-term multiple uses.

(2) The department of ecology must contract with an independent third-party consultant to conduct a study that meets the requirements specified under subsection (1) of this section.

(3) By December 1, 2019, the department of ecology must provide a completed study to the appropriate committees of the legislature.”

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 9, line 18, after “creating” strike “a new section” and insert “new sections”

Senator Fortunato spoke in favor of adoption of the amendment to the striking amendment.

Senator Carlyle spoke against adoption of the amendment to the striking amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 176 by Senator Fortunato on page 7, after line 10 to striking amendment no. 123.

The motion by Senator Fortunato did not carry and amendment no. 176 was not adopted by voice vote.

The President Pro Tempore declared the question before the Senate to be the adoption of striking amendment no. 123 by Senator Das, as amended, to Substitute Senate Bill No. 5323.

The motion by Senator Das carried and striking amendment no. 123, as amended, was adopted by voice vote.

MOTION

On motion of Senator Das, the rules were suspended, Engrossed Substitute Senate Bill No. 5323 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Das spoke in favor of passage of the bill.
 Senator Ericksen spoke against passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5323.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5323 and the bill passed the Senate by the following vote: Yeas, 31; Nays, 14; Absent, 0; Excused, 4.

Voting yea: Senators Billig, Carlyle, Cleveland, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Short, Takko, Van De Wege, Warnick, Wellman and Wilson, C.

Voting nay: Senators Bailey, Braun, Brown, Ericksen, Fortunato, Hawkins, Holy, Honeyford, O’Ban, Padden, Schoesler, Wagoner, Wilson, L. and Zeiger

Excused: Senators Becker, Conway, Sheldon and Walsh

ENGROSSED SUBSTITUTE SENATE BILL NO. 5323, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

PERSONAL PRIVILEGE

Senator Braun: “Thank you Madam President. So, I didn’t enter the debate on the last bill. I thought it was a spirited debate and while I very much support the efforts of the sponsor – don’t go away yet sponsor, I couldn’t ultimately support the pricing but, just as a point of appreciation, I brought a gift for the sponsor. Some people don’t know it but we are very progressive in the 20th District. When it comes to reuse, repurpose, recycle we are it, is kind of the motto, in case you didn’t know that. Anyhow, this is a shopping bag that my wife built, sewed, maybe is the more appropriate term. It actually comes from a feedbag we use in the fall for our steers. And she has a pattern and she turns that into a nice shopping bag and I brought it as a gift for the sponsor. These are not for sale and this is not a solicitation. Thank you Madam President.”

SECOND READING

SENATE BILL NO. 5826, by Senators Darneille, O’Ban, Kuderer and Nguyen

Maximizing federal funding for prevention and family services and programs.

The measure was read the second time.

MOTION

On motion of Senator Darneille, the rules were suspended, Senate Bill No. 5826 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Darneille and O’Ban spoke in favor of passage of the bill.

MOTION

On motion of Senator Rivers, Senator Ericksen was excused.

The President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5826.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5826 and the bill passed the Senate by the following vote: Yeas, 44; Nays, 0; Absent, 0; Excused, 5.

Voting yea: Senators Bailey, Billig, Braun, Brown, Carlyle, Cleveland, Darneille, Das, Dhingra, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O’Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Short, Takko, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senators Becker, Conway, Ericksen, Sheldon and Walsh

SENATE BILL NO. 5826, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

KAREN KEISER, President Pro Tempore of the Senate

BRAD HENDRICKSON, Secretary of the Senate

SECOND READING

SENATE BILL NO. 5851, by Senators Frockt, Saldaña, Wellman and Wilson, C.

Enhancing educational opportunities for vulnerable children and youth using funding distributed from the Puget Sound taxpayer accountability account.

MOTIONS

On motion of Senator Frockt, Substitute Senate Bill No. 5851 was substituted for Senate Bill No. 5851 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Frockt, the rules were suspended, Substitute Senate Bill No. 5851 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Frockt spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5851.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5851 and the bill passed the Senate by the following vote: Yeas, 42; Nays, 2; Absent, 0; Excused, 5.

Voting yea: Senators Bailey, Billig, Braun, Brown, Carlyle, Cleveland, Darneille, Das, Dhingra, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Short, Takko, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senators Honeyford and Padden

Excused: Senators Becker, Conway, Ericksen, Sheldon and Walsh

SUBSTITUTE SENATE BILL NO. 5851, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 9:12 p.m., on motion of Senator Liias, the Senate was declared to be at ease subject to the call of the President.

The Senate was called to order at 9:59 p.m. by President Pro Tempore Keiser.

MOTION

At 10:00 o'clock p.m., on motion of Senator Liias, the Senate adjourned until 10:00 o'clock a.m. Wednesday, March 6, 2019.

FIFTY SECOND DAY

MORNING SESSION

Senate Chamber, Olympia
Wednesday, March 6, 2019

The Senate was called to order at 10:12 a.m. by the President Pro Tempore, Senator Keiser presiding. The Secretary called the roll and announced to the President Pro Tempore that all senators were present with the exception of Senator Walsh.

The Sergeant at Arms Color Guard consisting of Pages Miss Delaney Dermody and Miss Nobelle Wilkinson Bennett, presented the Colors. Page Miss Katie Christensen led the Senate in the Pledge of Allegiance.

The prayer was offered by Rabbi Bruce Kadden of Temple Beth El, Tacoma.

The President Pro Tempore called upon the Secretary to read the journal of the preceding day.

MOTION

On motion of Senator Liias, the reading of the Journal of the previous day was dispensed with and it was approved.

MOTION

Pursuant to Rule 46, on motion of Senator Liias, and without objection, the Committee on Transportation was granted special leave to meet during the day's floor session.

MOTION

On motion of Senator Liias, Rule 15 was suspended for the remainder of the day for the purpose of allowing continued floor action.

EDITOR'S NOTE: Senate Rule 15 establishes the floor schedule and calls for a lunch and dinner break of 90 minutes each per day during regular daily sessions.

MOTION

On motion of Senator Liias, the Senate advanced to the fourth order of business.

MESSAGE FROM THE HOUSE

March 5, 2019

MR. PRESIDENT:
The House has passed:

- SUBSTITUTE HOUSE BILL NO. 1083,
- SUBSTITUTE HOUSE BILL NO. 1225,
- SUBSTITUTE HOUSE BILL NO. 1284,
- SUBSTITUTE HOUSE BILL NO. 1298,
- SUBSTITUTE HOUSE BILL NO. 1302,
- SECOND SUBSTITUTE HOUSE BILL NO. 1344,
- HOUSE BILL NO. 1375,
- SECOND SUBSTITUTE HOUSE BILL NO. 1394,
- HOUSE BILL NO. 1397,
- SUBSTITUTE HOUSE BILL NO. 1406,
- SECOND SUBSTITUTE HOUSE BILL NO. 1424,

- SECOND SUBSTITUTE HOUSE BILL NO. 1444,
- HOUSE BILL NO. 1462,
- SECOND SUBSTITUTE HOUSE BILL NO. 1497,
- SECOND SUBSTITUTE HOUSE BILL NO. 1528,
- SUBSTITUTE HOUSE BILL NO. 1576,
- SUBSTITUTE HOUSE BILL NO. 1605,
- SECOND SUBSTITUTE HOUSE BILL NO. 1668,
- HOUSE BILL NO. 1670,
- SECOND SUBSTITUTE HOUSE BILL NO. 1713,
- SUBSTITUTE HOUSE BILL NO. 1786,
- HOUSE BILL NO. 1829,
- HOUSE BILL NO. 1866,
- SECOND SUBSTITUTE HOUSE BILL NO. 1973,
- HOUSE BILL NO. 1980,
- HOUSE BILL NO. 2040,
- HOUSE BILL NO. 2072,
- SUBSTITUTE HOUSE BILL NO. 2108,
- HOUSE BILL NO. 2110,
- HOUSE BILL NO. 2129,

and the same are herewith transmitted.

NONA SNELL, Deputy Chief Clerk

MOTION

On motion of Senator Liias, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 5981 by Senators Carlyle and Palumbo

AN ACT Relating to implementing a greenhouse gas emissions cap and trade program; amending RCW 70.235.020 and 70.94.151; adding a new chapter to Title 70 RCW; creating a new section; prescribing penalties; and providing a contingent expiration date.

Referred to Committee on Environment, Energy & Technology.

2SHB 1039 by House Committee on Appropriations (originally

sponsored by Pollet, Cody, Slatter, Leavitt, Callan, Senn, Lekanoff, Kloba, Peterson, Valdez, Kilduff, Ryu, Irwin, Appleton, Jinkins, Macri, Wylie, Goodman, Doglio, Stanford, Stonier and Frame)

AN ACT Relating to opioid overdose medication at kindergarten through twelfth grade schools and higher education institutions; amending RCW 28A.210.260 and 28A.210.270; adding new sections to chapter 28A.210 RCW; adding a new section to chapter 28B.10 RCW; and creating new sections.

Referred to Committee on Health & Long Term Care.

2SHB 1065 by House Committee on Appropriations (originally

sponsored by Cody, Jinkins, Riccelli, Wylie, Ormsby, Tharinger, Macri, Robinson, Slatter, Kloba, Valdez, Appleton, Doglio, Pollet, Stanford, Frame, Reeves and Bergquist)

AN ACT Relating to protecting consumers from charges for out-of-network health care services; amending RCW

48.43.005, 48.43.093, 41.05.017, 48.43.055, and 48.18.200; reenacting and amending RCW 18.130.180; adding a new section to chapter 48.30 RCW; adding a new section to chapter 70.41 RCW; adding a new section to chapter 70.230 RCW; adding a new section to chapter 70.42 RCW; adding a new section to chapter 43.371 RCW; adding a new chapter to Title 48 RCW; creating new sections; prescribing penalties; providing an effective date; and providing an expiration date.

Referred to Committee on Health & Long Term Care.

HB 1089 by Representatives MacEwen, Volz and Santos

AN ACT Relating to certificates of academic and individual achievement; amending RCW 28A.155.045, 28A.155.170, 28A.230.090, 28A.230.122, 28A.230.125, 28A.655.070, 28A.180.100, 28A.195.010, 28A.200.010, 28A.305.130, 28A.320.208, 28A.415.360, and 28A.600.310; adding a new section to chapter 28A.655 RCW; creating a new section; repealing RCW 28A.600.405, 28A.655.061, 28A.655.063, 28A.655.065, 28A.655.066, and 28A.655.068; and declaring an emergency.

Referred to Committee on Early Learning & K-12 Education.

SHB 1091 by House Committee on Civil Rights & Judiciary (originally sponsored by Goodman)

AN ACT Relating to making technical corrections and removing obsolete language from the Revised Code of Washington pursuant to RCW 1.08.025; amending RCW 1.20.110, 28B.117.040, 29A.92.005, 29A.92.030, 29A.92.050, 29A.92.060, 29A.92.070, 29A.92.080, 29A.92.090, 29A.92.100, 29A.92.120, 29A.92.710, 29A.92.900, 41.50.033, 70.15.110, 70.305.010, and 74.13.029; reenacting and amending RCW 9.94A.515, 13.40.193, 41.04.665, and 66.20.300; reenacting RCW 43.21B.300, 66.20.310, and 69.50.412; adding a new section to chapter 74.14B RCW; and creating a new section.

Referred to Committee on Law & Justice.

ESHB 1130 by House Committee on Education (originally sponsored by Orwall, McCaslin, Pollet, Ryu, Lovick, Stanford and Valdez)

AN ACT Relating to language access in public schools; adding a new section to chapter 28A.630 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Early Learning & K-12 Education.

HB 1147 by Representatives Chapman, Klippert and Goodman

AN ACT Relating to access of broadcasters to a geographic area subject to the declaration of a national, state, or local emergency; amending RCW 38.52.010 and 38.52.110; and adding a new section to chapter 38.52 RCW.

Referred to Committee on State Government, Tribal Relations & Elections.

SHB 1198 by House Committee on Health Care & Wellness (originally sponsored by Caldier, Cody, Harris, Orwall, Slatter, Macri, Wylie, Eslick, Doglio, Griffey and Robinson)

AN ACT Relating to requiring health care providers sanctioned for sexual misconduct to notify patients; adding a new section to chapter 18.130 RCW; and providing an effective date.

Referred to Committee on Health & Long Term Care.

SHB 1199 by House Committee on Appropriations (originally sponsored by Cody, DeBolt, Jinkins, Harris, Tharinger, Caldier, Robinson, Macri, Schmick, Stonier, Slatter, Wylie, Tarleton, Frame, Pollet and Riccelli)

AN ACT Relating to health care for working individuals with disabilities; amending RCW 74.09.540; creating a new section; and providing an effective date.

Referred to Committee on Health & Long Term Care.

SHB 1210 by House Committee on Education (originally sponsored by Kilduff, Leavitt, Mosbrucker, Ryu, Barkis, Reeves, Klippert, Dolan, Jinkins, Orwall, Ortiz-Self, Caldier, Lovick, Santos, Tharinger and Riccelli)

AN ACT Relating to allowing nonresident children from military families to enroll in Washington's public schools prior to arrival in the state; and adding a new section to chapter 28A.225 RCW.

Referred to Committee on Early Learning & K-12 Education.

SHB 1264 by House Committee on Appropriations (originally sponsored by Ortiz-Self, Orwall, Bergquist, Santos, Dolan, Lovick, Peterson, Reeves, Sells, Stanford, Appleton, Callan, Wylie and Pollet)

AN ACT Relating to secondary traumatic stress in public school staff; adding a new section to chapter 28A.415 RCW; and creating a new section.

Referred to Committee on Early Learning & K-12 Education.

HB 1279 by Representatives Hudgins, Stokesbary, Smith and Morris

AN ACT Relating to eliminating the joint legislative oversight committee on trade policy; amending RCW 43.15.020; repealing RCW 44.55.010, 44.55.020, 44.55.030, 44.55.040, 44.55.050, and 44.55.060; and providing an effective date.

Referred to Committee on Financial Institutions, Economic Development & Trade.

SHB 1350 by House Committee on Civil Rights & Judiciary (originally sponsored by Kilduff, Irwin, Jinkins, Fey, Leavitt and Ortiz-Self)

AN ACT Relating to jurisdiction of temporary protection orders; and amending RCW 10.14.150.

Referred to Committee on Law & Justice.

SHB 1403 by House Committee on Finance (originally sponsored by Frame, Orcutt and Stokesbary)

AN ACT Relating to simplifying the administration of municipal business and occupation tax apportionment; amending RCW 35.102.130; and providing an effective date.

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Referred to Committee on Ways & Means.

Referred to Committee on Human Services, Reentry & Rehabilitation.

HB 1408 by Representatives Volz, Ormsby, Fitzgibbon and Bergquist

AN ACT Relating to clarifying the written consent requirement for survivorship benefit options; and amending RCW 41.26.460, 41.32.530, 41.32.785, 41.32.851, 41.35.220, 41.37.170, 41.40.188, 41.40.660, 41.40.845, and 43.43.271.

Referred to Committee on Ways & Means.

ESHB 1565 by House Committee on Health Care & Wellness (originally sponsored by Robinson, Tharinger, Klippert and Lovick)

AN ACT Relating to certain providers sharing background checks; amending RCW 43.43.830; and reenacting and amending RCW 43.43.832.

Referred to Committee on Human Services, Reentry & Rehabilitation.

HB 1429 by Representatives Shewmake, Chandler, Blake, Kretz, Springer and Dent

AN ACT Relating to extending the dairy milk assessment fee to June 30, 2025; amending RCW 15.36.551; and providing an expiration date.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

SHB 1577 by House Committee on Education (originally sponsored by Callan, Stonier, Steele, Vick, Bergquist, Senn, Slatter, Jenkin, Goodman, Pettigrew, Ybarra, Dent, Harris, Tarleton, Dolan and Lekanoff)

AN ACT Relating to addressing data gathering of student participation in K-12 computer science education; adding a new section to chapter 28A.300 RCW; and creating a new section.

Referred to Committee on Early Learning & K-12 Education.

2SHB 1448 by House Committee on Appropriations (originally sponsored by Maycumber, Chapman, Lovick, Gildon, Reeves, Volz, Steele, Kilduff, Mosbrucker, Pettigrew, Boehnke, McCaslin, Macri, Irwin, Corry, Klippert, MacEwen, Riccelli, Eslick, Leavitt, Dye, Ryu, Smith, Stokesbary, Chambers, DeBolt, Slatter, Jenkin, Barkis, Cody, Schmick, Kretz, Tharinger, Van Werven, Orwall, Sells, Sutherland, Stanford, Ormsby and Jinkins)

AN ACT Relating to creating the veterans service officer program; adding new sections to chapter 43.60A RCW; and creating a new section.

Referred to Committee on State Government, Tribal Relations & Elections.

SHB 1587 by House Committee on Appropriations (originally sponsored by Riccelli, Entenman, Harris, Stonier, Peterson, Chandler, Gregerson, Thai, Senn, Hudgins, Macri, Lekanoff, Griffey, Steele, Goehner, Wylie, Appleton, Chapman, Lovick, Shewmake, Valdez, Bergquist, Morris, Doglio, Robinson, Tharinger, Goodman, Pollet, Slatter, Ormsby and Frame)

AN ACT Relating to increasing access to fruits and vegetables for individuals with limited incomes; adding a new section to chapter 43.70 RCW; and creating a new section.

Referred to Committee on Human Services, Reentry & Rehabilitation.

HB 1516 by Representatives Blake, Dent, Chapman, Kretz, Walsh, Lekanoff, Orcutt, Springer, Pettigrew, Hoff and Shea

AN ACT Relating to establishing a department of fish and wildlife directed nonlethal program for the purpose of training dogs; amending RCW 77.15.245; and adding a new section to chapter 77.12 RCW.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

SHB 1595 by House Committee on Public Safety (originally sponsored by Stonier, Eslick, Wylie, Appleton, Doglio, Ormsby and Leavitt)

AN ACT Relating to the sharing of information between participants in multidisciplinary coordination of child sexual abuse investigations; amending RCW 13.50.010 and 26.44.180; and adding a new section to chapter 26.44 RCW.

Referred to Committee on Human Services, Reentry & Rehabilitation.

HB 1554 by Representatives Thai, Harris, Robinson, Stonier, Appleton, Gregerson, Jinkins, Slatter and Macri

AN ACT Relating to dental hygienists; and amending RCW 18.29.056, 18.29.110, 18.29.190, and 18.29.220.

Referred to Committee on Health & Long Term Care.

HB 1604 by Representatives Stonier, Harris, Appleton and Jinkins

AN ACT Relating to the Washington center for deaf and hard of hearing youth; amending RCW 72.40.015, 72.40.019, 72.40.0191, 72.40.024, 72.40.028, 72.40.070, 72.40.120, 72.40.200, 72.40.210, 72.40.220, 72.40.250, 72.40.290, 26.44.210, 28A.155.160, 28A.310.010, 28A.310.180, 28A.310.200, 28A.335.205, 28A.400.300, 28A.400.305, 28A.600.020, 28A.600.420, 39.26.300, 41.40.088, 70.198.020, 72.42.010, 72.42.015, 72.42.016, and 72.42.060; and reenacting and amending RCW 28A.400.303 and 43.79A.040.

HB 1561 by Representatives Dent, Senn, Appleton, Doglio, Tharinger, Slatter, Ormsby, Frame and Leavitt

AN ACT Relating to ensuring participation on the oversight board for children, youth, and families by current or former foster youth, individuals with current or previous experience in the juvenile justice system, a physician with experience working with children or youth, and individuals residing east of the Cascade mountain range; and reenacting and amending RCW 43.216.015.

Referred to Committee on Early Learning & K-12 Education.

SHB 1644 by House Committee on Human Services & Early Learning (originally sponsored by Ortiz-Self, Lovick, Kilduff, Valdez, Frame, Goodman, Davis and Leavitt)
AN ACT Relating to the creation of a youth development work group within the department of children, youth, and families; adding a new section to chapter 43.216 RCW; and providing an expiration date.

Referred to Committee on Human Services, Reentry & Rehabilitation.

HB 1688 by Representatives Morgan, Sutherland, Leavitt, Gildon, Kilduff, Ryu and Doglio
AN ACT Relating to resident student status as applied to veterans; and amending RCW 28B.15.012.

Referred to Committee on Higher Education & Workforce Development.

HB 1702 by Representatives Van Werven, Leavitt, Kraft, Entenman, Rude, Sutherland, Dye, Gildon, Slatter, Chambers, Graham, Caldier, Eslick, Mosbrucker, Young, Jinkins, Bergquist, Doglio and Pollet
AN ACT Relating to informing students of low-cost course materials for community and technical college courses; and amending RCW 28B.50.789.

Referred to Committee on Higher Education & Workforce Development.

HB 1714 by Representatives Entenman, Boehnke, Jinkins, Ortiz-Self, Bergquist, Pollet and Leavitt
AN ACT Relating to granting of high school diplomas by community or technical colleges; and amending RCW 28B.50.535.

Referred to Committee on Higher Education & Workforce Development.

SHB 1724 by House Committee on Local Government (originally sponsored by Santos)
AN ACT Relating to local government responsibility and accountability in mitigating impacts of public facilities on certain surrounding neighborhoods with high poverty and concentrations of persons of color; and adding a new section to chapter 35.21 RCW.

Referred to Committee on Local Government.

HB 1726 by Representatives Riccelli, Schmick, Robinson, Walsh, Thai, Stonier, Macri and Pollet
AN ACT Relating to services provided by health care professional students; amending RCW 18.57.040, 18.71.030, and 18.79.240; and adding a new section to chapter 18.64 RCW.

Referred to Committee on Health & Long Term Care.

SHB 1739 by House Committee on Civil Rights & Judiciary (originally sponsored by Valdez, Dolan, Kilduff, Pollet, Bergquist, Frame, Jinkins, Kloba and Macri)
AN ACT Relating to firearms that are undetectable or untraceable; amending RCW 9.41.010, 9.41.190, and

9.41.220; reenacting and amending RCW 9.94A.515; creating a new section; prescribing penalties; providing an effective date; and declaring an emergency.

Referred to Committee on Law & Justice.

SHB 1742 by House Committee on Human Services & Early Learning (originally sponsored by Frame, Eslick, Senn, Griffey, Kilduff, Corry, Appleton, Sells, Walen, Wylie, Doglio, Stanford, Robinson, Macri and Davis)
AN ACT Relating to juvenile offenses that involve depictions of minors; amending RCW 9.68A.050, 9.68A.060, 9.68A.070, 9.68A.075, and 13.40.070; adding a new section to chapter 13.40 RCW; adding new sections to chapter 9.68A RCW; adding a new section to chapter 9A.86 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Law & Justice.

HB 1755 by Representatives Leavitt, Van Werven, Bergquist, Corry, Ybarra, Volz, Pollet, Dent, Lovick, Doglio, Ormsby and Santos
AN ACT Relating to allowing regional universities to offer doctorate level degrees in education; and adding a new section to chapter 28B.35 RCW.

Referred to Committee on Higher Education & Workforce Development.

SHB 1764 by House Committee on Local Government (originally sponsored by Chambers, Goodman, Mosbrucker, Corry, Gildon, Klippert, DeBolt, Fey, Van Werven, MacEwen, Riccelli, McCaslin and Young)
AN ACT Relating to adjusting monetary thresholds for found property; and amending RCW 63.21.050.

Referred to Committee on Local Government.

ESHB 1799 by House Committee on Health Care & Wellness (originally sponsored by Hoff, Wylie, Corry, Sutherland, Vick, Paul, Smith and Goodman)
AN ACT Relating to developing a short form for death certificates; and amending RCW 70.58.082.

Referred to Committee on Law & Justice.

HB 1803 by Representatives Orcutt and Santos
AN ACT Relating to increasing the number of school districts that may be authorized to reduce the minimum number of required school days in a school year; amending RCW 28A.150.222; and declaring an emergency.

Referred to Committee on Early Learning & K-12 Education.

SHB 1826 by House Committee on Civil Rights & Judiciary (originally sponsored by Leavitt, Kilduff and Morgan)
AN ACT Relating to the disclosure of certain information during the discharge planning process; amending RCW 71.05.365; adding a new section to chapter 71.05 RCW; and prescribing penalties.

Referred to Committee on Health & Long Term Care.

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SHB 1847 by House Committee on Local Government (originally sponsored by Pellicciotti, Orwall, Gregerson, Reeves and Santos)

AN ACT Relating to aircraft noise abatement; and amending RCW 53.54.010, 53.54.020, and 53.54.030.

Referred to Committee on Local Government.

HB 1852 by Representatives Ramos, Pollet, Tarleton, Peterson, Appleton and Tharinger

AN ACT Relating to property tax refunds more than three years after the due date resulting from certain manifest errors; and amending RCW 84.69.030.

Referred to Committee on Local Government.

SHB 1869 by House Committee on Health Care & Wellness (originally sponsored by Schmick and Cody)

AN ACT Relating to establishing the emerging therapies work group; creating a new section; and providing an expiration date.

Referred to Committee on Health & Long Term Care.

HB 1906 by Representatives Ortiz-Self, Valdez, Ramos, Stonier, Doglio, Stanford, Reeves, Macri, Frame and Jinkins

AN ACT Relating to recognizing the tenth day of April as Dolores Huerta day; and amending RCW 1.16.050.

Referred to Committee on State Government, Tribal Relations & Elections.

HB 2008 by Representatives Hudgins, Gregerson and Tarleton

AN ACT Relating to alternate methods of ballot security; and amending RCW 29A.40.091.

Referred to Committee on State Government, Tribal Relations & Elections.

SHB 2044 by House Committee on Local Government (originally sponsored by Senn, Peterson, Pollet, Callan and Thai)

AN ACT Relating to the deannexation of a portion of land from a park and recreation district or metropolitan park district; amending RCW 36.69.310 and 35.61.310; adding a new section to chapter 36.69 RCW; and adding a new section to chapter 35.61 RCW.

Referred to Committee on Local Government.

MOTIONS

On motion of Senator Liias, all measures listed on the Introduction and First Reading report were referred to the committees as designated.

On motion of Senator Liias, the Senate advanced to the seventh order of business.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Liias moved that Michael Deller, Gubernatorial Appointment No. 9051, be confirmed as a member of the Everett Community College Board of Trustees.

Senator Liias spoke in favor of the motion.

MOTIONS

On motion of Senator Rivers, Senators Walsh and Zeiger were excused.

On motion of Senator Mullet, Senators Cleveland and Hobbs were excused.

APPOINTMENT OF MICHAEL DELLER

The President Pro Tempore declared the question before the Senate to be the confirmation of Michael Deller, Gubernatorial Appointment No. 9051, as a member of the Everett Community College Board of Trustees.

The Secretary called the roll on the confirmation of Michael Deller, Gubernatorial Appointment No. 9051, as a member of the Everett Community College Board of Trustees and the appointment was confirmed by the following vote: Yeas, 43; Nays, 0; Absent, 6; Excused, 0.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Conway, Darneille, Das, Dhingra, Ericksen, Frockt, Hasegawa, Hawkins, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C. and Wilson, L.

Absent: Senators Cleveland, Fortunato, Hobbs, O'Ban, Walsh and Zeiger

Michael Deller, Gubernatorial Appointment No. 9051, having received the constitutional majority was declared confirmed as a member of the Everett Community College Board of Trustees.

SECOND READING

SENATE BILL NO. 5604, by Senators Pedersen, Padden, Conway, Kuderer, Keiser, Salomon, Bailey and Dhingra

Concerning the uniform guardianship, conservatorship, and other protective arrangements act.

MOTIONS

On motion of Senator Pedersen, Second Substitute Senate Bill No. 5604 was substituted for Senate Bill No. 5604 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Pedersen, the rules were suspended, Second Substitute Senate Bill No. 5604 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Pedersen, Conway and Bailey spoke in favor of passage of the bill.

Senator Padden spoke against passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 5604.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 5604 and the bill passed the Senate by the following vote: Yeas, 32; Nays, 16; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Billig, Braun, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hawkins, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Palumbo, Pedersen, Randall, Rolfes, Saldaña, Salomon, Sheldon, Takko, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Becker, Brown, Ericksen, Fortunato, Holy, Honeyford, King, O'Ban, Padden, Rivers, Schoesler, Short, Wagoner, Warnick, Wilson, L. and Zeiger

Excused: Senator Walsh

SECOND SUBSTITUTE SENATE BILL NO. 5604, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5800, by Senators Randall, Zeiger, Nguyen, Wilson, C., Saldaña, Carlyle, Keiser, Sheldon, Das, Hasegawa and Kuderer

Concerning homeless college students.

MOTIONS

On motion of Senator Randall, Second Substitute Senate Bill No. 5800 was substituted for Senate Bill No. 5800 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Randall, the rules were suspended, Second Substitute Senate Bill No. 5800 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Randall and Darneille spoke in favor of passage of the bill.

Senator Holy spoke against passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 5800.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 5800 and the bill passed the Senate by the following vote: Yeas, 30; Nays, 18; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Palumbo, Pedersen, Randall, Rolfes, Saldaña, Salomon, Sheldon, Takko, Van De Wege, Wellman, Wilson, C. and Zeiger

Voting nay: Senators Bailey, Becker, Braun, Brown, Ericksen, Fortunato, Hawkins, Holy, Honeyford, King, O'Ban, Padden, Rivers, Schoesler, Short, Wagoner, Warnick and Wilson, L.

Excused: Senator Walsh

SECOND SUBSTITUTE SENATE BILL NO. 5800, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5774, by Senators Liias, Palumbo, Mullet, Randall, Wellman, Darneille, Conway, Keiser, Kuderer, Nguyen and Wilson, C.

Relieving student debt.

MOTION

On motion of Senator Liias, Second Substitute Senate Bill No. 5774 was substituted for Senate Bill No. 5774 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Zeiger moved that the following striking amendment no. 172 by Senator Zeiger be adopted:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. The legislature finds that a postsecondary credential is essential to Washingtonians' ability to attain jobs with good salaries and advancement opportunities, and that meeting the increasing demand for credentialed workers to fill jobs in Washington is essential to the future health of the state's economy. The legislature finds that the amount of debt that individual Washingtonians incur in pursuit of postsecondary credentials represents a growing burden on individuals and on the state's economy at large that negatively impacts individuals' ability to obtain a postsecondary credential, as well as their ability to save for retirement, purchase a home, and start a family. The legislature finds that giving Washingtonians new tools to address this burden is necessary to help make higher education more accessible and affordable.

NEW SECTION. Sec. 2. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Applicant" means a person applying for a license under this chapter.

(2) "Department" means the department of financial institutions.

(3) "Director" means the director of financial institutions.

(4) "Financial institution" means commercial banks and alien banks subject to regulation under Title 30A RCW, savings banks subject to regulation under Title 32 RCW, savings associations subject to regulation under Title 33 RCW, and credit unions subject to regulation under chapter 31.12 RCW.

(5) "Income" means salary, wages, interest, dividends, and other earnings which are reportable for federal income tax purposes.

(6) "Income share agreement" means an agreement between an individual and any other person under which the individual commits to pay a specified percentage of the individual's future income, for a specified period of time, in exchange for payments to or on behalf of the individual for postsecondary education, workforce development, or similar purposes.

(7) "Income share agreement originator" means a person who for compensation or gain takes an income share agreement application or offers or negotiates the terms of an income share agreement or a person who purchases an existing income share agreement. An income share agreement originator does not include any individual who performs purely administrative or clerical tasks.

(8) "Individual" means any person who consults with or retains a licensee or person subject to this chapter in an effort to obtain, or who seeks information about entering into, an income share

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agreement regardless of whether that person actually enters into an agreement.

(9) "License" means a single license issued under the authority of this chapter with respect to a single place of business.

(10) "Licensee" means a person to whom one or more licenses have been issued. "Licensee" also means any person, whether located within or outside of this state, who fails to obtain a license required by this chapter.

(11) "Person" includes individuals, partnerships, associations, limited liability companies, limited liability partnerships, trusts, corporations, and all other legal entities.

(12) "Principal" means any person who controls, directly or indirectly through one or more intermediaries, alone or in concert with others, a ten percent or greater interest in a partnership; company; association; corporation; or a limited liability company, and the owner of a sole proprietorship.

NEW SECTION. Sec. 3. An income share agreement must:

(1) Specify the percentage of future income which the individual is obligated to pay to the person with whom the individual has entered into an income share agreement;

(2) Specify the maximum duration of the individual's obligation under the income share agreement, which may not exceed three hundred sixty months, unless the duration has been extended pursuant to section 5 of this act;

(3) Specify that at least the first ten thousand dollars of an individual's income is exempt when determining the individual's income for a given year; the amount of the exemption must be adjusted annually to reflect changes in the consumer price index for all urban consumers published by the bureau of labor statistics of the department of labor for the most recent twelve-month period for which such data are available, and notice must be provided annually to the individual regarding the updated income threshold for exemption;

(4) Specify the terms and conditions by which the individual may extinguish his or her obligations under the income share agreement before the end of the payment period specified in the agreement, based upon the remaining term of the payment period;

(5) Make the following disclosures regarding the income share agreement in clear and simple language:

(a) The definition of income to be used for the purposes of calculating the individual's obligation;

(b) The percentage of income the individual is committed to paying under the agreement and the number of payments required per year;

(c) The duration of the individual's obligations under the agreement, including any circumstances under which the duration of the contract may be extended;

(d) That the agreement is not a debt instrument;

(e) That the amount the individual is required to pay under the agreement may be more or less than the payments made to or on behalf of the individual;

(f) That the agreement represents the obligation by the individual to pay a specific percentage of his or her income and does not give the contract holder any rights regarding the individual's actions regarding educational or employment pursuits; and

(g) Whether the obligations of the individual under the agreement may be extinguished by accelerating payments and any terms under which payment may be accelerated.

NEW SECTION. Sec. 4. (1) No licensee may enter into an income share agreement if the total percentage of an individual's future income obligated under the agreement and any other

income share agreement entered into by the individual exceeds fifteen percent of his or her future income.

(2) Any income share agreement entered into in violation of subsection (1) of this section is unenforceable against the individual.

NEW SECTION. Sec. 5. The duration of the individual's obligations under the income share agreement may be extended for a period of time equal to the time that the individual's annual income is less than the exempt amount established in section 3(3) of this act.

NEW SECTION. Sec. 6. (1) In the event of the sale of an income share agreement by the originator of the agreement, the buyer of the agreement is subject to the requirements of this chapter.

(2) The buyer of an income share agreement must be a licensee or have a servicer for the income share agreement who is a licensee.

NEW SECTION. Sec. 7. It is a violation of this chapter for a licensee, its officers, directors, employees, or independent contractors, or any other person subject to this chapter to:

(1) Directly or indirectly employ any scheme, device, or artifice to defraud or mislead any individual, to defraud or mislead any lender, or to defraud or mislead any person;

(2) Directly or indirectly engage in any unfair or deceptive practice toward any person;

(3) Directly or indirectly obtain property by fraud or misrepresentation;

(4) Fail to make disclosures to loan applicants as required by RCW 31.04.102 and any other applicable state or federal law;

(5) Make, in any manner, any false or deceptive statement or representation with regard to the financing terms or conditions for an income share agreement or engage in bait and switch advertising;

(6) Negligently make any false statement or knowingly and willfully make any omission of material fact in connection with any reports filed with the department by a licensee or in connection with any investigation conducted by the department;

(7) Violate any applicable state or federal law relating to the activities governed by this chapter;

(8) Make or originate income share agreements from any unlicensed location;

(9) Fail to comply with the terms of the income share agreement; or

(10) Fail to comply with advertising regulations set by rule.

NEW SECTION. Sec. 8. (1) No person may originate income share agreements without first obtaining and maintaining a license in accordance with this chapter.

(2) If a transaction violates subsection (1) of this section, any fees or interest charged in the making of an income share agreement must be refunded to the individual.

(3) Each licensed income share agreement originator must register with and maintain a valid unique identifier issued by the nationwide mortgage licensing system and registry.

NEW SECTION. Sec. 9. (1) Each application for a license under this chapter must be in writing in a form prescribed by the director. The application must contain at least the following information:

(a) The name and the business addresses of the applicant;

(b) If the applicant is a partnership, limited liability company, or association, the name of every member;

(c) If the applicant is a corporation, the name, residence address, and telephone number of each officer and director;

(d) The street address, county, and municipality from which business is to be conducted; and

(e) Other information as the director may require by rule.

(2) As part of or in connection with an application for any license under this section, or periodically upon license renewal, each officer, director, and owner applicant must furnish information concerning his or her identity, including fingerprints for submission to the Washington state patrol, the federal bureau of investigation, or any governmental agency or entity authorized to receive this information for a state and national criminal history background check, personal history, experience, business record, purposes, and other pertinent facts, as the director may reasonably require. As part of or in connection with an application for a license under this chapter, or periodically upon license renewal, the director is authorized to receive criminal history record information that includes nonconviction data as defined in RCW 10.97.030. The department may only disseminate nonconviction data obtained under this section to criminal justice agencies. This section does not apply to financial institutions regulated under chapters 31.12 and 31.13 RCW and Titles 30A, 32, and 33 RCW.

(3) At the time of filing an application for a license under this chapter, each applicant must pay to the director or through the nationwide mortgage licensing system and registry an investigation fee and the license fee in an amount determined by rule of the director to be sufficient to cover the director's costs in administering this chapter.

(4) Each applicant must file and maintain a surety bond, approved by the director, executed by the applicant as obligor and by a surety company authorized to do a surety business in this state as surety, whose liability as such surety must not exceed in the aggregate the penal sum of the bond. The penal sum of the bond must be a minimum of thirty thousand dollars and based on the annual dollar amount of income share agreements originated. The bond must run to the state of Washington as obligee for the use and benefit of the state and of any person or persons who may have a cause of action against the obligor under this chapter. The bond must be conditioned that the obligor as licensee will faithfully conform to and abide by this chapter and all the rules adopted under this chapter. The bond must pay to the state and any person or persons having a cause of action against the obligor all moneys that may become due and owing to the state and those persons under and by virtue of this chapter. The bond must be continuous and may be canceled by the surety upon the surety giving written notice to the director of its intent to cancel the bond. The cancellation is effective forty-five days after the notice is received by the director.

NEW SECTION. Sec. 10. (1) The director must issue a license to the applicant to originate income share agreements in accordance with this chapter at the location specified in the application if, after investigation, the director finds that:

(a) The applicant has paid all required fees;

(b) The applicant has submitted a complete application in compliance with section 9 of this act;

(c) Neither the applicant nor its officers or principals have had a license issued under this section, in this state or another state, revoked or suspended within the last five years of the date of filing of the application;

(d) Neither the applicant nor any of its officers or principals have been convicted of a gross misdemeanor involving dishonesty or financial misconduct or a felony or a violation of the banking laws of this state or of the United States within seven years of the filing of an application; and

(e) The financial responsibility, experience, character, and general fitness of the applicant are such as to command the confidence of the community and to warrant a belief that the

business will be operated honestly, fairly, and efficiently within the purposes of this chapter.

(2) If the director does not find the conditions of subsection (1) of this section have been met, the director may not issue the license. The director must notify the applicant of the denial and return to the applicant the bond posted and the sum paid by the applicant as a license fee, retaining the investigation fee to cover the costs of investigating the application. The director must approve or deny every application for license under this chapter within ninety days from the filing of a complete application with the fees and the approved bond.

NEW SECTION. Sec. 11. The licensee may not maintain more than one place of business under the same license, but the director may issue more than one license to the same licensee upon application by the licensee in a form and manner established by the director.

Whenever a licensee wishes to change the place of business to a street address other than that reported in the nationwide mortgage licensing system and registry, the licensee must give prior written notice to the director, pay the fee, and obtain the director's approval. The license is not transferable or assignable.

NEW SECTION. Sec. 12. A licensee must, for each license held by any person, on or before the first day of each March, pay to the director an annual assessment as determined by rule by the director. The licensee must be responsible for payment of the annual assessment for the previous calendar year if the licensee had a license for any time during the preceding calendar year, regardless of whether they surrendered their license during the calendar year or whether their license was suspended or revoked. At the same time the licensee must file with the director the required bond or otherwise demonstrate compliance with section 8 of this act.

NEW SECTION. Sec. 13. (1) The director must enforce all laws and rules relating to the licensing and regulation of licensees and persons subject to this chapter.

(2) The director may deny applications for licenses for:

(a) Failure of the applicant to demonstrate within its application for a license that it meets the requirements for licensing in sections 8 and 9 of this act;

(b) Violation of an order issued by the director under this chapter or another chapter administered by the director, including but not limited to cease and desist orders and temporary cease and desist orders;

(c) Revocation or suspension of a license to originate income share agreements by this state, another state, or by the federal government within five years of the date of submittal of a complete application for a license; or

(d) Filing an incomplete application when that incomplete application has been filed with the department for sixty or more days, provided that the director has given notice to the licensee that the application is incomplete, informed the applicant why the application is incomplete, and allowed at least twenty days for the applicant to complete the application.

(3) The director may condition, suspend, or revoke a license issued under this chapter if the director finds that:

(a) The licensee has failed to pay any fee due the state of Washington, has failed to maintain in effect the bond or permitted substitute required under this chapter, or has failed to comply with any specific order or demand of the director lawfully made and directed to the licensee in accordance with this chapter;

(b) The licensee, either knowingly or without the exercise of due care, has violated any provision of this chapter or any rule adopted under this chapter;

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(c) A fact or condition exists that, if it had existed at the time of the original application for the license, clearly would have allowed the director to deny the application for the original license; or

(d) The licensee failed to comply with any directive, order, or subpoena issued by the director under this chapter.

The director may condition, revoke, or suspend only the particular license with respect to which grounds for conditioning, revocation, or suspension may occur or exist or the director may condition, revoke, or suspend all of the licenses issued to the licensee.

(4) The director may impose fines of up to one hundred dollars per day, per violation, upon the licensee, its employee or income share agreement originator, or other person subject to this chapter for:

(a) Any violation of this chapter; or

(b) Failure to comply with any directive, order, or subpoena issued by the director under this chapter.

(5) The director may issue an order directing the licensee, its employee, or other person subject to this chapter to:

(a) Cease and desist from conducting business in a manner that is injurious to the public or violates any provision of this chapter;

(b) Take such affirmative action as is necessary to comply with this chapter;

(c) Make a refund or restitution to an individual or other person who is damaged as a result of a violation of this chapter; or

(d) Refund all fees received through any violation of this chapter.

(6) The director may issue an order removing from office or prohibiting from participation in the affairs of any licensee, or both, any officer, principal, employee, or any person subject to this chapter for:

(a) False statements or omission of material information from an application for a license that, if known, would have allowed the director to deny the original application for a license;

(b) Conviction of a gross misdemeanor involving dishonesty or financial misconduct or a felony;

(c) Suspension or revocation of a license to engage in the origination of income share agreements in this state or another state;

(d) Failure to comply with any order or subpoena issued under this chapter;

(e) A violation of this section or section 6 or 16 of this act; or

(f) Failure to obtain a license for activity that requires a license.

(7) Except to the extent prohibited by another statute, the director may engage in informal settlement of complaints or enforcement actions including, but not limited to, payment to the department for purposes of financial literacy and education programs authorized under RCW 43.320.150. If any person subject to this chapter makes a payment to the department under this section, the person may not advertise the payment.

(8) Whenever the director determines that the public is likely to be substantially injured by delay in issuing a cease and desist order, the director may immediately issue a temporary cease and desist order. The order may direct the licensee to discontinue any violation of this chapter, to take such affirmative action as is necessary to comply with this chapter, and may include a summary suspension of the licensee's license and may order the licensee to immediately cease the conduct of business under this chapter. The order shall become effective at the time specified in the order. Every temporary cease and desist order shall include a provision that a hearing will be held upon request to determine whether the order will become permanent. The hearing must be held within fourteen days of receipt of a request for a hearing unless otherwise specified in chapter 34.05 RCW.

(9) A licensee may surrender a license by delivering to the director written notice of surrender, but the surrender does not affect the licensee's civil or criminal liability, if any, for acts committed before the surrender, including any administrative action initiated by the director to suspend or revoke a license, impose fines, compel the payment of restitution to individuals or other persons, or exercise any other authority under this chapter. The statute of limitations on actions not subject to RCW 4.16.160 that are brought under this chapter by the director is five years.

(10) The revocation, suspension, or surrender of a license does not impair or affect the obligation of a preexisting lawful contract between the licensee and an individual.

(11) Every license issued under this chapter remains in force and effect until it has been surrendered, revoked, or suspended in accordance with this chapter. However, the director may on his or her own initiative reinstate suspended licenses or issue new licenses to a licensee whose license or licenses have been revoked if the director finds that the licensee meets all the requirements of this chapter.

(12) A license issued under this chapter expires upon the licensee's failure to comply with the annual assessment requirements in section 12 of this act and the rules. The department must provide notice of the expiration to the address of record provided by the licensee. On the fifteenth day after the department provides notice, if the assessment remains unpaid, the license expires. The licensee must receive notice prior to expiration and have the opportunity to stop the expiration as set forth in rule.

NEW SECTION. Sec. 14. No licensee may advertise, print, display, publish, distribute, or broadcast or cause or permit to be advertised, printed, displayed, published, distributed, or broadcast, in any manner whatsoever, any statement or representation with regard to the terms or conditions for income share agreements that is false, misleading, or deceptive.

NEW SECTION. Sec. 15. (1) The director or authorized assistants may apply for and obtain a superior court order approving and authorizing a subpoena in advance of its issuance. The application may be made in the county where the subpoenaed person resides or is found, or the county where the subpoenaed documents, records, or evidence are located, or in Thurston county. The application must:

(a) State that an order is sought under this section;

(b) Adequately specify the documents, records, evidence, or testimony; and

(c) Include a declaration made under oath that an investigation is being conducted for a lawfully authorized purpose related to an investigation within the department's authority and that the subpoenaed documents, records, evidence, or testimony are reasonably related to an investigation within the department's authority.

(2) When an application under this section is made to the satisfaction of the court, the court must issue an order approving the subpoena. An order under this subsection constitutes authority of law for the agency to subpoena the documents, records, evidence, or testimony.

(3) The director or authorized assistants may seek approval and a court may issue an order under this section without prior notice to any person, including the person to whom the subpoena is directed and the person who is the subject of an investigation. An application for court approval is subject to the fee and process set forth in RCW 36.18.012(3).

NEW SECTION. Sec. 16. (1) For the purpose of discovering violations of this chapter or securing information lawfully required under this chapter, the director may at any time,

either personally or by designees, investigate or examine the loans and business and, wherever located, the books, accounts, records, papers, documents, files, and other information used in the business of every licensee and of every person who is engaged in the business of making or assisting in the making of income share agreements authorized by this chapter, whether the person acts or claims to act as principal or agent, or under or without the authority of this chapter. The director or designated representative:

(a) Must have free access to the employees, offices, places of business, books, accounts, papers, documents, other information, records, files, safes, and vaults of all such persons during normal business hours;

(b) May require the attendance of and examine under oath all persons whose testimony may be required about the income share agreements or the business or the subject matter of any investigation, examination, or hearing and may require such person to produce books, accounts, papers, records, files, and any other information the director or designated persons deem relevant to the inquiry;

(c) May require by directive, subpoena, or any other lawful means the production of original books, accounts, papers, records, files, and other information; may require that such original books, accounts, papers, records, files, and other information be copied; or may make copies of such original books, accounts, papers, records, files, or other information;

(d) May issue a subpoena or subpoena duces tecum requiring attendance by any person identified in this section or compelling production of any books, accounts, papers, records, files, or other documents or information identified in this section.

(2) The director shall make such periodic examinations of the affairs, business, office, and records of each licensee as determined by rule.

(3) Every licensee examined or investigated by the director or the director's designee must pay to the director the cost of the examination or investigation of each licensed place of business as determined by rule by the director.

(4) In order to carry out the purposes of this section, the director may:

(a) Retain attorneys, accountants, or other professionals and specialists as examiners, auditors, or investigators to conduct or assist in the conduct of examinations or investigations;

(b) Enter into agreements or relationships with other government officials or regulatory associations in order to improve efficiencies and reduce regulatory burden by sharing resources, standardized or uniform methods or procedures, and documents, records, information, or evidence obtained under this section;

(c) Use, hire, contract, or employ public or privately available analytical systems, methods, or software to examine or investigate the licensee, individual, or person subject to chapter 120, Laws of 2009;

(d) Accept and rely on examination or investigation reports made by other government officials, within or without this state;

(e) Accept audit reports made by an independent certified public accountant for the licensee in the course of that part of the examination covering the same general subject matter as the audit and may incorporate the audit report in the report of the examination, report of investigation, or other writing of the director; or

(f) Assess the licensee the cost of the services in (a) of this subsection.

NEW SECTION. Sec. 17. (1)(a) The licensee must keep and use in the business such books, accounts, records, papers, documents, files, and other information as will enable the director

to determine whether the licensee is complying with this chapter and with the rules adopted by the director under this chapter.

(b) The director must have free access to such books, accounts, records, papers, documents, files, and other information wherever located.

(c) Every licensee must preserve the books, accounts, records, papers, documents, files, and other information relevant to an income share agreement for at least three years after the last payment is made pursuant to such agreement.

(d) No licensee or person subject to examination or investigation under this chapter may withhold, abstract, remove, mutilate, destroy, or secrete any books, accounts, records, papers, documents, files, or other information.

(2) Each licensee must, on or before the first day of March of each year, file a report with the director giving such relevant information as the director may reasonably require concerning the business and operations of each licensed place of business conducted during the preceding calendar year. The report must be made under oath and must be in the form prescribed by the director, who must make and publish annually an analysis and recapitulation of the reports. Every licensee that fails to file a report that is required to be filed by this chapter within the time required under this chapter is subject to a penalty of fifty dollars per day for each day's delay. The attorney general may bring a civil action in the name of the state for recovery of any such penalty.

NEW SECTION. Sec. 18. (1) The director has the power, and broad administrative discretion, to administer and interpret this chapter to facilitate the delivery of financial services to the citizens of this state by income share agreement originators subject to this chapter. The director must adopt all rules necessary to administer this chapter and to ensure complete and full disclosure by licensees of lending transactions governed by this chapter.

(2) If it appears to the director that a licensee is conducting business in an injurious manner or is violating any provision of this chapter, the director may order or direct the discontinuance of any such injurious or illegal practice.

(3) For purposes of this section, "conducting business in an injurious manner" means conducting business in a manner that violates any provision of this chapter, or that creates the reasonable likelihood of a violation of any provision of this chapter.

(4) The director or designated persons, with or without prior administrative action, may bring an action in superior court to enjoin the acts or practices that constitute violations of this chapter and to enforce compliance with this chapter or any rule or order made under this chapter. Upon proper showing, injunctive relief or a temporary restraining order shall be granted. The director must not be required to post a bond in any court proceedings.

NEW SECTION. Sec. 19. (1) A person who violates, or knowingly aids or abets in the violation of any provision of this chapter, for which no penalty has been prescribed, and a person who fails to perform any act that it is his or her duty to perform under this chapter and for which failure no penalty has been prescribed, is guilty of a gross misdemeanor.

(2) No provision imposing civil penalties or criminal liability under this chapter or rule adopted under this chapter applies to an act taken or omission made in good faith in conformity with a written notice, interpretation, or examination report of the director or his or her agent.

NEW SECTION. Sec. 20. The proceedings for denying license applications, issuing cease and desist orders, suspending

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or revoking licenses, and imposing civil penalties or other remedies under this chapter, and any review or appeal of such action, is governed by the administrative procedure act, chapter 34.05 RCW.

NEW SECTION. Sec. 21. (1) The director or designated persons may, at his or her discretion, take any action as provided for in this chapter to enforce this chapter. If the person subject to this action does not appear in person or by counsel at the time and place designated for any administrative hearing that may be held on the action, then the person is deemed to consent to the action. If the person subject to the action consents, or if after hearing the director finds by a preponderance of the evidence that any grounds for sanctions under this chapter exist, then the director may impose any sanction authorized by this chapter.

(2) The director may recover the state's costs and expenses for prosecuting violations of this chapter including staff time spent preparing for and attending administrative hearings and reasonable attorneys' fees unless, after a hearing, the director determines no violation occurred.

NEW SECTION. Sec. 22. Any income share agreement originated by an unlicensed person as prohibited under this chapter is unenforceable in Washington.

NEW SECTION. Sec. 23. The legislature finds that the practices governed by this chapter are matters vitally affecting the public interest for the purpose of applying the consumer protection act, chapter 19.86 RCW. Any violation of this chapter is not reasonable in relation to the development and preservation of business and is an unfair and deceptive act or practice and unfair method of competition in the conduct of trade or commerce in violation of RCW 19.86.020. Remedies provided by chapter 19.86 RCW are cumulative and not exclusive.

Sec. 24. RCW 31.04.025 and 2015 c 229 s 20 are each amended to read as follows:

(1) Each loan made to a resident of this state by a licensee, or persons subject to this chapter, is subject to the authority and restrictions of this chapter.

(2) This chapter does not apply to the following:

(a) Any person doing business under, and as permitted by, any law of this state or of the United States relating to banks, savings banks, trust companies, savings and loan or building and loan associations, or credit unions;

(b) Entities making loans under chapter 19.60 RCW (pawnbroking);

(c) Entities conducting transactions under chapter 63.14 RCW (retail installment sales of goods and services), unless credit is extended to purchase merchandise certificates, coupons, open or closed loop stored value, or other similar items issued and redeemable by a retail seller other than the retail seller extending the credit;

(d) Entities making loans under chapter 31.45 RCW (check cashers and sellers);

(e) Any person making a loan primarily for business, commercial, or agricultural purposes unless the loan is secured by a lien on the borrower's primary dwelling;

(f) Any person selling property owned by that person who provides financing for the sale when the property does not contain a dwelling and when the property serves as security for the financing. This exemption is available for five or fewer transactions in a calendar year. This exemption is not available to individuals subject to the federal S.A.F.E. act or any person in the business of constructing or acting as a contractor for the construction of residential dwellings;

(g) Any person making loans made to government or government agencies or instrumentalities or making loans to organizations as defined in the federal truth in lending act;

(h) Entities making loans under chapter 43.185 RCW (housing trust fund);

(i) Entities making loans under programs of the United States department of agriculture, department of housing and urban development, or other federal government program that provides funding or access to funding for single-family housing developments or grants to low-income individuals for the purchase or repair of single-family housing;

(j) Nonprofit housing organizations making loans, or loans made, under housing programs that are funded in whole or in part by federal or state programs if the primary purpose of the programs is to assist low-income borrowers with purchasing or repairing housing or the development of housing for low-income Washington state residents;

(k) Entities making loans which are not residential mortgage loans under a credit card plan;

(l) Individuals employed by a licensed residential mortgage loan servicing company engaging in activities related to servicing, unless licensing is required by federal law or regulation; ~~(and)~~

(m) Entities licensed under chapter 18.44 RCW that process payments on seller-financed loans secured by liens on real or personal property; and

(n) Entities licensed under chapter 31.--- RCW (the new chapter created in section 27 of this act) that originate income share agreements.

(3) The director may, at his or her discretion, waive applicability of the consumer loan company licensing provisions of this chapter to other persons, not including individuals subject to the S.A.F.E. act, making or servicing loans when the director determines it necessary to facilitate commerce and protect consumers.

(4) The burden of proving the application for an exemption or exception from a definition, or a preemption of a provision of this chapter, is upon the person claiming the exemption, exception, or preemption.

(5) The director may adopt rules interpreting this section.

Sec. 25. RCW 19.52.080 and 1981 c 78 s 2 are each amended to read as follows:

Profit and nonprofit corporations, Massachusetts trusts, associations, trusts, general partnerships, joint ventures, limited partnerships, and governments and governmental subdivisions, agencies, or instrumentalities may not plead the defense of usury nor maintain any action thereon or therefor, and persons may not plead the defense of usury nor maintain any action thereon or therefor if the transaction was primarily for agricultural, commercial, investment, or business purposes(~~(- PROVIDED, HOWEVER, That)~~). Except for income share agreements, as defined in section 2 of this act, this section shall not apply to a consumer transaction of any amount.

Consumer transactions, as used in this section, shall mean transactions primarily for personal, family, or household purposes.

Sec. 26. RCW 21.20.320 and 2006 c 220 s 1 are each amended to read as follows:

The following transactions are exempt from RCW 21.20.040 through 21.20.300 and 21.20.327 except as expressly provided:

(1) Any isolated transaction, or sales not involving a public offering, whether effected through a broker-dealer or not; or any transaction effected in accordance with any rule by the director establishing a nonpublic offering exemption pursuant to this

subsection where registration is not necessary or appropriate in the public interest or for the protection of investors.

(2) Any nonissuer transaction by a registered salesperson of a registered broker-dealer, and any resale transaction by a sponsor of a unit investment trust registered under the Investment Company Act of 1940 pursuant to any rule adopted by the director.

(3) Any nonissuer transaction effected by or through a registered broker-dealer pursuant to an unsolicited order or offer to buy; but the director may by rule require that the customer acknowledge upon a specified form that the sale was unsolicited, and that a signed copy of each such form be preserved by the broker-dealer for a specified period.

(4) Any transaction between the issuer or other person on whose behalf the offering is made and an underwriter, or among underwriters.

(5) Any transaction in a bond or other evidence of indebtedness secured by a real or chattel mortgage or deed of trust, or by an agreement for the sale of real estate or chattels, if the entire mortgage, deed of trust, or agreement, together with all the bonds or other evidences of indebtedness secured thereby, is offered and sold as a unit. A bond or other evidence of indebtedness is not offered and sold as a unit if the transaction involves:

(a) A partial interest in one or more bonds or other evidences of indebtedness secured by a real or chattel mortgage or deed of trust, or by an agreement for the sale of real estate or chattels; or

(b) One of multiple bonds or other evidences of indebtedness secured by one or more real or chattel mortgages or deeds of trust, or agreements for the sale of real estate or chattels, sold to more than one purchaser as part of a single plan of financing; or

(c) A security including an investment contract other than the bond or other evidence of indebtedness.

(6) Any transaction by an executor, administrator, sheriff, marshal, receiver, trustee in bankruptcy, guardian, or conservator.

(7) Any transaction executed by a bona fide pledgee without any purpose of evading this chapter.

(8) Any offer or sale to a bank, savings institution, trust company, insurance company, investment company as defined in the Investment Company Act of 1940, pension or profit-sharing trust, or other financial institution or institutional buyer, or to a broker-dealer, whether the purchaser is acting for itself or in some fiduciary capacity.

(9) Any transaction effected in accordance with the terms and conditions of any rule adopted by the director if:

(a) The aggregate offering amount does not exceed five million dollars; and

(b) The director finds that registration is not necessary in the public interest and for the protection of investors.

(10) Any offer or sale of a preorganization certificate or subscription if (a) no commission or other remuneration is paid or given directly or indirectly for soliciting any prospective subscriber, (b) the number of subscribers does not exceed ten, and (c) no payment is made by any subscriber.

(11) Any transaction pursuant to an offer to existing security holders of the issuer, including persons who at the time of the transaction are holders of convertible securities, nontransferable warrants, or transferable warrants exercisable within not more than ninety days of their issuance, if (a) no commission or other remuneration (other than a standby commission) is paid or given directly or indirectly for soliciting any security holder in this state, or (b) the issuer first files a notice specifying the terms of the offer and the director does not by order disallow the exemption within the next five full business days.

(12) Any offer (but not a sale) of a security for which registration statements have been filed under both this chapter and the Securities Act of 1933 if no stop order or refusal order is in

effect and no public proceeding or examination looking toward such an order is pending under either act.

(13) The issuance of any stock dividend, whether the corporation distributing the dividend is the issuer of the stock or not, if nothing of value is given by stockholders for the distribution other than the surrender of a right to a cash dividend where the stockholder can elect to take a dividend in cash or stock.

(14) Any transaction incident to a right of conversion or a statutory or judicially approved reclassification, recapitalization, reorganization, quasi reorganization, stock split, reverse stock split, merger, consolidation, or sale of assets.

(15) The offer or sale by a registered broker-dealer, or a person exempted from the registration requirements pursuant to RCW 21.20.040, acting either as principal or agent, of securities previously sold and distributed to the public: PROVIDED, That:

(a) Such securities are sold at prices reasonably related to the current market price thereof at the time of sale, and, if such broker-dealer is acting as agent, the commission collected by such broker-dealer on account of the sale thereof is not in excess of usual and customary commissions collected with respect to securities and transactions having comparable characteristics;

(b) Such securities do not constitute the whole or a part of an unsold allotment to or subscription or participation by such broker-dealer as an underwriter of such securities or as a participant in the distribution of such securities by the issuer, by an underwriter or by a person or group of persons in substantial control of the issuer or of the outstanding securities of the class being distributed; and

(c) The security has been lawfully sold and distributed in this state or any other state of the United States under this or any act regulating the sale of such securities.

(16) Any transaction by a mutual or cooperative association meeting the requirements of (a) and (b) of this subsection:

(a) The transaction:

(i) Does not involve advertising or public solicitation; or

(ii) Involves advertising or public solicitation, and:

(A) The association first files a notice of claim of exemption on a form prescribed by the director specifying the terms of the offer and the director does not by order deny the exemption within the next ten full business days; or

(B) The association is an employee cooperative and identifies itself as an employee cooperative in advertising or public solicitation.

(b) The transaction involves an instrument or interest, that:

(i)(A) Qualifies its holder to be a member or patron of the association;

(B) Represents a contribution of capital to the association by a person who is or intends to become a member or patron of the association;

(C) Represents a patronage dividend or other patronage allocation; or

(D) Represents the terms or conditions by which a member or patron purchases, sells, or markets products, commodities, or services from, to, or through the association; and

(ii) Is nontransferable except in the case of death, operation of law, bona fide transfer for security purposes only to the association, a bank, or other financial institution, intrafamily transfer, transfer to an existing member or person who will become a member, or transfer by gift to any person organized and operated as a nonprofit organization as defined in RCW 84.36.800(4) that also possesses a current tax exempt status under the laws of the United States, and, in the case of an instrument, so states conspicuously on its face.

(17) Any income share agreement entered into pursuant to chapter 31.--- RCW (the new chapter created in section 27 of this act). However, any solicitation, offer, or sale of interest in an

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income share agreement made pursuant to chapter 31--- RCW (the new chapter created in section 27 of this act) is not exempt.

(18) Any transaction effected in accordance with any rule adopted by the director establishing a limited offering exemption which furthers objectives of compatibility with federal exemptions and uniformity among the states, provided that in adopting any such rule the director may require that no commission or other remuneration be paid or given to any person, directly or indirectly, for effecting sales unless the person is registered under this chapter as a broker-dealer or salesperson.

NEW SECTION. Sec. 27. Sections 1 through 23 of this act constitute a new chapter in Title 31 RCW.

NEW SECTION. Sec. 28. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Council" means the Washington student achievement council.

(2) "Financial institution" has the same meaning as in RCW 7.88.010.

(3) "Interest rate buy down incentive" means the use of state funds to enable qualified borrowers to receive below market rate interest rates for the purposes of this chapter.

(4) "Loan loss reserve coverage" means partial risk coverage to financial institutions to cover losses on qualified loans according to the terms set forth in the contract between the agency and the financial institution for the purposes of this chapter.

(5) "Program" means the Washington student loan refinancing program.

(6) "Qualified borrower" means an individual meeting all of the following requirements:

- (a) Resident of the state of Washington;
- (b) Completion of an associate's, bachelor's, graduate, or professional degree and the receipt of a certificate, diploma, or degree from a trade, career, or technical school; and
- (c) Other criteria as deemed appropriate by the council.

(7) "Qualified loan" means a loan or a portion of a loan made by a financial institution to a qualified borrower to refinance an existing student loan under the program. Only a loan determined by the financial institution to be an educational loan that is nondischargeable in bankruptcy as set forth in 11 U.S.C. Sec. 523 as it existed on January 14, 2019, shall be a qualified loan eligible for refinancing. A qualified loan made under the program shall:

(a) Carry a contractual interest rate at least one-quarter of one percentage point lower than the loan being refinanced, and may be made with the interest rates, fees, and other terms and conditions agreed upon by the financial institution and the qualified borrower; and

(b) Specify that an individual's obligation under a qualified loan must be discharged if the individual dies, based on the following:

- (i) An original or certified copy of the individual's death certificate;
- (ii) An accurate and complete photocopy of the original or certified copy of the individual's death certificate;
- (iii) An accurate and complete original or certified copy of the individual's death certificate that is scanned and submitted electronically or sent by facsimile transmission; or
- (iv) Verification of the individual's death through an authoritative federal or state electronic database approved for use by the council.

(8) This section expires July 1, 2029.

NEW SECTION. Sec. 29. (1) Subject to amounts appropriated specifically for this purpose, the Washington student loan refinancing program is created.

(2) The program shall be administered by the council. To execute the program the council shall contract with up to five financial institutions. The financial institutions, in consultation with the council, may leverage the interest rate buy down incentive or the loan loss reserve coverage, or some combination thereof, to refinance existing student loans. In administering the program, the council may:

- (a) Impose reasonable limits on the terms of qualified loans;
- (b) Impose reasonable limits on the terms of qualified borrowers;

(c) Impose reasonable limits on the use of state funds for the marketing on qualified loan products by financial institutions;

(d) Establish minimum reporting requirements for financial institutions participating in the program;

(e) Establish minimum required disclosures by financial institutions for qualified loans. At a minimum, the disclosures must notify qualified borrowers of the:

- (i) Loss of borrower protections including income contingent repayment and public service loan forgiveness options if the qualified borrower is refinancing a federal student loan under this chapter; and
- (ii) Estimated total cost of the qualified loan, including accrued interest under this chapter;

(f) Appoint and use advisory committees and the department of financial institutions as needed to provide program guidance and direction;

(g) Formulate and adopt all other policies and rules necessary for the efficient administration of the program;

(h) Make, execute, and deliver contracts, conveyances, and other instruments necessary to the exercise and discharge of its powers and duties under this chapter; and

(i) Perform all acts necessary and proper to carry out the duties and responsibilities of the program under this chapter.

(3) On a biennial basis beginning July 1, 2020, the council must report to the appropriate committees of the legislature the:

(a) Number of financial institutions currently under contract through the program;

(b) Number of qualified student loans successfully refinanced under the program;

(c) Qualified borrower requirements established by the council and the financial institutions;

(d) Demographic information for borrowers that includes gender, race or ethnicity, income level, and geography; and

(e) Estimated total savings by qualified borrowers with qualified loans as defined by the difference between what the student would have paid under the existing loan and what the student would pay when given the option to refinance.

(4) This section expires July 1, 2029.

NEW SECTION. Sec. 30. Sections 28 and 29 of this act constitute a new chapter in Title 28B RCW.

NEW SECTION. Sec. 31. This act may be known and cited as the student loan relief and reform act."

On page 1, line 1 of the title, after "relief;" strike the remainder of the title and insert "amending RCW 31.04.025, 19.52.080, and 21.20.320; adding a new chapter to Title 31 RCW; adding a new chapter to Title 28B RCW; creating a new section; providing expiration dates; and prescribing penalties."

Senator Zeiger spoke in favor of adoption of the striking amendment.

Senator Liias spoke against adoption of the striking amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of striking amendment no. 172 by

Senator Zeiger on page , line to Second Substitute Senate Bill No. 5774.

The motion by Senator Zeiger did not carry and striking amendment no. 172 was not adopted by voice vote.

MOTION

On motion of Senator Liias, the rules were suspended, Second Substitute Senate Bill No. 5774 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Liias and Holy spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 5774.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 5774 and the bill passed the Senate by the following vote: Yeas, 40; Nays, 8; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hawkins, Hobbs, Holy, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Takko, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senators Bailey, Becker, Ericksen, Fortunato, Hasegawa, Honeyford, Padden and Short

Excused: Senator Walsh

SECOND SUBSTITUTE SENATE BILL NO. 5774, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5356, by Senators Wilson, C., Randall, Das, Saldaña, Darneille, Pedersen, Liias, Nguyen, Cleveland, Dhingra and Hunt

Establishing the Washington state LGBTQ commission.

MOTION

On motion of Senator Wilson, C., Second Substitute Senate Bill No. 5356 was substituted for Senate Bill No. 5356 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Randall moved that the following amendment no. 164 by Senator Randall be adopted:

On page 3, line 11, after "homelessness;" strike "and"

On page 3, line 12, after "development;" insert "and"

(vi) Veterans, their spouses, and dependents;"

Senators Randall and Wilson, C. spoke in favor of adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 164 by Senator Randall on page 3, line 11 to Second Substitute Senate Bill No. 5356.

The motion by Senator Randall carried and amendment no. 164 was adopted by voice vote.

MOTION

On motion of Senator Wilson, C., the rules were suspended, Engrossed Second Substitute Senate Bill No. 5356 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Wilson, C. spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 5356.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5356 and the bill passed the Senate by the following vote: Yeas, 34; Nays, 14; Absent, 0; Excused, 1.

Voting yea: Senators Becker, Billig, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Sheldon, Takko, Van De Wege, Warnick, Wellman, Wilson, C. and Wilson, L.

Voting nay: Senators Bailey, Braun, Ericksen, Fortunato, Hawkins, Holy, Honeyford, King, O'Ban, Padden, Schoesler, Short, Wagoner and Zeiger

Excused: Senator Walsh

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5356, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5873, by Senators Hawkins and Van De Wege

Concerning community forests.

MOTIONS

On motion of Senator Hawkins, Second Substitute Senate Bill No. 5873 was substituted for Senate Bill No. 5873 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Hawkins, the rules were suspended, Second Substitute Senate Bill No. 5873 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Hawkins and Van De Wege spoke in favor of passage of the bill.

MOTION

On motion of Senator Wilson, C., Senators Frockt and Palumbo were excused.

The President Pro Tempore declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 5873.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 5873 and the bill passed the Senate by the following vote: Yeas, 41; Nays, 5; Absent, 0; Excused, 3.

Voting yea: Senators Bailey, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Fortunato, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Lias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Pedersen, Randall, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Takko, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senators Becker, Ericksen, Padden, Rivers and Short

Excused: Senators Frockt, Palumbo and Walsh

SECOND SUBSTITUTE SENATE BILL NO. 5873, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5437, by Senators Wilson, C., Palumbo, Wellman, Hunt, Saldaña, Nguyen, Randall, Das, Billig, Mullet, Darneille, Dhingra, Hasegawa, Kuderer and Takko

Expanding eligibility to the early childhood education and assistance program.

MOTIONS

On motion of Senator Wilson, C., Second Substitute Senate Bill No. 5437 was substituted for Senate Bill No. 5437 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Wilson, C., the rules were suspended, Second Substitute Senate Bill No. 5437 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wilson, C. and Lovelett spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 5437.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 5437 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Lias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senator Padden

Excused: Senator Walsh

SECOND SUBSTITUTE SENATE BILL NO. 5437, having received the constitutional majority, was declared passed. There

being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5082, by Senators McCoy, Hasegawa, Kuderer and Saldaña

Creating a committee to promote and expand social emotional learning.

MOTIONS

On motion of Senator McCoy, Second Substitute Senate Bill No. 5082 was substituted for Senate Bill No. 5082 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator McCoy, the rules were suspended, Second Substitute Senate Bill No. 5082 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator McCoy spoke in favor of passage of the bill.

Senator Hawkins spoke against passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 5082.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 5082 and the bill passed the Senate by the following vote: Yeas, 30; Nays, 18; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Lias, Lovelett, McCoy, Mullet, Nguyen, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Sheldon, Takko, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Bailey, Becker, Braun, Brown, Ericksen, Fortunato, Hawkins, Holy, Honeyford, King, O'Ban, Padden, Schoesler, Short, Wagoner, Warnick, Wilson, L. and Zeiger

Excused: Senator Walsh

SECOND SUBSTITUTE SENATE BILL NO. 5082, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5089, by Senators Wellman, Darneille, Palumbo, Wilson, C., Kuderer and Saldaña

Increasing early learning access for children ages thirty months and older with developmental delays or disabilities.

MOTIONS

On motion of Senator Wellman, Substitute Senate Bill No. 5089 was substituted for Senate Bill No. 5089 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Wellman, the rules were suspended, Substitute Senate Bill No. 5089 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wellman and Hawkins spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5089.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5089 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senator Walsh

SUBSTITUTE SENATE BILL NO. 5089, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5815, by Senators Nguyen, Darneille, Wilson, C., Saldaña, Das, Keiser and Kuderer

Concerning individuals placed in minimum security status by the department of children, youth, and families.

MOTIONS

On motion of Senator Nguyen, Substitute Senate Bill No. 5815 was substituted for Senate Bill No. 5815 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Nguyen, the rules were suspended, Substitute Senate Bill No. 5815 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Nguyen, O'Ban and Padden spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5815.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5815 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senator Wagoner

Excused: Senator Walsh

SUBSTITUTE SENATE BILL NO. 5815, having received the constitutional majority, was declared passed. There being no

objection, the title of the bill was ordered to stand as the title of the act.

PERSONAL PRIVILEGE

Senator Wellman: "May I apologize to the body for having been absent for the vote on my own bill? I do, really do apologize. I just have too many things going on apparently."

SECOND READING

SENATE BILL NO. 5638, by Senate Committee on Environment, Energy & Technology (originally sponsored by Brown, Rivers, Becker and Short)

Recognizing the validity of distributed ledger technology.

MOTIONS

On motion of Senator Brown, Substitute Senate Bill No. 5638 was substituted for Senate Bill No. 5638 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Brown, the rules were suspended, Substitute Senate Bill No. 5638 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Brown and Carlyle spoke in favor of passage of the bill.

MOTION

On motion of Senator Wilson, C., Senator Randall was excused.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5638.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5638 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 2; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Absent: Senators Liias and Saldaña

Excused: Senator Walsh

SUBSTITUTE SENATE BILL NO. 5638, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5120, by Senators Palumbo, Darneille, Mullet, Nguyen, Hunt, Saldaña, Liias, Carlyle, Frockt, Hasegawa and Kuderer

Contracting with private correctional facilities for the transfer or placement of offenders.

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MOTION

On motion of Senator Palumbo, Second Substitute Senate Bill No. 5120 was substituted for Senate Bill No. 5120 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Palumbo moved that the following amendment no. 158 by Senator Palumbo be adopted:

On page 4, beginning on line 21, after “families,” strike all material through “sheriff” on line 22 and insert “any county government, city government, or county sheriff’s department”

Senator Palumbo spoke in favor of adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 158 by Senator Palumbo on page 4, line 21 to Second Substitute Senate Bill No. 5120.

The motion by Senator Palumbo carried and amendment no. 158 was adopted by voice vote.

MOTION

On motion of Senator Palumbo, the rules were suspended, Engrossed Second Substitute Senate Bill No. 5120 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Palumbo, Padden and Dhingra spoke in favor of passage of the bill.

Senator Ericksen spoke against passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 5120.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5120 and the bill passed the Senate by the following vote: Yeas, 30; Nays, 18; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Takko, Van De Wege, Wagoner, Wellman and Wilson, C.

Voting nay: Senators Bailey, Becker, Braun, Brown, Ericksen, Fortunato, Hawkins, Holy, Honeyford, King, O’Ban, Padden, Schoesler, Sheldon, Short, Warnick, Wilson, L. and Zeiger

Excused: Senator Walsh

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5120, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5433, by Senators Wilson, C., Nguyen, Das, Darneille, Dhingra, Hasegawa, Kuderer and Saldaña

Providing postsecondary education opportunities to enhance public safety.

MOTIONS

On motion of Senator Wilson, C., Second Substitute Senate Bill No. 5433 was substituted for Senate Bill No. 5433 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Wilson, C., the rules were suspended, Second Substitute Senate Bill No. 5433 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wilson, C., O’Ban, Holy and Dhingra spoke in favor of passage of the bill.

Senators Padden and Wagoner spoke against passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 5433.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 5433 and the bill passed the Senate by the following vote: Yeas, 36; Nays, 11; Absent, 1; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Holy, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O’Ban, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Takko, Van De Wege, Warnick, Wellman, Wilson, C. and Zeiger

Voting nay: Senators Braun, Brown, Ericksen, Fortunato, Hawkins, Honeyford, Padden, Schoesler, Short, Wagoner and Wilson, L.

Absent: Senator Sheldon

Excused: Senator Walsh

SECOND SUBSTITUTE SENATE BILL NO. 5433, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5485, by Senators Darneille, Cleveland and Conway

Licensing of music therapists.

MOTION

On motion of Senator Darneille, Substitute Senate Bill No. 5485 was substituted for Senate Bill No. 5485 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Darneille moved that the following amendment no. 062 by Senator Darneille be adopted:

On page 6, line 23, after “RCW.” insert “The rules must include procedures for expediting the issuance of a license to military personnel.”

Senator Darneille spoke in favor of adoption of the amendment. The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 062 by Senator Darneille on page 6, line 23 to Substitute Senate Bill No. 5485.

The motion by Senator Darneille carried and amendment no. 062 was adopted by voice vote.

MOTION

On motion of Senator Darneille, the rules were suspended, Engrossed Substitute Senate Bill No. 5485 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Darneille spoke in favor of passage of the bill.
Senator Becker spoke against passage of the bill.

MOTION

On motion of Senator Wilson, C., Senators Nguyen and Randall were excused.

Senator Conway spoke against passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5485.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5485 and the bill passed the Senate by the following vote: Yeas, 30; Nays, 15; Absent, 0; Excused, 4.

Voting yea: Senators Bailey, Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Fortunato, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, O'Ban, Palumbo, Pedersen, Rolfes, Saldaña, Salomon, Takko, Van De Wege, Wagoner, Wellman and Wilson, C.

Voting nay: Senators Becker, Braun, Brown, Ericksen, Hawkins, Holy, Honeyford, King, Padden, Rivers, Schoesler, Short, Warnick, Wilson, L. and Zeiger

Excused: Senators Nguyen, Randall, Sheldon and Walsh

ENGROSSED SUBSTITUTE SENATE BILL NO. 5485, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5503, by Senators Das, Fortunato and Takko

Concerning state board of health rules regarding on-site sewage systems.

The measure was read the second time.

MOTION

On motion of Senator Das, the rules were suspended, Senate Bill No. 5503 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Das spoke in favor of passage of the bill.

MOTION

On motion of Senator Kuderer, Senator Kuderer was excused.

The President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5503.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5503 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Short, Takko, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senators Sheldon and Walsh

SENATE BILL NO. 5503, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Rivers, Senator Fortunato was excused.

SECOND READING

SENATE BILL NO. 5383, by Senators Zeiger, Palumbo, Nguyen, Short, Van De Wege, Wilson, C., Wilson and L.

Concerning tiny houses.

MOTION

On motion of Senator Zeiger, Substitute Senate Bill No. 5383 was substituted for Senate Bill No. 5383 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Zeiger moved that the following striking amendment no. 052 by Senator Zeiger be adopted:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. Tiny houses have become a trend across the nation to address the shortage of affordable housing. As tiny houses become more acceptable, the legislature finds that it is important to create space in the code for the regulation of tiny house siting. Individual cities and counties may allow tiny houses with wheels to be collected together as tiny house villages using the binding site plan method articulated in chapter 58.17 RCW.

Sec. 2. RCW 58.17.040 and 2004 c 239 s 1 are each amended to read as follows:

The provisions of this chapter shall not apply to:

(1) Cemeteries and other burial plots while used for that purpose;

(2) Divisions of land into lots or tracts each of which is one-hundred twenty-eighth of a section of land or larger, or five acres or larger if the land is not capable of description as a fraction of a section of land, unless the governing authority of the city,

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town, or county in which the land is situated shall have adopted a subdivision ordinance requiring plat approval of such divisions: PROVIDED, That for purposes of computing the size of any lot under this item which borders on a street or road, the lot size shall be expanded to include that area which would be bounded by the center line of the road or street and the side lot lines of the lot running perpendicular to such center line;

(3) Divisions made by testamentary provisions, or the laws of descent;

(4) Divisions of land into lots or tracts classified for industrial or commercial use when the city, town, or county has approved a binding site plan for the use of the land in accordance with local regulations;

(5) A division for the purpose of lease when no residential structure other than mobile homes, tiny houses or tiny houses with wheels as defined in section 6 of this act, or travel trailers are permitted to be placed upon the land when the city, town, or county has approved a binding site plan for the use of the land in accordance with local regulations;

(6) A division made for the purpose of alteration by adjusting boundary lines, between platted or unplatted lots or both, which does not create any additional lot, tract, parcel, site, or division nor create any lot, tract, parcel, site, or division which contains insufficient area and dimension to meet minimum requirements for width and area for a building site;

(7) Divisions of land into lots or tracts if: (a) Such division is the result of subjecting a portion of a parcel or tract of land to either chapter 64.32 or 64.34 RCW subsequent to the recording of a binding site plan for all such land; (b) the improvements constructed or to be constructed thereon are required by the provisions of the binding site plan to be included in one or more condominiums or owned by an association or other legal entity in which the owners of units therein or their owners' associations have a membership or other legal or beneficial interest; (c) a city, town, or county has approved the binding site plan for all such land; (d) such approved binding site plan is recorded in the county or counties in which such land is located; and (e) the binding site plan contains thereon the following statement: "All development and use of the land described herein shall be in accordance with this binding site plan, as it may be amended with the approval of the city, town, or county having jurisdiction over the development of such land, and in accordance with such other governmental permits, approvals, regulations, requirements, and restrictions that may be imposed upon such land and the development and use thereof. Upon completion, the improvements on the land shall be included in one or more condominiums or owned by an association or other legal entity in which the owners of units therein or their owners' associations have a membership or other legal or beneficial interest. This binding site plan shall be binding upon all now or hereafter having any interest in the land described herein." The binding site plan may, but need not, depict or describe the boundaries of the lots or tracts resulting from subjecting a portion of the land to either chapter 64.32 or 64.34 RCW. A site plan shall be deemed to have been approved if the site plan was approved by a city, town, or county: (i) In connection with the final approval of a subdivision plat or planned unit development with respect to all of such land; or (ii) in connection with the issuance of building permits or final certificates of occupancy with respect to all of such land; or (iii) if not approved pursuant to (i) and (ii) of this subsection (7)(e), then pursuant to such other procedures as such city, town, or county may have established for the approval of a binding site plan;

(8) A division for the purpose of leasing land for facilities providing personal wireless services while used for that purpose.

"Personal wireless services" means any federally licensed personal wireless service. "Facilities" means unstaffed facilities that are used for the transmission or reception, or both, of wireless communication services including, but not necessarily limited to, antenna arrays, transmission cables, equipment shelters, and support structures; and

(9) A division of land into lots or tracts of less than three acres that is recorded in accordance with chapter 58.09 RCW and is used or to be used for the purpose of establishing a site for construction and operation of consumer-owned or investor-owned electric utility facilities. For purposes of this subsection, "electric utility facilities" means unstaffed facilities, except for the presence of security personnel, that are used for or in connection with or to facilitate the transmission, distribution, sale, or furnishing of electricity including, but not limited to, electric power substations. This subsection does not exempt a division of land from the zoning and permitting laws and regulations of cities, towns, counties, and municipal corporations. Furthermore, this subsection only applies to electric utility facilities that will be placed into service to meet the electrical needs of a utility's existing and new customers. New customers are defined as electric service locations not already in existence as of the date that electric utility facilities subject to the provisions of this subsection are planned and constructed.

Sec. 3. RCW 35.21.684 and 2009 c 79 s 1 are each amended to read as follows:

(1) A city or town may not adopt an ordinance that has the effect, directly or indirectly, of discriminating against consumers' choices in the placement or use of a home in such a manner that is not equally applicable to all homes. Homes built to 42 U.S.C. Sec. 5401-5403 standards (as amended in 2000) must be regulated for the purposes of siting in the same manner as site built homes, factory built homes, or homes built to any other state construction or local design standard. However, except as provided in subsection (2) of this section, any city or town may require that:

(a) A manufactured home be a new manufactured home;

(b) The manufactured home be set upon a permanent foundation, as specified by the manufacturer, and that the space from the bottom of the home to the ground be enclosed by concrete or an approved concrete product which can be either load bearing or decorative;

(c) The manufactured home comply with all local design standards applicable to all other homes within the neighborhood in which the manufactured home is to be located;

(d) The home is thermally equivalent to the state energy code; and

(e) The manufactured home otherwise meets all other requirements for a designated manufactured home as defined in RCW 35.63.160.

A city with a population of one hundred thirty-five thousand or more may choose to designate its building official as the person responsible for issuing all permits, including department of labor and industries permits issued under chapter 43.22 RCW in accordance with an interlocal agreement under chapter 39.34 RCW, for alterations, remodeling, or expansion of manufactured housing located within the city limits under this section.

(2) A city or town may not adopt an ordinance that has the effect, directly or indirectly, of restricting the location of manufactured/mobile homes in manufactured/mobile home communities that were legally in existence before June 12, 2008, based exclusively on the age or dimensions of the manufactured/mobile home. This does not preclude a city or town from restricting the location of a manufactured/mobile home in manufactured/mobile home communities for any other reason including, but not limited to, failure to comply with fire, safety,

or other local ordinances or state laws related to manufactured/mobile homes.

(3) Except as provided under subsection (4) of this section, a city or town may not adopt an ordinance that has the effect, directly or indirectly, of preventing the entry or requiring the removal of a recreational vehicle or tiny house with wheels as defined in section 6 of this act used as a primary residence in manufactured/mobile home communities.

(4) Subsection (3) of this section does not apply to any local ordinance or state law that:

(a) Imposes fire, safety, or other regulations related to recreational vehicles;

(b) Requires utility hookups in manufactured/mobile home communities to meet state or federal building code standards for manufactured/mobile home communities; or

(c) Includes both of the following provisions:

(i) A recreational vehicle or tiny house with wheels as defined in section 6 of this act must contain at least one internal toilet and at least one internal shower; and

(ii) If the requirement in (c)(i) of this subsection is not met, a manufactured/mobile home community must provide toilets and showers.

(5) For the purposes of this section, “manufactured/mobile home community” has the same meaning as in RCW 59.20.030.

(6) This section does not override any legally recorded covenants or deed restrictions of record.

(7) This section does not affect the authority granted under chapter 43.22 RCW.

Sec. 4. RCW 19.27.031 and 2018 c 189 s 1 are each amended to read as follows:

Except as otherwise provided in this chapter, there shall be in effect in all counties and cities the state building code which shall consist of the following codes which are hereby adopted by reference:

(1)(a) The International Building Code, published by the International Code Council, Inc.;

(b) The International Residential Code, published by the International Code Council, Inc. including Appendix Q of the 2018 International Residential Code;

(2) The International Mechanical Code, published by the International Code Council, Inc., except that the standards for liquefied petroleum gas installations shall be NFPA 58 (Storage and Handling of Liquefied Petroleum Gases) and ANSI Z223.1/NFPA 54 (National Fuel Gas Code);

(3) The International Fire Code, published by the International Code Council, Inc., including those standards of the National Fire Protection Association specifically referenced in the International Fire Code: PROVIDED, That, notwithstanding any wording in this code, participants in religious ceremonies shall not be precluded from carrying handheld candles;

(4) Portions of the International Wildland Urban Interface Code, published by the International Code Council Inc., as set forth in RCW 19.27.560;

(5) Except as provided in RCW 19.27.170, the Uniform Plumbing Code and Uniform Plumbing Code Standards, published by the International Association of Plumbing and Mechanical Officials: PROVIDED, That any provisions of such code affecting sewers or fuel gas piping are not adopted;

(6) The rules adopted by the council establishing standards for making buildings and facilities accessible to and usable by individuals with disabilities or elderly persons as provided in RCW 70.92.100 through 70.92.160; and

(7) The state’s climate zones for building purposes are designated in RCW 19.27A.020(3) and may not be changed through the adoption of a model code or rule.

In case of conflict among the codes enumerated in subsections (1), (2), (3), (4), and (5) of this section, the first named code shall govern over those following.

The codes enumerated in this section shall be adopted by the council as provided in RCW 19.27.074. The council shall solicit input from first responders to ensure that firefighter safety issues are addressed during the code adoption process.

The council may issue opinions relating to the codes at the request of a local official charged with the duty to enforce the enumerated codes.

Sec. 5. RCW 43.22.450 and 2001 c 335 s 8 are each amended to read as follows:

Whenever used in RCW 43.22.450 through 43.22.490:

(1) “Department” means the Washington state department of labor and industries;

(2) “Approved” means approved by the department;

(3) “Factory built housing” means any structure, including a factory built tiny house with or without a chassis (wheels), designed primarily for human occupancy other than a manufactured or mobile home the structure or any room of which is either entirely or substantially prefabricated or assembled at a place other than a building site;

(4) “Install” means the assembly of factory built housing or factory built commercial structures at a building site;

(5) “Building site” means any tract, parcel or subdivision of land upon which factory built housing or a factory built commercial structure is installed or is to be installed;

(6) “Local enforcement agency” means any agency of the governing body of any city or county which enforces laws or ordinances governing the construction of buildings;

(7) “Commercial structure” means a structure designed or used for human habitation, or human occupancy for industrial, educational, assembly, professional or commercial purposes.

NEW SECTION. Sec. 6. A new section is added to chapter 35.21 RCW to read as follows:

(1) A city or town may adopt an ordinance to regulate the creation of tiny house communities.

(2) The owner of the land upon which the community is built shall make reasonable accommodation for utility hookups for the provision of water, power, and sewerage services and comply with all other duties in chapter 59.20 RCW.

(3) Tenants of tiny house communities are entitled to all rights and subject to all duties and penalties required under chapter 59.20 RCW.

(4) For purposes of this section:

(a) “Tiny house” and “tiny house with wheels” means a dwelling to be used as permanent housing with permanent provisions for living, sleeping, eating, cooking, and sanitation built in accordance with the 2018 International Resident Code Appendix Q.

(b) “Tiny house communities” means real property rented or held out for rent to others for the placement of tiny houses with wheels or tiny houses utilizing the binding site plan process in RCW 58.17.035.”

On page 1, line 1 of the title, after “houses;” strike the remainder of the title and insert “amending RCW 58.17.040, 35.21.684, 19.27.031, and 43.22.450; adding a new section to chapter 35.21 RCW; and creating a new section.”

Senator Zeiger spoke in favor of adoption of the amendment.

POINT OF INQUIRY

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Senator Honeyford: “Thank you Madam President. Would Senator Zeiger yield to a question?”

President Pro Tempore Keiser: “Does the Senator yield?”

Senator Zeiger: “Yes.”

Senator Honeyford: “This puts it under Labor and Industries. Does that mean that if you want to do any modifications or changes, you’ll have to get a permit from Labor and Industries rather than a building permit?”

Senator Zeiger: “Senator, I will have to get back to you on that.”

Senator Palumbo spoke in favor of adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of striking amendment no. 052 by Senator Zeiger to Substitute Senate Bill No. 5383.

The motion by Senator Zeiger carried and striking amendment no. 052 was adopted by voice vote.

MOTION

On motion of Senator Zeiger, the rules were suspended, Engrossed Substitute Senate Bill No. 5383 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Zeiger and Kuderer spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5383.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5383 and the bill passed the Senate by the following vote: Yeas, 44; Nays, 2; Absent, 0; Excused, 3.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O’Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Short, Takko, Van De Wege, Wagoner, Warmick, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senators Ericksen and Honeyford

Excused: Senators Fortunato, Sheldon and Walsh

ENGROSSED SUBSTITUTE SENATE BILL NO. 5383, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Liias, Senate Bill No 5937, clarifying the required color of certain lamps on vehicles, was removed from the consent calendar and placed on the day’s second reading calendar.

REMARKS BY THE PRESIDENT PRO TEMPORE

President Pro Tempore Keiser: “I believe I am going to take a break and Senator Hasegawa is going to join me for the consent calendar coming up? And I just want a Point of Personal Privilege to make a little report. For the last two days I’ve spent a lot of time at this rostrum. It’s been interesting and a little tiring and I want to report that the members have been extremely kind and helpful and I have seen a reduction in some of the earlier statements. I was only called ‘Madam Chair’ seven times. I was called ‘Mister President’ twice. I was called something unintelligible just now by Senator Kuderer. And I was called ‘Madam Speaker’ once. And I think that the trend-line is very positive and I thank you all for your forbearance.”

Vice President Pro Tempore Conway assumed the chair.

SECOND READING

SENATE BILL NO. 5425, by Senators Cleveland, Keiser, Becker and Hasegawa

Concerning maternal mortality reviews.

MOTIONS

On motion of Senator Cleveland, Substitute Senate Bill No. 5425 was substituted for Senate Bill No. 5425 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Cleveland, the rules were suspended, Substitute Senate Bill No. 5425 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Cleveland spoke in favor of passage of the bill.

MOTION

On motion of Senator Wilson, C., Senator Hasegawa was excused.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5425.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5425 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O’Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Short, Takko, Van De Wege, Wagoner, Warmick, Wellman, Wilson, C., Wilson, L. and Zeiger
Excused: Senators Fortunato, Sheldon and Walsh

SUBSTITUTE SENATE BILL NO. 5425, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5881, by Senators King, Hobbs, Takko, Wellman, Saldaña, Rivers, Holy and Keiser

Addressing the installation of safety glazing or film sunscreening materials.

The measure was read the second time.

MOTION

On motion of Senator King, the rules were suspended, Senate Bill No. 5881 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator King spoke in favor of passage of the bill.

MOTION

On motion of Senator Kuderer, Senator Darneille was excused.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5881.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5881 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Short, Takko, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senators Sheldon and Walsh

SENATE BILL NO. 5881, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 1:14 p.m., on motion of Senator Liias, the Senate was declared to be at ease subject to the call of the President for the purposes of a lunch break and caucus.

Senator Becker announced a meeting of the Republican Caucus immediately upon going at ease.

Senator McCoy announced a meeting of the Democratic Caucus immediately upon going at ease.

AFTERNOON SESSION

The Senate was called to order at 3:40 p.m. by President Habib.

SECOND READING

SENATE BILL NO. 5889, by Senator Dhingra

Concerning insurance communications confidentiality.

MOTIONS

On motion of Senator Dhingra, Substitute Senate Bill No. 5889 was substituted for Senate Bill No. 5889 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Dhingra, the rules were suspended, Substitute Senate Bill No. 5889 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Dhingra and Cleveland spoke in favor of passage of the bill.

Senators Rivers, Becker and O'Ban spoke against passage of the bill.

MOTION

On motion of Senator Wilson, C., Senator Rolfes was excused.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5889.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5889 and the bill passed the Senate by the following vote: Yeas, 27; Nays, 19; Absent, 0; Excused, 3.

Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Palumbo, Pedersen, Randall, Saldaña, Salomon, Takko, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Bailey, Becker, Braun, Brown, Ericksen, Fortunato, Hawkins, Holy, Honeyford, King, O'Ban, Padden, Rivers, Schoesler, Short, Wagoner, Warnick, Wilson, L. and Zeiger

Excused: Senators Rolfes, Sheldon and Walsh

SUBSTITUTE SENATE BILL NO. 5889, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5861, by Senators Dhingra, Rivers, Hunt, Wellman, Hasegawa, Darneille, Saldaña, Cleveland, Conway, Frockt, Keiser, Kuderer, Liias, Palumbo, Randall and Wilson, C.

Extending respectful workplace code of conduct provisions to all members of the legislative community.

MOTIONS

On motion of Senator Dhingra, Substitute Senate Bill No. 5861 was substituted for Senate Bill No. 5861 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Dhingra, the rules were suspended, Substitute Senate Bill No. 5861 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Dhingra spoke in favor of passage of the bill.

Senators Zeiger and Ericksen spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5861.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5861 and the bill passed the Senate by the following vote: Yeas, 29; Nays, 18; Absent, 0; Excused, 2.

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Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O’Ban, Palumbo, Pedersen, Randall, Rolfes, Saldaña, Salomon, Takko, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Bailey, Becker, Braun, Brown, Ericksen, Fortunato, Hawkins, Holy, Honeyford, King, Padden, Rivers, Schoesler, Short, Wagoner, Warnick, Wilson, L. and Zeiger

Excused: Senators Sheldon and Walsh

SUBSTITUTE SENATE BILL NO. 5861, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5324, by Senators Frockt, Zeiger, Darneille, Walsh, Kuderer, Palumbo, Das, Hasegawa, Hunt, Wellman, Cleveland, Pedersen, Keiser, Nguyen, McCoy, Van De Wege, Dhingra and Saldaña

Concerning support for students experiencing homelessness.

MOTIONS

On motion of Senator Frockt, Substitute Senate Bill No. 5324 was substituted for Senate Bill No. 5324 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Frockt, the rules were suspended, Substitute Senate Bill No. 5324 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Frockt and Hawkins spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5324.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5324 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 1; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O’Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Short, Takko, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senator Schoesler

Excused: Senators Sheldon and Walsh

SUBSTITUTE SENATE BILL NO. 5324, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

PERSONAL PRIVILEGE

Senator Liias: “Thank you Mr. President. Many folks in the Senate have met my longtime Legislative Assistant Curt Kohlwes and you may have noticed that for the last two days Curt has not been here. And that is because Curt and Kelley

welcomed their first child, Jonathan, earlier today in Tacoma. And so he is joining our legislative family and he’s joining the family at ‘Team 21’ and hopefully a bright and wonderful career in public service for him as well, following in his dad’s footsteps. I want to appreciate Senator Short’s office sent over some gifts already for young Jonathan. We are all excited to welcome him and I’ve assured Curt that we all want to meet Jonathan at some point before sine die, but just want to take a special moment and wish the Kohlwes family well and congratulate them on their new arrival.”

The senate recognized the arrival of Mr. Jonathan Kohlwes.

SECOND READING

SENATE BILL NO. 5119, by Senators Palumbo, Keiser, Mullet, Wellman, Hunt, Liias, Conway, Frockt, Saldaña and Van De Wege

Including highway workers employed on a transportation project by a contractor in the tuition and fee exemption for children and surviving spouses of highway workers.

The measure was read the second time.

MOTION

On motion of Senator Palumbo, the rules were suspended, Senate Bill No. 5119 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Palumbo and Keiser spoke in favor of passage of the bill.

Senator Holy spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5119.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5119 and the bill passed the Senate by the following vote: Yeas, 36; Nays, 11; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Frockt, Hasegawa, Hobbs, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O’Ban, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Takko, Van De Wege, Warnick, Wellman, Wilson, C. and Zeiger

Voting nay: Senators Bailey, Becker, Fortunato, Hawkins, Holy, Honeyford, Padden, Schoesler, Short, Wagoner and Wilson, L.

Excused: Senators Sheldon and Walsh

SENATE BILL NO. 5119, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5022, by Senators Keiser, Conway, Van De Wege, Hunt, Hobbs, Wellman and Kuderer

Granting binding interest arbitration rights to certain higher education uniformed personnel.

The measure was read the second time.

MOTION

On motion of Senator Keiser, the rules were suspended, Senate Bill No. 5022 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Keiser and King spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5022.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5022 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 2; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Lias, Lovelett, McCoy, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rolfes, Saldaña, Salomon, Schoesler, Short, Takko, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senators Mullet and Rivers

Excused: Senators Sheldon and Walsh

SENATE BILL NO. 5022, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5786, by Senators Brown and Palumbo

Concerning research in public institutions of higher education.

The measure was read the second time.

MOTION

On motion of Senator Brown, the rules were suspended, Senate Bill No. 5786 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Brown spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5786.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5786 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 1; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Lias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Short, Takko, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senator Hasegawa

Excused: Senators Sheldon and Walsh

SENATE BILL NO. 5786, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Short, Substitute Senate Bill No. 5887 was not substituted for Senate Bill No. 5887 and the substitute bill was not adopted.

SECOND READING

SENATE BILL NO. 5887, by Senators Short, Keiser and Nguyen

Concerning health carrier requirements for prior authorization standards.

The measure was read the second time.

MOTION

Senator Short moved that the following amendment no. 157 by Senator Short be adopted:

On page 1, beginning on line 17, after "~~and~~" strike "~~are subject to quantitative treatment limits of the health plan~~)" and insert "~~are~~) subject to quantitative treatment limits of the health plan"

On page 1, beginning on line 20, after "patient's" strike "~~chiropractor or other primary care~~" and insert "treating or referring"

Senators Short and Cleveland spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 157 by Senator Short on page 1, line 17 to Senate Bill No. 5887.

The motion by Senator Short carried and amendment no. 157 was adopted by voice vote.

MOTION

On motion of Senator Short, the rules were suspended, Engrossed Senate Bill No. 5887 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Short and Cleveland spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 5887.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5887 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 2; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Lias, Lovelett, McCoy, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Short, Takko, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senators Mullet and Schoesler

Excused: Senators Sheldon and Walsh

ENGROSSED SENATE BILL NO. 5887, having received the constitutional majority, was declared passed. There being no

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objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5376, by Senators Carlyle, Palumbo, Wellman, Mullet, Pedersen, Billig, Hunt, Lias, Rolfes, Saldaña, Hasegawa and Keiser

Protecting consumer data.

MOTION

On motion of Senator Carlyle, Second Substitute Senate Bill No. 5376 was substituted for Senate Bill No. 5376 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Schoesler moved that the following amendment no. 186 by Senator Schoesler be adopted:

On page 21, after line 9, insert the following:

“NEW SECTION. Sec. 18. Any legislator who sponsored this act is prohibited from providing compliance assistance in the form of consulting services, or other services for compensation, to any person or entity that is required to comply with this act. This prohibition does not apply to a former legislator who is no longer a member of the legislature.”

Remember the remaining section consecutively.

Senator Schoesler spoke in favor of adoption of the amendment.

POINT OF ORDER

Senator Billig: “I believe this amendment is out of order as it violates rule 29 by impugning the motives of the members of this body.”

President Habib: “Senator Billig, did you, did you want to speak any further on the point of order before a ruling? Because, I’m going to allow Senator Schoesler to respond and then we’ll rule.”

Senator Billig: “Yes, I would give some additional remarks. In the remarks, as you mentioned, the author of the amendment talked about ‘if you do this,’ ‘if you do this,’ ‘if you do this,’ speaking specifically to the sponsors of the bill. And, in rule 29, it says clearly, ‘that you may not impeach the motives of a member of this body’, and I believe that the intent and the language of the, of the amendment, as well as the remarks by the amendment sponsors clearly are impeaching the motives of the sponsors of this legislation.”

Senator Schoesler: “Thank you Mr. President. Rising, there was no motive to impugn any individual. If I sought to do that I would name an individual by their name. This is a broad category of people sponsoring legislation. We have to keep our standards high, our ethics high for the people of the state of Washington. By no means did I mean to impugn any member of the Senate, but to keep the honor and standards of the Senate high as you would want it to be Mr. President.”

RULING BY THE PRESIDENT

President Habib: “I’m going to rule on Senator Billig’s point of order with respect to amendment 186, which was moved by Senator Schoesler. There’s, there is, there’s two, I want to make two points about this. Number one, I want to say that, with respect, as I mentioned earlier, with respect to the remarks made by the mover of the amendment and as I read it, the content of the of the amendment itself, I think, or I can’t speak to, I don’t want to violate the same rule and speak to the motivations, Senator Schoesler but I, I will say that they have the effect of giving the reader the sense that the sponsors of this legislation are interested in some kind of pecuniary benefit. That’s the impression that that I get when reading it. And the reason for that is that if, if the reason were something else, seemingly, the amendment would mention all legislators. Or would mention legislators and legislative staff or some broader class. But just as is the case when analyzing a potential conflict of interest where the narrower the class of beneficiaries, the more suspect the vote of a senator, here to the more narrow the group of individuals affected by the language, the more suspect that language is with respect to impugning motives. Now, all of that said, and I would encourage Senator Schoesler as the leader of his caucus and a respected member of the Legislature, to refrain. If that is, and I know sometimes these things are unintended, but to refrain from giving that impression to, to, to one’s colleagues. At the same time, the President does not feel that the Senate rule gives me sufficient standing to strike this amendment down as I would when making a, when responding to a point of order with, on constitutional grounds such as scope and object or a single subject. And so Senator Billig’s, to use an expression that my predecessor used often, Senator Billig’s point is well taken. However, the amendment remains before the Senate. One final point that I will make, however, is that I have not ruled on whether the amendment before the Senate violates the object of the underlying bill. That point of order was not raised and I’m not inclined to make a ruling *sua sponte* on that question. But. I will say that that that is an area and, if you look back at the ruling I made last year, I do think senators should pay very close attention to whether or not an amendment that they’re offering fits both the scope and the object. Those are two different doctrines, two different theories.”

Senator Billig spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 186 by Senator Schoesler on page 21, line 9 to Second Substitute Senate Bill No. 5376.

The motion by Senator Schoesler did not carry and amendment no. 186 was not adopted by voice vote.

On motion of Senator Carlyle, the rules were suspended, Second Substitute Senate Bill No. 5376 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Carlyle and Ericksen spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 5376.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 5376 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 1; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Short, Takko, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senator Hasegawa

Excused: Senators Sheldon and Walsh

SECOND SUBSTITUTE SENATE BILL NO. 5376, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5438, by Senators McCoy, Saldaña, Conway, Van De Wege, Keiser, Rolfes, Wellman, Dhingra, Hasegawa and Kuderer

Concerning the H-2A temporary agricultural program.

MOTION

Senator McCoy moved that Second Substitute Bill No. 5438 be substituted for Senate Bill No. 5438 and that the substitute bill be placed on the second reading calendar.

Senator Short objected and spoke against the motion to substitute the bill.

Senator Liias spoke in favor of the motion to substitute the bill.

REMARKS BY THE PRESIDENT

President Habib: "Senator Liias, the Secretary has assured me that we can have copies of these amendments distributed within two minutes. So, I feel more comfortable with members having the amendments in front of them. We still have a couple of procedural moves here before we take a vote on the first amendment. So, let's continue and then we will pause if we have to."

The President declared the question before the Senate to be the motion by Senator McCoy that Second Substitute Senate Bill No. 5438 be substituted for Senate Bill No. 5438.

The motion by Senator McCoy carried and Second Substitute Senate Bill No. 5438 was substituted for Senate Bill No. 5438 and the substitute was placed on the second reading calendar and read a second time.

MOTION

On motion of Senator Liias, further consideration of Second Substitute Senate Bill No. 5438 was deferred and the bill held its place on the second reading calendar.

SECOND READING

SENATE BILL NO. 5511, by Senators Wellman, Sheldon, Carlyle, Short, McCoy, Nguyen, Takko, Cleveland, Darneille, Dhingra, Liias, Mullet, Saldaña and Frockt

Expanding affordable, resilient broadband service to enable economic development, public safety, health care, and education in Washington's communities.

MOTION

On motion of Senator Liias, Second Substitute Senate Bill No. 5511 was substituted for Senate Bill No. 5511 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Ericksen moved that the following amendment no. 193 by Senator Ericksen be adopted:

On page 13, after line 12, insert the following:

"**Sec. 9.** RCW 54.16.300 and 1987 c 18 s 1 are each amended to read as follows:

A public utility district by resolution may combine two or more of its separate utility functions into a single utility and combine its related funds or accounts into a single fund or account. The separate utility functions include electrical energy systems, domestic water systems, irrigation systems, sanitary sewer systems, ~~((and))~~ storm sewer systems, and broadband systems. All powers granted to public utility districts to acquire, construct, maintain, and operate such systems may be exercised in the joint acquisition, construction, maintenance, and operation of such combined systems. The establishment, maintenance, and operation of the combined system shall be governed by the public utility district statutes relating to one of the utility systems that is being combined, as specified in the resolution combining the utility systems."

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 14, beginning on line 1, after "purpose." strike all material through "retired." on line 13, and insert "~~((In either case, a public utility district providing wholesale telecommunications services shall separately account for any revenues and expenditures for those services according to standards established by the state auditor pursuant to its authority in chapter 43.09 RCW and consistent with the provisions of this title. Any revenues received from the provision of wholesale telecommunications services must be dedicated to costs incurred to build and maintain any telecommunications facilities constructed, installed, or acquired to provide such services, including payments on debt issued to finance such services, until such time as any bonds or other financing instruments executed after June 8, 2000, and used to finance such telecommunications facilities are discharged or retired.))~~)"

On page 15, after line 17, insert the following:

"**Sec. 10.** RCW 54.16.420 and 2018 c 186 s 1 are each amended to read as follows:

(1) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Broadband" means high-speed internet access and other advanced telecommunications services.

(b) "Broadband network" means networks of deployed telecommunications equipment and technologies necessary to provide broadband.

(c) "Inadequate" means internet retail service that does not meet one hundred percent of the standards detailed in the service level agreement.

(d) "Partnership payment structure" means a group of or individual property owners who agree to pay a term payment structure for infrastructure improvements to their property.

(e) "Petition" means a formal written request for retail internet service by property owners on the public utility district broadband network.

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(f) "Retail internet service" means the provision of broadband to end users.

(g) "Service level agreement" means a standard agreement, adopted during an open public meeting, between the retail internet service provider and the public utility that describes the required percentage of broadband download and upload speed and system availability, customer service, and transmission time.

(2) Any public utility district that, as of June 7, 2018, provides only water, sewer, and wholesale telecommunications services in a county with an area less than five hundred square miles and is located west of the Puget Sound may provide retail internet service on the public utility district's broadband network located within the public utility district boundaries only when all of the existing providers of end-user internet service on the public utility district's broadband network cease to provide end-user service or provide inadequate end-user service as determined in the manner prescribed by this section. The authority provided in this subsection expires five years after June 7, 2018, for any public utility district that has not either entered into a partnership payment structure to finance broadband deployment or been petitioned to provide retail internet service within that time period.

(3) Upon receiving a petition meeting the requirements of subsection (4) of this section, a public utility district board of commissioners may hold up to three meetings to:

(a) Verify the signature or signatures of the property owners on the petition and certify the petition;

(b) Determine and submit findings that the retail internet service available to the petitioners served by the public utility district's broadband network is either nonexistent or inadequate as defined in the service level agreement adopted by the commissioners for all existing internet service providers on the public utility district's broadband network;

(c) Receive, and either reject or accept any recommendations or adjustments to, a business case plan developed in accordance with subsection (7) of this section; and

(d) By resolution, authorize the public utility district to provide retail internet service on the public utility district's broadband network.

(4) A petition meets the requirements of subsection (3) of this section if it is delivered to a public utility district board of commissioners, declares that the signatories on the public utility district's broadband network have no or inadequate retail internet service providers, requests the public utility district to provide the retail internet service, and is signed by one of the following:

(a) A majority of a group, including homeowners' associations, of any geographical area within the public utility district, who have developed a partnership payment structure to finance broadband deployment with the public utility district; or

(b) Any individual who has developed a partnership payment structure to finance broadband deployment with the public utility district.

(5) For the purposes of this section, the adequacy of retail internet service is determined by measuring retail internet service to end users on the public utility district's broadband network and comparing it with service standards in the public utility district service level agreement used for all public utility district network providers. Measurement of the existing retail internet service provider's service must be quantified by measuring the service with speed and capacity devices and software. Additionally, a retail internet service provider may submit its own assessment of its service level for consideration by the commission within thirty days of the first meeting conducted under subsection (3) of this section.

(6) The commissioners of a public utility district may by resolution authorize the public utility district to provide or contract for provision of retail internet services on the public utility district's broadband network:

(a) After development of a business case plan in accordance with subsection (7) of this section; and

(b) When it is determined that no service or inadequate service exists for the individual or petitioners identified in subsection (4) of this section.

(7) The business case plan under subsection (6) of this section must be reviewed by an independent qualified consultant. The review must include the use of public funds in the provision of retail internet service. Any recommendations or adjustments to the business case plan made during third-party review must be received and either rejected or accepted by the district board of commissioners in an open meeting.

(8)(a) Except as provided in subsection (9) of this section, in case of failure to reach an agreement on the adequacy of retail internet service, the commissioners must request an appointment of an administrative law judge under Title 34 RCW to hear the dispute.

(b) The commissioners must provide a written notice, together with a copy of the dispute, and may require the disputing parties to attend a hearing before the administrative law judge, at a time and place to be specified in the written notice.

(c) The place of any such hearing may be the office of the commissioners or another place designated by the commissioners. The disputed information must be presented at the hearing.

(d) Upon review and consideration of all of the evidence, the administrative law judge must determine if the retail internet service is inadequate or nonexistent as defined in this section. Upon making a determination, the administrative law judge must state findings of fact and must issue and file a determination with the commissioners.

(9) If a provider of end-user service is a company regulated by the utilities and transportation commission, the company may choose to have the commission resolve disputes concerning the service level agreement under the process established in RCW 54.16.340. For the purposes of this subsection, "company" includes subsidiaries or affiliates.

(10) Any public utility district providing cable television service under this section must secure a cable television franchise, pay franchise fees, and any applicable taxes to the local cable franchise authority as required by federal law.

(11) Except as provided in subsection (9) of this section, nothing in this section may be construed or is intended to confer upon the utilities and transportation commission any authority to exercise jurisdiction over locally regulated utilities.

(12) All rates for retail internet services offered by a public utility district under this section must be just, fair, and reasonable, except the public utility district may set tiers of service charges based on service demands of the end user, including commercial and residential rates.

(13) A public utility district must not condition the availability or cost of other services upon the purchase or use of retail internet service.

(14) A public utility district authorized to provide retail internet service within a specific geographical area must, upon reasonable notice, furnish to all persons and entities within that geographical area meeting the provisions of subsections (2) and (4) of this section proper facilities and connections for retail internet service as requested.

~~((15) A public utility district providing retail internet service must separately account for any revenues and expenditures for~~

~~those services according to standards established by the state auditor pursuant to its authority in chapter 43.09 RCW and consistent with the provisions of this title.)”~~

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 1, line 3 of the title, after “RCW” insert “54.16.300,” and after “54.16.330,” insert “54.16.420,”

Senator Ericksen spoke in favor of adoption of the amendment.

Senator Wellman spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 193 by Senator Ericksen on page 13, line 12 to Second Substitute Senate Bill No. 5511.

The motion by Senator Ericksen did not carry and amendment no. 193 was not adopted by voice vote.

MOTION

Senator Ericksen moved that the following amendment no. 192 by Senator Ericksen be adopted:

On page 23, after line 30, insert the following:

NEW SECTION. Sec. 19. (1) This section is the tax preference performance statement for the tax preference in section 20, chapter . . . , Laws of 2019 (section 20 of this act). This performance statement is intended only to be used for subsequent evaluation of the tax preference. It is not intended to create a private right of action by any party or be used to determine eligibility for preferential tax treatment.

(2) The legislature categorizes this tax preference as one intended to expand high-speed broadband service in unserved areas of Washington, as indicated in RCW 82.32.808(2)(f).

(3) It is the legislature’s specific public policy objective to expand access to high-speed broadband service in unserved areas of Washington. It is the legislature’s intent to provide a sales and use tax exemption for telecommunications network transmission equipment that is located in unserved areas of Washington and used for the primary purpose of providing retail broadband service or supporting utility broadband services to those unserved areas, thereby increasing the ability of businesses to invest in and expand their broadband networks in unserved areas of Washington.

(4) If a review finds that the number of consumers receiving high-speed broadband service in unserved areas of Washington has increased by ten percent in ten years compared to the number of consumers receiving such service on July 1, 2020, then the legislature intends to extend the expiration date of the tax preference.

(5) In order to obtain the data necessary to perform the review in subsection (4) of this section, the joint legislative audit and review committee may refer to data provided by the Washington utilities and transportation commission, data from the national telecommunications and information administration, data from the department of commerce, and the national broadband map maintained by the federal communications commission.

NEW SECTION. Sec. 20. A new section is added to chapter 82.04 RCW to read as follows:

(1) Subject to the limitations in this section, a credit is allowed against the taxes imposed under this chapter for the capital costs associated with providing retail broadband service using qualified broadband equipment, including taxes paid under chapters 82.08 and 82.12 RCW.

(2) A person claiming the credit for taxes paid under chapters 82.08 and 82.12 RCW on the capital costs associated with

providing retail broadband service using qualified broadband equipment must have paid the taxes under chapters 82.08 and 82.12 RCW in order to claim the credit under this chapter.

(3) The credit is equal to fifty percent of the capital costs, including associated sales and use taxes paid, to be divided equally over fifteen years.

(4) Credits earned under this section may be claimed against taxes due or paid for the calendar year in which the tax contribution is made. The amount of credit claimed for a reporting period may not exceed the tax otherwise due under this chapter for that reporting period and is limited to five million dollars total per person claiming a credit.

(5) Any amount of tax credit allowable under this section not claimed by the person in any calendar year may be carried over and claimed against the person’s tax liability for the next succeeding calendar year. Any credit remaining unused in the next succeeding calendar year may be carried forward and claimed against the person’s tax liability for the second and succeeding calendar years and may be carried forward and claimed against the person’s tax liability for the next thirteen succeeding calendar years from the year the credit was first claimed, but may not be carried over for any calendar year thereafter.

(6) Credits are available on a first in-time basis. The department must disallow any credits, or portion thereof, that would cause the total amount of credits claimed under this section to exceed fifty million dollars. If this limitation is reached, the department must provide notice on its web site that the statewide limit has been met. In addition, the department must provide written notice to any person who has claimed tax credits in excess of the limitation in this subsection. The notice must indicate the amount of tax due and provide that the tax be paid within thirty days from the date of the notice. The department may not assess penalties and interest as provided in chapter 82.32 RCW on the amount due in the initial notice if the amount due is paid by the due date specified in the notice, or any extension thereof.

(7) To claim a credit under this section, a person must electronically file with the department all returns, forms, and any other information required by the department, in an electronic format as provided or approved by the department. Any return, form, or information required to be filed in an electronic format under this section is not filed until received by the department in an electronic format. As used in this subsection, “returns” has the same meaning as “return” in RCW 82.32.050.

(8) No application is necessary for the tax credit. The person must keep records necessary for the department to verify eligibility under this section.

(9) A person receiving a credit under this section must provide to the department, upon request, such information needed to verify eligibility for credit under this section, including information regarding capital costs that are claimed for credits under this section.

(10) The department may not allow any credit under this section before July 1, 2020.

(11) No credit may be earned for costs incurred on or after July 1, 2030.

(12) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) “Broadband” means any service providing advanced telecommunications capability and internet access with transmission speeds that, at a minimum, provide twenty-five megabits per second download and three megabits per second upload.

(b) “Qualified broadband equipment” means telecommunications network transmission equipment located in an unserved area in the state that is necessary for and primarily

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used to provide retail broadband service or support utility broadband services by wire or radio with the capability to transmit data to and receive data from substantially all internet end points with minimum speeds of twenty-five megabits per second download and three megabits per second upload.”

Re-number the remaining sections consecutively and correct any internal references accordingly.

On page 1, line 8 of the title, after “RCW;” strike “creating a new section;” and insert “adding a new section to chapter 82.04 RCW; creating new sections;”

Senator Ericksen spoke in favor of adoption of the amendment.

Senator Wellman spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 192 by Senator Ericksen on page 23, line 30 to Second Substitute Senate Bill No. 5511.

The motion by Senator Ericksen did not carry and amendment no. 192 was not adopted by voice vote.

MOTION

On motion of Senator Wellman, the rules were suspended, Second Substitute Senate Bill No. 5511 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wellman, Short, Fortunato and Ericksen spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 5511.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 5511 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Lias, Lovelett, McCoy, Mullet, Nguyen, O’Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Short, Takko, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senators Sheldon and Walsh

SECOND SUBSTITUTE SENATE BILL NO. 5511, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Senate resumed consideration of Second Substitute Senate Bill No. 5438 which had been deferred earlier in the day.

SECOND READING

SECOND SUBSTITUTE SENATE BILL NO. 5438, by Senate Committee on Ways & Means (originally sponsored by McCoy, Saldaña, Conway, Van De Wege, Keiser, Rolfes, Wellman, Dhingra, Hasegawa and Kuderer)

Establishing the office of agricultural and seasonal workforce services within the employment security department.

MOTION

Senator Honeyford moved that the following amendment no. 196 by Senator Honeyford be adopted:

On page 3, beginning on line 17, after “(a)” strike all material through “(b)” on line 20

Reletter the remaining subsection consecutively and correct any internal references accordingly.

Senator Honeyford spoke in favor of adoption of the amendment.

Senators Rolfes and Keiser spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 196 by Senator Honeyford on page 3, line 17 to Second Substitute Senate Bill No. 5438.

The motion by Senator Honeyford did not carry and amendment no. 196 was not adopted by voice vote.

MOTION

Senator Warnick moved that the following amendment no. 200 by Senator Warnick be adopted:

On page 3, beginning on line 27, after “(c)” strike all material through “dollars.” on line 34 and insert “The department may establish a fee for each H-2A worker requested. The fee must be waived for the first ten workers requested per employer each year. The fee shall not exceed seventy-five dollars per requested H-2A worker.”

Senators Warnick, King, Ericksen, Schoesler and Honeyford spoke in favor of adoption of the amendment.

Senator Keiser spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 200 by Senator Warnick on page 3, line 27 to Second Substitute Senate Bill No. 5438.

The motion by Senator Warnick did not carry and amendment no. 200 was not adopted by voice vote.

MOTION

Senator Short moved that the following amendment no. 197 by Senator Short be adopted:

On page 3, line 32, after “Any” strike “flat”

On page 3, line 33, after “not exceed” strike “five hundred” and insert “twenty-five”

Senators Short, Warnick and Fortunato spoke in favor of adoption of the amendment.

Senator Van De Wege spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 197 by Senator Short on page 3, line 32 to Second Substitute Senate Bill No. 5438.

The motion by Senator Short did not carry and amendment no. 197 was not adopted by voice vote.

MOTION

Senator Honeyford moved that the following amendment no. 198 by Senator Honeyford be adopted:

On page 4, beginning on line 23, after “fees.” strike all material through “program.” on line 26 and insert “The department may not use fees collected under this section to pay for any activity that is not specified in the United States department of labor annual H-2A funding grant.”

Senators Honeyford and Keiser spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 198 by Senator Honeyford on page 4, line 23 to Second Substitute Senate Bill No. 5438.

The motion by Senator Honeyford carried and amendment no. 198 was adopted by voice vote.

MOTION

Senator King moved that the following striking amendment no. 199 by Senator King be adopted:

Strike everything after the enacting clause and insert the following:

“NEW SECTION. Sec. 1. (1) The commissioner shall convene an advisory committee to review issues and topics of interest described in subsections (4) and (5)(a) and (b) of this section.

(2) The advisory committee shall be funded by an appropriation of five hundred thousand dollars per fiscal year from the funds established in RCW 50.24.014 for the first two years. Prior to the end of the first two years of the committee, the committee shall make recommendations for the continued funding for the committee in the report required under subsection (5) of this section.

(3)(a) The committee is composed of eight voting members:

(i) Four voting members representing agricultural workers’ interests: One of whom shall be a farmworker; and all of whom shall be appointed from a list of at least four names submitted by a recognized statewide organization of workers;

(ii) Four voting members representing agricultural employers: One of whom shall be an agricultural employer; and all of whom shall be appointed from a list of at least four names submitted by a recognized statewide organization of agricultural employers; and

(iii) One ex officio member, without a vote, shall represent the department and serve as the chair.

(b) The department of labor and industries, department of health, and department of agriculture shall each have one nonvoting ex officio member serve on the advisory committee.

(4) The committee shall meet at least three times per year and provide comment on department rule making, policies, and initiatives, and study issues the committee determines require consideration.

(5) The committee shall submit a report to the governor and the legislature by October 31st each year beginning in 2021, that analyzes:

(a) The activities of, costs of, and funding for the employment security department’s farmworker programs, including but not limited to the funds used to administer the H-2A application and adjudication process, wagner-peyser labor exchange programs, United States department of labor office of foreign labor certification programs, labor market information programs, and the funds to administer other statewide programs for farmworkers, and the amount of funds allocated by the federal government to administer the H-2A program and all other agricultural programs; and

(b) The working conditions, safety, and housing of farmworkers; the number of domestic farmworkers and available domestic farmworkers; and ways to attract more domestic farmworkers.

(6) The committee members shall serve without compensation, but are entitled to reimbursement for travel expenses as provided in RCW 43.03.050 and 43.03.060. The committee may utilize department personnel and facilities as needed, without charge.”

On page 1, line 1 of the title, after “establishing” strike the remainder of the title and insert “an advisory committee within the employment security department; and creating a new section.”

Senators King, Short and Warnick spoke in favor of adoption of the amendment.

Senator Saldaña spoke against adoption of the amendment.

Senator Short demanded a roll call.

The President declared that one-sixth of the members supported the demand and the demand was sustained.

The President declared the question before the Senate to be the adoption of the striking amendment by Senator King to Second Substitute Senate Bill No. 5438.

ROLL CALL

The Secretary called the roll on the adoption of the striking amendment by Senator King and the striking amendment was not adopted by the following vote: Yeas, 19; Nays, 28; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Braun, Brown, Ericksen, Fortunato, Hawkins, Holy, Honeyford, King, O’Ban, Padden, Rivers, Schoesler, Short, Wagoner, Warnick, Wilson, L. and Zeiger

Voting nay: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Palumbo, Pedersen, Randall, Rolfes, Saldaña, Salomon, Takko, Van De Wege, Wellman and Wilson, C.

Excused: Senators Sheldon and Walsh.

MOTION

On motion of Senator McCoy, the rules were suspended, Engrossed Second Substitute Senate Bill No. 5438 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators McCoy, Hawkins, Lovelett and Rolfes spoke in favor of passage of the bill.

Senators Warnick, King, Ericksen, Becker, Braun and Honeyford spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 5438.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5438 and the bill passed the Senate by the following vote: Yeas, 26; Nays, 21; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Palumbo, Pedersen, Randall, Rolfes, Saldaña, Salomon, Van De Wege and Wilson, C.

Voting nay: Senators Bailey, Becker, Braun, Brown, Ericksen, Fortunato, Hawkins, Holy, Honeyford, King, O’Ban, Padden, Rivers, Schoesler, Short, Takko, Wagoner, Warnick, Wellman, Wilson, L. and Zeiger

Excused: Senators Sheldon and Walsh

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5438, having received the constitutional majority, was declared

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passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5947, by Senators McCoy, Schoesler, Palumbo, King, Salomon and Warnick

Establishing the sustainable farms and fields grant program.

MOTIONS

On motion of Senator McCoy, Second Substitute Senate Bill No. 5947 was substituted for Senate Bill No. 5947 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator McCoy, the rules were suspended, Second Substitute Senate Bill No. 5947 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators McCoy and Warnick spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 5947.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 5947 and the bill passed the Senate by the following vote: Yeas, 32; Nays, 15; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Takko, Van De Wege, Warnick, Wellman, Wilson, C. and Zeiger

Voting nay: Senators Bailey, Becker, Braun, Brown, Ericksen, Fortunato, Hawkins, Holy, Honeyford, King, Padden, Schoesler, Short, Wagoner and Wilson, L.

Excused: Senators Sheldon and Walsh

SECOND SUBSTITUTE SENATE BILL NO. 5947, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 6:46 p.m., on motion of Senator Liias, the Senate adjourned until 10:00 o'clock a.m. Thursday, March 7, 2019.

CYRUS HABIB, President of the Senate

BRAD HENDRICKSON, Secretary of the Senate

FIFTY THIRD DAY

MORNING SESSION

Senate Chamber, Olympia
Thursday, March 7, 2019

The Senate was called to order at 10:05 a.m. by the President of the Senate, Lt. Governor Habib presiding. The Secretary called the roll and announced to the President that all senators were present.

The Sergeant at Arms Color Guard consisting of Pages Miss Olivia Shaw and Miss Emmie Peck, presented the Colors. Page Mr. Sidney Levine led the Senate in the Pledge of Allegiance.

The prayer was offered by U.S. Army Chaplain Colonel Steve Peck, I Corps, Joint Base Lewis-McChord. Colonel Peck was the guest of Senator O'Ban.

The President called upon the Secretary to read the journal of the preceding day.

MOTION

On motion of Senator Liias, the reading of the Journal of the previous day was dispensed with and it was approved.

MOTION

There being no objection, the Senate advanced to the first order of business.

COMMITTEE ON HEALTH & LONG TERM CARE

Pursuant to Senate Rule 45(13) and without objection, notice was received from the Committee on Health & Long Term Care of the referral to the Subcommittee on Behavioral Health of the following measures:

House Bill No. 1349;
Substitute House Bill No. 1529;
and House Bill No. 1534.

MOTION

On motion of Senator Liias, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 5982 by Senators Short, Kuderer, Rolfes, Warnick, Keiser and Conway

AN ACT Relating to the licensing of pharmacy benefit managers and creating a new fee; amending RCW 19.340.010, 19.340.030, 48.02.220, and 19.340.110; adding new sections to chapter 19.340 RCW; adding a new section to chapter 42.56 RCW; creating new sections; and providing an effective date.

Referred to Committee on Health & Long Term Care.

SHB 1083 by House Committee on Local Government (originally sponsored by Stonier, Vick and Frame)

AN ACT Relating to providing greater certainty in association with selling city-owned property used for off-street parking; and amending RCW 35.86.030.

Referred to Committee on Local Government.

SHB 1225 by House Committee on Civil Rights & Judiciary (originally sponsored by Jinkins, Peterson, Thai, Morgan, Macri, Senn, Appleton, Frame, Kloba, Doglio, Pollet, Hudgins, Valdez, Lovick, Lekanoff, Walen, Bergquist, Stanford, Slatter, Tarleton, Wylie, Tharinger, Fey, Gregerson and Goodman)

AN ACT Relating to establishing policies and requirements regarding law enforcement response to domestic violence incidents to enhance the safety of domestic violence victims, families, and officers; amending RCW 10.99.030, 10.99.040, and 9.41.345; and adding new sections to chapter 10.99 RCW.

Referred to Committee on Law & Justice.

SHB 1284 by House Committee on State Government & Tribal Relations (originally sponsored by Vick, Kirby, Reeves, Volz, Kilduff, Ryu, Stanford, Dolan, Frame and Jinkins)

AN ACT Relating to creating the capacity for the state treasurer's office to provide separately managed investment portfolios to eligible governmental entities; amending RCW 43.250.020 and 43.250.030; and adding new sections to chapter 43.250 RCW.

Referred to Committee on Ways & Means.

SHB 1298 by House Committee on Rural Development, Agriculture, & Natural Resources (originally sponsored by Pettigrew, Chandler, Blake, Kretz and Springer)

AN ACT Relating to device registration, civil penalties, and service agent registration for the weights and measures program; amending RCW 19.94.010, 19.94.160, 19.94.175, 19.94.190, 19.94.205, 19.94.216, 19.94.258, 19.94.2582, 19.94.2584, 19.94.325, 19.94.340, 19.94.350, 19.94.410, 19.94.430, 19.94.490, 19.94.500, 19.94.510, 19.94.515, and 19.94.517; repealing RCW 19.94.165 and 19.94.195; prescribing penalties; providing an effective date; and declaring an emergency.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

SHB 1302 by House Committee on Commerce & Gaming (originally sponsored by Kloba, Ryu, MacEwen, Reeves, Stanford, Vick, Kirby, Jenkin, Morgan, Appleton, Cody, Irwin, Davis, Bergquist, Jinkins, Ormsby and Thai)

AN ACT Relating to gambling addiction; and amending RCW 9.46.071, 42.56.230, and 67.70.040.

Referred to Committee on Labor & Commerce.

2SHB 1344 by House Committee on Appropriations (originally sponsored by Reeves, Ryu, Sells, Valdez, Goodman, Robinson, Shewmake, Stonier, Macri, Kilduff, Leavitt and Pollet)

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AN ACT Relating to establishing the Washington child care access now act; amending 2018 c 91 s 1 (uncodified); adding new sections to chapter 43.330 RCW; creating new sections; and providing expiration dates.

Referred to Committee on Early Learning & K-12 Education.

HB 1375 by Representatives Wylie, Stonier, Vick, Harris, Gregerson, Kraft, Appleton, Dolan, Pellicciotti, Doglio and Fey

AN ACT Relating to applying campaign contribution limits to candidates for all port districts; and amending RCW 42.17A.405.

Referred to Committee on State Government, Tribal Relations & Elections.

2SHB 1394 by House Committee on Appropriations (originally sponsored by Schmick, Cody, Jinkins, Kilduff, Davis, Griffey, Riccelli, Macri, Harris, Robinson, Goodman, Sullivan, Appleton, Bergquist, Thai, Tharinger, Slatter, Doglio, Pollet, Callan, Leavitt and Ormsby)

AN ACT Relating to community facilities needed to ensure a continuum of care for behavioral health patients; amending RCW 71.24.025, 70.38.111, and 70.38.260; reenacting and amending RCW 74.39A.030; adding new sections to chapter 71.24 RCW; creating new sections; and providing an expiration date.

Referred to Committee on Health & Long Term Care.

HB 1397 by Representatives Slatter, Dent, Fey, Orcutt, Kloba, Valdez, Wylie, Pollet, Fitzgibbon, Tharinger, Morris, Eslick, Doglio and Ortiz-Self

AN ACT Relating to encouraging the use of electric or hybrid-electric aircraft for regional air travel; amending RCW 47.68.070; adding a new section to chapter 47.68 RCW; and creating new sections.

Referred to Committee on Transportation.

SHB 1406 by House Committee on Housing, Community Development & Veterans (originally sponsored by Robinson, Macri, Chapman, Valdez, Senn, Peterson, Kloba, Tharinger, Gregerson, Stanford, Walen, Doglio, Frame, Jinkins, Riccelli, Slatter, Ormsby and Santos)

AN ACT Relating to encouraging investments in affordable and supportive housing; and adding a new section to chapter 82.14 RCW.

Referred to Committee on Housing Stability & Affordability.

2SHB 1424 by House Committee on Appropriations (originally sponsored by Steele, Paul, Eslick, Lekanoff, Tarleton, Frame, Jinkins, Tharinger, Ormsby, Riccelli and Stonier)

AN ACT Relating to increasing access to state career and technical course equivalencies; amending RCW 28A.230.010 and 28A.230.015; reenacting and amending RCW 28A.230.097; and creating a new section.

Referred to Committee on Early Learning & K-12 Education.

2SHB 1444 by House Committee on Appropriations (originally sponsored by Morris, Fitzgibbon, Tarleton and Ormsby)

AN ACT Relating to appliance efficiency standards; amending RCW 19.260.010, 19.260.030, 19.260.040, 19.260.050, 19.260.060, and 19.260.070; reenacting and amending RCW 19.260.020; creating a new section; and repealing RCW 19.27.170.

Referred to Committee on Environment, Energy & Technology.

HB 1462 by Representatives Barkis, Reeves, Kirby, Riccelli, Jenkin, Stokesbary, Gildon, Walsh, Chambers, Dye, Hoff, Volz and Irwin

AN ACT Relating to providing notice of plans to demolish, substantially rehabilitate, or change use of residential premises; and amending RCW 59.18.200.

Referred to Committee on Financial Institutions, Economic Development & Trade.

2SHB 1497 by House Committee on Appropriations (originally sponsored by Robinson, Harris, Cody, Jinkins, DeBolt, Macri, Stonier, Corry, Riccelli, Thai, Kilduff, Stanford and Kloba)

AN ACT Relating to foundational public health services; amending RCW 43.70.512; adding a new section to chapter 43.70 RCW; and repealing RCW 43.70.514, 43.70.516, 43.70.520, 43.70.522, and 43.70.580.

Referred to Committee on Health & Long Term Care.

2SHB 1528 by House Committee on Appropriations (originally sponsored by Davis, Harris, Irwin, Stonier, Rude, Jinkins, Sutherland, Thai, Entenman, Mead, Callan, Goodman, Frame, Kloba, Chapman, Tarleton, Senn, Eslick, Barkis, Peterson, Walen, Ryu, Bergquist, Paul, Stanford, Valdez, Pollet, Leavitt and Macri)

AN ACT Relating to recovery support services; reenacting and amending RCW 71.24.385; adding new sections to chapter 41.05 RCW; adding a new section to chapter 71.24 RCW; creating new sections; and providing expiration dates.

Referred to Committee on Health & Long Term Care.

SHB 1576 by House Committee on Civil Rights & Judiciary (originally sponsored by Senn, Irwin, Goodman, Griffey, Ryu, Chapman and Barkis)

AN ACT Relating to construction defect actions; and adding a new section to chapter 64.50 RCW.

Referred to Committee on Law & Justice.

SHB 1605 by House Committee on Human Services & Early Learning (originally sponsored by Dent, Peterson, Griffey, Caldier, Goodman, Volz, Stanford, Lovick, Reeves, Klippert, Frame, Schmick, Harris, Appleton, Kretz, DeBolt, Cody, Macri, Orwall, Shea, Blake, Kloba, Doglio, Ortiz-Self, Eslick, Jinkins, Van Werven, Fey, Ormsby, Callan, Bergquist, Tarleton and Leavitt)

AN ACT Relating to requiring traumatic brain injury screenings for children entering the foster care system;

adding a new section to chapter 74.13 RCW; and providing an expiration date.

Referred to Committee on Human Services, Reentry & Rehabilitation.

2SHB 1668 by House Committee on Appropriations (originally sponsored by Slatter, Jinkins, DeBolt, Macri, Frame, Robinson, Tharinger, Bergquist, Senn, Cody, Pollet, Young, Davis, Kloba, Ortiz-Self, Lekanoff, Steele, Harris, Ormsby, Stanford, Goodman, Doglio, Fey, Leavitt, Valdez and Hudgins)

AN ACT Relating to creating the Washington health corps to support health care professionals who provide service in underserved communities; amending RCW 28B.115.010, 28B.115.020, 28B.115.030, 28B.115.040, 28B.115.050, 28B.115.070, 28B.115.080, 28B.115.090, 28B.115.100, 28B.115.110, and 28B.115.120; adding a new section to chapter 28B.115 RCW; creating new sections; and providing an expiration date.

Referred to Committee on Higher Education & Workforce Development.

HB 1670 by Representatives Eslick, Sutherland, Griffey, Lovick, Dufault, Stanford and Mead

AN ACT Relating to bid limits for purchases and public works by fire protection districts; and amending RCW 52.14.110.

Referred to Committee on Local Government.

2SHB 1713 by House Committee on Appropriations (originally sponsored by Mosbrucker, Gregerson, Caldier, Dye, Barkis, Corry, Sells, Lekanoff, Schmick, Orwall, Chandler, Hudgins, Ryu, Frame, Jinkins, Ortiz-Self, Peterson, Stanford, Van Werven, Tarleton, Valdez, Macri, Pollet and Leavitt)

AN ACT Relating to improving law enforcement response to missing and murdered Native American women; adding new sections to chapter 43.43 RCW; and creating new sections.

Referred to Committee on State Government, Tribal Relations & Elections.

SHB 1786 by House Committee on Civil Rights & Judiciary (originally sponsored by Jinkins, Wylie, Goodman, Macri, Bergquist, Cody, Ormsby, Valdez, Frame, Peterson, Tarleton, Davis, Robinson, Fey, Appleton, Santos, Kilduff, Lovick, Walen, Senn and Pellicciotti)

AN ACT Relating to improving procedures and strengthening laws relating to protection orders, no-contact orders, and restraining orders; amending RCW 9.41.800, 9.41.040, 7.90.090, 7.90.110, 7.90.140, 7.92.100, 7.92.120, 7.92.150, 7.92.190, 10.14.080, 10.14.100, 10.14.180, 26.50.070, 26.50.090, 26.50.130, 26.09.060, and 26.10.115; adding a new section to chapter 9.41 RCW; and repealing RCW 9.41.802 and 9.41.810.

Referred to Committee on Law & Justice.

HB 1829 by Representatives Chapman, Goehner and Reeves

AN ACT Relating to veterans' assistance levies; amending RCW 73.08.080, 84.52.043, 84.52.010, and 84.55.005; and creating a new section.

Referred to Committee on Local Government.

HB 1866 by Representatives Dent, Chapman, Corry, Griffey, Dolan, Reeves and Appleton

AN ACT Relating to professional development requirements for child day care centers; and adding a new section to chapter 43.216 RCW.

Referred to Committee on Early Learning & K-12 Education.

2SHB 1973 by House Committee on Appropriations (originally sponsored by Paul, Pollet, Bergquist, Sells and Riccelli)

AN ACT Relating to establishing the Washington dual enrollment scholarship pilot program; adding a new section to chapter 28B.76 RCW; and adding new sections to chapter 43.131 RCW.

Referred to Committee on Higher Education & Workforce Development.

HB 1980 by Representatives Macri and Ryu

AN ACT Relating to exempting federal tax lien documents from recording surcharges; and amending RCW 36.22.178, 36.22.179, and 36.22.1791.

Referred to Committee on Ways & Means.

HB 2040 by Representative MacEwen

AN ACT Relating to providing flexibility and accountability for nonhigh school districts; amending RCW 28A.545.030; and adding a new section to chapter 28A.545 RCW.

Referred to Committee on Early Learning & K-12 Education.

HB 2072 by Representatives Volz, Senn, Griffey, McCaslin, Shea and Maycumber

AN ACT Relating to authorizing county treasurers to contract with other treasurers for services; and amending RCW 36.29.010.

Referred to Committee on Local Government.

SHB 2108 by House Committee on Appropriations (originally sponsored by Callan, Stonier, Harris, Dolan, Sullivan, Valdez, Thai, Jenkin and Morgan)

AN ACT Relating to state funding for K-3 class sizes in schools; amending RCW 28A.150.260; and creating a new section.

Referred to Committee on Early Learning & K-12 Education.

HB 2110 by Representatives Ryu and Santos

AN ACT Relating to modifying the definition of affordable workforce housing for the purposes of permitted lodging tax revenue expenditures; and amending RCW 67.28.180.

Referred to Committee on Housing Stability & Affordability.

HB 2129 by Representatives Stokesbary and Pollet

AN ACT Relating to crimes of harassment; amending RCW 9.61.260, 9A.46.110, 7.92.020, 9A.46.060, 26.50.060, and

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26.50.070; reenacting and amending RCW 9.94A.515; and prescribing penalties.

EDITOR'S NOTE: Senate Rule 15 establishes the floor schedule and calls for a lunch and dinner break of 90 minutes each per day during regular daily sessions.

Referred to Committee on Law & Justice.

MOTION

On motion of Senator Liias, all measures listed on the Introduction and First Reading report were referred to the committees as designated.

MOTION

On motion of Senator Liias, the Senate advanced to the seventh order of business.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Hunt moved that Judith Hartmann, Senate Gubernatorial Appointment No. 9107, be confirmed as a member of the South Puget Sound Community College Board of Trustees. Senator Hunt spoke in favor of the motion.

MOTION

On motion of Senator Rivers, Senator Sheldon was excused.

APPOINTMENT OF JUDITH HARTMANN

The President declared the question before the Senate to be the confirmation of Judith Hartmann, Senate Gubernatorial Appointment No. 9107, as a member of the South Puget Sound Community College Board of Trustees.

The Secretary called the roll on the confirmation of Judith Hartmann, Senate Gubernatorial Appointment No. 9107, as a member of the South Puget Sound Community College Board of Trustees and the appointment was confirmed by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senator Sheldon

Judith Hartmann, Senate Gubernatorial Appointment No. 9107, having received the constitutional majority was declared confirmed as a member of the South Puget Sound Community College Board of Trustees.

MOTION

On motion of Senator Liias, Rule 15 was suspended for the remainder of the day for the purpose of allowing continued floor action.

MOTION

On motion of Senator Liias, the Senate advanced to the sixth order of business.

SECOND READING

SENATE BILL NO. 5012, by Senators Takko, Zeiger, Rolfes, Hobbs, O'Ban, Keiser, Warnick, Hunt, Pedersen, Bailey, Conway, McCoy, Wellman, Palumbo, Kuderer and Carlyle

Concerning governmental continuity during emergency periods.

MOTIONS

On motion of Senator Takko, Substitute Senate Bill No. 5012 was substituted for Senate Bill No. 5012 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Takko, the rules were suspended, Substitute Senate Bill No. 5012 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Takko and Zeiger spoke in favor of passage of the bill. Senator Hasegawa spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5012.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5012 and the bill passed the Senate by the following vote: Yeas, 37; Nays, 11; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Brown, Carlyle, Cleveland, Das, Dhingra, Fortunato, Frockt, Hawkins, Hobbs, Holy, Hunt, Keiser, King, Kuderer, Liias, Lovelett, Mullet, Nguyen, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Voting nay: Senators Braun, Conway, Darneille, Ericksen, Hasegawa, Honeyford, McCoy, O'Ban, Padden, Short and Wilson, L.

Excused: Senator Sheldon

SUBSTITUTE SENATE BILL NO. 5012, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE JOINT RESOLUTION NO. 8200, by Senators Takko, Zeiger, Rolfes, Hobbs, O'Ban, Keiser, Warnick, Hunt, Pedersen, Bailey, Conway, McCoy, Carlyle, Frockt, Palumbo and Van De Wege

Amending the state Constitution to provide governmental continuity during emergency periods resulting from a catastrophic incident.

The measure was read the second time.

MOTION

On motion of Senator Takko, the rules were suspended, Senate Joint Resolution No. 8200 was advanced to third reading, the second reading considered the third and the resolution was placed on final passage.

Senators Takko and Zeiger spoke in favor of passage of the resolution.

Senator Hasegawa spoke against passage of the resolution.

The President declared the question before the Senate to be the final passage of Senate Joint Resolution No. 8200.

ROLL CALL

The Secretary called the roll on the final passage of Senate Joint Resolution No. 8200 and the resolution passed the Senate by the following vote: Yeas, 37; Nays, 11; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Billig, Carlyle, Cleveland, Conway, Das, Dhingra, Fortunato, Frockt, Hawkins, Hobbs, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Voting nay: Senators Becker, Braun, Brown, Darneille, Ericksen, Hasegawa, Holy, Honeyford, Padden, Short and Wilson, L.

Excused: Senator Sheldon

SENATE JOINT RESOLUTION NO. 8200, having received the two-thirds majority, was declared passed. There being no objection, the title of the resolution was ordered to stand as the title of the act.

MOTION

At 10:36 a.m., on motion of Senator Liias, the Senate was declared to be at ease subject to the call of the President.

Senator Becker announced a meeting of the Republican Caucus immediately upon going at ease.

Senator McCoy announced a meeting of the Democratic Caucus immediately upon going at ease.

The Senate was called to order at 11:27 a.m. by President Habib.

SECOND READING

SENATE BILL NO. 5380, by Senators Cleveland, Rivers, Frockt, Walsh, Keiser, King, Randall, O'Ban, Conway, Darneille, Saldaña, Das, Dhingra, Hunt, Wilson, C. and Zeiger

Concerning opioid use disorder treatment, prevention, and related services.

MOTIONS

On motion of Senator Liias, Substitute Senate Bill No. 5380 was substituted for Senate Bill No. 5380 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Cleveland, the rules were suspended, Substitute Senate Bill No. 5380 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Cleveland, O'Ban, Padden and Braun spoke in favor of passage of the bill.

Senator Walsh spoke on passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5380.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5380 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 1; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Absent: Senator Ericksen

Excused: Senator Sheldon

SUBSTITUTE SENATE BILL NO. 5380, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5883, by Senators King, Hobbs, Takko, Wellman, Rivers and Keiser

Authorizing vehicles or combinations of vehicles carrying farm products to exceed total gross weight limits by two thousand pounds.

MOTIONS

On motion of Senator King, Substitute Senate Bill No. 5883 was substituted for Senate Bill No. 5883 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator King, the rules were suspended, Substitute Senate Bill No. 5883 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator King spoke in favor of passage of the bill.

MOTION

On motion of Senator Rivers, Senator Ericksen was excused.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5883.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5883 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Fortunato,

FIFTY THIRD DAY, MARCH 7, 2019

2019 REGULAR SESSION

Froctt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senators Ericksen and Sheldon

SUBSTITUTE SENATE BILL NO. 5883, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Liias, Senate Bill No. 5688 was removed from the Consent Calendar and placed on the day's Second Reading Calendar.

MOTION

At 11:46 a.m., on motion of Senator Liias, the Senate was declared to be at ease subject to the call of the President.

AFTERNOON SESSION

The Senate was called to order at 1:08 p.m. by President Habib.

MOTION

On motion of Senator Liias, the Senate advanced to the seventh order of business.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Conway moved that Heather Moss, Gubernatorial Appointment No. 9212, be confirmed as a member of the Bates Technical College Board of Trustees.

Senator Conway spoke in favor of the motion.

APPOINTMENT OF HEATHER MOSS

The President declared the question before the Senate to be the confirmation of Heather Moss, Gubernatorial Appointment No. 9212, as a member of the Bates Technical College Board of Trustees.

The Secretary called the roll on the confirmation of Heather Moss, Gubernatorial Appointment No. 9212, as a member of the Bates Technical College Board of Trustees and the appointment was confirmed by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Fortunato, Froctt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senator Ericksen

Heather Moss, Gubernatorial Appointment No. 9212, having received the constitutional majority was declared confirmed as a member of the Bates Technical College Board of Trustees.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced The Honorable Laurie Gere, Mayor of the City of Anacortes who was accompanied by senior members of the city's administration and were all seated in the gallery.

REMARKS BY SENATOR LIAS

Senator Liias: "Thank you Mr. President. I would just invite if the Mayor has any advice on how to manage Senator Lovelett that she's learned from the time of Senator Lovelett's service in the city council we would welcome any tips or tricks."

MOTION

On motion of Senator Liias, the Senate reverted to the sixth order of business.

SECOND READING

SENATE BILL NO. 5918, by Senators Lovelett, Warnick, Van De Wege, Conway, Hasegawa, Hobbs, King, Wilson, C., Randall, Nguyen, Dhingra, Froctt, Hawkins, Billig, Das, Hunt, Darneille, Wagoner and Palumbo

Providing whale watching guidelines in the boating safety education program.

The measure was read the second time.

MOTION

On motion of Senator Lovelett, the rules were suspended, Senate Bill No. 5918 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Lovelett, Warnick and Wagoner spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5918.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5918 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Fortunato, Froctt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senator Ericksen

SENATE BILL NO. 5918, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

PERSONAL PRIVILEGE

Senator Fortunato: "Mr. President, I noticed we just passed a whale watching bill. Senator Lovelett doesn't have a whale to watch. So, I would like to present her with this little whale so she can watch this whale to make sure she's in compliance."

The senate recognized Senator Fortunato as he delivered a small stuffed orca to Senator Lovelett at her place on the floor.

SECOND READING

SENATE BILL NO. 5577, by Senators Rolfes, Frockt, Lias, McCoy, Dhingra, Hunt, Keiser, Kuderer, Saldaña, and Wilson C.

Concerning the protection of southern resident orca whales from vessels.

MOTIONS

On motion of Senator Rolfes, Second Substitute Senate Bill No. 5577 was substituted for Senate Bill No. 5577 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Rolfes, the rules were suspended, Second Substitute Senate Bill No. 5577 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Rolfes, Schoesler, Warnick and Wagoner spoke in favor of passage of the bill.

Senator Bailey spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 5577.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 5577 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 3; Absent, 0; Excused, 0.

Voting yea: Senators Becker, Billig, Braun, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Lias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Voting nay: Senators Bailey, Brown and Wilson, L.

SECOND SUBSTITUTE SENATE BILL NO. 5577, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5135, by Senators Rolfes, Frockt, Salomon, Palumbo, Cleveland, Carlyle, Kuderer, Saldaña, Billig, Dhingra, Pedersen, Wellman, Hunt, Das, McCoy, Lias, Darneille, Hasegawa, Keiser and Van De Wege

Preventing toxic pollution that affects public health or the environment.

MOTIONS

On motion of Senator Rolfes, Substitute Senate Bill No. 5135 was substituted for Senate Bill No. 5135 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Rolfes, the rules were suspended, Substitute Senate Bill No. 5135 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Rolfes spoke in favor of passage of the bill.

Senators Short, Takko, Zeiger, Ericksen and Padden spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5135.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5135 and the bill passed the Senate by the following vote: Yeas, 25; Nays, 24; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hunt, Keiser, Kuderer, Lias, Lovelett, McCoy, Nguyen, Palumbo, Pedersen, Randall, Rolfes, Saldaña, Salomon, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Bailey, Becker, Braun, Brown, Ericksen, Fortunato, Hawkins, Hobbs, Holy, Honeyford, King, Mullet, O'Ban, Padden, Rivers, Schoesler, Sheldon, Short, Takko, Wagoner, Walsh, Warnick, Wilson, L. and Zeiger

SUBSTITUTE SENATE BILL NO. 5135, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5355, by Senators Holy and Van De Wege

Recovering service credit withdrawn from the public employees' retirement system for certain law enforcement officers and firefighters.

MOTIONS

On motion of Senator Holy, Substitute Senate Bill No. 5355 was substituted for Senate Bill No. 5355 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Holy, the rules were suspended, Substitute Senate Bill No. 5355 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Holy and Conway spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5355.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5355 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford,

FIFTY THIRD DAY, MARCH 7, 2019

2019 REGULAR SESSION

Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

SECOND READING

SENATE BILL NO. 5404, by Senators Rolfes, Honeyford, Van De Wege, McCoy, Salomon and Hasegawa

Expanding the definition of fish habitat enhancement projects.

The measure was read the second time.

MOTION

On motion of Senator Rolfes, the rules were suspended, Senate Bill No. 5404 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Rolfes and Warnick spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5404.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5404 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Excused: Senator Wilson, L.

SENATE BILL NO. 5404, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5350, by Senators Conway, Bailey and Schoesler

Concerning the purchase of an optional life annuity benefit for certain public retirement system members.

The measure was read the second time.

MOTION

On motion of Senator Conway, the rules were suspended, Senate Bill No. 5350 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Conway spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5350.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5350 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

MOTION

At 1:55 p.m., on motion of Senator Liias, the Senate was declared to be at ease subject to the call of the President.

Senator Becker announced a meeting of the Republican Caucus immediately upon going at ease.

Senator McCoy announced a meeting of the Democratic Caucus immediately upon going at ease.

The Senate was called to order at 4:18 p.m. by President Habib.

SECOND READING

SENATE BILL NO. 5764, by Senators Randall, Cleveland, Becker, Keiser, and Wilson C.

Changing the name of the medical quality assurance commission to the Washington medical commission.

The measure was read the second time.

MOTION

On motion of Senator Randall, the rules were suspended, Senate Bill No. 5764 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Randall spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5764.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5764 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 1; Excused, 0.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Absent: Senator Wilson, L.

SENATE BILL NO. 5764, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Erickson, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Excused: Senator Wilson, L.

SENATE BILL NO. 5350, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5164, by Senators Saldaña, Hasegawa, Frockt, Palumbo, Keiser, Nguyen, Wilson, C. and Darneille

Providing public assistance to certain victims of human trafficking.

MOTIONS

On motion of Senator Liias, Substitute Senate Bill No. 5164 was substituted for Senate Bill No. 5164 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Saldaña, the rules were suspended, Substitute Senate Bill No. 5164 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Saldaña and Padden spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5164.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5164 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Erickson, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Excused: Senator Wilson, L.

SUBSTITUTE SENATE BILL NO. 5164, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5444, by Senators Dhingra, O'Ban, Darneille, Wagoner, Frockt, Kuderer and Nguyen

Providing timely competency evaluations and restoration services to persons suffering from behavioral health disorders within the framework of the forensic mental health care system

consistent with the requirements agreed to in the Trueblood settlement agreement.

MOTION

On motion of Senator Dhingra, Second Substitute Senate Bill No. 5444 was substituted for Senate Bill No. 5444 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Dhingra moved that the following striking amendment no. 206 by Senator Dhingra be adopted:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. The legislature recognizes that there has been a nationwide increase in the number of individuals with behavioral health disorders in the criminal justice system. The legislature also recognizes that reforms must be made to our own behavioral health systems and services to meet the increasing demands in our state, to provide timely competency evaluations and restoration services, and to comply with federal court orders issued in *A.B., by and through Trueblood, et al., v. DSHS, et al.*, No. 15-35462 ("Trueblood"). The legislature acknowledges that these reforms will require the support of a broad range of stakeholders, including local law enforcement, prosecuting attorneys, defense attorneys, community members, and health care providers. The legislature further acknowledges the significant efforts of the parties to the Trueblood litigation to establish a roadmap and framework within their settlement agreement for proposed systemic reforms to the forensic mental health care system. It is the intent of the legislature to enact appropriate reforms consistent with the goals agreed to in the Trueblood settlement agreement, to continue to engage with stakeholders and community partners to address the needs of this vulnerable population, and to ensure that the public safety needs of our communities are met.

NEW SECTION. Sec. 2. A new section is added to chapter 10.77 RCW to read as follows:

(1) Subject to the limitations described in this section, a court may appoint an impartial forensic navigator authorized by the department to assist individuals who have been referred for competency evaluation.

(2) A forensic navigator must assist the individual to access services related to diversion and community outpatient competency restoration. The forensic navigator must assist the individual, prosecuting attorney, defense attorney, and the court to understand the options available to the individual and be accountable as an officer of the court for faithful execution of the responsibilities outlined in this section.

(3) The duties of the forensic navigator include, but are not limited to, the following:

(a) To collect relevant information about the individual, including behavioral health services and supports available to the individual that might support placement in outpatient restoration, diversion, or some combination of these;

(b) To meet with, interview, and observe the individual;

(c) To present information to the court in order to assist the court in understanding the treatment options available to the individual to support the entry of orders for diversion from the forensic mental health system or for community outpatient competency restoration, and to facilitate that transition; and

(d) When the individual is ordered to receive community outpatient restoration, to provide services to the individual including:

- (i) Assisting the individual with attending appointments and classes relating to outpatient competency restoration;
- (ii) Coordinating access to housing for the individual;
- (iii) Meeting with the individual on a regular basis;
- (iv) Providing information to the court concerning the individual's progress and compliance with court-ordered conditions of release, which may include appearing at court hearings to provide information to the court;
- (v) Coordinating the individual's access to community case management services and mental health services;
- (vi) Assisting the individual with obtaining prescribed medication and encouraging adherence with prescribed medication;
- (vii) Planning for a coordinated transition of the individual to a case manager in the community behavioral health system;
- (viii) Attempting to follow up with the individual to check whether the meeting with a community-based case manager took place;
- (ix) When the individual is a high utilizer, attempting to connect the individual with high utilizer services; and
- (x) Attempting to check up on the individual at least once per month for up to sixty days after coordinated transition to community behavioral health services, without duplicating the services of the community-based case manager.

(4) Forensic navigators may submit nonclinical recommendations to the court regarding treatment and restoration options for the individual, which the court may consider and weigh in conjunction with the recommendations of all of the parties.

(5) Forensic navigators shall be deemed officers of the court for the purpose of immunity from civil liability.

(6) The signed order for competency evaluation from the court shall serve as authority for the forensic navigator to be given access to all records held by a behavioral health, educational, or law enforcement agency or a correctional facility that relates to an individual. Information that is protected by state or federal law, including health information, shall not be entered into the court record without the consent of the individual or their defense attorney.

(7) Admissions made by the individual in the course of receiving services from the forensic navigator may not be used against the individual in the prosecution's case in chief.

(8) A court may not issue an order appointing a forensic navigator unless the department certifies that there is adequate forensic navigator capacity to provide these services at the time the order is issued.

Sec. 3. RCW 10.31.110 and 2014 c 225 s 57 are each amended to read as follows:

(1) When a police officer has reasonable cause to believe that the individual has committed acts constituting a ~~((nonfelony))~~ crime ~~((that is not a serious offense as identified in RCW 10.77.092))~~, and the individual is known by history or consultation with the behavioral health organization, managed care organization, behavioral health administrative services organization, crisis hotline, or local crisis services providers to suffer from a mental disorder, in addition to existing authority under state law, as an alternative to arrest, the arresting officer ~~((may))~~ is authorized and encouraged to:

(a) Take the individual to a crisis stabilization unit as defined in RCW 71.05.020~~((6))~~. Individuals delivered to a crisis stabilization unit pursuant to this section may be held by the facility for a period of up to twelve hours. The individual must be

examined by a mental health professional within three hours of arrival;

(b) Take the individual to a triage facility as defined in RCW 71.05.020. An individual delivered to a triage facility which has elected to operate as an involuntary facility may be held up to a period of twelve hours. The individual must be examined by a mental health professional within three hours of arrival;

(c) Refer the individual to a mental health professional for evaluation for initial detention and proceeding under chapter 71.05 RCW; or

(d) Release the individual upon agreement to voluntary participation in outpatient treatment.

(2) If the individual is released to the community, the mental health provider shall make reasonable efforts to inform the arresting officer of the planned release ~~((within a reasonable period of time after the))~~ prior to release if the arresting officer has specifically requested notification and provided contact information to the provider.

(3) In deciding whether to refer the individual to treatment under this section, the police officer ~~((shall))~~ must be guided by ~~((standards))~~ local law enforcement diversion guidelines for behavioral health developed and mutually agreed upon with the prosecuting authority~~((, which))~~ with an opportunity for consultation and comment by the defense bar and disability community. These guidelines must address, at a minimum, the length, seriousness, and recency of the known criminal history of the individual, the mental health history of the individual, ~~((where))~~ if available, the opinions of a mental health professional, if available, and the circumstances surrounding the commission of the alleged offense. The guidelines must include a process for clearing outstanding warrants or referring the individual for assistance in clearing outstanding warrants, if any, and issuing a new court date, if appropriate, without booking or incarcerating the individual or disqualifying him or her from referral to treatment under this section, and define the circumstances under which such action is permissible.

(4) Any agreement to participate in treatment shall not require individuals to stipulate to any of the alleged facts regarding the criminal activity as a prerequisite to participation in a mental health treatment alternative. The agreement is inadmissible in any criminal or civil proceeding. The agreement does not create immunity from prosecution for the alleged criminal activity.

(5) If an individual violates such agreement and the mental health treatment alternative is no longer appropriate:

(a) The mental health provider shall inform the referring law enforcement agency of the violation; and

(b) The original charges may be filed or referred to the prosecutor, as appropriate, and the matter may proceed accordingly.

(6) The police officer is immune from liability for any good faith conduct under this section.

Sec. 4. RCW 10.77.086 and 2015 1st sp.s. c 7 s 5 are each amended to read as follows:

(1)(a)(i) If the defendant is charged with a felony and determined to be incompetent, until he or she has regained the competency necessary to understand the proceedings against him or her and assist in his or her own defense, but in any event for a period of no longer than ninety days, the court~~((~~

~~((A))~~ shall commit the defendant to the custody of the secretary ~~((who shall place such defendant in an appropriate facility of the department for evaluation and treatment; or~~

~~((B))~~ May alternatively order the defendant to undergo evaluation and treatment at some other facility or provider as determined by the department, or under the guidance and control of a professional person. The facilities or providers may include

~~community mental health providers or other local facilities that contract with the department and are willing and able to provide treatment under this section. During the 2015-2017 fiscal biennium, the department may contract with one or more cities or counties to provide competency restoration services in a city or county jail if the city or county jail is willing and able to serve as a location for competency restoration services and if the secretary determines that there is an emergent need for beds and documents the justification, including a plan to address the emergency. Patients receiving competency restoration services in a city or county jail must be physically separated from other populations at the jail and restoration treatment services must be provided as much as possible within a therapeutic environment.)~~ for competency restoration. The court may order the defendant to receive inpatient competency restoration or outpatient competency restoration based on the recommendation in the competency evaluation.

(A) To be eligible for an order for outpatient competency restoration, a defendant must be clinically appropriate and be willing to:

(I) Adhere to medications or receive prescribed intravenous medication; and

(II) Abstain from alcohol or unprescribed drugs.

(B) If the court orders inpatient competency restoration, the department shall place the defendant in an appropriate facility of the department for competency restoration.

(C) If the court orders outpatient competency restoration, the court shall modify conditions of release as needed to authorize the department to place the person in approved housing, which may include access to supported housing, affiliated with a contracted outpatient competency restoration program. The department must establish conditions of participation in the outpatient competency restoration program which must include the defendant being subject to medication monitoring and regular urinalysis. The outpatient competency restoration program shall monitor the defendant during the defendant's placement in the program and report any noncompliance or significant changes with respect to the defendant to the department and, if applicable, the forensic navigator.

(D) If a defendant fails to comply with the restrictions of the outpatient restoration program such that restoration is no longer appropriate in that setting or the defendant is no longer clinically appropriate for outpatient competency restoration, the department shall remove the defendant from the outpatient restoration program and place the defendant instead in an appropriate facility of the department for inpatient competency restoration. The department shall notify the court and parties of the change in placement before the close of the next judicial day. The court shall schedule a hearing within five days to review the placement and conditions of release of the defendant and issue appropriate orders. The standard of proof shall be a preponderance of the evidence, and the court may in its discretion render its decision based on written submissions, live testimony, or remote testimony.

(E) The court may not issue an order for outpatient competency restoration unless the department certifies that there is an available appropriate outpatient competency restoration program that has adequate space for the person at the time the order is issued.

(ii) The ninety day period for ((evaluation and treatment)) competency restoration under this subsection (1) includes only the time the defendant is actually at the facility and is in addition to reasonable time for transport to or from the facility.

(b) For a defendant whose highest charge is a class C felony, or a class B felony that is not classified as violent under RCW 9.94A.030, the maximum time allowed for the initial period of

commitment for competency restoration is forty-five days. The forty-five day period includes only the time the defendant is actually at the facility and is in addition to reasonable time for transport to or from the facility.

(c) If the court determines ((or the parties agree)) that the defendant is unlikely to regain competency, the court may dismiss the charges without prejudice without ordering the defendant to undergo restoration treatment, in which case the court shall order that the defendant be referred for evaluation for civil commitment in the manner provided in subsection (4) of this section.

(2) On or before expiration of the initial period of commitment under subsection (1) of this section the court shall conduct a hearing, at which it shall determine whether or not the defendant is incompetent.

(3) If the court finds by a preponderance of the evidence that a defendant charged with a felony is incompetent, the court shall have the option of extending the order of commitment or alternative treatment for an additional period of ninety days, but the court must at the time of extension set a date for a prompt hearing to determine the defendant's competency before the expiration of the second restoration period. The defendant, the defendant's attorney, or the prosecutor has the right to demand that the hearing be before a jury. No extension shall be ordered for a second or third restoration period as provided in subsection (4) of this section if the defendant's incompetence has been determined by the secretary to be solely the result of a developmental disability which is such that competence is not reasonably likely to be regained during an extension. The ninety-day period includes only the time the defendant is actually at the facility and is in addition to reasonable time for transport to or from the facility.

(4) For persons charged with a felony, at the hearing upon the expiration of the second restoration period or at the end of the first restoration period in the case of a defendant with a developmental disability, if the jury or court finds that the defendant is incompetent, or if the court or jury at any stage finds that the defendant is incompetent and the court determines that the defendant is unlikely to regain competency, the charges shall be dismissed without prejudice, and the court shall order the defendant be committed to a state hospital as defined in RCW 72.23.010 for up to seventy-two hours starting from admission to the facility, excluding Saturdays, Sundays, and holidays, for evaluation for the purpose of filing a civil commitment petition under chapter 71.05 RCW. The criminal charges shall not be dismissed if the court or jury finds that: (a) The defendant (i) is a substantial danger to other persons; or (ii) presents a substantial likelihood of committing criminal acts jeopardizing public safety or security; and (b) there is a substantial probability that the defendant will regain competency within a reasonable period of time. In the event that the court or jury makes such a finding, the court may extend the period of commitment for up to an additional six months. The six-month period includes only the time the defendant is actually at the facility and is in addition to reasonable time for transport to or from the facility.

Sec. 5. RCW 10.77.088 and 2016 sp.s. c 29 s 411 are each amended to read as follows:

(1)((~~(a)~~)) If the defendant is charged with a nonfelony crime which is a serious offense as identified in RCW 10.77.092 and found by the court to be not competent, then the court:

(a) Shall dismiss the proceedings without prejudice and detain the defendant for sufficient time to allow the designated crisis responder to evaluate the defendant and consider initial detention proceedings under chapter 71.05 RCW, unless the prosecutor objects to the dismissal and provides notice of a motion for an order for competency restoration, in which case the court shall

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schedule a hearing to determine whether to enter an order of competency restoration.

(b) At the hearing, the prosecuting attorney must establish that there is a compelling state interest to order competency restoration treatment for the defendant. The court may consider prior criminal history, prior history in treatment, prior history of violence, the quality and severity of the pending charges, any history that suggests whether or not competency restoration treatment is likely to be successful, in addition to the factors listed under RCW 10.77.092. If the prosecuting attorney proves by a preponderance of the evidence that there is a compelling state interest in ordering competency restoration, then the court shall order competency restoration in accordance with subsection (2)(a) of this section.

(2)(a) If a court finds pursuant to subsection (1)(b) of this section that there is a compelling state interest in pursuing competency restoration treatment, then the court ((+)) shall commit the defendant to the custody of the secretary ((who shall place such defendant in an appropriate facility of the department for evaluation and treatment;

(ii) May alternatively order the defendant to undergo evaluation and treatment at some other facility or provider as determined by the department, or under the guidance and control of a professional person. The facilities or providers may include community mental health providers or other local facilities that contract with the department and are willing and able to provide treatment under this section. During the 2015-2017 fiscal biennium, the department may contract with one or more cities or counties to provide competency restoration services in a city or county jail if the city or county jail is willing and able to serve as a location for competency restoration services and if the secretary determines that there is an emergent need for beds and documents the justification, including a plan to address the emergency. Patients receiving competency restoration services in a city or county jail must be physically separated from other populations at the jail and restoration treatment services must be provided as much as possible within a therapeutic environment.)) for competency restoration. The court may order the defendant to receive inpatient competency restoration or outpatient competency restoration based on the recommendation in the competency evaluation.

(i) To be eligible for an order for outpatient competency restoration, a defendant must be clinically appropriate and be willing to:

(A) Adhere to medications or receive prescribed intravenous medication; and

(B) Abstain from alcohol or unprescribed drugs.

(ii) If the court orders inpatient competency restoration, the department shall place the defendant in an appropriate facility of the department for competency restoration under (b) of this subsection.

(iii) If the court orders outpatient competency restoration, the court shall modify conditions of release as needed to authorize the department to place the person in approved housing, which may include access to supported housing, affiliated with a contracted outpatient competency restoration program. The department shall establish conditions of participation in the outpatient competency restoration program which must include the defendant being subject to medication monitoring and regular urinalysis. The outpatient competency restoration program shall monitor the defendant during the defendant's placement in the program and report any noncompliance or significant changes with respect to the defendant to the department and, if applicable, the forensic navigator.

(iv) If a defendant fails to comply with the restrictions of the outpatient competency restoration program such that restoration is no longer appropriate in that setting or the defendant is no longer clinically appropriate for outpatient competency restoration, the department shall remove the defendant from the outpatient restoration program and place the defendant instead in an appropriate facility of the department for inpatient competency restoration. The department shall notify the court and parties of the change in placement before the close of the next judicial day. The court shall schedule a hearing within five days to review the placement and conditions of release of the defendant and issue appropriate orders. The standard of proof shall be a preponderance of the evidence, and the court may in its discretion render its decision based on written submissions, live testimony, or remote testimony.

(v) The court may not issue an order for outpatient competency restoration unless the department certifies that there is an available appropriate outpatient restoration program that has adequate space for the person at the time the order is issued.

(b) The placement under (a) ((+ and (ii))) of this subsection shall not exceed ((fourteen)) twenty-nine days ((in addition to any unused time of the evaluation under RCW 10.77.060. The court shall compute this total period and include its computation in the order. The fourteen day period plus any unused time of the evaluation under RCW 10.77.060 shall)) if the defendant is ordered to receive inpatient competency restoration, or shall not exceed ninety days if the defendant is ordered to receive outpatient competency restoration. The court may order any combination of this subsection. This period must be considered to include only the time the defendant is actually at the facility and shall be in addition to reasonable time for transport to or from the facility(;

(iii) May alternatively order that the defendant be placed on conditional release for up to ninety days for mental health treatment and restoration of competency; or

(iv) May order any combination of this subsection)).

((b)) (c) If the court has determined ((or the parties agree)) that the defendant is unlikely to regain competency, the court may dismiss the charges without prejudice without ordering the defendant to undergo restoration treatment, in which case the court shall order that the defendant be referred for evaluation for civil commitment in the manner provided in ((e)) (d) of this subsection.

((e)) (d)(i) If the proceedings are dismissed under RCW 10.77.084 and the defendant was on conditional release at the time of dismissal, the court shall order the designated crisis responder within that county to evaluate the defendant pursuant to chapter 71.05 RCW. The evaluation may be conducted in any location chosen by the professional.

(ii) If the defendant was in custody and not on conditional release at the time of dismissal, the defendant shall be detained and sent to an evaluation and treatment facility for up to seventy-two hours, excluding Saturdays, Sundays, and holidays, for evaluation for purposes of filing a petition under chapter 71.05 RCW. The seventy-two hour period shall commence upon the next nonholiday weekday following the court order and shall run to the end of the last nonholiday weekday within the seventy-two-hour period.

((2)) (3) If the defendant is charged with a nonfelony crime that is not a serious offense as defined in RCW 10.77.092:

The court may stay or dismiss proceedings and detain the defendant for sufficient time to allow the designated crisis responder to evaluate the defendant and consider initial detention proceedings under chapter 71.05 RCW. The court must give notice to all parties at least twenty-four hours before the dismissal

of any proceeding under this subsection, and provide an opportunity for a hearing on whether to dismiss the proceedings."

On page 1, line 5 of the title, after "agreement;" strike the remainder of the title and insert "amending RCW 10.31.110, 10.77.086, and 10.77.088; adding a new section to chapter 10.77 RCW; and creating a new section."

The President declared the question before the Senate to be the adoption of striking amendment no. 206 by Senator Dhingra to Second Substitute Senate Bill No. 5444.

The motion by Senator Dhingra carried and striking amendment no. 206 was adopted by voice vote.

MOTION

On motion of Senator Dhingra, the rules were suspended, Engrossed Second Substitute Senate Bill No. 5444 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Dhingra and Walsh spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 5444.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5444 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Erickson, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Solomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Excused: Senator Wilson, L.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5444, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5720, by Senators Dhingra, Wagoner and Kuderer

Concerning the involuntary treatment act.

MOTION

On motion of Senator Dhingra, Second Substitute Senate Bill No. 5720 was substituted for Senate Bill No. 5720 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Dhingra moved that the following striking amendment no. 208 by Senator Dhingra be adopted:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 71.05.010 and 2016 sp.s. c 29 s 203 are each amended to read as follows:

(1) The provisions of this chapter apply to persons who are eighteen years of age or older and are intended by the legislature:

(a) To protect the health and safety of persons suffering from ~~((mental disorders and substance use))~~ behavioral health disorders and to protect public safety through use of the *parens patriae* and police powers of the state;

(b) To prevent inappropriate, indefinite commitment of ~~((mentally disordered persons and persons with substance use disorders))~~ persons living with behavioral health disorders and to eliminate legal disabilities that arise from such commitment;

(c) To provide prompt evaluation and timely and appropriate treatment of persons with serious ~~((mental disorders and substance use))~~ behavioral health disorders;

(d) To safeguard individual rights;

(e) To provide continuity of care for persons with serious ~~((mental disorders and substance use))~~ behavioral health disorders;

(f) To encourage the full use of all existing agencies, professional personnel, and public funds to prevent duplication of services and unnecessary expenditures; and

(g) To encourage, whenever appropriate, that services be provided within the community.

(2) When construing the requirements of this chapter the court must focus on the merits of the petition, except where requirements have been totally disregarded, as provided in *In re C.W.*, 147 Wn.2d 259, 281 (2002). A presumption in favor of deciding petitions on their merits furthers both public and private interests because the mental and physical well-being of individuals as well as public safety may be implicated by the decision to release an individual and discontinue his or her treatment.

Sec. 2. RCW 71.05.012 and 1997 c 112 s 1 are each amended to read as follows:

It is the intent of the legislature to enhance continuity of care for persons with serious ~~((mental))~~ behavioral health disorders that can be controlled or stabilized in a less restrictive alternative commitment. Within the guidelines stated in *In re LaBelle* 107 Wn. 2d 196 (1986), the legislature intends to encourage appropriate interventions at a point when there is the best opportunity to restore the person to or maintain satisfactory functioning.

For persons with a prior history or pattern of repeated hospitalizations or law enforcement interventions due to decompensation, the consideration of prior ~~((mental))~~ history is particularly relevant in determining whether the person would receive, if released, such care as is essential for his or her health or safety.

Therefore, the legislature finds that for persons who are currently under a commitment order, a prior history of decompensation leading to repeated hospitalizations or law enforcement interventions should be given great weight in determining whether a new less restrictive alternative commitment should be ordered.

Sec. 3. RCW 71.05.020 and 2018 c 305 s 1, 2018 c 291 s 1, and 2018 c 201 s 3001 are each reenacted and amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Admission" or "admit" means a decision by a physician, physician assistant, or psychiatric advanced registered nurse

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practitioner that a person should be examined or treated as a patient in a hospital;

(2) "Alcoholism" means a disease, characterized by a dependency on alcoholic beverages, loss of control over the amount and circumstances of use, symptoms of tolerance, physiological or psychological withdrawal, or both, if use is reduced or discontinued, and impairment of health or disruption of social or economic functioning;

(3) "Antipsychotic medications" means that class of drugs primarily used to treat serious manifestations of mental illness associated with thought disorders, which includes, but is not limited to atypical antipsychotic medications;

(4) "Approved substance use disorder treatment program" means a program for persons with a substance use disorder provided by a treatment program certified by the department as meeting standards adopted under chapter 71.24 RCW;

(5) "Attending staff" means any person on the staff of a public or private agency having responsibility for the care and treatment of a patient;

(6) "Authority" means the Washington state health care authority;

(7) (~~"Chemical dependency" means:~~

~~(a) Alcoholism;~~

~~(b) Drug addiction; or~~

~~(c) Dependence on alcohol and one or more psychoactive chemicals, as the context requires;~~

~~(8))~~ "Chemical dependency professional" means a person certified as a chemical dependency professional by the department under chapter 18.205 RCW;

~~((9))~~ (8) "Commitment" means the determination by a court that a person should be detained for a period of either evaluation or treatment, or both, in an inpatient or a less restrictive setting;

~~((10))~~ (9) "Conditional release" means a revocable modification of a commitment, which may be revoked upon violation of any of its terms;

~~((11))~~ (10) "Crisis stabilization unit" means a short-term facility or a portion of a facility licensed or certified by the department under RCW 71.24.035, such as an evaluation and treatment facility or a hospital, which has been designed to assess, diagnose, and treat individuals experiencing an acute crisis without the use of long-term hospitalization;

~~((12))~~ (11) "Custody" means involuntary detention under the provisions of this chapter or chapter 10.77 RCW, uninterrupted by any period of unconditional release from commitment from a facility providing involuntary care and treatment;

~~((13))~~ (12) "Department" means the department of health;

~~((14))~~ (13) "Designated crisis responder" means a mental health professional appointed by the county, an entity appointed by the county, or the behavioral health organization to perform the duties specified in this chapter;

~~((15))~~ (14) "Detention" or "detain" means the lawful confinement of a person, under the provisions of this chapter;

~~((16))~~ (15) "Developmental disabilities professional" means a person who has specialized training and three years of experience in directly treating or working with persons with developmental disabilities and is a psychiatrist, physician assistant working with a supervising psychiatrist, psychologist, psychiatric advanced registered nurse practitioner, or social worker, and such other developmental disabilities professionals as may be defined by rules adopted by the secretary of the department of social and health services;

~~((17))~~ (16) "Developmental disability" means that condition defined in RCW 71A.10.020(5);

~~((18))~~ (17) "Director" means the director of the authority;

~~((19))~~ (18) "Discharge" means the termination of hospital medical authority. The commitment may remain in place, be terminated, or be amended by court order;

~~((20))~~ (19) "Drug addiction" means a disease, characterized by a dependency on psychoactive chemicals, loss of control over the amount and circumstances of use, symptoms of tolerance, physiological or psychological withdrawal, or both, if use is reduced or discontinued, and impairment of health or disruption of social or economic functioning;

~~((21))~~ (20) "Evaluation and treatment facility" means any facility which can provide directly, or by direct arrangement with other public or private agencies, emergency evaluation and treatment, outpatient care, and timely and appropriate inpatient care to persons suffering from a mental disorder, and which is licensed or certified as such by the department. The authority may certify single beds as temporary evaluation and treatment beds under RCW 71.05.745. A physically separate and separately operated portion of a state hospital may be designated as an evaluation and treatment facility. A facility which is part of, or operated by, the department of social and health services or any federal agency will not require certification. No correctional institution or facility, or jail, shall be an evaluation and treatment facility within the meaning of this chapter;

~~((22))~~ (21) "Gravely disabled" means a condition in which a person, as a result of a (~~mental~~) behavioral health disorder (~~, or as a result of the use of alcohol or other psychoactive chemicals~~):

(a) Is in danger of serious physical harm resulting from a failure to provide for his or her essential human needs of health or safety; or (b) manifests severe deterioration (~~in routine functioning~~) from safe behavior evidenced by repeated and escalating loss of cognitive or volitional control over his or her actions and is not receiving such care as is essential for his or her health or safety;

~~((23))~~ (22) "Habilitative services" means those services provided by program personnel to assist persons in acquiring and maintaining life skills and in raising their levels of physical, mental, social, and vocational functioning. Habilitative services include education, training for employment, and therapy. The habilitative process shall be undertaken with recognition of the risk to the public safety presented by the person being assisted as manifested by prior charged criminal conduct;

~~((24))~~ (23) "Hearing" means any proceeding conducted in open court (~~For purposes of this chapter, at any hearing the petitioner, the respondent, the witnesses, and the presiding judicial officer may be present and participate either in person or by video, as determined by the court. The term "video" as used herein shall include any functional equivalent. At any hearing conducted by video, the technology used must permit the judicial officer, counsel, all parties, and the witnesses to be able to see, hear, and speak, when authorized, during the hearing; to allow attorneys to use exhibits or other materials during the hearing; and to allow respondent's counsel to be in the same location as the respondent unless otherwise requested by the respondent or the respondent's counsel. Witnesses in a proceeding may also appear in court through other means, including telephonically, pursuant to the requirements of superior court civil rule 43. Notwithstanding the foregoing, the court, upon its own motion or upon a motion for good cause by any party, may require all parties and witnesses to participate in the hearing in person rather than by video. In ruling on any such motion, the court may allow in person or video testimony; and the court may consider, among other things, whether the respondent's alleged mental illness affects the respondent's ability to perceive or participate in the proceeding by video~~) that conforms to the requirements of section 100 of this act;

~~((25))~~ (24) "History of one or more violent acts" refers to the period of time ten years prior to the filing of a petition under this chapter, excluding any time spent, but not any violent acts committed, in a ~~((mental)) behavioral health facility~~~~((a long-term alcoholism or drug treatment facility))~~, or in confinement as a result of a criminal conviction;

~~((26))~~ (25) "Imminent" means the state or condition of being likely to occur at any moment or near at hand, rather than distant or remote;

~~((27))~~ (26) "Individualized service plan" means a plan prepared by a developmental disabilities professional with other professionals as a team, for a person with developmental disabilities, which shall state:

(a) The nature of the person's specific problems, prior charged criminal behavior, and habilitation needs;

(b) The conditions and strategies necessary to achieve the purposes of habilitation;

(c) The intermediate and long-range goals of the habilitation program, with a projected timetable for the attainment;

(d) The rationale for using this plan of habilitation to achieve those intermediate and long-range goals;

(e) The staff responsible for carrying out the plan;

(f) Where relevant in light of past criminal behavior and due consideration for public safety, the criteria for proposed movement to less-restrictive settings, criteria for proposed eventual discharge or release, and a projected possible date for discharge or release; and

(g) The type of residence immediately anticipated for the person and possible future types of residences;

~~((28))~~ (27) "Information related to ~~((mental)) behavioral health services~~" means all information and records compiled, obtained, or maintained in the course of providing services to either voluntary or involuntary recipients of services by a ~~((mental)) behavioral health service provider~~. This may include documents of legal proceedings under this chapter or chapter 71.34 or 10.77 RCW, or somatic health care information;

~~((29))~~ (28) "Intoxicated person" means a person whose mental or physical functioning is substantially impaired as a result of the use of alcohol or other psychoactive chemicals;

~~((30))~~ (29) "In need of assisted outpatient behavioral health treatment" means that a person, as a result of a ~~((mental disorder or substance use)) behavioral health disorder~~: (a) Has been committed by a court to detention for involuntary behavioral health treatment during the preceding thirty-six months; (b) is unlikely to voluntarily participate in outpatient treatment without an order for less restrictive alternative treatment, based on a history of nonadherence with treatment or in view of the person's current behavior; (c) is likely to benefit from less restrictive alternative treatment; and (d) requires less restrictive alternative treatment to prevent a relapse, decompensation, or deterioration that is likely to result in the person presenting a likelihood of serious harm or the person becoming gravely disabled within a reasonably short period of time;

~~((31))~~ (30) "Judicial commitment" means a commitment by a court pursuant to the provisions of this chapter;

~~((32))~~ (31) "Legal counsel" means attorneys and staff employed by county prosecutor offices or the state attorney general acting in their capacity as legal representatives of public ~~((mental)) behavioral health~~ ~~((and substance use disorder))~~ service providers under RCW 71.05.130;

~~((33))~~ (32) "Less restrictive alternative treatment" means a program of individualized treatment in a less restrictive setting than inpatient treatment that includes the services described in RCW 71.05.585;

~~((34))~~ (33) "Licensed physician" means a person licensed to practice medicine or osteopathic medicine and surgery in the state of Washington;

~~((35))~~ (34) "Likelihood of serious harm" means:

(a) A substantial risk that: (i) Physical harm will be inflicted by a person upon his or her own person, as evidenced by threats or attempts to commit suicide or inflict physical harm on oneself; (ii) physical harm will be inflicted by a person upon another, as evidenced by behavior which has caused ~~((such))~~ harm, substantial pain, or which places another person or persons in reasonable fear of ~~((sustaining such))~~ harm to themselves or others; or (iii) physical harm will be inflicted by a person upon the property of others, as evidenced by behavior which has caused substantial loss or damage to the property of others; or

(b) The person has threatened the physical safety of another and has a history of one or more violent acts;

~~((36))~~ (35) "Medical clearance" means a physician or other health care provider has determined that a person is medically stable and ready for referral to the designated crisis responder;

~~((37))~~ (36) "Mental disorder" means any organic, mental, or emotional impairment which has substantial adverse effects on a person's cognitive or volitional functions;

~~((38))~~ (37) "Mental health professional" means a psychiatrist, psychologist, physician assistant working with a supervising psychiatrist, psychiatric advanced registered nurse practitioner, psychiatric nurse, or social worker, and such other mental health professionals as may be defined by rules adopted by the secretary pursuant to the provisions of this chapter;

~~((39))~~ (38) "~~((Mental)) Behavioral health service provider~~" means a public or private agency that provides mental health, substance use disorder, or co-occurring disorder services to persons with ~~((mental disorders or substance use))~~ behavioral health disorders as defined under this section and receives funding from public sources. This includes, but is not limited to, hospitals licensed under chapter 70.41 RCW, evaluation and treatment facilities as defined in this section, community mental health service delivery systems or behavioral health programs as defined in RCW 71.24.025, facilities conducting competency evaluations and restoration under chapter 10.77 RCW, approved substance use disorder treatment programs as defined in this section, secure detoxification facilities as defined in this section, and correctional facilities operated by state and local governments;

~~((40))~~ (39) "Peace officer" means a law enforcement official of a public agency or governmental unit, and includes persons specifically given peace officer powers by any state law, local ordinance, or judicial order of appointment;

~~((41))~~ (40) "Physician assistant" means a person licensed as a physician assistant under chapter 18.57A or 18.71A RCW;

~~((42))~~ (41) "Private agency" means any person, partnership, corporation, or association that is not a public agency, whether or not financed in whole or in part by public funds, which constitutes an evaluation and treatment facility or private institution, or hospital, or approved substance use disorder treatment program, which is conducted for, or includes a department or ward conducted for, the care and treatment of persons with ~~((mental illness, substance use disorders, or both mental illness and substance use))~~ behavioral health disorders;

~~((43))~~ (42) "Professional person" means a mental health professional, chemical dependency professional, or designated crisis responder and shall also mean a physician, physician assistant, psychiatric advanced registered nurse practitioner, registered nurse, and such others as may be defined by rules adopted by the secretary pursuant to the provisions of this chapter;

~~((44))~~ (43) "Psychiatric advanced registered nurse practitioner" means a person who is licensed as an advanced

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registered nurse practitioner pursuant to chapter 18.79 RCW; and who is board certified in advanced practice psychiatric and mental health nursing;

~~((45))~~ (44) "Psychiatrist" means a person having a license as a physician and surgeon in this state who has in addition completed three years of graduate training in psychiatry in a program approved by the American medical association or the American osteopathic association and is certified or eligible to be certified by the American board of psychiatry and neurology;

~~((46))~~ (45) "Psychologist" means a person who has been licensed as a psychologist pursuant to chapter 18.83 RCW;

~~((47))~~ (46) "Public agency" means any evaluation and treatment facility or institution, secure detoxification facility, approved substance use disorder treatment program, or hospital which is conducted for, or includes a department or ward conducted for, the care and treatment of persons with ~~((mental illness, substance use disorders, or both mental illness and substance use))~~ behavioral health disorders, if the agency is operated directly by federal, state, county, or municipal government, or a combination of such governments;

~~((48))~~ (47) "Release" means legal termination of the commitment under the provisions of this chapter;

~~((49))~~ (48) "Resource management services" has the meaning given in chapter 71.24 RCW;

~~((50))~~ (49) "Secretary" means the secretary of the department of health, or his or her designee;

~~((51))~~ (50) "Secure detoxification facility" means a facility operated by either a public or private agency or by the program of an agency that:

- (a) Provides for intoxicated persons:
 - (i) Evaluation and assessment, provided by certified chemical dependency professionals;
 - (ii) Acute or subacute detoxification services; and
 - (iii) Discharge assistance provided by certified chemical dependency professionals, including facilitating transitions to appropriate voluntary or involuntary inpatient services or to less restrictive alternatives as appropriate for the individual;

(b) Includes security measures sufficient to protect the patients, staff, and community; and

(c) Is licensed or certified as such by the department of health;

~~((52) "Serious violent offense" has the same meaning as provided in RCW 9.94A.030;~~

~~((53))~~ (51) "Social worker" means a person with a master's or further advanced degree from a social work educational program accredited and approved as provided in RCW 18.320.010;

~~((54))~~ (52) "Substance use disorder" means a cluster of cognitive, behavioral, and physiological symptoms indicating that an individual continues using the substance despite significant substance-related problems. The diagnosis of a substance use disorder is based on a pathological pattern of behaviors related to the use of the substances;

~~((55))~~ (53) "Therapeutic court personnel" means the staff of a mental health court or other therapeutic court which has jurisdiction over defendants who are dually diagnosed with mental disorders, including court personnel, probation officers, a court monitor, prosecuting attorney, or defense counsel acting within the scope of therapeutic court duties;

~~((56))~~ (54) "Treatment records" include registration and all other records concerning persons who are receiving or who at any time have received services for ~~((mental illness))~~ behavioral health disorders, which are maintained by the department of social and health services, the department, the authority, behavioral health organizations and their staffs, and by treatment facilities. Treatment records include mental health information contained in a medical bill including but not limited to mental

health drugs, a mental health diagnosis, provider name, and dates of service stemming from a medical service. Treatment records do not include notes or records maintained for personal use by a person providing treatment services for the department of social and health services, the department, the authority, behavioral health organizations, or a treatment facility if the notes or records are not available to others;

~~((57))~~ (55) "Triage facility" means a short-term facility or a portion of a facility licensed or certified by the department under RCW 71.24.035, which is designed as a facility to assess and stabilize an individual or determine the need for involuntary commitment of an individual, and must meet department residential treatment facility standards. A triage facility may be structured as a voluntary or involuntary placement facility;

~~((58))~~ (56) "Violent act" means behavior that resulted in homicide, attempted suicide, ~~((nonfatal injuries))~~ injury, or substantial loss or damage to property;

(57) "Behavioral health disorder" means either a mental disorder as defined in this section, a substance use disorder as defined in this section, or a co-occurring mental disorder and substance use disorder;

(58) "Severe deterioration from safe behavior" means that a person will, if not treated, suffer or continue to suffer severe and abnormal mental, emotional, or physical distress, and this distress is associated with significant impairment of judgment, reason, or behavior;

(59) "Written order of apprehension" means an order of the court for a peace officer to deliver the named person in the order to a facility or emergency room as determined by the designated crisis responder. Such orders shall be entered into the Washington crime information center database.

Sec. 4. RCW 71.05.025 and 2016 sp.s. c 29 s 205 are each amended to read as follows:

The legislature intends that the procedures and services authorized in this chapter be integrated with those in chapter 71.24 RCW to the maximum extent necessary to assure ~~((a))~~ an appropriate continuum of care ~~((to))~~ for persons with ~~((mental illness or who have mental disorders or substance use))~~ behavioral health disorders, as defined in either or both this chapter and chapter 71.24 RCW. To this end, behavioral health organizations established in accordance with chapter 71.24 RCW shall institute procedures which require timely consultation with resource management services by designated crisis responders, evaluation and treatment facilities, secure detoxification facilities, and approved substance use disorder treatment programs to assure that determinations to admit, detain, commit, treat, discharge, or release persons with ~~((mental disorders or substance use))~~ behavioral health disorders under this chapter are made only after appropriate information regarding such person's treatment history and current treatment plan has been sought from resource management services.

Sec. 5. RCW 71.05.026 and 2018 c 201 s 3002 are each amended to read as follows:

(1) Except for monetary damage claims which have been reduced to final judgment by a superior court, this section applies to all claims against the state, state agencies, state officials, or state employees that exist on or arise after March 29, 2006.

(2) Except as expressly provided in contracts entered into between the authority and the behavioral health organizations after March 29, 2006, the entities identified in subsection (3) of this section shall have no claim for declaratory relief, injunctive relief, judicial review under chapter 34.05 RCW, or civil liability against the state or state agencies for actions or inactions performed pursuant to the administration of this chapter with

regard to the following: (a) The allocation or payment of federal or state funds; (b) the use or allocation of state hospital beds; or (c) financial responsibility for the provision of inpatient ~~((mental))~~ behavioral health ~~((care or inpatient substance use))~~ disorder treatment and care.

(3) This section applies to counties, behavioral health organizations, and entities which contract to provide behavioral health organization services and their subcontractors, agents, or employees.

Sec. 6. RCW 71.05.027 and 2018 c 201 s 3003 are each amended to read as follows:

~~((1) Not later than January 1, 2007,))~~ All persons providing treatment under this chapter shall also implement the integrated comprehensive screening and assessment process for ~~((chemical dependency and mental))~~ behavioral health disorders adopted pursuant to RCW 71.24.630 ~~((and shall document the numbers of clients with co-occurring mental and substance abuse disorders based on a quadrant system of low and high needs.~~

~~((2) Treatment providers and behavioral health organizations who fail to implement the integrated comprehensive screening and assessment process for chemical dependency and mental disorders by July 1, 2007, shall be subject to contractual penalties established under RCW 71.24.630)).~~

Sec. 7. RCW 71.05.030 and 1998 c 297 s 4 are each amended to read as follows:

Persons suffering from a ~~((mental))~~ behavioral health disorder may not be involuntarily committed for treatment of such disorder except pursuant to provisions of this chapter, chapter 10.77 RCW, chapter 71.06 RCW, chapter 71.34 RCW, transfer pursuant to RCW 72.68.031 through 72.68.037, or pursuant to court ordered evaluation and treatment not to exceed ninety days pending a criminal trial or sentencing.

Sec. 8. RCW 71.05.040 and 2018 c 201 s 3004 are each amended to read as follows:

Persons with developmental disabilities, impaired by substance use disorder, or suffering from dementia shall not be detained for evaluation and treatment or judicially committed solely by reason of that condition unless such condition causes a person to be gravely disabled or ~~((as a result of a mental disorder such condition exists that constitutes))~~ to present a likelihood of serious harm. However, persons with developmental disabilities, impaired by substance use disorder, or suffering from dementia and who otherwise meet the criteria for detention or judicial commitment are not ineligible for detention or commitment based on this condition alone.

Sec. 9. RCW 71.05.050 and 2016 sp.s. c 29 s 207 are each amended to read as follows:

(1) Nothing in this chapter shall be construed to limit the right of any person to apply voluntarily to any public or private agency or practitioner for treatment of a ~~((mental disorder or substance use))~~ behavioral health disorder, either by direct application or by referral. Any person voluntarily admitted for inpatient treatment to any public or private agency shall be released immediately upon his or her request. Any person voluntarily admitted for inpatient treatment to any public or private agency shall orally be advised of the right to immediate discharge, and further advised of such rights in writing as are secured to them pursuant to this chapter and their rights of access to attorneys, courts, and other legal redress. Their condition and status shall be reviewed at least once each one hundred eighty days for evaluation as to the need for further treatment or possible discharge, at which time they shall again be advised of their right to discharge upon request.

(2) If the professional staff of any public or private agency or hospital regards a person voluntarily admitted who requests discharge as presenting, as a result of a ~~((mental disorder or substance use))~~ behavioral health disorder, an imminent likelihood of serious harm, or is gravely disabled, they may detain such person for sufficient time to notify the designated crisis responder of such person's condition to enable the designated crisis responder to authorize such person being further held in custody or transported to an evaluation and treatment center, secure detoxification facility, or approved substance use disorder treatment program pursuant to the provisions of this chapter, which shall in ordinary circumstances be no later than the next judicial day.

(3) If a person is brought to the emergency room of a public or private agency or hospital for observation or treatment, the person refuses voluntary admission, and the professional staff of the public or private agency or hospital regard such person as presenting as a result of a ~~((mental disorder or substance use))~~ behavioral health disorder an imminent likelihood of serious harm, or as presenting an imminent danger because of grave disability, they may detain such person for sufficient time to notify the designated crisis responder of such person's condition to enable the designated crisis responder to authorize such person being further held in custody or transported to an evaluation treatment center, secure detoxification facility, or approved substance use disorder treatment program pursuant to the conditions in this chapter, but which time shall be no more than six hours from the time the professional staff notify the designated crisis responder of the need for evaluation, not counting time periods prior to medical clearance.

(4) Dismissal of a commitment petition is not the appropriate remedy for a violation of the timeliness requirements of this section based on the intent of this chapter under RCW 71.05.010 except in the few cases where the facility staff or designated crisis responder has totally disregarded the requirements of this section.

Sec. 10. RCW 71.05.100 and 2018 c 201 s 3005 are each amended to read as follows:

In addition to the responsibility provided for by RCW 43.20B.330, any person, or his or her estate, or his or her spouse, ~~((or the parents of a minor person))~~ who is involuntarily detained pursuant to this chapter for the purpose of treatment and evaluation outside of a facility maintained and operated by the department of social and health services shall be responsible for the cost of such care and treatment. In the event that an individual is unable to pay for such treatment or in the event payment would result in a substantial hardship upon the individual or his or her family, then the county of residence of such person shall be responsible for such costs. If it is not possible to determine the county of residence of the person, the cost shall be borne by the county where the person was originally detained. The department of social and health services, or the authority, as appropriate, shall, pursuant to chapter 34.05 RCW, adopt standards as to (1) inability to pay in whole or in part, (2) a definition of substantial hardship, and (3) appropriate payment schedules. Financial responsibility with respect to services and facilities of the department of social and health services shall continue to be as provided in RCW 43.20B.320 through 43.20B.360 and 43.20B.370.

Sec. 11. RCW 71.05.120 and 2016 sp.s. c 29 s 208 and 2016 c 158 s 4 are each reenacted and amended to read as follows:

(1) No officer of a public or private agency, nor the superintendent, professional person in charge, his or her professional designee, or attending staff of any such agency, nor any public official performing functions necessary to the

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administration of this chapter, nor peace officer responsible for detaining a person pursuant to this chapter, nor any designated crisis responder, nor the state, a unit of local government, an evaluation and treatment facility, a secure detoxification facility, or an approved substance use disorder treatment program shall be civilly or criminally liable for performing duties pursuant to this chapter with regard to the decision of whether to admit, discharge, release, administer antipsychotic medications, or detain a person for evaluation and treatment: PROVIDED, That such duties were performed in good faith and without gross negligence.

(2) Peace officers and their employing agencies are not liable for the referral of a person, or the failure to refer a person, to a ~~((mental))~~ behavioral health agency pursuant to a policy adopted pursuant to RCW 71.05.457 if such action or inaction is taken in good faith and without gross negligence.

(3) This section does not relieve a person from giving the required notices under RCW 71.05.330(2) or 71.05.340(1)(b), or the duty to warn or to take reasonable precautions to provide protection from violent behavior where the patient has communicated an actual threat of physical violence against a reasonably identifiable victim or victims. The duty to warn or to take reasonable precautions to provide protection from violent behavior is discharged if reasonable efforts are made to communicate the threat to the victim or victims and to law enforcement personnel.

Sec. 12. RCW 71.05.132 and 2016 sp.s. c 29 s 209 are each amended to read as follows:

When any court orders a person to receive treatment under this chapter, the order shall include a statement that if the person is, or becomes, subject to supervision by the department of corrections, the person must notify the treatment provider and the person's ~~((mental health))~~ treatment ~~((information and substance use disorder treatment information))~~ records must be shared with the department of corrections for the duration of the offender's incarceration and supervision, under RCW 71.05.445. Upon a petition by a person who does not have a history of one or more violent acts, the court may, for good cause, find that public safety would not be enhanced by the sharing of this person's information.

Sec. 13. RCW 71.05.150 and 2018 c 291 s 4 are each amended to read as follows:

(1) When a designated crisis responder receives information alleging that a person, as a result of a ~~((mental))~~ behavioral health disorder, ~~((substance use disorder, or both))~~ presents a likelihood of serious harm or is gravely disabled, or that a person is in need of assisted outpatient behavioral health treatment; the designated crisis responder may, after investigation and evaluation of the specific facts alleged and of the reliability and credibility of any person providing information to initiate detention or involuntary outpatient treatment, if satisfied that the allegations are true and that the person will not voluntarily seek appropriate treatment, file a petition for initial detention under this section or a petition for involuntary outpatient behavioral health treatment under RCW 71.05.148. Before filing the petition, the designated crisis responder must personally interview the person, unless the person refuses an interview, and determine whether the person will voluntarily receive appropriate evaluation and treatment at an evaluation and treatment facility, crisis stabilization unit, triage facility, or approved substance use disorder treatment program.

(2)(a) ~~((An))~~ A written order of apprehension to detain a person with a ~~((mental))~~ behavioral health disorder to a designated evaluation and treatment facility, ~~((or to detain a person with a substance use disorder to))~~ a secure detoxification facility, or an approved substance use disorder treatment program, for not more

than a seventy-two-hour evaluation and treatment period, may be issued by a judge of the superior court upon request of a designated crisis responder, subject to (d) of this subsection, whenever it appears to the satisfaction of a judge of the superior court:

(i) That there is probable cause to support the petition; and

(ii) That the person has refused or failed to accept appropriate evaluation and treatment voluntarily.

(b) The petition for initial detention, signed under penalty of perjury, or sworn telephonic testimony may be considered by the court in determining whether there are sufficient grounds for issuing the order.

(c) The order shall designate retained counsel or, if counsel is appointed from a list provided by the court, the name, business address, and telephone number of the attorney appointed to represent the person.

(d) A court may not issue an order to detain a person to a secure detoxification facility or approved substance use disorder treatment program unless there is an available secure detoxification facility or approved substance use disorder treatment program that has adequate space for the person.

(3) The designated crisis responder shall then serve or cause to be served on such person, his or her guardian, and conservator, if any, a copy of the order together with a notice of rights, and a petition for initial detention. After service on such person the designated crisis responder shall file the return of service in court and provide copies of all papers in the court file to the evaluation and treatment facility, secure detoxification facility, or approved substance use disorder treatment program, and the designated attorney. The designated crisis responder shall notify the court and the prosecuting attorney that a probable cause hearing will be held within seventy-two hours of the date and time of outpatient evaluation or admission to the evaluation and treatment facility, secure detoxification facility, or approved substance use disorder treatment program. The person shall be permitted to be accompanied by one or more of his or her relatives, friends, an attorney, a personal physician, or other professional or religious advisor to the place of evaluation. An attorney accompanying the person to the place of evaluation shall be permitted to be present during the admission evaluation. Any other individual accompanying the person may be present during the admission evaluation. The facility may exclude the individual if his or her presence would present a safety risk, delay the proceedings, or otherwise interfere with the evaluation.

(4) The designated crisis responder may notify a peace officer to take such person or cause such person to be taken into custody and placed in an evaluation and treatment facility, secure detoxification facility, or approved substance use disorder treatment program. At the time such person is taken into custody there shall commence to be served on such person, his or her guardian, and conservator, if any, a copy of the original order together with a notice of rights and a petition for initial detention.

Sec. 14. RCW 71.05.150 and 2018 c 291 s 4 are each amended to read as follows:

(1) When a designated crisis responder receives information alleging that a person, as a result of a ~~((mental))~~ behavioral health disorder, ~~((substance use disorder, or both))~~ presents a likelihood of serious harm or is gravely disabled, or that a person is in need of assisted outpatient behavioral health treatment; the designated crisis responder may, after investigation and evaluation of the specific facts alleged and of the reliability and credibility of any person providing information to initiate detention or involuntary outpatient treatment, if satisfied that the allegations are true and that the person will not voluntarily seek appropriate treatment, file a petition for initial detention under this section or a petition for

involuntary outpatient behavioral health treatment under RCW 71.05.148. Before filing the petition, the designated crisis responder must personally interview the person, unless the person refuses an interview, and determine whether the person will voluntarily receive appropriate evaluation and treatment at an evaluation and treatment facility, crisis stabilization unit, triage facility, or approved substance use disorder treatment program.

(2)(a) ~~((An))~~ A written order of apprehension to detain a person with a ~~((mental))~~ behavioral health disorder to a designated evaluation and treatment facility, ~~((or to detain a person with a substance use disorder to))~~ a secure detoxification facility, or an approved substance use disorder treatment program, for a period of not more than ((a seventy-two hour)) five days for evaluation and treatment ~~((period))~~, may be issued by a judge of the superior court upon request of a designated crisis responder, subject to (d) of this subsection, whenever it appears to the satisfaction of a judge of the superior court:

(i) That there is probable cause to support the petition; and

(ii) That the person has refused or failed to accept appropriate evaluation and treatment voluntarily.

(b) The petition for initial detention, signed under penalty of perjury, or sworn telephonic testimony may be considered by the court in determining whether there are sufficient grounds for issuing the order.

(c) The order shall designate retained counsel or, if counsel is appointed from a list provided by the court, the name, business address, and telephone number of the attorney appointed to represent the person.

(d) A court may not issue an order to detain a person to a secure detoxification facility or approved substance use disorder treatment program unless there is an available secure detoxification facility or approved substance use disorder treatment program that has adequate space for the person.

(3) The designated crisis responder shall then serve or cause to be served on such person, his or her guardian, and conservator, if any, a copy of the order together with a notice of rights, and a petition for initial detention. After service on such person the designated crisis responder shall file the return of service in court and provide copies of all papers in the court file to the evaluation and treatment facility, secure detoxification facility, or approved substance use disorder treatment program, and the designated attorney. The designated crisis responder shall notify the court and the prosecuting attorney that a probable cause hearing will be held within ~~((seventy-two hours))~~ five days of the date and time of outpatient evaluation or admission to the evaluation and treatment facility, secure detoxification facility, or approved substance use disorder treatment program. The person shall be permitted to be accompanied by one or more of his or her relatives, friends, an attorney, a personal physician, or other professional or religious advisor to the place of evaluation. An attorney accompanying the person to the place of evaluation shall be permitted to be present during the admission evaluation. Any other individual accompanying the person may be present during the admission evaluation. The facility may exclude the individual if his or her presence would present a safety risk, delay the proceedings, or otherwise interfere with the evaluation.

(4) The designated crisis responder may notify a peace officer to take such person or cause such person to be taken into custody and placed in an evaluation and treatment facility, secure detoxification facility, or approved substance use disorder treatment program. At the time such person is taken into custody there shall commence to be served on such person, his or her guardian, and conservator, if any, a copy of the original order together with a notice of rights and a petition for initial detention.

Sec. 15. RCW 71.05.150 and 2018 c 291 s 5 are each amended to read as follows:

(1) When a designated crisis responder receives information alleging that a person, as a result of a ~~((mental))~~ behavioral health disorder, ~~((substance use disorder, or both))~~ presents a likelihood of serious harm or is gravely disabled, or that a person is in need of assisted outpatient behavioral health treatment; the designated crisis responder may, after investigation and evaluation of the specific facts alleged and of the reliability and credibility of any person providing information to initiate detention or involuntary outpatient treatment, if satisfied that the allegations are true and that the person will not voluntarily seek appropriate treatment, file a petition for initial detention under this section or a petition for involuntary outpatient behavioral health treatment under RCW 71.05.148. Before filing the petition, the designated crisis responder must personally interview the person, unless the person refuses an interview, and determine whether the person will voluntarily receive appropriate evaluation and treatment at an evaluation and treatment facility, crisis stabilization unit, triage facility, or approved substance use disorder treatment program.

(2)(a) ~~((An))~~ A written order of apprehension to detain a person with a ~~((mental))~~ behavioral health disorder to a designated evaluation and treatment facility, ~~((or to detain a person with a substance use disorder to))~~ a secure detoxification facility, or an approved substance use disorder treatment program, for a period of not more than ((a seventy-two hour)) five days for evaluation and treatment ~~((period))~~, may be issued by a judge of the superior court upon request of a designated crisis responder whenever it appears to the satisfaction of a judge of the superior court:

(i) That there is probable cause to support the petition; and

(ii) That the person has refused or failed to accept appropriate evaluation and treatment voluntarily.

(b) The petition for initial detention, signed under penalty of perjury, or sworn telephonic testimony may be considered by the court in determining whether there are sufficient grounds for issuing the order.

(c) The order shall designate retained counsel or, if counsel is appointed from a list provided by the court, the name, business address, and telephone number of the attorney appointed to represent the person.

(3) The designated crisis responder shall then serve or cause to be served on such person, his or her guardian, and conservator, if any, a copy of the order together with a notice of rights, and a petition for initial detention. After service on such person the designated crisis responder shall file the return of service in court and provide copies of all papers in the court file to the evaluation and treatment facility, secure detoxification facility, or approved substance use disorder treatment program, and the designated attorney. The designated crisis responder shall notify the court and the prosecuting attorney that a probable cause hearing will be held within ~~((seventy-two hours))~~ five days of the date and time of outpatient evaluation or admission to the evaluation and treatment facility, secure detoxification facility, or approved substance use disorder treatment program. The person shall be permitted to be accompanied by one or more of his or her relatives, friends, an attorney, a personal physician, or other professional or religious advisor to the place of evaluation. An attorney accompanying the person to the place of evaluation shall be permitted to be present during the admission evaluation. Any other individual accompanying the person may be present during the admission evaluation. The facility may exclude the individual if his or her presence would present a safety risk, delay the proceedings, or otherwise interfere with the evaluation.

(4) The designated crisis responder may notify a peace officer to take such person or cause such person to be taken into custody and placed in an evaluation and treatment facility, secure

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detoxification facility, or approved substance use disorder treatment program. At the time such person is taken into custody there shall commence to be served on such person, his or her guardian, and conservator, if any, a copy of the original order together with a notice of rights and a petition for initial detention.

Sec. 16. RCW 71.05.153 and 2016 sp.s. c 29 s 212 are each amended to read as follows:

(1) When a designated crisis responder receives information alleging that a person, as the result of a ~~((mental))~~ behavioral health disorder, presents an imminent likelihood of serious harm, or is in imminent danger because of being gravely disabled, after investigation and evaluation of the specific facts alleged and of the reliability and credibility of the person or persons providing the information if any, the designated crisis responder may take such person, or cause by oral or written order such person to be taken into emergency custody in an evaluation and treatment facility, secure detoxification facility if available with adequate space for the person, or approved substance use disorder treatment program if available with adequate space for the person, for not more than seventy-two hours as described in RCW 71.05.180.

~~(2) ((When a designated crisis responder receives information alleging that a person, as the result of substance use disorder, presents an imminent likelihood of serious harm, or is in imminent danger because of being gravely disabled, after investigation and evaluation of the specific facts alleged and of the reliability and credibility of the person or persons providing the information if any, the designated crisis responder may take the person, or cause by oral or written order the person to be taken, into emergency custody in a secure detoxification facility or approved substance use disorder treatment program for not more than seventy-two hours as described in RCW 71.05.180, if a secure detoxification facility or approved substance use disorder treatment program is available and has adequate space for the person.~~

~~(3))~~(a) Subject to (b) of this subsection, a peace officer may take or cause such person to be taken into custody and immediately delivered to a triage facility, crisis stabilization unit, evaluation and treatment facility, secure detoxification facility, approved substance use disorder treatment program, or the emergency department of a local hospital under the following circumstances:

(i) Pursuant to subsection (1) ~~((or (2)))~~ of this section; or

(ii) When he or she has reasonable cause to believe that such person is suffering from a ~~((mental))~~ behavioral health disorder ~~((or substance use disorder))~~ and presents an imminent likelihood of serious harm or is in imminent danger because of being gravely disabled.

(b) A peace officer's delivery of a person, ~~((based on a substance use disorder,))~~ to a secure detoxification facility or approved substance use disorder treatment program is subject to the availability of a secure detoxification facility or approved substance use disorder treatment program with adequate space for the person.

~~((4))~~ (3) Persons delivered to a crisis stabilization unit, evaluation and treatment facility, emergency department of a local hospital, triage facility that has elected to operate as an involuntary facility, secure detoxification facility, or approved substance use disorder treatment program by peace officers pursuant to subsection ~~((3))~~ (2) of this section may be held by the facility for a period of up to twelve hours, not counting time periods prior to medical clearance.

~~((5))~~ (4) Within three hours after arrival, not counting time periods prior to medical clearance, the person must be examined by a mental health professional or chemical dependency

professional. Within twelve hours of notice of the need for evaluation, not counting time periods prior to medical clearance, the designated crisis responder must determine whether the individual meets detention criteria. If the individual is detained, the designated crisis responder shall file a petition for detention or a supplemental petition as appropriate and commence service on the designated attorney for the detained person. If the individual is released to the community, the ~~((mental))~~ behavioral health service provider shall inform the peace officer of the release within a reasonable period of time after the release if the peace officer has specifically requested notification and provided contact information to the provider.

~~((6))~~ (5) Dismissal of a commitment petition is not the appropriate remedy for a violation of the timeliness requirements of this section based on the intent of this chapter under RCW 71.05.010 except in the few cases where the facility staff or designated ~~((mental health professional))~~ crisis responder has totally disregarded the requirements of this section.

Sec. 17. RCW 71.05.153 and 2016 sp.s. c 29 s 212 are each amended to read as follows:

(1) When a designated crisis responder receives information alleging that a person, as the result of a ~~((mental))~~ behavioral health disorder, presents an imminent likelihood of serious harm, or is in imminent danger because of being gravely disabled, after investigation and evaluation of the specific facts alleged and of the reliability and credibility of the person or persons providing the information if any, the designated crisis responder may take such person, or cause by oral or written order such person to be taken into emergency custody in an evaluation and treatment facility, secure detoxification facility if available with adequate space for the person, or approved substance use disorder treatment program if available with adequate space for the person, for not more than ~~((seventy-two hours))~~ five days as described in RCW 71.05.180.

~~(2) ((When a designated crisis responder receives information alleging that a person, as the result of substance use disorder, presents an imminent likelihood of serious harm, or is in imminent danger because of being gravely disabled, after investigation and evaluation of the specific facts alleged and of the reliability and credibility of the person or persons providing the information if any, the designated crisis responder may take the person, or cause by oral or written order the person to be taken, into emergency custody in a secure detoxification facility or approved substance use disorder treatment program for not more than seventy-two hours as described in RCW 71.05.180, if a secure detoxification facility or approved substance use disorder treatment program is available and has adequate space for the person.~~

~~(3))~~(a) Subject to (b) of this subsection, a peace officer may take or cause such person to be taken into custody and immediately delivered to a triage facility, crisis stabilization unit, evaluation and treatment facility, secure detoxification facility, approved substance use disorder treatment program, or the emergency department of a local hospital under the following circumstances:

(i) Pursuant to subsection (1) ~~((or (2)))~~ of this section; or

(ii) When he or she has reasonable cause to believe that such person is suffering from a ~~((mental))~~ behavioral health disorder ~~((or substance use disorder))~~ and presents an imminent likelihood of serious harm or is in imminent danger because of being gravely disabled.

(b) A peace officer's delivery of a person, ~~((based on a substance use disorder,))~~ to a secure detoxification facility or approved substance use disorder treatment program is subject to the availability of a secure detoxification facility or approved

substance use disorder treatment program with adequate space for the person.

~~((4))~~ (3) Persons delivered to a crisis stabilization unit, evaluation and treatment facility, emergency department of a local hospital, triage facility that has elected to operate as an involuntary facility, secure detoxification facility, or approved substance use disorder treatment program by peace officers pursuant to subsection ~~((3))~~ (2) of this section may be held by the facility for a period of up to twelve hours, not counting time periods prior to medical clearance.

~~((5))~~ (4) Within three hours after arrival, not counting time periods prior to medical clearance, the person must be examined by a mental health professional or chemical dependency professional. Within twelve hours of notice of the need for evaluation, not counting time periods prior to medical clearance, the designated crisis responder must determine whether the individual meets detention criteria. If the individual is detained, the designated crisis responder shall file a petition for detention or a supplemental petition as appropriate and commence service on the designated attorney for the detained person. If the individual is released to the community, the ~~((mental))~~ behavioral health service provider shall inform the peace officer of the release within a reasonable period of time after the release if the peace officer has specifically requested notification and provided contact information to the provider.

~~((6))~~ (5) Dismissal of a commitment petition is not the appropriate remedy for a violation of the timeliness requirements of this section based on the intent of this chapter under RCW 71.05.010 except in the few cases where the facility staff or designated ~~((mental health professional))~~ crisis responder has totally disregarded the requirements of this section.

Sec. 18. RCW 71.05.153 and 2016 sp.s. c 29 s 213 are each amended to read as follows:

(1) When a designated crisis responder receives information alleging that a person, as the result of a ~~((mental))~~ behavioral health disorder, presents an imminent likelihood of serious harm, or is in imminent danger because of being gravely disabled, after investigation and evaluation of the specific facts alleged and of the reliability and credibility of the person or persons providing the information if any, the designated crisis responder may take such person, or cause by oral or written order such person to be taken into emergency custody in an evaluation and treatment facility, secure detoxification facility, or approved substance use disorder treatment program, for not more than ~~((seventy two hours))~~ five days as described in RCW 71.05.180.

~~(2) ((When a designated crisis responder receives information alleging that a person, as the result of substance use disorder, presents an imminent likelihood of serious harm, or is in imminent danger because of being gravely disabled, after investigation and evaluation of the specific facts alleged and of the reliability and credibility of the person or persons providing the information if any, the designated crisis responder may take the person, or cause by oral or written order the person to be taken, into emergency custody in a secure detoxification facility or approved substance use disorder treatment program for not more than seventy two hours as described in RCW 71.05.180.~~

(3) A peace officer may take or cause such person to be taken into custody and immediately delivered to a triage facility, crisis stabilization unit, evaluation and treatment facility, secure detoxification facility, approved substance use disorder treatment program, or the emergency department of a local hospital under the following circumstances:

- (a) Pursuant to subsection (1) ~~((or (2)))~~ of this section; or
- (b) When he or she has reasonable cause to believe that such person is suffering from a ~~((mental))~~ behavioral health disorder

~~((or substance use disorder))~~ and presents an imminent likelihood of serious harm or is in imminent danger because of being gravely disabled.

~~((4))~~ (3) Persons delivered to a crisis stabilization unit, evaluation and treatment facility, emergency department of a local hospital, triage facility that has elected to operate as an involuntary facility, secure detoxification facility, or approved substance use disorder treatment program by peace officers pursuant to subsection ~~((3))~~ (2) of this section may be held by the facility for a period of up to twelve hours, not counting time periods prior to medical clearance.

~~((5))~~ (4) Within three hours after arrival, not counting time periods prior to medical clearance, the person must be examined by a mental health professional or chemical dependency professional, whichever is more appropriate to the person's presentation. Within twelve hours of notice of the need for evaluation, not counting time periods prior to medical clearance, the designated crisis responder must determine whether the individual meets detention criteria. If the individual is detained, the designated crisis responder shall file a petition for detention or a supplemental petition as appropriate and commence service on the designated attorney for the detained person. If the individual is released to the community, the ~~((mental))~~ behavioral health service provider shall inform the peace officer of the release within a reasonable period of time after the release if the peace officer has specifically requested notification and provided contact information to the provider.

~~((6))~~ (5) Dismissal of a commitment petition is not the appropriate remedy for a violation of the timeliness requirements of this section based on the intent of this chapter under RCW 71.05.010 except in the few cases where the facility staff or designated ~~((mental health professional))~~ crisis responder has totally disregarded the requirements of this section.

Sec. 19. RCW 71.05.160 and 2016 sp.s. c 29 s 217 are each amended to read as follows:

(1) Any facility receiving a person pursuant to RCW 71.05.150 or 71.05.153 shall require the designated crisis responder to prepare a petition for initial detention stating the circumstances under which the person's condition was made known and stating that there is evidence, as a result of his or her personal observation or investigation, that the actions of the person for which application is made constitute a likelihood of serious harm, or that he or she is gravely disabled, and stating the specific facts known to him or her as a result of his or her personal observation or investigation, upon which he or she bases the belief that such person should be detained for the purposes and under the authority of this chapter.

(2)(a) If a person is involuntarily placed in an evaluation and treatment facility, secure detoxification facility, or approved substance use disorder treatment program pursuant to RCW 71.05.150 or 71.05.153, on the next judicial day following the initial detention, the designated crisis responder shall file with the court and serve the designated attorney of the detained person the petition or supplemental petition for initial detention, proof of service of notice, and a copy of a notice of emergency detention.

(b) If the person is involuntarily detained at an evaluation and treatment facility, secure detoxification facility, or approved substance use disorder treatment program in a different county from where the person was initially detained, the facility or program may file with the court and serve the designated attorney of the detained person the petition or supplemental petition for initial detention, proof of service of notice, and a copy of a notice of emergency detention at the request of the designated crisis responder.

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Sec. 20. RCW 71.05.170 and 2016 sp.s. c 29 s 218 are each amended to read as follows:

Whenever the designated crisis responder petitions for detention of a person whose actions constitute a likelihood of serious harm, or who is gravely disabled, the facility providing ~~((seventy-two hour))~~ five-day evaluation and treatment must immediately accept on a provisional basis the petition and the person. The facility shall then evaluate the person's condition and admit, detain, transfer, or discharge such person in accordance with RCW 71.05.210. The facility shall notify in writing the court and the designated crisis responder of the date and time of the initial detention of each person involuntarily detained in order that a probable cause hearing shall be held no later than ~~((seventy-two hours))~~ five days after detention.

The duty of a state hospital to accept persons for evaluation and treatment under this section shall be limited by chapter 71.24 RCW.

Sec. 21. RCW 71.05.180 and 2016 sp.s. c 29 s 219 are each amended to read as follows:

If the evaluation and treatment facility, secure detoxification facility, or approved substance use disorder treatment program admits the person, it may detain him or her for evaluation and treatment for a period not to exceed ~~((seventy-two hours))~~ five days from the time of acceptance as set forth in RCW 71.05.170. The computation of such ~~((seventy-two hour))~~ five-day period shall exclude Saturdays, Sundays, and holidays.

Sec. 22. RCW 71.05.190 and 2016 sp.s. c 29 s 220 are each amended to read as follows:

If the person is not approved for admission by a facility providing ~~((seventy-two hour))~~ five-day evaluation and treatment, and the individual has not been arrested, the facility shall furnish transportation, if not otherwise available, for the person to his or her place of residence or other appropriate place. If the individual has been arrested, the evaluation and treatment facility, secure detoxification facility, or approved substance use disorder treatment program shall detain the individual for not more than eight hours at the request of the peace officer. The facility shall make reasonable attempts to contact the requesting peace officer during this time to inform the peace officer that the person is not approved for admission in order to enable a peace officer to return to the facility and take the individual back into custody.

Sec. 23. RCW 71.05.195 and 2016 sp.s. c 29 s 221 are each amended to read as follows:

(1) A civil commitment may be initiated under the procedures described in RCW 71.05.150 or 71.05.153 for a person who has been found not guilty by reason of insanity in a state other than Washington and who has fled from detention, commitment, or conditional release in that state, on the basis of a request by the state in which the person was found not guilty by reason of insanity for the person to be detained and transferred back to the custody or care of the requesting state. A finding of likelihood of serious harm or grave disability is not required for a commitment under this section. The detention may occur at either an evaluation and treatment facility or a state hospital. The petition for ~~((seventy-two hour))~~ five-day detention filed by the designated crisis responder must be accompanied by the following documents:

(a) A copy of an order for detention, commitment, or conditional release of the person in a state other than Washington on the basis of a judgment of not guilty by reason of insanity;

(b) A warrant issued by a magistrate in the state in which the person was found not guilty by reason of insanity indicating that the person has fled from detention, commitment, or conditional

release in that state and authorizing the detention of the person within the state in which the person was found not guilty by reason of insanity;

(c) A statement from the executive authority of the state in which the person was found not guilty by reason of insanity requesting that the person be returned to the requesting state and agreeing to facilitate the transfer of the person to the requesting state.

(2) The person shall be entitled to a probable cause hearing within the time limits applicable to other detentions under this chapter and shall be afforded the rights described in this chapter including the right to counsel. At the probable cause hearing, the court shall determine the identity of the person and whether the other requirements of this section are met. If the court so finds, the court may order continued detention in a treatment facility for up to thirty days for the purpose of the transfer of the person to the custody or care of the requesting state. The court may order a less restrictive alternative to detention only under conditions which ensure the person's safe transfer to the custody or care of the requesting state within thirty days without undue risk to the safety of the person or others.

(3) For the purposes of this section, "not guilty by reason of insanity" shall be construed to include any provision of law which is generally equivalent to a finding of criminal insanity within the state of Washington; and "state" shall be construed to mean any state, district, or territory of the United States.

Sec. 24. RCW 71.05.201 and 2018 c 291 s 11 are each amended to read as follows:

(1) If a designated crisis responder decides not to detain a person for evaluation and treatment under RCW 71.05.150 or 71.05.153 or forty-eight hours have elapsed since a designated crisis responder received a request for investigation and the designated crisis responder has not taken action to have the person detained, an immediate family member or guardian or conservator of the person may petition the superior court for the person's initial detention.

(2) A petition under this section must be filed within ten calendar days following the designated crisis responder investigation or the request for a designated crisis responder investigation. If more than ten days have elapsed, the immediate family member, guardian, or conservator may request a new designated crisis responder investigation.

(3)(a) The petition must be filed in the county in which the designated crisis responder investigation occurred or was requested to occur and must be submitted on forms developed by the administrative office of the courts for this purpose. The petition must be accompanied by a sworn declaration from the petitioner, and other witnesses if desired, describing why the person should be detained for evaluation and treatment. The description of why the person should be detained may contain, but is not limited to, the information identified in RCW 71.05.212.

(b) The petition must contain:

(i) A description of the relationship between the petitioner and the person; and

(ii) The date on which an investigation was requested from the designated crisis responder.

(4) The court shall, within one judicial day, review the petition to determine whether the petition raises sufficient evidence to support the allegation. If the court so finds, it shall provide a copy of the petition to the designated crisis responder agency with an order for the agency to provide the court, within one judicial day, with a written sworn statement describing the basis for the decision not to seek initial detention and a copy of all information material to the designated crisis responder's current decision.

(5) Following the filing of the petition and before the court reaches a decision, any person, including a mental health professional, may submit a sworn declaration to the court in support of or in opposition to initial detention.

(6) The court shall dismiss the petition at any time if it finds that a designated crisis responder has filed a petition for the person's initial detention under RCW 71.05.150 or 71.05.153 or that the person has voluntarily accepted appropriate treatment.

(7) The court must issue a final ruling on the petition within five judicial days after it is filed. After reviewing all of the information provided to the court, the court may enter an order for initial detention or an order instructing the designated crisis responder to file a petition for assisted outpatient behavioral health treatment if the court finds that: (a) There is probable cause to support a petition for detention or assisted outpatient behavioral health treatment; and (b) the person has refused or failed to accept appropriate evaluation and treatment voluntarily. The court shall transmit its final decision to the petitioner.

(8) If the court enters an order for initial detention, it shall provide the order to the designated crisis responder agency and issue a written order for apprehension ~~((of the person by a peace officer for delivery of the person to a facility or emergency room determined by the designated crisis responder))~~. The designated crisis responder agency serving the jurisdiction of the court must collaborate and coordinate with law enforcement regarding apprehensions and detentions under this subsection, including sharing of information relating to risk and which would assist in locating the person. A person may not be detained to jail pursuant to a written order issued under this subsection. An order for detention under this section should contain the advisement of rights which the person would receive if the person were detained by a designated crisis responder. An order for initial detention under this section expires one hundred eighty days from issuance.

(9) Except as otherwise expressly stated in this chapter, all procedures must be followed as if the order had been entered under RCW 71.05.150. RCW 71.05.160 does not apply if detention was initiated under the process set forth in this section.

(10) For purposes of this section, "immediate family member" means a spouse, domestic partner, child, stepchild, parent, stepparent, grandparent, or sibling.

Sec. 25. RCW 71.05.210 and 2017 3rd sp.s. c 14 s 15 are each amended to read as follows:

(1) Each person involuntarily detained and accepted or admitted at an evaluation and treatment facility, secure detoxification facility, or approved substance use disorder treatment program:

(a) Shall, within twenty-four hours of his or her admission or acceptance at the facility, not counting time periods prior to medical clearance, be examined and evaluated by:

(i) One physician, physician assistant, or advanced registered nurse practitioner; and

(ii) One mental health professional. If the person is detained for substance use disorder evaluation and treatment, the person may be examined by a chemical dependency professional instead of a mental health professional; and

(b) Shall receive such treatment and care as his or her condition requires including treatment on an outpatient basis for the period that he or she is detained, except that, beginning twenty-four hours prior to a trial or hearing pursuant to RCW 71.05.215, 71.05.240, 71.05.310, 71.05.320, 71.05.590, or 71.05.217, the individual may refuse psychiatric medications, but may not refuse: (i) Any other medication previously prescribed by a person licensed under Title 18 RCW; or (ii) emergency lifesaving treatment, and the individual shall be informed at an appropriate time of his or her right of such refusal. The person shall be

detained up to ~~((seventy-two hours))~~ five days, if, in the opinion of the professional person in charge of the facility, or his or her professional designee, the person presents a likelihood of serious harm, or is gravely disabled. A person who has been detained for ~~((seventy-two hours))~~ five days shall no later than the end of such period be released, unless referred for further care on a voluntary basis, or detained pursuant to court order for further treatment as provided in this chapter.

(2) If, after examination and evaluation, the mental health professional or chemical dependency professional and licensed physician, physician assistant, or psychiatric advanced registered nurse practitioner determine that the initial needs of the person, if detained to an evaluation and treatment facility, would be better served by placement in a substance use disorder treatment program, or, if detained to a secure detoxification facility or approved substance use disorder treatment program, would be better served in an evaluation and treatment facility than the person shall be referred to the more appropriate placement; however, a person may only be referred to a secure detoxification facility or approved substance use disorder treatment program if there is an available secure detoxification facility or approved substance use disorder treatment program with adequate space for the person.

(3) An evaluation and treatment center, secure detoxification facility, or approved substance use disorder treatment program admitting or accepting any person pursuant to this chapter whose physical condition reveals the need for hospitalization shall assure that such person is transferred to an appropriate hospital for evaluation or admission for treatment. Notice of such fact shall be given to the court, the designated attorney, and the designated crisis responder and the court shall order such continuance in proceedings under this chapter as may be necessary, but in no event may this continuance be more than fourteen days.

Sec. 26. RCW 71.05.210 and 2017 3rd sp.s. c 14 s 16 are each amended to read as follows:

(1) Each person involuntarily detained and accepted or admitted at an evaluation and treatment facility, secure detoxification facility, or approved substance use disorder treatment program:

(a) Shall, within twenty-four hours of his or her admission or acceptance at the facility, not counting time periods prior to medical clearance, be examined and evaluated by:

(i) One physician, physician assistant, or advanced registered nurse practitioner; and

(ii) One mental health professional. If the person is detained for substance use disorder evaluation and treatment, the person may be examined by a chemical dependency professional instead of a mental health professional; and

(b) Shall receive such treatment and care as his or her condition requires including treatment on an outpatient basis for the period that he or she is detained, except that, beginning twenty-four hours prior to a trial or hearing pursuant to RCW 71.05.215, 71.05.240, 71.05.310, 71.05.320, 71.05.590, or 71.05.217, the individual may refuse psychiatric medications, but may not refuse: (i) Any other medication previously prescribed by a person licensed under Title 18 RCW; or (ii) emergency lifesaving treatment, and the individual shall be informed at an appropriate time of his or her right of such refusal. The person shall be detained up to ~~((seventy-two hours))~~ five days, if, in the opinion of the professional person in charge of the facility, or his or her professional designee, the person presents a likelihood of serious harm, or is gravely disabled. A person who has been detained for ~~((seventy-two hours))~~ five days shall no later than the end of such period be released, unless referred for further care on a voluntary

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basis, or detained pursuant to court order for further treatment as provided in this chapter.

(2) If, after examination and evaluation, the mental health professional or chemical dependency professional and licensed physician, physician assistant, or psychiatric advanced registered nurse practitioner determine that the initial needs of the person, if detained to an evaluation and treatment facility, would be better served by placement in a substance use disorder treatment program, or, if detained to a secure detoxification facility or approved substance use disorder treatment program, would be better served in an evaluation and treatment facility than the person shall be referred to the more appropriate placement.

(3) An evaluation and treatment center, secure detoxification facility, or approved substance use disorder treatment program admitting or accepting any person pursuant to this chapter whose physical condition reveals the need for hospitalization shall assure that such person is transferred to an appropriate hospital for evaluation or admission for treatment. Notice of such fact shall be given to the court, the designated attorney, and the designated crisis responder and the court shall order such continuance in proceedings under this chapter as may be necessary, but in no event may this continuance be more than fourteen days.

Sec. 27. RCW 71.05.212 and 2018 c 291 s 13 are each amended to read as follows:

(1) Whenever a designated crisis responder or professional person is conducting an evaluation under this chapter, consideration shall include all reasonably available information from credible witnesses and records regarding:

(a) Prior recommendations for evaluation of the need for civil commitments when the recommendation is made pursuant to an evaluation conducted under chapter 10.77 RCW;

(b) Historical behavior, including history of one or more violent acts;

(c) Prior determinations of incompetency or insanity under chapter 10.77 RCW; and

(d) Prior commitments under this chapter.

(2) Credible witnesses may include family members, landlords, neighbors, or others with significant contact and history of involvement with the person. If the designated crisis responder relies upon information from a credible witness in reaching his or her decision to detain the individual, then he or she must provide contact information for any such witness to the prosecutor. The designated crisis responder or prosecutor shall provide notice of the date, time, and location of the probable cause hearing to such a witness.

(3) Symptoms and behavior of the respondent which standing alone would not justify civil commitment may support a finding of grave disability or likelihood of serious harm, or a finding that the person is in need of assisted outpatient behavioral health treatment, when:

(a) Such symptoms or behavior are closely associated with symptoms or behavior which preceded and led to a past incident of involuntary hospitalization, severe deterioration from safe behavior, or one or more violent acts;

(b) These symptoms or behavior represent a marked and concerning change in the baseline behavior of the respondent; and

(c) Without treatment, the continued deterioration of the respondent is probable.

(4) When conducting an evaluation for offenders identified under RCW 72.09.370, the designated crisis responder or professional person shall consider an offender's history of judicially required or administratively ordered antipsychotic medication while in confinement.

Sec. 28. RCW 71.05.214 and 2018 c 201 s 3007 are each amended to read as follows:

The authority shall develop statewide protocols to be utilized by professional persons and designated crisis responders in administration of this chapter and chapters 10.77 and 71.34 RCW. The protocols shall be updated at least every three years. The protocols shall provide uniform development and application of criteria in evaluation and commitment recommendations, of persons who have, or are alleged to have, ~~((mental disorders or substance use))~~ behavioral health disorders and are subject to this chapter.

The initial protocols shall be developed not later than September 1, 1999. The authority shall develop and update the protocols in consultation with representatives of designated crisis responders, the department of social and health services, local government, law enforcement, county and city prosecutors, public defenders, and groups concerned with ~~((mental illness and substance use))~~ behavioral health disorders. The protocols shall be submitted to the governor and legislature upon adoption by the authority.

Sec. 29. RCW 71.05.215 and 2018 c 201 s 3008 are each amended to read as follows:

(1) A person found to be gravely disabled or ~~((presents))~~ to present a likelihood of serious harm as a result of a ~~((mental disorder or substance use))~~ behavioral health disorder has a right to refuse antipsychotic medication unless it is determined that the failure to medicate may result in a likelihood of serious harm or substantial deterioration or substantially prolong the length of involuntary commitment and there is no less intrusive course of treatment than medication in the best interest of that person.

(2) The authority shall adopt rules to carry out the purposes of this chapter. These rules shall include:

(a) An attempt to obtain the informed consent of the person prior to administration of antipsychotic medication.

(b) For short-term treatment up to thirty days, the right to refuse antipsychotic medications unless there is an additional concurring medical opinion approving medication by a psychiatrist, physician assistant working with a supervising psychiatrist, psychiatric advanced registered nurse practitioner, or physician assistant in consultation with a mental health professional with prescriptive authority.

(c) For continued treatment beyond thirty days through the hearing on any petition filed under RCW 71.05.217, the right to periodic review of the decision to medicate by the medical director or designee.

(d) Administration of antipsychotic medication in an emergency and review of this decision within twenty-four hours. An emergency exists if the person presents an imminent likelihood of serious harm, and medically acceptable alternatives to administration of antipsychotic medications are not available or are unlikely to be successful; and in the opinion of the physician, physician assistant, or psychiatric advanced registered nurse practitioner, the person's condition constitutes an emergency requiring the treatment be instituted prior to obtaining a second medical opinion.

(e) Documentation in the medical record of the attempt by the physician, physician assistant, or psychiatric advanced registered nurse practitioner to obtain informed consent and the reasons why antipsychotic medication is being administered over the person's objection or lack of consent.

Sec. 30. RCW 71.05.217 and 2016 c 155 s 4 are each amended to read as follows:

(1) Insofar as danger to the individual or others is not created, each person involuntarily detained, treated in a less restrictive

alternative course of treatment, or committed for treatment and evaluation pursuant to this chapter shall have, in addition to other rights not specifically withheld by law, the following rights, a list of which shall be prominently posted in all facilities, institutions, and hospitals providing such services:

~~((4))~~ (a) To wear his or her own clothes and to keep and use his or her own personal possessions, except when deprivation of same is essential to protect the safety of the resident or other persons;

~~((2))~~ (b) To keep and be allowed to spend a reasonable sum of his or her own money for canteen expenses and small purchases;

~~((3))~~ (c) To have access to individual storage space for his or her private use;

~~((4))~~ (d) To have visitors at reasonable times;

~~((5))~~ (e) To have reasonable access to a telephone, both to make and receive confidential calls;

~~((6))~~ (f) To have ready access to letter writing materials, including stamps, and to send and receive uncensored correspondence through the mails;

~~((7))~~ (g) To have the right to individualized care and adequate treatment;

(h) To discuss treatment plans and decisions with professional persons;

(i) To not be denied access to treatment by spiritual means through prayer in accordance with the tenets and practices of a church or religious denomination in addition to the treatment otherwise proposed;

(j) Not to consent to the administration of antipsychotic medications beyond the hearing conducted pursuant to RCW 71.05.320(4) or the performance of electroconvulsant therapy or surgery, except emergency lifesaving surgery, unless ordered by a court of competent jurisdiction pursuant to the following standards and procedures:

~~((8))~~ (i) The administration of antipsychotic medication or electroconvulsant therapy shall not be ordered unless the petitioning party proves by clear, cogent, and convincing evidence that there exists a compelling state interest that justifies overriding the patient's lack of consent to the administration of antipsychotic medications or electroconvulsant therapy, that the proposed treatment is necessary and effective, and that medically acceptable alternative forms of treatment are not available, have not been successful, or are not likely to be effective.

~~((9))~~ (ii) The court shall make specific findings of fact concerning: ~~((4))~~ (A) The existence of one or more compelling state interests; ~~((4))~~ (B) The necessity and effectiveness of the treatment; and ~~((4))~~ (C) the person's desires regarding the proposed treatment. If the patient is unable to make a rational and informed decision about consenting to or refusing the proposed treatment, the court shall make a substituted judgment for the patient as if he or she were competent to make such a determination.

~~((9))~~ (iii) The person shall be present at any hearing on a request to administer antipsychotic medication or electroconvulsant therapy filed pursuant to this subsection. The person has the right: ~~((4))~~ (A) To be represented by an attorney; ~~((4))~~ (B) to present evidence; ~~((4))~~ (C) to cross-examine witnesses; ~~((4))~~ (D) to have the rules of evidence enforced; ~~((4))~~ (E) to remain silent; ~~((4))~~ (F) to view and copy all petitions and reports in the court file; and ~~((4))~~ (G) to be given reasonable notice and an opportunity to prepare for the hearing. The court may appoint a psychiatrist, physician assistant working with a supervising psychiatrist, psychiatric advanced registered nurse practitioner, psychologist within their scope of practice, physician assistant, or physician to examine and testify on behalf of such person. The court shall appoint a psychiatrist, physician

assistant working with a supervising psychiatrist, psychiatric advanced registered nurse practitioner, psychologist within their scope of practice, physician assistant, or physician designated by such person or the person's counsel to testify on behalf of the person in cases where an order for electroconvulsant therapy is sought.

~~((4))~~ (iv) An order for the administration of antipsychotic medications entered following a hearing conducted pursuant to this section shall be effective for the period of the current involuntary treatment order, and any interim period during which the person is awaiting trial or hearing on a new petition for involuntary treatment or involuntary medication.

~~((9))~~ (v) Any person detained pursuant to RCW 71.05.320(4), who subsequently refuses antipsychotic medication, shall be entitled to the procedures set forth in this subsection.

~~((4))~~ (vi) Antipsychotic medication may be administered to a nonconsenting person detained or committed pursuant to this chapter without a court order pursuant to RCW 71.05.215(2) or under the following circumstances:

~~((4))~~ (A) A person presents an imminent likelihood of serious harm;

~~((4))~~ (B) Medically acceptable alternatives to administration of antipsychotic medications are not available, have not been successful, or are not likely to be effective; and

~~((4))~~ (C) In the opinion of the physician, physician assistant, or psychiatric advanced registered nurse practitioner with responsibility for treatment of the person, or his or her designee, the person's condition constitutes an emergency requiring the treatment be instituted before a judicial hearing as authorized pursuant to this section can be held.

If antipsychotic medications are administered over a person's lack of consent pursuant to this subsection, a petition for an order authorizing the administration of antipsychotic medications shall be filed on the next judicial day. The hearing shall be held within two judicial days. If deemed necessary by the physician, physician assistant, or psychiatric advanced registered nurse practitioner with responsibility for the treatment of the person, administration of antipsychotic medications may continue until the hearing is held;

~~((8))~~ (k) To dispose of property and sign contracts unless such person has been adjudicated an incompetent in a court proceeding directed to that particular issue;

~~((9))~~ (l) Not to have psychosurgery performed on him or her under any circumstances.

(2) Every person involuntarily detained or committed under the provisions of this chapter is entitled to all the rights set forth in this chapter and retains all rights not denied him or her under this chapter except as limited by chapter 9.41 RCW.

(3) No person may be presumed incompetent as a consequence of receiving evaluation or treatment for a behavioral health disorder. Competency may not be determined or withdrawn except under the provisions of chapter 10.77 or 11.88 RCW.

(4) Subject to RCW 71.05.745 and related regulations, persons receiving evaluation or treatment under this chapter must be given a reasonable choice of an available physician, physician assistant, psychiatric advanced registered nurse practitioner, or other professional person qualified to provide such services.

(5) Whenever any person is detained under this chapter, the person must be advised that unless the person is released or voluntarily admits himself or herself for treatment within seventy-two hours of the initial detention, a judicial hearing must be held in a superior court within seventy-two hours to determine whether there is probable cause to detain the person for up to an additional fourteen days based on an allegation that because of a behavioral health disorder the person presents a likelihood of serious harm

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or is gravely disabled, and that at the probable cause hearing the person has the following rights:

(a) To communicate immediately with an attorney; to have an attorney appointed if the person is indigent; and to be told the name and address of the attorney that has been designated;

(b) To remain silent, and to know that any statement the person makes may be used against him or her;

(c) To present evidence on the person's behalf;

(d) To cross-examine witnesses who testify against him or her;

(e) To be proceeded against by the rules of evidence;

(f) To have the court appoint a reasonably available independent professional person to examine the person and testify in the hearing, at public expense unless the person is able to bear the cost;

(g) To view and copy all petitions and reports in the court file; and

(h) To refuse psychiatric medications, including antipsychotic medication beginning twenty-four hours prior to the probable cause hearing.

(6) The judicial hearing described in subsection (5) of this section must be held according to the provisions of subsection (5) of this section and rules promulgated by the supreme court.

(7)(a) Privileges between patients and physicians, physician assistants, psychologists, or psychiatric advanced registered nurse practitioners are deemed waived in proceedings under this chapter relating to the administration of antipsychotic medications. As to other proceedings under this chapter, the privileges are waived when a court of competent jurisdiction in its discretion determines that such waiver is necessary to protect either the detained person or the public.

(b) The waiver of a privilege under this section is limited to records or testimony relevant to evaluation of the detained person for purposes of a proceeding under this chapter. Upon motion by the detained person or on its own motion, the court shall examine a record or testimony sought by a petitioner to determine whether it is within the scope of the waiver.

(c) The record maker may not be required to testify in order to introduce medical or psychological records of the detained person so long as the requirements of RCW 5.45.020 are met except that portions of the record which contain opinions as to the detained person's mental state must be deleted from such records unless the person making such conclusions is available for cross-examination.

(8) Nothing contained in this chapter prohibits the patient from petitioning by writ of habeas corpus for release.

(9) Nothing in this section permits any person to knowingly violate a no-contact order or a condition of an active judgment and sentence or an active condition of supervision by the department of corrections.

(10) The rights set forth under this section apply equally to ninety-day or one hundred eighty-day hearings under RCW 71.05.310.

Sec. 31. RCW 71.05.217 and 2016 c 155 s 4 are each amended to read as follows:

(1) Insofar as danger to the individual or others is not created, each person involuntarily detained, treated in a less restrictive alternative course of treatment, or committed for treatment and evaluation pursuant to this chapter shall have, in addition to other rights not specifically withheld by law, the following rights, a list of which shall be prominently posted in all facilities, institutions, and hospitals providing such services:

((4)) (a) To wear his or her own clothes and to keep and use his or her own personal possessions, except when deprivation of same is essential to protect the safety of the resident or other persons;

((2)) (b) To keep and be allowed to spend a reasonable sum of his or her own money for canteen expenses and small purchases;

((3)) (c) To have access to individual storage space for his or her private use;

((4)) (d) To have visitors at reasonable times;

((5)) (e) To have reasonable access to a telephone, both to make and receive confidential calls;

((6)) (f) To have ready access to letter writing materials, including stamps, and to send and receive uncensored correspondence through the mails;

((7)) (g) To have the right to individualized care and adequate treatment;

(h) To discuss treatment plans and decisions with professional persons;

(i) To not be denied access to treatment by spiritual means through prayer in accordance with the tenets and practices of a church or religious denomination in addition to the treatment otherwise proposed;

(j) Not to consent to the administration of antipsychotic medications beyond the hearing conducted pursuant to RCW 71.05.320(4) or the performance of electroconvulsant therapy or surgery, except emergency lifesaving surgery, unless ordered by a court of competent jurisdiction pursuant to the following standards and procedures:

((8)) (i) The administration of antipsychotic medication or electroconvulsant therapy shall not be ordered unless the petitioning party proves by clear, cogent, and convincing evidence that there exists a compelling state interest that justifies overriding the patient's lack of consent to the administration of antipsychotic medications or electroconvulsant therapy, that the proposed treatment is necessary and effective, and that medically acceptable alternative forms of treatment are not available, have not been successful, or are not likely to be effective.

((9)) (ii) The court shall make specific findings of fact concerning: ((+)) (A) The existence of one or more compelling state interests; ((+)) (B) the necessity and effectiveness of the treatment; and ((+)) (C) the person's desires regarding the proposed treatment. If the patient is unable to make a rational and informed decision about consenting to or refusing the proposed treatment, the court shall make a substituted judgment for the patient as if he or she were competent to make such a determination.

((10)) (iii) The person shall be present at any hearing on a request to administer antipsychotic medication or electroconvulsant therapy filed pursuant to this subsection. The person has the right: ((+)) (A) To be represented by an attorney; ((+)) (B) to present evidence; ((+)) (C) to cross-examine witnesses; ((+)) (D) to have the rules of evidence enforced; ((+)) (E) to remain silent; ((+)) (F) to view and copy all petitions and reports in the court file; and ((+)) (G) to be given reasonable notice and an opportunity to prepare for the hearing.

The court may appoint a psychiatrist, physician assistant working with a supervising psychiatrist, psychiatric advanced registered nurse practitioner, psychologist within their scope of practice, physician assistant, or physician to examine and testify on behalf of such person. The court shall appoint a psychiatrist, physician assistant working with a supervising psychiatrist, psychiatric advanced registered nurse practitioner, psychologist within their scope of practice, physician assistant, or physician designated by such person or the person's counsel to testify on behalf of the person in cases where an order for electroconvulsant therapy is sought.

((11)) (iv) An order for the administration of antipsychotic medications entered following a hearing conducted pursuant to

this section shall be effective for the period of the current involuntary treatment order, and any interim period during which the person is awaiting trial or hearing on a new petition for involuntary treatment or involuntary medication.

~~((e))~~ (v) Any person detained pursuant to RCW 71.05.320(4), who subsequently refuses antipsychotic medication, shall be entitled to the procedures set forth in this subsection.

~~((f))~~ (vi) Antipsychotic medication may be administered to a nonconsenting person detained or committed pursuant to this chapter without a court order pursuant to RCW 71.05.215(2) or under the following circumstances:

~~((g))~~ (A) A person presents an imminent likelihood of serious harm;

~~((h))~~ (B) Medically acceptable alternatives to administration of antipsychotic medications are not available, have not been successful, or are not likely to be effective; and

~~((i))~~ (C) In the opinion of the physician, physician assistant, or psychiatric advanced registered nurse practitioner with responsibility for treatment of the person, or his or her designee, the person's condition constitutes an emergency requiring the treatment be instituted before a judicial hearing as authorized pursuant to this section can be held.

If antipsychotic medications are administered over a person's lack of consent pursuant to this subsection, a petition for an order authorizing the administration of antipsychotic medications shall be filed on the next judicial day. The hearing shall be held within two judicial days. If deemed necessary by the physician, physician assistant, or psychiatric advanced registered nurse practitioner with responsibility for the treatment of the person, administration of antipsychotic medications may continue until the hearing is held;

~~((j))~~ (k) To dispose of property and sign contracts unless such person has been adjudicated an incompetent in a court proceeding directed to that particular issue;

~~((l))~~ (l) Not to have psychosurgery performed on him or her under any circumstances.

(2) Every person involuntarily detained or committed under the provisions of this chapter is entitled to all the rights set forth in this chapter and retains all rights not denied him or her under this chapter except as limited by chapter 9.41 RCW.

(3) No person may be presumed incompetent as a consequence of receiving evaluation or treatment for a behavioral health disorder. Competency may not be determined or withdrawn except under the provisions of chapter 10.77 or 11.88 RCW.

(4) Subject to RCW 71.05.745 and related regulations, persons receiving evaluation or treatment under this chapter must be given a reasonable choice of an available physician, physician assistant, psychiatric advanced registered nurse practitioner, or other professional person qualified to provide such services.

(5) Whenever any person is detained under this chapter, the person must be advised that unless the person is released or voluntarily admits himself or herself for treatment within five days of the initial detention, a judicial hearing must be held in a superior court within five days to determine whether there is probable cause to detain the person for up to an additional fourteen days based on an allegation that because of a behavioral health disorder the person presents a likelihood of serious harm or is gravely disabled, and that at the probable cause hearing the person has the following rights:

(a) To communicate immediately with an attorney; to have an attorney appointed if the person is indigent; and to be told the name and address of the attorney that has been designated;

(b) To remain silent, and to know that any statement the person makes may be used against him or her;

(c) To present evidence on the person's behalf;

(d) To cross-examine witnesses who testify against him or her;

(e) To be proceeded against by the rules of evidence;

(f) To have the court appoint a reasonably available independent professional person to examine the person and testify in the hearing, at public expense unless the person is able to bear the cost;

(g) To view and copy all petitions and reports in the court file; and

(h) To refuse psychiatric medications, including antipsychotic medication beginning twenty-four hours prior to the probable cause hearing.

(6) The judicial hearing described in subsection (5) of this section must be held according to the provisions of subsection (5) of this section and rules promulgated by the supreme court.

(7)(a) Privileges between patients and physicians, physician assistants, psychologists, or psychiatric advanced registered nurse practitioners are deemed waived in proceedings under this chapter relating to the administration of antipsychotic medications. As to other proceedings under this chapter, the privileges are waived when a court of competent jurisdiction in its discretion determines that such waiver is necessary to protect either the detained person or the public.

(b) The waiver of a privilege under this section is limited to records or testimony relevant to evaluation of the detained person for purposes of a proceeding under this chapter. Upon motion by the detained person or on its own motion, the court shall examine a record or testimony sought by a petitioner to determine whether it is within the scope of the waiver.

(c) The record maker may not be required to testify in order to introduce medical or psychological records of the detained person so long as the requirements of RCW 5.45.020 are met except that portions of the record which contain opinions as to the detained person's mental state must be deleted from such records unless the person making such conclusions is available for cross-examination.

(8) Nothing contained in this chapter prohibits the patient from petitioning by writ of habeas corpus for release.

(9) Nothing in this section permits any person to knowingly violate a no-contact order or a condition of an active judgment and sentence or an active condition of supervision by the department of corrections.

(10) The rights set forth under this section apply equally to ninety-day or one hundred eighty-day hearings under RCW 71.05.310.

Sec. 32. RCW 71.05.230 and 2018 c 291 s 6 are each amended to read as follows:

A person detained for seventy-two hour evaluation and treatment may be committed for not more than fourteen additional days of involuntary intensive treatment or ninety additional days of a less restrictive alternative treatment. A petition may only be filed if the following conditions are met:

(1) The professional staff of the facility providing evaluation services has analyzed the person's condition and finds that the condition is caused by ~~((mental disorder or substance use))~~ a behavioral health disorder and results in: (a) A likelihood of serious harm~~((, results in))~~; (b) the person being gravely disabled~~((,))~~; or ~~((results in))~~ (c) the person being in need of assisted outpatient behavioral health treatment~~((,))~~; and are prepared to testify those conditions are met; and

(2) The person has been advised of the need for voluntary treatment and the professional staff of the facility has evidence that he or she has not in good faith volunteered; and

(3) The facility providing intensive treatment is certified to provide such treatment by the department or under RCW 71.05.745; and

(4)(a)(i) The professional staff of the facility or the designated crisis responder has filed a petition with the court for a fourteen day involuntary detention or a ninety day less restrictive alternative. The petition must be signed by:

(A) One physician, physician assistant, or psychiatric advanced registered nurse practitioner; and

(B) One physician, physician assistant, psychiatric advanced registered nurse practitioner, or mental health professional.

(ii) If the petition is for substance use disorder treatment, the petition may be signed by a chemical dependency professional instead of a mental health professional and by an advanced registered nurse practitioner instead of a psychiatric advanced registered nurse practitioner. The persons signing the petition must have examined the person.

(b) If involuntary detention is sought the petition shall state facts that support the finding that such person, as a result of a ~~((mental disorder or substance use))~~ behavioral health disorder, presents a likelihood of serious harm, or is gravely disabled and that there are no less restrictive alternatives to detention in the best interest of such person or others. The petition shall state specifically that less restrictive alternative treatment was considered and specify why treatment less restrictive than detention is not appropriate. If an involuntary less restrictive alternative is sought, the petition shall state facts that support the finding that such person, as a result of a ~~((mental disorder or as a result of a substance use))~~ behavioral health disorder, presents a likelihood of serious harm, is gravely disabled, or is in need of assisted outpatient behavioral health treatment, and shall set forth any recommendations for less restrictive alternative treatment services; and

(5) A copy of the petition has been served on the detained person, his or her attorney and his or her guardian or conservator, if any, prior to the probable cause hearing; and

(6) The court at the time the petition was filed and before the probable cause hearing has appointed counsel to represent such person if no other counsel has appeared; and

(7) The petition reflects that the person was informed of the loss of firearm rights if involuntarily committed for mental health treatment; and

(8) At the conclusion of the initial commitment period, the professional staff of the agency or facility or the designated crisis responder may petition for an additional period of either ninety days of less restrictive alternative treatment or ninety days of involuntary intensive treatment as provided in RCW 71.05.290; and

(9) If the hospital or facility designated to provide less restrictive alternative treatment is other than the facility providing involuntary treatment, the outpatient facility so designated to provide less restrictive alternative treatment has agreed to assume such responsibility.

Sec. 33. RCW 71.05.230 and 2018 c 291 s 6 are each amended to read as follows:

A person detained for ~~((seventy-two hour))~~ five-day evaluation and treatment may be committed for not more than fourteen additional days of involuntary intensive treatment or ninety additional days of a less restrictive alternative treatment. A petition may only be filed if the following conditions are met:

(1) The professional staff of the facility providing evaluation services has analyzed the person's condition and finds that the condition is caused by ~~((mental disorder or substance use))~~ a behavioral health disorder and results in: (a) A likelihood of serious harm~~((- results in))~~; (b) the person being gravely disabled~~((;))~~; or ~~((results in))~~ (c) the person being in need of assisted outpatient behavioral health treatment~~((;))~~; and are prepared to testify those conditions are met; and

(2) The person has been advised of the need for voluntary treatment and the professional staff of the facility has evidence that he or she has not in good faith volunteered; and

(3) The facility providing intensive treatment is certified to provide such treatment by the department or under RCW 71.05.745; and

(4)(a)(i) The professional staff of the facility or the designated crisis responder has filed a petition with the court for a fourteen day involuntary detention or a ninety day less restrictive alternative. The petition must be signed by:

(A) One physician, physician assistant, or psychiatric advanced registered nurse practitioner; and

(B) One physician, physician assistant, psychiatric advanced registered nurse practitioner, or mental health professional.

(ii) If the petition is for substance use disorder treatment, the petition may be signed by a chemical dependency professional instead of a mental health professional and by an advanced registered nurse practitioner instead of a psychiatric advanced registered nurse practitioner. The persons signing the petition must have examined the person.

(b) If involuntary detention is sought the petition shall state facts that support the finding that such person, as a result of a ~~((mental disorder or substance use))~~ behavioral health disorder, presents a likelihood of serious harm, or is gravely disabled and that there are no less restrictive alternatives to detention in the best interest of such person or others. The petition shall state specifically that less restrictive alternative treatment was considered and specify why treatment less restrictive than detention is not appropriate. If an involuntary less restrictive alternative is sought, the petition shall state facts that support the finding that such person, as a result of a ~~((mental disorder or as a result of a substance use))~~ behavioral health disorder, presents a likelihood of serious harm, is gravely disabled, or is in need of assisted outpatient behavioral health treatment, and shall set forth any recommendations for less restrictive alternative treatment services; and

(5) A copy of the petition has been served on the detained person, his or her attorney and his or her guardian or conservator, if any, prior to the probable cause hearing; and

(6) The court at the time the petition was filed and before the probable cause hearing has appointed counsel to represent such person if no other counsel has appeared; and

(7) The petition reflects that the person was informed of the loss of firearm rights if involuntarily committed for mental health treatment; and

(8) At the conclusion of the initial commitment period, the professional staff of the agency or facility or the designated crisis responder may petition for an additional period of either ninety days of less restrictive alternative treatment or ninety days of involuntary intensive treatment as provided in RCW 71.05.290; and

(9) If the hospital or facility designated to provide less restrictive alternative treatment is other than the facility providing involuntary treatment, the outpatient facility so designated to provide less restrictive alternative treatment has agreed to assume such responsibility.

Sec. 34. RCW 71.05.235 and 2016 sp.s. c 29 s 231 are each amended to read as follows:

(1) If an individual is referred to a designated crisis responder under RCW 10.77.088(1)(c)(i), the designated crisis responder shall examine the individual within forty-eight hours. If the designated crisis responder determines it is not appropriate to detain the individual or petition for a ninety-day less restrictive alternative under RCW 71.05.230(4), that decision shall be immediately presented to the superior court for hearing. The court

shall hold a hearing to consider the decision of the designated crisis responder not later than the next judicial day. At the hearing the superior court shall review the determination of the designated crisis responder and determine whether an order should be entered requiring the person to be evaluated at an evaluation and treatment facility. No person referred to an evaluation and treatment facility may be held at the facility longer than seventy-two hours.

(2) If an individual is placed in an evaluation and treatment facility under RCW 10.77.088(1)(c)(ii), a professional person shall evaluate the individual for purposes of determining whether to file a ninety-day inpatient or outpatient petition under this chapter. Before expiration of the seventy-two hour evaluation period authorized under RCW 10.77.088(1)(c)(ii), the professional person shall file a petition or, if the recommendation of the professional person is to release the individual, present his or her recommendation to the superior court of the county in which the criminal charge was dismissed. The superior court shall review the recommendation not later than forty-eight hours, excluding Saturdays, Sundays, and holidays, after the recommendation is presented. If the court rejects the recommendation to unconditionally release the individual, the court may order the individual detained at a designated evaluation and treatment facility for not more than a seventy-two hour evaluation and treatment period ~~((and direct the individual to appear at a surety hearing before that court within seventy-two hours, or the court may release the individual but direct the individual to appear at a surety hearing set before that court within eleven days, at which time the prosecutor may file a petition under this chapter for ninety-day inpatient or outpatient treatment. If a petition is filed by the prosecutor, the court may order that the person named in the petition be detained at the evaluation and treatment facility that performed the evaluation under this subsection or order the respondent to be in outpatient treatment. If a petition is filed but the individual fails to appear in court for the surety hearing, the court shall order that a mental health professional or peace officer shall take such person or cause such person to be taken into custody and placed in an evaluation and treatment facility to be brought before the court the next judicial day after detention)).~~ If the evaluation and treatment facility files a ninety-day petition within the seventy-two-hour period, the clerk shall set a hearing after the day of filing consistent with RCW 71.05.300. Upon the individual's first appearance in court after a petition has been filed, proceedings under RCW 71.05.310 and 71.05.320 shall commence. For an individual subject to this subsection, the ~~((prosecutor or))~~ professional person may directly file a petition for ninety-day inpatient or outpatient treatment and no petition for initial detention or fourteen-day detention is required before such a petition may be filed.

~~((The court shall conduct the hearing on the petition filed under this subsection within five judicial days of the date the petition is filed. The court may continue the hearing upon the written request of the person named in the petition or the person's attorney, for good cause shown, which continuance shall not exceed five additional judicial days. If the person named in the petition requests a jury trial, the trial shall commence within ten judicial days of the date of the filing of the petition. The burden of proof shall be by clear, cogent, and convincing evidence and shall be upon the petitioner. The person shall be present at such proceeding, which shall in all respects accord with the constitutional guarantees of due process of law and the rules of evidence pursuant to RCW 71.05.360 (8) and (9).~~

During the proceeding the person named in the petition shall continue to be detained and treated until released by order of the court. If no order has been made within thirty days after the filing of the petition, not including any extensions of time requested by

~~the detained person or his or her attorney, the detained person shall be released.))~~

(3) If a designated crisis responder or the professional person and prosecuting attorney for the county in which the criminal charge was dismissed or attorney general, as appropriate, stipulate that the individual does not present a likelihood of serious harm or is not gravely disabled, the hearing under this section is not required and the individual, if in custody, shall be released.

~~((4) The individual shall have the rights specified in RCW 71.05.360 (8) and (9).))~~

Sec. 35. RCW 71.05.235 and 2016 sp.s. c 29 s 231 are each amended to read as follows:

(1) If an individual is referred to a designated crisis responder under RCW 10.77.088(1)(c)(i), the designated crisis responder shall examine the individual within forty-eight hours. If the designated crisis responder determines it is not appropriate to detain the individual or petition for a ninety-day less restrictive alternative under RCW 71.05.230(4), that decision shall be immediately presented to the superior court for hearing. The court shall hold a hearing to consider the decision of the designated crisis responder not later than the next judicial day. At the hearing the superior court shall review the determination of the designated crisis responder and determine whether an order should be entered requiring the person to be evaluated at an evaluation and treatment facility. No person referred to an evaluation and treatment facility may be held at the facility longer than ~~((seventy-two hours))~~ five days.

(2) If an individual is placed in an evaluation and treatment facility under RCW 10.77.088(1)(c)(ii), a professional person shall evaluate the individual for purposes of determining whether to file a ninety-day inpatient or outpatient petition under this chapter. Before expiration of the ~~((seventy-two hour))~~ five-day evaluation period authorized under RCW 10.77.088(1)(c)(ii), the professional person shall file a petition or, if the recommendation of the professional person is to release the individual, present his or her recommendation to the superior court of the county in which the criminal charge was dismissed. The superior court shall review the recommendation not later than forty-eight hours, excluding Saturdays, Sundays, and holidays, after the recommendation is presented. If the court rejects the recommendation to unconditionally release the individual, the court may order the individual detained at a designated evaluation and treatment facility for not more than a ~~((seventy-two hour))~~ five-day evaluation and treatment period ~~((and direct the individual to appear at a surety hearing before that court within seventy-two hours, or the court may release the individual but direct the individual to appear at a surety hearing set before that court within eleven days, at which time the prosecutor may file a petition under this chapter for ninety-day inpatient or outpatient treatment. If a petition is filed by the prosecutor, the court may order that the person named in the petition be detained at the evaluation and treatment facility that performed the evaluation under this subsection or order the respondent to be in outpatient treatment. If a petition is filed but the individual fails to appear in court for the surety hearing, the court shall order that a mental health professional or peace officer shall take such person or cause such person to be taken into custody and placed in an evaluation and treatment facility to be brought before the court the next judicial day after detention)).~~ If the evaluation and treatment facility files a ninety-day petition within the five-day period, the clerk shall set a hearing after the day of filing consistent with RCW 71.05.300. Upon the individual's first appearance in court after a petition has been filed, proceedings under RCW 71.05.310 and 71.05.320 shall commence. For an individual subject to this subsection, the ~~((prosecutor or))~~

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professional person may directly file a petition for ninety-day inpatient or outpatient treatment and no petition for initial detention or fourteen-day detention is required before such a petition may be filed.

~~((The court shall conduct the hearing on the petition filed under this subsection within five judicial days of the date the petition is filed. The court may continue the hearing upon the written request of the person named in the petition or the person's attorney, for good cause shown, which continuance shall not exceed five additional judicial days. If the person named in the petition requests a jury trial, the trial shall commence within ten judicial days of the date of the filing of the petition. The burden of proof shall be by clear, cogent, and convincing evidence and shall be upon the petitioner. The person shall be present at such proceeding, which shall in all respects accord with the constitutional guarantees of due process of law and the rules of evidence pursuant to RCW 71.05.360 (8) and (9).))~~

~~During the proceeding the person named in the petition shall continue to be detained and treated until released by order of the court. If no order has been made within thirty days after the filing of the petition, not including any extensions of time requested by the detained person or his or her attorney, the detained person shall be released.)~~

(3) If a designated crisis responder or the professional person and prosecuting attorney for the county in which the criminal charge was dismissed or attorney general, as appropriate, stipulate that the individual does not present a likelihood of serious harm or is not gravely disabled, the hearing under this section is not required and the individual, if in custody, shall be released.

~~((4) The individual shall have the rights specified in RCW 71.05.360 (8) and (9).))~~

NEW SECTION. Sec. 36. A new section is added to chapter 71.05 RCW to read as follows:

(1) In any proceeding for involuntary commitment under this chapter, the court may continue or postpone such proceeding for a reasonable time on motion of the respondent for good cause, or on motion of the prosecuting attorney or the attorney general if:

(a) The respondent expressly consents to a continuance or delay and there is a showing of good cause; or

(b) Such continuance is required in the proper administration of justice and the respondent will not be substantially prejudiced in the presentation of the respondent's case.

(2) The court may on its own motion continue the case when required in due administration of justice and when the respondent will not be substantially prejudiced in the presentation of the respondent's case.

(3) The court shall state in any order of continuance or postponement the grounds for the continuance or postponement and whether detention will be extended.

Sec. 37. RCW 71.05.240 and 2018 c 291 s 7 and 2018 c 201 s 3009 are each reenacted and amended to read as follows:

(1) If a petition is filed for fourteen-day involuntary treatment or ninety days of less restrictive alternative treatment, the court shall hold a probable cause hearing within seventy-two hours of the initial detention of such person as determined in RCW 71.05.180, or at a time determined under RCW 71.05.148. ~~((If requested by the person or his or her attorney, the hearing may be postponed for a period not to exceed forty eight hours. The hearing may also be continued subject to the conditions set forth in RCW 71.05.210 or subject to the petitioner's showing of good cause for a period not to exceed twenty four hours.))~~

(2) If the petition is for mental health treatment, the court or the prosecutor at the time of the probable cause hearing and before an order of commitment is entered shall inform the person both

orally and in writing that the failure to make a good faith effort to seek voluntary treatment as provided in RCW 71.05.230 will result in the loss of his or her firearm rights if the person is subsequently detained for involuntary treatment under this section.

(3) If the person or his or her attorney alleges, prior to the commencement of the hearing, that the person has in good faith volunteered for treatment, the petitioner must show, by preponderance of the evidence, that the person has not in good faith volunteered for appropriate treatment. In order to qualify as a good faith volunteer, the person must abide by procedures and a treatment plan as prescribed by a treatment facility and professional staff.

(4)(a) Subject to (b) of this subsection, at the conclusion of the probable cause hearing, if the court finds by a preponderance of the evidence that such person, as the result of a ~~((mental disorder or substance use))~~ behavioral health disorder, presents a likelihood of serious harm, or is gravely disabled, and, after considering less restrictive alternatives to involuntary detention and treatment, finds that no such alternatives are in the best interests of such person or others, the court shall order that such person be detained for involuntary treatment not to exceed fourteen days in a facility licensed or certified to provide treatment by the department or under RCW 71.05.745.

(b) ~~((Commitment for up to fourteen days based on a substance use disorder must be to either a secure detoxification facility or an approved substance use disorder treatment program.))~~ A court may only ~~((enter a commitment))~~ order ~~((based on a substance use disorder if there is an available))~~ commitment to a secure detoxification facility or approved substance use disorder treatment program if there is an available facility with adequate space for the person.

(c) At the conclusion of the probable cause hearing, if the court finds by a preponderance of the evidence that such person, as the result of a ~~((mental disorder or substance use))~~ behavioral health disorder, presents a likelihood of serious harm, or is gravely disabled, but that treatment in a less restrictive setting than detention is in the best interest of such person or others, the court shall order an appropriate less restrictive alternative course of treatment for ~~((not to exceed))~~ up to ninety days.

(d) If the court finds by a preponderance of the evidence that such person, as the result of a ~~((mental disorder or substance use))~~ behavioral health disorder, is in need of assisted outpatient behavioral health treatment, and that the person does not present a likelihood of serious harm ~~((or grave disability))~~ and is not gravely disabled, the court shall order an appropriate less restrictive alternative course of treatment ~~((not to exceed))~~ for up to ninety days.

~~((4))~~ (5) An order for less restrictive alternative treatment must name the ~~((mental))~~ behavioral health service provider responsible for identifying the services the person will receive in accordance with RCW 71.05.585, and must include a requirement that the person cooperate with the ~~((services planned by))~~ treatment recommendations of the ((mental)) behavioral health service provider.

~~((5))~~ (6) The court shall ~~((specifically state to such person and give such person notice))~~ notify the person orally and in writing that if involuntary treatment is sought beyond the fourteen-day ~~((period))~~ inpatient or ~~((beyond the))~~ ninety-day((s of)) less restrictive treatment ~~((is to be sought))~~ period, ((such)) the person ((will have)) has the right to a full hearing or jury trial ~~((as required by))~~ under RCW 71.05.310. If the commitment is for mental health treatment, the court shall also ~~((state to))~~ notify the person ~~((and provide written notice))~~ orally and in writing that the person is barred from the possession of firearms and that the

prohibition remains in effect until a court restores his or her right to possess a firearm under RCW 9.41.047.

Sec. 38. RCW 71.05.240 and 2018 c 291 s 7 and 2018 c 201 s 3009 are each reenacted and amended to read as follows:

(1) If a petition is filed for fourteen-day involuntary treatment or ninety days of less restrictive alternative treatment, the court shall hold a probable cause hearing within ~~((seventy-two hours))~~ five days of the initial detention of such person as determined in RCW 71.05.180, or at a time determined under RCW 71.05.148. ~~((If requested by the person or his or her attorney, the hearing may be postponed for a period not to exceed forty-eight hours. The hearing may also be continued subject to the conditions set forth in RCW 71.05.210 or subject to the petitioner's showing of good cause for a period not to exceed twenty-four hours.))~~

(2) If the petition is for mental health treatment, the court or the prosecutor at the time of the probable cause hearing and before an order of commitment is entered shall inform the person both orally and in writing that the failure to make a good faith effort to seek voluntary treatment as provided in RCW 71.05.230 will result in the loss of his or her firearm rights if the person is subsequently detained for involuntary treatment under this section.

(3) If the person or his or her attorney alleges, prior to the commencement of the hearing, that the person has in good faith volunteered for treatment, the petitioner must show, by preponderance of the evidence, that the person has not in good faith volunteered for appropriate treatment. In order to qualify as a good faith volunteer, the person must abide by procedures and a treatment plan as prescribed by a treatment facility and professional staff.

(4)(a) Subject to (b) of this subsection, at the conclusion of the probable cause hearing, if the court finds by a preponderance of the evidence that such person, as the result of a ~~((mental disorder or substance use))~~ behavioral health disorder, presents a likelihood of serious harm, or is gravely disabled, and, after considering less restrictive alternatives to involuntary detention and treatment, finds that no such alternatives are in the best interests of such person or others, the court shall order that such person be detained for involuntary treatment not to exceed fourteen days in a facility licensed or certified to provide treatment by the department or under RCW 71.05.745.

(b) ~~((Commitment for up to fourteen days based on a substance use disorder must be to either a secure detoxification facility or an approved substance use disorder treatment program.))~~ A court may only ~~((enter a commitment))~~ order ~~((based on a substance use disorder if there is an available))~~ commitment to a secure detoxification facility or approved substance use disorder treatment program if there is an available facility with adequate space for the person.

(c) At the conclusion of the probable cause hearing, if the court finds by a preponderance of the evidence that such person, as the result of a ~~((mental disorder or substance use))~~ behavioral health disorder, presents a likelihood of serious harm, or is gravely disabled, but that treatment in a less restrictive setting than detention is in the best interest of such person or others, the court shall order an appropriate less restrictive alternative course of treatment for ~~((not to exceed))~~ up to ninety days.

(d) If the court finds by a preponderance of the evidence that such person, as the result of a ~~((mental disorder or substance use))~~ behavioral health disorder, is in need of assisted outpatient behavioral health treatment, and that the person does not present a likelihood of serious harm ~~((or grave disability))~~ and is not gravely disabled, the court shall order an appropriate less restrictive alternative course of treatment ~~((not to exceed))~~ for up to ninety days.

~~((4))~~ (5) An order for less restrictive alternative treatment must name the ~~((mental))~~ behavioral health service provider responsible for identifying the services the person will receive in accordance with RCW 71.05.585, and must include a requirement that the person cooperate with the ~~((services planned by))~~ treatment recommendations of the ((mental)) behavioral health service provider.

~~((5))~~ (6) The court shall ~~((specifically state to such person and give such person notice))~~ notify the person orally and in writing that if involuntary treatment is sought beyond the fourteen-day ~~((period))~~ inpatient or ~~((beyond the))~~ ninety-day~~((s of))~~ less restrictive treatment ~~((is to be sought))~~ period, ~~((such))~~ the person ~~((will have))~~ has the right to a full hearing or jury trial ~~((as required by))~~ under RCW 71.05.310. If the commitment is for mental health treatment, the court shall also ~~((state to))~~ notify the person ~~((and provide written notice))~~ orally and in writing that the person is barred from the possession of firearms and that the prohibition remains in effect until a court restores his or her right to possess a firearm under RCW 9.41.047.

Sec. 39. RCW 71.05.240 and 2018 c 291 s 8 and 2018 c 201 s 3010 are each reenacted and amended to read as follows:

(1) If a petition is filed for fourteen-day involuntary treatment or ninety days of less restrictive alternative treatment, the court shall hold a probable cause hearing within ~~((seventy-two hours))~~ five days of the initial detention of such person as determined in RCW 71.05.180, or at a time determined under RCW 71.05.148. ~~((If requested by the person or his or her attorney, the hearing may be postponed for a period not to exceed forty-eight hours. The hearing may also be continued subject to the conditions set forth in RCW 71.05.210 or subject to the petitioner's showing of good cause for a period not to exceed twenty-four hours.))~~

(2) If the petition is for mental health treatment, the court or the prosecutor at the time of the probable cause hearing and before an order of commitment is entered shall inform the person both orally and in writing that the failure to make a good faith effort to seek voluntary treatment as provided in RCW 71.05.230 will result in the loss of his or her firearm rights if the person is subsequently detained for involuntary treatment under this section.

(3) If the person or his or her attorney alleges, prior to the commencement of the hearing, that the person has in good faith volunteered for treatment, the petitioner must show, by preponderance of the evidence, that the person has not in good faith volunteered for appropriate treatment. In order to qualify as a good faith volunteer, the person must abide by procedures and a treatment plan as prescribed by a treatment facility and professional staff.

(4)(a) ~~((Subject to (b) of this subsection.))~~ At the conclusion of the probable cause hearing, if the court finds by a preponderance of the evidence that such person, as the result of a ((mental disorder or substance use)) behavioral health disorder, presents a likelihood of serious harm, or is gravely disabled, and, after considering less restrictive alternatives to involuntary detention and treatment, finds that no such alternatives are in the best interests of such person or others, the court shall order that such person be detained for involuntary treatment not to exceed fourteen days in a facility licensed or certified to provide treatment by the department or under RCW 71.05.745.

(b) ~~((Commitment for up to fourteen days based on a substance use disorder must be to either a secure detoxification facility or an approved substance use disorder treatment program.~~

~~((e))~~ At the conclusion of the probable cause hearing, if the court finds by a preponderance of the evidence that such person, as the result of a ~~((mental disorder or substance use))~~ behavioral health disorder, presents a likelihood of serious harm~~((r))~~ or is

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gravely disabled, but that treatment in a less restrictive setting than detention is in the best interest of such person or others, the court shall order an appropriate less restrictive alternative course of treatment for ~~((not to exceed))~~ up to ninety days.

~~((4))~~ (c) If the court finds by a preponderance of the evidence that such person, as the result of a ~~((mental disorder or substance use))~~ behavioral health disorder, is in need of assisted outpatient behavioral health treatment, and that the person does not present a likelihood of serious harm ~~((or grave disability))~~ and is not gravely disabled, the court shall order an appropriate less restrictive alternative course of treatment ~~((not to exceed))~~ for up to ninety days.

~~((4))~~ (5) An order for less restrictive alternative treatment must name the ~~((mental))~~ behavioral health service provider responsible for identifying the services the person will receive in accordance with RCW 71.05.585, and must include a requirement that the person cooperate with the ~~((services planned by))~~ treatment recommendations of the ~~((mental))~~ behavioral health service provider.

~~((5))~~ (6) The court shall ~~((specifically state to such person and give such person notice))~~ notify the person orally and in writing that if involuntary treatment is sought beyond the fourteen-day ~~((period))~~ inpatient or ~~((beyond the))~~ ninety-day ~~((s of))~~ less restrictive treatment ~~((is to be sought))~~ period, such person ~~((will have))~~ has the right to a full hearing or jury trial ~~((as required by))~~ under RCW 71.05.310. If the commitment is for mental health treatment, the court shall also ~~((state to))~~ notify the person ~~((and provide written notice))~~ orally and in writing that the person is barred from the possession of firearms and that the prohibition remains in effect until a court restores his or her right to possess a firearm under RCW 9.41.047.

Sec. 40. RCW 71.05.280 and 2018 c 291 s 15 are each amended to read as follows:

At the expiration of the fourteen-day period of intensive treatment, a person may be committed for further treatment pursuant to RCW 71.05.320 if:

(1) Such person after having been taken into custody for evaluation and treatment has threatened, attempted, or inflicted: (a) Physical harm upon the person of another or himself or herself, or substantial damage upon the property of another, and (b) as a result of ~~((mental disorder or substance use))~~ a behavioral health disorder presents a likelihood of serious harm; or

(2) Such person was taken into custody as a result of conduct in which he or she attempted or inflicted physical harm upon the person of another or himself or herself, or substantial damage upon the property of others, and continues to present, as a result of ~~((mental disorder or substance use))~~ a behavioral health disorder, a likelihood of serious harm; or

(3) Such person has been determined to be incompetent and criminal charges have been dismissed pursuant to RCW 10.77.086(4), and has committed acts constituting a felony, and as a result of a ~~((mental))~~ behavioral health disorder, presents a substantial likelihood of repeating similar acts.

(a) In any proceeding pursuant to this subsection it shall not be necessary to show intent, willfulness, or state of mind as an element of the crime;

(b) For any person subject to commitment under this subsection where the charge underlying the finding of incompetence is for a felony classified as violent under RCW 9.94A.030, the court shall determine whether the acts the person committed constitute a violent offense under RCW 9.94A.030; or

(4) Such person is gravely disabled; or

(5) Such person is in need of assisted outpatient behavioral health treatment.

Sec. 41. RCW 71.05.290 and 2017 3rd sp.s. c 14 s 18 are each amended to read as follows:

(1) At any time during a person's fourteen day intensive treatment period, the professional person in charge of a treatment facility or his or her professional designee or the designated crisis responder may petition the superior court for an order requiring such person to undergo an additional period of treatment. Such petition must be based on one or more of the grounds set forth in RCW 71.05.280.

(2)(a)(i) The petition shall summarize the facts which support the need for further commitment and shall be supported by affidavits based on an examination of the patient and signed by:

(A) One physician, physician assistant, or psychiatric advanced registered nurse practitioner; and

(B) One physician, physician assistant, psychiatric advanced registered nurse practitioner, or mental health professional.

(ii) If the petition is for substance use disorder treatment, the petition may be signed by a chemical dependency professional instead of a mental health professional and by an advanced registered nurse practitioner instead of a psychiatric advanced registered nurse practitioner.

(b) The affidavits shall describe in detail the behavior of the detained person which supports the petition and shall explain what, if any, less restrictive treatments which are alternatives to detention are available to such person, and shall state the willingness of the affiant to testify to such facts in subsequent judicial proceedings under this chapter. If less restrictive alternative treatment is sought, the petition shall set forth any recommendations for less restrictive alternative treatment services.

(3) If a person has been determined to be incompetent pursuant to RCW 10.77.086(4), then the professional person in charge of the treatment facility or his or her professional designee or the designated crisis responder may directly file a petition for one hundred eighty-day treatment under RCW 71.05.280(3), or for ninety-day treatment under RCW 71.05.280 (1), (2), (4), or (5). No petition for initial detention or fourteen day detention is required before such a petition may be filed.

Sec. 42. RCW 71.05.300 and 2017 3rd sp.s. c 14 s 19 are each amended to read as follows:

(1) The petition for ninety day treatment shall be filed with the clerk of the superior court at least three days before expiration of the fourteen-day period of intensive treatment. ~~((At the time of filing such petition,))~~ The clerk shall set a ~~((time for the person to come before the court on the next judicial day after the day of filing unless such appearance is waived by the person's attorney, and the clerk shall))~~ trial setting date as provided in RCW 71.05.310 on the next judicial day after the date of filing the petition and notify the designated crisis responder. The designated crisis responder shall immediately notify the person detained, his or her attorney, if any, and his or her guardian or conservator, if any, the prosecuting attorney, and the behavioral health organization administrator, and provide a copy of the petition to such persons as soon as possible. The behavioral health organization administrator or designee may review the petition and may appear and testify at the full hearing on the petition.

(2) ~~((At the time set for appearance))~~ The attorney for the detained person ~~((shall be brought before the court, unless such appearance has been waived and the court))~~ shall advise him or her of his or her right to be represented by an attorney, his or her right to a jury trial, and, if the petition is for commitment for mental health treatment, his or her loss of firearm rights if involuntarily committed. If the detained person is not represented by an attorney, or is indigent or is unwilling to retain an attorney, the court shall immediately appoint an attorney to represent him

or her. The court shall, if requested, appoint a reasonably available licensed physician, physician assistant, psychiatric advanced registered nurse practitioner, psychologist, psychiatrist, or other professional person((s)) designated by the detained person to examine and testify on behalf of the detained person.

(3) The court may, if requested, also appoint a professional person as defined in RCW 71.05.020 to seek less restrictive alternative courses of treatment and to testify on behalf of the detained person. In the case of a person with a developmental disability who has been determined to be incompetent pursuant to RCW 10.77.086(4), ~~((then))~~ the appointed professional person under this section shall be a developmental disabilities professional.

~~((4) The court shall also set a date for a full hearing on the petition as provided in RCW 71.05.310.))~~

Sec. 43. RCW 71.05.310 and 2012 c 256 s 8 are each amended to read as follows:

The court shall ~~((conduct))~~ set a hearing on the petition for ninety-day or one hundred eighty-day treatment within five judicial days of the ~~((first court appearance after the probable cause hearing))~~ trial setting hearing, or within ten judicial days for a petition filed under RCW 71.05.280(3). The court may continue the hearing ~~((for good cause upon the written request of the person named in the petition or the person's attorney. The court may continue for good cause the hearing on a petition filed under RCW 71.05.280(3) upon written request by the person named in the petition, the person's attorney, or the petitioner))~~ in accordance with section 36 of this act. If the person named in the petition requests a jury trial, the trial ~~((shall commence))~~ must be set within ten judicial days of the ~~((first court appearance after the probable cause hearing))~~ next judicial day after the date of filing the petition. The burden of proof shall be by clear, cogent, and convincing evidence and shall be upon the petitioner. The person ~~((shall))~~ has the right to be present at such proceeding, which shall in all respects accord with the constitutional guarantees of due process of law and the rules of evidence ~~((pursuant to RCW 71.05.360 (8) and (9)))~~ under RCW 71.05.217.

During the proceeding, the person named in the petition shall continue to be treated until released by order of the superior court or discharged by the medical provider. If ~~((no order has been made))~~ the hearing has not commenced within thirty days after the filing of the petition, not including extensions of time ~~((requested by the detained person or his or her attorney, or the petitioner in the case of a petition filed under RCW 71.05.280(3)))~~ ordered under section 36 of this act, the detained person shall be released.

Sec. 44. RCW 71.05.320 and 2018 c 201 s 3012 are each amended to read as follows:

(1)(a) Subject to (b) of this subsection, if the court or jury finds that grounds set forth in RCW 71.05.280 have been proven and that the best interests of the person or others will not be served by a less restrictive treatment which is an alternative to detention, the court shall remand him or her to the custody of the department of social and health services or to a facility certified for ninety day treatment by the department for a further period of intensive treatment not to exceed ninety days from the date of judgment.

(b) If the order for inpatient treatment is based on a substance use disorder, ~~((treatment must take place at an approved substance use disorder treatment program.))~~ the court may only enter an order for commitment ~~((based on a substance use disorder))~~ if there is an available ~~((approved substance use disorder))~~ treatment program with adequate space for the person.

(c) If the grounds set forth in RCW 71.05.280(3) are the basis of commitment, then the period of treatment may be up to but not

exceed one hundred eighty days from the date of judgment to the custody of the department of social and health services or to a facility certified for one hundred eighty-day treatment by the department or under RCW 71.05.745.

(2) If the court or jury finds that grounds set forth in RCW 71.05.280 have been proven, but finds that treatment less restrictive than detention will be in the best interest of the person or others, then the court shall remand him or her to the custody of the department of social and health services or to a facility certified for ninety day treatment by the department or to a less restrictive alternative for a further period of less restrictive treatment not to exceed ninety days from the date of judgment. ~~((If the order for less restrictive treatment is based on a substance use disorder, treatment must be provided by an approved substance use disorder treatment program.))~~ If the grounds set forth in RCW 71.05.280(3) are the basis of commitment, then the period of treatment may be up to but not exceed one hundred eighty days from the date of judgment. If the court or jury finds that the grounds set forth in RCW 71.05.280(5) have been proven, and provide the only basis for commitment, the court must enter an order for less restrictive alternative treatment for up to ninety days from the date of judgment and may not order inpatient treatment.

(3) An order for less restrictive alternative treatment entered under subsection (2) of this section must name the ~~((mental))~~ behavioral health service provider responsible for identifying the services the person will receive in accordance with RCW 71.05.585, and must include a requirement that the person cooperate with the services planned by the ~~((mental))~~ behavioral health service provider.

(4) The person shall be released from involuntary treatment at the expiration of the period of commitment imposed under subsection (1) or (2) of this section unless the superintendent or professional person in charge of the facility in which he or she is confined, or in the event of a less restrictive alternative, the designated crisis responder, files a new petition for involuntary treatment on the grounds that the committed person:

(a) During the current period of court ordered treatment: (i) Has threatened, attempted, or inflicted physical harm upon the person of another, or substantial damage upon the property of another, and (ii) as a result of a ~~((mental disorder, substance use))~~ behavioral health disorder((s)) or developmental disability presents a likelihood of serious harm; or

(b) Was taken into custody as a result of conduct in which he or she attempted or inflicted serious physical harm upon the person of another, and continues to present, as a result of ~~((mental disorder, substance use))~~ a behavioral health disorder((s)) or developmental disability, a likelihood of serious harm; or

(c)(i) Is in custody pursuant to RCW 71.05.280(3) and as a result of ~~((mental))~~ a behavioral health disorder or developmental disability continues to present a substantial likelihood of repeating acts similar to the charged criminal behavior, when considering the person's life history, progress in treatment, and the public safety.

(ii) In cases under this subsection where the court has made an affirmative special finding under RCW 71.05.280(3)(b), the commitment shall continue for up to an additional one hundred eighty-day period whenever the petition presents prima facie evidence that the person continues to suffer from a ~~((mental))~~ behavioral health disorder or developmental disability that results in a substantial likelihood of committing acts similar to the charged criminal behavior, unless the person presents proof through an admissible expert opinion that the person's condition has so changed such that the ~~((mental))~~ behavioral health disorder or developmental disability no longer presents a substantial likelihood of the person committing acts similar to the charged

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criminal behavior. The initial or additional commitment period may include transfer to a specialized program of intensive support and treatment, which may be initiated prior to or after discharge from the state hospital; or

(d) Continues to be gravely disabled; or

(e) Is in need of assisted outpatient ~~((mental))~~ behavioral health treatment.

If the conduct required to be proven in (b) and (c) of this subsection was found by a judge or jury in a prior trial under this chapter, it shall not be necessary to prove such conduct again.

If less restrictive alternative treatment is sought, the petition shall set forth any recommendations for less restrictive alternative treatment services.

(5) A new petition for involuntary treatment filed under subsection (4) of this section shall be filed and heard in the superior court of the county of the facility which is filing the new petition for involuntary treatment unless good cause is shown for a change of venue. The cost of the proceedings shall be borne by the state.

(6)(a) The hearing shall be held as provided in RCW 71.05.310, and if the court or jury finds that the grounds for additional confinement as set forth in this section are present, subject to subsection (1)(b) of this section, the court may order the committed person returned for an additional period of treatment not to exceed one hundred eighty days from the date of judgment, except as provided in subsection (7) of this section. If the court's order is based solely on the grounds identified in subsection (4)(e) of this section, the court may enter an order for less restrictive alternative treatment not to exceed one hundred eighty days from the date of judgment, and may not enter an order for inpatient treatment. An order for less restrictive alternative treatment must name the ~~((mental))~~ behavioral health service provider responsible for identifying the services the person will receive in accordance with RCW 71.05.585, and must include a requirement that the person cooperate with the services planned by the ~~((mental))~~ behavioral health service provider.

(b) At the end of the one hundred eighty-day period of commitment, or one-year period of commitment if subsection (7) of this section applies, the committed person shall be released unless a petition for an additional one hundred eighty-day period of continued treatment is filed and heard in the same manner as provided in this section. Successive one hundred eighty-day commitments are permissible on the same grounds and pursuant to the same procedures as the original one hundred eighty-day commitment.

(7) An order for less restrictive treatment entered under subsection (6) of this section may be for up to one year when the person's previous commitment term was for intensive inpatient treatment in a state hospital.

(8) No person committed as provided in this section may be detained unless a valid order of commitment is in effect. No order of commitment can exceed one hundred eighty days in length except as provided in subsection (7) of this section.

Sec. 45. RCW 71.05.320 and 2018 c 201 s 3013 are each amended to read as follows:

(1) If the court or jury finds that grounds set forth in RCW 71.05.280 have been proven and that the best interests of the person or others will not be served by a less restrictive treatment which is an alternative to detention, the court shall remand him or her to the custody of the department of social and health services or to a facility certified for ninety day treatment by the department for a further period of intensive treatment not to exceed ninety days from the date of judgment.

If the ~~((order for inpatient treatment is based on a substance use disorder, treatment must take place at an approved substance use~~

~~disorder treatment program. If the))~~ grounds set forth in RCW 71.05.280(3) are the basis of commitment, then the period of treatment may be up to but not exceed one hundred eighty days from the date of judgment to the custody of the department of social and health services or to a facility certified for one hundred eighty-day treatment by the department or under RCW 71.05.745.

(2) If the court or jury finds that grounds set forth in RCW 71.05.280 have been proven, but finds that treatment less restrictive than detention will be in the best interest of the person or others, then the court shall remand him or her to the custody of the department of social and health services or to a facility certified for ninety day treatment by the department or to a less restrictive alternative for a further period of less restrictive treatment not to exceed ninety days from the date of judgment. ~~((If the order for less restrictive treatment is based on a substance use disorder, treatment must be provided by an approved substance use disorder treatment program.))~~ If the grounds set forth in RCW 71.05.280(3) are the basis of commitment, then the period of treatment may be up to but not exceed one hundred eighty days from the date of judgment. If the court or jury finds that the grounds set forth in RCW 71.05.280(5) have been proven, and provide the only basis for commitment, the court must enter an order for less restrictive alternative treatment for up to ninety days from the date of judgment and may not order inpatient treatment.

(3) An order for less restrictive alternative treatment entered under subsection (2) of this section must name the ~~((mental))~~ behavioral health service provider responsible for identifying the services the person will receive in accordance with RCW 71.05.585, and must include a requirement that the person cooperate with the services planned by the ~~((mental))~~ behavioral health service provider.

(4) The person shall be released from involuntary treatment at the expiration of the period of commitment imposed under subsection (1) or (2) of this section unless the superintendent or professional person in charge of the facility in which he or she is confined, or in the event of a less restrictive alternative, the designated crisis responder, files a new petition for involuntary treatment on the grounds that the committed person:

(a) During the current period of court ordered treatment: (i) Has threatened, attempted, or inflicted physical harm upon the person of another, or substantial damage upon the property of another, and (ii) as a result of a ~~((mental disorder, substance use))~~ behavioral health disorder~~((s))~~ or developmental disability presents a likelihood of serious harm; or

(b) Was taken into custody as a result of conduct in which he or she attempted or inflicted serious physical harm upon the person of another, and continues to present, as a result of ~~((mental disorder, substance use))~~ a behavioral health disorder~~((s))~~ or developmental disability, a likelihood of serious harm; or

(c)(i) Is in custody pursuant to RCW 71.05.280(3) and as a result of ~~((mental))~~ a behavioral health disorder or developmental disability continues to present a substantial likelihood of repeating acts similar to the charged criminal behavior, when considering the person's life history, progress in treatment, and the public safety.

(ii) In cases under this subsection where the court has made an affirmative special finding under RCW 71.05.280(3)(b), the commitment shall continue for up to an additional one hundred eighty-day period whenever the petition presents prima facie evidence that the person continues to suffer from a ~~((mental))~~ behavioral health disorder or developmental disability that results in a substantial likelihood of committing acts similar to the charged criminal behavior, unless the person presents proof through an admissible expert opinion that the person's condition

has so changed such that the ~~((mental))~~ behavioral health disorder or developmental disability no longer presents a substantial likelihood of the person committing acts similar to the charged criminal behavior. The initial or additional commitment period may include transfer to a specialized program of intensive support and treatment, which may be initiated prior to or after discharge from the state hospital; or

(d) Continues to be gravely disabled; or

(e) Is in need of assisted outpatient ~~((mental))~~ behavioral health treatment.

If the conduct required to be proven in (b) and (c) of this subsection was found by a judge or jury in a prior trial under this chapter, it shall not be necessary to prove such conduct again.

If less restrictive alternative treatment is sought, the petition shall set forth any recommendations for less restrictive alternative treatment services.

(5) A new petition for involuntary treatment filed under subsection (4) of this section shall be filed and heard in the superior court of the county of the facility which is filing the new petition for involuntary treatment unless good cause is shown for a change of venue. The cost of the proceedings shall be borne by the state.

(6)(a) The hearing shall be held as provided in RCW 71.05.310, and if the court or jury finds that the grounds for additional confinement as set forth in this section are present, the court may order the committed person returned for an additional period of treatment not to exceed one hundred eighty days from the date of judgment, except as provided in subsection (7) of this section. If the court's order is based solely on the grounds identified in subsection (4)(e) of this section, the court may enter an order for less restrictive alternative treatment not to exceed one hundred eighty days from the date of judgment, and may not enter an order for inpatient treatment. An order for less restrictive alternative treatment must name the ~~((mental))~~ behavioral health service provider responsible for identifying the services the person will receive in accordance with RCW 71.05.585, and must include a requirement that the person cooperate with the services planned by the ~~((mental))~~ behavioral health service provider.

(b) At the end of the one hundred eighty-day period of commitment, or one-year period of commitment if subsection (7) of this section applies, the committed person shall be released unless a petition for an additional one hundred eighty-day period of continued treatment is filed and heard in the same manner as provided in this section. Successive one hundred eighty-day commitments are permissible on the same grounds and pursuant to the same procedures as the original one hundred eighty-day commitment.

(7) An order for less restrictive treatment entered under subsection (6) of this section may be for up to one year when the person's previous commitment term was for intensive inpatient treatment in a state hospital.

(8) No person committed as provided in this section may be detained unless a valid order of commitment is in effect. No order of commitment can exceed one hundred eighty days in length except as provided in subsection (7) of this section.

Sec. 46. RCW 71.05.380 and 2016 sp.s. c 29 s 245 are each amended to read as follows:

All persons voluntarily entering or remaining in any facility, institution, or hospital providing evaluation and treatment for ~~((mental disorders or substance use))~~ behavioral health disorders shall have no less than all rights secured to involuntarily detained persons by RCW ~~((71.05.360 and))~~ 71.05.217.

Sec. 47. RCW 71.05.445 and 2018 c 201 s 3021 are each amended to read as follows:

(1)(a) When a ~~((mental))~~ behavioral health service provider conducts its initial assessment for a person receiving court-ordered treatment, the service provider shall inquire and shall be told by the offender whether he or she is subject to supervision by the department of corrections.

(b) When a person receiving court-ordered treatment or treatment ordered by the department of corrections discloses to his or her ~~((mental))~~ behavioral health service provider that he or she is subject to supervision by the department of corrections, the ~~((mental))~~ behavioral health service provider shall notify the department of corrections that he or she is treating the offender and shall notify the offender that his or her community corrections officer will be notified of the treatment, provided that if the offender has received relief from disclosure pursuant to RCW 9.94A.562 or 71.05.132 and the offender has provided the ~~((mental))~~ behavioral health service provider with a copy of the order granting relief from disclosure pursuant to RCW 9.94A.562 or 71.05.132, the ~~((mental))~~ behavioral health service provider is not required to notify the department of corrections that the ~~((mental))~~ behavioral health service provider is treating the offender. The notification may be written or oral and shall not require the consent of the offender. If an oral notification is made, it must be confirmed by a written notification. For purposes of this section, a written notification includes notification by email or facsimile, so long as the notifying ~~((mental))~~ behavioral health service provider is clearly identified.

(2) The information to be released to the department of corrections shall include all relevant records and reports, as defined by rule, necessary for the department of corrections to carry out its duties.

(3) The authority and the department of corrections, in consultation with behavioral health organizations, ~~((mental))~~ behavioral health service providers as defined in RCW 71.05.020, ~~((mental))~~ behavioral health consumers, and advocates for persons with ~~((mental illness))~~ behavioral health disorders, shall adopt rules to implement the provisions of this section related to the type and scope of information to be released. These rules shall:

(a) Enhance and facilitate the ability of the department of corrections to carry out its responsibility of planning and ensuring community protection with respect to persons subject to sentencing under chapter 9.94A or 9.95 RCW, including accessing and releasing or disclosing information of persons who received ~~((mental))~~ behavioral health services as a minor; and

(b) Establish requirements for the notification of persons under the supervision of the department of corrections regarding the provisions of this section.

(4) The information received by the department of corrections under this section shall remain confidential and subject to the limitations on disclosure outlined in this chapter, except as provided in RCW 72.09.585.

(5) No ~~((mental))~~ behavioral health service provider or individual employed by a ~~((mental))~~ behavioral health service provider shall be held responsible for information released to or used by the department of corrections under the provisions of this section or rules adopted under this section.

(6) Whenever federal law or federal regulations restrict the release of information and records related to ~~((mental))~~ behavioral health services for any patient who receives treatment for alcoholism or drug dependency, the release of the information may be restricted as necessary to comply with federal law and regulations.

(7) This section does not modify the terms and conditions of disclosure of information related to sexually transmitted diseases under chapter 70.24 RCW.

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(8) The authority shall, subject to available resources, electronically, or by the most cost-effective means available, provide the department of corrections with the names, last dates of services, and addresses of specific behavioral health organizations and ~~((mental))~~ behavioral health service providers that delivered ~~((mental))~~ behavioral health services to a person subject to chapter 9.94A or 9.95 RCW pursuant to an agreement between the authority and the department of corrections.

Sec. 48. RCW 71.05.455 and 2016 c 158 s 2 are each amended to read as follows:

When funded, the Washington association of sheriffs and police chiefs, in consultation with the criminal justice training commission, must develop and adopt a model policy for use by law enforcement agencies relating to a law enforcement officer's referral of a person to a ~~((mental))~~ behavioral health agency after receiving a report of threatened or attempted suicide. The model policy must complement the criminal justice training commission's crisis intervention training curriculum.

Sec. 49. RCW 71.05.457 and 2016 c 158 s 3 are each amended to read as follows:

By July 1, 2017, all general authority Washington law enforcement agencies must adopt a policy establishing criteria and procedures for a law enforcement officer to refer a person to a ~~((mental))~~ behavioral health agency after receiving a report of threatened or attempted suicide.

Sec. 50. RCW 71.05.458 and 2016 c 158 s 5 are each amended to read as follows:

As soon as possible, but no later than twenty-four hours from receiving a referral from a law enforcement officer or law enforcement agency, excluding Saturdays, Sundays, and holidays, a mental health professional contacted by the designated ~~((mental health professional))~~ crisis responder agency must attempt to contact the referred person to determine whether additional mental health intervention is necessary including, if needed, an assessment by a designated ~~((mental health professional))~~ crisis responder for initial detention under RCW 71.05.150 or 71.05.153. Documentation of the mental health professional's attempt to contact and assess the person must be maintained by the designated ~~((mental health professional))~~ crisis responder agency.

Sec. 51. RCW 71.05.525 and 2018 c 201 s 3024 are each amended to read as follows:

When, in the judgment of the department of social and health services, the welfare of any person committed to or confined in any state juvenile correctional institution or facility necessitates that such a person be transferred or moved for observation, diagnosis or treatment to any state institution or facility for the care of juveniles with ~~((mental illness))~~ behavioral health disorders the secretary of the department of social and health services, or his or her designee, is authorized to order and effect such move or transfer: PROVIDED, HOWEVER, That the secretary of the department of social and health services shall adopt and implement procedures to assure that persons so transferred shall, while detained or confined in such institution or facility for the care of juveniles with ~~((mental illness))~~ behavioral health disorders, be provided with substantially similar opportunities for parole or early release evaluation and determination as persons detained or confined in state juvenile correctional institutions or facilities: PROVIDED, FURTHER, That the secretary of the department of social and health services shall notify the original committing court of such transfer.

Sec. 52. RCW 71.05.530 and 2016 sp.s. c 29 s 247 are each amended to read as follows:

Evaluation and treatment facilities and secure detoxification facilities authorized pursuant to this chapter may be part of the comprehensive community ~~((mental))~~ behavioral health services program conducted in counties pursuant to chapter 71.24 RCW, and may receive funding pursuant to the provisions thereof.

Sec. 53. RCW 71.05.585 and 2018 c 291 s 2 are each amended to read as follows:

(1) Less restrictive alternative treatment, at a minimum, includes the following services:

- (a) Assignment of a care coordinator;
- (b) An intake evaluation with the provider of the less restrictive alternative treatment;
- (c) A psychiatric evaluation;
- (d) A schedule of regular contacts with the provider of the less restrictive alternative treatment services for the duration of the order;

(e) A transition plan addressing access to continued services at the expiration of the order;

(f) An individual crisis plan; and

(g) Notification to the care coordinator assigned in (a) of this subsection if reasonable efforts to engage the client fail to produce substantial compliance with court-ordered treatment conditions.

(2) Less restrictive alternative treatment may additionally include requirements to participate in the following services:

- (a) Medication management;
- (b) Psychotherapy;
- (c) Nursing;
- (d) Substance abuse counseling;
- (e) Residential treatment; and
- (f) Support for housing, benefits, education, and employment.

(3) If the person was provided with involuntary medication under RCW 71.05.215 or pursuant to a judicial order during the involuntary commitment period, the less restrictive alternative treatment order may authorize the less restrictive alternative treatment provider or its designee to administer involuntary antipsychotic medication to the person if the provider has attempted and failed to obtain the informed consent of the person and there is a concurring medical opinion approving the medication by a psychiatrist, physician assistant working with a supervising psychiatrist, psychiatric advanced registered nurse practitioner, or physician or physician assistant in consultation with an independent mental health professional with prescribing authority.

(4) Less restrictive alternative treatment must be administered by a provider that is certified or licensed to provide or coordinate the full scope of services required under the less restrictive alternative order and that has agreed to assume this responsibility.

~~((4))~~ (5) The care coordinator assigned to a person ordered to less restrictive alternative treatment must submit an individualized plan for the person's treatment services to the court that entered the order. An initial plan must be submitted as soon as possible following the intake evaluation and a revised plan must be submitted upon any subsequent modification in which a type of service is removed from or added to the treatment plan.

~~((5))~~ (6) For the purpose of this section, "care coordinator" means a clinical practitioner who coordinates the activities of less restrictive alternative treatment. The care coordinator coordinates activities with the designated crisis responders that are necessary for enforcement and continuation of less restrictive alternative orders and is responsible for coordinating service activities with other agencies and establishing and maintaining a therapeutic relationship with the individual on a continuing basis.

Sec. 54. RCW 71.05.590 and 2018 c 291 s 9 and 2018 c 201 s 3026 are each reenacted and amended to read as follows:

(1) Either an agency or facility designated to monitor or provide services under a less restrictive alternative order or conditional release order, or a designated crisis responder, may take action to enforce, modify, or revoke a less restrictive alternative or conditional release order. The agency, facility, or designated crisis responder must determine that:

(a) The person is failing to adhere to the terms and conditions of the court order;

(b) Substantial deterioration in the person's functioning has occurred;

(c) There is evidence of substantial decompensation with a reasonable probability that the decompensation can be reversed by further evaluation, intervention, or treatment; or

(d) The person poses a likelihood of serious harm.

(2) Actions taken under this section must include a flexible range of responses of varying levels of intensity appropriate to the circumstances and consistent with the interests of the individual and the public in personal autonomy, safety, recovery, and compliance. Available actions may include, but are not limited to, any of the following:

(a) To counsel or advise the person as to their rights and responsibilities under the court order, and to offer appropriate incentives to motivate compliance;

(b) To increase the intensity of outpatient services provided to the person by increasing the frequency of contacts with the provider, referring the person for an assessment for assertive community services, or by other means;

(c) To request a court hearing for review and modification of the court order. The request must be made to or by the court with jurisdiction over the order and specify the circumstances that give rise to the request and what modification is being sought. The county prosecutor shall assist the agency or facility in requesting this hearing and issuing an appropriate summons to the person. This subsection does not limit the inherent authority of a treatment provider to alter conditions of treatment for clinical reasons, and is intended to be used only when court intervention is necessary or advisable to secure the person's compliance and prevent decompensation or deterioration;

(d) To cause the person to be transported by a peace officer, designated crisis responder, or other means to the agency or facility monitoring or providing services under the court order, or to a triage facility, crisis stabilization unit, emergency department, ~~((or to an))~~ evaluation and treatment facility ~~((if the person is committed for mental health treatment))~~, ~~((or to a))~~ secure detoxification facility with available space, or an approved substance use disorder treatment program with available space ~~((if the person is committed for substance use disorder treatment))~~. The person may be detained at the facility for up to twelve hours for the purpose of an evaluation to determine whether modification, revocation, or commitment proceedings are necessary and appropriate to stabilize the person and prevent decompensation, deterioration, or physical harm. Temporary detention for evaluation under this subsection is intended to occur only following a pattern of noncompliance or the failure of reasonable attempts at outreach and engagement, and may occur only when in the clinical judgment of a designated crisis responder or the professional person in charge of an agency or facility designated to monitor less restrictive alternative services temporary detention is appropriate. This subsection does not limit the ability or obligation to pursue revocation procedures under subsection (4) of this section in appropriate circumstances; and

(e) To initiate revocation procedures under subsection (4) of this section or, if the current commitment is solely based on the person being in need of assisted outpatient behavioral health

treatment as defined in RCW 71.05.020, initiate initial inpatient detention procedures under subsection (6) of this section.

(3) The facility or agency designated to provide outpatient treatment shall notify the secretary of the department of social and health services or designated crisis responder when a person fails to adhere to terms and conditions of court ordered treatment or experiences substantial deterioration in his or her condition and, as a result, presents an increased likelihood of serious harm.

(4)(a) Except as provided in subsection (6) of this section, a designated crisis responder or the secretary of the department of social and health services may upon their own motion or notification by the facility or agency designated to provide outpatient care order a person subject to a court order under this chapter to be apprehended and taken into custody and temporary detention in an evaluation and treatment facility ~~((in or near the county in which he or she is receiving outpatient treatment if the person is committed for mental health treatment, or, if the person is committed for substance use disorder treatment, in a))~~, an available secure detoxification facility with adequate space, or an available approved substance use disorder treatment program ((if either is available)) with adequate space, in or near the county in which he or she is receiving outpatient treatment ~~((and has adequate space))~~. Proceedings under this subsection (4) may be initiated without ordering the apprehension and detention of the person.

(b) Except as provided in subsection (6) of this section, a person detained under this subsection (4) must be held until such time, not exceeding five days, as a hearing can be scheduled to determine whether or not the person should be returned to the hospital or facility from which he or she had been released. If the person is not detained, the hearing must be scheduled within five days of service on the person. The designated crisis responder or the secretary of the department of social and health services may modify or rescind the order at any time prior to commencement of the court hearing.

(c) The designated crisis responder or secretary of the department of social and health services shall file a revocation petition and order of apprehension and detention with the court of the county where the person is currently located or being detained. The designated crisis responder shall serve the person and their attorney, guardian, and conservator, if any. The person has the same rights with respect to notice, hearing, and counsel as in any involuntary treatment proceeding, except as specifically set forth in this section. There is no right to jury trial. The venue for proceedings is the county where the petition is filed. Notice of the filing must be provided to the court that originally ordered commitment, if different from the court where the petition for revocation is filed, within two judicial days of the person's detention.

(d) Except as provided in subsection (6) of this section, the issues for the court to determine are whether: (i) The person adhered to the terms and conditions of the court order; (ii) substantial deterioration in the person's functioning has occurred; (iii) there is evidence of substantial decompensation with a reasonable probability that the decompensation can be reversed by further inpatient treatment; or (iv) there is a likelihood of serious harm; and, if any of the above conditions apply, whether the court should reinstate or modify the person's less restrictive alternative or conditional release order or order the person's detention for inpatient treatment. The person may waive the court hearing and allow the court to enter a stipulated order upon the agreement of all parties. If the court orders detention for inpatient treatment, the treatment period ~~((may be for no longer than the period))~~ must be for fourteen days from the revocation hearing if the outpatient order was based on a petition under RCW 71.05.160 or 71.05.230. If the court orders detention for inpatient

treatment and the outpatient order was based on a petition under RCW 71.05.290 or 71.05.320, the number of days remaining until the outpatient order must be converted to days of inpatient treatment authorized in the original court order. A court may not issue an order to detain a person for inpatient treatment in a secure detoxification facility or approved substance use disorder treatment program under this subsection unless there is a secure detoxification facility or approved substance use disorder treatment program available and with adequate space for the person.

(5) In determining whether or not to take action under this section the designated crisis responder, agency, or facility must consider the factors specified under RCW 71.05.212 and the court must consider the factors specified under RCW 71.05.245 as they apply to the question of whether to enforce, modify, or revoke a court order for involuntary treatment.

(6)(a) If the current commitment is solely based on the person being in need of assisted outpatient behavioral health treatment as defined in RCW 71.05.020, a designated crisis responder may initiate inpatient detention procedures under RCW 71.05.150 or 71.05.153 when appropriate. A designated crisis responder or the secretary may, upon their own motion or notification by the facility or agency designated to provide outpatient care to a person subject to a less restrictive alternative treatment order under RCW 71.05.320 subsequent to an order for assisted outpatient behavioral health treatment entered under RCW 71.05.148, order the person to be apprehended and taken into custody and temporary detention for inpatient evaluation in an evaluation and treatment facility ~~((in or near the county in which he or she is receiving outpatient treatment if the person is committed for mental health treatment, or, if the person is committed for substance use disorder treatment, in a))~~ secure detoxification facility, or in an approved substance use disorder treatment program ~~((if either is available))~~, in or near the county in which he or she is receiving outpatient treatment. Proceedings under this subsection may be initiated without ordering the apprehension and detention of the person.

(b) A person detained under this subsection may be held for evaluation for up to seventy-two hours, excluding weekends and holidays, pending a court hearing. If the person is not detained, the hearing must be scheduled within seventy-two hours of service on the person. The designated crisis responder or the secretary may modify or rescind the order at any time prior to commencement of the court hearing.

(c) The issues for the court to determine are whether to continue the detention of the person for inpatient treatment or whether the court should reinstate or modify the person's less restrictive alternative order or order the person's detention for inpatient treatment. To continue detention after the seventy-two hour period, the court must find that the person, as a result of a ~~((mental disorder or substance use))~~ behavioral health disorder, presents a likelihood of serious harm or is gravely disabled and, after considering less restrictive alternatives to involuntary detention and treatment, that no such alternatives are in the best interest of the person or others.

(d) A court may not issue an order to detain a person for inpatient treatment in a secure detoxification facility or approved substance use disorder program under this subsection unless there is a secure detoxification facility or approved substance use disorder treatment program available and with adequate space for the person.

Sec. 55. RCW 71.05.590 and 2018 c 291 s 9 and 2018 c 201 s 3026 are each reenacted and amended to read as follows:

(1) Either an agency or facility designated to monitor or provide services under a less restrictive alternative order or

conditional release order, or a designated crisis responder, may take action to enforce, modify, or revoke a less restrictive alternative or conditional release order. The agency, facility, or designated crisis responder must determine that:

(a) The person is failing to adhere to the terms and conditions of the court order;

(b) Substantial deterioration in the person's functioning has occurred;

(c) There is evidence of substantial decompensation with a reasonable probability that the decompensation can be reversed by further evaluation, intervention, or treatment; or

(d) The person poses a likelihood of serious harm.

(2) Actions taken under this section must include a flexible range of responses of varying levels of intensity appropriate to the circumstances and consistent with the interests of the individual and the public in personal autonomy, safety, recovery, and compliance. Available actions may include, but are not limited to, any of the following:

(a) To counsel or advise the person as to their rights and responsibilities under the court order, and to offer appropriate incentives to motivate compliance;

(b) To increase the intensity of outpatient services provided to the person by increasing the frequency of contacts with the provider, referring the person for an assessment for assertive community services, or by other means;

(c) To request a court hearing for review and modification of the court order. The request must be made to or by the court with jurisdiction over the order and specify the circumstances that give rise to the request and what modification is being sought. The county prosecutor shall assist the agency or facility in requesting this hearing and issuing an appropriate summons to the person. This subsection does not limit the inherent authority of a treatment provider to alter conditions of treatment for clinical reasons, and is intended to be used only when court intervention is necessary or advisable to secure the person's compliance and prevent decompensation or deterioration;

(d) To cause the person to be transported by a peace officer, designated crisis responder, or other means to the agency or facility monitoring or providing services under the court order, or to a triage facility, crisis stabilization unit, emergency department, ~~((or to an))~~ evaluation and treatment facility ~~((if the person is committed for mental health treatment))~~, ~~((or to a))~~ secure detoxification facility with available space, or an approved substance use disorder treatment program with available space ~~((if the person is committed for substance use disorder treatment))~~. The person may be detained at the facility for up to twelve hours for the purpose of an evaluation to determine whether modification, revocation, or commitment proceedings are necessary and appropriate to stabilize the person and prevent decompensation, deterioration, or physical harm. Temporary detention for evaluation under this subsection is intended to occur only following a pattern of noncompliance or the failure of reasonable attempts at outreach and engagement, and may occur only when in the clinical judgment of a designated crisis responder or the professional person in charge of an agency or facility designated to monitor less restrictive alternative services temporary detention is appropriate. This subsection does not limit the ability or obligation to pursue revocation procedures under subsection (4) of this section in appropriate circumstances; and

(e) To initiate revocation procedures under subsection (4) of this section or, if the current commitment is solely based on the person being in need of assisted outpatient behavioral health treatment as defined in RCW 71.05.020, initiate initial inpatient detention procedures under subsection (6) of this section.

(3) The facility or agency designated to provide outpatient treatment shall notify the secretary of the department of social and health services or designated crisis responder when a person fails to adhere to terms and conditions of court ordered treatment or experiences substantial deterioration in his or her condition and, as a result, presents an increased likelihood of serious harm.

(4)(a) Except as provided in subsection (6) of this section, a designated crisis responder or the secretary of the department of social and health services may upon their own motion or notification by the facility or agency designated to provide outpatient care order a person subject to a court order under this chapter to be apprehended and taken into custody and temporary detention in an evaluation and treatment facility ~~((in or near the county in which he or she is receiving outpatient treatment if the person is committed for mental health treatment, or, if the person is committed for substance use disorder treatment, in a)), an available secure detoxification facility with adequate space, or an available approved substance use disorder treatment program ((if either is available)) with adequate space,~~ in or near the county in which he or she is receiving outpatient treatment ~~((and has adequate space))~~. Proceedings under this subsection (4) may be initiated without ordering the apprehension and detention of the person.

(b) Except as provided in subsection (6) of this section, a person detained under this subsection (4) must be held until such time, not exceeding five days, as a hearing can be scheduled to determine whether or not the person should be returned to the hospital or facility from which he or she had been released. If the person is not detained, the hearing must be scheduled within five days of service on the person. The designated crisis responder or the secretary of the department of social and health services may modify or rescind the order at any time prior to commencement of the court hearing.

(c) The designated crisis responder or secretary of the department of social and health services shall file a revocation petition and order of apprehension and detention with the court of the county where the person is currently located or being detained. The designated crisis responder shall serve the person and their attorney, guardian, and conservator, if any. The person has the same rights with respect to notice, hearing, and counsel as in any involuntary treatment proceeding, except as specifically set forth in this section. There is no right to jury trial. The venue for proceedings is the county where the petition is filed. Notice of the filing must be provided to the court that originally ordered commitment, if different from the court where the petition for revocation is filed, within two judicial days of the person's detention.

(d) Except as provided in subsection (6) of this section, the issues for the court to determine are whether: (i) The person adhered to the terms and conditions of the court order; (ii) substantial deterioration in the person's functioning has occurred; (iii) there is evidence of substantial decompensation with a reasonable probability that the decompensation can be reversed by further inpatient treatment; or (iv) there is a likelihood of serious harm; and, if any of the above conditions apply, whether the court should reinstate or modify the person's less restrictive alternative or conditional release order or order the person's detention for inpatient treatment. The person may waive the court hearing and allow the court to enter a stipulated order upon the agreement of all parties. If the court orders detention for inpatient treatment, the treatment period ~~((may be for no longer than the period))~~ must be for fourteen days from the revocation hearing if the outpatient order was based on a petition under RCW 71.05.160 or 71.05.230. If the court orders detention for inpatient treatment and the outpatient order was based on a petition under RCW 71.05.290 or 71.05.320, the number of days remaining until

the outpatient order must be converted to days of inpatient treatment authorized in the original court order. A court may not issue an order to detain a person for inpatient treatment in a secure detoxification facility or approved substance use disorder treatment program under this subsection unless there is a secure detoxification facility or approved substance use disorder treatment program available and with adequate space for the person.

(5) In determining whether or not to take action under this section the designated crisis responder, agency, or facility must consider the factors specified under RCW 71.05.212 and the court must consider the factors specified under RCW 71.05.245 as they apply to the question of whether to enforce, modify, or revoke a court order for involuntary treatment.

(6)(a) If the current commitment is solely based on the person being in need of assisted outpatient behavioral health treatment as defined in RCW 71.05.020, a designated crisis responder may initiate inpatient detention procedures under RCW 71.05.150 or 71.05.153 when appropriate. A designated crisis responder or the secretary may, upon their own motion or notification by the facility or agency designated to provide outpatient care to a person subject to a less restrictive alternative treatment order under RCW 71.05.320 subsequent to an order for assisted outpatient behavioral health treatment entered under RCW 71.05.148, order the person to be apprehended and taken into custody and temporary detention for inpatient evaluation in an evaluation and treatment facility ~~((in or near the county in which he or she is receiving outpatient treatment if the person is committed for mental health treatment, or, if the person is committed for substance use disorder treatment, in a)),~~ secure detoxification facility, or in an approved substance use disorder treatment program ((if either is available)), in or near the county in which he or she is receiving outpatient treatment. Proceedings under this subsection may be initiated without ordering the apprehension and detention of the person.

(b) A person detained under this subsection may be held for evaluation for up to ~~((seventy-two hours))~~ five days, excluding weekends and holidays, pending a court hearing. If the person is not detained, the hearing must be scheduled within ~~((seventy-two hours))~~ five days of service on the person. The designated crisis responder or the secretary may modify or rescind the order at any time prior to commencement of the court hearing.

(c) The issues for the court to determine are whether to continue the detention of the person for inpatient treatment or whether the court should reinstate or modify the person's less restrictive alternative order or order the person's detention for inpatient treatment. To continue detention after the ~~((seventy-two hour))~~ five-day period, the court must find that the person, as a result of a ~~((mental disorder or substance use))~~ behavioral health disorder, presents a likelihood of serious harm or is gravely disabled and, after considering less restrictive alternatives to involuntary detention and treatment, that no such alternatives are in the best interest of the person or others.

(d) A court may not issue an order to detain a person for inpatient treatment in a secure detoxification facility or approved substance use disorder program under this subsection unless there is a secure detoxification facility or approved substance use disorder treatment program available and with adequate space for the person.

Sec. 56. RCW 71.05.590 and 2018 c 291 s 10 and 2018 c 201 s 3027 are each reenacted and amended to read as follows:

(1) Either an agency or facility designated to monitor or provide services under a less restrictive alternative order or conditional release order, or a designated crisis responder, may take action to enforce, modify, or revoke a less restrictive

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alternative or conditional release order. The agency, facility, or designated crisis responder must determine that:

(a) The person is failing to adhere to the terms and conditions of the court order;

(b) Substantial deterioration in the person's functioning has occurred;

(c) There is evidence of substantial decompensation with a reasonable probability that the decompensation can be reversed by further evaluation, intervention, or treatment; or

(d) The person poses a likelihood of serious harm.

(2) Actions taken under this section must include a flexible range of responses of varying levels of intensity appropriate to the circumstances and consistent with the interests of the individual and the public in personal autonomy, safety, recovery, and compliance. Available actions may include, but are not limited to, any of the following:

(a) To counsel or advise the person as to their rights and responsibilities under the court order, and to offer appropriate incentives to motivate compliance;

(b) To increase the intensity of outpatient services provided to the person by increasing the frequency of contacts with the provider, referring the person for an assessment for assertive community services, or by other means;

(c) To request a court hearing for review and modification of the court order. The request must be made to or by the court with jurisdiction over the order and specify the circumstances that give rise to the request and what modification is being sought. The county prosecutor shall assist the agency or facility in requesting this hearing and issuing an appropriate summons to the person. This subsection does not limit the inherent authority of a treatment provider to alter conditions of treatment for clinical reasons, and is intended to be used only when court intervention is necessary or advisable to secure the person's compliance and prevent decompensation or deterioration;

(d) To cause the person to be transported by a peace officer, designated crisis responder, or other means to the agency or facility monitoring or providing services under the court order, or to a triage facility, crisis stabilization unit, emergency department, ~~((or to an))~~ evaluation and treatment facility ~~((if the person is committed for mental health treatment))~~, ~~((or to a))~~ secure detoxification facility, or an approved substance use disorder treatment program ~~((if the person is committed for substance use disorder treatment))~~. The person may be detained at the facility for up to twelve hours for the purpose of an evaluation to determine whether modification, revocation, or commitment proceedings are necessary and appropriate to stabilize the person and prevent decompensation, deterioration, or physical harm. Temporary detention for evaluation under this subsection is intended to occur only following a pattern of noncompliance or the failure of reasonable attempts at outreach and engagement, and may occur only when in the clinical judgment of a designated crisis responder or the professional person in charge of an agency or facility designated to monitor less restrictive alternative services temporary detention is appropriate. This subsection does not limit the ability or obligation to pursue revocation procedures under subsection (4) of this section in appropriate circumstances; and

(e) To initiate revocation procedures under subsection (4) of this section or, if the current commitment is solely based on the person being in need of assisted outpatient behavioral health treatment as defined in RCW 71.05.020, initial inpatient detention procedures under subsection (6) of this section.

(3) The facility or agency designated to provide outpatient treatment shall notify the secretary of the department of social and health services or designated crisis responder when a person fails

to adhere to terms and conditions of court ordered treatment or experiences substantial deterioration in his or her condition and, as a result, presents an increased likelihood of serious harm.

(4)(a) Except as provided in subsection (6) of this section, a designated crisis responder or the secretary of the department of social and health services may upon their own motion or notification by the facility or agency designated to provide outpatient care order a person subject to a court order under this chapter to be apprehended and taken into custody and temporary detention in an evaluation and treatment facility ~~((in or near the county in which he or she is receiving outpatient treatment if the person is committed for mental health treatment, or, if the person is committed for substance use disorder treatment))~~, in a secure detoxification facility, or in an approved substance use disorder treatment program ~~((if either is available))~~, in or near the county in which he or she is receiving outpatient treatment. Proceedings under this subsection (4) may be initiated without ordering the apprehension and detention of the person.

(b) Except as provided in subsection (6) of this section, a person detained under this subsection (4) must be held until such time, not exceeding five days, as a hearing can be scheduled to determine whether or not the person should be returned to the hospital or facility from which he or she had been released. If the person is not detained, the hearing must be scheduled within five days of service on the person. The designated crisis responder or the secretary of the department of social and health services may modify or rescind the order at any time prior to commencement of the court hearing.

(c) The designated crisis responder or secretary of the department of social and health services shall file a revocation petition and order of apprehension and detention with the court of the county where the person is currently located or being detained. The designated crisis responder shall serve the person and their attorney, guardian, and conservator, if any. The person has the same rights with respect to notice, hearing, and counsel as in any involuntary treatment proceeding, except as specifically set forth in this section. There is no right to jury trial. The venue for proceedings is the county where the petition is filed. Notice of the filing must be provided to the court that originally ordered commitment, if different from the court where the petition for revocation is filed, within two judicial days of the person's detention.

(d) Except as provided in subsection (6) of this section, the issues for the court to determine are whether: (i) The person adhered to the terms and conditions of the court order; (ii) substantial deterioration in the person's functioning has occurred; (iii) there is evidence of substantial decompensation with a reasonable probability that the decompensation can be reversed by further inpatient treatment; or (iv) there is a likelihood of serious harm; and, if any of the above conditions apply, whether the court should reinstate or modify the person's less restrictive alternative or conditional release order or order the person's detention for inpatient treatment. The person may waive the court hearing and allow the court to enter a stipulated order upon the agreement of all parties. If the court orders detention for inpatient treatment, the treatment period ~~((may be for no longer than the period))~~ must be for fourteen days from the revocation hearing if the outpatient order was based on a petition under RCW 71.05.160 or 71.05.230. If the court orders detention for inpatient treatment and the outpatient order was based on a petition under RCW 71.05.290 or 71.05.320, the number of days remaining until the outpatient order must be converted to days of inpatient treatment authorized in the original court order.

(5) In determining whether or not to take action under this section the designated crisis responder, agency, or facility must

consider the factors specified under RCW 71.05.212 and the court must consider the factors specified under RCW 71.05.245 as they apply to the question of whether to enforce, modify, or revoke a court order for involuntary treatment.

(6)(a) If the current commitment is solely based on the person being in need of assisted outpatient behavioral health treatment as defined in RCW 71.05.020, a designated crisis responder may initiate inpatient detention procedures under RCW 71.05.150 or 71.05.153 when appropriate. A designated crisis responder or the secretary may, upon their own motion or notification by the facility or agency designated to provide outpatient care to a person subject to a less restrictive alternative treatment order under RCW 71.05.320 subsequent to an order for assisted outpatient behavioral health treatment entered under RCW 71.05.148, order the person to be apprehended and taken into custody and temporary detention for inpatient evaluation in an evaluation and treatment facility ~~((in or near the county in which he or she is receiving outpatient treatment if the person is committed for mental health treatment, or, if the person is committed for substance use disorder treatment)),~~ in a secure detoxification facility, or in an approved substance use disorder treatment program ~~((if either is available)),~~ in or near the county in which he or she is receiving outpatient treatment. Proceedings under this subsection may be initiated without ordering the apprehension and detention of the person.

(b) A person detained under this subsection may be held for evaluation for up to ~~((seventy-two hours))~~ five days, excluding weekends and holidays, pending a court hearing. The designated crisis responder or the secretary may modify or rescind the order at any time prior to commencement of the court hearing.

(c) The issues for the court to determine are whether to continue the detention of the person for inpatient treatment or whether the court should reinstate or modify the person's less restrictive alternative order or order the person's detention for inpatient treatment. To continue detention after the ~~((seventy-two hour))~~ five-day period, the court must find that the person, as a result of a ~~((mental disorder or substance use))~~ behavioral health disorder, presents a likelihood of serious harm or is gravely disabled and, after considering less restrictive alternatives to involuntary detention and treatment, that no such alternatives are in the best interest of the person or others.

~~((d) A court may not issue an order to detain a person for inpatient treatment in a secure detoxification facility or approved substance use disorder program under this subsection unless there is a secure detoxification facility or approved substance use disorder treatment program available and with adequate space for the person.))~~

Sec. 57. RCW 71.05.720 and 2018 c 201 s 3029 are each amended to read as follows:

Annually, all community mental health employees who work directly with clients shall be provided with training on safety and violence prevention topics described in RCW 49.19.030. The curriculum for the training shall be developed collaboratively among the authority, the department, contracted ~~((mental))~~ behavioral health service providers, and employee organizations that represent community mental health workers.

Sec. 58. RCW 71.05.740 and 2018 c 201 s 3031 are each amended to read as follows:

All behavioral health organizations in the state of Washington must forward historical ~~((mental))~~ behavioral health involuntary commitment information retained by the organization including identifying information and dates of commitment to the authority. As soon as feasible, the behavioral health organizations must arrange to report new commitment data to the authority within

twenty-four hours. Commitment information under this section does not need to be resent if it is already in the possession of the authority. Behavioral health organizations and the authority shall be immune from liability related to the sharing of commitment information under this section.

Sec. 59. RCW 71.05.745 and 2018 c 201 s 3032 are each amended to read as follows:

(1) The authority may use a single bed certification process as outlined in rule to provide additional treatment capacity for a person suffering from a ~~((mental))~~ behavioral health disorder for whom an evaluation and treatment facility, secure detoxification facility, or approved substance use disorder treatment program bed is not available. The facility that is the proposed site of the single bed certification must be a facility that is willing and able to provide the person with timely and appropriate treatment either directly or by arrangement with other public or private agencies.

(2) A single bed certification must be specific to the patient receiving treatment.

(3) A designated crisis responder who submits an application for a single bed certification for treatment at a facility that is willing and able to provide timely and appropriate ~~((mental))~~ behavioral health treatment in good faith belief that the single bed certification is appropriate may presume that the single bed certification will be approved for the purpose of completing the detention process and responding to other emergency calls.

(4) The authority may adopt rules implementing this section and continue to enforce rules it has already adopted except where inconsistent with this section.

Sec. 60. RCW 71.05.750 and 2018 c 201 s 3033 are each amended to read as follows:

(1) A designated crisis responder shall make a report to the authority when he or she determines a person meets detention criteria under RCW 71.05.150, 71.05.153, 71.34.700, or 71.34.710 and there are not any beds available at an evaluation and treatment facility, the person has not been provisionally accepted for admission by a facility, and the person cannot be served on a single bed certification or less restrictive alternative. Starting at the time when the designated crisis responder determines a person meets detention criteria and the investigation has been completed, the designated crisis responder has twenty-four hours to submit a completed report to the authority.

(2) The report required under subsection (1) of this section must contain at a minimum:

- (a) The date and time that the investigation was completed;
- (b) The identity of the responsible behavioral health administrative services organization and managed care organization, if applicable;
- (c) The county in which the person met detention criteria;
- (d) A list of facilities which refused to admit the person; and
- (e) Identifying information for the person, including age or date of birth.

(3) The authority shall develop a standardized reporting form or modify the current form used for single bed certifications for the report required under subsection (2) of this section and may require additional reporting elements as it determines are necessary or supportive. The authority shall also determine the method for the transmission of the completed report from the designated crisis responder to the authority.

(4) The authority shall create quarterly reports displayed on its web site that summarize the information reported under subsection (2) of this section. At a minimum, the reports must display data by county and by month. The reports must also include the number of single bed certifications granted by category. The categories must include all of the reasons that the

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authority recognizes for issuing a single bed certification, as identified in rule.

(5) The reports provided according to this section may not display "protected health information" as that term is used in the federal health insurance portability and accountability act of 1996, nor information contained in "mental health treatment records" or "behavioral health treatment records" as ~~((that term is))~~ these terms are used in chapter 70.02 RCW or elsewhere in state law, and must otherwise be compliant with state and federal privacy laws.

(6) For purposes of this section, the term "single bed certification" means a situation in which an adult on a seventy-two hour detention, fourteen-day commitment, ninety-day commitment, or one hundred eighty-day commitment is detained to a facility that is:

(a) Not licensed or certified as an inpatient evaluation and treatment facility; or

(b) A licensed or certified inpatient evaluation and treatment facility that is already at capacity.

Sec. 61. RCW 71.05.750 and 2018 c 201 s 3033 are each amended to read as follows:

(1) A designated crisis responder shall make a report to the authority when he or she determines a person meets detention criteria under RCW 71.05.150, 71.05.153, 71.34.700, or 71.34.710 and there are not any beds available at an evaluation and treatment facility, the person has not been provisionally accepted for admission by a facility, and the person cannot be served on a single bed certification or less restrictive alternative. Starting at the time when the designated crisis responder determines a person meets detention criteria and the investigation has been completed, the designated crisis responder has twenty-four hours to submit a completed report to the authority.

(2) The report required under subsection (1) of this section must contain at a minimum:

(a) The date and time that the investigation was completed;

(b) The identity of the responsible behavioral health administrative services organization and managed care organization, if applicable;

(c) The county in which the person met detention criteria;

(d) A list of facilities which refused to admit the person; and

(e) Identifying information for the person, including age or date of birth.

(3) The authority shall develop a standardized reporting form or modify the current form used for single bed certifications for the report required under subsection (2) of this section and may require additional reporting elements as it determines are necessary or supportive. The authority shall also determine the method for the transmission of the completed report from the designated crisis responder to the authority.

(4) The authority shall create quarterly reports displayed on its web site that summarize the information reported under subsection (2) of this section. At a minimum, the reports must display data by county and by month. The reports must also include the number of single bed certifications granted by category. The categories must include all of the reasons that the authority recognizes for issuing a single bed certification, as identified in rule.

(5) The reports provided according to this section may not display "protected health information" as that term is used in the federal health insurance portability and accountability act of 1996, nor information contained in "mental health treatment records" or "behavioral health treatment records" as ~~((that term is))~~ these terms are used in chapter 70.02 RCW or elsewhere in state law, and must otherwise be compliant with state and federal privacy laws.

(6) For purposes of this section, the term "single bed certification" means a situation in which an adult on a ~~((seventy-two hour))~~ five-day detention, fourteen-day commitment, ninety-day commitment, or one hundred eighty-day commitment is detained to a facility that is:

(a) Not licensed or certified as an inpatient evaluation and treatment facility; or

(b) A licensed or certified inpatient evaluation and treatment facility that is already at capacity.

Sec. 62. RCW 71.05.760 and 2018 c 201 s 3035 are each amended to read as follows:

(1)(a) ~~((By April 1, 2018, the authority, by rule, must combine the functions of a designated mental health professional and designated chemical dependency specialist by establishing a designated crisis responder who is authorized to conduct investigations, detain persons up to seventy-two hours to the proper facility, and carry out the other functions identified in this chapter and chapter 71.34 RCW.))~~ The behavioral health organizations shall provide training to the designated crisis responders as required by the authority.

(b)(i) To qualify as a designated crisis responder, a person must have received chemical dependency training as determined by the department and be a:

(A) Psychiatrist, psychologist, physician assistant working with a supervising psychiatrist, psychiatric advanced registered nurse practitioner, or social worker;

(B) Person who is licensed by the department as a mental health counselor or mental health counselor associate, or marriage and family therapist or marriage and family therapist associate;

(C) Person with a master's degree or further advanced degree in counseling or one of the social sciences from an accredited college or university and who have, in addition, at least two years of experience in direct treatment of persons with mental illness or emotional disturbance, such experience gained under the direction of a mental health professional;

(D) Person who meets the waiver criteria of RCW 71.24.260, which waiver was granted before 1986;

(E) Person who had an approved waiver to perform the duties of a mental health professional that was requested by the regional support network and granted by the department of social and health services before July 1, 2001; or

(F) Person who has been granted an exception of the minimum requirements of a mental health professional by the department consistent with rules adopted by the secretary.

(ii) Training must include chemical dependency training specific to the duties of a designated crisis responder, including diagnosis of substance abuse and dependence and assessment of risk associated with substance use.

(c) The authority must develop a transition process for any person who has been designated as a designated mental health professional or a designated chemical dependency specialist before April 1, 2018, to be converted to a designated crisis responder. The behavioral health organizations shall provide training, as required by the authority, to persons converting to designated crisis responders, which must include both mental health and chemical dependency training applicable to the designated crisis responder role.

(2)(a) The authority must ensure that at least one sixteen-bed secure detoxification facility is operational by April 1, 2018, and that at least two sixteen-bed secure detoxification facilities are operational by April 1, 2019.

(b) If, at any time during the implementation of secure detoxification facility capacity, federal funding becomes unavailable for federal match for services provided in secure detoxification facilities, then the authority must cease any

expansion of secure detoxification facilities until further direction is provided by the legislature.

Sec. 63. RCW 71.34.010 and 2018 c 201 s 5001 are each amended to read as follows:

(1) It is the purpose of this chapter to assure that minors in need of ~~((mental))~~ behavioral health care and treatment receive an appropriate continuum of culturally relevant care and treatment, including prevention and early intervention, self-directed care, parent-directed care, and involuntary treatment. To facilitate the continuum of care and treatment to minors in out-of-home placements, all divisions of the authority and the department that provide ~~((mental))~~ behavioral health services to minors shall jointly plan and deliver those services.

(2) It is also the purpose of this chapter to protect the rights of minors against needless hospitalization and deprivations of liberty and to enable treatment decisions to be made in response to clinical needs in accordance with sound professional judgment. The ~~((mental))~~ behavioral health care and treatment providers shall encourage the use of voluntary services and, whenever clinically appropriate, the providers shall offer less restrictive alternatives to inpatient treatment. Additionally, all ~~((mental))~~ behavioral health care and treatment providers shall assure that minors' parents are given an opportunity to participate in the treatment decisions for their minor children. The ~~((mental))~~ behavioral health care and treatment providers shall, to the extent possible, offer services that involve minors' parents or family.

(3)(a) It is the intent of the legislature to enhance continuity of care for minors with serious behavioral health disorders that can be controlled or stabilized in a less restrictive alternative commitment. Within the guidelines stated in *In re LaBelle*, 107 Wn.2d 196 (1986), the legislature intends to encourage appropriate interventions at a point when there is the best opportunity to restore the minor to or maintain satisfactory functioning.

(b) For minors with a prior history or pattern of repeated hospitalizations or law enforcement interventions due to decompensation, the consideration of prior behavioral health history is particularly relevant in determining whether the minor would receive, if released, such care as is essential for his or her health or safety.

(c) Therefore, the legislature finds that for minors who are currently under a commitment order, a prior history of decompensation leading to repeated hospitalizations or law enforcement interventions should be given great weight in determining whether a new less restrictive alternative commitment should be ordered.

(4) It is also the purpose of this chapter to protect the health and safety of minors suffering from behavioral health disorders and to protect public safety through use of the parens patriae and police powers of the state. Accordingly, when construing the requirements of this chapter the court must focus on the merits of the petition, except where requirements have been totally disregarded, as provided in *In re C.W.*, 147 Wn.2d 259, 281 (2002). A presumption in favor of deciding petitions on their merits furthers both public and private interests because the mental and physical well-being of minors as well as public safety may be implicated by the decision to release a minor and discontinue his or her treatment.

(5) It is also the purpose of this chapter to assure the ability of parents to exercise reasonable, compassionate care and control of their minor children when there is a medical necessity for treatment and without the requirement of filing a petition under this chapter.

Sec. 64. RCW 71.34.020 and 2018 c 201 s 5002 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Alcoholism" means a disease, characterized by a dependency on alcoholic beverages, loss of control over the amount and circumstances of use, symptoms of tolerance, physiological or psychological withdrawal, or both, if use is reduced or discontinued, and impairment of health or disruption of social or economic functioning.

(2) "Approved substance use disorder treatment program" means a program for minors with substance use disorders provided by a treatment program licensed or certified by the department of health as meeting standards adopted under chapter 71.24 RCW.

(3) "Authority" means the Washington state health care authority.

~~((4))~~ ~~("Chemical dependency" means:~~
~~(a) Alcoholism;~~
~~(b) Drug addiction; or~~
~~(c) Dependence on alcohol and one or more other psychoactive chemicals, as the context requires.~~

~~((5))~~ "Chemical dependency professional" means a person certified as a chemical dependency professional by the department of health under chapter 18.205 RCW.

~~((6))~~ (5) "Child psychiatrist" means a person having a license as a physician and surgeon in this state, who has had graduate training in child psychiatry in a program approved by the American Medical Association or the American Osteopathic Association, and who is board eligible or board certified in child psychiatry.

~~((7))~~ (6) "Children's mental health specialist" means:

(a) A mental health professional who has completed a minimum of one hundred actual hours, not quarter or semester hours, of specialized training devoted to the study of child development and the treatment of children; and

(b) A mental health professional who has the equivalent of one year of full-time experience in the treatment of children under the supervision of a children's mental health specialist.

~~((8))~~ (7) "Commitment" means a determination by a judge or court commissioner, made after a commitment hearing, that the minor is in need of inpatient diagnosis, evaluation, or treatment or that the minor is in need of less restrictive alternative treatment.

~~((9))~~ (8) "Department" means the department of social and health services.

~~((10))~~ (9) "Designated crisis responder" means a person designated by a behavioral health organization to perform the duties specified in this chapter.

~~((11))~~ (10) "Director" means the director of the authority.

~~((12))~~ (11) "Drug addiction" means a disease, characterized by a dependency on psychoactive chemicals, loss of control over the amount and circumstances of use, symptoms of tolerance, physiological or psychological withdrawal, or both, if use is reduced or discontinued, and impairment of health or disruption of social or economic functioning.

~~((13))~~ (12) "Evaluation and treatment facility" means a public or private facility or unit that is licensed or certified by the department of health to provide emergency, inpatient, residential, or outpatient mental health evaluation and treatment services for minors. A physically separate and separately-operated portion of a state hospital may be designated as an evaluation and treatment facility for minors. A facility which is part of or operated by the state or federal agency does not require licensure or certification. No correctional institution or facility, juvenile court detention facility, or jail may be an evaluation and treatment facility within the meaning of this chapter.

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~~((14))~~ (13) "Evaluation and treatment program" means the total system of services and facilities coordinated and approved by a county or combination of counties for the evaluation and treatment of minors under this chapter.

~~((15))~~ (14) "Gravely disabled minor" means a minor who, as a result of a ~~(mental)~~ behavioral health disorder ~~(-or as a result of the use of alcohol or other psychoactive chemicals)~~, (a) is in danger of serious physical harm resulting from a failure to provide for his or her essential human needs of health or safety, or (b) manifests severe deterioration ~~(in routine functioning)~~ from safe behavior evidenced by repeated and escalating loss of cognitive or volitional control over his or her actions and is not receiving such care as is essential for his or her health or safety.

~~((16))~~ (15) "Inpatient treatment" means twenty-four-hour-per-day mental health care provided within a general hospital, psychiatric hospital, residential treatment facility licensed or certified by the department of health as an evaluation and treatment facility for minors, secure detoxification facility for minors, or approved substance use disorder treatment program for minors.

~~((17))~~ (16) "Intoxicated minor" means a minor whose mental or physical functioning is substantially impaired as a result of the use of alcohol or other psychoactive chemicals.

~~((18))~~ (17) "Less restrictive alternative" or "less restrictive setting" means outpatient treatment provided to a minor who is not residing in a facility providing inpatient treatment as defined in this chapter.

~~((19))~~ (18) "Likelihood of serious harm" means ~~(either)~~:

(a) A substantial risk that: (i) Physical harm will be inflicted by ~~(an individual)~~ a minor upon his or her own person, as evidenced by threats or attempts to commit suicide or inflict physical harm on oneself; ~~((b) a substantial risk that)~~ (ii) physical harm will be inflicted by ~~(an individual)~~ a minor upon another individual, as evidenced by behavior which has caused ~~(such)~~ harm, substantial pain, or which places another person or persons in reasonable fear of ~~(sustaining such)~~ harm to themselves or others; or ~~((c) a substantial risk that)~~ (iii) physical harm will be inflicted by ~~(an individual)~~ a minor upon the property of others, as evidenced by behavior which has caused substantial loss or damage to the property of others; or

(b) The minor has threatened the physical safety of another and has a history of one or more violent acts.

~~((20))~~ (19) "Medical necessity" for inpatient care means a requested service which is reasonably calculated to: (a) Diagnose, correct, cure, or alleviate a mental disorder or substance use disorder; or (b) prevent the progression of a substance use disorder that endangers life or causes suffering and pain, or results in illness or infirmity or threatens to cause or aggravate a handicap, or causes physical deformity or malfunction, and there is no adequate less restrictive alternative available.

~~((21))~~ (20) "Mental disorder" means any organic, mental, or emotional impairment that has substantial adverse effects on an individual's cognitive or volitional functions. The presence of alcohol abuse, drug abuse, juvenile criminal history, antisocial behavior, or intellectual disabilities alone is insufficient to justify a finding of "mental disorder" within the meaning of this section.

~~((22))~~ (21) "Mental health professional" means a psychiatrist, psychiatric advanced registered nurse practitioner, physician assistant working with a supervising psychiatrist, psychologist, psychiatric nurse, or social worker, and such other mental health professionals as may be defined by rules adopted by the secretary of the department of health under this chapter.

~~((23))~~ (22) "Minor" means any person under the age of eighteen years.

~~((24))~~ (23) "Outpatient treatment" means any of the nonresidential services mandated under chapter 71.24 RCW and provided by licensed or certified service providers as identified by RCW 71.24.025.

~~((25))~~ (24) "Parent" means:

(a) A biological or adoptive parent who has legal custody of the child, including either parent if custody is shared under a joint custody agreement; or

(b) A person or agency judicially appointed as legal guardian or custodian of the child.

~~((26))~~ (25) "Private agency" means any person, partnership, corporation, or association that is not a public agency, whether or not financed in whole or in part by public funds, that constitutes an evaluation and treatment facility or private institution, or hospital, or approved substance use disorder treatment program, that is conducted for, or includes a distinct unit, floor, or ward conducted for, the care and treatment of persons with mental illness, substance use disorders, or both mental illness and substance use disorders.

~~((27))~~ (26) "Physician assistant" means a person licensed as a physician assistant under chapter 18.57A or 18.71A RCW.

~~((28))~~ (27) "Professional person in charge" or "professional person" means a physician, other mental health professional, or other person empowered by an evaluation and treatment facility, secure detoxification facility, or approved substance use disorder treatment program with authority to make admission and discharge decisions on behalf of that facility.

~~((29))~~ (28) "Psychiatric nurse" means a registered nurse who has experience in the direct treatment of persons who have a mental illness or who are emotionally disturbed, such experience gained under the supervision of a mental health professional.

~~((30))~~ (29) "Psychiatrist" means a person having a license as a physician in this state who has completed residency training in psychiatry in a program approved by the American Medical Association or the American Osteopathic Association, and is board eligible or board certified in psychiatry.

~~((31))~~ (30) "Psychologist" means a person licensed as a psychologist under chapter 18.83 RCW.

~~((32))~~ (31) "Public agency" means any evaluation and treatment facility or institution, or hospital, or approved substance use disorder treatment program that is conducted for, or includes a distinct unit, floor, or ward conducted for, the care and treatment of persons with mental illness, substance use disorders, or both mental illness and substance use disorders if the agency is operated directly by federal, state, county, or municipal government, or a combination of such governments.

~~((33))~~ (32) "Responsible other" means the minor's parent or estate, or any other person legally responsible for support of the minor.

~~((34))~~ (33) "Secretary" means the secretary of the department or secretary's designee.

~~((35))~~ (34) "Secure detoxification facility" means a facility operated by either a public or private agency or by the program of an agency that:

(a) Provides for intoxicated minors:

(i) Evaluation and assessment, provided by certified chemical dependency professionals;

(ii) Acute or subacute detoxification services; and

(iii) Discharge assistance provided by certified chemical dependency professionals, including facilitating transitions to appropriate voluntary or involuntary inpatient services or to less restrictive alternatives as appropriate for the minor;

(b) Includes security measures sufficient to protect the patients, staff, and community; and

(c) Is licensed or certified as such by the department of health.

~~((36))~~ (35) "Social worker" means a person with a master's or further advanced degree from a social work educational program accredited and approved as provided in RCW 18.320.010.

~~((37))~~ (36) "Start of initial detention" means the time of arrival of the minor at the first evaluation and treatment facility, secure detoxification facility, or approved substance use disorder treatment program offering inpatient treatment if the minor is being involuntarily detained at the time. With regard to voluntary patients, "start of initial detention" means the time at which the minor gives notice of intent to leave under the provisions of this chapter.

~~((38))~~ (37) "Substance use disorder" means a cluster of cognitive, behavioral, and physiological symptoms indicating that an individual continues using the substance despite significant substance-related problems. The diagnosis of a substance use disorder is based on a pathological pattern of behaviors related to the use of the substances.

(38) "Admission" or "admit" means a decision by a physician, physician assistant, or psychiatric advanced registered nurse practitioner that a minor should be examined or treated as a patient in a hospital.

(39) "Antipsychotic medications" means that class of drugs primarily used to treat serious manifestations of mental illness associated with thought disorders, which includes, but is not limited to, atypical antipsychotic medications.

(40) "Attending staff" means any person on the staff of a public or private agency having responsibility for the care and treatment of a minor patient.

(41) "Behavioral health disorder" means either a mental disorder as defined in this section, a substance use disorder as defined in this section, or a co-occurring mental disorder and substance use disorder.

(42) "Conditional release" means a revocable modification of a commitment, which may be revoked upon violation of any of its terms.

(43) "Crisis stabilization unit" means a short-term facility or a portion of a facility licensed or certified by the department of health under RCW 71.24.035, such as a residential treatment facility or a hospital, which has been designed to assess, diagnose, and treat individuals experiencing an acute crisis without the use of long-term hospitalization.

(44) "Custody" means involuntary detention under the provisions of this chapter or chapter 10.77 RCW, uninterrupted by any period of unconditional release from commitment from a facility providing involuntary care and treatment.

(45) "Detention" or "detain" means the lawful confinement of a person, under the provisions of this chapter.

(46) "Developmental disabilities professional" means a person who has specialized training and three years of experience in directly treating or working with persons with developmental disabilities and is a psychiatrist, physician assistant working with a supervising psychiatrist, psychologist, psychiatric advanced registered nurse practitioner, or social worker, and such other developmental disabilities professionals as may be defined by rules adopted by the secretary of the department.

(47) "Developmental disability" has the same meaning as defined in RCW 71A.10.020.

(48) "Discharge" means the termination of hospital medical authority. The commitment may remain in place, be terminated, or be amended by court order.

(49) "Habilitative services" means those services provided by program personnel to assist minors in acquiring and maintaining life skills and in raising their levels of physical, behavioral, social, and vocational functioning. Habilitative services include education, training for employment, and therapy.

(50) "Hearing" means any proceeding conducted in open court that conforms to the requirements of section 99 of this act.

(51) "History of one or more violent acts" refers to the period of time five years prior to the filing of a petition under this chapter, excluding any time spent, but not any violent acts committed, in a mental health facility, a long-term alcoholism or drug treatment facility, or in confinement as a result of a criminal conviction.

(52) "Individualized service plan" means a plan prepared by a developmental disabilities professional with other professionals as a team, for a person with developmental disabilities, which states:

(a) The nature of the person's specific problems, prior charged criminal behavior, and habilitation needs;

(b) The conditions and strategies necessary to achieve the purposes of habilitation;

(c) The intermediate and long-range goals of the habilitation program, with a projected timetable for the attainment;

(d) The rationale for using this plan of habilitation to achieve those intermediate and long-range goals;

(e) The staff responsible for carrying out the plan;

(f) Where relevant in light of past criminal behavior and due consideration for public safety, the criteria for proposed movement to less-restrictive settings, criteria for proposed eventual discharge or release, and a projected possible date for discharge or release; and

(g) The type of residence immediately anticipated for the person and possible future types of residences.

(53) "Information related to behavioral health" means all information and records compiled, obtained, or maintained in the course of providing services to either voluntary or involuntary recipients of services by a behavioral health service provider. This may include documents of legal proceedings under this chapter or chapter 71.05 or 10.77 RCW, or somatic health care information.

(54) "Judicial commitment" means a commitment by a court pursuant to the provisions of this chapter.

(55) "Legal counsel" means attorneys and staff employed by county prosecutor offices or the state attorney general acting in their capacity as legal representatives of public behavioral health service providers under RCW 71.05.130.

(56) "Licensed physician" means a person licensed to practice medicine or osteopathic medicine and surgery in the state of Washington.

(57) "Medical clearance" means a physician or other health care provider has determined that a person is medically stable and ready for referral to the designated crisis responder.

(58) "Peace officer" means a law enforcement official of a public agency or governmental unit, and includes persons specifically given peace officer powers by any state law, local ordinance, or judicial order of appointment.

(59) "Release" means legal termination of the commitment under the provisions of this chapter.

(60) "Resource management services" has the meaning given in chapter 71.24 RCW.

(61) "Severe deterioration from safe behavior" means that a person will, if not treated, suffer or continue to suffer severe and abnormal mental, emotional, or physical distress, and this distress is associated with significant impairment of judgment, reason, or behavior.

(62) "Therapeutic court personnel" means the staff of a mental health court or other therapeutic court which has jurisdiction over defendants who are dually diagnosed with mental disorders, including court personnel, probation officers, a court monitor, prosecuting attorney, or defense counsel acting within the scope of therapeutic court duties.

(63) "Treatment records" include registration and all other records concerning persons who are receiving or who at any time have received services for mental illness, which are maintained by the department, the department of health, the authority, behavioral health organizations and their staffs, and by treatment facilities. Treatment records include mental health information contained in a medical bill including but not limited to mental health drugs, a mental health diagnosis, provider name, and dates of service stemming from a medical service. Treatment records do not include notes or records maintained for personal use by a person providing treatment services for the department, the department of health, the authority, behavioral health organizations, or a treatment facility if the notes or records are not available to others.

(64) "Triage facility" means a short-term facility or a portion of a facility licensed or certified by the department of health under RCW 71.24.035, which is designed as a facility to assess and stabilize an individual or determine the need for involuntary commitment of an individual, and must meet department of health residential treatment facility standards. A triage facility may be structured as a voluntary or involuntary placement facility.

(65) "Violent act" means behavior that resulted in homicide, attempted suicide, injury, or substantial loss or damage to property.

(66) "Written order of apprehension" means an order of the court for a peace officer to deliver the named minor in the order to a facility or emergency room as determined by the designated crisis responder. Such orders must be entered into the Washington crime information center database.

Sec. 65. RCW 71.34.305 and 2016 sp.s. c 29 s 255 are each amended to read as follows:

School district personnel who contact a ~~((mental health or substance use))~~ behavioral health disorder inpatient treatment program or provider for the purpose of referring a student to inpatient treatment shall provide the parents with notice of the contact within forty-eight hours.

Sec. 66. RCW 71.34.310 and 1985 c 354 s 26 are each amended to read as follows:

(1) The superior court has jurisdiction over proceedings under this chapter.

(2) A record of all petitions and proceedings under this chapter shall be maintained by the clerk of the superior court in the county in which the petition or proceedings was initiated.

(3) Petitions for commitment shall be filed and venue for hearings under this chapter shall be in the county in which the minor is being detained. ~~((The court may, for good cause, transfer the proceeding to the county of the minor's residence, or to the county in which the alleged conduct evidencing need for commitment occurred. If the county of detention is changed, subsequent petitions may be filed in the county in which the minor is detained without the necessity of a change of venue.))~~

NEW SECTION. Sec. 67. A new section is added to chapter 71.34 RCW to read as follows:

A peace officer may take or authorize a minor to be taken into custody and immediately delivered to an appropriate triage facility, crisis stabilization unit, evaluation and treatment facility, secure detoxification facility, approved substance use disorder treatment program, or the emergency department of a local hospital when he or she has reasonable cause to believe that such minor is suffering from a behavioral health disorder and presents an imminent likelihood of serious harm or is gravely disabled. Until July 1, 2026, a peace officer's delivery of a minor to a secure detoxification facility or approved substance use disorder treatment program is subject to the availability of a secure

detoxification facility or approved substance use disorder treatment program with adequate space for the minor.

Sec. 68. RCW 71.34.355 and 2016 c 155 s 18 are each amended to read as follows:

(1) Absent a risk to self or others, minors treated under this chapter have the following rights, which shall be prominently posted in the evaluation and treatment facility:

~~((1))~~ (a) To wear their own clothes and to keep and use personal possessions;

~~((2))~~ (b) To keep and be allowed to spend a reasonable sum of their own money for canteen expenses and small purchases;

~~((3))~~ (c) To have individual storage space for private use;

~~((4))~~ (d) To have visitors at reasonable times;

~~((5))~~ (e) To have reasonable access to a telephone, both to make and receive confidential calls;

~~((6))~~ (f) To have ready access to letter-writing materials, including stamps, and to send and receive uncensored correspondence through the mails;

~~((7))~~ (g) To discuss treatment plans and decisions with mental health professionals;

~~((8))~~ (h) To have the right to adequate care and individualized treatment;

~~((9))~~ (i) To not be denied access to treatment by spiritual means through prayer in accordance with the tenets and practices of a church or religious denomination in addition to the treatment otherwise proposed;

(j) Not to consent to the administration of antipsychotic medications beyond the hearing conducted pursuant to RCW 71.34.750 or the performance of electroconvulsive treatment or surgery, except emergency lifesaving surgery, upon him or her, ~~((and not to have electro-convulsive treatment or nonemergency surgery in such circumstance))~~ unless ordered by a court ~~((pursuant to a judicial hearing in which the minor is present and represented by counsel, and the court shall appoint a psychiatrist, physician assistant, psychologist, psychiatric advanced registered nurse practitioner, or physician designated by the minor or the minor's counsel to testify on behalf of the minor))~~ under procedures described in RCW 71.05.217(1)(j). The minor's parent may exercise this right on the minor's behalf, and must be informed of any impending treatment;

~~((10))~~ (k) Not to have psychosurgery performed on him or her under any circumstances.

(2)(a) Privileges between minors and physicians, physician assistants, psychologists, or psychiatric advanced registered nurse practitioners are deemed waived in proceedings under this chapter relating to the administration of antipsychotic medications. As to other proceedings under this chapter, the privileges are waived when a court of competent jurisdiction in its discretion determines that such waiver is necessary to protect either the detained minor or the public.

(b) The waiver of a privilege under this section is limited to records or testimony relevant to evaluation of the detained minor for purposes of a proceeding under this chapter. Upon motion by the detained minor or on its own motion, the court shall examine a record or testimony sought by a petitioner to determine whether it is within the scope of the waiver.

(c) The record maker may not be required to testify in order to introduce medical or psychological records of the detained minor so long as the requirements of RCW 5.45.020 are met except that portions of the record which contain opinions as to the detained minor's mental state must be deleted from such records unless the person making such conclusions is available for cross-examination.

(3) No minor may be presumed incompetent as a consequence of receiving an evaluation or voluntary or involuntary treatment

for a mental disorder or substance use disorder, under this chapter or any prior laws of this state dealing with mental illness or substance use disorders.

NEW SECTION. Sec. 69. A new section is added to chapter 71.34 RCW to read as follows:

At the time a minor is involuntarily admitted to an evaluation and treatment facility, secure detoxification facility, or approved substance use disorder treatment program, the professional person in charge or his or her designee shall take reasonable precautions to inventory and safeguard the personal property of the detained minor. A copy of the inventory, signed by the staff member making it, must be given to the detained minor and must, in addition, be open to inspection to any responsible relative, subject to limitations, if any, specifically imposed by the detained minor. For purposes of this section, "responsible relative" includes the guardian, conservator, attorney, parent, or adult brother or sister of the minor. The facility shall not disclose the contents of the inventory to any other person without the consent of the minor or order of the court.

Sec. 70. RCW 71.34.365 and 2018 c 201 s 5004 are each amended to read as follows:

(1) If a minor is not accepted for admission or is released by an inpatient evaluation and treatment facility, the facility shall release the minor to the custody of the minor's parent or other responsible person. If not otherwise available, the facility shall furnish transportation for the minor to the minor's residence or other appropriate place. If the minor has been arrested, the evaluation and treatment facility, secure detoxification facility, or approved substance use disorder treatment program shall detain the minor for not more than eight hours at the request of the peace officer. The program or facility shall make reasonable attempts to contact the requesting peace officer during this time to inform the peace officer that the minor is not approved for admission or is being released in order to enable a peace officer to return to the facility and take the minor back into custody.

(2) If the minor is released to someone other than the minor's parent, the facility shall make every effort to notify the minor's parent of the release as soon as possible.

(3) No indigent minor may be released to less restrictive alternative treatment or setting or discharged from inpatient treatment without suitable clothing, and the authority shall furnish this clothing. As funds are available, the director may provide necessary funds for the immediate welfare of indigent minors upon discharge or release to less restrictive alternative treatment.

Sec. 71. RCW 71.34.410 and 2016 sp.s. c 29 s 259 are each amended to read as follows:

(1) No public or private agency or governmental entity, nor officer of a public or private agency, nor the superintendent, or professional person in charge, his or her professional designee or attending staff of any such agency, nor any public official performing functions necessary to the administration of this chapter, nor peace officer responsible for detaining a ~~((person))~~ minor under this chapter, nor any designated crisis responder, nor professional person, nor evaluation and treatment facility, nor secure detoxification facility, nor approved substance use disorder treatment program shall be civilly or criminally liable for performing actions authorized in this chapter with regard to the decision of whether to admit, release, administer antipsychotic medications, or detain a ~~((person))~~ minor for evaluation and treatment: PROVIDED, That such duties were performed in good faith and without gross negligence.

(2) This section does not relieve a person from giving the required duty to warn or to take reasonable precautions to provide protection from violent behavior where the minor has

communicated an actual threat of physical violence against a reasonably identifiable victim or victims. The duty to warn or to take reasonable precautions to provide protection from violent behavior is discharged if reasonable efforts are made to communicate the threat to the victim or victims and to law enforcement personnel.

Sec. 72. RCW 71.34.420 and 2018 c 201 s 5012 are each amended to read as follows:

(1) The authority may use a single bed certification process as outlined in rule to provide additional treatment capacity for a minor suffering from a ~~((mental))~~ behavioral health disorder for whom an evaluation and treatment facility, secure detoxification facility, or approved substance use disorder treatment program bed is not available. The facility that is the proposed site of the single bed certification must be a facility that is willing and able to provide the person with timely and appropriate treatment either directly or by arrangement with other public or private agencies.

(2) A single bed certification must be specific to the minor receiving treatment.

(3) A designated crisis responder who submits an application for a single bed certification for treatment at a facility that is willing and able to provide timely and appropriate ~~((mental))~~ behavioral health treatment in good faith belief that the single bed certification is appropriate may presume that the single bed certification will be approved for the purpose of completing the detention process and responding to other emergency calls.

(4) The authority may adopt rules implementing this section and continue to enforce rules it has already adopted except where inconsistent with this section.

NEW SECTION. Sec. 73. A new section is added to chapter 71.34 RCW to read as follows:

Nothing in this chapter shall prohibit the professional person in charge of a treatment facility, or his or her professional designee, from permitting a minor detained for intensive treatment to leave the facility for prescribed periods during the term of the minor's detention, under such conditions as may be appropriate.

Sec. 74. RCW 71.34.500 and 2016 sp.s. c 29 s 261 are each amended to read as follows:

(1) A minor thirteen years or older may admit himself or herself to an evaluation and treatment facility for inpatient mental health treatment or an approved substance use disorder treatment program for inpatient substance use disorder treatment without parental consent. The admission shall occur only if the professional person in charge of the facility concurs with the need for inpatient treatment. Parental authorization, or authorization from a person who may consent on behalf of the minor pursuant to RCW 7.70.065, is required for inpatient treatment of a minor under the age of thirteen.

(2) When, in the judgment of the professional person in charge of an evaluation and treatment facility or approved substance use disorder treatment program, there is reason to believe that a minor is in need of inpatient treatment because of a ~~((mental disorder or substance use))~~ behavioral health disorder, and the facility provides the type of evaluation and treatment needed by the minor, and it is not feasible to treat the minor in any less restrictive setting or the minor's home, the minor may be admitted to the facility.

(3) Written renewal of voluntary consent must be obtained from the applicant no less than once every twelve months. The minor's need for continued inpatient treatments shall be reviewed and documented no less than every one hundred eighty days.

Sec. 75. RCW 71.34.600 and 2018 c 201 s 5013 are each amended to read as follows:

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(1) A parent may bring, or authorize the bringing of, his or her minor child to:

(a) An evaluation and treatment facility or an inpatient facility licensed under chapter 70.41, 71.12, or 72.23 RCW and request that the professional person examine the minor to determine whether the minor has a mental disorder and is in need of inpatient treatment; or

(b) A secure detoxification facility or approved substance use disorder treatment program and request that a substance use disorder assessment be conducted by a professional person to determine whether the minor has a substance use disorder and is in need of inpatient treatment.

(2) The consent of the minor is not required for admission, evaluation, and treatment if ~~((the))~~ a parent ~~((brings the minor to the facility))~~ provides consent.

(3) An appropriately trained professional person may evaluate whether the minor has a ~~((mental disorder or has a substance use))~~ behavioral health disorder. The evaluation shall be completed within twenty-four hours of the time the minor was brought to the facility, unless the professional person determines that the condition of the minor necessitates additional time for evaluation. In no event shall a minor be held longer than seventy-two hours for evaluation. If, in the judgment of the professional person, it is determined it is a medical necessity for the minor to receive inpatient treatment, the minor may be held for treatment. The facility shall limit treatment to that which the professional person determines is medically necessary to stabilize the minor's condition until the evaluation has been completed. Within twenty-four hours of completion of the evaluation, the professional person shall notify the authority if the child is held for treatment and of the date of admission.

(4) No provider is obligated to provide treatment to a minor under the provisions of this section except that no provider may refuse to treat a minor under the provisions of this section solely on the basis that the minor has not consented to the treatment. No provider may admit a minor to treatment under this section unless it is medically necessary.

(5) No minor receiving inpatient treatment under this section may be discharged from the facility based solely on his or her request.

(6) Prior to the review conducted under RCW 71.34.610, the professional person shall notify the minor of his or her right to petition superior court for release from the facility.

~~((7) For the purposes of this section "professional person" means "professional person" as defined in RCW 71.05.020.))~~

Sec. 76. RCW 71.34.600 and 2018 c 201 s 5013 are each amended to read as follows:

(1) A parent may bring, or authorize the bringing of, his or her minor child to:

(a) An evaluation and treatment facility or an inpatient facility licensed under chapter 70.41, 71.12, or 72.23 RCW and request that the professional person examine the minor to determine whether the minor has a mental disorder and is in need of inpatient treatment; or

(b) A secure detoxification facility or approved substance use disorder treatment program and request that a substance use disorder assessment be conducted by a professional person to determine whether the minor has a substance use disorder and is in need of inpatient treatment.

(2) The consent of the minor is not required for admission, evaluation, and treatment ~~((#))~~ of the minor at the direction of the parent ~~((brings the minor to the facility))~~.

(3) An appropriately trained professional person may evaluate whether the minor has a ~~((mental disorder or has a substance use))~~ behavioral health disorder. The evaluation shall be completed

within twenty-four hours of the time the minor was brought to the facility, unless the professional person determines that the condition of the minor necessitates additional time for evaluation. In no event shall a minor be held longer than ~~((seventy-two hours))~~ five days for evaluation. If, in the judgment of the professional person, it is determined it is a medical necessity for the minor to receive inpatient treatment, the minor may be held for treatment. The facility shall limit treatment to that which the professional person determines is medically necessary to stabilize the minor's condition until the evaluation has been completed. Within twenty-four hours of completion of the evaluation, the professional person shall notify the authority if the child is held for treatment and of the date of admission.

(4) No provider is obligated to provide treatment to a minor under the provisions of this section except that no provider may refuse to treat a minor under the provisions of this section solely on the basis that the minor has not consented to the treatment. No provider may admit a minor to treatment under this section unless it is medically necessary.

(5) No minor receiving inpatient treatment under this section may be discharged from the facility based solely on his or her request.

(6) Prior to the review conducted under RCW 71.34.610, the professional person shall notify the minor of his or her right to petition superior court for release from the facility.

~~((7) For the purposes of this section "professional person" means "professional person" as defined in RCW 71.05.020.))~~

Sec. 77. RCW 71.34.650 and 2016 sp.s. c 29 s 265 are each amended to read as follows:

(1) A parent may bring, or authorize the bringing of, his or her minor child to:

~~((a))~~ a provider of outpatient ~~((mental))~~ behavioral health treatment and request that an appropriately trained professional person examine the minor to determine whether the minor has a ~~((mental))~~ behavioral health disorder and is in need of outpatient treatment~~((#))~~

~~((b) A provider of outpatient substance use disorder treatment and request that an appropriately trained professional person examine the minor to determine whether the minor has a substance use disorder and is in need of outpatient treatment.))~~

(2) The consent of the minor is not required for evaluation ~~((#))~~ of the minor at the direction of the parent ~~((brings the minor to the provider))~~.

(3) The professional person may evaluate whether the minor has a ~~((mental disorder or substance use))~~ behavioral health disorder and is in need of outpatient treatment.

(4) Any minor admitted to inpatient treatment under RCW 71.34.500 or 71.34.600 shall be discharged immediately from inpatient treatment upon written request of the parent.

Sec. 78. RCW 71.34.700 and 2016 sp.s. c 29 s 267 are each amended to read as follows:

(1) If a minor, thirteen years or older, is brought to an evaluation and treatment facility, secure detoxification facility with available space, approved substance use disorder treatment program with available space, or hospital emergency room for immediate ~~((mental))~~ behavioral health services, the professional person in charge of the facility shall evaluate the minor's ~~((mental))~~ condition, determine whether the minor suffers from a ~~((mental))~~ behavioral health disorder, and whether the minor is in need of immediate inpatient treatment.

~~((2) (If a minor, thirteen years or older, is brought to a secure detoxification facility with available space, or a hospital emergency room for immediate substance use disorder treatment, the professional person in charge of the facility shall evaluate the~~

~~minor's condition, determine whether the minor suffers from substance use disorder, and whether the minor is in need of immediate inpatient treatment.~~

~~(3)) If it is determined under subsection (1) ((or (2))) of this section that the minor suffers from a ((mental disorder or substance use)) behavioral health disorder, inpatient treatment is required, the minor is unwilling to consent to voluntary admission, and the professional person believes that the minor meets the criteria for initial detention ((set forth herein)), the facility may detain or arrange for the detention of the minor for up to twelve hours, not including time periods prior to medical clearance, in order to enable a designated crisis responder to evaluate the minor and commence initial detention proceedings under the provisions of this chapter.~~

~~(3) Dismissal of a commitment petition is not the appropriate remedy for a violation of the timeliness requirements of this section, based on the purpose of this chapter under RCW 71.34.010, except in the few cases where the facility staff or the designated crisis responder have totally disregarded the requirements of this section.~~

Sec. 79. RCW 71.34.700 and 2016 sp.s. c 29 s 268 are each amended to read as follows:

(1) If a minor, thirteen years or older, is brought to an evaluation and treatment facility, secure detoxification facility, approved substance use disorder treatment program, or hospital emergency room for immediate ~~((mental))~~ behavioral health services, the professional person in charge of the facility shall evaluate the minor's ~~((mental))~~ condition, determine whether the minor suffers from a ~~((mental))~~ behavioral health disorder, and whether the minor is in need of immediate inpatient treatment.

~~(2) ((If a minor, thirteen years or older, is brought to a secure detoxification facility or a hospital emergency room for immediate substance use disorder treatment, the professional person in charge of the facility shall evaluate the minor's condition, determine whether the minor suffers from substance use disorder, and whether the minor is in need of immediate inpatient treatment.~~

~~(3)) If it is determined under subsection (1) ((or (2))) of this section that the minor suffers from a ((mental disorder or substance use)) behavioral health disorder, inpatient treatment is required, the minor is unwilling to consent to voluntary admission, and the professional person believes that the minor meets the criteria for initial detention ((set forth herein)), the facility may detain or arrange for the detention of the minor for up to twelve hours, not including time periods prior to medical clearance, in order to enable a designated crisis responder to evaluate the minor and commence initial detention proceedings under the provisions of this chapter.~~

~~(3) Dismissal of a commitment petition is not the appropriate remedy for a violation of the timeliness requirements of this section, based on the purpose of this chapter under RCW 71.34.010, except in the few cases where the facility staff or the designated crisis responder have totally disregarded the requirements of this section.~~

NEW SECTION. Sec. 80. A new section is added to chapter 71.34 RCW to read as follows:

(1) Whenever a designated crisis responder or professional person is conducting an evaluation under this chapter, the designated crisis responder or professional person must consider all reasonably available information from credible witnesses and records regarding:

(a) Historical behavior, including history of one or more violent acts; and

(b) Prior commitments under this chapter.

(2) Credible witnesses may include family members, landlords, neighbors, or others with significant contact and history of involvement with the minor. If the designated crisis responder relies upon information from a credible witness in reaching his or her decision to detain the minor, then he or she must provide contact information for any such witness to the prosecutor. The designated crisis responder or prosecutor shall provide notice of the date, time, and location of the probable cause hearing to such a witness.

(3) Symptoms and behavior of the minor which standing alone would not justify civil commitment may support a finding of grave disability or likelihood of serious harm, when:

(a) Such symptoms or behavior are closely associated with symptoms or behavior which preceded and led to a past incident of involuntary hospitalization, severe deterioration from safe behavior, or one or more violent acts;

(b) These symptoms or behavior represent a marked and concerning change in the baseline behavior of the minor; and

(c) Without treatment, the continued deterioration of the minor is probable.

Sec. 81. RCW 71.34.710 and 2016 sp.s. c 29 s 269 are each amended to read as follows:

(1)(a)((~~+~~)) When a designated crisis responder receives information that a minor, thirteen years or older, as a result of a ~~((mental))~~ behavioral health disorder presents a likelihood of serious harm or is gravely disabled, has investigated the specific facts alleged and of the credibility of the person or persons providing the information, and has determined that voluntary admission for inpatient treatment is not possible, the designated crisis responder may take the minor, or cause the minor to be taken, into custody and transported to an evaluation and treatment facility, secure detoxification facility, or approved substance use disorder treatment program providing inpatient treatment.

~~((ii) When a designated crisis responder receives information that a minor, thirteen years or older, as a result of substance use disorder presents a likelihood of serious harm or is gravely disabled, has investigated the specific facts alleged and of the credibility of the person or persons providing the information, and has determined that voluntary admission for inpatient treatment is not possible, the designated crisis responder may take the minor, or cause the minor to be taken, into custody and transported to a secure detoxification facility or approved substance use disorder treatment program, if) A secure detoxification facility or approved substance use disorder treatment program ((is)) must be available and ((has)) have adequate space for the minor.~~

~~(b) If ((the minor is not taken into custody for evaluation and treatment, the parent who has custody of the minor may seek review of that decision made by the designated crisis responder in court. The parent shall file notice with the court and provide a copy of the designated crisis responder's report or notes)) a designated crisis responder decides not to detain a minor for evaluation and treatment under RCW 71.34.700(2), or forty-eight hours have elapsed since a designated crisis responder received a request for investigation and the designated crisis responder has not taken action to have the minor detained, an immediate family member or guardian or conservator of the minor may petition the superior court for the minor's detention using the procedures under RCW 71.05.201 and 71.05.203; however, when the court enters an order of initial detention, except as otherwise expressly stated in this chapter, all procedures must be followed as if the order has been entered under RCW 71.34.710(1)(a).~~

(2)(a) Within twelve hours of the minor's arrival at the evaluation and treatment facility, secure detoxification facility, or approved substance use disorder treatment program, the designated crisis responder shall serve on the minor a copy of the

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petition for initial detention, notice of initial detention, and statement of rights. The designated crisis responder shall file with the court on the next judicial day following the initial detention the original petition for initial detention, notice of initial detention, and statement of rights along with an affidavit of service. The designated crisis responder shall commence service of the petition for initial detention and notice of the initial detention on the minor's parent and the minor's attorney as soon as possible following the initial detention.

(b) If the minor is involuntarily detained at an evaluation and treatment facility, secure detoxification facility, or approved substance use disorder treatment program in a different county from where the minor was initially detained, the facility or program may serve the minor, notify the minor's parents and the minor's attorney, and file with the court on the next judicial day following the initial detention the original petition for initial detention, notice of initial detention, and statement of rights along with an affidavit of service when filing with the court at the request of the designated crisis responder.

(3)(a) At the time of initial detention, the designated crisis responder shall advise the minor both orally and in writing that if admitted to the evaluation and treatment facility, secure detoxification facility, or approved substance use disorder treatment program for inpatient treatment, a commitment hearing shall be held within seventy-two hours of the minor's provisional acceptance to determine whether probable cause exists to commit the minor for further treatment.

(b) The minor shall be advised that he or she has a right to communicate immediately with an attorney and that he or she has a right to have an attorney appointed to represent him or her before and at the hearing if the minor is indigent.

(4) Subject to subsection (5) of this section, whenever the designated crisis responder petitions for detention of a minor under this chapter, an evaluation and treatment facility, secure detoxification facility, or approved substance use disorder treatment program providing seventy-two hour evaluation and treatment must immediately accept on a provisional basis the petition and the person. Within twenty-four hours of the minor's arrival, the facility must evaluate the minor's condition and either admit or release the minor in accordance with this chapter.

(5) A designated crisis responder may not petition for detention of a minor to a secure detoxification facility or approved substance use disorder treatment program unless there is a secure detoxification facility or approved substance use disorder treatment program available and that has adequate space for the minor.

(6) If a minor is not approved for admission by the inpatient evaluation and treatment facility, secure detoxification facility, or approved substance use disorder treatment program, the facility shall make such recommendations and referrals for further care and treatment of the minor as necessary.

(7) Dismissal of a commitment petition is not the appropriate remedy for a violation of the timeliness requirements of this section, based on the purpose of this chapter under RCW 71.34.010, except in the few cases where the facility staff or the designated crisis responder have totally disregarded the requirements of this section.

Sec. 82. RCW 71.34.710 and 2016 sp.s. c 29 s 269 are each amended to read as follows:

(1)(a)((+)) When a designated crisis responder receives information that a minor, thirteen years or older, as a result of a ~~(mental)~~ behavioral health disorder presents a likelihood of serious harm or is gravely disabled, has investigated the specific facts alleged and of the credibility of the person or persons providing the information, and has determined that voluntary

admission for inpatient treatment is not possible, the designated crisis responder may take the minor, or cause the minor to be taken, into custody and transported to an evaluation and treatment facility, secure detoxification facility, or approved substance use disorder treatment program providing inpatient treatment.

~~((ii) When a designated crisis responder receives information that a minor, thirteen years or older, as a result of substance use disorder presents a likelihood of serious harm or is gravely disabled, has investigated the specific facts alleged and of the credibility of the person or persons providing the information, and has determined that voluntary admission for inpatient treatment is not possible, the designated crisis responder may take the minor, or cause the minor to be taken, into custody and transported to a secure detoxification facility or approved substance use disorder treatment program, if) A~~ secure detoxification facility or approved substance use disorder treatment program ((is)) must be available and ((has)) have adequate space for the minor.

(b) ~~If ((the minor is not taken into custody for evaluation and treatment, the parent who has custody of the minor may seek review of that decision made by the designated crisis responder in court. The parent shall file notice with the court and provide a copy of the designated crisis responder's report or notes)) a designated crisis responder decides not to detain a minor for evaluation and treatment under RCW 71.34.700(2), or forty-eight hours have elapsed since a designated crisis responder received a request for investigation and the designated crisis responder has not taken action to have the minor detained, an immediate family member or guardian or conservator of the minor may petition the superior court for the minor's detention using the procedures under RCW 71.05.201 and 71.05.203; however, when the court enters an order of initial detention, except as otherwise expressly stated in this chapter, all procedures must be followed as if the order has been entered under RCW 71.34.710(1)(a).~~

(2)(a) Within twelve hours of the minor's arrival at the evaluation and treatment facility, secure detoxification facility, or approved substance use disorder treatment program, the designated crisis responder shall serve on the minor a copy of the petition for initial detention, notice of initial detention, and statement of rights. The designated crisis responder shall file with the court on the next judicial day following the initial detention the original petition for initial detention, notice of initial detention, and statement of rights along with an affidavit of service. The designated crisis responder shall commence service of the petition for initial detention and notice of the initial detention on the minor's parent and the minor's attorney as soon as possible following the initial detention.

(b) If the minor is involuntarily detained at an evaluation and treatment facility, secure detoxification facility, or approved substance use disorder treatment program in a different county from where the minor was initially detained, the facility or program may serve the minor, notify the minor's parents and the minor's attorney, and file with the court on the next judicial day following the initial detention the original petition for initial detention, notice of initial detention, and statement of rights along with an affidavit of service when filing with the court at the request of the designated crisis responder.

(3)(a) At the time of initial detention, the designated crisis responder shall advise the minor both orally and in writing that if admitted to the evaluation and treatment facility, secure detoxification facility, or approved substance use disorder treatment program for inpatient treatment, a commitment hearing shall be held within ~~((seventy-two hours))~~ five days of the minor's provisional acceptance to determine whether probable cause exists to commit the minor for further treatment.

(b) The minor shall be advised that he or she has a right to communicate immediately with an attorney and that he or she has a right to have an attorney appointed to represent him or her before and at the hearing if the minor is indigent.

(4) Subject to subsection (5) of this section, whenever the designated crisis responder petitions for detention of a minor under this chapter, an evaluation and treatment facility, secure detoxification facility, or approved substance use disorder treatment program providing ~~((seventy-two-hour))~~ five-day evaluation and treatment must immediately accept on a provisional basis the petition and the person. Within twenty-four hours of the minor's arrival, the facility must evaluate the minor's condition and either admit or release the minor in accordance with this chapter.

(5) A designated crisis responder may not petition for detention of a minor to a secure detoxification facility or approved substance use disorder treatment program unless there is a secure detoxification facility or approved substance use disorder treatment program available and that has adequate space for the minor.

(6) If a minor is not approved for admission by the inpatient evaluation and treatment facility, secure detoxification facility, or approved substance use disorder treatment program, the facility shall make such recommendations and referrals for further care and treatment of the minor as necessary.

(7) Dismissal of a commitment petition is not the appropriate remedy for a violation of the timeliness requirements of this section, based on the purpose of this chapter under RCW 71.34.010, except in the few cases where the facility staff or the designated crisis responder have totally disregarded the requirements of this section.

Sec. 83. RCW 71.34.710 and 2016 sp.s. c 29 s 270 are each amended to read as follows:

(1)(a)((~~+~~)) When a designated crisis responder receives information that a minor, thirteen years or older, as a result of a ~~((mental))~~ behavioral health disorder presents a likelihood of serious harm or is gravely disabled, has investigated the specific facts alleged and of the credibility of the person or persons providing the information, and has determined that voluntary admission for inpatient treatment is not possible, the designated crisis responder may take the minor, or cause the minor to be taken, into custody and transported to an evaluation and treatment facility, secure detoxification facility, or approved substance use disorder treatment program providing inpatient treatment.

~~((ii) When a designated crisis responder receives information that a minor, thirteen years or older, as a result of substance use disorder presents a likelihood of serious harm or is gravely disabled, has investigated the specific facts alleged and of the credibility of the person or persons providing the information, and has determined that voluntary admission for inpatient treatment is not possible, the designated crisis responder may take the minor, or cause the minor to be taken, into custody and transported to a secure detoxification facility or approved substance use disorder treatment program.))~~

(b) If ~~((the minor is not taken into custody for evaluation and treatment, the parent who has custody of the minor may seek review of that decision made by the designated crisis responder in court. The parent shall file notice with the court and provide a copy of the designated crisis responder's report or notes))~~ a designated crisis responder decides not to detain a minor for evaluation and treatment under RCW 71.34.700(2), or forty-eight hours have elapsed since a designated crisis responder received a request for investigation and the designated crisis responder has not taken action to have the minor detained, an immediate family member or guardian or conservator of the minor may petition the

superior court for the minor's detention using the procedures under RCW 71.05.201 and 71.05.203; however, when the court enters an order of initial detention, except as otherwise expressly stated in this chapter, all procedures must be followed as if the order has been entered under RCW 71.34.710(1)(a).

(2)(a) Within twelve hours of the minor's arrival at the evaluation and treatment facility, secure detoxification facility, or approved substance use disorder treatment program, the designated crisis responder shall serve on the minor a copy of the petition for initial detention, notice of initial detention, and statement of rights. The designated crisis responder shall file with the court on the next judicial day following the initial detention the original petition for initial detention, notice of initial detention, and statement of rights along with an affidavit of service. The designated crisis responder shall commence service of the petition for initial detention and notice of the initial detention on the minor's parent and the minor's attorney as soon as possible following the initial detention.

(b) If the minor is involuntarily detained at an evaluation and treatment facility, secure detoxification facility, or approved substance use disorder treatment program in a different county from where the minor was initially detained, the facility or program may serve the minor, notify the minor's parents and the minor's attorney, and file with the court on the next judicial day following the initial detention the original petition for initial detention, notice of initial detention, and statement of rights along with an affidavit of service when filing with the court at the request of the designated crisis responder.

(3)(a) At the time of initial detention, the designated crisis responder shall advise the minor both orally and in writing that if admitted to the evaluation and treatment facility, secure detoxification facility, or approved substance use disorder treatment program for inpatient treatment, a commitment hearing shall be held within ~~((seventy-two hours))~~ five days of the minor's provisional acceptance to determine whether probable cause exists to commit the minor for further treatment.

(b) The minor shall be advised that he or she has a right to communicate immediately with an attorney and that he or she has a right to have an attorney appointed to represent him or her before and at the hearing if the minor is indigent.

(4) Whenever the designated crisis responder petitions for detention of a minor under this chapter, an evaluation and treatment facility, secure detoxification facility, or approved substance use disorder treatment program providing ~~((seventy-two-hour))~~ five-day evaluation and treatment must immediately accept on a provisional basis the petition and the person. Within twenty-four hours of the minor's arrival, the facility must evaluate the minor's condition and either admit or release the minor in accordance with this chapter.

(5) If a minor is not approved for admission by the inpatient evaluation and treatment facility, secure detoxification facility, or approved substance use disorder treatment program, the facility shall make such recommendations and referrals for further care and treatment of the minor as necessary.

(6) Dismissal of a commitment petition is not the appropriate remedy for a violation of the timeliness requirements of this section, based on the purpose of this chapter under RCW 71.34.010, except in the few cases where the facility staff or the designated crisis responder have totally disregarded the requirements of this section.

Sec. 84. RCW 71.34.720 and 2018 c 201 s 5017 are each amended to read as follows:

(1) Each minor approved by the facility for inpatient admission shall be examined and evaluated by a children's mental health specialist, for minors admitted as a result of a mental disorder, or

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by a chemical dependency professional, for minors admitted as a result of a substance use disorder, as to the child's mental condition and by a physician, physician assistant, or psychiatric advanced registered nurse practitioner as to the child's physical condition within twenty-four hours of admission. Reasonable measures shall be taken to ensure medical treatment is provided for any condition requiring immediate medical attention.

(2) If, after examination and evaluation, the children's mental health specialist or substance use disorder specialist and the physician, physician assistant, or psychiatric advanced registered nurse practitioner determine that the initial needs of the minor, if detained to an evaluation and treatment facility, would be better served by placement in a substance use disorder treatment program or, if detained to a secure detoxification facility or approved substance use disorder treatment program, would be better served in an evaluation and treatment facility, then the minor shall be referred to the more appropriate placement; however a minor may only be referred to a secure detoxification facility or approved substance use disorder treatment program if there is a secure detoxification facility or approved substance use disorder treatment program available and that has adequate space for the minor.

(3) The admitting facility shall take reasonable steps to notify immediately the minor's parent of the admission.

(4) During the initial seventy-two hour treatment period, the minor has a right to associate or receive communications from parents or others unless the professional person in charge determines that such communication would be seriously detrimental to the minor's condition or treatment and so indicates in the minor's clinical record, and notifies the minor's parents of this determination. ~~((In no event may the minor))~~ A minor must not be denied the opportunity to consult an attorney unless there is an immediate risk of harm to the minor or others.

(5) If the evaluation and treatment facility, secure detoxification facility, or approved substance use disorder treatment program admits the minor, it may detain the minor for evaluation and treatment for a period not to exceed seventy-two hours from the time of provisional acceptance. The computation of such seventy-two hour period shall exclude Saturdays, Sundays, and holidays. This initial treatment period shall not exceed seventy-two hours except when an application for voluntary inpatient treatment is received or a petition for fourteen-day commitment is filed.

(6) Within twelve hours of the admission, the facility shall advise the minor of his or her rights as set forth in this chapter.

Sec. 85. RCW 71.34.720 and 2018 c 201 s 5017 are each amended to read as follows:

(1) Each minor approved by the facility for inpatient admission shall be examined and evaluated by a children's mental health specialist, for minors admitted as a result of a mental disorder, or by a chemical dependency professional, for minors admitted as a result of a substance use disorder, as to the child's mental condition and by a physician, physician assistant, or psychiatric advanced registered nurse practitioner as to the child's physical condition within twenty-four hours of admission. Reasonable measures shall be taken to ensure medical treatment is provided for any condition requiring immediate medical attention.

(2) If, after examination and evaluation, the children's mental health specialist or substance use disorder specialist and the physician, physician assistant, or psychiatric advanced registered nurse practitioner determine that the initial needs of the minor, if detained to an evaluation and treatment facility, would be better served by placement in a substance use disorder treatment program or, if detained to a secure detoxification facility or approved substance use disorder treatment program, would be

better served in an evaluation and treatment facility, then the minor shall be referred to the more appropriate placement; however a minor may only be referred to a secure detoxification facility or approved substance use disorder treatment program if there is a secure detoxification facility or approved substance use disorder treatment program available and that has adequate space for the minor.

(3) The admitting facility shall take reasonable steps to notify immediately the minor's parent of the admission.

(4) During the initial ~~((seventy-two hour))~~ five-day treatment period, the minor has a right to associate or receive communications from parents or others unless the professional person in charge determines that such communication would be seriously detrimental to the minor's condition or treatment and so indicates in the minor's clinical record, and notifies the minor's parents of this determination. ~~((In no event may the minor))~~ A minor must not be denied the opportunity to consult an attorney unless there is an immediate risk of harm to the minor or others.

(5) If the evaluation and treatment facility, secure detoxification facility, or approved substance use disorder treatment program admits the minor, it may detain the minor for evaluation and treatment for a period not to exceed ~~((seventy-two hours))~~ five days from the time of provisional acceptance. The computation of such ~~((seventy-two hour))~~ five-day period shall exclude Saturdays, Sundays, and holidays. This initial treatment period shall not exceed ~~((seventy-two hours))~~ five days except when an application for voluntary inpatient treatment is received or a petition for fourteen-day commitment is filed.

(6) Within twelve hours of the admission, the facility shall advise the minor of his or her rights as set forth in this chapter.

Sec. 86. RCW 71.34.720 and 2018 c 201 s 5018 are each amended to read as follows:

(1) Each minor approved by the facility for inpatient admission shall be examined and evaluated by a children's mental health specialist, for minors admitted as a result of a mental disorder, or by a chemical dependency professional, for minors admitted as a result of a substance use disorder, as to the child's mental condition and by a physician, physician assistant, or psychiatric advanced registered nurse practitioner as to the child's physical condition within twenty-four hours of admission. Reasonable measures shall be taken to ensure medical treatment is provided for any condition requiring immediate medical attention.

(2) If, after examination and evaluation, the children's mental health specialist or substance use disorder specialist and the physician, physician assistant, or psychiatric advanced registered nurse practitioner determine that the initial needs of the minor, if detained to an evaluation and treatment facility, would be better served by placement in a substance use disorder treatment program or, if detained to a secure detoxification facility or approved substance use disorder treatment program, would be better served in an evaluation and treatment facility, then the minor shall be referred to the more appropriate placement.

(3) The admitting facility shall take reasonable steps to notify immediately the minor's parent of the admission.

(4) During the initial ~~((seventy-two hour))~~ five-day treatment period, the minor has a right to associate or receive communications from parents or others unless the professional person in charge determines that such communication would be seriously detrimental to the minor's condition or treatment and so indicates in the minor's clinical record, and notifies the minor's parents of this determination. ~~((In no event may the minor))~~ A minor must not be denied the opportunity to consult an attorney unless there is an immediate risk of harm to the minor or others.

(5) If the evaluation and treatment facility, secure detoxification facility, or approved substance use disorder

treatment program admits the minor, it may detain the minor for evaluation and treatment for a period not to exceed (~~seventy-two hours~~) five days from the time of provisional acceptance. The computation of such (~~seventy-two hour~~) five-day period shall exclude Saturdays, Sundays, and holidays. This initial treatment period shall not exceed (~~seventy-two hours~~) five days except when an application for voluntary inpatient treatment is received or a petition for fourteen-day commitment is filed.

(6) Within twelve hours of the admission, the facility shall advise the minor of his or her rights as set forth in this chapter.

Sec. 87. RCW 71.34.730 and 2016 sp.s. c 29 s 273 and 2016 c 155 s 20 are each reenacted and amended to read as follows:

(1) The professional person in charge of an evaluation and treatment facility, secure detoxification facility, or approved substance use disorder treatment program where a minor has been admitted involuntarily for the initial seventy-two hour treatment period under this chapter may petition to have a minor committed to an evaluation and treatment facility (~~(or, in the case of a minor with a substance use disorder, to)~~), a secure detoxification facility, or an approved substance use disorder treatment program for fourteen-day diagnosis, evaluation, and treatment.

If the professional person in charge of the facility does not petition to have the minor committed, the parent who has custody of the minor may seek review of that decision in court. The parent shall file notice with the court and provide a copy of the treatment and evaluation facility's report.

(2) A petition for commitment of a minor under this section shall be filed with the superior court in the county where the minor is (~~residing or~~) being detained.

(a) A petition for a fourteen-day commitment shall be signed by: (i) Two physicians; (ii) one physician and a mental health professional; (iii) one physician assistant and a mental health professional; or (iv) one psychiatric advanced registered nurse practitioner and a mental health professional. The person signing the petition must have examined the minor, and the petition must contain the following:

(A) The name and address of the petitioner;

(B) The name of the minor alleged to meet the criteria for fourteen-day commitment;

(C) The name, telephone number, and address if known of every person believed by the petitioner to be legally responsible for the minor;

(D) A statement that the petitioner has examined the minor and finds that the minor's condition meets required criteria for fourteen-day commitment and the supporting facts therefor;

(E) A statement that the minor has been advised of the need for voluntary treatment but has been unwilling or unable to consent to necessary treatment;

(F) If the petition is for mental health treatment, a statement that the minor has been advised of the loss of firearm rights if involuntarily committed;

(G) A statement recommending the appropriate facility or facilities to provide the necessary treatment; and

(H) A statement concerning whether a less restrictive alternative to inpatient treatment is in the best interests of the minor.

(b) A copy of the petition shall be personally (~~delivered to~~) served on the minor by the petitioner or petitioner's designee. A copy of the petition shall be (~~sent~~) provided to the minor's attorney and the minor's parent.

Sec. 88. RCW 71.34.730 and 2016 sp.s. c 29 s 273 and 2016 c 155 s 20 are each reenacted and amended to read as follows:

(1) The professional person in charge of an evaluation and treatment facility, secure detoxification facility, or approved

substance use disorder treatment program where a minor has been admitted involuntarily for the initial (~~seventy-two hour~~) five-day treatment period under this chapter may petition to have a minor committed to an evaluation and treatment facility (~~(or, in the case of a minor with a substance use disorder, to)~~), a secure detoxification facility, or an approved substance use disorder treatment program for fourteen-day diagnosis, evaluation, and treatment.

If the professional person in charge of the facility does not petition to have the minor committed, the parent who has custody of the minor may seek review of that decision in court. The parent shall file notice with the court and provide a copy of the treatment and evaluation facility's report.

(2) A petition for commitment of a minor under this section shall be filed with the superior court in the county where the minor is (~~residing or~~) being detained.

(a) A petition for a fourteen-day commitment shall be signed by: (i) Two physicians; (ii) one physician and a mental health professional; (iii) one physician assistant and a mental health professional; or (iv) one psychiatric advanced registered nurse practitioner and a mental health professional. The person signing the petition must have examined the minor, and the petition must contain the following:

(A) The name and address of the petitioner;

(B) The name of the minor alleged to meet the criteria for fourteen-day commitment;

(C) The name, telephone number, and address if known of every person believed by the petitioner to be legally responsible for the minor;

(D) A statement that the petitioner has examined the minor and finds that the minor's condition meets required criteria for fourteen-day commitment and the supporting facts therefor;

(E) A statement that the minor has been advised of the need for voluntary treatment but has been unwilling or unable to consent to necessary treatment;

(F) If the petition is for mental health treatment, a statement that the minor has been advised of the loss of firearm rights if involuntarily committed;

(G) A statement recommending the appropriate facility or facilities to provide the necessary treatment; and

(H) A statement concerning whether a less restrictive alternative to inpatient treatment is in the best interests of the minor.

(b) A copy of the petition shall be personally (~~delivered to~~) served on the minor by the petitioner or petitioner's designee. A copy of the petition shall be (~~sent~~) provided to the minor's attorney and the minor's parent.

NEW SECTION. Sec. 89. A new section is added to chapter 71.34 RCW to read as follows:

(1) In any proceeding for involuntary commitment under this chapter, the court may continue or postpone such proceeding for a reasonable time on motion of the respondent for good cause, or on motion of the prosecuting attorney or the attorney general if:

(a) The respondent expressly consents to a continuance or delay and there is a showing of good cause; or

(b) Such continuance is required in the proper administration of justice and the respondent will not be substantially prejudiced in the presentation of the respondent's case.

(2) The court may on its own motion continue the case when required in due administration of justice and when the respondent will not be substantially prejudiced in the presentation of the respondent's case.

(3) The court shall state in any order of continuance or postponement the grounds for the continuance or postponement and whether detention will be extended.

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Sec. 90. RCW 71.34.740 and 2016 sp.s. c 29 s 274 are each amended to read as follows:

(1) A commitment hearing shall be held within seventy-two hours of the minor's admission, excluding Saturday, Sunday, and holidays, unless a continuance is ~~((requested by the minor or the minor's attorney))~~ ordered under section 89 of this act.

(2) The commitment hearing shall be conducted at the superior court or an appropriate place at the facility in which the minor is being detained.

(3) At the commitment hearing, the evidence in support of the petition shall be presented by the county prosecutor.

(4) The minor shall be present at the commitment hearing unless the minor, with the assistance of the minor's attorney, waives the right to be present at the hearing.

(5) If the parents are opposed to the petition, they may be represented at the hearing and shall be entitled to court-appointed counsel if they are indigent.

(6) At the commitment hearing, the minor shall have the following rights:

- (a) To be represented by an attorney;
- (b) To present evidence on his or her own behalf;
- (c) To question persons testifying in support of the petition.

(7) If the hearing is for commitment for mental health treatment, the court at the time of the commitment hearing and before an order of commitment is entered shall inform the minor both orally and in writing that the failure to make a good faith effort to seek voluntary treatment as provided in RCW 71.34.730 will result in the loss of his or her firearm rights if the minor is subsequently detained for involuntary treatment under this section.

(8) If the minor has received medication within twenty-four hours of the hearing, the court shall be informed of that fact and of the probable effects of the medication.

(9) ~~((Rules of evidence shall not apply in fourteen day commitment hearings.~~

~~((4))~~ For a fourteen-day commitment, the court must find by a preponderance of the evidence that:

(a) The minor has a ~~((mental disorder or substance use))~~ behavioral health disorder and presents a likelihood of serious harm or is gravely disabled;

(b) The minor is in need of evaluation and treatment of the type provided by the inpatient evaluation and treatment facility, secure detoxification facility, or approved substance use disorder treatment program to which continued inpatient care is sought or is in need of less restrictive alternative treatment found to be in the best interests of the minor or others;

(c) The minor is unwilling or unable in good faith to consent to voluntary treatment; and

(d) If commitment is for a substance use disorder, there is an available secure detoxification facility or approved substance use disorder treatment program with adequate space for the minor.

~~((44))~~ (10) If the court finds that the minor meets the criteria for a fourteen-day commitment, the court shall either authorize commitment of the minor for inpatient treatment or for less restrictive alternative treatment upon such conditions as are necessary. If the court determines that the minor does not meet the criteria for a fourteen-day commitment, the minor shall be released.

~~((42))~~ (11)(a) Nothing in this section prohibits the professional person in charge of the facility from releasing the minor at any time, when, in the opinion of the professional person in charge of the facility, further inpatient treatment is no longer necessary. The release may be subject to reasonable conditions if appropriate.

(b) Whenever a minor is released under this section, the professional person in charge shall within three days, notify the court in writing of the release.

~~((43))~~ (12) A minor who has been committed for fourteen days shall be released at the end of that period unless a petition for one hundred eighty-day commitment is pending before the court.

Sec. 91. RCW 71.34.740 and 2016 sp.s. c 29 s 274 are each amended to read as follows:

(1) A commitment hearing shall be held within ~~((seventy two hours))~~ five days of the minor's admission, excluding Saturday, Sunday, and holidays, unless a continuance is ~~((requested by the minor or the minor's attorney))~~ ordered under section 89 of this act.

(2) The commitment hearing shall be conducted at the superior court or an appropriate place at the facility in which the minor is being detained.

(3) At the commitment hearing, the evidence in support of the petition shall be presented by the county prosecutor.

(4) The minor shall be present at the commitment hearing unless the minor, with the assistance of the minor's attorney, waives the right to be present at the hearing.

(5) If the parents are opposed to the petition, they may be represented at the hearing and shall be entitled to court-appointed counsel if they are indigent.

(6) At the commitment hearing, the minor shall have the following rights:

- (a) To be represented by an attorney;
- (b) To present evidence on his or her own behalf;
- (c) To question persons testifying in support of the petition.

(7) If the hearing is for commitment for mental health treatment, the court at the time of the commitment hearing and before an order of commitment is entered shall inform the minor both orally and in writing that the failure to make a good faith effort to seek voluntary treatment as provided in RCW 71.34.730 will result in the loss of his or her firearm rights if the minor is subsequently detained for involuntary treatment under this section.

(8) If the minor has received medication within twenty-four hours of the hearing, the court shall be informed of that fact and of the probable effects of the medication.

(9) ~~((Rules of evidence shall not apply in fourteen day commitment hearings.~~

~~((4))~~ For a fourteen-day commitment, the court must find by a preponderance of the evidence that:

(a) The minor has a ~~((mental disorder or substance use))~~ behavioral health disorder and presents a likelihood of serious harm or is gravely disabled;

(b) The minor is in need of evaluation and treatment of the type provided by the inpatient evaluation and treatment facility, secure detoxification facility, or approved substance use disorder treatment program to which continued inpatient care is sought or is in need of less restrictive alternative treatment found to be in the best interests of the minor or others;

(c) The minor is unwilling or unable in good faith to consent to voluntary treatment; and

(d) If commitment is for a substance use disorder, there is an available secure detoxification facility or approved substance use disorder treatment program with adequate space for the minor.

~~((44))~~ (10) If the court finds that the minor meets the criteria for a fourteen-day commitment, the court shall either authorize commitment of the minor for inpatient treatment or for less restrictive alternative treatment upon such conditions as are necessary. If the court determines that the minor does not meet

the criteria for a fourteen-day commitment, the minor shall be released.

~~((42))~~ (11)(a) Nothing in this section prohibits the professional person in charge of the facility from releasing the minor at any time, when, in the opinion of the professional person in charge of the facility, further inpatient treatment is no longer necessary. The release may be subject to reasonable conditions if appropriate.

(b) Whenever a minor is released under this section, the professional person in charge shall within three days, notify the court in writing of the release.

~~((43))~~ (12) A minor who has been committed for fourteen days shall be released at the end of that period unless a petition for one hundred eighty-day commitment is pending before the court.

Sec. 92. RCW 71.34.740 and 2016 sp.s. c 29 s 275 are each amended to read as follows:

(1) A commitment hearing shall be held within ~~((seventy-two hours))~~ five days of the minor's admission, excluding Saturday, Sunday, and holidays, unless a continuance is ~~((requested by the minor or the minor's attorney))~~ ordered under section 89 of this act.

(2) The commitment hearing shall be conducted at the superior court or an appropriate place at the facility in which the minor is being detained.

(3) At the commitment hearing, the evidence in support of the petition shall be presented by the county prosecutor.

(4) The minor shall be present at the commitment hearing unless the minor, with the assistance of the minor's attorney, waives the right to be present at the hearing.

(5) If the parents are opposed to the petition, they may be represented at the hearing and shall be entitled to court-appointed counsel if they are indigent.

(6) At the commitment hearing, the minor shall have the following rights:

- (a) To be represented by an attorney;
- (b) To present evidence on his or her own behalf;
- (c) To question persons testifying in support of the petition.

(7) If the hearing is for commitment for mental health treatment, the court at the time of the commitment hearing and before an order of commitment is entered shall inform the minor both orally and in writing that the failure to make a good faith effort to seek voluntary treatment as provided in RCW 71.34.730 will result in the loss of his or her firearm rights if the minor is subsequently detained for involuntary treatment under this section.

(8) If the minor has received medication within twenty-four hours of the hearing, the court shall be informed of that fact and of the probable effects of the medication.

~~(9) ((Rules of evidence shall not apply in fourteen day commitment hearings.~~

~~(10))~~ For a fourteen-day commitment, the court must find by a preponderance of the evidence that:

(a) The minor has a ~~((mental disorder or substance use))~~ behavioral health disorder and presents a likelihood of serious harm or is gravely disabled;

(b) The minor is in need of evaluation and treatment of the type provided by the inpatient evaluation and treatment facility, secure detoxification facility, or approved substance use disorder treatment program to which continued inpatient care is sought or is in need of less restrictive alternative treatment found to be in the best interests of the minor or others; and

(c) The minor is unwilling or unable in good faith to consent to voluntary treatment.

~~((41))~~ (10) If the court finds that the minor meets the criteria for a fourteen-day commitment, the court shall either authorize commitment of the minor for inpatient treatment or for less restrictive alternative treatment upon such conditions as are necessary. If the court determines that the minor does not meet the criteria for a fourteen-day commitment, the minor shall be released.

~~((42))~~ (11)(a) Nothing in this section prohibits the professional person in charge of the facility from releasing the minor at any time, when, in the opinion of the professional person in charge of the facility, further inpatient treatment is no longer necessary. The release may be subject to reasonable conditions if appropriate.

(b) Whenever a minor is released under this section, the professional person in charge shall within three days, notify the court in writing of the release.

~~((43))~~ (12) A minor who has been committed for fourteen days shall be released at the end of that period unless a petition for one hundred eighty-day commitment is pending before the court.

Sec. 93. RCW 71.34.750 and 2016 sp.s. c 29 s 276 and 2016 c 155 s 21 are each reenacted and amended to read as follows:

(1) At any time during the minor's period of fourteen-day commitment, the professional person in charge may petition the court for an order requiring the minor to undergo an additional one hundred eighty-day period of treatment. The evidence in support of the petition shall be presented by the county prosecutor unless the petition is filed by the professional person in charge of a state-operated facility in which case the evidence shall be presented by the attorney general.

(2) The petition for one hundred eighty-day commitment shall contain the following:

- (a) The name and address of the petitioner or petitioners;
- (b) The name of the minor alleged to meet the criteria for one hundred eighty-day commitment;
- (c) A statement that the petitioner is the professional person in charge of the evaluation and treatment facility, secure detoxification facility, or approved substance use disorder treatment program responsible for the treatment of the minor;
- (d) The date of the fourteen-day commitment order; and
- (e) A summary of the facts supporting the petition.

(3) The petition shall be supported by accompanying affidavits signed by: (a) Two examining physicians, one of whom shall be a child psychiatrist, or two psychiatric advanced registered nurse practitioners, one of whom shall be a child and adolescent or family psychiatric advanced registered nurse practitioner, or two physician assistants, one of whom must be supervised by a child psychiatrist; (b) one children's mental health specialist and either an examining physician, physician assistant, or a psychiatric advanced registered nurse practitioner; or (c) two among an examining physician, physician assistant, and a psychiatric advanced registered nurse practitioner, one of which needs to be a child psychiatrist~~((s))~~, a physician assistant supervised by a child psychiatrist, or a child and adolescent psychiatric nurse practitioner. The affidavits shall describe in detail the behavior of the detained minor which supports the petition and shall state whether a less restrictive alternative to inpatient treatment is in the best interests of the minor.

(4) The petition for one hundred eighty-day commitment shall be filed with the clerk of the court at least three days before the expiration of the fourteen-day commitment period. The petitioner or the petitioner's designee shall within twenty-four hours of filing serve a copy of the petition on the minor and notify the minor's attorney and the minor's parent. A copy of the petition

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shall be provided to such persons at least twenty-four hours prior to the hearing.

(5) At the time of filing, the court shall set a date within seven days for the hearing on the petition. ~~((The court may continue the hearing upon the written request of the minor or the minor's attorney for not more than ten days.))~~ If the hearing is not commenced within thirty days after the filing of the petition, including extensions of time requested by the detained person or his or her attorney or the court in the administration of justice under section 89 of this act, the minor must be released. The minor or the parents shall be afforded the same rights as in a fourteen-day commitment hearing. Treatment of the minor shall continue pending the proceeding.

(6) For one hundred eighty-day commitment:

(a) The court must find by clear, cogent, and convincing evidence that the minor:

(i) Is suffering from a mental disorder or substance use disorder;

(ii) Presents a likelihood of serious harm or is gravely disabled; and

(iii) Is in need of further treatment that only can be provided in a one hundred eighty-day commitment.

(b) If commitment is for a substance use disorder, the court must find that there is an available approved substance use disorder treatment program that has adequate space for the minor.

(7) In determining whether an inpatient or less restrictive alternative commitment is appropriate, great weight must be given to evidence of a prior history or pattern of decompensation and discontinuation of treatment resulting in: (a) Repeated hospitalizations; or (b) repeated peace officer interventions resulting in juvenile charges. Such evidence may be used to provide a factual basis for concluding that the minor would not receive, if released, such care as is essential for his or her health or safety.

~~(8)(a)~~ (a) If the court finds that the criteria for commitment are met and that less restrictive treatment in a community setting is not appropriate or available, the court shall order the minor committed to the custody of the secretary for further inpatient mental health treatment, to an approved substance use disorder treatment program for further substance use disorder treatment, or to a private treatment and evaluation facility for inpatient mental health or substance use disorder treatment if the minor's parents have assumed responsibility for payment for the treatment. If the court finds that a less restrictive alternative is in the best interest of the minor, the court shall order less restrictive alternative treatment upon such conditions as necessary.

(b) If the court determines that the minor does not meet the criteria for one hundred eighty-day commitment, the minor shall be released.

~~((8))~~ (9) Successive one hundred eighty-day commitments are permissible on the same grounds and under the same procedures as the original one hundred eighty-day commitment. Such petitions shall be filed at least ~~((five))~~ three days prior to the expiration of the previous one hundred eighty-day commitment order.

Sec. 94. RCW 71.34.750 and 2016 sp.s. c 29 s 277 are each amended to read as follows:

(1) At any time during the minor's period of fourteen-day commitment, the professional person in charge may petition the court for an order requiring the minor to undergo an additional one hundred eighty-day period of treatment. The evidence in support of the petition shall be presented by the county prosecutor unless the petition is filed by the professional person in charge of a state-operated facility in which case the evidence shall be presented by the attorney general.

(2) The petition for one hundred eighty-day commitment shall contain the following:

(a) The name and address of the petitioner or petitioners;

(b) The name of the minor alleged to meet the criteria for one hundred eighty-day commitment;

(c) A statement that the petitioner is the professional person in charge of the evaluation and treatment facility, secure detoxification facility, or approved substance use disorder treatment program responsible for the treatment of the minor;

(d) The date of the fourteen-day commitment order; and

(e) A summary of the facts supporting the petition.

(3) The petition shall be supported by accompanying affidavits signed by: (a) Two examining physicians, one of whom shall be a child psychiatrist, or two psychiatric advanced registered nurse practitioners, one of whom shall be a child and adolescent or family psychiatric advanced registered nurse practitioner, or two physician assistants, one of whom must be supervised by a child psychiatrist; (b) one children's mental health specialist and either an examining physician, physician assistant, or a psychiatric advanced registered nurse practitioner; or (c) two among an examining physician, physician assistant, and a psychiatric advanced registered nurse practitioner, one of which needs to be a child psychiatrist~~((;))~~, a physician assistant supervised by a child psychiatrist, or a child and adolescent psychiatric nurse practitioner. The affidavits shall describe in detail the behavior of the detained minor which supports the petition and shall state whether a less restrictive alternative to inpatient treatment is in the best interests of the minor.

(4) The petition for one hundred eighty-day commitment shall be filed with the clerk of the court at least three days before the expiration of the fourteen-day commitment period. The petitioner or the petitioner's designee shall within twenty-four hours of filing serve a copy of the petition on the minor and notify the minor's attorney and the minor's parent. A copy of the petition shall be provided to such persons at least twenty-four hours prior to the hearing.

(5) At the time of filing, the court shall set a date within seven days for the hearing on the petition. ~~((The court may continue the hearing upon the written request of the minor or the minor's attorney for not more than ten days.))~~ If the hearing is not commenced within thirty days after the filing of the petition, including extensions of time requested by the detained person or his or her attorney or the court in the administration of justice under section 89 of this act, the minor must be released. The minor or the parents shall be afforded the same rights as in a fourteen-day commitment hearing. Treatment of the minor shall continue pending the proceeding.

(6) For one hundred eighty-day commitment, the court must find by clear, cogent, and convincing evidence that the minor:

(a) Is suffering from a mental disorder or substance use disorder;

(b) Presents a likelihood of serious harm or is gravely disabled; and

(c) Is in need of further treatment that only can be provided in a one hundred eighty-day commitment.

(7) In determining whether an inpatient or less restrictive alternative commitment is appropriate, great weight must be given to evidence of a prior history or pattern of decompensation and discontinuation of treatment resulting in: (a) Repeated hospitalizations; or (b) repeated peace officer interventions resulting in juvenile charges. Such evidence may be used to provide a factual basis for concluding that the minor would not receive, if released, such care as is essential for his or her health or safety.

~~(8)~~(a) If the court finds that the criteria for commitment are met and that less restrictive treatment in a community setting is not appropriate or available, the court shall order the minor committed to the custody of the secretary for further inpatient mental health treatment, to an approved substance use disorder treatment program for further substance use disorder treatment, or to a private treatment and evaluation facility for inpatient mental health or substance use disorder treatment if the minor's parents have assumed responsibility for payment for the treatment. If the court finds that a less restrictive alternative is in the best interest of the minor, the court shall order less restrictive alternative treatment upon such conditions as necessary.

(b) If the court determines that the minor does not meet the criteria for one hundred eighty-day commitment, the minor shall be released.

~~((8))~~ (9) Successive one hundred eighty-day commitments are permissible on the same grounds and under the same procedures as the original one hundred eighty-day commitment. Such petitions shall be filed at least ~~((five))~~ three days prior to the expiration of the previous one hundred eighty-day commitment order.

NEW SECTION. Sec. 95. A new section is added to chapter 71.34 RCW to read as follows:

(1) Less restrictive alternative treatment, at a minimum, must include the following services:

- (a) Assignment of a care coordinator;
- (b) An intake evaluation with the provider of the less restrictive alternative treatment;
- (c) A psychiatric evaluation;
- (d) A schedule of regular contacts with the provider of the less restrictive alternative treatment services for the duration of the order;
- (e) A transition plan addressing access to continued services at the expiration of the order;
- (f) An individual crisis plan; and
- (g) Notification to the care coordinator assigned in (a) of this subsection if reasonable efforts to engage the client fail to produce substantial compliance with court-ordered treatment conditions.

(2) Less restrictive alternative treatment may include the following additional services:

- (a) Medication management;
- (b) Psychotherapy;
- (c) Nursing;
- (d) Substance abuse counseling;
- (e) Residential treatment; and
- (f) Support for housing, benefits, education, and employment.

(3) If the minor was provided with involuntary medication during the involuntary commitment period, the less restrictive alternative treatment order may authorize the less restrictive alternative treatment provider or its designee to administer involuntary antipsychotic medication to the person if the provider has attempted and failed to obtain the informed consent of the person and there is a concurring medical opinion approving the medication by a psychiatrist, physician assistant working with a supervising psychiatrist, psychiatric advanced registered nurse practitioner, or physician or physician assistant in consultation with an independent mental health professional with prescribing authority.

(4) Less restrictive alternative treatment must be administered by a provider that is certified or licensed to provide or coordinate the full scope of services required under the less restrictive alternative order and that has agreed to assume this responsibility.

(5) The care coordinator assigned to a minor ordered to less restrictive alternative treatment must submit an individualized plan for the minor's treatment services to the court that entered

the order. An initial plan must be submitted as soon as possible following the intake evaluation and a revised plan must be submitted upon any subsequent modification in which a type of service is removed from or added to the treatment plan.

(6) For the purpose of this section, "care coordinator" means a clinical practitioner who coordinates the activities of less restrictive alternative treatment. The care coordinator coordinates activities with the designated crisis responders that are necessary for enforcement and continuation of less restrictive alternative treatment orders and is responsible for coordinating service activities with other agencies and establishing and maintaining a therapeutic relationship with the individual on a continuing basis.

Sec. 96. RCW 71.34.780 and 2018 c 201 s 5020 are each amended to read as follows:

(1) If the professional person in charge of an outpatient treatment program, a designated crisis responder, or the director or secretary, as appropriate, determines that a minor is failing to adhere to the conditions of the court order for less restrictive alternative treatment or the conditions for the conditional release, or that substantial deterioration in the minor's functioning has occurred, the designated crisis responder, or the director or secretary, as appropriate, may order that the minor ~~((, if committed for mental health treatment,))~~ be taken into custody and transported to an inpatient evaluation and treatment facility ~~((or, if committed for substance use disorder treatment, be taken into custody and transported to))~~, a secure detoxification facility, or an approved substance use disorder treatment program ~~((if there is an available)).~~ A secure detoxification facility or approved substance use disorder treatment program that has adequate space for the minor must be available.

(2)(a) The designated crisis responder ~~((or the))~~, director, or secretary, as appropriate, shall file the order of apprehension and detention and serve it upon the minor and notify the minor's parent and the minor's attorney, if any, of the detention within two days of return. At the time of service the minor shall be informed of the right to a hearing and to representation by an attorney. The designated crisis responder or the director or secretary, as appropriate, may modify or rescind the order of apprehension and detention at any time prior to the hearing.

(b) If the minor is involuntarily detained for revocation at an evaluation and treatment facility, secure detoxification facility, or approved substance use disorder treatment program in a different county from where the minor was initially detained, the facility or program may file the order of apprehension, serve it on the minor and notify the minor's parents and the minor's attorney at the request of the designated crisis responder.

(3) A petition for revocation of less restrictive alternative treatment shall be filed by the designated crisis responder or the director ~~((or))~~, secretary, or facility, as appropriate, with the court in the county ~~((ordering the less restrictive alternative treatment))~~ where the minor is detained. The court shall conduct the hearing in that county. A petition for revocation of conditional release ~~((may be filed with the court in the county ordering inpatient treatment or the county where the minor on conditional release is residing))~~ must be filed in the county where the minor is detained. A petition shall describe the behavior of the minor indicating violation of the conditions or deterioration of routine functioning and a dispositional recommendation. ~~((Upon motion for good cause, the hearing may be transferred to the county of the minor's residence or to the county in which the alleged violations occurred.))~~ The hearing shall be held within seven days of the minor's return. The issues to be determined are whether the minor did or did not adhere to the conditions of the less restrictive alternative treatment or conditional release, or whether the minor's routine functioning has substantially deteriorated, and, if

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so, whether the conditions of less restrictive alternative treatment or conditional release should be modified or, subject to subsection (4) of this section, whether the minor should be returned to inpatient treatment. Pursuant to the determination of the court, the minor shall be returned to less restrictive alternative treatment or conditional release on the same or modified conditions or shall be returned to inpatient treatment. If the minor is returned to inpatient treatment, RCW 71.34.760 regarding the director's placement responsibility shall apply. The hearing may be waived by the minor and the minor returned to inpatient treatment or to less restrictive alternative treatment or conditional release on the same or modified conditions.

(4) A court may not order the return of a minor to inpatient treatment in a secure detoxification facility or approved substance use disorder treatment program unless there is a secure detoxification facility or approved substance use disorder treatment program available with adequate space for the minor.

Sec. 97. RCW 71.34.780 and 2018 c 201 s 5021 are each amended to read as follows:

(1) If the professional person in charge of an outpatient treatment program, a designated crisis responder, or the director or secretary, as appropriate, determines that a minor is failing to adhere to the conditions of the court order for less restrictive alternative treatment or the conditions for the conditional release, or that substantial deterioration in the minor's functioning has occurred, the designated crisis responder, or the director or secretary, as appropriate, may order that the minor ~~((if committed for mental health treatment,))~~ be taken into custody and transported to an inpatient evaluation and treatment facility ~~((or, if committed for substance use disorder treatment, be taken into custody and transported to))~~, a secure detoxification facility, or an approved substance use disorder treatment program.

(2)(a) The designated crisis responder ~~((or the))~~, director, or secretary, as appropriate, shall file the order of apprehension and detention and serve it upon the minor and notify the minor's parent and the minor's attorney, if any, of the detention within two days of return. At the time of service the minor shall be informed of the right to a hearing and to representation by an attorney. The designated crisis responder or the director or secretary, as appropriate, may modify or rescind the order of apprehension and detention at any time prior to the hearing.

(b) If the minor is involuntarily detained for revocation at an evaluation and treatment facility, secure detoxification facility, or approved substance use disorder treatment program in a different county from where the minor was initially detained, the facility or program may file the order of apprehension, serve it on the minor and notify the minor's parents and the minor's attorney at the request of the designated crisis responder.

(3) A petition for revocation of less restrictive alternative treatment shall be filed by the designated crisis responder or the director ~~((or))~~, secretary, or facility, as appropriate, with the court in the county ~~((ordering the less restrictive alternative treatment))~~ where the minor is detained. The court shall conduct the hearing in that county. A petition for revocation of conditional release ~~((may be filed with the court in the county ordering inpatient treatment or the county where the minor on conditional release is residing))~~ must be filed in the county where the minor is detained. A petition shall describe the behavior of the minor indicating violation of the conditions or deterioration of routine functioning and a dispositional recommendation. ~~((Upon motion for good cause, the hearing may be transferred to the county of the minor's residence or to the county in which the alleged violations occurred.))~~ The hearing shall be held within seven days of the minor's return. The issues to be determined are whether the minor did or did not adhere to the conditions of the less restrictive

alternative treatment or conditional release, or whether the minor's routine functioning has substantially deteriorated, and, if so, whether the conditions of less restrictive alternative treatment or conditional release should be modified or whether the minor should be returned to inpatient treatment. Pursuant to the determination of the court, the minor shall be returned to less restrictive alternative treatment or conditional release on the same or modified conditions or shall be returned to inpatient treatment. If the minor is returned to inpatient treatment, RCW 71.34.760 regarding the director's placement responsibility shall apply. The hearing may be waived by the minor and the minor returned to inpatient treatment or to less restrictive alternative treatment or conditional release on the same or modified conditions.

NEW SECTION. Sec. 98. A new section is added to chapter 71.34 RCW to read as follows:

The legislature recognizes the inherent authority of the judiciary under Article IV, section 1 of the state Constitution to establish rules regarding access to court records, and respectfully requests the Washington state supreme court to adopt rules regarding potential access for the following entities to the files and records of court proceedings under this chapter and chapter 71.05 RCW:

- (1) The department;
- (2) The department of health;
- (3) The authority;
- (4) The state hospitals as defined in RCW 72.23.010;
- (5) Any person who is the subject of a petition;
- (6) The attorney or guardian of the person;
- (7) Resource management services for that person; and
- (8) Service providers authorized to receive such information by resource management services.

NEW SECTION. Sec. 99. A new section is added to chapter 71.34 RCW to read as follows:

For purposes of this chapter, at any hearing the petitioner, the respondent, the witnesses, the interpreters, and the presiding judicial officer may be present and participate either in person or by video, as determined by the court. The term "video" as used in this section includes any functional equivalent. At any hearing conducted by video, the technology used must permit the judicial officer, counsel, all parties, and the witnesses to be able to see, hear, and speak, when authorized, during the hearing; to allow attorneys to use exhibits or other materials during the hearing; and to allow the respondent's counsel to be in the same location as the respondent unless otherwise requested by the respondent or the respondent's counsel. Witnesses in a proceeding may also appear in court through other means, including telephonically, pursuant to the requirements of superior court civil rule 43. Notwithstanding the foregoing, the court, upon its own motion or upon a motion for good cause by any party, may require all parties and witnesses to participate in the hearing in person rather than by video. In ruling on any such motion, the court may allow in-person or video testimony; and the court may consider, among other things, whether the respondent's alleged behavioral health disorder affects the respondent's ability to perceive or participate in the proceeding by video.

NEW SECTION. Sec. 100. A new section is added to chapter 71.05 RCW to read as follows:

For purposes of this chapter, at any hearing the petitioner, the respondent, the witnesses, the interpreters, and the presiding judicial officer may be present and participate either in person or by video, as determined by the court. The term "video" as used in this section includes any functional equivalent. At any hearing conducted by video, the technology used must permit the judicial officer, counsel, all parties, and the witnesses to be able to see,

hear, and speak, when authorized, during the hearing; to allow attorneys to use exhibits or other materials during the hearing; and to allow the respondent's counsel to be in the same location as the respondent unless otherwise requested by the respondent or the respondent's counsel. Witnesses in a proceeding may also appear in court through other means, including telephonically, pursuant to the requirements of superior court civil rule 43. Notwithstanding the foregoing, the court, upon its own motion or upon a motion for good cause by any party, may require all parties and witnesses to participate in the hearing in person rather than by video. In ruling on any such motion, the court may allow in-person or video testimony; and the court may consider, among other things, whether the respondent's alleged behavioral health disorder affects the respondent's ability to perceive or participate in the proceeding by video.

NEW SECTION. Sec. 101. A new section is added to chapter 71.34 RCW to read as follows:

In addition to the responsibility provided for by RCW 43.20B.330, the parents of a minor person who is involuntarily detained pursuant to this chapter for the purpose of treatment and evaluation outside of a facility maintained and operated by the department shall be responsible for the cost of such care and treatment. In the event that an individual is unable to pay for such treatment or in the event payment would result in a substantial hardship upon the individual or his or her family, then the county of residence of such person shall be responsible for such costs. If it is not possible to determine the county of residence of the person, the cost shall be borne by the county where the person was originally detained. The department, or the authority, as appropriate, shall, pursuant to chapter 34.05 RCW, adopt standards as to (1) inability to pay in whole or in part, (2) a definition of substantial hardship, and (3) appropriate payment schedules. Financial responsibility with respect to services and facilities of the department shall continue to be as provided in RCW 43.20B.320 through 43.20B.360 and 43.20B.370.

NEW SECTION. Sec. 102. A new section is added to chapter 71.05 RCW to read as follows:

(1) An involuntary treatment act work group is established to evaluate the effect of changes to chapters 71.05 and 71.34 RCW and to evaluate vulnerabilities in the crisis system.

(2) The work group shall:

(a) Commencing September 1, 2019, meet at least three times to: (i) Identify and evaluate systems and procedures that may be required to implement five-day initial detention; (ii) develop recommendations to implement five-day initial detention statewide; and (iii) disseminate the recommendations to stakeholders and report them to the appropriate committees of the legislature by January 1, 2020.

(b) Commencing January 1, 2020, meet at least six times to evaluate: (i) The implementation of five-day initial detention, and the effects, if any, on involuntary behavioral health treatment capacity statewide, including the frequency of detentions, commitments, revocations of less restrictive alternative treatment, conditional release orders, single bed certifications, and no-bed reports under RCW 71.05.750; (ii) other issues related to implementation of this act; and (iii) other vulnerabilities in the involuntary treatment system.

(c)(i) Develop recommendations for operating the crisis system based on the evaluations in (b) of this subsection; and (ii) disseminate those recommendations to stakeholders and report them to the appropriate committees of the legislature no later than June 30, 2021.

(3) The work group shall be convened by the authority and shall receive technical and data gathering support from the authority,

the department, and the department of social and health services as needed. The membership must consist of not more than eighteen members appointed by the governor, reflecting statewide representation, diverse viewpoints, and experience with involuntary treatment cases. Appointed members must include but not be limited to:

(a) Representatives of the authority, the department, and the department of social and health services;

(b) Certified short-term civil commitment providers and providers who accept single bed certification under RCW 71.05.745;

(c) Certified long-term inpatient care providers for involuntary patients or providers with experience providing community long-term inpatient care for involuntary patients;

(d) Prosecuting attorneys;

(e) Defense attorneys;

(f) Family members and persons with lived experience of behavioral health disorders;

(g) Advocates for persons with behavioral health disorders;

(h) Designated crisis responders;

(i) Behavioral health administrative services organizations;

(j) Managed care organizations;

(k) Law enforcement; and

(l) Judicial officers in involuntary treatment cases.

(4) Interested legislators and legislative staff may participate in the work group. The governor must request participation in the work group by a representative of tribal governments.

(5) The work group shall choose cochairs from among its members and receive staff support from the authority.

(6) This section expires June 30, 2021.

NEW SECTION. Sec. 103. The following acts or parts of acts are each repealed:

(1) RCW 71.05.360 (Rights of involuntarily detained persons) and 2017 3rd sp.s. c 14 s 20; and

(2) RCW 71.34.370 (Antipsychotic medication and shock treatment) and 1989 c 120 s 9.

NEW SECTION. Sec. 104. RCW 71.05.525 is recodified as a section in chapter 71.34 RCW.

NEW SECTION. Sec. 105. Sections 15, 18, 26, 39, 45, 56, 59, 72, 79, 83, 86, 92, 94, and 97 of this act take effect July 1, 2026.

NEW SECTION. Sec. 106. Sections 14, 17, 25, 38, 44, 55, 78, 82, 85, 91, 93, and 96 of this act expire July 1, 2026.

NEW SECTION. Sec. 107. Sections 14, 17, 20, 21, 22, 23, 25, 31, 33, 35, 38, 55, 61, 62, 76, 82, 85, 88, and 91 of this act take effect January 1, 2020.

NEW SECTION. Sec. 108. Sections 13, 16, 30, 32, 34, 37, 54, 60, 75, 81, 84, 87, and 90 of this act expire January 1, 2020."

On page 1, line 1 of the title, after "act," strike the remainder of the title and insert "amending RCW 71.05.010, 71.05.012, 71.05.025, 71.05.026, 71.05.027, 71.05.030, 71.05.040, 71.05.050, 71.05.100, 71.05.132, 71.05.150, 71.05.150, 71.05.150, 71.05.153, 71.05.153, 71.05.153, 71.05.160, 71.05.170, 71.05.180, 71.05.190, 71.05.195, 71.05.201, 71.05.210, 71.05.210, 71.05.212, 71.05.214, 71.05.215, 71.05.217, 71.05.217, 71.05.230, 71.05.230, 71.05.235, 71.05.235, 71.05.280, 71.05.290, 71.05.300, 71.05.310, 71.05.320, 71.05.320, 71.05.380, 71.05.445, 71.05.455, 71.05.457, 71.05.458, 71.05.525, 71.05.530, 71.05.585, 71.05.720, 71.05.740, 71.05.745, 71.05.750, 71.05.750, 71.05.760, 71.34.010, 71.34.020, 71.34.305, 71.34.310, 71.34.355, 71.34.365, 71.34.410, 71.34.420, 71.34.500,

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71.34.600, 71.34.600, 71.34.650, 71.34.700, 71.34.700, 71.34.710, 71.34.710, 71.34.710, 71.34.720, 71.34.720, 71.34.720, 71.34.740, 71.34.740, 71.34.740, 71.34.750, 71.34.780, and 71.34.780; reenacting and amending RCW 71.05.020, 71.05.120, 71.05.240, 71.05.240, 71.05.240, 71.05.590, 71.05.590, 71.05.590, 71.34.730, 71.34.730, and 71.34.750; adding new sections to chapter 71.05 RCW; adding new sections to chapter 71.34 RCW; recodifying RCW 71.05.525; repealing RCW 71.05.360 and 71.34.370; providing effective dates; and providing expiration dates."

The President declared the question before the Senate to be the adoption of striking amendment no. 208 by Senator Dhingra to Second Substitute Senate Bill No. 5720.

The motion by Senator Dhingra carried and striking amendment no. 208 was adopted by voice vote.

MOTION

On motion of Senator Dhingra, the rules were suspended, Engrossed Second Substitute Senate Bill No. 5720 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Dhingra, Becker and Wagoner spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 5720.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5720 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 2; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Voting nay: Senators Hasegawa and Nguyen

Excused: Senator Wilson, L.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5720, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5432, by Senators Dhingra, Rivers, Cleveland, Darneille, O'Ban, Keiser, Conway, Das and Kuderer

Concerning fully implementing behavioral health integration for January 1, 2020, by removing behavioral health organizations from law; clarifying the roles and responsibilities among the health care authority, department of social and health services, and department of health, and the roles and responsibilities of behavioral health administrative services organizations and medicaid managed care organizations; and making technical corrections related to the behavioral health system.

MOTION

On motion of Senator Dhingra, Second Substitute Senate Bill No. 5432 was substituted for Senate Bill No. 5432 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Braun moved that the following amendment no. 194 by Senator Braun be adopted:

On page 30, beginning on line 9, strike all of subsection (4) and insert the following:

"(4) No behavioral health administrative services organization may contract with itself as a behavioral health agency, or contract with a behavioral health agency that has administrative linkages to the behavioral health administrative services organization in any manner that would give the agency a competitive advantage in obtaining or competing for contracts, except that a county or group of counties may provide designated crisis responder services, initial crisis services, criminal diversion services, hospital reentry services, and criminal reentry services. The county-administered service must have a clear separation of powers and duties separate from a county-run behavioral health administrative services organization and suitable accounting procedures must be followed to ensure the funding is traceable and accounted for separately from other funds."

Senators Braun, Dhingra and Hunt spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 194 by Senator Braun on page 30, line 9 to Second Substitute Senate Bill No. 5432.

The motion by Senator Braun carried and amendment no. 194 was adopted by voice vote.

MOTION

On motion of Senator Dhingra, the rules were suspended, Engrossed Second Substitute Senate Bill No. 5432 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Dhingra and Wagoner spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 5432.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5432 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 2; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Rivers, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Voting nay: Senators Randall and Rolfes

Excused: Senator Wilson, L.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5432, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5428, by Senators Wilson, L., Palumbo, Becker, Brown, Wagoner, Warnick, Nguyen and Zeiger

Concerning veterans' mental health services at institutions of higher education.

MOTIONS

On motion of Senator Holy, Substitute Senate Bill No. 5428 was substituted for Senate Bill No. 5428 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Holy, the rules were suspended, Substitute Senate Bill No. 5428 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Holy, Brown, Palumbo, Becker and Bailey spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5428.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5428 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Excused: Senator Wilson, L.

SUBSTITUTE SENATE BILL NO. 5428, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5160, by Senators Dhingra, Wellman, Palumbo, Keiser, Rolfes, Das, Randall, Wilson, C., Fortunato, Hasegawa, King and Kuderer

Concerning property tax exemptions for service-connected disabled veterans and senior citizens.

MOTION

On motion of Senator Dhingra, Substitute Senate Bill No. 5160 was substituted for Senate Bill No. 5160 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Braun moved that the following amendment no. 219 by Senator Braun be adopted:

On page 6, line 39, after "(8)" insert ""Base threshold 1" means thirty thousand dollars as adjusted by inflation beginning with taxes levied for collection in calendar year 2022 and thereafter. Base threshold 1 must be adjusted for inflation beginning with taxes levied for collection in calendar year 2022 and every five years thereafter.

(9) "Base threshold 2" means thirty-five thousand dollars as adjusted by inflation beginning with taxes levied for collection in calendar year 2022 and thereafter. Base threshold 2 must be adjusted for inflation beginning with taxes levied for collection in calendar year 2022 and every five years thereafter.

(10) "Base threshold 3" means forty thousand dollars as adjusted by inflation beginning with taxes levied for collection in calendar year 2022 and thereafter. Base threshold 3 must be adjusted for inflation beginning with taxes levied for collection in calendar year 2022 and every five years thereafter.

(11)"

Renumber the remaining subsections consecutively and correct any internal references accordingly.

On page 7, at the beginning of line 6, strike ""income threshold 1" for the previous year" and insert ""base threshold 1"

On page 7, at the beginning of line 15, strike ""income threshold 2" for the previous year" and insert ""base threshold 2"

On page 7, at the beginning of line 24, strike ""income threshold 3" for the previous year" and insert ""base threshold 3"

On page 7, after line 30, insert the following:

"(12) "Inflation" has the same meaning as provided in RCW 84.55.005."

Senators Braun, Sheldon, Takko, Short, Ericksen, Schoesler and Fortunato spoke in favor of adoption of the amendment.

Senators Dhingra and Palumbo spoke against adoption of the amendment.

Senator Short demanded a roll call.

The President declared that one-sixth of the members supported the demand and the demand was sustained.

The President declared the question before the Senate to be the adoption of the amendment by Senator Braun on page 6, line 39, to Substitute Senate Bill No. 5160.

ROLL CALL

The Secretary called the roll on the adoption of the amendment by Senator Braun and the amendment was not adopted by the following vote: Yeas, 21; Nays, 27; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Braun, Brown, Ericksen, Fortunato, Hawkins, Holy, Honeyford, King, Lovelett, O'Ban, Padden, Rivers, Schoesler, Sheldon, Short, Wagoner, Walsh, Warnick and Zeiger

Voting nay: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, McCoy, Mullet, Nguyen, Palumbo, Pedersen, Randall, Rolfes, Saldaña, Salomon, Takko, Van De Wege, Wellman and Wilson, C.

Excused: Senator Wilson, L.

MOTION

Senator Dhingra moved that the following amendment no. 213 by Senator Dhingra be adopted:

On page 10, line 12, after "beginning" strike "August" and insert "March"

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On page 12, line 11, after "spouse" strike "or that domestic partner" and insert "~~(or that)~~, domestic partner, heir, or devisee"

On page 12, beginning on line 24, after "spouse" strike "or domestic partner" and insert "~~(or)~~, domestic partner, heir, or devisee"

On page 13, line 7, after "effect" strike "August" and insert "March"

The President declared the question before the Senate to be the adoption of amendment no. 213 by Senator Dhingra on page 10, line 12 to Substitute Senate Bill No. 5160.

The motion by Senator Dhingra carried and amendment no. 213 was adopted by voice vote.

MOTION

On motion of Senator Dhingra, the rules were suspended, Engrossed Substitute Senate Bill No. 5160 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Dhingra and Wagoner spoke in favor of passage of the bill.

Senators Braun, Becker, Sheldon and Honeyford spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5160.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5160 and the bill passed the Senate by the following vote: Yeas, 37; Nays, 11; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Billig, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Takko, Wagoner, Walsh, Wellman, Wilson, C. and Zeiger

Voting nay: Senators Becker, Braun, Holy, Honeyford, King, Padden, Schoesler, Sheldon, Short, Van De Wege and Warnick
Excused: Senator Wilson, L.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5160, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 5:41 p.m., on motion of Senator Liias, the Senate was declared to be at ease subject to the call of the President for the purposes of dinner and caucus.

Senator Becker announced a meeting of the Republican Caucus immediately upon going at ease.

Senator McCoy announced a meeting of the Democratic Caucus immediately upon going at ease.

The Senate was called to order at 8:27 p.m. by President Habib.

MOTION

On motion of Senator Liias, the Senate reverted to the fourth order of business.

MESSAGES FROM THE HOUSE

March 6, 2019

MR. PRESIDENT:

The House has passed:

- ENGROSSED HOUSE BILL NO. 1056,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1355,
- ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1517,
- ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1543,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1643,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1817,
- ENGROSSED HOUSE BILL NO. 1846,
- ENGROSSED HOUSE BILL NO. 2067,

and the same are herewith transmitted.

NONA SNELL, Deputy Chief Clerk

March 6, 2019

MR. PRESIDENT:

The House has passed:

- SUBSTITUTE HOUSE BILL NO. 1116,
- SUBSTITUTE HOUSE BILL NO. 1151,
- SUBSTITUTE HOUSE BILL NO. 1155,
- SECOND SUBSTITUTE HOUSE BILL NO. 1166,
- SUBSTITUTE HOUSE BILL NO. 1231,
- SUBSTITUTE HOUSE BILL NO. 1254,
- SECOND SUBSTITUTE HOUSE BILL NO. 1272,
- HOUSE BILL NO. 1278,
- SECOND SUBSTITUTE HOUSE BILL NO. 1303,
- SUBSTITUTE HOUSE BILL NO. 1326,
- HOUSE BILL NO. 1382,
- SUBSTITUTE HOUSE BILL NO. 1383,
- SUBSTITUTE HOUSE BILL NO. 1469,
- SUBSTITUTE HOUSE BILL NO. 1480,
- HOUSE BILL NO. 1505,
- SUBSTITUTE HOUSE BILL NO. 1532,
- HOUSE BILL NO. 1589,
- SUBSTITUTE HOUSE BILL NO. 1621,
- HOUSE BILL NO. 1647,
- SUBSTITUTE HOUSE BILL NO. 1658,
- SUBSTITUTE HOUSE BILL NO. 1715,
- SECOND SUBSTITUTE HOUSE BILL NO. 1767,
- SUBSTITUTE HOUSE BILL NO. 1791,
- SUBSTITUTE HOUSE BILL NO. 1836,
- SECOND SUBSTITUTE HOUSE BILL NO. 1893,
- HOUSE BILL NO. 1901,
- SUBSTITUTE HOUSE BILL NO. 1909,
- SUBSTITUTE HOUSE BILL NO. 1931,
- HOUSE BILL NO. 1934,
- SUBSTITUTE HOUSE BILL NO. 1949,
- HOUSE BILL NO. 1952,
- HOUSE BILL NO. 2052,

SUBSTITUTE HOUSE JOINT MEMORIAL NO. 4007, and the same are herewith transmitted.

NONA SNELL, Deputy Chief Clerk

MOTION

On motion of Senator Wilson, C., Senator Conway was excused.

MOTION

On motion of Senator Liias, the Senate advanced to the sixth order of business.

MOTION

On motion of Senator Brown, Senator Wilson, L. was excused.

SECOND READING

SENATE BILL NO. 5310, by Senator Hunt

Correcting agency names and accounts in statutes to reflect the organizational structure, duties, and responsibilities of the office of financial management.

The measure was read the second time.

MOTION

On motion of Senator Hunt, the rules were suspended, Senate Bill No. 5310 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Hunt and Zeiger spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5310.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5310 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Excused: Senators Conway and Wilson, L.

SENATE BILL NO. 5310, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5311, by Senator Hunt

Eliminating, revising, or decodifying obsolete or inactive statutory provisions that concern the office of financial management.

MOTION

On motion of Senator Hunt, Substitute Senate Bill No. 5311 was substituted for Senate Bill No. 5311 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Zeiger moved that the following amendment no. 227 by Senator Zeiger be adopted:

On page 1, beginning on line 8, strike all of section 1

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 1, beginning on line 3 of the title, after "RCW" strike "4.84.360,"

Senator Zeiger spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 227 by Senator Zeiger on page 1, line 8 to Substitute Senate Bill No. 5311.

The motion by Senator Zeiger carried and amendment no. 227 was adopted by voice vote.

MOTION

On motion of Senator Hunt, the rules were suspended, Engrossed Substitute Senate Bill No. 5311 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Hunt spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5311.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5311 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 1; Excused, 2.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C. and Zeiger

Absent: Senator Walsh

Excused: Senators Conway and Wilson, L.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5311, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

PERSONAL PRIVILEGE

Senator Hawkins: "Thank you Mr. President. I just wanted to point out your spot-on grammar. You know, the difference between 'fewer' and 'less' is not something all of us appreciate but you use 'fewer' with the countable nouns and 'less' with the uncountable nouns. So, for example, with Twelfth District apples you could eat fewer apples but you would also eat less applesauce so, as an example. So, well done Mr. President."

SECOND READING

SENATE BILL NO. 5127, by Senators McCoy, Billig, Darneille, Hunt, Rolfes and Schoesler

Increasing the traumatic brain injury fee.

MOTION

On motion of Senator McCoy, Substitute Senate Bill No. 5127 was substituted for Senate Bill No. 5127 and the substitute bill was placed on the second reading and read the second time.

FIFTY THIRD DAY, MARCH 7, 2019

2019 REGULAR SESSION

WITHDRAWAL OF AMENDMENT

On motion of Senator McCoy and without objection, amendment no. 209 by Senator McCoy on page 5, line 17 to Substitute Senate Bill No. 5127 was withdrawn.

MOTION

Senator Carlyle moved that the following amendment no. 223 by Senator Carlyle be adopted:

Beginning on page 5, line 18, strike all of subsection (2) and insert the following:

"(2) The fee increase from two dollars to five dollars under RCW 46.63.110(7)(c) shall be used and provided for purposes in addition to public awareness and services noted in RCW 46.63.110, related to traumatic brain injury including:

(a) Funding for innovative and novel research with the potential to create leaps in knowledge to further effective evaluation and treatment protocols for those with traumatic brain injury given the long-term cognitive, behavioral, and physical consequences and impairments that may result from the underlying brain injury;

(b) Improving concussion prevention, recognition, evaluation, and treatment protocols for veterans, athletes, individuals impacted by domestic violence, and other vulnerable populations;

(c) Developing and maintaining a repository of information at the University of Washington, made available to the public with use of available and affordable technology, on concussion prevention, recognition, evaluation, and treatment protocols;

(d) Increasing the number of active case managers at the brain injury alliance of Washington to cover all areas of the state of Washington to provide support for brain injury survivors and their family members recovering from brain injury;

(e) Increasing the number of brain health and wellness classes, courses, and programs in all areas of the state of Washington that provide nonmedical classes, courses, and programs for brain injury survivors and their family members recovering from brain injury that has been established and modeled by the brain injury alliance of Washington;

(f) Funding to establish a statewide system of brain injury patient referrals for those discharged from any hospital with a diagnosis of brain injury in order to receive information and service available; and

(g) Funding to provide a statewide awareness campaign and training in support of return to work for individuals who have suffered a brain injury."

Senators Carlyle and McCoy spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 223 by Senator Carlyle on page 5, line 18 to Substitute Senate Bill No. 5127.

The motion by Senator Carlyle carried and amendment no. 223 was adopted by voice vote.

MOTION

On motion of Senator McCoy, the rules were suspended, Engrossed Substitute Senate Bill No. 5127 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators McCoy, Carlyle, Wagoner, Darneille and Walsh spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5127.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5127 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Darneille, Das, Dhingra, Erickson, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Lias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Excused: Senators Conway and Wilson, L.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5127, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5573, by Senators Warnick, Hunt, Fortunato, Takko, Zeiger, Wilson, C., Hasegawa, Walsh, Schoesler, McCoy, Honeyford, Rolfes, Sheldon, Lias, Darneille, Keiser, Nguyen, Saldaña, Van De Wege, and Wilson L.

Concerning domestic violence and traumatic brain injury.

The measure was read the second time.

MOTION

Senator Warnick moved that the following striking amendment no. 034 by Senator Warnick be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 74.31 RCW to read as follows:

(1) The department, in consultation with the council and at least one representative of a community-based domestic violence program and one medical professional with experience treating survivors of domestic violence, shall develop recommendations to improve the statewide response to traumatic brain injuries suffered by domestic violence survivors. In developing recommendations, the department may consider the creation of an educational handout, to be updated on a periodic basis, regarding traumatic brain injury to be provided to victims of domestic violence. The handout may include the information and screening tool described in subsection (2) of this section.

(2)(a) The department, in consultation with the council, shall establish and recommend or develop content for a statewide web site for victims of domestic violence to include:

(i) An explanation of the potential for domestic abuse to lead to traumatic brain injury;

(ii) Information on recognizing cognitive, behavioral, and physical symptoms of traumatic brain injury as well as potential impacts to a person's emotional well-being and mental health;

(iii) A self-screening tool for traumatic brain injury; and

(iv) Recommendations for persons with traumatic brain injury to help address or cope with the injury.

(b) The department must update the web site created under this subsection on a periodic basis.

Sec. 2. RCW 10.99.030 and 2016 c 136 s 5 are each amended to read as follows:

(1) All training relating to the handling of domestic violence complaints by law enforcement officers shall stress enforcement of criminal laws in domestic situations, availability of community resources, and protection of the victim. Law enforcement agencies and community organizations with expertise in the issue of domestic violence shall cooperate in all aspects of such training.

(2) The criminal justice training commission shall implement by January 1, 1997, a course of instruction for the training of law enforcement officers in Washington in the handling of domestic violence complaints. The basic law enforcement curriculum of the criminal justice training commission shall include at least twenty hours of basic training instruction on the law enforcement response to domestic violence. The course of instruction, the learning and performance objectives, and the standards for the training shall be developed by the commission and focus on enforcing the criminal laws, safety of the victim, and holding the perpetrator accountable for the violence. The curriculum shall include training on the extent and prevalence of domestic violence, the importance of criminal justice intervention, techniques for responding to incidents that minimize the likelihood of officer injury and that promote victim safety, investigation and interviewing skills, evidence gathering and report writing, assistance to and services for victims and children, understanding the risks of traumatic brain injury posed by domestic violence, verification and enforcement of court orders, liability, and any additional provisions that are necessary to carry out the intention of this subsection.

(3) The criminal justice training commission shall develop and update annually an in-service training program to familiarize law enforcement officers with the domestic violence laws. The program shall include techniques for handling incidents of domestic violence that minimize the likelihood of injury to the officer and that promote the safety of all parties. The commission shall make the training program available to all law enforcement agencies in the state.

(4) Development of the training in subsections (2) and (3) of this section shall be conducted in conjunction with agencies having a primary responsibility for serving victims of domestic violence with emergency shelter and other services, and representatives to the statewide organization providing training and education to these organizations and to the general public.

(5) The primary duty of peace officers, when responding to a domestic violence situation, is to enforce the laws allegedly violated and to protect the complaining party.

(6)(a) When a peace officer responds to a domestic violence call and has probable cause to believe that a crime has been committed, the peace officer shall exercise arrest powers with reference to the criteria in RCW 10.31.100. The officer shall notify the victim of the victim's right to initiate a criminal proceeding in all cases where the officer has not exercised arrest powers or decided to initiate criminal proceedings by citation or otherwise. The parties in such cases shall also be advised of the importance of preserving evidence.

(b) A peace officer responding to a domestic violence call shall take a complete offense report including the officer's disposition of the case.

(7) When a peace officer responds to a domestic violence call, the officer shall:

(a) Advise victims of all reasonable means to prevent further abuse, including advising each person of the availability of a

shelter or other services in the community, and giving each person immediate notice of the legal rights and remedies available. The notice shall include handing each person a copy of the following statement:

"IF YOU ARE THE VICTIM OF DOMESTIC VIOLENCE, you can ask the city or county prosecuting attorney to file a criminal complaint. You also have the right to file a petition in superior, district, or municipal court requesting an order for protection from domestic abuse which could include any of the following: (a) An order restraining your abuser from further acts of abuse; (b) an order directing your abuser to leave your household; (c) an order preventing your abuser from entering your residence, school, business, or place of employment; (d) an order awarding you or the other parent custody of or visitation with your minor child or children; and (e) an order restraining your abuser from molesting or interfering with minor children in your custody. The forms you need to obtain a protection order are available in any municipal, district, or superior court.

Information about shelters and alternatives to domestic violence is available from a statewide twenty-four-hour toll-free hotline at (include appropriate phone number). The battered women's shelter and other resources in your area are (include local information)"; and

(b) Inform victims that information on traumatic brain injury can be found on the statewide web site developed under section 1 of this act.

(8) The peace officer may offer, arrange, or facilitate transportation for the victim to a hospital for treatment of injuries or to a place of safety or shelter.

(9) The law enforcement agency shall forward the offense report to the appropriate prosecutor within ten days of making such report if there is probable cause to believe that an offense has been committed, unless the case is under active investigation. Upon receiving the offense report, the prosecuting agency may, in its discretion, choose not to file the information as a domestic violence offense, if the offense was committed against a sibling, parent, stepparent, or grandparent.

(10) Each law enforcement agency shall make as soon as practicable a written record and shall maintain records of all incidents of domestic violence reported to it.

(11) Records kept pursuant to subsections (6) and (10) of this section shall be made identifiable by means of a departmental code for domestic violence.

(12) Commencing January 1, 1994, records of incidents of domestic violence shall be submitted, in accordance with procedures described in this subsection, to the Washington association of sheriffs and police chiefs by all law enforcement agencies. The Washington criminal justice training commission shall amend its contract for collection of statewide crime data with the Washington association of sheriffs and police chiefs:

(a) To include a table, in the annual report of crime in Washington produced by the Washington association of sheriffs and police chiefs pursuant to the contract, showing the total number of actual offenses and the number and percent of the offenses that are domestic violence incidents for the following crimes: (i) Criminal homicide, with subtotals for murder and nonnegligent homicide and manslaughter by negligence; (ii) forcible rape, with subtotals for rape by force and attempted forcible rape; (iii) robbery, with subtotals for firearm, knife or cutting instrument, or other dangerous weapon, and strongarm robbery; (iv) assault, with subtotals for firearm, knife or cutting instrument, other dangerous weapon, hands, feet, aggravated, and

other nonaggravated assaults; (v) burglary, with subtotals for forcible entry, nonforcible unlawful entry, and attempted forcible entry; (vi) larceny theft, except motor vehicle theft; (vii) motor vehicle theft, with subtotals for autos, trucks and buses, and other vehicles; (viii) arson; and (ix) violations of the provisions of a protection order or no-contact order restraining the person from going onto the grounds of or entering a residence, workplace, school, or day care, provided that specific appropriations are subsequently made for the collection and compilation of data regarding violations of protection orders or no-contact orders;

(b) To require that the table shall continue to be prepared and contained in the annual report of crime in Washington until that time as comparable or more detailed information about domestic violence incidents is available through the Washington state incident based reporting system and the information is prepared and contained in the annual report of crime in Washington; and

(c) To require that, in consultation with interested persons, the Washington association of sheriffs and police chiefs prepare and disseminate procedures to all law enforcement agencies in the state as to how the agencies shall code and report domestic violence incidents to the Washington association of sheriffs and police chiefs."

On page 1, line 1 of the title, after "Relating to" strike the remainder of the title and insert "traumatic brain injuries in domestic violence cases; amending RCW 10.99.030; and adding a new section to chapter 74.31 RCW."

The President declared the question before the Senate to be the adoption of striking amendment no. 034 by Senator Warnick to Senate Bill No. 5573.

The motion by Senator Warnick carried and striking amendment no. 034 was adopted by voice vote.

MOTION

On motion of Senator Warnick, the rules were suspended, Engrossed Senate Bill No. 5573 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Warnick spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 5573.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5573 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Excused: Senators Conway and Wilson, L.

ENGROSSED SENATE BILL NO. 5573, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5505, by Senators Hobbs, King and Fortunato

Addressing the use of local stormwater charges paid by the department of transportation.

The measure was read the second time.

MOTION

On motion of Senator Hobbs, the rules were suspended, Senate Bill No. 5505 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Hobbs and King spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5505.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5505 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 2; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Voting nay: Senators Lovelett and Rivers

Excused: Senators Conway and Wilson, L.

SENATE BILL NO. 5505, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5199, by Senators Keiser, Conway, McCoy, Hunt, Das, Saldaña, Wilson, C., Hasegawa and Van De Wege

Granting certain correctional employees binding interest arbitration.

The measure was read the second time.

MOTION

On motion of Senator Keiser, the rules were suspended, Senate Bill No. 5199 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Keiser and King spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5199.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5199 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Excused: Senators Conway and Wilson, L.

SENATE BILL NO. 5199, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5816, by Senators Carlyle and Ericksen

Clarifying the valuation and determination of used and useful property for rate making purposes.

The measure was read the second time.

MOTION

On motion of Senator Carlyle, the rules were suspended, Senate Bill No. 5816 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Carlyle and Ericksen spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5816.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5816 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Excused: Senators Conway and Wilson, L.

SENATE BILL NO. 5816, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5394, by Senators King, Conway, Palumbo and Keiser

Concerning liquor licensees' use of web sites and social media to promote authorized events.

MOTIONS

On motion of Senator King, Substitute Senate Bill No. 5394 was substituted for Senate Bill No. 5394 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator King, the rules were suspended, Substitute Senate Bill No. 5394 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators King and Keiser spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5394.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5394 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 2; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Wagoner, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Voting nay: Senators Darneille and Van De Wege

Excused: Senators Conway and Wilson, L.

SUBSTITUTE SENATE BILL NO. 5394, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5205, by Senators Dhingra, King, Frockt, Zeiger, Pedersen, Das, Rolfes, Palumbo, Kuderer, Keiser, Wellman, Hunt, Mullet and Saldaña

Concerning provisions governing firearms possession by persons who have been found incompetent to stand trial and who have a history of one or more violent acts.

The measure was read the second time.

MOTION

On motion of Senator Dhingra, the rules were suspended, Senate Bill No. 5205 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Dhingra spoke in favor of passage of the bill.

Senators Padden and Wagoner spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5205.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5205 and the bill passed the Senate by the following vote: Yeas, 30; Nays, 17; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Braun, Carlyle, Cleveland, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Palumbo,

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Pedersen, Randall, Rolfes, Saldaña, Salomon, Takko, Van De Wege, Walsh, Wellman, Wilson, C. and Zeiger

Voting nay: Senators Bailey, Becker, Brown, Ericksen, Fortunato, Hawkins, Holy, Honeyford, King, O'Ban, Padden, Rivers, Schoesler, Sheldon, Short, Wagoner and Warnick

Excused: Senators Conway and Wilson, L.

SENATE BILL NO. 5205, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5497, by Senators Wellman, Nguyen, Hasegawa, Kuderer, Frockt, Das, Keiser, Saldaña, Mullet, McCoy, Randall, Cleveland, Hunt, Liias, Conway and Darneille

Establishing a statewide policy supporting Washington state's economy and immigrants' role in the workplace.

MOTION

On motion of Senator Wellman, Second Substitute Senate Bill No. 5497 was substituted for Senate Bill No. 5497 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Wellman moved that the following amendment no. 191 by Senator Wellman be adopted:

On page 3, beginning on line 7, after "means" strike all material through "in" on line 8 and insert "as such status has been established to such individual under"

On page 6, line 20, after "identify" insert "and make"

On page 8, at the beginning of line 2, strike "immigration and customs enforcement" and insert "federal immigration authority"

On page 8, beginning on line 5, strike all of subsection (3)

Renumber the remaining subsections consecutively and correct any internal references accordingly.

Senator Wellman spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 191 by Senator Wellman on page 3, line 7 to Second Substitute Senate Bill No. 5497.

The motion by Senator Wellman carried and amendment no. 191 was adopted by voice vote.

MOTION

On motion of Senator Wellman, the rules were suspended, Engrossed Second Substitute Senate Bill No. 5497 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wellman and Frockt spoke in favor of passage of the bill.

Senators Padden, Fortunato and Ericksen spoke against passage of the bill.

MOTION

On motion of Senator Rivers, Senator Sheldon was excused.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 5497.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5497 and the bill passed the Senate by the following vote: Yeas, 30; Nays, 16; Absent, 0; Excused, 3.

Voting yea: Senators Billig, Carlyle, Cleveland, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Palumbo, Pedersen, Randall, Rolfes, Saldaña, Salomon, Takko, Van De Wege, Walsh, Warnick, Wellman and Wilson, C.

Voting nay: Senators Bailey, Becker, Braun, Brown, Ericksen, Fortunato, Hawkins, Holy, Honeyford, O'Ban, Padden, Rivers, Schoesler, Short, Wagoner and Zeiger

Excused: Senators Conway, Sheldon and Wilson, L.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5497, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5787, by Senators Walsh, Hunt and Saldaña

Concerning hours of availability for inspection and copying of public records.

The measure was read the second time.

MOTION

On motion of Senator Walsh, the rules were suspended, Senate Bill No. 5787 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Walsh and Hunt spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5787.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5787 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 0; Absent, 1; Excused, 3.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Absent: Senator Honeyford

Excused: Senators Conway, Sheldon and Wilson, L.

SENATE BILL NO. 5787, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Rivers, Senator Honeyford was excused.

SECOND READING

SENATE BILL NO. 5602, by Senators Randall, Wilson, C., Nguyen, Das, Saldaña, Cleveland, Takko, Kuderer, Hasegawa, Rolfes, Van De Wege, Keiser, Hunt, Wellman, Billig, Dhingra, Conway, Pedersen, Frockt, Salomon, Palumbo, Darneille, McCoy, Lias, Mullet and Carlyle

Eliminating barriers to reproductive health care for all.

MOTIONS

On motion of Senator Randall, Second Substitute Senate Bill No. 5602 was substituted for Senate Bill No. 5602 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Randall, the rules were suspended, Second Substitute Senate Bill No. 5602 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Randall and Cleveland spoke in favor of passage of the bill.

Senator O'Ban spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 5602.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 5602 and the bill passed the Senate by the following vote: Yeas, 28; Nays, 17; Absent, 0; Excused, 4.

Voting yea: Senators Billig, Carlyle, Cleveland, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Lias, Lovelett, McCoy, Mullet, Nguyen, Palumbo, Pedersen, Randall, Rolfes, Saldaña, Salomon, Takko, Van De Wege, Walsh, Wellman and Wilson, C.

Voting nay: Senators Bailey, Becker, Braun, Brown, Ericksen, Fortunato, Hawkins, Holy, King, O'Ban, Padden, Rivers, Schoesler, Short, Wagoner, Warnick and Zeiger

Excused: Senators Conway, Honeyford, Sheldon and Wilson, L.

SECOND SUBSTITUTE SENATE BILL NO. 5602, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5181, by Senators Kuderer, Saldaña, Pedersen, Wilson, C., Dhingra, Billig, Takko, McCoy, Hunt, Cleveland, Wellman, Darneille, Carlyle, Das and Lias

Concerning certain procedures upon initial detention under the involuntary treatment act.

MOTIONS

On motion of Senator Kuderer, Substitute Senate Bill No. 5181 was substituted for Senate Bill No. 5181 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Kuderer, the rules were suspended, Substitute Senate Bill No. 5181 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Kuderer and Frockt spoke in favor of passage of the bill.

Senators Padden, Fortunato, Wagoner and Brown spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5181.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5181 and the bill passed the Senate by the following vote: Yeas, 26; Nays, 19; Absent, 0; Excused, 4.

Voting yea: Senators Billig, Carlyle, Cleveland, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Lias, Lovelett, McCoy, Mullet, Nguyen, Palumbo, Pedersen, Randall, Rolfes, Saldaña, Takko, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Bailey, Becker, Braun, Brown, Ericksen, Fortunato, Hawkins, Holy, King, O'Ban, Padden, Rivers, Salomon, Schoesler, Short, Wagoner, Walsh, Warnick and Zeiger

Excused: Senators Conway, Honeyford, Sheldon and Wilson, L.

SUBSTITUTE SENATE BILL NO. 5181, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5959, by Senator Warnick

Revising livestock identification law.

MOTION

On motion of Senator Warnick, Substitute Senate Bill No. 5959 was substituted for Senate Bill No. 5959 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Van De Wege moved that the following amendment no. 220 by Senator Van De Wege be adopted:

On page 13, line 3, before "The" insert "(1)"

On page 13, after line 14, insert the following:

"(2) This section expires July 1, 2023.

NEW SECTION. Sec. 14. Sections 1, 5, 8, and 11 of this act expire July 1, 2023."

On page 1, line 4 of the title, before "adding" strike "and" and after "RCW" insert "; and providing expiration dates"

Senators Van De Wege and Warnick spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 220 by Senator Van De Wege on page 13, line 3 to Substitute Senate Bill No. 5959.

The motion by Senator Van De Wege carried and amendment no. 220 was adopted by voice vote.

FIFTY THIRD DAY, MARCH 7, 2019

2019 REGULAR SESSION

MOTION

On motion of Senator Warnick, the rules were suspended, Engrossed Substitute Senate Bill No. 5959 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Warnick and Van De Wege spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5959.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5959 and the bill passed the Senate by the following vote: Yeas, 43; Nays, 2; Absent, 0; Excused, 4.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Darneille, Das, Dhingra, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Voting nay: Senators Ericksen and Padden

Excused: Senators Conway, Honeyford, Sheldon and Wilson, L.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5959, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Liias, the Senate reverted to the fourth order of business.

MESSAGE FROM THE HOUSE

March 5, 2019

MR. PRESIDENT:

The House has passed:

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1033,

ENGROSSED HOUSE BILL NO. 1219,

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1391,

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1440,

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1453,

ENGROSSED HOUSE BILL NO. 1638,

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1646,

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1723,

ENGROSSED HOUSE BILL NO. 1756,

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1768,

ENGROSSED HOUSE BILL NO. 1801,

ENGROSSED HOUSE BILL NO. 1912,

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1998,

ENGROSSED HOUSE BILL NO. 2020,

and the same are herewith transmitted.

NONA SNELL, Deputy Chief Clerk

MOTION

On motion of Senator Liias, the Senate reverted to the first order of business.

REPORTS OF STANDING COMMITTEES

March 6, 2019

SB 5336 Prime Sponsor, Senator Palumbo: Advancing electric transportation. Reported by Committee on Transportation

MAJORITY recommendation: That Second Substitute Senate Bill No. 5336 be substituted therefor, and the second substitute bill do pass. Signed by Senators Wilson, C.; Takko; Randall; Nguyen; Lovelett; Das; Cleveland; Saldaña, Vice Chair Hobbs, Chair.

MINORITY recommendation: Do not pass. Signed by Senators O'Ban; Fortunato; Sheldon, Assistant Ranking Member; King, Ranking Member; Zeiger and Padden.

Referred to Committee on Ways & Means.

March 6, 2019

SB 5970 Prime Sponsor, Senator Hobbs: Authorizing bonds for transportation funding. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Sheldon, Assistant Ranking Member; Cleveland; Das; Fortunato; Lovelett; Nguyen; O'Ban; Randall; Wilson, C. and Zeiger.

MINORITY recommendation: Do not pass. Signed by Senators Takko and Padden.

Referred to Committee on Rules for second reading.

March 6, 2019

SB 5971 Prime Sponsor, Senator Hobbs: Concerning transportation funding. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5971 be substituted therefor, and the substitute bill do pass. Signed by Senators Wilson, C.; Randall; Lovelett; Das; Cleveland; Sheldon, Assistant Ranking Member; Saldaña, Vice Chair Hobbs, Chair.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Nguyen.

MINORITY recommendation: Do not pass. Signed by Senators Zeiger; Takko; Padden; O'Ban; Fortunato King, Ranking Member.

Referred to Committee on Ways & Means.

March 6, 2019

SB 5972 Prime Sponsor, Senator Hobbs: Concerning additive transportation funding and appropriations. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5972 be substituted therefor, and the substitute bill do pass. Signed by Senators Hobbs, Chair; Saldaña, Vice

Chair; King, Ranking Member; Sheldon, Assistant Ranking Member; Cleveland; Das; Fortunato; Lovelett; Nguyen; O'Ban; Padden; Randall; Takko; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

MOTION

On motion of Liias, all measures listed on the Standing Committee report were referred to the committees as designated with the exceptions of Senate Bill No. 5336 and Senate Bill No. 5971 which had been designated to the Committee on Rules and were referred to the Committee on Ways & Means.

MOTION

At 10:21 p.m., on motion of Senator Liias, the Senate adjourned until 10:00 o'clock a.m. Friday, March 8, 2019.

CYRUS HABIB, President of the Senate

BRAD HENDRICKSON, Secretary of the Senate

FIFTY FOURTH DAY

MORNING SESSION

Senate Chamber, Olympia
Friday, March 8, 2019

The Senate was called to order at 10:04 a.m. by the President of the Senate, Lt. Governor Habib presiding. The Secretary called the roll and announced to the President that all Senators were present with the exception of Senator Wilson, L.

The Sergeant at Arms Color Guard consisting of Pages Mr. Ryan McCabe and Mr. Jaxon Smith, presented the Colors. Page Miss Isabelle Prusch led the Senate in the Pledge of Allegiance.

The prayer was offered by Mr. Gen Kelsang Wangpo, Resident Teacher, Tushita Kadampa Buddhist Center, Olympia.

MOTION

At 10:10 a.m., without objection, the President declared the Senate to be at ease subject to the call of the President.

The Senate was called to order at 10:20 a.m. by President Habib.

The President called upon the Secretary to read the journal of the preceding day.

MOTIONS

On motion of Senator Liias, the reading of the Journal of the previous day was dispensed with and it was approved.

On motion of Senator Liias, Rule 15 was suspended for the remainder of the day for the purpose of allowing continued floor action.

EDITOR'S NOTE: Senate Rule 15 establishes the floor schedule and calls for a lunch and dinner break of 90 minutes each per day during regular daily sessions.

MOTION

On motion of Senator Liias, the Senate advanced to the third order of business.

MESSAGE FROM THE GOVERNOR
GUBERNATORIAL APPOINTMENTS

March 7, 2019

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

MARK P. MARTINEZ, reappointed March 6, 2019, for the term ending September 30, 2022, as Member of the Clover Park Technical College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9282.

MOTION

On motion of Senator Liias, the appointee listed on the Gubernatorial Appointment report was referred to the committee as designated.

MOTION

On motion of Senator Liias, the Senate advanced to the fourth order of business.

MESSAGE FROM THE HOUSE

March 7, 2019

MR. PRESIDENT:

The House has passed:

- HOUSE BILL NO. 1001,
- HOUSE BILL NO. 1011,
- SUBSTITUTE HOUSE BILL NO. 1049,
- HOUSE BILL NO. 1061,
- HOUSE BILL NO. 1062,
- SUBSTITUTE HOUSE BILL NO. 1148,
- HOUSE BILL NO. 1177,
- SUBSTITUTE HOUSE BILL NO. 1195,
- SECOND SUBSTITUTE HOUSE BILL NO. 1216,
- HOUSE BILL NO. 1220,
- HOUSE BILL NO. 1285,
- SUBSTITUTE HOUSE BILL NO. 1290,
- SUBSTITUTE HOUSE BILL NO. 1295,
- HOUSE BILL NO. 1413,
- HOUSE BILL NO. 1426,
- SUBSTITUTE HOUSE BILL NO. 1430,
- HOUSE BILL NO. 1431,
- HOUSE BILL NO. 1449,
- HOUSE BILL NO. 1499,
- SECOND SUBSTITUTE HOUSE BILL NO. 1579,
- SECOND SUBSTITUTE HOUSE BILL NO. 1580,
- SUBSTITUTE HOUSE BILL NO. 1594,
- SECOND SUBSTITUTE HOUSE BILL NO. 1603,
- HOUSE BILL NO. 1674,
- SUBSTITUTE HOUSE BILL NO. 1769,
- HOUSE BILL NO. 1792,
- SUBSTITUTE HOUSE BILL NO. 1798,
- HOUSE BILL NO. 1908,
- SUBSTITUTE HOUSE BILL NO. 1930,
- SUBSTITUTE HOUSE BILL NO. 1953,
- HOUSE BILL NO. 2035,
- HOUSE BILL NO. 2119,

and the same are herewith transmitted.

NONA SNELL, Deputy Chief Clerk

MOTION

On motion of Senator Liias, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

E2SHB 1033 by House Committee on Appropriations (originally sponsored by Ryu, Barkis, Dolan, Macri, Stanford, Kloba, Sells, Tharinger, Bergquist, Doglio, Robinson, Pollet, Santos, Reeves and Leavitt)

AN ACT Relating to eligibility for relocation assistance for tenants of closed or converted mobile home parks; amending RCW 59.21.005, 59.21.021, 59.21.025, and 59.21.050; and reenacting and amending RCW 59.21.010.

Referred to Committee on Housing Stability & Affordability.

EHB 1056 by Representatives Mosbrucker, Orwall, Sells, Appleton, Jinkins, Macri, Wylie, Bergquist, Doglio, Stanford and Reeves

AN ACT Relating to creating a task force to identify the role of the workplace in helping curb domestic violence; creating new sections; and providing expiration dates.

Referred to Committee on Labor & Commerce.

SHB 1116 by House Committee on Transportation (originally sponsored by Lovick and Ryu)

AN ACT Relating to motorcycle safety; amending RCW 46.81A.020, 46.20.510, 46.20.500, 3.62.090, 2.68.040, and 46.63.110; creating a new section; prescribing penalties; and providing an effective date.

Referred to Committee on Transportation.

SHB 1151 by House Committee on Education (originally sponsored by Volz and Pollet)

AN ACT Relating to modifying education reporting requirements; and amending RCW 28A.165.100, 28A.235.290, 28A.505.040, and 28A.505.080.

Referred to Committee on Early Learning & K-12 Education.

SHB 1155 by House Committee on Appropriations (originally sponsored by Riccelli, Appleton, Sells, Chapman, Fitzgibbon, Cody, Pellicciotti, Frame, Sullivan, Wylie, Jinkins, Orwall, Valdez, Ortiz-Self, Stonier, Thai, Lovick, Reeves, Doglio, Pollet, Bergquist, Santos, Macri, Goodman, Robinson and Stanford)

AN ACT Relating to meal and rest breaks and mandatory overtime for certain health care employees; amending RCW 49.28.130 and 49.28.140; and adding new sections to chapter 49.12 RCW.

Referred to Committee on Labor & Commerce.

2SHB 1166 by House Committee on Appropriations (originally sponsored by Orwall, Mosbrucker, Lovick, Griffey, Dolan, Doglio, Valdez, Wylie, Tarleton, Cody, Jinkins, Dent, Ortiz-Self, Van Werven, Stonier, Fitzgibbon, Fey, Walen, Bergquist, Leavitt, Macri, Kloba and Stanford)

AN ACT Relating to supporting sexual assault survivors; amending RCW 43.43.545, 43.101.272, and 70.125.090; amending 2018 c 299 s 921 (uncodified); reenacting and amending RCW 9A.04.080; adding a new section to chapter 43.10 RCW; adding a new section to chapter 43.09 RCW; adding new sections to chapter 70.125 RCW; creating a new

section; providing expiration dates; and declaring an emergency.

Referred to Committee on Law & Justice.

EHB 1219 by Representatives Walen, Springer, Kloba, Goodman, Slatter, Stanford, Fey, Jinkins, Fitzgibbon, Ortiz-Self, Valdez, Lekanoff, Doglio, Frame, Wylie, Tharinger, Gregerson and Macri

AN ACT Relating to providing cities and counties authority to use real estate excise taxes to support affordable housing and homelessness projects; amending RCW 82.46.035 and 82.46.037; and creating a new section.

Referred to Committee on Housing Stability & Affordability.

SHB 1231 by House Committee on Public Safety (originally sponsored by Griffey, Orwall, Irwin, Klippert, Kraft, MacEwen, Macri, Eslick, Caldier, Walen, Chambers and Dent)

AN ACT Relating to the statute of limitations for certain felony sex offenses; and reenacting and amending RCW 9A.04.080.

Referred to Committee on Law & Justice.

SHB 1254 by House Committee on Transportation (originally sponsored by Fey, Barkis, Wylie and Tharinger)

AN ACT Relating to clarifying the authority of unregistered vehicles shipped as marine cargo through public ports to operate on public roadways; amending RCW 46.16A.080; and creating a new section.

Referred to Committee on Transportation.

2SHB 1272 by House Committee on Appropriations (originally sponsored by Thai, Harris, Slatter, Ryu, Riccelli, Kilduff, Caldier, Paul, Peterson, Stonier, Shewmake, Appleton, Orwall, Wylie, Gregerson and Pollet)

AN ACT Relating to promoting student health and success through adequate school lunch durations; amending RCW 28A.235.150; adding new sections to chapter 28A.235 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Early Learning & K-12 Education.

HB 1278 by Representatives Hudgins, Valdez, Sells, Bergquist, Appleton, Slatter, Wylie, Santos and Doglio

AN ACT Relating to room and board for college bound scholarship students; and adding a new section to chapter 28B.15 RCW.

Referred to Committee on Higher Education & Workforce Development.

2SHB 1303 by House Committee on Appropriations (originally sponsored by Shewmake, Eslick, Pollet, Griffey, Riccelli, Senn, Appleton, Dolan, Frame, Paul, Goodman, Robinson, Springer, Lekanoff, Macri, Thai, Tharinger, Stanford, Bergquist, Jinkins, Leavitt and Ormsby)

AN ACT Relating to improving access and completion for students at institutions of higher education, especially at

community and technical colleges, by removing restrictions on subsidized child care; amending RCW 43.216.135; adding a new section to chapter 28B.50 RCW; and creating new sections.

Referred to Committee on Early Learning & K-12 Education.

SHB 1326 by House Committee on Public Safety (originally sponsored by Klippert and Goodman)

AN ACT Relating to the collection of DNA biological samples for entry into the combined DNA index system; amending RCW 43.43.754 and 9A.44.132; and creating new sections.

Referred to Committee on Law & Justice.

ESHB 1355 by House Committee on College & Workforce Development (originally sponsored by Ortiz-Self, Orwall, Ryu, Sells, Macri, Entenman, Stonier, Valdez, Frame, Gregerson, Tarleton, Doglio, Dolan, Appleton, Bergquist, Slatter, Goodman, Pollet and Santos)

AN ACT Relating to establishing staffing standards and ratios for counselors in community and technical colleges; creating a new section; and providing an expiration date.

Referred to Committee on Higher Education & Workforce Development.

HB 1382 by Representatives Pellicciotti, Kraft, Macri, Goodman, Doglio, Pettigrew, Ormsby, Jinkins, Stanford, Appleton and Riccelli

AN ACT Relating to increasing access to emergency assistance for victims by providing immunity from prosecution for prostitution offenses in some circumstances; and adding a new section to chapter 9A.88 RCW.

Referred to Committee on Law & Justice.

SHB 1383 by House Committee on Public Safety (originally sponsored by Pellicciotti, Kraft, Kilduff, Orwall, Dolan, Doglio, Ormsby, Ryu, Macri, Stanford, Appleton, Riccelli and Leavitt)

AN ACT Relating to modifying the crime of patronizing a prostitute; amending RCW 9A.88.110; and prescribing penalties.

Referred to Committee on Law & Justice.

E2SHB 1391 by House Committee on Appropriations (originally sponsored by Senn, Dent, Eslick, Reeves, Pollet and Ortiz-Self)

AN ACT Relating to implementing improvements to the early achievers program as reviewed and recommended by the joint select committee on the early achievers program; amending RCW 43.216.085, 43.216.515, 43.216.135, 43.216.087, 43.216.655, 43.216.089, and 43.216.100; adding a new section to chapter 43.216 RCW; creating new sections; and providing expiration dates.

Referred to Committee on Early Learning & K-12 Education.

ESHB 1440 by House Committee on Civil Rights & Judiciary (originally sponsored by Robinson, Macri, Riccelli,

Gregerson, Doglio, Tarleton, Kloba, Frame, Jinkins, Morgan, Ortiz-Self and Ormsby)

AN ACT Relating to providing longer notice of rent increases; and amending RCW 59.18.140.

Referred to Committee on Financial Institutions, Economic Development & Trade.

ESHB 1453 by House Committee on Civil Rights & Judiciary (originally sponsored by Macri, Jinkins, Morgan, Dolan, Frame, Peterson, Thai, Doglio, Gregerson, Pellicciotti, Orwall, Davis, Lekanoff, Senn, Kloba, Stanford and Ortiz-Self)

AN ACT Relating to residential tenant protections; amending RCW 59.12.030, 59.18.380, 59.18.410, 59.18.290, and 59.18.390; reenacting and amending RCW 59.18.030; adding new sections to chapter 59.18 RCW; and prescribing penalties.

Referred to Committee on Housing Stability & Affordability.

SHB 1469 by House Committee on Transportation (originally sponsored by Jenkin, Chapman, Lovick, Young, Ryu, Orcutt, McCaslin and Barkis)

AN ACT Relating to approaching emergency or work zones and tow truck operators; amending RCW 46.61.212; and prescribing penalties.

Referred to Committee on Transportation.

SHB 1480 by House Committee on Environment & Energy (originally sponsored by Fey, Barkis and Jinkins)

AN ACT Relating to streamlining the permitting process for disposing of dredged materials; and amending RCW 90.58.140.

Referred to Committee on Environment, Energy & Technology.

HB 1505 by Representatives Klippert, Kraft and Appleton

AN ACT Relating to confidential information of child victims of sexual assault; amending RCW 10.97.130; and reenacting and amending RCW 42.56.240.

Referred to Committee on Law & Justice.

E2SHB 1517 by House Committee on Appropriations (originally sponsored by Goodman, Mosbrucker, Orwall, Griffey, Lovick, Davis, Appleton, Pettigrew, Pellicciotti, Kilduff and Valdez)

AN ACT Relating to domestic violence; amending RCW 10.99.020, 26.50.020, 9.95.210, 10.99.050, 9.94A.500, 9.94A.660, 9.94A.662, 9.94A.664, 9.94A.704, 9.94A.722, 10.05.010, 10.05.015, 10.05.020, 10.05.030, 10.05.120, 10.05.140, 10.05.160, 26.50.035, 26.50.110, 26.50.160, and 36.28A.410; amending 2017 c 272 ss 7 and 8 (uncodified); reenacting and amending RCW 26.50.010 and 10.31.100; adding a new section to chapter 10.01 RCW; adding a new section to chapter 9.94A RCW; adding a new section to chapter 10.05 RCW; adding a new chapter to Title 26 RCW; creating new sections; prescribing penalties; providing effective dates; providing expiration dates; and declaring an emergency.

Referred to Committee on Law & Justice.

SHB 1532 by House Committee on Public Safety (originally sponsored by Mosbrucker, Pettigrew, Dye, Goodman, Griffey, Walsh, Eslick, Corry, Graham, Kraft, Appleton, Senn, Shea, Stanford, Valdez, Kloba, Leavitt and Macri)

AN ACT Relating to traumatic brain injuries in domestic violence cases; amending RCW 10.99.030; and adding a new section to chapter 74.31 RCW.

Referred to Committee on Law & Justice.

E2SHB 1543 by House Committee on Appropriations (originally sponsored by Mead, Doglio, Lekanoff, Peterson, Fey, Appleton, Shewmake, Stanford, Tharinger, Jinkins, Pollet, Slatter, Frame and Davis)

AN ACT Relating to sustainable recycling; amending RCW 70.93.180, 70.95.090, 70.95.100, and 70.95.130; adding a new chapter to Title 70 RCW; creating a new section; providing an effective date; and declaring an emergency.

Referred to Committee on Environment, Energy & Technology.

HB 1589 by Representatives Chapman, Rude, Blake, Lovick, Goodman, Griffey, Irwin, Volz, Mead, Eslick, Sells, Ryu, Pollet, Stonier, Peterson, Fey, Senn, Gregerson, Riccelli, Lekanoff, Appleton, Steele, Tharinger and Leavitt

AN ACT Relating to the exemption from restrictions on carrying firearms for correctional employees who have completed government-sponsored law enforcement firearms training; and amending RCW 9.41.060.

Referred to Committee on Law & Justice.

SHB 1621 by House Committee on Education (originally sponsored by Ybarra, Steele, Santos, Harris, Bergquist, Ortiz-Self and Jinkins)

AN ACT Relating to basic skills assessments for approved teacher preparation programs; and amending RCW 28A.410.220.

Referred to Committee on Early Learning & K-12 Education.

EHB 1638 by Representatives Harris, Stonier, Robinson, Macri, Jinkins, Cody, Thai, Davis, Appleton, Doglio, Frame, Stanford, Bergquist, Santos and Tarleton

AN ACT Relating to promoting immunity against vaccine preventable diseases; amending RCW 28A.210.080 and 28A.210.090; and creating a new section.

Referred to Committee on Health & Long Term Care.

ESHB 1643 by House Committee on State Government & Tribal Relations (originally sponsored by Doglio, Walsh, Dolan, Irwin, Orwall, Lovick, Macri, Appleton, Shewmake, Jinkins, Davis, Frame and Leavitt)

AN ACT Relating to property ownership for participants in the address confidentiality program; amending RCW 40.24.010; and adding a new section to chapter 40.24 RCW.

Referred to Committee on State Government, Tribal Relations & Elections.

E2SHB 1646 by House Committee on Appropriations (originally sponsored by Goodman, Eslick, Senn, Corry, Irwin, Griffey, Lovick, Graham, Davis, Frame, Appleton, Jinkins, Valdez and Ormsby)

AN ACT Relating to confinement in juvenile rehabilitation facilities; amending RCW 72.01.410 and 13.40.300; amending 2018 c 162 s 9 (uncodified); adding a new section to chapter 72.01 RCW; creating new sections; and providing an expiration date.

Referred to Committee on Human Services, Reentry & Rehabilitation.

HB 1647 by Representatives Chapman, Boehnke, Barkis, Ortiz-Self, Shewmake and Goodman

AN ACT Relating to mandatory rest periods for pilots; and amending RCW 88.16.103.

Referred to Committee on Transportation.

SHB 1658 by House Committee on Education (originally sponsored by Paul, Steele, Bergquist, Harris, Santos, Callan, Appleton, Doglio, Pollet and Young)

AN ACT Relating to paraeducators; amending RCW 28A.413.060 and 28A.413.070; adding a new section to chapter 28A.413 RCW; and creating a new section.

Referred to Committee on Early Learning & K-12 Education.

SHB 1715 by House Committee on Education (originally sponsored by Entenman, Boehnke, Jinkins, Ortiz-Self, Bergquist and Pollet)

AN ACT Relating to removing the ability of school districts to withhold grades and transcripts of pupils; and amending RCW 28A.635.060 and 28A.325.050.

Referred to Committee on Early Learning & K-12 Education.

ESHB 1723 by House Committee on Transportation (originally sponsored by Kloba, Goodman, Lovick, Doglio, Bergquist, Eslick, Shewmake, Kilduff, Ortiz-Self, Stanford and Riccelli)

AN ACT Relating to the active transportation safety advisory council; amending RCW 43.59.155; repealing RCW 43.59.150 and 43.59.160; providing an effective date; and declaring an emergency.

Referred to Committee on Transportation.

EHB 1756 by Representatives Orwall, Mosbrucker, Appleton, Frame, Goodman, Lovick, Gregerson, Sells, Davis, Doglio and Ormsby

AN ACT Relating to safety and security of adult entertainers; and adding a new section to chapter 49.17 RCW.

Referred to Committee on Labor & Commerce.

2SHB 1767 by House Committee on Appropriations (originally sponsored by Lovick, Leavitt, Davis, Orwall, Appleton, Macri, Gregerson, Jinkins, Ryu, Pellicciotti, Dolan, Ormsby, Stanford, Peterson, Pollet, Slatter, Valdez, Walen, Frame and Tharinger)

FIFTY FOURTH DAY, MARCH 8, 2019

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AN ACT Relating to establishing a law enforcement grant program to expand alternatives to arrest and jail processes; adding a new section to chapter 36.28A RCW; and creating a new section.

Referred to Committee on Health & Long Term Care.

ESHB 1768 by House Committee on Health Care & Wellness (originally sponsored by Davis, Macri, Jinkins, Ormsby, Slatter and Tharinger)

AN ACT Relating to modernizing substance use disorder professional practice; amending RCW 18.205.010, 18.205.020, 18.205.030, 18.205.080, 18.205.090, 18.205.095, 10.77.079, 13.40.020, 13.40.042, 18.130.040, 43.70.442, 43.70.442, 70.97.010, 70.97.030, 71.34.020, 71.34.720, 71.34.720, 71.34.760, 18.130.175, and 43.43.842; reenacting and amending RCW 71.05.020; providing effective dates; and providing expiration dates.

Referred to Committee on Health & Long Term Care.

SHB 1791 by House Committee on Appropriations (originally sponsored by Reeves, Sullivan, Springer, Senn, Frame, Fey, Appleton, Ortiz-Self, Bergquist and Goodman)

AN ACT Relating to enhancing educational opportunities for vulnerable children and youth using funding distributed from the Puget Sound taxpayer accountability account; and amending RCW 43.79.520.

Referred to Committee on Ways & Means.

EHB 1801 by Representatives Orcutt and DeBolt

AN ACT Relating to entering abandoned cemeteries for authorized purposes; amending RCW 68.60.030; and adding a new section to chapter 68.60 RCW.

Referred to Committee on Local Government.

ESHB 1817 by House Committee on Labor & Workplace Standards (originally sponsored by Sells, Chapman, Gregerson, Ormsby and Morgan)

AN ACT Relating to ensuring for a skilled and trained workforce in high hazard facilities; adding a new chapter to Title 49 RCW; prescribing penalties; and providing an effective date.

Referred to Committee on Labor & Commerce.

SHB 1836 by House Committee on Public Safety (originally sponsored by Kraft, Van Werven, Chambers, Maycumber, Graham, Caldier, Eslick and Mosbrucker)

AN ACT Relating to prohibiting the waiver, reduction, or suspension of certain fees charged to persons who commit offenses involving the sexual exploitation of children; amending RCW 9.68A.105 and 9.68A.106; and prescribing penalties.

Referred to Committee on Law & Justice.

EHB 1846 by Representatives Paul, Walsh and Shewmake

AN ACT Relating to making a technical correction for the disposition of off-road vehicle moneys; and amending RCW 46.68.045.

Referred to Committee on Transportation.

2SHB 1893 by House Committee on Appropriations (originally sponsored by Entenman, Leavitt, Pollet, Paul, Stanford and Valdez)

AN ACT Relating to providing assistance for postsecondary students, such as access to food or transportation, to help those students remain enrolled; adding a new section to chapter 28B.50 RCW; adding new sections to chapter 43.20A RCW; creating new sections; and providing a contingent expiration date.

Referred to Committee on Higher Education & Workforce Development.

HB 1901 by Representatives Lovick, Griffey and Orwall

AN ACT Relating to exemptions from the use of safety belts; and reenacting and amending RCW 46.61.688.

Referred to Committee on Transportation.

SHB 1909 by House Committee on Labor & Workplace Standards (originally sponsored by Graham, Lovick, Griffey, Davis, MacEwen and Corry)

AN ACT Relating to protecting the confidentiality of industrial insurance claim records; amending RCW 51.28.070; and prescribing penalties.

Referred to Committee on Labor & Commerce.

EHB 1912 by Representatives Blake, Griffey, Kretz, Appleton, Lovick, Santos and Morris

AN ACT Relating to pension benefits and contributions in the volunteer firefighters' and reserve officers' relief and pension system; amending RCW 41.24.030 and 41.24.170; providing an effective date; and declaring an emergency.

Referred to Committee on Ways & Means.

SHB 1931 by House Committee on Labor & Workplace Standards (originally sponsored by Leavitt, Kilduff, Volz, Cody, Caldier, Jinkins, Rude, Sells, Lekanoff and Riccelli)

AN ACT Relating to workplace violence in health care settings; amending RCW 49.19.020, 49.19.030, and 49.19.040; reenacting and amending RCW 49.19.010; and providing an effective date.

Referred to Committee on Labor & Commerce.

HB 1934 by Representatives Caldier, Kilduff, Mosbrucker, Irwin, Pollet, Chapman, Leavitt and Van Werven

AN ACT Relating to renewal of a concealed pistol license by members of the armed forces; and reenacting and amending RCW 9.41.070.

Referred to Committee on Law & Justice.

SHB 1949 by House Committee on Civil Rights & Judiciary (originally sponsored by Hansen, Irwin, Griffey, Kilduff and Graham)

AN ACT Relating to conducting a feasibility study to examine and make recommendations regarding the establishment of a single point of contact firearm background check system; creating a new section; and providing an expiration date.

Referred to Committee on Law & Justice.

HB 1952 by Representatives Ortiz-Self, Kilduff, Lovick, Thai and Fey

AN ACT Relating to the building communities fund program; and amending RCW 43.63A.125.

Referred to Committee on Ways & Means.

ESHB 1998 by House Committee on College & Workforce Development (originally sponsored by Pellicciotti, Leavitt, Jinkins, Callan, Stonier, Valdez, Frame, Stanford, Pollet, Tarleton, Bergquist, Santos, Macri and Doglio)

AN ACT Relating to creating a task force to provide more certainty and clarity for institutions of higher education and our communities regarding campus sexual violence policies and procedures; adding a new section to chapter 28B.77 RCW; creating a new section; providing an expiration date; and declaring an emergency.

Referred to Committee on Higher Education & Workforce Development.

EHB 2020 by Representatives Dolan, Kretz, Doglio, Stanford, Slatter, Klippert, Davis, Hudgins, Macri, Jinkins, Morgan, Frame and Ormsby

AN ACT Relating to exempting the disclosure of names in employment investigation records; amending RCW 42.56.250; and creating a new section.

Referred to Committee on State Government, Tribal Relations & Elections.

HB 2052 by Representatives Stanford, MacEwen, Kloba and Reeves

AN ACT Relating to clarifying marijuana product testing by revising provisions concerning marijuana testing laboratory accreditation and establishing a cannabis science task force; amending RCW 69.50.348, 69.50.348, and 69.50.345; adding new sections to chapter 43.21A RCW; creating a new section; providing an effective date; and providing expiration dates.

Referred to Committee on Labor & Commerce.

EHB 2067 by Representatives Davis, Chambers, Jinkins, Dufault, Riccelli, Doglio, Tarleton, Kilduff and Pollet

AN ACT Relating to prohibiting the disclosure of certain individual vehicle and vessel owner information of those participating in the address confidentiality program; amending RCW 46.12.635; and adding a new section to chapter 40.24 RCW.

Referred to Committee on Transportation.

SHJM 4007 by House Committee on Transportation (originally sponsored by Orcutt and Appleton)

Designating the bridge over the Skookumchuck river on state route number 507 as the Regina Clark memorial bridge.

Referred to Committee on Transportation.

MOTION

On motion of Senator Liias, all measures listed on the Introduction and First Reading report were referred to the committees as designated with the exception of Engrossed Substitute House Bill No. 1453 which had been previously designated to be held at the desk and was referred to the Committee on Housing Stability & Affordability.

REMARKS BY SENATOR LIAS

Senator Liias: “Thank you Mr. President. Today is International Women’s Day, which is an exciting opportunity to highlight the contributions that women have made to our state and to our society. We also have the newly constituted Women’s Commission that this legislature approved last year so, in honor of International Women’s Day, today we will confirm the entire women’s commission to begin their work for the state.”

MOTION

On motion of Senator Liias, the Senate advanced to the seventh order of business.

RULING BY THE PRESIDENT

President Habib: “Before we continue, the President would just like to make an announcement, a point of clarification, to senators so I would ask for your attention. It’s come to my attention that there are have been some senators who have been violating the Senate rules with respect to the respectful use of mobile devices. Senate Rule 1(2) I ruled on this last year. It’s also contained within the Senate rules that have been liberalized somewhat to not completely disallow the use of cell phones on the Senate floor but they have to be used in silent mode, put in silent mode, but also, as I ruled last year, senators are not to use their mobile devices for the purpose of taking photographs or videos, either selfies or of other people here on the Senate floor. Obviously, the media and Senate photographers are encouraged to do so. And, I’ve also said that if a member of the Senate staff would like to take a discreet photo from one of the wings that, as long as it’s not disruptive or done in a in a manner that’s meant to be intimidating or abusive, that occasionally may be allowed but, otherwise, senators are required to refrain from using their phone in that fashion, especially when it comes to recording other senators. Because that’s not only a violation of the rule of with respect to mobile devices, it’s also indecorous conduct. It’s not collegial. It’s political and it has no place here in the Senate. So thank you for paying attention to that and for following your own rules.”

MOTION

On motion of Senator Rivers, Senators King, Sheldon and Wilson, L. were excused.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Keiser moved that Jacelyn (Jackie) Boschok, Senate Gubernatorial Appointment No. 9189, be confirmed as a member of the Women’s Commission, Washington State.

Senator Keiser spoke in favor of the motion.

APPOINTMENT OF JACELYN (JACKIE) BOSCHOK

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The President declared the question before the Senate to be the confirmation of Jacelyn (Jackie) Boschok, Senate Gubernatorial Appointment No. 9189, as a member of the Women's Commission, Washington State.

The Secretary called the roll on the confirmation of Jacelyn (Jackie) Boschok, Senate Gubernatorial Appointment No. 9189, as a member of the Women's Commission, Washington State and the appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Excused: Senators Sheldon and Wilson, L.

Jacelyn (Jackie) Boschok, Senate Gubernatorial Appointment No. 9189, having received the constitutional majority was declared confirmed as a member of the Women's Commission, Washington State.

THIRD READING CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Randall moved that Graciela Cowger, Senate Gubernatorial Appointment No. 9190, be confirmed as a member of the Women's Commission, Washington State.

Senators Randall and Rivers spoke in favor of passage of the motion.

APPOINTMENT OF GRACIELA COWGER

The President declared the question before the Senate to be the confirmation of Graciela Cowger, Senate Gubernatorial Appointment No. 9190, as a member of the Women's Commission, Washington State.

The Secretary called the roll on the confirmation of Graciela Cowger, Senate Gubernatorial Appointment No. 9190, as a member of the Women's Commission, Washington State and the appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Excused: Senators Sheldon and Wilson, L.

Graciela Cowger, Senate Gubernatorial Appointment No. 9190, having received the constitutional majority was declared confirmed as a member of the Women's Commission, Washington State.

THIRD READING CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Darneille moved that Regina Malveaux, Senate Gubernatorial Appointment No. 9193, be confirmed as a member of the Women's Commission, Washington State.

Senators Darneille and Billig spoke in favor of passage of the motion.

APPOINTMENT OF REGINA MALVEAUX

The President declared the question before the Senate to be the confirmation of Regina Malveaux, Senate Gubernatorial Appointment No. 9193, as a member of the Women's Commission, Washington State.

The Secretary called the roll on the confirmation of Regina Malveaux, Senate Gubernatorial Appointment No. 9193, as a member of the Women's Commission, Washington State and the appointment was confirmed by the following vote: Yeas, 46; Nays, 1; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Voting nay: Senator Ericksen

Excused: Senators Sheldon and Wilson, L.

Regina Malveaux, Senate Gubernatorial Appointment No. 9193, having received the constitutional majority was declared confirmed as a member of the Women's Commission, Washington State.

THIRD READING CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Brown moved that Grace Huang, Senate Gubernatorial Appointment No. 9196, be confirmed as a member of the Women's Commission, Washington State.

Senator Brown spoke in favor of the motion.

APPOINTMENT OF GRACE HUANG

The President declared the question before the Senate to be the confirmation of Grace Huang, Senate Gubernatorial Appointment No. 9196, as a member of the Women's Commission, Washington State.

The Secretary called the roll on the confirmation of Grace Huang, Senate Gubernatorial Appointment No. 9196, as a member of the Women's Commission, Washington State and the appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Excused: Senators Sheldon and Wilson, L.

Grace Huang, Senate Gubernatorial Appointment No. 9196, having received the constitutional majority was declared confirmed as a member of the Women's Commission, Washington State.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced students of Madison Elementary School who were seated in the gallery.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Wellman moved that Tara Fairfield, Senate Gubernatorial Appointment No. 9198, be confirmed as a member of the Women's Commission, Washington State.

Senator Wellman spoke in favor of the motion.

APPOINTMENT OF TARA FAIRFIELD

The President declared the question before the Senate to be the confirmation of Tara Fairfield, Senate Gubernatorial Appointment No. 9198, as a member of the Women's Commission, Washington State.

The Secretary called the roll on the confirmation of Tara Fairfield, Senate Gubernatorial Appointment No. 9198, as a member of the Women's Commission, Washington State and the appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Excused: Senators Sheldon and Wilson, L.

Tara Fairfield, Senate Gubernatorial Appointment No. 9198, having received the constitutional majority was declared confirmed as a member of the Women's Commission, Washington State.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Saldaña moved that Monica Holland, Gubernatorial Appointment No. 9199, be confirmed as a member of the Women's Commission, Washington State.

Senator Saldaña spoke in favor of the motion.

APPOINTMENT OF MONICA HOLLAND

The President declared the question before the Senate to be the confirmation of Monica Holland, Gubernatorial Appointment No. 9199, as a member of the Women's Commission, Washington State.

The Secretary called the roll on the confirmation of Monica Holland, Gubernatorial Appointment No. 9199, as a member of the Women's Commission, Washington State and the appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Excused: Senators Sheldon and Wilson, L.

Monica Holland, Gubernatorial Appointment No. 9199, having received the constitutional majority was declared confirmed as a member of the Women's Commission, Washington State.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Das moved that Rituja Indapure, Gubernatorial Appointment No. 9200, be confirmed as a member of the Women's Commission, Washington State.

Senator Das spoke in favor of the motion.

APPOINTMENT OF RITUJA INDAPURE

The President declared the question before the Senate to be the confirmation of Rituja Indapure, Gubernatorial Appointment No. 9200, as a member of the Women's Commission, Washington State.

The Secretary called the roll on the confirmation of Rituja Indapure, Gubernatorial Appointment No. 9200, as a member of the Women's Commission, Washington State and the appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 1; Excused, 1.

Voting yea: Senators Bailey, Becker, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Absent: Senator Billig

Excused: Senator Wilson, L.

Rituja Indapure, Gubernatorial Appointment No. 9200, having received the constitutional majority was declared confirmed as a member of the Women's Commission, Washington State.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Wilson, C. moved that Dawn Rains, Gubernatorial Appointment No. 9204, be confirmed as a member of the Women's Commission, Washington State.

Senator Wilson, C. spoke in favor of the motion.

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APPOINTMENT OF DAWN RAINS

The President declared the question before the Senate to be the confirmation of Dawn Rains, Gubernatorial Appointment No. 9204, as a member of the Women’s Commission, Washington State.

The Secretary called the roll on the confirmation of Dawn Rains, Gubernatorial Appointment No. 9204, as a member of the Women’s Commission, Washington State and the appointment was confirmed by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O’Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Excused: Senator Wilson, L.

Dawn Rains, Gubernatorial Appointment No. 9204, having received the constitutional majority was declared confirmed as a member of the Women’s Commission, Washington State.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Cleveland moved that Michelle Merriweather, Gubernatorial Appointment No. 9205, be confirmed as a member of the Women’s Commission, Washington State.

Senator Cleveland spoke in favor of the motion.

APPOINTMENT OF MICHELLE MERRIWEATHER

The President declared the question before the Senate to be the confirmation of Michelle Merriweather, Gubernatorial Appointment No. 9205, as a member of the Women’s Commission, Washington State.

The Secretary called the roll on the confirmation of Michelle Merriweather, Gubernatorial Appointment No. 9205, as a member of the Women’s Commission, Washington State and the appointment was confirmed by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O’Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Excused: Senator Wilson, L.

Michelle Merriweather, Gubernatorial Appointment No. 9205, having received the constitutional majority was declared confirmed as a member of the Women’s Commission, Washington State.

MOTION

On motion of Senator Liias, the Senate reverted to the sixth order of business.

SECOND READING

SENATE BILL NO. 5228, by Senators Takko and Saldaña

Concerning the authorization to impose special excise taxes on the sale of lodging.

MOTION

On motion of Senator Takko, Substitute Senate Bill No. 5228 was substituted for Senate Bill No. 5228 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Takko moved that the following amendment no. 119 by Senator Takko be adopted:

On page 1, line 2 of the title, after “lodging” insert “in counties with a population of less than four hundred thousand”

Senator Takko spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 119 by Senator Takko on page 1, line 2 to Substitute Senate Bill No. 5228.

The motion by Senator Takko carried and amendment no. 119 was adopted by voice vote.

MOTION

On motion of Senator Takko, the rules were suspended, Engrossed Substitute Senate Bill No. 5228 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Takko and Short spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5228.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5228 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 3; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O’Ban, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Voting nay: Senators Braun, Padden and Schoesler

Excused: Senator Wilson, L.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5228, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5418, by Senators Takko, Zeiger and Liias

Concerning local government procurement modernization and efficiency.

MOTION

On motion of Senator Takko, Substitute Senate Bill No. 5418 was substituted for Senate Bill No. 5418 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Takko moved that the following amendment no. 216 by Senator Takko be adopted:

Beginning on page 22, line 20, strike all of section 8 and insert the following:

“**Sec. 8.** RCW 39.04.105 and 2003 c 300 s 1 are each amended to read as follows:

(1) Within two business days of the bid opening on a public works project that is the subject of competitive bids, the municipality must provide, if requested by a bidder, copies of the bids the municipality received for the project. The municipality shall then allow at least two full business days after providing bidders with copies of all bids before executing a contract for the project. Intermediate Saturdays, Sundays, and legal holidays are not counted.

(2) When a municipality receives a written protest from a bidder for a public works project (~~which~~) that is the subject of competitive bids, the municipality (~~shall~~) must not execute a contract for the project with anyone other than the protesting bidder without first providing at least two full business days’ written notice of the municipality’s intent to execute a contract for the project; provided that the protesting bidder submits notice in writing of its protest no later than:

(a) Two full business days following bid opening, if no bidder requested copies of the bids received for the project under subsection (1) of this section; or

(b) Two full business days following when the municipality provided copies of the bids to those bidders requesting bids under subsection (1) of this section. Intermediate Saturdays, Sundays, and legal holidays are not counted.”

Senators Takko and Short spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 216 by Senator Takko on page 22, line 20 to Substitute Senate Bill No. 5418.

The motion by Senator Takko carried and amendment no. 216 was adopted by voice vote.

MOTION

Senator Takko moved that the following amendment no. 204 by Senator Takko be adopted:

On page 23, beginning on line 3, strike all of section 9 and insert the following:

“**NEW SECTION. Sec. 9.** (1) The capital projects advisory review board must review the public works contracting processes for local governments, including the small works roster and limited public works processes provided in RCW 39.04.155, and report to the governor and appropriate committees of the legislature by November 1, 2020. The report must include the following:

(a) Identification of the most common contracting procedures used by local governments;

(b) Identification of the dollar amounts set for local government public works contracting processes;

(c) Analysis of whether the dollar amounts identified in (b) of this subsection comport with estimated project costs within the relevant industries;

(d) An analysis of the potential application of an inflation-based increase to the dollar amounts identified in (b) of this subsection, for example, applying the implicit price deflator for state and local government purchases of goods and services for the United States as published by the bureau of economic analysis of the federal department of commerce;

(e) Recommendations to increase uniformity and efficiency for local government public works contracting and procurement processes;

(f) Rates of participation of all contractor types, including qualified minority and women-owned and controlled businesses, in the small works roster and limited public works contracting processes; and

(g) Barriers to improving the participation rate in the small works roster and limited public works contracting processes.

(2) For purposes of this section, “local governments” refers to all counties, cities, towns, other political subdivisions, and special purpose districts.”

Senators Takko and Short spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 204 by Senator Takko on page 23, line 3 to Substitute Senate Bill No. 5418.

The motion by Senator Takko carried and amendment no. 204 was adopted by voice vote.

MOTION

Senator Short moved that the following amendment no. 244 by Senators Short and Takko be adopted:

On page 23, line 34, after “districts.”, insert the following:

“**NEW SECTION. Sec. 10.** Sections 1 through 9 of this Act expire on March 31, 2021.

On page 1, line 4 of the title, after “36.32.235”, strike the remainder of the title and insert “creating a new section; and providing an expiration date.”

Senator Short spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 244 by Senators Short and Takko on page 23, line 34 to Substitute Senate Bill No. 5418.

The motion by Senator Short carried and amendment no. 244 was adopted by voice vote.

MOTION

On motion of Senator Takko, the rules were suspended, Engrossed Substitute Senate Bill No. 5418 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Takko and Short spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5418.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5418 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 3; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O’Ban, Padden, Palumbo, Pedersen, Randall, Rolfes, Saldaña, Salomon, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Voting nay: Senators Braun, Rivers and Schoesler

Excused: Senator Wilson, L.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5418, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5958, by Senators Lovelett and Nguyen

Concerning public works contracts and interlocal agreements by second-class cities and towns.

The measure was read the second time.

MOTION

Senator Lovelett moved that the following striking amendment no. 154 by Senator Lovelett be adopted:

Strike everything after the enacting clause and insert the following:

“Sec. 1. RCW 39.34.030 and 2015 c 232 s 1 are each amended to read as follows:

(1) Any power or powers, privileges or authority exercised or capable of exercise by a public agency of this state may be exercised and enjoyed jointly with any other public agency of this state having the power or powers, privilege or authority, and jointly with any public agency of any other state or of the United States to the extent that laws of such other state or of the United States permit such joint exercise or enjoyment. Any agency of the state government when acting jointly with any public agency may exercise and enjoy all of the powers, privileges and authority conferred by this chapter upon a public agency.

(2) Any two or more public agencies may enter into agreements with one another for joint or cooperative action pursuant to the provisions of this chapter, except that any such joint or cooperative action by public agencies which are educational service districts and/or school districts shall comply with the provisions of RCW 28A.320.080. Appropriate action by ordinance, resolution or otherwise pursuant to law of the governing bodies of the participating public agencies shall be necessary before any such agreement may enter into force.

(3) Any such agreement shall specify the following:

(a) Its duration;

(b) The precise organization, composition and nature of any separate legal or administrative entity created thereby together with the powers delegated thereto, provided such entity may be legally created. Such entity may include a nonprofit corporation organized pursuant to chapter 24.03 or 24.06 RCW whose membership is limited solely to the participating public agencies or a partnership organized pursuant to chapter 25.04 or 25.05 RCW whose partners are limited solely to participating public

agencies, or a limited liability company organized under chapter 25.15 RCW whose membership is limited solely to participating public agencies, and the funds of any such corporation, partnership, or limited liability company shall be subject to audit in the manner provided by law for the auditing of public funds;

(c) Its purpose or purposes;

(d) The manner of financing the joint or cooperative undertaking and of establishing and maintaining a budget therefor;

(e) The permissible method or methods to be employed in accomplishing the partial or complete termination of the agreement and for disposing of property upon such partial or complete termination; and

(f) Any other necessary and proper matters.

(4) In the event that the agreement does not establish a separate legal entity to conduct the joint or cooperative undertaking, the agreement shall contain, in addition to provisions specified in subsection (3)(a), (c), (d), (e), and (f) of this section, the following:

(a) Provision for an administrator or a joint board responsible for administering the joint or cooperative undertaking. In the case of a joint board, public agencies that are party to the agreement shall be represented; and

(b) The manner of acquiring, holding and disposing of real and personal property used in the joint or cooperative undertaking. Any joint board is authorized to establish a special fund with a state, county, city, or district treasurer servicing an involved public agency designated “Operating fund of joint board.”

(5) No agreement made pursuant to this chapter relieves any public agency of any obligation or responsibility imposed upon it by law except that:

(a) To the extent of actual and timely performance thereof by a joint board or other legal or administrative entity created by an agreement made pursuant to this chapter, the performance may be offered in satisfaction of the obligation or responsibility; and

(b) With respect to one or more public agencies purchasing or otherwise contracting through a bid, proposal, or contract awarded by another public agency or by a group of public agencies, any ((statutory)) obligation ((to provide notice for)) with respect to competitive bids or proposals that applies to the public agencies involved is satisfied if the public agency or group of public agencies that awarded the bid, proposal, or contract complied with its own statutory requirements and either (i) posted the bid or solicitation notice on a web site established and maintained by a public agency, purchasing cooperative, or similar service provider, for purposes of posting public notice of bid or proposal solicitations, or (ii) provided an access link on the state’s web portal to the notice.

(6)(a) Any two or more public agencies may enter into a contract providing for the joint utilization of architectural or engineering services if:

(i) The agency contracting with the architectural or engineering firm complies with the requirements for contracting for such services under chapter 39.80 RCW; and

(ii) The services to be provided to the other agency or agencies are related to, and within the general scope of, the services the architectural or engineering firm was selected to perform.

(b) Any agreement providing for the joint utilization of architectural or engineering services under this subsection must be executed for a scope of work specifically detailed in the agreement and must be entered into prior to commencement of procurement of such services under chapter 39.80 RCW.

(7) Financing of joint projects by agreement shall be as provided by law.”

On page 1, line 2 of the title, after “agreements” strike the remainder of the title and insert “; and amending RCW 39.34.030.”

Senators Lovelett and Short spoke in favor of adoption of the striking amendment.

The President declared the question before the Senate to be the adoption of striking amendment no. 154 by Senator Lovelett to Senate Bill No. 5958.

The motion by Senator Lovelett carried and striking amendment no. 154 was adopted by voice vote.

MOTION

On motion of Senator Lovelett, the rules were suspended, Engrossed Senate Bill No. 5958 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Lovelett and Short spoke in favor of passage of the bill.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced students from Kitsap Lake Elementary School, Bremerton, who were seated in the gallery.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 5958.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5958 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Erickson, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O’Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Excused: Senator Wilson, L.

ENGROSSED SENATE BILL NO. 5958, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5670, by Senators Wagoner, Palumbo, Holy, Hobbs and Honeyford

Expanding the allowable powers of fire protection districts.

MOTIONS

On motion of Senator Wagoner, Substitute Senate Bill No. 5670 was substituted for Senate Bill No. 5670 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Wagoner, the rules were suspended, Substitute Senate Bill No. 5670 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Wagoner spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5670.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5670 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Erickson, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O’Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Excused: Senator Wilson, L.

SUBSTITUTE SENATE BILL NO. 5670, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5489, by Senators Saldaña, Das, Nguyen, Hasegawa, Darneille, Palumbo, Randall, McCoy, Conway, Billig, Cleveland, Keiser, Kuderer, Rolfes, Wilson, C. and Frockt

Establishing a healthy environment for all by creating a definition of environmental justice, directing agencies to address environmental health disparities, and creating a task force.

MOTIONS

On motion of Senator Saldaña, Second Substitute Senate Bill No. 5489 was substituted for Senate Bill No. 5489 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Saldaña, the rules were suspended, Second Substitute Senate Bill No. 5489 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Saldaña and Hasegawa spoke in favor of passage of the bill.

Senators Fortunato and Erickson spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 5489.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 5489 and the bill passed the Senate by the following vote: Yeas, 27; Nays, 21; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Palumbo, Pedersen, Randall, Rolfes, Saldaña, Salomon, Takko, Wellman and Wilson, C.

Voting nay: Senators Bailey, Becker, Braun, Brown, Erickson, Fortunato, Hawkins, Holy, Honeyford, King, O’Ban, Padden,

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Rivers, Schoesler, Sheldon, Short, Van De Wege, Wagoner, Walsh, Warnick and Zeiger

Excused: Senator Wilson, L.

SECOND SUBSTITUTE SENATE BILL NO. 5489, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5936, by Senators Brown, Walsh, Hasegawa and Rolfes

Concerning use of industrial waste through industrial symbioses.

MOTIONS

On motion of Senator Brown, Substitute Senate Bill No. 5936 was substituted for Senate Bill No. 5936 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Brown, the rules were suspended, Substitute Senate Bill No. 5936 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Brown and Carlyle spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5936.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5936 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Excused: Senator Wilson, L.

SUBSTITUTE SENATE BILL NO. 5936, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5552, by Senators Liias, Warnick, Van De Wege, Short, Rolfes, Schoesler, Wagoner, Honeyford, Hawkins and Hunt

Concerning the protection of native pollinators, including bees.

MOTIONS

On motion of Senator Liias, Substitute Senate Bill No. 5552 was substituted for Senate Bill No. 5552 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Liias, the rules were suspended, Substitute Senate Bill No. 5552 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Liias, Warnick and Hawkins spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5552.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5552 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Excused: Senator Wilson, L.

SUBSTITUTE SENATE BILL NO. 5552, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 12:33 p.m., on motion of Senator Liias, the Senate was declared to be at ease subject to the call of the President for the purposes of caucus and lunch.

Senator McCoy announced a meeting of the Democratic Caucus immediately upon going at ease.

Senator Becker announced a meeting of the Republican Caucus immediately upon going at ease.

 AFTERNOON SESSION

The Senate was called to order at 2:19 p.m. by President Habib.

SECOND READING

SENATE BILL NO. 5360, by Senators Conway, Hobbs, Saldaña, Dhingra, Keiser, Pedersen and Hunt

Addressing plan membership default provisions in the public employees' retirement system, the teachers' retirement system, and the school employees' retirement system.

The measure was read the second time.

MOTION

On motion of Senator Conway, the rules were suspended, Senate Bill No. 5360 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Conway and Holy spoke in favor of passage of the bill.

Senator Schoesler spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5360.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5360 and the bill passed the Senate by the following vote: Yeas, 39; Nays, 9; Absent, 0; Excused, 1.

Voting yea: Senators Becker, Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Sheldon, Takko, Van De Wege, Wagoner, Walsh, Wellman, Wilson, C. and Zeiger

Voting nay: Senators Bailey, Braun, Brown, Fortunato, Honeyford, Padden, Schoesler, Short and Warnick

Excused: Senator Wilson, L.

SENATE BILL NO. 5360, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5397, by Senators Rolfes, Carlyle, Darneille, Saldaña, Hasegawa, Hunt and Kuderer

Concerning the responsible management of plastic packaging.

MOTION

On motion of Senator Rolfes, Second Substitute Senate Bill No. 5397 was substituted for Senate Bill No. 5397 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Rolfes moved that the following striking amendment no. 291 by Senator Rolfes be adopted:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. (1) The legislature finds that:

(a) Convenient and environmentally sound product stewardship programs that include collecting, transporting, and recycling of unwanted products help protect Washington's environment and the health of state residents;

(b) Unwanted products should be managed where priority is placed on prevention, waste reduction, source reduction, recycling, and reuse over energy recovery and landfill disposal; and

(c) Producers of plastic packaging must consider the design and management of their packaging in a manner that ensures minimal environmental impact. Producers of plastic packaging must be involved from design concept to end-of-life management to incentivize innovation and research to minimize environmental impacts.

(2) Additionally, the legislature finds that, through design and innovation, industry should strive to achieve the goals of recycling one hundred percent of packaging, using at least twenty percent postconsumer recycled content in packaging, and reducing plastic packaging when possible to optimize the use to meet the need.

(3) The legislature intends that the department, through a consultative process with industry and consumer interest, develop options to reduce plastic packaging in the waste stream for implementation by January 1, 2022.

NEW SECTION. Sec. 2. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Brand" means a name, symbol, word, or mark that identifies a product, rather than its components, and attributes the covered product to the owner of the brand as the producer.

(2) "Department" means the department of ecology.

(3) "Producer" means a person who has legal ownership of the brand, brand name, or cobrand of plastic packaging sold in or into Washington state;

(4) "Recycling" has the same meaning as defined in RCW 70.95.030.

(5) "Stakeholder" means a person who may have an interest in or be affected by the management of plastic packaging.

NEW SECTION. Sec. 3. (1) The department must evaluate and assess the amount and types of plastic packaging sold into the state as well as the management and disposal of plastic packaging. When conducting the evaluation, the department must ensure that producers, providers of solid waste management services, and stakeholders are consulted. The department must produce a report that includes:

(a) An assessment of the:

(i) Amount and types of plastic packaging currently coming into the state by category;

(ii) Full cost of managing plastic packaging waste, including the cost to ratepayers, businesses, and others, with consideration given to costs that are determined by volume or weight;

(iii) Final disposition of all plastic packaging sold into the state, based on current information available at the department;

(iv) Costs and savings to all stakeholders in existing product stewardship programs where they have been implemented including, where available, the specific costs for the management of plastic packaging;

(v) Needed infrastructure necessary to manage plastic packaging in the state;

(vi) Contamination and sorting issues facing the current plastic packaging recycling stream; and

(vii) Existing organizations and databases for managing plastic packaging that could be employed for use in developing a program in the state;

(b) A compilation of:

(i) All the programs currently managing plastic packaging in the state, including all end-of-life management and litter and contamination cleanup; and

(ii) Existing studies regarding the final disposition of plastic packaging and materials recovery facilities residual composition, including data on cross-contamination of other recyclables, contamination in compost, and brand data in litter when available; and

(c) A review of industry and any other domestic or international efforts and innovations to reduce, reuse, and recycle plastic and chemically recycle packaging, utilize recycled content in packaging, and develop new programs, systems, or technologies to manage plastics including innovative technologies such as pyrolysis and gasification processes to divert recoverable polymers and other materials away from landfills and into valuable raw, intermediate, and final products.

(2) The department must contract with a third-party independent consultant to conduct the evaluation and assessment as required under subsection (1) of this section.

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(3)(a) By October 31, 2020, the department must submit a report on the evaluation and assessment of plastic packaging to the appropriate committees of the legislature.

(b) The report required under this subsection must include:

(i) Findings regarding amount and types of plastic packaging sold into the state as well as the management and disposal of plastic packaging;

(ii) Recommendations to meet the goals of reducing plastic packaging including through industry lead or plastic packaging product stewardship to:

(A) Achieve one hundred percent recyclable, reusable, or compostable packaging in all goods sold in Washington by January 1, 2025;

(B) Achieve at least twenty percent postconsumer recycled content in packaging by January 1, 2025; and

(C) Reduce plastic packaging when possible optimizing the use to meet the need; and

(iii) For the purposes of legislative consideration, options to meet plastic packaging reduction goals, that may be established and implemented by January 1, 2022.

NEW SECTION. **Sec. 4.** Sections 1 through 3 of this act constitute a new chapter in Title 70 RCW.”

On page 1, line 2 of the title, after “packaging;” strike the remainder of the title and insert “and adding a new chapter to Title 70 RCW.”

The President declared the question before the Senate to be the adoption of striking amendment no. 291 by Senator Rolfes to Second Substitute Senate Bill No. 5397.

The motion by Senator Rolfes carried and striking amendment no. 291 was adopted by voice vote.

MOTION

On motion of Senator Rolfes, the rules were suspended, Engrossed Second Substitute Senate Bill No. 5397 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Rolfes, Ericksen, Becker, Braun, Honeyford and Hawkins spoke in favor of passage of the bill.

Senator Short spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 5397.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5397 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O’Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Excused: Senator Wilson, L.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5397, having received the constitutional majority, was declared

passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5651, by Senators King, Saldaña, Walsh, Darneille, Das, Wilson, C. and Hasegawa

Establishing a kinship care legal aid coordinator.

The measure was read the second time.

MOTION

On motion of Senator King, the rules were suspended, Senate Bill No. 5651 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators King, Saldaña, Padden and Frockt spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5651.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5651 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O’Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Excused: Senator Wilson, L.

SENATE BILL NO. 5651, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Liias, the Senate reverted to the fourth order of business.

MESSAGE FROM THE HOUSE

March 5, 2019

MR. PRESIDENT:

The House passed ENGROSSED SUBSTITUTE SENATE BILL NO. 5079 with the following amendment: 5079-S.E AMH ENGR H2020.E

Strike everything after the enacting clause and insert the following:

“**Sec. 1.** RCW 29A.08.010 and 2009 c 369 s 6 are each amended to read as follows:

(1) The minimum information provided on a voter registration application that is required in order to place a voter registration applicant on the voter registration rolls includes:

- (a) Name;
- (b) Residential address;
- (c) Date of birth;

(d) A signature attesting to the truth of the information provided on the application; and

(e) A check or indication in the box confirming the individual is a United States citizen.

(2) The residential address provided must identify the actual physical residence of the voter in Washington, as defined in RCW 29A.04.151, with detail sufficient to allow the voter to be assigned to the proper precinct and to locate the voter to confirm his or her residence for purposes of verifying qualification to vote under Article VI, section 1 of the state Constitution. A residential address may be either a traditional address or a nontraditional address. A traditional address consists of a street number and name, optional apartment number or unit number, and city or town, as assigned by a local government, which serves to identify the parcel or building of residence and the unit if a multiunit residence. A nontraditional address consists of a narrative description of the location of the voter's residence, and may be used when a traditional address has not been assigned or affixed to the voter's residence or when a voter resides on an Indian reservation or Indian lands, pursuant to the conditions in RCW 29A.08.112.

(3) All other information supplied is ancillary and not to be used as grounds for not registering an applicant to vote.

(4) Modification of the language of the official Washington state voter registration form by the voter will not be accepted and will cause the rejection of the registrant's application.

Sec. 2. RCW 29A.08.112 and 2006 c 320 s 3 are each amended to read as follows:

(1) No person registering to vote, who meets all the qualifications of a registered voter in the state of Washington, shall be disqualified because he or she lacks a traditional residential address. A voter who lacks a traditional residential address will be registered and assigned to a precinct based on the location provided.

(2) For the purposes of this section, a voter who resides in a shelter, park, motor home, marina, unmarked home, or other identifiable location that the voter deems to be his or her residence lacks a traditional address. A voter who registers under this section must provide a valid mailing address, and must still meet the requirement in Article VI, section 1 of the state Constitution that he or she live in the area for at least thirty days before the election.

(3) A nontraditional residential address may be used when a voter resides on an Indian reservation or on Indian lands.

(4) A federally recognized tribe may designate one or more tribal government buildings to serve as a residential address or mailing address or both for voters living on an Indian reservation or on Indian lands. However, a voter may not use a tribally designated building as the voter's residential address if the building is in a different precinct than where the voter lives.

(5) A person who has a traditional residential address and does not reside on an Indian reservation or on Indian lands must use that address for voter registration purposes and is not eligible to register under this section.

Sec. 3. RCW 29A.08.123 and 2007 c 157 s 1 are each amended to read as follows:

(1) A person who has a valid Washington state driver's license ((~~or~~)), state identification card, or tribal identification may submit a voter registration application electronically on the secretary of state's web site. A person who has a valid tribal identification card may submit a voter registration electronically on the secretary of state's web site if the secretary of state is able to obtain a copy of the applicant's signature from the federal government or the tribal government.

(2) The applicant must attest to the truth of the information provided on the application by affirmatively accepting the information as true.

(3) The applicant must affirmatively assent to use of his or her driver's license ((~~or~~)), state identification card, or tribal identification card signature for voter registration purposes.

(4) A voter registration application submitted electronically is otherwise considered a registration by mail.

(5) For each electronic application, the secretary of state must obtain a digital copy of the applicant's driver's license or state identification card signature from the department of licensing or tribal identification issuing authority.

(6) The secretary of state may employ additional security measures to ensure the accuracy and integrity of voter registration applications submitted electronically.

Sec. 4. RCW 29A.08.310 and 2009 c 369 s 19 are each amended to read as follows:

(1) The governor, in consultation with the secretary of state, shall designate agencies to provide voter registration services in compliance with federal statutes.

(2) A federally recognized tribe may request that the governor designate one or more state facilities or state-funded facilities or programs that are located on the lands of the requesting Indian tribe or that are substantially engaged in providing services to Indian tribes, as selected by the tribe, to provide voter registration services. This provision does not alter the state's obligations under the national voter registration act.

(3) Each state agency designated shall provide voter registration services for employees and the public within each office of that agency.

((~~3~~)) (4) The secretary of state shall design and provide a standard notice informing the public of the availability of voter registration, which notice shall be posted in each state agency where such services are available.

((~~4~~)) (5) Each institution of higher education shall put in place an active prompt on its course registration web site, or similar web site that students actively and regularly use, that, if selected, will link the student to the secretary of state's voter registration web site. The prompt must ask the student if he or she wishes to register to vote.

NEW SECTION. Sec. 5. A new section is added to chapter 29A.40 RCW to read as follows:

(1) The county auditor must prevent overflow of each ballot drop box to allow a voter to deposit his or her ballot securely. Ballots must be removed from a ballot drop box by at least two people, with a record kept of the date and time ballots were removed, and the names of people removing them. Ballots from drop boxes must be returned to the counting center in secured transport containers. A copy of the record must be placed in the container, and one copy must be transported with the ballots to the counting center, where the seal number must be verified by the county auditor or a designated representative. All ballot drop boxes must be secured at 8:00 p.m. on the day of the primary, special election, or general election.

(2) The county auditor must establish a minimum of one ballot drop box per fifteen thousand registered voters in the county and a minimum of one ballot drop box in each city, town, and census-designated place in the county with a post office.

(3) At the request of a federally recognized Indian tribe with a reservation in the county, the county auditor must establish at least one ballot drop box on the Indian reservation on a site selected by the tribe that is accessible to the county auditor by a public road.

(4) A federally recognized Indian tribe may designate at least one building as a ballot pickup and collection location at no cost to the tribe. The designated building must be accessible to the county auditor by a public road. The county auditor of the county in which the building is located must collect ballots from that location in compliance with the procedures in subsection (1) of this section.

Sec. 6. RCW 29A.40.160 and 2018 c 112 s 4 are each amended to read as follows:

(1) Each county auditor shall open a voting center each primary, special election, and general election. The voting center shall be open during business hours during the voting period, which begins eighteen days before, and ends at 8:00 p.m. on the day of, the primary, special election, or general election.

(2) Each county auditor shall register voters in person at each of the following locations in the county:

- (a) At the county auditor's office;
- (b) At the division of elections, if located in a separate city from the county auditor's office; and

(c) For each presidential general election, at a voting center in each city in the county with a population of one hundred thousand or greater, which does not have a voting center as required in (a) or (b) of this subsection. A voting center opened pursuant to this subsection (2) is not required to be open on the Sunday before the presidential election.

(3) Voting centers shall be located in public buildings or buildings that are leased by a public entity including, but not limited to, libraries.

(4) Each voting center, and at least one of the other locations designated by the county auditor to allow voters to register in person pursuant to RCW 29A.08.140(1)(b), must provide voter registration materials, ballots, provisional ballots, disability access voting units, sample ballots, instructions on how to properly vote the ballot, a ballot drop box, and voters' pamphlets, if a voters' pamphlet has been published.

(5) Each voting center must be accessible to persons with disabilities. Each state agency and entity of local government shall permit the use of any of its accessible facilities as voting centers when requested by a county auditor.

(6) Each voting center must provide at least one voting unit certified by the secretary of state that provides access to individuals who are blind or visually impaired, enabling them to vote with privacy and independence.

(7) No person may interfere with a voter attempting to vote in a voting center. Interfering with a voter attempting to vote is a violation of RCW 29A.84.510.

(8) Before opening the voting center, the voting equipment shall be inspected to determine if it has been properly prepared for voting. If the voting equipment is capable of direct tabulation of each voter's choices, the county auditor shall verify that no votes have been registered for any issue or office, and that the device has been sealed with a unique numbered seal at the time of final preparation and logic and accuracy testing. A log must be made of all device numbers and seal numbers.

(9) The county auditor shall require any person desiring to vote at a voting center to either sign a ballot declaration or provide identification.

(a) The signature on the declaration must be compared to the signature on the voter registration record before the ballot may be counted. If the voter registered using a mark, or can no longer sign his or her name, the election officers shall require the voter to be identified by another registered voter.

(b) The identification must be valid photo identification, such as a driver's license, state identification card, student identification card, tribal identification card, or employer

identification card. A tribal identification card is not required to include a residential address or an expiration date to be considered valid under this section. Any individual who desires to vote in person but cannot provide identification shall be issued a provisional ballot, which shall be accepted if the signature on the declaration matches the signature on the voter's registration record.

(10) Provisional ballots must be accompanied by a declaration and security envelope, as required by RCW 29A.40.091, and space for the voter's name, date of birth, current and former registered address, reason for the provisional ballot, and disposition of the provisional ballot. The voter shall vote and return the provisional ballot at the voting center. The voter must be provided information on how to ascertain whether the provisional ballot was counted and, if applicable, the reason why the vote was not counted.

(11) Any voter may take printed or written material into the voting device to assist in casting his or her vote. The voter shall not use this material to electioneer and shall remove it when he or she leaves the voting center.

(12) If any voter states that he or she is unable to cast his or her votes due to a disability, the voter may designate a person of his or her choice, or two election officers, to enter the voting booth and record the votes as he or she directs.

(13) No voter is entitled to vote more than once at a primary, special election, or general election. If a voter incorrectly marks a ballot, he or she may be issued a replacement ballot.

(14) A voter who has already returned a ballot but requests to vote at a voting center shall be issued a provisional ballot. The canvassing board shall not count the provisional ballot if it finds that the voter has also voted a regular ballot in that primary, special election, or general election.

~~(15) ((The county auditor must prevent overflow of each ballot drop box to allow a voter to deposit his or her ballot securely. Ballots must be removed from a ballot drop box by at least two people, with a record kept of the date and time ballots were removed, and the names of people removing them. Ballots from drop boxes must be returned to the counting center in secured transport containers. A copy of the record must be placed in the container, and one copy must be transported with the ballots to the counting center, where the seal number must be verified by the county auditor or a designated representative. All ballot drop boxes must be secured at 8:00 p.m. on the day of the primary, special election, or general election.~~

~~(16))~~ Any voter who is inside or in line at the voting center at 8:00 p.m. on the day of the primary, special election, or general election must be allowed to vote.

~~((17))~~ (16) For each primary, special election, and general election, the county auditor may provide election services at locations in addition to the voting center. The county auditor has discretion to establish which services will be provided at the additional locations, and which days and hours the locations will be open~~((, except that the county auditor must establish a minimum of one ballot drop box per fifteen thousand registered voters in the county and a minimum of one ballot drop box in each city, town, and census designated place in the county with a post office)).~~

NEW SECTION. Sec. 7. A new section is added to chapter 29A.84 RCW to read as follows:

(1) The attorney general may bring a civil action for such declaratory or injunctive relief as is necessary to carry out the provisions of section 5 (3) and (4) of this act in the superior court of the county in which the violation is alleged to have occurred.

(2) A person or federally recognized tribal government may bring a civil action for declaratory or injunctive relief with respect

to RCW 29A.08.112(3), 29.08.310(2), or section 5 (3) and (4) of this act, in the superior court of the county in which the violation is alleged to have occurred if:

(a) In the case of a violation that occurs more than one hundred twenty days before an election, that person or tribal government provides notice of the violation to the secretary of state, the violation remains, and ninety days or more have passed since the secretary of state has received the written notice;

(b) In the case of a violation that occurs one hundred twenty days or fewer before an election, that person or tribal government provides notice of the violation to the secretary of state, the violation remains and twenty days or more have passed since the secretary of state has received the written notice; or

(c) In the case of a violation that occurs thirty days or fewer before an election, without providing notice of the violation to the secretary of state.”

Correct the title.

and the same are herewith transmitted.

BERNARD DEAN, Chief Clerk

MOTION

Senator Hunt moved that the Senate concur in the House amendment(s) to Engrossed Substitute Senate Bill No. 5079.

Senator Hunt spoke in favor of the motion to concur.

Senator Hunt: “Would the senator from the Thirty-eighth yield to a question?”

President Habib: “Senator McCoy, do you yield to a question?”

Senator McCoy: “Yes, I will.”

President Habib: “Alright then please proceed, Senator Hunt.”

POINT OF INQUIRY

Senator Hunt: “Senator McCoy, what is the scope of permissible pick up and collection of ballots on a tribal reservation?”

Senator McCoy: “The bill authorizes, with the consent of the tribal government, pick up of voters’ ballots at tribal buildings if they have requested to use the tribal building as their mailing address. It also requires installation of a drop box at the request of the tribal government for purposes of collection of those ballots.”

Senator Hunt: “Thank you Senator McCoy.”

Senator Padden moved that the Senate defer further consideration on Engrossed Substitute Senate Bill No. 5079 and that the bill hold its place on the concurrence calendar.

Senator Padden spoke in favor of the motion to defer further consideration of the bill.

Senator Liias spoke against the motion by Senator Padden.

The President declared the question before the Senate to be the motion by Senator Padden to defer further consideration of Engrossed Substitute Senate Bill No. 5079 and the motion did not carry by voice vote.

Senator Zeiger spoke in favor of the motion to concur.

The President declared the question before the Senate to be the motion by Senator Hunt that the Senate concur in the House amendment to Engrossed Substitute Senate Bill No. 5079.

The motion by Senator Hunt carried and the Senate concurred in the House amendment to Engrossed Substitute Senate Bill No. 5079 by voice vote.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5079, as amended by the House.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5079, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 45; Nays, 3; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Erickson, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O’Ban, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Voting nay: Senators Honeyford, Padden and Wagoner

Excused: Senator Wilson, L.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5079, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Liias, the Senate advanced to the sixth order of business.

SECOND READING

SENATE BILL NO. 5876, by Senators Darneille, Rivers, Rolfes, Wilson, C., Kuderer, Walsh, Randall, Brown, Keiser, Saldaña, Frockt, Warnick, Cleveland, Das and Nguyen

Creating a women’s division and system of gender-responsive, risk-need-responsivity, and trauma-informed practices within the department of corrections.

MOTIONS

On motion of Senator Darneille, Substitute Senate Bill No. 5876 was substituted for Senate Bill No. 5876 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Darneille, the rules were suspended, Substitute Senate Bill No. 5876 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Darneille and Walsh spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5876.

ROLL CALL

FIFTY FOURTH DAY, MARCH 8, 2019

2019 REGULAR SESSION

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5876 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Excused: Senator Wilson, L.

SUBSTITUTE SENATE BILL NO. 5876, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

PERSONAL PRIVILEGE

Senator Carlyle: "Thank you Mr. President. If I might indulge you for a moment. Mr. President, each of us in embarking on the journey of serving in the legislature often creates special and unique relationships with young people who work on our campaigns, who serve as legislative aides, who sort of join us in this journey and Mr. President if I could for a very brief moment just share that one young man, Matt Gasparich, and I embarked on the journey ten years ago to pursue this effort. He was my campaign manager and after that experience he came to Olympia and had the great opportunity to work together for a couple of years as he served as my first legislative aide. In the movie Shawshank Redemption there's a fabulous line that so many know that says, 'it's time to get busy living or get busy dying.' And Matt embodied the essence of get busy living. He died two weeks ago in a tragic skiing accident on Mt Stevens and Stevens Pass. He was just a just a fabulous and dear and treasured friend. Every day of the week during the campaign, he worked out of the house, he'd come upstairs for dinner and we've got four kids and we all had dinner together. We spent an entire year together. And just such a special member of the community. I just want to take a moment to recognize his family. His fabulous mother, Mary Jo, and his father, Jim Gasparich. And he was the brother of Sara. He was so popular as President of the Fremont Community Council. After the University of Southern California, he went to work for Councilman Pete von Reichbauer, and PvR was just a fabulous mentor to him. He was a dear friend of PvR who really adored him as well. And after that he called me up one day when I first began running and said, 'I want to work on your campaign.' And we just hit it off and so we spent an entire year together. After he left Olympia, after a couple of years of service, he jumped in the private sector and ended up buying a very small maritime training company and ended up traveling all over the world, to Europe and Asia, to train large ship crews on how to do safety and just did a fabulous job. He was an outdoor adventurer. And he just was so dearly loved by so many people. He had one of that, that sense of spirit and passion that we all admire in young people but he just he was so authentic and so genuine. And I just want to take a moment, as I prepare for the memorial with his family tomorrow, and so many in our community, to express to my good colleagues that it is special, to take a moment to remember those folks. And to appreciate those friends, folks, not only who help us get here, in addition to our families, but those young people who are lifted up by the spirit of public service. Thank you Mr President."

REMARKS BY THE PRESIDENT

President Habib: "Thank you Senator Carlyle. Thank you and please accept our condolences and pass those along to the family. Sounds like an extraordinary, extraordinary man. Thank you for sharing that."

SECOND READING

SENATE BILL NO. 5405, by Senators Padden, Randall, Zeiger, Fortunato, Billig, Wilson, C., Nguyen and Kuderer

Concerning nondiscrimination in access to organ transplants.

MOTIONS

On motion of Senator Padden, Substitute Senate Bill No. 5405 was substituted for Senate Bill No. 5405 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Padden, the rules were suspended, Substitute Senate Bill No. 5405 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Padden and Cleveland spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5405.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5405 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Excused: Senator Wilson, L.

SUBSTITUTE SENATE BILL NO. 5405, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5272, by Senator Hunt

Increasing the maximum tax rate for the voter-approved local sales and use tax for emergency communication systems and facilities.

MOTION

On motion of Senator Hunt, Substitute Senate Bill No. 5272 was substituted for Senate Bill No. 5272 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Hunt moved that the following amendment no. 203 by Senator Hunt be adopted:

On page 2, line 12, after “than” insert “one million”

On page 2, line 14, after “(~~shall~~)” insert “either independently or as a member of a regional emergency communication agency”

On page 2, line 17, after “(7)” insert “Prior to submitting the tax authorized in subsection (2) of this section to the voters, a county with a population of more than five hundred thousand but less than one million five hundred thousand in which any city over fifty thousand operates emergency communication systems and facilities must enter into an interlocal agreement with the city to determine distribution of the revenue provided in this section. (8)”

Senators Hunt and Short spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 203 by Senator Hunt on page 2, line 12 to Substitute Senate Bill No. 5272.

The motion by Senator Hunt carried and amendment no. 203 was adopted by voice vote.

MOTION

On motion of Senator Hunt, the rules were suspended, Engrossed Substitute Senate Bill No. 5272 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Hunt, Short and Becker spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5272.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5272 and the bill passed the Senate by the following vote: Yeas, 36; Nays, 12; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Brown, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Lias, Lovelett, McCoy, Nguyen, Pedersen, Randall, Rolfes, Saldaña, Salomon, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Voting nay: Senators Braun, Carlyle, Erickson, Fortunato, Hasegawa, Hawkins, Mullet, O’Ban, Padden, Palumbo, Rivers and Schoesler

Excused: Senator Wilson, L.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5272, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5236, by Senators Keiser, Conway, Wellman, Braun, Saldaña, Hasegawa, Wilson, C., Kuderer, Takko, Das and Frockt

Encouraging apprenticeships.

MOTIONS

On motion of Senator Keiser, Second Substitute Senate Bill No. 5236 was substituted for Senate Bill No. 5236 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Keiser, the rules were suspended, Second Substitute Senate Bill No. 5236 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Keiser, King, Conway and Braun spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 5236.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 5236 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Erickson, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Lias, Lovelett, McCoy, Mullet, Nguyen, O’Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Excused: Senator Wilson, L.

SECOND SUBSTITUTE SENATE BILL NO. 5236, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5167, by Senators Hasegawa, Saldaña, Darneille, Frockt, Keiser, Nguyen and Mullet

Addressing the linked deposit program.

MOTIONS

On motion of Senator Hasegawa, Substitute Senate Bill No. 5167 was substituted for Senate Bill No. 5167 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Hasegawa, the rules were suspended, Substitute Senate Bill No. 5167 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Hasegawa, Mullet, King and Becker spoke in favor of passage of the bill.

MOTION

On motion of Senator Mullet, Senator Rolfes was excused.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5167.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5167 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

FIFTY FOURTH DAY, MARCH 8, 2019

2019 REGULAR SESSION

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O’Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Voting yea: Senators Billig, Braun, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Sheldon, Takko, Van De Wege, Warnick, Wellman and Wilson, C.

Voting nay: Senators Bailey, Becker, Brown, Ericksen, Fortunato, Hasegawa, Hawkins, Holy, Honeyford, King, O’Ban, Padden, Schoesler, Short, Wagoner, Walsh and Zeiger

Excused: Senator Wilson, L.

Excused: Senator Wilson, L.

SUBSTITUTE SENATE BILL NO. 5167, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5740, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

PERSONAL PRIVILEGE

SENATE BILL NO. 5740, by Senators Mullet, Hobbs, Conway and Van De Wege

Creating the secure choice retirement savings program.

Senator Hawkins: “Well I know we’ve been kind of running a little late here and we’re all a little sleepy but I, as you may know, I wear a Washington apple pin proudly each day. And I’ve received some comments here in the Senate and I’ve given some away I’ve given one to Senator Liias and Senator Carlyle and Senator Hasegawa who wears his proudly. And we see the Governor, he wears his almost every day too. And as I’ve watched him on some national programs lately I’ve seen him probably wear it. And I know that, regardless of what we may think of the governor’s politics or policies, I think we can all be proud that he’s representing Washington apples but it occurred to me that while the Governor is away, and occasionally he is, you’re serving in his stead and you may not have one of these. And I know from yesterday you took umbrage a bit that Senator Fortunato was so generous with the stuffed orcas that you didn’t receive one. And I was just wondering, Mr. President, if you would like to have my Washington apple pin? I’d be happy to come up and put it on you.

MOTION

On motion of Senator Mullet, Second Substitute Senate Bill No. 5740 was substituted for Senate Bill No. 5740 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Mullet moved that the following amendment no. 211 by Senator Mullet be adopted:

Beginning on page 10, line 34, strike all of section 9

Renumber the remaining sections consecutively and correct any internal references accordingly.

REMARKS BY THE PRESIDENT

The President declared the question before the Senate to be the adoption of amendment no. 211 by Senator Mullet on page 10, line 34 to Second Substitute Senate Bill No. 5740.

The motion by Senator Mullet carried and amendment no. 211 was adopted by voice vote.

President Habib: “Senator Hawkins, that’s the sweetest thing anyone’s ever said to me in politics. You guys did, do you, do you all know – I know Senator Takko is a musical theater fan so he’ll know this – but do you all remember the song from Bye-Bye Birdie about, ‘Did you really get pinned?’ Do you guys know that? You’re going to pin me? Senator Hawkins that is so kind. Thank you so much. Thank you Senator Hawkins, that is so kind. Thank you. I know I’m going to read in the newspaper that I’m getting all these perks for being Acting Governor, so you can add this one to the list of freebies that I’ve gotten.”

MOTION

REMARKS BY SENATOR LIAS

On motion of Senator Mullet, the rules were suspended, Engrossed Second Substitute Senate Bill No. 5740 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Mullet, Braun, Conway and Rivers spoke in favor of passage of the bill.

Senators Zeiger, Ericksen, Bailey and Fortunato spoke against passage of the bill.

Senator Liias: Thank you Mr. President. I feel bad that that’s the sweetest thing anyone has ever said to you in politics Mr President. I don’t have a pin but I do have a stack of rubber bands that I don’t need any more. Would you like these? I could come present these to you as well up on the rostrum, if that would help add to your day.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 5740.

ROLL CALL

REMARKS BY THE PRESIDENT

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5740 and the bill passed the Senate by the following vote: Yeas, 31; Nays, 17; Absent, 0; Excused, 1.

President Habib: “That is so kind Senator Liias. Now you know why what Senator Hawkins did was the nicest thing that anyone’s ever said to me in politics. You answered your own question.”

PERSONAL PRIVILEGE

Senator Sheldon: "Oh Mr. President, just want to point out that Senator Hawkins did not give you an apple pin. That's actually a wire."

PERSONAL PRIVILEGE

Senator Honeyford: "Well thank you Mr President. I'm very proud of you wearing your red pin because the world's largest red apple grower is in the 15th District so thank you very much."

REMARKS BY THE PRESIDENT

President Habib: "Thank you and it is a joy to be able to promote Washington State and Washington state agricultural exports. On the few occasions that I get to do that, it's a huge honor and I know that in a couple weeks we'll be celebrating, just so you all know, and Senator Hawkins I'm sure will be letting us all know more about this, but we'll be celebrating one hundred years of the Apple Blossom Royal Court. It's a tradition we all know about here in the Senate having had the chance to have the Royal Court come and visit us but this will be a special opportunity at the one hundred year anniversary from the Twelfth Legislative District so thank you Senator Hawkins and thank you to Senator Honeyford and, somewhat, I guess, to Senator Liias."

SECOND READING

SENATE BILL NO. 5640, by Senators Holy, Pedersen, Wellman, Billig, Padden, Becker, Warnick, Short, Hasegawa, Walsh, Bailey, Wilson, C. and Kuderer

Concerning youth courts.

The measure was read the second time.

MOTION

On motion of Senator Holy, the rules were suspended, Senate Bill No. 5640 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Holy and Darneille spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5640.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5640 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Excused: Senator Wilson, L.

SENATE BILL NO. 5640, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5923, by Senators Hobbs, King and Lovelett

Establishing an emergency loan program to be administered by the county road administration board.

The measure was read the second time.

MOTION

On motion of Senator Hobbs, the rules were suspended, Senate Bill No. 5923 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Hobbs and King spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5923.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5923 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Excused: Senator Wilson, L.

SENATE BILL NO. 5923, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5096, by Senator O'Ban

Concerning short-term case aides that provide temporary assistance for foster parents.

MOTIONS

On motion of Senator O'Ban, Substitute Senate Bill No. 5096 was substituted for Senate Bill No. 5096 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator O'Ban, the rules were suspended, Substitute Senate Bill No. 5096 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator O'Ban spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5096.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5096 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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Voting yeas: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Erickson, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O’Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Excused: Senator Wilson, L.

SUBSTITUTE SENATE BILL NO. 5096, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5327, by Senators Wellman, Zeiger, Keiser, Palumbo, Hunt, Rivers, Hawkins, Warnick, Carlyle, Conway, Dhingra, Frockt, Kuderer, Saldaña and Wagoner

Expanding career connected learning opportunities.

MOTION

On motion of Senator Wellman, Second Substitute Senate Bill No. 5327 was substituted for Senate Bill No. 5327 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Holy moved that the following amendment no. 215 by Senator Holy be adopted:

On page 3, line 4, after “governor;” strike “and” and on line 5 after “(m)” insert “One representative from an organization representing the trades involved in the construction industry;

(n) One representative from a business involved in the construction industry; and

(o)”

On page 8, after line 29, insert the following:

“(e) “Career launch programs” must include programs that would prepare a person for a career in the trades involved in the construction industry.”

Senators Holy and Wellman spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 215 by Senator Holy on page 3, line 4 to Second Substitute Senate Bill No. 5327.

The motion by Senator Holy carried and amendment no. 215 was adopted by voice vote.

MOTION

Senator Rivers moved that the following amendment no. 316 by Senator Rivers be adopted:

On page 10, after line 14 insert the following:

“Sec. 11. RCW 28A.150.265 and 2017 3rd sp.s. c 13 s 409 are each amended to read as follows:

(1) To the extent that career and technical education funding allocations under RCW 28A.150.260 (4)(c) and (9) exceed general education funding allocations under RCW 28A.150.260, school districts ~~(may)~~ must use the difference only for the career and technical education purposes, defined as follows:

(a) Staff salaries and benefits ~~((for))~~ associated with direct career and technical education ((program delivery)) extended learning activities to meet career and technical education standards established by the office of the superintendent of public instruction under RCW 28A.700.010;

(b) Materials, supplies, and operating costs;

(c) Smaller class sizes;

(d) Work-based learning programs such as internships and preapprenticeship programs, including coordination tied to career and technical education coursework;

(e) Establishing new ((high quality)) career and technical education ((and expanded learning)) programs ((development in high demand fields)) that meet career and technical education program standards;

(f) Certificated work-based learning coordinators and career guidance advisors and certificated career and technical education administrators;

(g) School expenses associated with career and technical education community partnerships with a career discovery focus including research or evidence-based mentoring programs and expanded learning opportunities in school, before or after school, and during the summer, and career-focused education programs with private and public K-12 schools and colleges, community-based organizations and nonprofit organizations, industry partners, tribal governments, and workforce development entities;

(h) Student fees for national and state industry-recognized certifications; and

(i) Course equivalency development to integrate core learning standards into career and technical education courses.

(2) A school district’s maximum allowable indirect cost charges for approved career and technical education programs funded by the state may not exceed the lower of five percent or the cap established in federal law for federal career and technical education funding provided to school districts, as the federal law existed on September 1, 2017.

(3) For the purposes of this section, “extended learning” means learning activities that extend beyond the scheduled school day and school year.”

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 1, line 2 of the title, after “28C.18.060” insert “and 28A.150.265”

Senator Rivers spoke in favor of adoption of the amendment.

Senator Wellman spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 316 by Senator Rivers on page 10, after line 14 to Second Substitute Senate Bill No. 5327.

The motion by Senator Rivers did not carry and amendment no. 316 was not adopted by voice vote.

MOTION

On motion of Senator Wellman, the rules were suspended, Engrossed Second Substitute Senate Bill No. 5327 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wellman, Holy, Conway, Zeiger and Short spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 5327.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5327 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 3; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Voting nay: Senators Carlyle, Hasegawa and Schoesler

Excused: Senator Wilson, L.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5327, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5672, by Senators Cleveland, O'Ban, Walsh, Wellman, Darneille, Dhingra, Hunt, Keiser, Frockt, Kuderer, Nguyen and Saldaña

Concerning adult family home specialty services.

MOTIONS

On motion of Senator Cleveland, Second Substitute Senate Bill No. 5672 was substituted for Senate Bill No. 5672 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Cleveland, the rules were suspended, Second Substitute Senate Bill No. 5672 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Cleveland and O'Ban spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 5672.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 5672 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Excused: Senator Wilson, L.

SECOND SUBSTITUTE SENATE BILL NO. 5672, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5284, by Senators Liias, Wagoner, Van De Wege and Hasegawa

Concerning smoke detection devices.

MOTION

On motion of Senator Liias, Second Substitute Senate Bill No. 5284 was substituted for Senate Bill No. 5284 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Liias moved that the following amendment no. 179 by Senator Liias be adopted:

On page 16, line 24, after "(2)" insert "The commissioner shall report to the appropriate committees of the legislature on any credits or discounts provided on insurance premiums for fire alarms installed in dwelling units. By December 31, 2020, and in compliance with RCW 43.01.036, the commissioner must submit a report to the appropriate committees of the legislature that details the use of discounts prior to and after the effective date of this section, and the type of fire alarm or smoke detection device qualifying for a credit or discount.

(3)"

Renumber the remaining subsection consecutively and correct any internal references accordingly.

Senator Liias spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 179 by Senator Liias on page 16, line 24 to Second Substitute Senate Bill No. 5284.

The motion by Senator Liias carried and amendment no. 179 was adopted by voice vote.

MOTION

On motion of Senator Liias, the rules were suspended, Engrossed Second Substitute Senate Bill No. 5284 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Liias and Wagoner spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 5284.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5284 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Excused: Senator Wilson, L.

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ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5284, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5175, by Senators Braun, Keiser, Becker, Fortunato, Palumbo, Wilson, L., Rivers, Kuderer, O'Ban, Van De Wege and Wagoner

Concerning firefighter safety.

MOTIONS

On motion of Senator Braun, Substitute Senate Bill No. 5175 was substituted for Senate Bill No. 5175 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Braun, the rules were suspended, Substitute Senate Bill No. 5175 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Braun and Keiser spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5175.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5175 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Excused: Senator Wilson, L.

SUBSTITUTE SENATE BILL NO. 5175, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5443, by Senators Van De Wege and Zeiger

Concerning the state board of registration for professional engineers and land surveyors.

MOTIONS

On motion of Senator Van De Wege, Substitute Senate Bill No. 5443 was substituted for Senate Bill No. 5443 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Van De Wege, the rules were suspended, Substitute Senate Bill No. 5443 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Van De Wege and Zeiger spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5443.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5443 and the bill passed the Senate by the following vote: Yeas, 44; Nays, 4; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Voting nay: Senators Carlyle, Hasegawa, Kuderer and Liias
Excused: Senator Wilson, L.

SUBSTITUTE SENATE BILL NO. 5443, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5550, by Senators Saldaña, Warnick, Conway, Das, Hasegawa, Keiser, King, Rolfes and Van De Wege

Implementing the recommendations of the pesticide application safety work group.

MOTIONS

On motion of Senator Saldaña, Substitute Senate Bill No. 5550 was substituted for Senate Bill No. 5550 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Saldaña, the rules were suspended, Substitute Senate Bill No. 5550 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Saldaña, Warnick and King spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5550.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5550 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Excused: Senator Wilson, L.

SUBSTITUTE SENATE BILL NO. 5550, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Mullet, Senator Hobbs was excused.

SECOND READING

SENATE BILL NO. 5765, by Senators Kuderer, Warnick, King, Fortunato, Walsh, Keiser and Hobbs

Creating a new exclusion from mandatory industrial insurance coverage for persons transporting freight.

The measure was read the second time.

MOTIONS

On motion of Senator Kuderer, Substitute Senate Bill No. 5765 was not substituted for Senate Bill No. 5765 and the substitute bill was not adopted.

Senator Kuderer moved that the following striking amendment no. 114 by Senators Kuderer and Fortunato be adopted:

Strike everything after the enacting clause and insert the following:

“NEW SECTION. Sec. 1. A new section is added to chapter 51.12 RCW to read as follows:

(1) Solely for purposes of this title, a freight broker or freight forwarder that enters into an agreement with a licensed common or contract carrier for the transportation of freight on behalf of such broker or forwarder is not the employer of the drivers engaged by such common or contract carrier to operate commercial vehicles owned or operated by such common or contract carrier unless the common or contract carrier is also the driver.

(2) Nothing in this section shall be construed as relieving the owner or lessee of a commercial vehicle from treating the individual operating the vehicle as a worker under this title unless such individuals are not workers within the meaning of RCW 51.08.180 or are otherwise excluded from coverage under RCW 51.08.195.

(3) If an individual is excluded from coverage under this title pursuant to subsection (1) or (2) of this section, the individual may elect coverage under this title in the manner provided by RCW 51.32.030.”

On page 1, line 1 of the title, after “Relating to” strike the remainder of the title and insert “clarifying responsibilities for mandatory industrial insurance coverage for persons transporting freight; and adding a new section to chapter 51.12 RCW.”

The President declared the question before the Senate to be the adoption of striking amendment no. 114 by Senators Kuderer and Fortunato to Senate Bill No. 5765.

The motion by Senator Kuderer carried and striking amendment no. 114 was adopted by voice vote.

MOTION

On motion of Senator Kuderer, the rules were suspended, Engrossed Senate Bill No. 5765 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Kuderer, Fortunato and King spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 5765.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5765 and the bill passed the Senate by the following vote: Yeas, 44; Nays, 3; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Billig, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Erickson, Fortunato, Frockt, Hawkins, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Lias, Lovelett, McCoy, Mullet, Nguyen, O’Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Voting nay: Senators Braun, Hasegawa and Wagoner

Excused: Senators Hobbs and Wilson, L.

ENGROSSED SENATE BILL NO. 5765, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5937, by Senators Lovelett, Nguyen, Fortunato, Das, Billig and Hunt

Clarifying the required color of certain lamps on vehicles.

The measure was read the second time.

MOTION

Senator Lovelett moved that the following striking amendment no. 189 by Senator Lovelett be adopted:

Strike everything after the enacting clause and insert the following:

“Sec. 1. RCW 46.37.100 and 2002 c 196 s 1 are each amended to read as follows:

(1) Front clearance lamps and those marker lamps and reflectors mounted on the front or on the side near the front of a vehicle shall display or reflect an amber color.

(2) Rear clearance lamps and those marker lamps and reflectors mounted on the rear or on the sides near the rear of a vehicle shall display or reflect a red color.

(3) All lighting devices and reflectors mounted on the rear of any vehicle shall display or reflect a red color, except the stop lamp or other signal device, which may be red, amber, or yellow, and except that on any vehicle forty or more years old, or on any motorcycle regardless of age, the taillight may also contain a blue or purple insert of not more than one inch in diameter, and except that the light illuminating the license plate shall be white and the light emitted by a backup lamp shall be white or amber. However, for commercial motor vehicles defined in RCW 46.25.010, stop lamps must be red and other signal devices must be red or amber.

Sec. 2. RCW 46.37.200 and 2006 c 306 s 3 are each amended to read as follows:

(1) Any vehicle may be equipped and when required under this chapter shall be equipped with a stop lamp or lamps on the rear of the vehicle which shall display a red or amber light, or any

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shade of color between red and amber, visible from a distance of not less than one hundred feet and on any vehicle manufactured or assembled after January 1, 1964, three hundred feet to the rear in normal sunlight, and which shall be actuated upon application of a service brake, and which may but need not be incorporated with one or more other rear lamps. However, for commercial motor vehicles defined in RCW 46.25.010, stop lamps must be red.

(2) Any vehicle may be equipped and when required under RCW 46.37.070(2) shall be equipped with electric turn signals which shall indicate an intention to turn by flashing lights showing to the front and rear of a vehicle or on a combination of vehicles on the side of the vehicle or combination toward which the turn is to be made. The lamps showing to the front shall be mounted on the same level and as widely spaced laterally as practicable and, when signaling, shall emit amber light: PROVIDED, That on any vehicle manufactured prior to January 1, 1969, the lamps showing to the front may emit white or amber light, or any shade of light between white and amber. The lamp showing to the rear shall be mounted on the same level and as widely spaced laterally as practicable, and, when signaling, shall emit a red or amber light, or any shade of color between red and amber. Turn signal lamps shall be visible from a distance of not less than five hundred feet to the front and rear in normal sunlight. Turn signal lamps may, but need not be, incorporated in other lamps on the vehicle.

(3) Any vehicle may be equipped and when required under this chapter shall be equipped with a center high-mounted stop lamp mounted on the center line of the rear of the vehicle. These stop lamps shall display a red light visible from a distance of not less than three hundred feet to the rear in normal sunlight, and shall be actuated upon application of a service brake, and may not be incorporated with any other rear lamps.”

On page 1, line 1 of the title, after “vehicles;” strike the remainder of the title and insert “and amending RCW 46.37.100 and 46.37.200.”

The President declared the question before the Senate to be the adoption of striking amendment no. 189 by Senator Lovelett to Senate Bill No. 5937.

The motion by Senator Lovelett carried and striking amendment no. 189 was adopted by voice vote.

MOTION

On motion of Senator Lovelett, the rules were suspended, Engrossed Senate Bill No. 5937 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Lovelett and Honeyford spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 5937.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5937 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O’Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes,

Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Excused: Senators Hobbs and Wilson, L.

ENGROSSED SENATE BILL NO. 5937, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5388, by Senators Becker, Bailey, Cleveland, Hunt, Short, O’Ban, King, Keiser, Walsh, Wilson, L., Darneille, Warnick, Honeyford, Brown, Billig, Hasegawa, Van De Wege, Wagoner and Kuderer

Establishing a training course for campaign treasurers.

MOTIONS

On motion of Senator Becker, Substitute Senate Bill No. 5388 was substituted for Senate Bill No. 5388 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Becker, the rules were suspended, Substitute Senate Bill No. 5388 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Becker and Hunt spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5388.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5388 and the bill passed the Senate by the following vote: Yeas, 37; Nays, 10; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Cleveland, Conway, Darneille, Das, Dhingra, Fortunato, Hasegawa, Hawkins, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Nguyen, O’Ban, Pedersen, Randall, Rivers, Rolfes, Saldaña, Schoesler, Short, Takko, Wagoner, Walsh, Warnick, Wilson, C. and Zeiger

Voting nay: Senators Carlyle, Ericksen, Frockt, Mullet, Padden, Palumbo, Salomon, Sheldon, Van De Wege and Wellman

Excused: Senators Hobbs and Wilson, L.

SUBSTITUTE SENATE BILL NO. 5388, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

PERSONAL PRIVILEGE

Senator King: “Well thank you Mr. President. On this International Women’s Day I would be remiss if I didn’t recognize my mother. I think it’s obvious what a great job she did raising her children.”

President Habib: “Yeah, it’s hard to raise a King.”

Senator King: “Now, I tell you what. As I pointed out about six weeks ago she turned one hundred one so ... Mom, thank you.”

MOTION

At 5:32 p.m., on motion of Senator Lias, the Senate adjourned until 9:00 o'clock a.m. Saturday, March 9, 2019.

CYRUS HABIB, President of the Senate

BRAD HENDRICKSON, Secretary of the Senate

FIFTY FIFTH DAY

MORNING SESSION

Senate Chamber, Olympia
Saturday, March 9, 2019

March 7, 2019

The Senate was called to order at 9:05 a.m. by the President of the Senate, Lt. Governor Habib presiding. The Secretary called the roll and announced to the President that all senators were present with the exception of Senators Bailey, Carlyle and Hobbs.

The Sergeant at Arms Color Guard consisting of Mr. Endalkachew Abebaw and Miss Jessica Thom, presented the Colors. Miss Madison Leeman led the Senate in the Pledge of Allegiance.

REMARKS BY THE PRESIDENT

President Habib: "Would the Senate please join me in thanking the Senate interns who, as you all know, fill in when the Senate goes late and support all of us here. And then, also, again when we do meet on weekends. Please join me in thanking them for being here on a Saturday morning."

The senate recognized the interns who were stationed around the chamber.

REMARKS BY THE PRESIDENT

President Habib: "It goes without saying, we also deeply appreciate all of the staff who have come to work today to support the Senate in doing its work during what is a crowded and busy and hectic session."

The prayer was offered by Dr. Han E. Zhou, Pastor, Olympia Chinese Christian Church, Lacey.

The President called upon the Secretary to read the journal of the preceding day.

MOTION

On motion of Senator Liias, the reading of the Journal of the previous day was dispensed with and it was approved.

MOTION

On motion of Senator Liias, the Senate advanced to the first order of business.

COMMITTEE ON HEALTH & LONG TERM CARE

Pursuant to Senate Rule 45(13) and without objection, notice was received from the Committee on Health & Long Term Care of the re-referral to the Subcommittee on Behavioral Health of the following measures:

- Second Substitute House Bill No. 1394,
- Second Substitute House Bill No. 1528,
- and Substitute House Bill No. 1826.

MOTION

On motion of Senator Liias, the Senate advanced to the fourth order of business.

MESSAGE FROM THE HOUSE

MR. PRESIDENT:

The House has passed:

- ENGROSSED THIRD SUBSTITUTE HOUSE BILL NO. 1324,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1578,
- ENGROSSED HOUSE BILL NO. 1584,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1692,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1732,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1788,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1794,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2018,
- ENGROSSED HOUSE BILL NO. 2066,

and the same are herewith transmitted.

NONA SNELL, Deputy Chief Clerk

MOTION

On motion of Senator Liias, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

HB 1001 by Representatives Kirby and Vick

AN ACT Relating to service contract providers; amending RCW 48.110.017, 48.110.030, 48.110.055, 48.110.130, and 48.110.902; and adding a new section to chapter 48.110 RCW.

Referred to Committee on Financial Institutions, Economic Development & Trade.

HB 1011 by Representatives Reeves, Barkis, Kilduff, Vick, Ryu, Fitzgibbon, Stanford and Leavitt

AN ACT Relating to improving the accuracy of the residential real estate disclosure statement associated with the Washington right to farm act by providing a more complete description of the scope of RCW 7.48.305 through references related to working forests; amending RCW 64.06.022; and creating new sections.

Referred to Committee on Financial Institutions, Economic Development & Trade.

SHB 1049 by House Committee on Civil Rights & Judiciary (originally sponsored by Macri, Stokesbary, Riccelli, Jinkins, Tharinger, Slatter, Caldier, Appleton, Wylie, Cody, Doglio and Stonier)

AN ACT Relating to health care provider and health care facility whistleblower protections; amending RCW 43.70.075; and adding a new section to chapter 7.71 RCW.

Referred to Committee on Health & Long Term Care.

HB 1061 by Representatives Blake and Walsh

AN ACT Relating to designating the Pacific razor clam as the state clam; adding a new section to chapter 1.20 RCW; and creating a new section.

Referred to Committee on State Government, Tribal Relations & Elections.

HB 1062 by Representatives Blake and Walsh

AN ACT Relating to expanding access to commercial fishing opportunities; and amending RCW 77.65.070 and 77.65.020.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

SHB 1148 by House Committee on Consumer Protection & Business (originally sponsored by Kirby, Vick and Reeves)

AN ACT Relating to architect registration; amending RCW 18.08.310, 18.08.350, and 18.08.360; and reenacting and amending RCW 18.08.320.

Referred to Committee on Labor & Commerce.

HB 1177 by Representatives Stonier, Caldier, Cody and Schmick

AN ACT Relating to creating the dental laboratory registry within the department of health and establishing minimum standards for dental laboratories serving dentists in Washington state; and adding a new chapter to Title 70 RCW.

Referred to Committee on Health & Long Term Care.

SHB 1195 by House Committee on State Government & Tribal Relations (originally sponsored by Hudgins, Walsh, Dolan, Wylie and Pollet)

AN ACT Relating to the efficient administration of campaign finance and public disclosure reporting and enforcement; amending RCW 42.17A.001, 42.17A.055, 42.17A.065, 42.17A.100, 42.17A.105, 42.17A.110, 42.17A.120, 42.17A.125, 42.17A.135, 42.17A.140, 42.17A.205, 42.17A.207, 42.17A.215, 42.17A.225, 42.17A.255, 42.17A.260, 42.17A.265, 42.17A.305, 42.17A.345, 42.17A.420, 42.17A.475, 42.17A.600, 42.17A.605, 42.17A.610, 42.17A.615, 42.17A.630, 42.17A.655, 42.17A.700, 42.17A.710, 42.17A.750, 42.17A.755, 42.17A.765, 42.17A.775, and 42.17A.785; reenacting and amending RCW 42.17A.005, 42.17A.210, 42.17A.230, 42.17A.235, and 42.17A.240; adding a new section to chapter 42.17A RCW; creating a new section; repealing RCW 42.17A.050 and 42.17A.061; providing an effective date; and declaring an emergency.

Referred to Committee on State Government, Tribal Relations & Elections.

2SHB 1216 by House Committee on Appropriations (originally sponsored by Dolan, Harris, Lovick, Doglio, Stonier, Irwin, Senn, Appleton, Kirby, Vick, Bergquist, Riccelli, Fey, Orwall, Griffey, Gregerson, Peterson, Stanford, Frame, Kilduff, Ortiz-Self, Ryu, Valdez, Lekanoff, Sells, Slatter, Thai, Wylie, Callan, Jinkins, Macri, Goodman and Santos)

AN ACT Relating to nonfirearm measures to increase school safety and student well-being; amending RCW 38.52.040, 28A.320.125, 28A.300.273, 28A.300.490, 28A.320.126, and 28A.320.1271; adding new sections to chapter 28A.300 RCW; adding a new section to chapter 28A.310 RCW; adding a new section to chapter 28A.320 RCW; creating new

sections; repealing RCW 28A.310.505; and providing an expiration date.

Referred to Committee on Early Learning & K-12 Education.

HB 1220 by Representatives Dolan, Volz, Cody, Ormsby, Stanford, Appleton and Tharinger

AN ACT Relating to adding a nonvoting representative from the office of the insurance commissioner to the public employees' benefits board; amending RCW 41.05.055; and providing an effective date.

Referred to Committee on State Government, Tribal Relations & Elections.

HB 1285 by Representatives Doglio, Steele, Kirby, Tharinger, Ryu, DeBolt, Volz, Dolan, Frame and Rude

AN ACT Relating to adding the treasurer to the public works board; and amending RCW 43.155.030.

Referred to Committee on State Government, Tribal Relations & Elections.

SHB 1290 by House Committee on Environment & Energy (originally sponsored by Peterson, Barkis, Robinson, Lekanoff, Maycumber and Pollet)

AN ACT Relating to reviews of voluntary cleanups; amending RCW 70.105D.030, 70.105D.070, and 70.105D.110; reenacting and amending RCW 43.84.092; adding a new section to chapter 70.105D RCW; and creating a new section.

Referred to Committee on Environment, Energy & Technology.

SHB 1295 by House Committee on Capital Budget (originally sponsored by Tharinger)

AN ACT Relating to public works contracting procedures; amending RCW 39.10.250, 39.10.270, 39.10.300, 39.10.320, 39.10.330, 39.10.420, 39.10.430, 39.10.440, 39.10.450, and 39.10.470; and reenacting and amending RCW 39.10.210, 42.56.270, and 43.131.408.

Referred to Committee on State Government, Tribal Relations & Elections.

HB 1413 by Representatives Ormsby, Volz and Griffey

AN ACT Relating to an optional life annuity benefit for members of the public employees' retirement system, school employees' retirement system, and public safety employees' retirement system; adding a new section to chapter 41.40 RCW; adding a new section to chapter 41.37 RCW; adding a new section to chapter 41.35 RCW; and providing an effective date.

Referred to Committee on Ways & Means.

HB 1426 by Representatives Ramos, Orcutt, Mead, Walsh, Slatter, Lovick and Leavitt

AN ACT Relating to cooperation between conservation districts; and amending RCW 89.08.220.

Referred to Committee on Local Government.

FIFTY FIFTH DAY, MARCH 9, 2019

2019 REGULAR SESSION

SHB 1430 by House Committee on Appropriations (originally sponsored by MacEwen and Stanford)

AN ACT Relating to the licensing and enforcement system modernization project account; amending RCW 66.08.260; providing an effective date; providing an expiration date; and declaring an emergency.

Referred to Committee on Ways & Means.

HB 1431 by Representatives Kirby and Vick

AN ACT Relating to joint self-insurance programs for property and liability risks; amending RCW 48.62.011, 48.62.031, 48.62.111, and 48.62.121; and adding a new section to chapter 48.62 RCW.

Referred to Committee on Financial Institutions, Economic Development & Trade.

HB 1449 by Representatives Peterson, Chandler, Doglio, Ortiz-Self, Blake, Gregerson, Tharinger, Dolan, Frame, Stanford, Chapman, Fitzgibbon, Davis, Santos, Lovick, Tarleton, Jinkins and Ormsby

AN ACT Relating to recognizing the fourth Saturday of September as public lands day; amending RCW 1.16.050; and creating a new section.

Referred to Committee on State Government, Tribal Relations & Elections.

HB 1499 by Representatives Jenkin and Peterson

AN ACT Relating to authorizing certain public facilities districts to acquire, construct, own, remodel, maintain, equip, reequip, repair, finance, and operate one or more recreational facilities other than a ski area with voter approval; and amending RCW 35.57.020.

Referred to Committee on Local Government.

2SHB 1579 by House Committee on Appropriations (originally sponsored by Fitzgibbon, Peterson, Lekanoff, Doglio, Macri, Stonier, Tharinger, Stanford, Jinkins, Robinson, Pollet, Valdez, Cody, Kloba, Slatter, Frame and Davis)

AN ACT Relating to implementing recommendations of the southern resident killer whale task force related to increasing chinook abundance; amending RCW 77.32.010 and 43.21B.110; adding a new section to chapter 77.08 RCW; adding new sections to chapter 77.55 RCW; creating a new section; repealing RCW 77.55.141 and 77.55.291; and prescribing penalties.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

2SHB 1580 by House Committee on Appropriations (originally sponsored by Blake, Kretz, Kirby, Peterson, Appleton, Shewmake, Morris, Cody and Jinkins)

AN ACT Relating to the protection of southern resident orca whales from vessels; amending RCW 77.15.740 and 43.384.050; adding new sections to chapter 77.65 RCW; adding a new section to chapter 77.15 RCW; creating a new section; prescribing penalties; and declaring an emergency.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

SHB 1594 by House Committee on Labor & Workplace Standards (originally sponsored by Chandler and Chapman)

AN ACT Relating to clarifying the exemption for wiring and equipment associated with telecommunication installations; and amending RCW 19.28.010.

Referred to Committee on Labor & Commerce.

2SHB 1603 by House Committee on Appropriations (originally sponsored by Senn, Entenman, Morgan, Kilduff, Macri, Gregerson, Valdez, Chapman, Wylie, Peterson, Doglio, Tharinger, Bergquist, Robinson, Ortiz-Self, Goodman, Lovick, Jinkins, Leavitt, Hudgins, Pettigrew, Slatter, Appleton, Stanford, Davis, Frame, Pollet, Fey and Tarleton)

AN ACT Relating to revising economic assistance programs by updating standards of need, revising outcome measures and data collected, and reducing barriers to participation; amending RCW 74.08.025, 74.08A.410, 74.08A.411, and 74.08A.250; and creating new sections.

Referred to Committee on Human Services, Reentry & Rehabilitation.

HB 1674 by Representatives Rude, Steele, Santos, Jinkins, Bergquist and Doglio

AN ACT Relating to changing the term alternative learning experience to personalized learning experience; and amending RCW 28A.150.100, 28A.225.020, 28A.225.151, 28A.232.005, 28A.232.010, 28A.232.020, 28A.232.030, 28A.250.070, 28A.340.080, 28A.340.085, 28A.520.020, 28A.525.162, and 28A.525.166.

Referred to Committee on Early Learning & K-12 Education.

SHB 1769 by House Committee on Rural Development, Agriculture, & Natural Resources (originally sponsored by Blake, Chandler and Dent)

AN ACT Relating to a vessel crewmember license; and amending RCW 77.65.610.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

HB 1792 by Representatives Pettigrew and Appleton

AN ACT Relating to criminal penalties applicable to licensed marijuana retailers and employees of marijuana retail outlets; amending RCW 69.50.401 and 69.50.406; adding new sections to chapter 69.50 RCW; and prescribing penalties.

Referred to Committee on Labor & Commerce.

SHB 1798 by House Committee on Consumer Protection & Business (originally sponsored by Ryu, Mosbrucker, Stanford and Pollet)

AN ACT Relating to short-term rentals; adding a new chapter to Title 64 RCW; and prescribing penalties.

Referred to Committee on Financial Institutions, Economic Development & Trade.

HB 1908 by Representatives Graham, Walsh, Griffey, Irwin and Corry

AN ACT Relating to repealing the electronic authentication act; amending RCW 9.38.060, 9A.72.085, 43.07.120, 43.07.173, 48.185.005, 58.09.050, and 58.09.110; and repealing RCW 19.34.010, 19.34.020, 19.34.030, 19.34.040, 19.34.100, 19.34.101, 19.34.110, 19.34.111, 19.34.120, 19.34.130, 19.34.200, 19.34.210, 19.34.220, 19.34.230, 19.34.231, 19.34.240, 19.34.250, 19.34.260, 19.34.270, 19.34.280, 19.34.290, 19.34.291, 19.34.300, 19.34.305, 19.34.310, 19.34.311, 19.34.320, 19.34.321, 19.34.330, 19.34.340, 19.34.350, 19.34.351, 19.34.360, 19.34.400, 19.34.410, 19.34.420, 19.34.500, 19.34.501, 19.34.502, 19.34.503, 19.34.900, 19.34.901, and 43.19.794.

Referred to Committee on State Government, Tribal Relations & Elections.

SHB 1930 by House Committee on Labor & Workplace Standards (originally sponsored by Doglio, Dolan, Jinkins, Reeves, Shewmake, Stanford, Pollet, Macri, Senn and Ormsby)

AN ACT Relating to providing reasonable accommodation for the expression of breast milk in the workplace; and amending RCW 43.10.005.

Referred to Committee on Labor & Commerce.

SHB 1953 by House Committee on Housing, Community Development & Veterans (originally sponsored by Corry, Fitzgibbon, Hoff, Harris, Griffey, McCaslin, Springer, Steele and Graham)

AN ACT Relating to reducing the amount of permits required for recreation at a sno-park; amending RCW 79A.80.060; and creating a new section.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

HB 2035 by Representatives Lovick and Frame

AN ACT Relating to taxes on in-state broadcasters; amending RCW 82.04.280 and 82.32.790; and providing a contingent effective date.

Referred to Committee on Ways & Means.

HB 2119 by Representatives Morris and Lekanoff

AN ACT Relating to the distribution of moneys derived from certain state forestlands; and reenacting and amending RCW 79.64.110.

Referred to Committee on Ways & Means.

MOTION

On motion of Senator Liias, all measures listed on the Introduction and First Reading report were referred to the committees as designated.

MOTION

At 9:15 a.m., on motion of Senator Liias, the Senate was declared to be at ease subject to the call of the President.

Senator McCoy announced a meeting of the Democratic Caucus immediately upon going at ease.

The Senate was called to order at 10:42 a.m. by President Habib.

MOTION

On motion of Senator Liias, the Senate reverted to the fourth order of business.

MESSAGE FROM THE HOUSE

March 8, 2019

MR. PRESIDENT:

The House has passed:

- HOUSE BILL NO. 1026,
- HOUSE BILL NO. 1070,
- SUBSTITUTE HOUSE BILL NO. 1168,
- SUBSTITUTE HOUSE BILL NO. 1239,
- SUBSTITUTE HOUSE BILL NO. 1251,
- SUBSTITUTE HOUSE BILL NO. 1360,
- SUBSTITUTE HOUSE BILL NO. 1377,
- SUBSTITUTE HOUSE BILL NO. 1415,
- HOUSE BILL NO. 1432,
- THIRD SUBSTITUTE HOUSE BILL NO. 1498,
- HOUSE BILL NO. 1548,
- SUBSTITUTE HOUSE BILL NO. 1607,
- HOUSE BILL NO. 1676,
- SUBSTITUTE HOUSE BILL NO. 1686,
- HOUSE BILL NO. 1753,
- SUBSTITUTE HOUSE BILL NO. 1856,
- SUBSTITUTE HOUSE BILL NO. 1865,
- SECOND SUBSTITUTE HOUSE BILL NO. 1907,
- HOUSE BILL NO. 2038,
- SUBSTITUTE HOUSE BILL NO. 2049,

and the same are herewith transmitted.

NONA SNELL, Deputy Chief Clerk

MOTION

On motion of Senator Liias, the Senate advanced to the seventh order of business.

THIRD READING
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Holy moved that Debra Entenman, Senate Gubernatorial Appointment No. 9029, be confirmed as a member of the Renton Technical College Board of Trustees.

Senators Holy and Das spoke in favor of passage of the motion.

MOTION

On motion of Senator Rivers, Senator Bailey was excused.

MOTION

On motion of Senator Wilson, C., Senators Carlyle and Hobbs were excused.

APPOINTMENT OF DEBRA ENTENMAN

The President declared the question before the Senate to be the confirmation of Debra Entenman, Senate Gubernatorial Appointment No. 9029, as a member of the Renton Technical College Board of Trustees.

MOTION

On motion of Senator Liias, the Senate reverted to the sixth order of business.

The Secretary called the roll on the confirmation of Debra Entenman, Senate Gubernatorial Appointment No. 9029, as a member of the Renton Technical College Board of Trustees and the appointment was confirmed by the following vote: Yeas, 45; Nays, 0; Absent, 1; Excused, 3.

SECOND READING

SENATE BILL NO. 5091, by Senators Wellman, Conway, Darneille, Wilson, C., Kuderer and Takko

Voting yea: Senators Becker, Billig, Braun, Brown, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, Mullet, Nguyen, O’Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Concerning state and federal special education funding.

MOTION

On motion of Senator Wellman, Second Substitute Senate Bill No. 5091 was substituted for Senate Bill No. 5091 and the substitute bill was placed on the second reading and read the second time.

Absent: Senator McCoy

Excused: Senators Bailey, Carlyle and Hobbs

MOTION

Debra Entenman, Senate Gubernatorial Appointment No. 9029, having received the constitutional majority was declared confirmed as a member of the Renton Technical College Board of Trustees.

Senator Wellman moved that the following amendment no. 187 by Senator Wellman be adopted:

REMARKS BY THE PRESIDENT

President Habib: “Ladies and Gentleman, I want to bring attention to a very special, a very special ... It’s a very special day for us here, not only because it’s Saturday and here we are convened as a Senate and not only because it’s the twenty second anniversary of the passing of The Notorious B.I.G. but, more importantly than all of that, it is the birthday of one Senator Tim Sheldon. And just think of, think about what level of commitment it takes to spend your birthday here doing the hard work of the people.”

On page 6, line 14, after “1.15;” strike “and” and insert “((and))”

On page 6, line 18, after “1.00” insert “, and (c) A district’s annual average full-time equivalent enrollment of students with disabilities in institutional education programs under chapters 28A.190, 28A.193, and 28A.194 RCW, multiplied by the district’s base allocation per full-time equivalent student, multiplied by 1.00”

PERSONAL PRIVILEGE

Senator Sheldon: “All I have to say is it does not end in a ‘5’ or a ‘0,’ so. ... My mom always said that was really a good birthday when that happens.”

On page 6, line 34, after “kindergarten” insert “and students enrolled in institutional education programs”

On page 6, after line 38, insert the following: “(4) School districts must distribute the allocation provided under subsection (2)(c) of this section to the institutional program that generated the funding.”

REPLY BY THE PRESIDENT

President Habib: “Let’s give Senator Sheldon our applause for making it one more year here in the Senate.”

Senators Wellman and Braun spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 187 by Senator Wellman on page 6, line 14 to Second Substitute Senate Bill No. 5091.

The motion by Senator Wellman carried and amendment no. 187 was adopted by voice vote.

PERSONAL PRIVILEGE

The senate recognized Senator Sheldon on the occasion of the anniversary of his birth and performed a rendition of “*Happy Birthday.*”

MOTION

Senator Wellman moved that the following amendment no. 173 by Senator Wellman be adopted:

On page 7, beginning on line 23, after “conduct a” strike all material through “February” on line 24 and insert “financial or accountability audit of each school district by June”

On page 7, line 27, after “district,” insert “and”
On page 7, beginning on line 29, after “district” strike all material through “dollars” on line 34

On page 7, line 36, after “the” strike “performance audit” and insert “audits”

REPLY BY THE PRESIDENT

President Habib: “As with carbon dating, as they, as they go back, they will just find different layers of partisan affiliation, one underneath the other.”

Senator Wellman spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 173 by Senator Wellman on page 7, line 23 to Second Substitute Senate Bill No. 5091.

The motion by Senator Wellman carried and amendment no. 173 was adopted by voice vote.

MOTION

On motion of Senator Wellman, the rules were suspended, Engrossed Second Substitute Senate Bill No. 5091 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wellman, Braun, Short and Conway spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 5091.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5091 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Senators Becker, Billig, Braun, Brown, Cleveland, Conway, Darneille, Das, Dhingra, Erickson, Fortunato, Frockt, Hasegawa, Hawkins, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senators Bailey, Carlyle and Hobbs

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5091, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5532, by Senators Braun, Rolfes, Fortunato, Wagoner and Zeiger

Concerning special education.

MOTIONS

On motion of Senator Braun, Substitute Senate Bill No. 5532 was substituted for Senate Bill No. 5532 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Braun, the rules were suspended, Substitute Senate Bill No. 5532 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Braun and Wellman spoke in favor of passage of the bill.

REMARKS BY THE PRESIDENT

President Habib: "Senator Wellman. Senator Wellman, let me stop you. I'm so sorry to interrupt you Senator. Just one moment. We have, there's someone in the gallery who's taking photos which is not permitted in the senate chambers. So we're going to ask that person to stop doing that and will, if necessary, clear the galleries. It's not permitted to do that and it's a distraction. It's against the rules of the senate. Senator Wellman please continue."

President Pro Tempore Keiser assumed the chair.

Senator Frockt spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5532.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5532 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Senators Becker, Billig, Braun, Brown, Cleveland, Conway, Darneille, Das, Dhingra, Erickson, Fortunato, Frockt, Hasegawa, Hawkins, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senators Bailey, Carlyle and Hobbs

SUBSTITUTE SENATE BILL NO. 5532, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

REMARKS BY SENATOR LIAS

Senator Liias: "Thank you Madam President. Just for the information of members, Governor Inslee left Washington a little bit earlier than we had been notified this morning, and so Lieutenant Governor Habib is presently the Acting Governor and as such ineligible to preside over the Senate this morning. So, we will reconsider final passage on the gubernatorial appointment that we approved and on the special education the first special education funding bill. I'll remind members that both passed unanimously. We don't need to redo the debate. We're just going to redo the votes to ensure that we are complying with the provisions of the Constitution and we will all work with the Governor's team to make sure we know more clearly exactly when he's left the boundaries of the state of Washington so we don't have this repeat."

MOTION FOR IMMEDIATE RECONSIDERATION

On motion of Senator Liias, and without objection, the vote by which Senate Gubernatorial Appointment No. 9029 was confirmed by the senate was immediately reconsidered.

The President declared the question before the Senate to be the confirmation of Debra Entenman, Senate Gubernatorial Appointment No. 9029 on reconsideration, as a member of the Renton Technical College Board of Trustees.

ROLL CALL

The Secretary called the roll on reconsideration of the confirmation of Debra Entenman, Senate Gubernatorial Appointment No. 9029, as a member of the Renton Technical College Board of Trustees and the appointment was confirmed by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Senators Becker, Billig, Braun, Brown, Cleveland, Conway, Darneille, Das, Dhingra, Erickson, Fortunato, Frockt, Hasegawa, Hawkins, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban,

FIFTY FIFTH DAY, MARCH 9, 2019

2019 REGULAR SESSION

Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Padden and Cleveland on page 3, line 33 to Substitute Senate Bill No. 5688.

The motion by Senator Padden carried and amendment no. 217 was adopted by voice vote.

Excused: Senators Bailey, Carlyle and Hobbs

Debra Entenman, Senate Gubernatorial Appointment No. 9029, having received the constitutional majority was declared confirmed on reconsideration as a member of the Renton Technical College Board of Trustees.

MOTION

On motion of Senator Cleveland, the rules were suspended, Engrossed Substitute Senate Bill No. 5688 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

MOTION FOR IMMEDIATE RECONSIDERATION

Senator Cleveland spoke in favor of passage of the bill.

On motion of Senator Lias and without objection, the vote by which Engrossed Second Substitute Senate Bill No. 5091 passed the senate was immediately reconsidered.

The President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5688.

The President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 5091 on reconsideration.

ROLL CALL

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5688 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 1; Absent, 0; Excused, 3.

The Secretary called the roll on reconsideration of the final passage of Engrossed Second Substitute Senate Bill No. 5091 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Senators Becker, Billig, Braun, Brown, Cleveland, Conway, Darneille, Das, Dhingra, Fortunato, Frockt, Hasegawa, Hawkins, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Lias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting yea: Senators Becker, Billig, Braun, Brown, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Lias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senator Ericksen

Excused: Senators Bailey, Carlyle and Hobbs

Excused: Senators Bailey, Carlyle and Hobbs

ENGROSSED SUBSTITUTE SENATE BILL NO. 5688, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5091, having received the constitutional majority, was declared passed on reconsideration. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SECOND READING

SENATE BILL NO. 5635, by Senators Brown, Bailey, Rivers, Walsh, Becker, King, Warnick, Frockt, Wilson, L., Hasegawa, Zeiger and O'Ban

SENATE BILL NO. 5688, by Senators Cleveland, Walsh and Becker

Expanding opportunities for students to pursue mental and behavioral health professions.

Concerning athletic trainers.

The measure was read the second time.

MOTION

MOTION

On motion of Senator Cleveland, Substitute Senate Bill No. 5688 was substituted for Senate Bill No. 5688 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Brown, the rules were suspended, Senate Bill No. 5635 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

MOTION

Senator Brown and Palumbo spoke in favor of passage of the bill.

Senator Padden moved that the following amendment no. 217 by Senators Padden and Cleveland be adopted:

The President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5635.

On page 3 line 33 strike “trainer.”

ROLL CALL

Senator Padden spoke in favor of adoption of the amendment. The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 217 by Senators

The Secretary called the roll on the final passage of Senate Bill No. 5635 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Senators Becker, Billig, Braun, Brown, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senators Bailey, Carlyle and Hobbs

SENATE BILL NO. 5635, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5600, by Senators Kuderer, Das, Nguyen, Frockt, Cleveland, Darneille, Saldaña, Hasegawa, Wilson, C., Conway, Randall, Wellman, Keiser, Hunt, Pedersen and Liias

Concerning residential tenant protections.

MOTION

On motion of Senator Kuderer, Substitute Senate Bill No. 5600 was substituted for Senate Bill No. 5600 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Kuderer moved that the following striking amendment no. 318 by Senator Kuderer be adopted:

Strike everything after the enacting clause and insert the following:

“**Sec. 1.** RCW 59.12.030 and 1998 c 276 s 6 are each amended to read as follows:

A tenant of real property for a term less than life is (~~guilty of~~) liable for unlawful detainer either:

(1) When he or she holds over or continues in possession, in person or by subtenant, of the property or any part thereof, after the expiration of the term for which it is let to him or her. When real property is leased for a specified term or period by express or implied contract, whether written or oral, the tenancy shall be terminated without notice at the expiration of the specified term or period;

(2) When he or she, having leased property for an indefinite time with monthly or other periodic rent reserved, continues in possession thereof, in person or by subtenant, after the end of any such month or period, when the landlord, more than twenty days prior to the end of such month or period, has served notice (in manner in RCW 59.12.040 provided) requiring him or her to quit the premises at the expiration of such month or period;

(3) When he or she continues in possession in person or by subtenant after a default in the payment of rent, and after notice in writing requiring in the alternative the payment of the rent or the surrender of the detained premises, served (in manner in RCW 59.12.040 provided) in behalf of the person entitled to the rent upon the person owing it, has remained uncomplished with for the period of three days after service thereof, or for the period of fourteen days after service for tenancies under chapter 59.18 RCW. The notice may be served at any time after the rent becomes due. For the purposes of this subsection and as applied to tenancies under chapter 59.18 RCW, “rent” has the same meaning as defined in RCW 59.18.030;

(4) When he or she continues in possession in person or by subtenant after a neglect or failure to keep or perform any (~~other~~) condition or covenant of the lease or agreement under which the property is held, including any covenant not to assign or sublet, other than one for the payment of rent, and after notice in writing requiring in the alternative the performance of such condition or covenant or the surrender of the property, served (in manner in RCW 59.12.040 provided) upon him or her, and if there is a subtenant in actual possession of the premises, also upon such subtenant, shall remain uncomplished with for ten days after service thereof. Within ten days after the service of such notice the tenant, or any subtenant in actual occupation of the premises, or any mortgagee of the term, or other person interested in its continuance, may perform such condition or covenant and thereby save the lease from such forfeiture. For the purposes of this subsection and as applied to tenancies under chapter 59.18 RCW, “rent” has the same meaning as defined in RCW 59.18.030;

(5) When he or she commits or permits waste upon the demised premises, or when he or she sets up or carries on thereon any unlawful business, or when he or she erects, suffers, permits, or maintains on or about the premises any nuisance, and remains in possession after the service (in manner in RCW 59.12.040 provided) upon him or her of three days’ notice to quit;

(6) A person who, without the permission of the owner and without having color of title thereto, enters upon land of another and who fails or refuses to remove therefrom after three days’ notice, in writing and served upon him or her in the manner provided in RCW 59.12.040. Such person may also be subject to the criminal provisions of chapter 9A.52 RCW; or

(7) When he or she commits or permits any gang-related activity at the premises as prohibited by RCW 59.18.130.

NEW SECTION. Sec. 2. A new section is added to chapter 59.18 RCW to read as follows:

Every fourteen-day notice served pursuant to RCW 59.12.030(3) must be in substantially the following form:

“FOURTEEN-DAY NOTICE TO PAY RENT OR VACATE THE PREMISES

You are receiving the attached notice because the landlord alleges you are not in compliance with the terms of the lease agreement by failing to pay rent and/or utilities and/or recurring or periodic charges that are past due.

(1) Monthly rent due for (list month(s)): \$ (dollar amount) AND/OR

(2) Utilities due for (list month(s)): \$ (dollar amount) AND/OR

(3) Other recurring or periodic charges identified in the lease for (list month(s)): \$ (dollar amount)
TOTAL AMOUNT DUE: \$ (dollar amount)

Note - payment must be by cash, cashier’s check, money order, or certified funds.

You must pay the total amount due to your landlord within fourteen (14) days after receipt of this notice or you must vacate the premises. Any payment you make to the landlord must first be applied to the total amount due as shown on this notice. Any failure to comply with this notice within fourteen (14) days after receipt of this notice may result in a judicial proceeding that leads to your eviction from the premises.

The Washington state Attorney General’s Office has this notice in multiple languages on its website. You will also find information there on how to find a lawyer or advocate at low or no cost and any available resources to help pay your rent. Alternatively, call 2-1-1 to learn about these services.

State law provides you the right to receive interpreter services at court.

OWNER/LANDLORD: _____ DATE: _____
WHERE TOTAL AMOUNT DUE IS TO BE PAID:
 _____ (owner/landlord name) _____
 _____ (address) _____”

NEW SECTION. Sec. 3. A new section is added to chapter 59.18 RCW to read as follows:

(1) The attorney general’s office shall produce and maintain on its web site translated versions of the notice under section 2 of this act in the top ten languages spoken in Washington state and, at the discretion of the attorney general’s office, other languages. The notice must be made available upon request in printed form on one letter size paper, eight and one-half by eleven inches, and in an easily readable font size.

(2) The attorney general’s office shall also provide on its web site information on where tenants can access legal or advocacy resources, including information on any immigrant and cultural organizations where tenants can receive assistance in their primary language.

Sec. 4. RCW 59.18.030 and 2016 c 66 s 1 are each reenacted and amended to read as follows:

As used in this chapter:

(1) “Certificate of inspection” means an unsworn statement, declaration, verification, or certificate made in accordance with the requirements of RCW 9A.72.085 by a qualified inspector that states that the landlord has not failed to fulfill any substantial obligation imposed under RCW 59.18.060 that endangers or impairs the health or safety of a tenant, including (a) structural members that are of insufficient size or strength to carry imposed loads with safety, (b) exposure of the occupants to the weather, (c) plumbing and sanitation defects that directly expose the occupants to the risk of illness or injury, (d) not providing facilities adequate to supply heat and water and hot water as reasonably required by the tenant, (e) providing heating or ventilation systems that are not functional or are hazardous, (f) defective, hazardous, or missing electrical wiring or electrical service, (g) defective or hazardous exits that increase the risk of injury to occupants, and (h) conditions that increase the risk of fire.

(2) “Commercially reasonable manner,” with respect to a sale of a deceased tenant’s personal property, means a sale where every aspect of the sale, including the method, manner, time, place, and other terms, must be commercially reasonable. If commercially reasonable, a landlord may sell the tenant’s property by public or private proceedings, by one or more contracts, as a unit or in parcels, and at any time and place and on any terms.

(3) “Comprehensive reusable tenant screening report” means a tenant screening report prepared by a consumer reporting agency at the direction of and paid for by the prospective tenant and made available directly to a prospective landlord at no charge, which contains all of the following: (a) A consumer credit report prepared by a consumer reporting agency within the past thirty days; (b) the prospective tenant’s criminal history; (c) the prospective tenant’s eviction history; (d) an employment verification; and (e) the prospective tenant’s address and rental history.

(4) “Criminal history” means a report containing or summarizing (a) the prospective tenant’s criminal convictions and pending cases, the final disposition of which antedates the report by no more than seven years, and (b) the results of a sex offender registry and United States department of the treasury’s office of foreign assets control search, all based on at least seven

years of address history and alias information provided by the prospective tenant or available in the consumer credit report.

(5) “Designated person” means a person designated by the tenant under RCW 59.18.590.

(6) “Distressed home” has the same meaning as in RCW 61.34.020.

(7) “Distressed home conveyance” has the same meaning as in RCW 61.34.020.

(8) “Distressed home purchaser” has the same meaning as in RCW 61.34.020.

(9) “Dwelling unit” is a structure or that part of a structure which is used as a home, residence, or sleeping place by one person or by two or more persons maintaining a common household, including but not limited to single-family residences and units of multiplexes, apartment buildings, and mobile homes.

(10) “Eviction history” means a report containing or summarizing the contents of any records of unlawful detainer actions concerning the prospective tenant that are reportable in accordance with state law, are lawful for landlords to consider, and are obtained after a search based on at least seven years of address history and alias information provided by the prospective tenant or available in the consumer credit report.

(11) “Gang” means a group that: (a) Consists of three or more persons; (b) has identifiable leadership or an identifiable name, sign, or symbol; and (c) on an ongoing basis, regularly conspires and acts in concert mainly for criminal purposes.

(12) “Gang-related activity” means any activity that occurs within the gang or advances a gang purpose.

(13) “In danger of foreclosure” means any of the following:

(a) The homeowner has defaulted on the mortgage and, under the terms of the mortgage, the mortgagee has the right to accelerate full payment of the mortgage and repossess, sell, or cause to be sold the property;

(b) The homeowner is at least thirty days delinquent on any loan that is secured by the property; or

(c) The homeowner has a good faith belief that he or she is likely to default on the mortgage within the upcoming four months due to a lack of funds, and the homeowner has reported this belief to:

(i) The mortgagee;

(ii) A person licensed or required to be licensed under chapter 19.134 RCW;

(iii) A person licensed or required to be licensed under chapter 19.146 RCW;

(iv) A person licensed or required to be licensed under chapter 18.85 RCW;

(v) An attorney-at-law;

(vi) A mortgage counselor or other credit counselor licensed or certified by any federal, state, or local agency; or

(vii) Any other party to a distressed property conveyance.

(14) “Landlord” means the owner, lessor, or sublessor of the dwelling unit or the property of which it is a part, and in addition means any person designated as representative of the owner, lessor, or sublessor including, but not limited to, an agent, a resident manager, or a designated property manager.

(15) “Mortgage” is used in the general sense and includes all instruments, including deeds of trust, that are used to secure an obligation by an interest in real property.

(16) “Owner” means one or more persons, jointly or severally, in whom is vested:

(a) All or any part of the legal title to property; or

(b) All or part of the beneficial ownership, and a right to present use and enjoyment of the property.

(17) “Person” means an individual, group of individuals, corporation, government, or governmental agency, business trust,

estate, trust, partnership, or association, two or more persons having a joint or common interest, or any other legal or commercial entity.

(18) "Premises" means a dwelling unit, appurtenances thereto, grounds, and facilities held out for the use of tenants generally and any other area or facility which is held out for use by the tenant.

(19) "Property" or "rental property" means all dwelling units on a contiguous quantity of land managed by the same landlord as a single, rental complex.

(20) "Prospective landlord" means a landlord or a person who advertises, solicits, offers, or otherwise holds a dwelling unit out as available for rent.

(21) "Prospective tenant" means a tenant or a person who has applied for residential housing that is governed under this chapter.

(22) "Qualified inspector" means a United States department of housing and urban development certified inspector; a Washington state licensed home inspector; an American society of home inspectors certified inspector; a private inspector certified by the national association of housing and redevelopment officials, the American association of code enforcement, or other comparable professional association as approved by the local municipality; a municipal code enforcement officer; a Washington licensed structural engineer; or a Washington licensed architect.

(23) "Reasonable attorneys' fees," where authorized in this chapter, means an amount to be determined including the following factors: The time and labor required, the novelty and difficulty of the questions involved, the skill requisite to perform the legal service properly, the fee customarily charged in the locality for similar legal services, the amount involved and the results obtained, and the experience, reputation and ability of the lawyer or lawyers performing the services.

(24) "Reasonable manner," with respect to disposing of a deceased tenant's personal property, means to dispose of the property by donation to a not-for-profit charitable organization, by removal of the property by a trash hauler or recycler, or by any other method that is reasonable under the circumstances.

(25) "Rent" or "rental amount" means recurring and periodic charges identified in the rental agreement for the use and occupancy of the premises, which may include charges for utilities. These terms do not include nonrecurring charges for costs incurred due to late payment, damages, deposits, legal costs, or other fees, including attorneys' fees.

(26) "Rental agreement" means all agreements which establish or modify the terms, conditions, rules, regulations, or any other provisions concerning the use and occupancy of a dwelling unit.

~~((26))~~ (27) A "single-family residence" is a structure maintained and used as a single dwelling unit. Notwithstanding that a dwelling unit shares one or more walls with another dwelling unit, it shall be deemed a single-family residence if it has direct access to a street and shares neither heating facilities nor hot water equipment, nor any other essential facility or service, with any other dwelling unit.

~~((27))~~ (28) A "tenant" is any person who is entitled to occupy a dwelling unit primarily for living or dwelling purposes under a rental agreement.

~~((28))~~ (29) "Tenant representative" means:

(a) A personal representative of a deceased tenant's estate if known to the landlord;

(b) If the landlord has no knowledge that a personal representative has been appointed for the deceased tenant's estate, a person claiming to be a successor of the deceased tenant who has provided the landlord with proof of death and an affidavit made by the person that meets the requirements of RCW 11.62.010(2);

(c) In the absence of a personal representative under (a) of this subsection or a person claiming to be a successor under (b) of this subsection, a designated person; or

(d) In the absence of a personal representative under (a) of this subsection, a person claiming to be a successor under (b) of this subsection, or a designated person under (c) of this subsection, any person who provides the landlord with reasonable evidence that he or she is a successor of the deceased tenant as defined in RCW 11.62.005. The landlord has no obligation to identify all of the deceased tenant's successors.

~~((29))~~ (30) "Tenant screening" means using a consumer report or other information about a prospective tenant in deciding whether to make or accept an offer for residential rental property to or from a prospective tenant.

~~((30))~~ (31) "Tenant screening report" means a consumer report as defined in RCW 19.182.010 and any other information collected by a tenant screening service.

NEW SECTION. Sec. 5. A new section is added to chapter 59.18 RCW to read as follows:

Under this chapter:

(1) A landlord must first apply any payment made by a tenant toward rent before applying any payment toward late payments, damages, legal costs, or other fees, including attorneys' fees.

(2) Except as provided in RCW 59.18.410, the tenant's right to possession of the premises may not be conditioned on a tenant's payment or satisfaction of any monetary amount other than rent. However, this does not foreclose a landlord from pursuing other lawful remedies to collect late payments, legal costs, or other fees, including attorneys' fees.

Sec. 6. RCW 59.18.410 and 2011 c 132 s 20 are each amended to read as follows:

(1) If upon the trial the verdict of the jury or, if the case be tried without a jury, the finding of the court be in favor of the ~~((plaintiff))~~ landlord and against the ~~((defendant))~~ tenant, judgment shall be entered for the restitution of the premises; and if the proceeding be for unlawful detainer after neglect or failure to perform any condition or covenant of a lease or agreement under which the property is held, or after default in the payment of rent, the judgment shall also declare the forfeiture of the lease, agreement, or tenancy. The jury, or the court, if the proceedings be tried without a jury, shall also assess the damages arising out of the tenancy occasioned to the ~~((plaintiff))~~ landlord by any forcible entry, or by any forcible or unlawful detainer, alleged in the complaint and proved on the trial, and, if the alleged unlawful detainer be after default in the payment of rent, find the amount of any rent due, and the judgment shall be rendered against the ~~((defendant guilty of))~~ tenant liable for the forcible entry, forcible detainer, or unlawful detainer for the amount of damages thus assessed ~~((and))~~, for the rent, if any, found due, and late fees if such fees are due under the lease and do not exceed seventy-five dollars in total. In addition to the amount awarded under this subsection, the court may award statutory costs and reasonable ~~((attorney's))~~ attorneys' fees. However, the court shall not award attorneys' fees when judgment is entered after default for failure to appear, if the total amount of rent awarded in the judgment for rent is equal to or less than two months of the tenant's monthly contract rent or if the total amount of rent awarded in the judgment is less than one thousand two hundred dollars. In all cases, if a tenant seeks a stay pursuant to subsection (3) of this section after a default in the payment of rent, the court may award attorneys' fees only if the tenant prevails on the motion subject to the provisions of subsection (3) of this section, in which case the attorneys' fees may be included as a part of the tenant's right to reinstatement. No attorneys' fees may be awarded against the

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tenant if the landlord prevails at the hearing under subsection (3) of this section.

(2) When the ~~(proceeding)~~ tenant is liable for ~~((an))~~ unlawful detainer after a default in the payment of rent, ~~((and the lease or agreement under which the rent is payable has not by its terms expired,))~~ execution upon the judgment shall not be issued until the expiration of five court days after the entry of the judgment ~~((; within which)),~~ Before such time, the tenant or any subtenant, or any mortgagee of the term, or other party interested in the continuance of the tenancy, may pay into court ~~((for))~~ or to the landlord the amount of the ~~((judgment and costs, and thereupon the judgment shall be satisfied and the))~~ rent due, any court costs incurred at the time of payment, late fees if such fees are due under the lease and do not exceed seventy-five dollars in total, and attorneys' fees if awarded under this section, in which event any judgment issued shall be satisfied and the tenant shall be restored to his or her tenancy ~~((; but)),~~ The tenant shall tender an additional fifty dollars for each time the tenant was reinstated pursuant to this subsection or subsection (3) of this section within the previous twelve months prior to payment. If payment ~~((; as herein provided, be))~~ of the amount specified in this section is not made within five court days after the judgment, the judgment may be enforced for its full amount and for the possession of the premises.

(3)(a) Following the entry of a judgment in favor of the landlord and against the tenant for the restitution of the premises and forfeiture of the tenancy due to nonpayment of rent, the court, at the time of the show cause hearing or trial, or upon subsequent motion of the tenant but before the execution of the writ of restitution, may stay or vacate the writ of restitution upon good cause and on such terms that the court deems fair and just for both parties. In making this decision, the court shall consider the following factors:

(i) Evidence or lack of evidence of the tenant's willful or intentional default or intentional failure to pay rent;

(ii) Evidence that nonpayment of the rent was caused by exigent circumstances that were beyond the tenant's control and that are not likely to recur;

(iii) The tenant's ability to timely pay the judgment;

(iv) The tenant's payment history;

(v) The tenant is otherwise in substantial compliance with the rental agreement;

(vi) The relative burden on the parties resulting from reinstatement or refusal to reinstate;

(vii) Conduct related to other notices served contemporaneously with the notice to pay or vacate regardless of whether the other notices were part of the court's judgment; and

(viii) Whether the landlord can obtain disbursement from the landlord mitigation program as provided in RCW 43.31.605.

(b) The burden of proof for such relief under this subsection shall be on the tenant. If the tenant seeks relief pursuant to this subsection (3) at the time of the show cause hearing, the court shall hear the matter at the time of the show cause hearing or as expeditiously as possible as to avoid unnecessary delay or hardship on the parties. The court may issue an order pursuant to this subsection upon appropriate terms, which may include the payment or severing of all or part of the monetary judgment. Any severing of the judgment shall not preclude the landlord from pursuing other lawful remedies to collect the remainder of the judgment.

(c) In any order issued pursuant to this subsection (3):

(i) The court shall not stay the writ more than three months from the date of judgment, but may order repayment of the balance within such time;

(ii) The court shall require the tenant to tender to the landlord or deposit with the court one month's rent within five court days of the order, before which the sheriff may serve the writ of restitution upon the tenant for its execution in the event of default in the payment of the amount stated in this subsection (3)(c)(ii); however, the sheriff shall not execute upon the writ of restitution until after expiration of five court days in order for payment to be made pursuant to this subsection (3)(c)(ii).

(iii) In the event payment is timely made within (c)(ii) of this subsection, the writ of restitution shall be stayed without further order of the court in order for the tenant to make any remaining payment pursuant to the court order; in the event of default in payment by the tenant, the court shall require the sheriff to serve the writ of restitution again upon the tenant before execution of the writ of restitution or, in lieu of reservice of the writ by the sheriff, require the landlord to serve a notice of default in accordance with RCW 59.12.040 informing the tenant that he or she has defaulted on the payment plan arranged by the court and has three calendar days from the date of service to vacate the premises before the sheriff may execute the writ of restitution. If the landlord serves the notice of default described under this subsection (3)(c)(iii), an additional day shall not be included in calculating the time before the sheriff may execute the writ of restitution.

(iv) A tenant who seeks to satisfy a condition of this subsection (3)(c) by relying on an emergency rental assistance program provided by a government or nonprofit entity may stay the writ of restitution upon sufficient documentation to readily pay any balance set forth by the court order. The court shall stay the writ of restitution as necessary to afford the tenant an opportunity to satisfy the condition by the court.

(v) If payment to the court cannot be made due to the means of payment by the tenant, the court may order payment to be made directly to the landlord or landlord's agent.

(vi) The court shall extend the writ of restitution as necessary to enforce the order in the event of default.

(d) A tenant who has been served with three or more notices to pay or vacate for failure to pay rent as set forth in RCW 59.12.040 within twelve months prior to the notice to pay or vacate upon which the proceeding is based may not seek relief under this subsection (3).

(e)(i) If, at a hearing pursuant to this subsection (3), the landlord indicates that he or she will submit an application to the landlord mitigation program under RCW 43.31.605 in order to satisfy the outstanding judgment, the court shall restore the tenancy. The court shall then render an order sustaining the judgment for the landlord, denying or vacating the writ of restitution, in order for payment to be made to the landlord from the landlord mitigation program, and indicating that the landlord is entitled to disbursement from the landlord mitigation program for the amount entered within the judgment subject to the availability of amounts appropriated for this specific purpose. The monetary judgment entered pursuant to subsection (1) of this section remains in effect pending disbursement under this subsection (3)(e).

(ii) If the department of commerce fails to disburse payment to the landlord for the judgment pursuant to this subsection (3)(e), the landlord may renew an application for a writ of restitution pursuant to RCW 59.18.370 and for other rent owed by the tenant since the time of entry of the prior judgment. In such event, the tenant may exercise rights afforded under this section.

(iii) Upon payment by the department of commerce to the landlord for the amount of the judgment, the judgment is satisfied.

(4) In all other cases the judgment may be enforced immediately. If writ of restitution shall have been executed prior

to judgment no further writ or execution for the premises shall be required.

(5) This section also applies if the writ of restitution is issued pursuant to a final judgment entered after a show cause hearing conducted in accordance with RCW 59.18.380.

Sec. 7. RCW 59.18.390 and 2011 c 132 s 19 are each amended to read as follows:

(1) The sheriff shall, upon receiving the writ of restitution, forthwith serve a copy thereof upon the ~~((defendant))~~ tenant, his or her agent, or attorney, or a person in possession of the premises, and shall not execute the same for three days thereafter ~~((and the defendant, or person in possession of the premises within three days after the service of the writ of restitution may execute to the plaintiff a bond to be filed with and approved by the clerk of the court in such sum as may be fixed by the judge, with sufficient surety to be approved by the clerk of the court, conditioned that they will pay to the plaintiff such sum as the plaintiff may recover for the use and occupation of the premises, or any rent found due, together with all damages the plaintiff may sustain by reason of the defendant occupying or keeping possession of the premises, together with all damages which the court theretofore has awarded to the plaintiff as provided in this chapter, and also all the costs of the action. If the writ of restitution was issued after alternative service provided for in RCW 59.18.055, the court shall determine the amount of the bond after considering the rent claimed and any other factors the court deems relevant. The plaintiff, his or her agent or attorneys, shall have notice of the time and place where the court or judge thereof shall fix the amount of the defendant's bond, and shall have notice and a reasonable opportunity to examine into the qualification and sufficiency of the sureties upon the bond before the bond shall be approved by the clerk)).~~ After the issuance of a writ of restitution, acceptance of a payment by the landlord ~~((or plaintiff))~~ that only partially satisfies the judgment will not invalidate the writ unless pursuant to a written agreement executed by both parties. The eviction will not be postponed or stopped unless a copy of that written agreement is provided to the sheriff. It is the responsibility of the tenant ~~((or defendant))~~ to ensure a copy of the agreement is provided to the sheriff. Upon receipt of the agreement, the sheriff will cease action unless ordered to do otherwise by the court. The writ of restitution and the notice that accompanies the writ of restitution required under RCW 59.18.312 shall conspicuously state in bold face type, all capitals, not less than twelve points information about partial payments as set forth in subsection (2) of this section. If the writ of restitution has been based upon a finding by the court that the tenant, subtenant, sublessee, or a person residing at the rental premises has engaged in drug-related activity or has allowed any other person to engage in drug-related activity at those premises with his or her knowledge or approval, neither the tenant ~~((the defendant))~~ nor a person in possession of the premises shall be entitled to post a bond in order to retain possession of the premises. The writ may be served by the sheriff, in the event he or she shall be unable to find the ~~((defendant))~~ tenant, an agent or attorney, or a person in possession of the premises, by affixing a copy of the writ in a conspicuous place upon the premises: PROVIDED, That the sheriff shall not require any bond for the service or execution of the writ. The sheriff shall be immune from all civil liability for serving and enforcing writs of restitution unless the sheriff is grossly negligent in carrying out his or her duty.

(2) The notice accompanying a writ of restitution required under RCW 59.18.312 shall be substantially similar to the following:

IMPORTANT NOTICE - PARTIAL PAYMENTS

YOUR LANDLORD'S ACCEPTANCE OF A PARTIAL PAYMENT FROM YOU AFTER SERVICE OF THIS WRIT OF RESTITUTION WILL NOT AUTOMATICALLY POSTPONE OR STOP YOUR EVICTION. IF YOU HAVE A WRITTEN AGREEMENT WITH YOUR LANDLORD THAT THE EVICTION WILL BE POSTPONED OR STOPPED, IT IS YOUR RESPONSIBILITY TO PROVIDE A COPY OF THE AGREEMENT TO THE SHERIFF. THE SHERIFF WILL NOT CEASE ACTION UNLESS YOU PROVIDE A COPY OF THE AGREEMENT. AT THE DIRECTION OF THE COURT THE SHERIFF MAY TAKE FURTHER ACTION.

Sec. 8. RCW 59.18.365 and 2008 c 75 s 1 are each amended to read as follows:

(1) The summons must contain the names of the parties to the proceeding, the attorney or attorneys if any, the court in which the same is brought, the nature of the action, in concise terms, and the relief sought, and also the return day; and must notify the defendant to appear and answer within the time designated or that the relief sought will be taken against him or her. The summons must contain a street address for service of the notice of appearance or answer and, if available, a facsimile number for the plaintiff or the plaintiff's attorney, if represented. The summons must be served and returned in the same manner as a summons in other actions is served and returned.

(2) A defendant may serve a copy of an answer or notice of appearance by any of the following methods:

(a) By delivering a copy of the answer or notice of appearance to the person who signed the summons at the street address listed on the summons;

(b) By mailing a copy of the answer or notice of appearance addressed to the person who signed the summons to the street address listed on the summons;

(c) By facsimile to the facsimile number listed on the summons. Service by facsimile is complete upon successful transmission to the facsimile number listed upon the summons;

(d) As otherwise authorized by the superior court civil rules.

(3) The summons for unlawful detainer actions for tenancies covered by this chapter shall be substantially in the following form:

IN THE SUPERIOR COURT OF THE
STATE OF WASHINGTON
IN AND
FOR COUNTY
Plaintiff/Landlord/Owner, NO.

vs. EVICTION
SUMMONS
(Residential)
Defendant/Tenant/Occupant.

THIS IS ~~((NOTICE OF A LAWSUIT))~~ AN IMPORTANT LEGAL DOCUMENT TO EVICT YOU.
~~((PLEASE READ IT CAREFULLY. THE DEADLINE FOR))~~ YOUR WRITTEN RESPONSE ~~((IS))~~ MUST BE RECEIVED BY: 5:00 p.m., on
.....

TO: (Defendant's Name)
..... (Defendant's Address)

~~((This is notice of a lawsuit to evict you from the property which you are renting. Your landlord is asking the court to terminate your tenancy, direct the sheriff to remove you and your belongings from the property, enter a money judgment against~~

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you for unpaid rent and/or damages for your use of the property, and for court costs and attorneys' fees.

If you want to defend yourself in this lawsuit, you must respond to the eviction complaint in writing on or before the deadline stated above. You must respond in writing even if no case number has been assigned by the court yet.

You can respond to the complaint in writing by delivering a copy of a notice of appearance or answer to your landlord's attorney (or your landlord if there is no attorney) by personal delivery, mailing, or facsimile to the address or facsimile number stated below **TO BE RECEIVED NO LATER THAN THE DEADLINE STATED ABOVE.** Service by facsimile is complete upon successful transmission to the facsimile number, if any, listed in the summons.

The notice of appearance or answer must include the name of this case (plaintiff(s) and defendant(s)), your name, the street address where further legal papers may be sent, your telephone number (if any), and your signature.

If there is a number on the upper right side of the eviction summons and complaint, you must also file your original notice of appearance or answer with the court clerk by the deadline for your written response.

You may demand that the plaintiff file this lawsuit with the court. If you do so, the demand must be in writing and must be served upon the person signing the summons. Within fourteen days after you serve the demand, the plaintiff must file this lawsuit with the court, or the service on you of this summons and complaint will be void.

If you wish to seek the advice of an attorney in this matter, you should do so promptly so that your written response, if any, may be served on time.

You may also be instructed in a separate order to appear for a court hearing on your eviction. If you receive an order to show cause you must personally appear at the hearing on the date indicated in the order to show cause **IN ADDITION** to delivering and filing your notice of appearance or answer by the deadline stated above.

~~IF YOU DO NOT RESPOND TO THE COMPLAINT IN WRITING BY THE DEADLINE STATED ABOVE YOU WILL LOSE BY DEFAULT. YOUR LANDLORD MAY PROCEED WITH THE LAWSUIT, EVEN IF YOU HAVE MOVED OUT OF THE PROPERTY.~~

The notice of appearance or answer must be delivered to:

- Name
- Street Address
- Telephone Number
- Facsimile Number (Required if Available))

GET HELP: If you do not respond by . . . (date) . . ., you will lose your right to defend yourself in court and could be evicted. If you cannot afford a lawyer, you may call 2-1-1. They can refer you to free or low-cost legal help. They can help you find help to pay for a lawyer.

HOW TO RESPOND: Phone calls to your Landlord or your Landlord's lawyer are not a response. You may respond with a "notice of appearance." This is a letter that includes the following:

- (1) A statement that you are appearing in the court case
- (2) Names of the landlord(s) and the tenant(s) (as listed above)

(3) Your name, your address where legal documents may be sent, your signature, phone number (if any), and case number (if the case is filed)

This case is / is not filed with the court. If this case is filed, you need to also file your response with the court by delivering a copy to the clerk of the court at: (Clerk's Office/Address/Room number/Business hours of court clerk)

WHERE TO RESPOND: You must mail, fax, or hand deliver your response letter to your Landlord's lawyer, or if no lawyer is named in the complaint, to your Landlord. If you mail the response letter, you must do it by . . . (3 days before deadline) . . . Get a proof of mailing from the post office. If you hand deliver or fax it, you must do it by .. (date of deadline) ... The address is:
. (Attorney/Landlord Name)
. (Address)
. (Fax - required if available)

COURT DATE: If you respond to this Summons, you will be notified of your hearing date in a document called an "Order to Show Cause." This is usually mailed to you. If you get notice of a hearing, **you must go to the hearing.** If you do not show up, your landlord can evict you. Your landlord might also charge you more money. If you move before the court date, you must tell your landlord or the landlord's attorney.

Sec. 9. RCW 59.18.290 and 2010 c 8 s 19028 are each amended to read as follows:

(1) It ~~((shall be))~~ **is** unlawful for the landlord to remove or exclude from the premises the tenant thereof except under a court order so authorizing. Any tenant so removed or excluded in violation of this section may recover possession of the property or terminate the rental agreement and, in either case, may recover the actual damages sustained. The prevailing party may recover the costs of suit or arbitration and reasonable ~~((attorney's))~~ **attorneys' fees.**

(2) It ~~((shall be))~~ **is** unlawful for the tenant to hold over in the premises or exclude the landlord therefrom after the termination of the rental agreement except under a valid court order so authorizing. Subject to RCW 59.18.410, any landlord so deprived of possession of premises in violation of this section may recover possession of the property and damages sustained by him or her, and the prevailing party may recover his or her costs of suit or arbitration and reasonable ~~((attorney's))~~ **attorneys' fees.**

Sec. 10. RCW 59.18.055 and 1997 c 86 s 1 are each amended to read as follows:

(1) When the ~~((plaintiff))~~ **landlord**, after the exercise of due diligence, is unable to personally serve the summons on the ~~((defendant))~~ **tenant**, the ~~((court))~~ **landlord** may ~~((authorize))~~ **use** the alternative means of service ~~((described herein. Upon filing of an affidavit from the person or persons attempting service describing those attempts, and the filing of an affidavit from the plaintiff, plaintiff's agent, or plaintiff's attorney stating the belief that the defendant cannot be found, the court may enter an order authorizing service of the summons))~~ as follows:

(a) The summons and complaint shall be posted in a conspicuous place on the premises unlawfully held, not less than nine days from the return date stated in the summons; and

(b) Copies of the summons and complaint shall be deposited in the mail, postage prepaid, by both regular mail and certified mail directed to the ~~((defendant's))~~ **tenant's** or ~~((defendants'))~~ **tenants'** last known address not less than nine days from the return date stated in the summons.

(2) When service on the ~~((defendant))~~ **tenant** or ~~((defendants))~~ **tenants** is accomplished by this alternative procedure, the court's jurisdiction is limited to restoring possession of the premises to the ~~((plaintiff))~~ **landlord** and no money judgment may be entered

against the ~~((defendant))~~ tenant or ~~((defendants))~~ tenants until such time as jurisdiction over the ~~((defendant))~~ tenant or ~~((defendants))~~ tenants is obtained.

~~((2))~~ (3) Before the entry of any judgment or issuance of a writ of restitution due to the tenant's failure to appear, the landlord shall provide the court with an affidavit from the person or persons attempting service that describes the service achieved, or if by alternative service pursuant to this section, that describes the efforts at personal service before alternative service was used and an affidavit from the landlord, landlord's agent, or landlord's attorney stating his or her belief that the tenant cannot be found.

(4) For the purposes of subsection (1) of this section, the exercise of due diligence is met if the landlord attempts personal service on the tenant at least three times over not less than two days and at different times of the day.

(5) This section shall apply to this chapter and chapter 59.20 RCW.

Sec. 11. RCW 43.31.605 and 2018 c 66 s 2 are each amended to read as follows:

(1)~~(a)~~ Subject to the availability of funds for this purpose, the landlord mitigation program is created and administered by the department. The department shall have such rule-making authority as the department deems necessary to administer the program.

~~(b)~~ The following types of claims related to landlord mitigation for renting private market rental units to low-income tenants using a housing subsidy program are eligible for reimbursement from the landlord mitigation program account:

~~((a))~~ ~~(i)~~ Up to one thousand dollars for improvements identified in RCW 59.18.255(1)(a). In order to be eligible for reimbursement under this subsection (1)~~((a))~~ ~~(b)(i)~~, the landlord must pay for the first five hundred dollars for improvements, and rent to the tenant whose housing subsidy program was conditioned on the real property passing inspection. Reimbursement under this subsection (1)~~((a))~~ ~~(b)(i)~~ may also include up to fourteen days of lost rental income from the date of offer of housing to the applicant whose housing subsidy program was conditioned on the real property passing inspection until move in by that applicant;

~~((b))~~ ~~(ii)~~ Reimbursement for damages as reflected in a judgment obtained against the tenant through either an unlawful detainer proceeding, or through a civil action in a court of competent jurisdiction after a hearing;

~~((c))~~ ~~(iii)~~ Reimbursement for damages established pursuant to subsection (2) of this section; and

~~((d))~~ ~~(iv)~~ Reimbursement for unpaid rent and unpaid utilities, provided that the landlord can evidence it to the department's satisfaction.

(c) Claims related to landlord mitigation for an unpaid judgment for rent, late fees, attorneys' fees, and costs after a court order pursuant to RCW 59.18.410(3) are eligible for reimbursement from the landlord mitigation program account. Claims under this subsection are not subject to subsection (4) of this section.

(2) In order for a claim under subsection (1)~~((a))~~ ~~(b)(iii)~~ of this section to be eligible for reimbursement from the landlord mitigation program account, a landlord must:

(a) Have ensured that the rental property was inspected at the commencement of the tenancy by both the tenant and the landlord or landlord's agent and that a detailed written move-in property inspection report, as required in RCW 59.18.260, was prepared and signed by both the tenant and the landlord or landlord's agent;

(b) Make repairs and then apply for reimbursement to the department;

(c) Submit a claim on a form to be determined by the department, signed under penalty of perjury; and

(d) Submit to the department copies of the move-in property inspection report specified in (a) of this subsection and supporting materials including, but not limited to, before repair and after repair photographs, videos, copies of repair receipts for labor and materials, and such other documentation or information as the department may request.

(3) The department shall make reasonable efforts to review a claim within ten business days from the date it received properly submitted and complete claims to the satisfaction of the department. In reviewing a claim, and determining eligibility for reimbursement, the department must receive documentation, acceptable to the department in its sole discretion, that the claim involves a private market rental unit rented to a low-income tenant who is using a housing subsidy program.

(4) Claims related to a tenancy must total at least five hundred dollars in order for a claim to be eligible for reimbursement from the program. While claims or damages may exceed five thousand dollars, total reimbursement from the program may not exceed five thousand dollars per tenancy.

(5) Damages, beyond wear and tear, that are eligible for reimbursement include, but are not limited to: Interior wall gouges and holes; damage to doors and cabinets, including hardware; carpet stains or burns; cracked tiles or hard surfaces; broken windows; damage to household fixtures such as disposal, toilet, sink, sink handle, ceiling fan, and lighting. Other property damages beyond normal wear and tear may also be eligible for reimbursement at the department's discretion.

(6) All reimbursements for eligible claims shall be made on a first-come, first-served basis, to the extent of available funds. The department shall use best efforts to notify the tenant of the amount and the reasons for any reimbursements made.

(7) The department, in its sole discretion, may inspect the property and the landlord's records related to a claim, including the use of a third-party inspector as needed to investigate fraud, to assist in making its claim review and determination of eligibility.

(8) A landlord in receipt of reimbursement from the program is prohibited from:

(a) Taking legal action against the tenant for damages attributable to the same tenancy; or

(b) Pursuing collection, or authorizing another entity to pursue collection on the landlord's behalf, of a judgment against the tenant for damages attributable to the same tenancy.

(9) A landlord denied reimbursement under subsection (1)~~((a))~~ ~~(b)(iii)~~ of this section may seek to obtain a judgment from a court of competent jurisdiction and, if successful, may resubmit a claim for damages supported by the judgment, along with a certified copy of the judgment. The department may reimburse the landlord for that portion of such judgment that is based on damages reimbursable under the landlord mitigation program, subject to the limitations set forth in this section.

(10) Determinations regarding reimbursements shall be made by the department in its sole discretion.

(11) The department must establish a web site that advertises the landlord mitigation program, the availability of reimbursement from the landlord mitigation program account, and maintains or links to the agency rules and policies established pursuant to this section.

(12) Neither the state, the department, or persons acting on behalf of the department, while acting within the scope of their employment or agency, is liable to any person for any loss, damage, harm, or other consequence resulting directly or indirectly from the department's administration of the landlord mitigation program or determinations under this section.

(13)(a) A report to the appropriate committees of the legislature on the effectiveness of the program and recommended modifications shall be submitted to the governor and the appropriate committees of the legislature by January 1, 2021. In preparing the report, the department shall convene and solicit input from a group of stakeholders to include representatives of large multifamily housing property owners or managers, small rental housing owners in both rural and urban markets, a representative of tenant advocates, and a representative of the housing authorities.

(b) The report shall include discussion of the effectiveness of the program as well as the department’s recommendations to improve the program, and shall include the following:

- (i) The number of total claims and total amount reimbursed to landlords by the fund;
- (ii) Any indices of fraud identified by the department;
- (iii) Any reports by the department regarding inspections authorized by and conducted on behalf of the department;
- (iv) An outline of the process to obtain reimbursement for improvements and for damages from the fund;
- (v) An outline of the process to obtain reimbursement for lost rent due to the rental inspection and tenant screening process, together with the total amount reimbursed for such damages;
- (vi) An evaluation of the feasibility for expanding the use of the mitigation fund to provide up to ninety-day no interest loans to landlords who have not received timely rental payments from a housing authority that is administering section 8 rental assistance;
- (vii) Any other modifications and recommendations made by stakeholders to improve the effectiveness and applicability of the program.

(14) When a landlord has been reimbursed pursuant to subsection (1)(c) of this section, the tenant shall have three months from the date that judgment is entered under RCW 59.18.410(3)(e) to reimburse the department by depositing the amount disbursed from the landlord mitigation program account into the court registry of the local superior court. The local superior court shall then forward such funds to the department. The tenant or other interested party may seek an ex parte order of the court under the unlawful detainer action to order such funds to be disbursed by the court. The court clerk shall include a case number with any payment issued to the department.

(15) As used in this section:

(a) “Housing subsidy program” means a housing voucher as established under 42 U.S.C. Sec. 1437 as of January 1, 2018, or other housing subsidy program including, but not limited to, valid short-term or long-term federal, state, or local government, private nonprofit, or other assistance program in which the tenant’s rent is paid either partially by the program and partially by the tenant, or completely by the program directly to the landlord;

(b) “Low-income” means income that does not exceed eighty percent of the median income for the standard metropolitan statistical area in which the private market rental unit is located; and

(c) “Private market rental unit” means any unit available for rent that is owned by an individual, corporation, limited liability company, nonprofit housing provider, or other entity structure, but does not include housing acquired, or constructed by a public housing agency under 42 U.S.C. Sec. 1437 as it existed on January 1, 2018.

Sec. 12. RCW 43.31.615 and 2018 c 66 s 3 are each amended to read as follows:

(1) The landlord mitigation program account is created in the custody of the state treasury. All transfers and appropriations by

the legislature, repayments, private contributions, and all other sources must be deposited into the account. Expenditures from the account may only be used for the landlord mitigation program under this chapter to reimburse landlords for eligible claims related to private market rental units during the time of their rental to low-income tenants using housing subsidy programs as defined in RCW 43.31.605, for any unpaid judgment issued within an unlawful detainer action under chapter 59.18 RCW, and for the administrative costs identified in subsection (2) of this section. Only the director or the director’s designee may authorize expenditures from the account. The account is subject to allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures.

(2) Administrative costs associated with application, distribution, and other program activities of the department may not exceed ~~((ten))~~ twenty percent of the annual funds available for the landlord mitigation program. Reappropriations must not be included in the calculation of the annual funds available for determining the administrative costs.”

On page 1, line 1 of the title, after “protections;” strike the remainder of the title and insert “amending RCW 59.12.030, 59.18.410, 59.18.390, 59.18.365, 59.18.290, 59.18.055, 43.31.605, and 43.31.615; reenacting and amending RCW 59.18.030; adding new sections to chapter 59.18 RCW; and prescribing penalties.”

MOTION

Senator Padden moved that the following amendment no. 320 by Senator Padden be adopted:

On page 1, line 27, after “of” strike “fourteen” and insert “four”
 On page 1, line 31, after “59.18.030” insert “. For the purposes of this subsection, “four days” means four calendar days. The calculation of four calendar days does not include any weekend days or holidays”

On page 2, line 34, after “Every” strike “fourteen-day” and insert “four-day”

On page 2, at the beginning of line 36, strike “**FOURTEEN-DAY**” and insert “**FOUR-DAY**”

On page 3, at the beginning of line 13, strike “fourteen (14)” and insert “four (4)”

On page 3, line 16, after “within” strike “fourteen (14)” and insert “four (4)”

Senator Padden spoke in favor of adoption of the amendment to the striking amendment.

Senator Kuderer spoke against adoption of the amendment to the striking amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 320 by Senator Padden on page 1, line 27 to striking amendment no. 318.

The motion by Senator Padden did not carry and amendment no. 320 was not adopted by voice vote.

MOTION

Senator Short moved that the following amendment no. 321 by Senator Short be adopted:

On page 1, line 27, after “of” strike “fourteen” and insert “five”
 On page 2, line 34, after “Every” strike “fourteen-day” and insert “five-day”

On page 2, at the beginning of line 36, strike “**FOURTEEN-DAY**” and insert “**FIVE-DAY**”

On page 3, at the beginning of line 13, strike “fourteen (14)” and insert “five (5)”

On page 3, line 16, after “within” strike “fourteen (14)” and insert “five (5)”

Senator Short spoke in favor of adoption of the amendment to the striking amendment.

Senator Kuderer spoke against adoption of the amendment to the striking amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 321 by Senator Short on page 1, line 27 to striking amendment no. 318.

The motion by Senator Short did not carry and amendment no. 321 was not adopted by voice vote.

MOTION

Senator O’Ban moved that the following amendment no. 322 by Senator O’Ban be adopted:

On page 1, line 27, after “of” strike “fourteen” and insert “ten”

On page 2, line 34, after “Every” strike “fourteen-day” and insert “ten-day”

On page 2, at the beginning of line 36, strike “FOURTEEN-DAY” and insert “TEN-DAY”

On page 3, at the beginning of line 13, strike “fourteen (14)” and insert “ten (10)”

On page 3, line 16, after “within” strike “fourteen (14)” and insert “ten (10)”

Senators O’Ban, Wagoner, Honeyford, Fortunato and Padden spoke in favor of adoption of the amendment to the striking amendment.

Senator Kuderer spoke against adoption of the amendment to the striking amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 322 by Senator O’Ban on page 1, line 27 to striking amendment no. 318.

The motion by Senator O’Ban did not carry and amendment no. 322 was not adopted by voice vote.

MOTION

Senator Wagoner moved that the following amendment no. 323 by Senator Wagoner be adopted:

Beginning on page 8, line 38, after “chapter” strike all material through “A” on page 9, line 1 and insert “, a”

On page 9, beginning on line 4, strike all of subsection (2)

Senator Wagoner spoke in favor of adoption of the amendment to the striking amendment.

Senator Kuderer spoke against adoption of the amendment to the striking amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 323 by Senator Wagoner on page 8, line 38 to striking amendment no. 318.

The motion by Senator Wagoner did not carry and amendment no. 323 was not adopted by voice vote.

MOTION

Senator Wilson, L. moved that the following amendment no. 326 by Senator Wilson, L. be adopted:

Beginning on page 9, line 38, after “dollars” strike all material through “section” on page 10, line 6

On page 10, beginning on line 22, after “subsection” strike all material through “section” on line 23

Beginning on page 10, line 28, after “(3)” strike all material through “(4)” on page 13, line 11

Renumber the remaining subsection consecutively and correct any internal references accordingly.

On page 11, line 9, after “reinstate,” insert “and”

On page 11, beginning on line 12, after “judgment” strike all material through “43.31.605” on line 14

Beginning on page 20, line 12, strike all of sections 11 and 12

Correct any internal references accordingly.

On page 25, line 5, after “59.18.290,” insert “and” and after “59.18.055” strike all material through “43.31.615”

Senators Wilson, L., Honeyford, Schoesler and Padden spoke in favor of adoption of the amendment to the striking amendment.

Senator Kuderer spoke against adoption of the amendment to the striking amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 326 by Senator Wilson, L. on page 9, line 38 to striking amendment no. 318.

The motion by Senator Wilson, L. did not carry and amendment no. 326 was not adopted by voice vote.

MOTION

Senator Honeyford moved that the following amendment no. 325 by Senators Honeyford, Kuderer and Mullet be adopted:

“NEW SECTION. Sec. 13. If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2019, in the capital or operating omnibus appropriations acts, this act is null and void.”

On page 25, line 7, after “RCW;” insert “creating a new section;”

Senators Honeyford and Kuderer spoke in favor of adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 325 by Senators Honeyford, Kuderer and Mullet on page 25, line 7 to striking amendment no. 318.

The motion by Senator Honeyford carried and amendment no. 325 was adopted by voice vote.

The President Pro Tempore declared the question before the Senate to be the adoption of striking amendment no. 318 by Senator Kuderer as amended to Substitute Senate Bill No. 5600.

The motion by Senator Kuderer carried and striking amendment no. 318 as amended was adopted by voice vote.

MOTION

On motion of Senator Kuderer, the rules were suspended, Engrossed Substitute Senate Bill No. 5600 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Kuderer spoke in favor of passage of the bill.

PARLIAMENTARY INQUIRY

Senator Wagoner: “With respect to Rule 22, which I am informed has to do with personal or direct interest, I spoke today that I am a landlord and I feel like there are probably a lot of other landlords in this body. So, I would like to know if I should abstain from voting on this matter?”

RULING BY THE PRESIDENT PRO TEMPORE

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President Pro Tempore Keiser: “Thank you Senator, since you are part of a very large class of people who would be affected by this bill and the benefit or detriment to you is not any more direct than to anyone else your interest is not direct enough to prevent you from voting on this measure. I would also remind you that Rule 22 also provides that every member within the bar of the Senate shall vote unless excused by unanimous vote of the members present.”

Senators Zeiger and Mullet spoke in favor of passage of the bill.

Senators Fortunato, Schoesler, Sheldon, Walsh, Wagoner and O’Ban spoke against passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5600.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5600 and the bill passed the Senate by the following vote: Yeas, 31; Nays, 15; Absent, 0; Excused, 3.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Honeyford, Hunt, Keiser, Kuderer, Lias, Lovelett, McCoy, Mullet, Nguyen, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Takko, Van De Wege, Warnick, Wellman, Wilson, C. and Zeiger

Voting nay: Senators Becker, Brown, Ericksen, Fortunato, Hawkins, Holy, King, O’Ban, Padden, Schoesler, Sheldon, Short, Wagoner, Walsh and Wilson, L.

Excused: Senators Bailey, Carlyle and Hobbs

ENGROSSED SUBSTITUTE SENATE BILL NO. 5600, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5853, by Senators Pedersen, Warnick, Frockt, Bailey, Carlyle, Zeiger, Dhingra, Becker, Wellman, Walsh, King, Lias, Wagoner, Palumbo, Hobbs, Rivers, Keiser, Hunt, Darneille, Rolfes, Hasegawa, Conway, Braun, Billig, Kuderer, Salomon, Cleveland, McCoy, Nguyen, Short, Das, Hawkins, Takko, Saldaña, Randall, O’Ban, Wilson, C., Van De Wege and Wilson L.

Regarding the school construction assistance program.

MOTION

On motion of Senator Pedersen, Substitute Senate Bill No. 5853 was substituted for Senate Bill No. 5853 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Frockt moved that the following amendment no. 294 by Senators Frockt, Pedersen and Warnick be adopted:

On page 5, line 9, strike “one-third” and insert “thirty percent”
On page 5, line 15, strike “one-third” and insert “thirty percent”

Senator Frockt spoke in favor of adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 294 by Senators Frockt, Pedersen and Warnick on page 5, line 9 to Substitute Senate Bill No. 5853.

The motion by Senator Frockt carried and amendment no. 294 was adopted by voice vote.

MOTION

On motion of Senator Pedersen, the rules were suspended, Engrossed Substitute Senate Bill No. 5853 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Pedersen and King spoke in favor of passage of the bill.

Senator Honeyford spoke against passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5853.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5853 and the bill passed the Senate by the following vote: Yeas, 40; Nays, 5; Absent, 1; Excused, 3.

Voting yea: Senators Becker, Billig, Braun, Brown, Cleveland, Conway, Darneille, Das, Dhingra, Fortunato, Frockt, Hasegawa, Hawkins, Holy, Hunt, Keiser, King, Kuderer, Lias, Lovelett, McCoy, Nguyen, O’Ban, Palumbo, Pedersen, Rivers, Rolfes, Saldaña, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senators Honeyford, Mullet, Padden, Randall and Salomon

Absent: Senator Ericksen

Excused: Senators Bailey, Carlyle and Hobbs

ENGROSSED SUBSTITUTE SENATE BILL NO. 5853, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Rivers, Senator Ericksen was excused.

SECOND READING

SENATE BILL NO. 5393, by Senators Palumbo, Rolfes, Frockt, McCoy, Wellman, Lias, Pedersen, Darneille, Dhingra, Van De Wege, Hunt, Wilson, C., Keiser and Kuderer

Establishing a statewide free college program by changing the state need grant to the Washington college promise scholarship.

MOTION

On motion of Senator Palumbo, Second Substitute Senate Bill No. 5393 was substituted for Senate Bill No. 5393 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Palumbo moved that the following striking amendment no. 328 by Senators Palumbo, Frockt and Liias be adopted:

Strike everything after the enacting clause and insert the following:

**“PART I
CREATES THE WASHINGTON COLLEGE PROMISE
SCHOLARSHIP PROGRAM TO REPLACE THE STATE
NEED GRANT PROGRAM**

NEW SECTION. Sec. 1. A new section is added to chapter 28B.92 RCW to read as follows:

(1) The legislature finds that individuals with a postsecondary credential have a greater chance of earning a wage that can support themselves and their families than if they do not obtain a postsecondary credential. At the same time, Washington employers are in need of many more individuals who possess postsecondary qualifications. Access to postsecondary opportunities are vital to ensure that more Washington high school graduates and working adults can enter and complete a postsecondary program and compete for the job opportunities available in the state.

(2) The legislature further finds that a statewide free college program, for students who demonstrate financial need as defined in section 3 of this act, is necessary to significantly reduce the financial costs of obtaining a postsecondary credential. The Washington college promise scholarship program is intended to increase access to postsecondary opportunities for Washington residents.

NEW SECTION. Sec. 2. A new section is added to chapter 28B.92 RCW to read as follows:

(1) The Washington college promise scholarship program is created to provide a statewide free college program for eligible participants and greater access to postsecondary education for Washington residents. The Washington college promise scholarship program is intended to increase the number of high school graduates and adults that can attain a postsecondary credential and provide them with the qualifications needed to compete for job opportunities in Washington.

(2) The office of student financial assistance shall implement and administer the Washington college promise scholarship program and is authorized to establish rules necessary for implementation of the program.

(3) The legislature shall appropriate funding for the Washington college promise scholarship program for eligible students whose family income is at or below one hundred ten percent of the federal poverty level, as published annually by the federal department of health and human services. Allocations must be made on the basis of estimated eligible participants enrolled in eligible institutions of higher education or apprenticeship programs. All eligible students whose family income is at or below one hundred ten percent of the federal poverty level, as published annually by the federal department of health and human services are entitled to a Washington college promise scholarship.

(4) The office shall award Washington college promise scholarships to all eligible students whose family income is at or below one hundred ten percent of the federal poverty level, as published annually by the federal department of health and human services beginning in academic year 2021-22.

(5) To be eligible for the Washington college promise scholarship, students must meet the following requirements:

(a) Demonstrate financial need under section 3 of this act;

(b)(i) Be enrolled or accepted for enrollment for at least three quarter credits or the equivalent semester credits at an institution

of higher education in Washington as defined in RCW 28B.92.030; or

(ii) Be enrolled in a registered apprenticeship program approved under chapter 49.04 RCW;

(c)(i) Be a resident student as defined in RCW 28B.15.012(2) (a) through (e); or

(ii) Be a student who has:

(A) Completed the full senior year of high school and obtained a high school diploma, or the equivalent, either at a Washington public high school or private high school approved under chapter 28A.195 RCW;

(B) Lived in Washington state for at least three years immediately before receiving the diploma or its equivalent;

(C) Continuously lived in Washington state after receiving the diploma or its equivalent and until such time as the individual is admitted to an eligible institution of higher education; and

(D) Been granted deferred action for childhood arrival status pursuant to the rules and regulations adopted by the United States citizenship and immigration services;

(d) File an annual application for financial aid as approved by the office; and

(e) Must not have earned a baccalaureate degree or higher from a postsecondary institution.

(6) Washington college promise scholarship eligibility may not extend beyond five years or one hundred twenty-five percent of the published length of the program in which the student is enrolled or the credit or clock-hour equivalent.

(7) Institutional aid administrators shall determine whether a student eligible for the Washington college promise scholarship in a given academic year may remain eligible for the ensuing year if the student's family income increases by no more than three percent.

(8) Qualifications for receipt and renewal include maintaining satisfactory academic progress toward completion of an eligible program as determined by the office and established in rule.

(9) Should a recipient terminate his or her enrollment for any reason during the academic year, the unused portion of the scholarship shall be returned to the state educational grant fund by the institution of higher education according to the institution of higher education's policy for issuing refunds, except as provided in RCW 28B.92.070.

(10) An eligible student enrolled on a part-time basis shall receive a prorated portion of the Washington college promise scholarship for any academic period in which he or she is enrolled on a part-time basis.

(11) The Washington college promise scholarship is intended to be used to meet the costs of postsecondary education for students with financial need. The student shall be awarded all need-based financial aid for which the student qualifies as determined by the institution.

(12) Students and participating institutions of higher education shall comply with all the rules adopted by the council for the administration of this chapter.

NEW SECTION. Sec. 3. A new section is added to chapter 28B.92 RCW to read as follows:

(1) In addition to other eligibility requirements outlined in this chapter, students who demonstrate financial need are eligible to receive the Washington college promise scholarship. For the purposes of this act, students who demonstrate financial need are students with family incomes at or below seventy percent of the state median family income, adjusted for family size.

(2) Students with family incomes at or below one hundred ten percent of the federal poverty level, as published annually by the federal department of health and human services, shall receive the maximum Washington college promise scholarship award as

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defined in RCW 28B.92.030. Awards for students with incomes above one hundred ten percent of the federal poverty level, as published annually by the federal department of health and human services, and below seventy percent of the state median family income are subject to amounts appropriated and shall be prorated at the following percentages of the maximum Washington college promise scholarship award as defined in RCW 28B.92.030:

(a) One hundred percent for students with family incomes above one hundred ten percent of the federal poverty level, as published annually by the federal department of health and human services, but at or below fifty percent of the state median family income;

(b) Seventy percent for students with family incomes between fifty-one and fifty-five percent of the state median family income;

(c) Sixty-five percent for students with family incomes between fifty-six and sixty percent of the state median family income;

(d) Sixty percent for students with family incomes between sixty-one and sixty-five percent of the state median family income; and

(e) Fifty percent for students with family incomes between sixty-six and seventy percent of the state median family income.

Sec. 4. RCW 28B.92.030 and 2013 c 248 s 2 are each amended to read as follows:

As used in this chapter:

(1) "Council" means the student achievement council.

~~(2) ("Disadvantaged student" means a posthigh school student who by reason of adverse cultural, educational, environmental, experiential, familial or other circumstances is unable to qualify for enrollment as a full time student in an institution of higher education, who would otherwise qualify as a needy student, and who is attending an institution of higher education under an established program designed to qualify the student for enrollment as a full time student.~~

~~(3))~~ "Financial aid" means loans and/or grants to ~~((needy))~~ students who demonstrate financial need enrolled or accepted for enrollment as a student at institutions of higher education.

(3) "Financial need" means a demonstrated financial inability to bear the total cost of education as directed in rule by the office.

(4) "Institution" or "institutions of higher education" means:

(a) Any public university, college, community college, or technical college operated by the state of Washington or any political subdivision thereof; or

(b) Any other university, college, school, or institute in the state of Washington offering instruction beyond the high school level that is a member institution of an accrediting association recognized by rule of the council for the purposes of this section and that agrees to and complies with program rules adopted pursuant to RCW 28B.92.150. However, any institution, branch, extension or facility operating within the state of Washington that is affiliated with an institution operating in another state must be:

(i) A separately accredited member institution of any such accrediting association;

(ii) A branch of a member institution of an accrediting association recognized by rule of the council for purposes of this section, that is eligible for federal student financial aid assistance and has operated as a nonprofit college or university delivering on-site classroom instruction for a minimum of twenty consecutive years within the state of Washington, and has an annual enrollment of at least seven hundred full-time equivalent students; ~~((or))~~

(iii) A nonprofit institution recognized by the state of Washington as provided in RCW 28B.77.240; or

(iv) An approved apprenticeship program under chapter 49.04 RCW.

~~(5) ("Needy student" means a posthigh school student of an institution of higher education who demonstrates to the office the financial inability, either through the student's parents, family and/or personally, to meet the total cost of board, room, books, and tuition and incidental fees for any semester or quarter. "Needy student" also means an opportunity internship graduate as defined by RCW 28C.18.162 who enrolls in a postsecondary program of study as defined in RCW 28C.18.162 within one year of high school graduation.) "Maximum Washington college promise scholarship award":~~

(a) For students attending two or four-year institutions of higher education as defined in RCW 28B.10.016, is tuition and estimated fees for fifteen quarter credit hours or the equivalent, as determined by the office, including operating fees, building fees, and services and activities fees.

(b) For students attending private four-year institutions of higher education in Washington, is the lesser of the maximum Washington college promise scholarship award under (a) of this subsection, or individual institution tuition for fifteen quarter credit hours or the equivalent.

(c) For students attending two-year private institutions of higher education in Washington, is the lesser of the maximum Washington college promise scholarship award at a community or technical college or individual institution tuition for fifteen quarter credit hours or the equivalent.

(d) For students attending approved apprenticeship programs, is tuition and fees, as determined by the office, in addition to required program supplies and equipment.

(6) "Office" means the office of student financial assistance.

~~((7) "Placebound student" means a student who (a) is unable to complete a college program because of family or employment commitments, health concerns, monetary inability, or other similar factors; and (b) may be influenced by the receipt of an enhanced student financial aid award to complete a baccalaureate degree at an eligible institution.))~~

**PART II
CASELOAD FORECAST**

NEW SECTION. **Sec. 5.** A new section is added to chapter 28B.92 RCW to read as follows:

The caseload forecast council shall estimate the anticipated caseload of the Washington college promise scholarship program and submit the caseload forecast as specified in RCW 43.88C.020.

Sec. 6. RCW 43.88C.010 and 2018 c 208 s 4 are each amended to read as follows:

(1) The caseload forecast council is hereby created. The council shall consist of two individuals appointed by the governor and four individuals, one of whom is appointed by the chairperson of each of the two largest political caucuses in the senate and house of representatives. The chair of the council shall be selected from among the four caucus appointees. The council may select such other officers as the members deem necessary.

(2) The council shall employ a caseload forecast supervisor to supervise the preparation of all caseload forecasts. As used in this chapter, "supervisor" means the caseload forecast supervisor.

(3) Approval by an affirmative vote of at least five members of the council is required for any decisions regarding employment of the supervisor. Employment of the supervisor shall terminate after each term of three years. At the end of the first year of each three-year term the council shall consider extension of the supervisor's term by one year. The council may fix the compensation of the supervisor. The supervisor shall employ staff sufficient to accomplish the purposes of this section.

(4) The caseload forecast council shall oversee the preparation of and approve, by an affirmative vote of at least four members, the official state caseload forecasts prepared under RCW 43.88C.020. If the council is unable to approve a forecast before a date required in RCW 43.88C.020, the supervisor shall submit the forecast without approval and the forecast shall have the same effect as if approved by the council.

(5) A councilmember who does not cast an affirmative vote for approval of the official caseload forecast may request, and the supervisor shall provide, an alternative forecast based on assumptions specified by the member.

(6) Members of the caseload forecast council shall serve without additional compensation but shall be reimbursed for travel expenses in accordance with RCW 44.04.120 while attending sessions of the council or on official business authorized by the council. Nonlegislative members of the council shall be reimbursed for travel expenses in accordance with RCW 43.03.050 and 43.03.060.

(7) "Caseload," as used in this chapter, means:

(a) The number of persons expected to meet entitlement requirements and require the services of public assistance programs, state correctional institutions, state correctional noninstitutional supervision, state institutions for juvenile offenders, the common school system, long-term care, medical assistance, foster care, and adoption support;

(b) The number of students who are eligible for the Washington college bound scholarship program and are expected to attend an institution of higher education as defined in RCW 28B.92.030;

(c) The number of students whose family income is at or below one hundred ten percent of the federal poverty level, as published annually by the federal department of health and human services, are eligible for the Washington college promise scholarship program under section 2 of this act, and are expected to attend an institution of higher education as defined in RCW 28B.92.030; and

(d) The number of children who are eligible, as defined in RCW 43.216.505, to participate in, and the number of children actually served by, the early childhood education and assistance program.

(8) The caseload forecast council shall forecast the temporary assistance for needy families and the working connections child care programs as a courtesy.

(9) The caseload forecast council shall forecast youth participating in the extended foster care program pursuant to RCW 74.13.031 separately from other children who are residing in foster care and who are under eighteen years of age.

(10) The caseload forecast council shall forecast the number of youth expected to receive behavioral rehabilitation services while involved in the foster care system and the number of screened in reports of child abuse or neglect.

(11) Unless the context clearly requires otherwise, the definitions provided in RCW 43.88.020 apply to this chapter.

PART III UPDATING REFERENCES

Sec. 7. RCW 28B.10.790 and 2012 c 229 s 518 are each amended to read as follows:

Washington residents attending any nonprofit college or university in another state which has a reciprocity agreement with the state of Washington shall be eligible for the student financial aid program outlined in chapter 28B.92 RCW if:

(1) They qualify as a ("needy student") student who demonstrates financial need as defined under RCW 28B.92.030~~((4))~~; and

(2) The institution attended is a member institution of an accrediting association recognized by rule of the student achievement council for the purposes of this section and is specifically encompassed within or directly affected by such reciprocity agreement and agrees to and complies with program rules and regulations pertaining to such students and institutions adopted pursuant to RCW 28B.92.150.

Sec. 8. RCW 28B.12.030 and 2017 c 52 s 1 are each amended to read as follows:

~~(As used)~~ The definitions in this section apply throughout this chapter~~(, the following words and terms shall have the following meanings,)~~ unless the context ~~((shall))~~ clearly ~~((indicate another or different meaning or intent:))~~ requires otherwise.

~~(1) ((The term "needy student" shall mean a student enrolled or accepted for enrollment at a postsecondary institution who, according to a system of need analysis approved by the office of student financial assistance, demonstrates a financial inability, either parental, familial, or personal, to bear the total cost of education for any semester or quarter.~~

~~(2) The term)~~ "Eligible institution" ~~((shall))~~ means any postsecondary institution in this state accredited by the Northwest Association of Schools and Colleges, or a campus of a member institution of an accrediting association recognized by rule of the student achievement council for purposes of this section, that is eligible for federal student financial aid assistance and has operated as a nonprofit college or university delivering on-site classroom instruction for a minimum of twenty consecutive years within the state of Washington, or any public technical college in the state.

(2) "Financial need" has the same meaning as in RCW 28B.92.030.

Sec. 9. RCW 28B.92.040 and 2011 1st sp.s. c 11 s 160 are each amended to read as follows:

The office shall be cognizant of the following guidelines in the performance of its duties:

(1) The office shall be research oriented, not only at its inception but continually through its existence.

(2) The office shall coordinate all existing programs of financial aid except those specifically dedicated to a particular institution by the donor.

(3) The office shall take the initiative and responsibility for coordinating all federal student financial aid programs to ensure that the state recognizes the maximum potential effect of these programs, and shall design state programs that complement existing federal, state, and institutional programs. ~~((The office shall ensure that state programs continue to follow the principle that state financial aid funding follows the student to the student's choice of institution of higher education.))~~

(4) Counseling is a paramount function of the ~~((state need grant))~~ Washington college promise scholarship program and other state student financial aid programs, and in most cases could only be properly implemented at the institutional levels; therefore, state student financial aid programs shall be concerned with the attainment of those goals which, in the judgment of the office, are the reasons for the existence of a student financial aid program, and not solely with administration of the program on an individual basis.

(5) The "package" approach of combining loans, grants and employment for student financial aid shall be the conceptual element of the state's involvement.

(6) The office shall ensure that allocations of state appropriations for financial aid are made to individuals and institutions in a timely manner and shall closely monitor

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expenditures to avoid under or overexpenditure of appropriated funds.

Sec. 10. RCW 28B.92.065 and 2015 3rd sp.s. c 36 s 4 are each amended to read as follows:

Beginning with the 2015-2017 omnibus appropriations act and each biennium thereafter, reductions in tuition levels resulting from section 3, chapter 36, Laws of 2015 3rd sp. sess. will allow the legislature to reduce (~~(state need grant)~~) Washington college promise scholarship program appropriations by an equal amount from the 2013-2015 fiscal biennium amounts. The legislature does not intend to reduce award levels for private colleges and universities below the 2014-15 academic year levels.

~~((By reducing the overall cost of tuition, the legislature in future biennia is better able and intends to serve those students currently eligible but unserved in the state need grant.))~~

Sec. 11. RCW 28B.15.065 and 1977 ex.s. c 322 s 6 are each amended to read as follows:

It is the intent of the legislature that (~~(needy)~~) students who demonstrate financial need not be deprived of access to higher education due to increases in educational costs or consequent increases in tuition and fees. It is the sense of the legislature that state appropriations for student financial aid be adjusted in an amount which together with funds estimated to be available in the form of basic educational opportunity grants as authorized under Section 411 of the federal Higher Education Act of 1965 as now or hereafter amended will equal twenty-four percent of any change in revenue estimated to occur as a result of revisions in tuition and fee levels under the provisions of chapter 322, Laws of 1977 ex. sess.

Sec. 12. RCW 28B.15.740 and 2015 c 55 s 223 are each amended to read as follows:

(1) Subject to the limitations of RCW 28B.15.910, the governing boards of the state universities, the regional universities, The Evergreen State College, and the community and technical colleges may waive all or a portion of tuition and fees for (~~(needy)~~) students who demonstrate financial need and are eligible for resident tuition and fee rates pursuant to RCW 28B.15.012 and 28B.15.013. Subject to the limitations of RCW 28B.15.910, the governing boards of the state universities, the regional universities, The Evergreen State College, and the community and technical colleges may waive all or a portion of tuition and fees for other students at the discretion of the governing boards, except on the basis of participation in intercollegiate athletic programs, not to exceed three-fourths of one percent of gross authorized operating fees revenue under RCW 28B.15.910 for the community and technical colleges considered as a whole and not to exceed two percent of gross authorized operating fees revenue for the other institutions of higher education.

(2) In addition to the tuition and fee waivers provided in subsection (1) of this section and subject to the provisions of RCW 28B.15.455, 28B.15.460, and 28B.15.910, a total dollar amount of tuition and fee waivers awarded by any state university, regional university, or state college under this chapter, not to exceed one percent, as calculated in subsection (1) of this section, may be used for the purpose of achieving or maintaining gender equity in intercollegiate athletic programs. At any institution that has an underrepresented gender class in intercollegiate athletics, any such waivers shall be awarded:

(a) First, to members of the underrepresented gender class who participate in intercollegiate athletics, where such waivers result in saved or displaced money that can be used for athletic programs for the underrepresented gender class. Such saved or displaced

money shall be used for programs for the underrepresented gender class; and

(b) Second, (i) to nonmembers of the underrepresented gender class who participate in intercollegiate athletics, where such waivers result in saved or displaced money that can be used for athletic programs for members of the underrepresented gender class. Such saved or displaced money shall be used for programs for the underrepresented gender class; or (ii) to members of the underrepresented gender class who participate in intercollegiate athletics, where such waivers do not result in any saved or displaced money that can be used for athletic programs for members of the underrepresented gender class.

Sec. 13. RCW 28B.15.760 and 2012 c 229 s 528 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout RCW 28B.15.762 and 28B.15.764.

(1) "Borrower" means an eligible student who has received a loan under RCW 28B.15.762.

(2) "Council" means the student achievement council.

(3) "Eligible student" means a student registered for at least ten credit hours or the equivalent and demonstrates achievement of a 3.00 grade point average for each academic year, who is a resident student as defined by RCW 28B.15.012 through 28B.15.015, who is a (~~(needy)~~) student⁽⁼⁾ who demonstrates financial need as defined in RCW 28B.92.030, and who has a declared major in a program leading to a degree in teacher education in a field of science or mathematics, or a certificated teacher who meets the same credit hour and (~~(needy student)~~) financial eligibility requirements and is seeking an additional degree in science or mathematics.

(4) "Forgiven" or "to forgive" means to collect service as a teacher in a field of science or mathematics at a public school in the state of Washington in lieu of monetary payment.

(5) "Institution of higher education" or "institution" means a college or university in the state of Washington which is a member institution of an accrediting association recognized as such by rule of the council.

(6) "Office" means the office of student financial assistance.

(7) "Public school" means a middle school, junior high school, or high school within the public school system referred to in Article IX of the state Constitution.

(8) "Satisfied" means paid-in-full.

Sec. 14. RCW 28B.15.762 and 2012 c 229 s 529 are each amended to read as follows:

(1) The council may make long-term loans to eligible students at institutions of higher education from the funds appropriated to the council for this purpose. The amount of any such loan shall not exceed the demonstrated financial need of the student or two thousand five hundred dollars for each academic year whichever is less, and the total amount of such loans to an eligible student shall not exceed ten thousand dollars. The interest rates and terms of deferral of such loans shall be consistent with the terms of the guaranteed loan program established by 20 U.S.C. Sec. 1701 et seq. The period for repaying the loan principal and interest shall be ten years with payments accruing quarterly commencing nine months from the date the borrower graduated. The entire principal and interest of each loan payment shall be forgiven for each payment period in which the borrower teaches science or mathematics in a public school in this state until the entire loan is satisfied or the borrower ceases to teach science or mathematics at a public school in this state. Should the borrower cease to teach science or mathematics at a public school in this state before the time in which the principal and interest on the loan are satisfied, payments on the unsatisfied portion of the principal and interest

on the loan shall begin the next payment period and continue until the remainder of the loan is paid.

(2) The council is responsible for collection of loans made under subsection (1) of this section and shall exercise due diligence in such collection, maintaining all necessary records to insure that maximum repayments are made. Collection and servicing of loans under subsection (1) of this section shall be pursued using the full extent of the law, including wage garnishment if necessary, and shall be performed by entities approved for such servicing by the Washington student loan guaranty association or its successor agency. The council is responsible to forgive all or parts of such loans under the criteria established in subsection (1) of this section and shall maintain all necessary records of forgiven payments.

(3) Receipts from the payment of principal or interest or any other subsidies to which the council as lender is entitled, which are paid by or on behalf of borrowers under subsection (1) of this section, shall be deposited with the office and shall be used to cover the costs of making the loans under subsection (1) of this section, maintaining necessary records, and making collections under subsection (2) of this section. The office shall maintain accurate records of these costs, and all receipts beyond those necessary to pay such costs shall be used to make loans to eligible students.

(4) Any funds not used to make loans, or to cover the cost of making loans or making collections, shall be placed in the state educational trust fund for ~~((needy or disadvantaged))~~ students who demonstrate financial need.

(5) The council shall adopt necessary rules to implement this section.

Sec. 15. RCW 28B.15.820 and 2009 c 215 s 9 are each amended to read as follows:

(1) Each institution of higher education, including technical colleges, shall deposit a minimum of three and one-half percent of revenues collected from tuition and services and activities fees in an institutional financial aid fund that is hereby created and which shall be held locally. Moneys in the fund shall be used only for the following purposes: (a) To make guaranteed long-term loans to eligible students as provided in subsections (3) through (8) of this section; (b) to make short-term loans as provided in subsection (9) of this section; (c) to provide financial aid to ~~((needy))~~ students who demonstrate financial need as provided in subsection (10) of this section; or (d) to provide financial aid to students as provided in subsection (11) of this section.

(2) An "eligible student" for the purposes of subsections (3) through (8) and (10) of this section is a student registered for at least three credit hours or the equivalent, who is eligible for resident tuition and fee rates as defined in RCW 28B.15.012 and 28B.15.013, and who is a ~~((needy))~~ student(=) who demonstrates financial need as defined in RCW 28B.92.030.

(3) The amount of the guaranteed long-term loans made under this section shall not exceed the demonstrated financial need of the student. Each institution shall establish loan terms and conditions which shall be consistent with the terms of the guaranteed loan program established by 20 U.S. Code Section 1071 et seq., as now or hereafter amended. All loans made shall be guaranteed by the Washington student loan guaranty association or its successor agency. Institutions are hereby granted full authority to operate as an eligible lender under the guaranteed loan program.

(4) Before approving a guaranteed long-term loan, each institution shall analyze the ability of the student to repay the loan based on factors which include, but are not limited to, the student's accumulated total education loan burdens and the employment opportunities and average starting salary

characteristics of the student's chosen fields of study. The institution shall counsel the student on the advisability of acquiring additional debt, and on the availability of other forms of financial aid.

(5) Each institution is responsible for collection of guaranteed long-term loans made under this section and shall exercise due diligence in such collection, maintaining all necessary records to insure that maximum repayments are made. Institutions shall cooperate with other lenders and the Washington student loan guaranty association, or its successor agency, in the coordinated collection of guaranteed loans, and shall assure that the guarantability of the loans is not violated. Collection and servicing of guaranteed long-term loans under this section shall be performed by entities approved for such servicing by the Washington student loan guaranty association or its successor agency: **PROVIDED**, That institutions be permitted to perform such servicing if specifically recognized to do so by the Washington student loan guaranty association or its successor agency. Collection and servicing of guaranteed long-term loans made by community colleges under subsection (1) of this section shall be coordinated by the state board for community and technical colleges and shall be conducted under procedures adopted by the state board.

(6) Receipts from payment of interest or principal or any other subsidies to which institutions as lenders are entitled, that are paid by or on behalf of borrowers of funds under subsections (3) through (8) of this section, shall be deposited in each institution's financial aid fund and shall be used to cover the costs of making the guaranteed long-term loans under this section and maintaining necessary records and making collections under subsection (5) of this section: **PROVIDED**, That such costs shall not exceed five percent of aggregate outstanding loan principal. Institutions shall maintain accurate records of such costs, and all receipts beyond those necessary to pay such costs, shall be deposited in the institution's financial aid fund.

(7) The governing boards of the state universities, the regional universities, and The Evergreen State College, and the state board for community and technical colleges, on behalf of the community colleges and technical colleges, shall each adopt necessary rules and regulations to implement this section.

(8) First priority for any guaranteed long-term loans made under this section shall be directed toward students who would not normally have access to educational loans from private financial institutions in Washington state, and maximum use shall be made of secondary markets in the support of loan consolidation.

(9) Short-term loans, not to exceed one year, may be made from the institutional financial aid fund to students enrolled in the institution. No such loan shall be made to any student who is known by the institution to be in default or delinquent in the payment of any outstanding student loan. A short-term loan may be made only if the institution has ample evidence that the student has the capability of repaying the loan within the time frame specified by the institution for repayment.

(10) Any moneys deposited in the institutional financial aid fund that are not used in making long-term or short-term loans may be used by the institution for locally administered financial aid programs for ~~((needy))~~ students who demonstrate financial need, such as need-based institutional employment programs or need-based tuition and fee scholarship or grant programs. These funds shall be used in addition to and not to replace institutional funds that would otherwise support these locally administered financial aid programs. First priority in the use of these funds shall be given to ~~((needy))~~ students who demonstrate financial need and have accumulated excessive educational loan burdens. An excessive educational loan burden is a burden that will be difficult

to repay given employment opportunities and average starting salaries in the student’s chosen fields of study. Second priority in the use of these funds shall be given to ~~((needy))~~ single parents who are students who demonstrate financial need, to assist these students with their educational expenses, including expenses associated with child care and transportation.

(11) Any moneys deposited in the institutional financial aid fund may be used by the institution for a locally administered financial aid program for high school students enrolled in dual credit programs. If institutions use funds in this manner, the governing boards of the state universities, the regional universities, The Evergreen State College, and the state board for community and technical colleges shall each adopt necessary rules to implement this subsection. Moneys from this fund may be used for all educational expenses related to a student’s participation in a dual credit program including but not limited to tuition, fees, course materials, and transportation.

Sec. 16. RCW 28B.108.010 and 2011 1st sp.s. c 11 s 191 are each reenacted and amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) “Eligible student” or “student” means an American Indian who is a ~~((financially-needy))~~ student who demonstrates financial need, as defined in RCW 28B.92.030, who is a resident student, as defined by RCW 28B.15.012(2), who is a full-time student at an institution of higher education, and who promises to use his or her education to benefit other American Indians.

(2) “Institution of higher education” or “institution” means a college or university in the state of Washington which is accredited by an accrediting association recognized as such by rule of the council for higher education.

(3) “Office” means the office of student financial assistance.

Sec. 17. RCW 28B.116.010 and 2013 c 39 s 10 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) “Cost of attendance” means the cost associated with the attendance of the institution of higher education as determined by the office of student financial assistance, including but not limited to tuition, room, board, and books.

(2) “Eligible student” means a student who:

(a) Is between the ages of sixteen and twenty-three;

(b) Has been in foster care in the state of Washington for a minimum of six months since his or her fourteenth birthday;

(c) Is a ~~((financially-needy))~~ student who demonstrates financial need, as defined in RCW 28B.92.030;

(d) Is a resident student, as defined in RCW 28B.15.012(2);

(e) Has entered or will enter an institution of higher education in Washington state within three years of high school graduation or having successfully completed his or her high school equivalency certificate as provided in RCW 28B.50.536;

(f) Is not pursuing a degree in theology; and

(g) Makes satisfactory progress towards the completion of a degree or certificate program.

(3) “Institution of higher education” means a college or university in the state of Washington that is accredited by an accrediting association recognized as such by rule of the student achievement council.

(4) “Office” means the office of student financial assistance.

Sec. 18. RCW 28A.180.120 and 2017 c 236 s 4 are each amended to read as follows:

In 2017, funds must be appropriated for the purposes in this section.

(1) The professional educator standards board, beginning in the 2017-2019 biennium, shall administer the bilingual educator initiative, which is a long-term program to recruit, prepare, and mentor bilingual high school students to become future bilingual teachers and counselors.

(2) Subject to the availability of amounts appropriated for this specific purpose, pilot projects must be implemented in one or two school districts east of the crest of the Cascade mountains and one or two school districts west of the crest of the Cascade mountains, where immigrant students are shown to be rapidly increasing. Districts selected by the professional educator standards board must partner with at least one two-year and one four-year college in planning and implementing the program. The professional educator standards board shall provide oversight.

(3) Participating school districts must implement programs, including: (a) An outreach plan that exposes the program to middle school students and recruits them to enroll in the program when they begin their ninth grade of high school; (b) activities in ninth and tenth grades that help build student agency, such as self-confidence and awareness, while helping students to develop academic mind-sets needed for high school and college success; the value and benefits of teaching and counseling as careers; and introduction to leadership, civic engagement, and community service; (c) credit-bearing curricula in grades eleven and twelve that include mentoring, shadowing, best practices in teaching in a multicultural world, efficacy and practice of dual language instruction, social and emotional learning, enhanced leadership, civic engagement, and community service activities.

(4) There must be a pipeline to college using two-year and four-year college faculty and consisting of continuation services for program participants, such as advising, tutoring, mentoring, financial assistance, and leadership.

(5) High school and college teachers and counselors must be recruited and compensated to serve as mentors and trainers for participating students.

(6) After obtaining a high school diploma, students qualify to receive conditional loans to cover the full cost of college tuition, fees, and books. To qualify for funds, students must meet program requirements as developed by their local implementation team, which consists of staff from their school district and the partnering two-year and four-year college faculty.

(7) In order to avoid loan repayment, students must (a) earn their baccalaureate degree and certification needed to serve as a teacher or professional guidance counselor; and (b) teach or serve as a counselor in their educational service district region for at least five years. Students who do not meet the repayment terms in this subsection are subject to repaying all or part of the financial aid they receive for college unless students are recipients of funding provided through programs such as the ~~((state-need grant))~~ Washington college promise scholarship program or the college bound scholarship program.

(8) Grantees must work with the professional educator standards board to draft the report required in section 6, chapter 236, Laws of 2017.

(9) The professional educator standards board may adopt rules to implement this section.

Sec. 19. RCW 28B.76.502 and 2017 c 177 s 1 are each amended to read as follows:

(1) The office must provide a financial aid counseling curriculum to institutions of higher education with ~~((state-need grant))~~ Washington college promise scholarship recipients. The curriculum must be available via a web site. The curriculum must include, but not be limited to:

(a) An explanation of the ~~((state need grant))~~ Washington college promise scholarship program rules, including maintaining satisfactory progress, repayment rules, and usage limits;

(b) Information on campus and private scholarships and work-study opportunities, including the application processes;

(c) An overview of student loan options with an emphasis on the repayment obligations a student borrower assumes regardless of program completion, including the likely consequences of default and sample monthly repayment amounts based on a range of student levels of indebtedness;

(d) An overview of personal finance, including basic money management skills such as living within a budget and handling credit and debt;

(e) Average salaries for a wide range of jobs;

(f) Financial education that meets the needs of, and includes perspectives from, a diverse group of students who are or were recipients of financial aid, including student loans, who may be trained by the financial education public-private partnership; and

(g) Contact information for local financial aid resources and the federal student aid ombuds' office.

(2) By the 2013-14 academic year, the institution of higher education must take reasonable steps to ensure that each ~~((state need grant))~~ Washington college promise scholarship recipient receives information outlined in subsection (1)(a) through (g) of this section by directly referencing or linking to the web site on the conditions of award statement provided to each recipient.

(3) By July 1, 2013, the office must disseminate the curriculum to all institutions of higher education participating in the ~~((state need grant))~~ Washington college promise scholarship program. The institutions of higher education may require ~~((nonstate need grant recipients))~~ students who are not participating in the Washington college promise scholarship program to participate in all or portions of the financial aid counseling.

(4) Subject to the availability of amounts appropriated for this specific purpose, by the 2017-18 academic year, each institution of higher education must take reasonable steps to ensure that the institution presents, and each incoming student participates in, a financial education workshop. The scope of the workshop must include, but is not limited to, the information outlined in subsection (1)(b) through (g) of this section, and include recommendations by the financial education public-private partnership. The institutions are encouraged to present these workshops during student orientation or as early as possible in the academic year.

Sec. 20. RCW 28B.76.525 and 2011 1st sp.s. c 11 s 110 are each amended to read as follows:

(1) The state financial aid account is created in the custody of the state treasurer. The primary purpose of the account is to ensure that all appropriations designated for financial aid through statewide student financial aid programs are made available to eligible students. The account shall be a nontreasury account.

(2) The office shall deposit in the account all money received for the ~~((state need grant))~~ Washington college promise scholarship program ~~((established under RCW 28B.92.010))~~ created under section 2 of this act, the state work-study program established under chapter 28B.12 RCW, the Washington scholars program established under RCW 28A.600.110, the Washington award for vocational excellence program established under RCW 28C.04.525, and the educational opportunity grant program established under chapter 28B.101 RCW. The account shall consist of funds appropriated by the legislature for the programs listed in this subsection and private contributions to the programs. Moneys deposited in the account do not lapse at the close of the fiscal period for which they were appropriated. Both during and after the fiscal period in which moneys were deposited in the

account, the office may expend moneys in the account only for the purposes for which they were appropriated, and the expenditures are subject to any other conditions or limitations placed on the appropriations.

(3) Expenditures from the account shall be used for scholarships to students eligible for the programs according to program rules and policies.

(4) Disbursements from the account are exempt from appropriations and the allotment provisions of chapter 43.88 RCW.

(5) Only the director of the office or the director's designee may authorize expenditures from the account.

Sec. 21. RCW 28B.76.526 and 2018 c 232 s 10 are each amended to read as follows:

The Washington opportunity pathways account is created in the state treasury. Expenditures from the account may be used only for programs in chapter 28A.710 RCW (charter schools), chapter 28B.12 RCW (state work-study), chapter 28B.50 RCW (opportunity grant), RCW 28B.76.660 (Washington scholars award), RCW 28B.76.670 (Washington award for vocational excellence), chapter 28B.92 RCW ~~((state need grant))~~ Washington college promise scholarship program, chapter 28B.105 RCW (GET ready for math and science scholarship), chapter 28B.117 RCW (passport to careers), chapter 28B.118 RCW (college bound scholarship), ~~((chapter 28B.119 RCW (Washington promise scholarship)))~~ and chapter ~~((43.215))~~ 43.216 RCW (early childhood education and assistance program).

Sec. 22. RCW 28B.76.540 and 2011 1st sp.s. c 11 s 111 are each amended to read as follows:

In addition to administrative responsibilities assigned in this chapter, the office shall administer the programs set forth in the following statutes: RCW 28A.600.100 through 28A.600.150 (Washington scholars); chapter 28B.85 RCW (degree-granting institutions); chapter 28B.92 RCW ~~((state need grant))~~ Washington college promise scholarship; chapter 28B.12 RCW (work-study); RCW 28B.15.543 ~~((tuition waivers for Washington scholars))~~ grants for undergraduate coursework; RCW 28B.15.760 through 28B.15.766 (math and science loans); RCW 28B.15.100 (reciprocity agreement); RCW 28B.15.730 through 28B.15.734 (Oregon reciprocity); RCW 28B.15.750 and 28B.15.752 (Idaho reciprocity); RCW 28B.15.756 (British Columbia reciprocity); chapter 28B.101 RCW (educational opportunity grant); chapter 28B.102 RCW (future teachers conditional scholarship); chapter 28B.108 RCW (American Indian endowed scholarship); chapter 28B.109 RCW (Washington international exchange scholarship); chapter 28B.115 RCW (health professional conditional scholarship); ~~((chapter 28B.119 RCW (Washington promise scholarship)))~~ and chapter 28B.133 RCW (gaining independence for students with dependents).

Sec. 23. RCW 28B.76.699 and 2016 c 233 s 17 are each amended to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, the office shall administer a student teaching residency grant program to provide additional funds to individuals completing student teaching residencies at public schools in Washington.

(2) To qualify for the grant, recipients must be enrolled in a professional educator standards board-approved teacher preparation program, be completing or about to start a student teaching residency at a Title I school, and demonstrate financial need, as defined by the office and consistent with the income criteria required to receive the ~~((state need grant established))~~

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Washington college promise scholarship created in chapter 28B.92 RCW.

(3) The office shall establish rules for administering the grants under this section.

Sec. 24. RCW 28B.77.020 and 2015 c 83 s 2 are each amended to read as follows:

(1) Aligned with the state's biennial budget and policy cycles, the council shall propose educational attainment goals and priorities to meet the state's evolving needs. The council shall identify strategies for meeting the goals and priorities by means of a short-term strategic action plan and a ten-year plan that serves as a roadmap.

(a) The goals must address the needs of Washington residents to reach higher levels of educational attainment and Washington's workforce needs for certificates and degrees in particular fields of study.

(b) The council shall identify the resources it deems appropriate to meet statewide goals and also recognize current state economic conditions and state resources.

(c) In proposing goals, the council shall collaborate with the superintendent of public instruction, the professional educator standards board, the state board of education, the state board for community and technical colleges, the four-year institutions of higher education, independent colleges and degree-granting institutions, certificate-granting institutions, and the workforce training and education coordinating board.

(2) The council shall update the strategic action plan every two years with the first strategic action plan to be submitted to the governor and the legislature by December 1, 2012. The ten-year roadmap must be updated every two years with the first roadmap to be submitted to the governor and the legislature by December 1, 2013. The council must provide regular updates to the joint higher education committee created in RCW 44.04.360 as needed.

(3) In order to develop the ten-year roadmap, the council shall conduct strategic planning in collaboration with agencies and stakeholders and include input from the legislature. The council must also consult with the STEM education innovation alliance established under RCW 28A.188.030 in order to align strategies under the roadmap with the STEM framework for education and accountability developed by the alliance. The roadmap must encompass all sectors of higher education, including secondary to postsecondary transitions. The roadmap must outline strategies that address:

(a) Strategic planning, which includes setting benchmarks and goals for long-term degree production generally and in particular fields of study;

(b) Expanding access, affordability, quality, efficiency, and accountability among the various institutions of higher education;

(c) Higher education finance planning and strategic investments including budget recommendations necessary to meet statewide goals;

(d) System design and coordination;

(e) Improving student transitions;

(f) Higher education data and analysis, in collaboration with the education data center, which includes outcomes for recruitment, retention, and success of students;

(g) College and career access preparedness, in collaboration with the office of the superintendent of public instruction and the state board of education;

(h) Expanding participation and success for racial and ethnic minorities in higher education;

(i) Development and expansion of innovations in higher education including innovations to increase attainment of postsecondary certificates, and associate, baccalaureate, graduate,

and professional degrees; and innovations to improve precollege education in terms of cost-effectiveness and transitions to college-level education;

(j) Strengthening the education pipeline and degree production in science, technology, engineering, and mathematics fields, and aligning strategies under the roadmap with the STEM framework for action and accountability developed under RCW 28A.188.030; and

(k) Relevant policy research.

(4) As needed, the council must conduct system reviews consistent with RCW 28B.77.080.

(5) The council shall facilitate the development and expansion of innovative practices within, between, and among the sectors to increase educational attainment and assess the effectiveness of the innovations.

(6) The council shall use the data and analysis produced by, and in consultation with, the education data center created in RCW 43.41.400 in developing policy recommendations and proposing goals. In conducting research and analysis the council at a minimum must:

(a) Identify barriers to increasing educational attainment, evaluate effectiveness of various educational models, identify best practices, and recommend methods to overcome barriers;

(b) Analyze data from multiple sources including data from academic research and from areas and agencies outside of education including but not limited to data from the department of health, the department of corrections, and the department of social and health services to determine best practices to remove barriers and to improve educational attainment;

(c) Assess educational achievement disaggregated by income level, age, gender, race and ethnicity, country of origin, and other relevant demographic groups working with data from the education data center;

(d) Track progress toward meeting the state's goals;

(e) Communicate results and provide access to data analysis to policymakers, the superintendent of public instruction, institutions of higher education, students, and the public; and

(f) Use data from the education data center wherever appropriate to conduct duties in (a) through (e) of this subsection.

(7) The council shall collaborate with the appropriate state agencies and stakeholders, including the state board of education, the office of the superintendent of public instruction, the state board for community and technical colleges, the workforce training and education coordinating board, and the four-year institutions of higher education to improve student transitions and success including but not limited to:

(a) Setting minimum college admission standards for four-year institutions of higher education, including:

(i) A requirement that coursework in American sign language or an American Indian language satisfies any requirement for instruction in a language other than English that the council or the institutions may establish as a general undergraduate admissions requirement; and

(ii) Encouragement of the use of multiple measures to determine whether a student must enroll in a precollege course, such as placement tests, the SAT, high school transcripts, college transcripts, or initial class performance;

(b) Proposing comprehensive policies and programs to encourage students to prepare for, understand how to access, and pursue postsecondary college and career programs, including specific policies and programs for students with disabilities;

(c) Recommending policies that require coordination between or among sectors such as dual high school-college programs, awarding college credit for advanced high school work, and transfer between two and four-year institutions of higher

education or between different four-year institutions of higher education; and

(d) Identifying transitions issues and solutions for students, from high school to postsecondary education including community and technical colleges, four-year institutions of higher education, apprenticeships, training, or workplace education; between two-year and four-year institutions of higher education; and from postsecondary education to career. In addressing these issues the council must recognize that these transitions may occur multiple times as students continue their education.

(8) The council directs the work of the office, which includes administration of student financial aid programs under RCW 28B.76.090, including the ~~((state need grant))~~ Washington college promise scholarship and other scholarships, the Washington advanced college tuition payment program, and work-study programs.

(9) The council may administer state and federal grants and programs including but not limited to those programs that provide incentives for improvements related to increased access and success in postsecondary education.

(10) The council shall protect higher education consumers including:

(a) Approving degree-granting postsecondary institutions consistent with existing statutory criteria;

(b) Establishing minimum criteria to assess whether students who attend proprietary institutions of higher education shall be eligible for the ~~((state need grant))~~ Washington college promise scholarship and other forms of state financial aid.

(i) The criteria shall include retention rates, completion rates, loan default rates, and annual tuition increases, among other criteria for students who receive ~~((state need grant as))~~ the Washington college promise scholarship in chapter 28B.92 RCW and any other state financial aid.

(ii) The council may remove proprietary institutions of higher education from eligibility for the ~~((state need grant))~~ Washington college promise scholarship or other form of state financial aid if it finds that the institution or college does not meet minimum criteria.

(iii) The council shall report by December 1, 2014, to the joint higher education committee in RCW 44.04.360 on the outcomes of students receiving ~~((state need grants))~~ Washington college promise scholarships, impacts on meeting the state's higher education goals for educational attainment, and options for prioritization of the ~~((state need grant))~~ Washington college promise scholarship and possible consequences of implementing each option. When examining options for prioritizing the ~~((state need grant))~~ Washington college promise scholarship the council shall consider awarding ~~((grants))~~ scholarships based on need rather than date of application and making awards based on other criteria selected by the council.

(11) The council shall adopt residency requirements by rule.

(12) The council shall arbitrate disputes between and among four-year institutions of higher education and the state board for community and technical colleges at the request of one or more of the institutions involved, or at the request of the governor, or from a resolution adopted by the legislature. The decision of the council shall be binding on the participants in the dispute.

(13) The council may solicit, accept, receive, and administer federal funds or private funds, in trust, or otherwise, and contract with foundations or with for-profit or nonprofit organizations to support the purposes and functions of the council.

(14) The council shall represent the broad public interest above the interests of the individual institutions of higher education.

Sec. 25. RCW 28B.117.020 and 2018 c 232 s 3 are each amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Apprentice" means a person enrolled in a state-approved, federally registered, or reciprocally recognized apprenticeship program.

(2) "Apprenticeship" means an apprenticeship training program approved or recognized by the state apprenticeship council or similar federal entity.

(3) "Cost of attendance" means the cost associated with attending a particular institution of higher education as determined by the office, including but not limited to tuition, fees, room, board, books, personal expenses, and transportation, plus the cost of reasonable additional expenses incurred by an eligible student and approved by a financial aid administrator at the student's school of attendance.

(4) "Federal foster care system" means the foster care program under the federal unaccompanied refugee minors program, Title 8 U.S.C. Sec. 1522 of the immigration and nationality act.

(5) "Financial need" means the difference between a student's cost of attendance and the student's total family contribution as determined by the method prescribed by the United States department of education.

(6) "Homeless" or "homelessness" means without a fixed, regular, and adequate nighttime residence as set forth in the federal McKinney-Vento homeless assistance act, 42 U.S.C. Sec. 11301 et seq.

(7) "Independent college or university" means a private, nonprofit institution of higher education, open to residents of the state, providing programs of education beyond the high school level leading to at least the baccalaureate degree, and accredited by the Northwest association of schools and colleges, and other institutions as may be developed that are approved by the student achievement council as meeting equivalent standards as those institutions accredited under this section.

(8) "Institution of higher education" means any institution eligible to and participating in the ~~((state need grant))~~ Washington college promise scholarship program.

(9) "Occupational-specific costs" means the costs associated with entering an apprenticeship or preapprenticeship, including but not limited to fees, tuition for classes, work clothes, rain gear, boots, occupation-specific tools.

(10) "Office" means the office of student financial assistance.

(11) "Preapprenticeship" means an apprenticeship preparation program recognized by the state apprenticeship council and as defined in RCW 28C.18.162.

(12) "Program" means the passport to careers program created in this chapter.

(13) "State foster care system" means out-of-home care pursuant to a dependency and includes the placement of dependents from other states who are placed in Washington pursuant to orders issued under the interstate compact on the placement of children, chapter 26.34 RCW.

(14) "Tribal court" has the same meaning as defined in RCW 13.38.040.

(15) "Tribal foster care system" means an out-of-home placement under a dependency order from a tribal court.

(16) "Unaccompanied" means a youth or young adult experiencing homelessness while not in the physical custody of a parent or guardian.

Sec. 26. RCW 28B.118.010 and 2018 c 204 s 1 and 2018 c 12 s 1 are each reenacted and amended to read as follows:

The office of student financial assistance shall design the Washington college bound scholarship program in accordance with this section and in alignment with the ~~((state need grant))~~

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Washington college promise scholarship program in chapter 28B.92 RCW unless otherwise provided in this section.

(1) "Eligible students" are those students who:

(a) Qualify for free or reduced-price lunches. If a student qualifies in the seventh grade, the student remains eligible even if the student does not receive free or reduced-price lunches thereafter;

(b) Are dependent pursuant to chapter 13.34 RCW and:

(i) In grade seven through twelve; or

(ii) Are between the ages of eighteen and twenty-one and have not graduated from high school; or

(c) Were dependent pursuant to chapter 13.34 RCW and were adopted between the ages of fourteen and eighteen with a negotiated adoption agreement that includes continued eligibility for the Washington state college bound scholarship program pursuant to RCW 74.13A.025.

(2) Eligible students and the students' parents or guardians shall be notified of the student's eligibility for the Washington college bound scholarship program beginning in the student's seventh grade year. Students and the students' parents or guardians shall also be notified of the requirements for award of the scholarship.

(3)(a) To be eligible for a Washington college bound scholarship, a student eligible under subsection (1)(a) of this section must sign a pledge during seventh or eighth grade that includes a commitment to graduate from high school with at least a C average and with no felony convictions. The pledge must be witnessed by a parent or guardian and forwarded to the office of student financial assistance by mail or electronically, as indicated on the pledge form.

(b)(i) Beginning in the 2018-19 academic year, the office of student financial assistance shall make multiple attempts to secure the signature of the student's parent or guardian for the purpose of witnessing the pledge.

(ii) If the signature of the student's parent or guardian is not obtained, the office of student financial assistance may partner with the school counselor or administrator to secure the parent's or guardian's signature to witness the pledge. The school counselor or administrator shall make multiple attempts via all phone numbers, email addresses, and mailing addresses on record to secure the parent's or guardian's signature. All attempts to contact the parent or guardian must be documented and maintained in the student's official file.

(iii) If a parent's or guardian's signature is still not obtained, the school counselor or administrator shall indicate to the office of student financial assistance the nature of the unsuccessful efforts to contact the student's parent or guardian and the reasons the signature is not available. Then the school counselor or administrator may witness the pledge unless the parent or guardian has indicated that he or she does not wish for the student to participate in the program.

(c) A student eligible under subsection (1)(b) of this section shall be automatically enrolled, with no action necessary by the student or the student's family, and the enrollment form must be forwarded by the department of social and health services to the office of student financial assistance by mail or electronically, as indicated on the form.

(4)(a) Scholarships shall be awarded to eligible students graduating from public high schools, approved private high schools under chapter 28A.195 RCW, or who received home-based instruction under chapter 28A.200 RCW.

(b)(i) To receive the Washington college bound scholarship, a student must graduate with at least a "C" average from a public high school or an approved private high school under chapter 28A.195 RCW in Washington or have received home-based

instruction under chapter 28A.200 RCW, must have no felony convictions, and must be a resident student as defined in RCW 28B.15.012(2) (a) through (e). A student who is eligible to receive the Washington college bound scholarship because the student is a resident student under RCW 28B.15.012(2)(e) must provide the institution, as defined in RCW 28B.15.012, an affidavit indicating that the individual will file an application to become a permanent resident at the earliest opportunity the individual is eligible to do so and a willingness to engage in any other activities necessary to acquire citizenship, including but not limited to citizenship or civics review courses.

(ii) For eligible children as defined in subsection (1)(b) and (c) of this section, to receive the Washington college bound scholarship, a student must have received a high school equivalency certificate as provided in RCW 28B.50.536 or have graduated with at least a "C" average from a public high school or an approved private high school under chapter 28A.195 RCW in Washington or have received home-based instruction under chapter 28A.200 RCW, must have no felony convictions, and must be a resident student as defined in RCW 28B.15.012(2) (a) through (e).

For a student who does not meet the "C" average requirement, and who completes fewer than two quarters in the running start program, under chapter 28A.600 RCW, the student's first quarter of running start course grades must be excluded from the student's overall grade point average for purposes of determining their eligibility to receive the scholarship.

(5) A student's family income will be assessed upon graduation before awarding the scholarship.

(6) If at graduation from high school the student's family income does not exceed sixty-five percent of the state median family income, scholarship award amounts shall be as provided in this section.

(a) For students attending two or four-year institutions of higher education as defined in RCW 28B.10.016, the value of the award shall be (i) the difference between the student's tuition and required fees, less the value of any state-funded grant, scholarship, or waiver assistance the student receives; (ii) plus five hundred dollars for books and materials.

(b) For students attending private four-year institutions of higher education in Washington, the award amount shall be the representative average of awards granted to students in public research universities in Washington or the representative average of awards granted to students in public research universities in Washington in the 2014-15 academic year, whichever is greater.

(c) For students attending private vocational schools in Washington, the award amount shall be the representative average of awards granted to students in public community and technical colleges in Washington or the representative average of awards granted to students in public community and technical colleges in Washington in the 2014-15 academic year, whichever is greater.

(7) Recipients may receive no more than four full-time years' worth of scholarship awards.

(8) Institutions of higher education shall award the student all need-based and merit-based financial aid for which the student would otherwise qualify. The Washington college bound scholarship is intended to replace unmet need, loans, and, at the student's option, work-study award before any other grants or scholarships are reduced.

(9) The first scholarships shall be awarded to students graduating in 2012.

(10) The state of Washington retains legal ownership of tuition units awarded as scholarships under this chapter until the tuition units are redeemed. These tuition units shall remain separately

held from any tuition units owned under chapter 28B.95 RCW by a Washington college bound scholarship recipient.

(11) The scholarship award must be used within five years of receipt. Any unused scholarship tuition units revert to the Washington college bound scholarship account.

(12) Should the recipient terminate his or her enrollment for any reason during the academic year, the unused portion of the scholarship tuition units shall revert to the Washington college bound scholarship account.

Sec. 27. RCW 28B.118.090 and 2015 c 244 s 6 are each amended to read as follows:

(1) Beginning January 1, 2015, and at a minimum every year thereafter, the student achievement council and all institutions of higher education eligible to participate in the college bound scholarship program shall ensure data needed to analyze and evaluate the effectiveness of the college bound scholarship program is promptly transmitted to the education data center created in RCW 43.41.400 so that it is available and easily accessible. The data to be reported should include but not be limited to:

(a) The number of students who sign up for the college bound scholarship program in seventh or eighth grade;

(b) The number of college bound scholarship students who graduate from high school;

(c) The number of college bound scholarship students who enroll in postsecondary education;

(d) Persistence and completion rates of college bound scholarship recipients disaggregated by institutions of higher education;

(e) College bound scholarship recipient grade point averages;

(f) The number of college bound scholarship recipients who did not remain eligible and reasons for ineligibility;

(g) College bound scholarship program costs; and

(h) Impacts to the ~~((state need grant))~~ Washington college promise scholarship program.

(2) Beginning May 12, 2015, and at a minimum every December 1st thereafter, the student achievement council shall submit student unit record data for the college bound scholarship program applicants and recipients to the education data center.

Sec. 28. RCW 28B.133.010 and 2013 c 248 s 4 are each amended to read as follows:

The educational assistance grant program for students with dependents is hereby created, subject to the availability of receipts of gifts, grants, or endowments from private sources. The program is created to serve financially needy students with dependents eighteen years of age or younger, by assisting them directly through a grant program to pursue a degree or certificate at public or private institutions of higher education, as defined in RCW 28B.92.030(4) (a) and (b) (i) and (ii), that participate in the ~~((state need grant))~~ Washington college promise scholarship program.

Sec. 29. RCW 28B.133.020 and 2004 c 275 s 73 are each amended to read as follows:

To be eligible for the educational assistance grant program for students with dependents, applicants shall: (1) Be residents of the state of Washington; (2) be needy students as defined in RCW 28B.92.030(~~((3))~~); (3) be eligible to participate in the ~~((state need grant))~~ Washington college promise scholarship program as set forth under ~~((RCW 28B.92.080))~~ chapter 28B.92 RCW; and (4) have dependents eighteen years of age or younger who are under their care.

Sec. 30. RCW 28B.145.010 and 2018 c 254 s 9, 2018 c 209 s 6, and 2018 c 114 s 2 are each reenacted and amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Board" means the opportunity scholarship board.

(2) "Council" means the student achievement council.

(3) "Eligible advanced degree program" means a health professional degree program beyond the baccalaureate level and includes graduate and professional degree programs.

(4) "Eligible county" has the same meaning as "rural county" as defined in RCW 82.14.370 and also includes any county that shares a common border with Canada and has a population of over one hundred twenty-five thousand.

(5) "Eligible education programs" means high employer demand and other programs of study as determined by the board.

(6) "Eligible expenses" means reasonable expenses associated with the costs of acquiring an education such as tuition, books, equipment, fees, room and board, and other expenses as determined by the program administrator in consultation with the council and the state board for community and technical colleges.

(7) "Eligible school district" means a school district of the second class as identified in RCW 28A.300.065(2).

(8) "Eligible student" means a resident student who received his or her high school diploma or high school equivalency certificate as provided in RCW 28B.50.536 in Washington and who:

(a)(i) Has been accepted at a four-year institution of higher education into an eligible education program leading to a baccalaureate degree;

(ii) Will attend a two-year institution of higher education and intends to transfer to an eligible education program at a four-year institution of higher education;

(iii) Has been accepted at an institution of higher education into a professional-technical degree program in an eligible education program; ~~((or))~~

(iv) Has been accepted at an institution of higher education into a professional-technical certificate program in an eligible education program; or

(v) Has been accepted at an institution of higher education into an eligible advanced degree program and has agreed to the service obligation established by the board;

(b) Declares an intention to obtain a professional-technical certificate, professional-technical degree, ~~((or))~~ baccalaureate degree(~~(s)~~), or an advanced degree; and

(c) Has a family income at or below one hundred twenty-five percent of the state median family income at the time the student applies for an opportunity scholarship.

(9) "Gift aid" means financial aid received from the federal Pell grant, the ~~((state need grant))~~ Washington college promise scholarship program in chapter 28B.92 RCW, the college bound scholarship program in chapter 28B.118 RCW, the opportunity grant program in chapter 28B.50 RCW, the opportunity scholarship program in this chapter, or any other state grant, scholarship, or worker retraining program that provides funds for educational purposes with no obligation of repayment. "Gift aid" does not include student loans, work-study programs, the basic food employment and training program administered by the department of social and health services, or other employment assistance programs that provide job readiness opportunities and support beyond the costs of tuition, books, and fees.

(10) "High employer demand program of study" has the same meaning as provided in RCW 28B.50.030.

(11) "Participant" means an eligible student who has received a scholarship under the opportunity scholarship program.

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(12) "Professional-technical certificate" means a program as approved by the state board for community and technical colleges under RCW 28B.50.090(7)(c), that is offered by an institution of higher education.

(13) "Professional-technical degree" means a program as approved by the state board for community and technical colleges under RCW 28B.50.090(7)(c), that is offered by an institution of higher education.

(14) "Program administrator" means a private nonprofit corporation registered under Title 24 RCW and qualified as a tax-exempt entity under section 501(c)(3) of the federal internal revenue code.

(15) "Resident student" has the same meaning as provided in RCW 28B.15.012.

(16) "Rural jobs program" means the rural county high employer demand jobs program created in this chapter.

(17) "Service obligation" means an obligation by the participant to be employed in a service obligation area in the state for a specific period to be established by the board.

(18) "Service obligation area" means a location that meets one of the following conditions:

(a) Has been designated by the council as an eligible site under the health professional conditional scholarship program established under chapter 28B.115 RCW;

(b) Serves at least forty percent uninsured or medicaid enrolled patients;

(c) Is located in a rural county as defined in RCW 82.14.370 and serves a combination of uninsured, medicaid enrolled patients, and medicare enrolled patients, equal to at least forty percent of the practice location's total patients; or

(d) Serves a public agency, nonprofit organization, or local health jurisdiction as defined in RCW 43.70.575 by providing public health services necessary to preserve, protect, and promote the health of the state's population, as determined by the board after consultation with the department of health.

Sec. 31. RCW 28B.145.030 and 2018 c 209 s 8, 2018 c 204 s 2, and 2018 c 114 s 4 are each reenacted and amended to read as follows:

(1) The program administrator shall provide administrative support to execute the duties and responsibilities provided in this chapter, including but not limited to publicizing the program, selecting participants for the opportunity scholarship award, distributing opportunity scholarship awards, and achieving the maximum possible rate of return on investment of the accounts in subsection (2) of this section, while ensuring transparency in the investment decisions and processes. Duties, exercised jointly with the board, include soliciting funds and setting annual fund-raising goals. The program administrator shall be paid an administrative fee as determined by the board.

(2) With respect to the opportunity scholarship program, the program administrator shall:

(a) Establish and manage ~~((three separate))~~ the specified accounts created in (b) of this subsection, into which to receive grants and contributions from private sources as well as state matching funds, and from which to disburse scholarship funds to participants;

(b) Solicit and accept grants and contributions from private sources, via direct payment, pledge agreement, or escrow account, of private sources for deposit into any of the ~~((three))~~ specified accounts created in this subsection (2)(b) upon the direction of the donor and in accordance with this subsection (2)(b):

(i) The "scholarship account," whose principal may be invaded, and from which scholarships must be disbursed for baccalaureate programs beginning no later than December 1, 2011, if, by that

date, state matching funds in the amount of five million dollars or more have been received. Thereafter, scholarships shall be disbursed on an annual basis beginning no later than May 1, 2012, and every October 1st thereafter;

(ii) The "student support pathways account," whose principal may be invaded, and from which scholarships may be disbursed for professional-technical certificate or degree programs in the fiscal year following appropriations of state matching funds. Thereafter, scholarships shall be disbursed on an annual basis;

(iii) The "advanced degrees pathways account," whose principal may be invaded, and from which scholarships may be disbursed for eligible advanced degree programs in the fiscal year following appropriations of state matching funds. Thereafter, scholarships shall be disbursed on an annual basis;

(iv) The "endowment account," from which scholarship moneys may be disbursed for baccalaureate programs from earnings only in years when:

(A) The state match has been made into both the scholarship and the endowment account; and

(B) The state appropriations for the ~~((state need grant))~~ Washington college promise scholarship under ~~((RCW 28B.92.010))~~ chapter 28B.92 RCW meet or exceed state appropriations for the ~~((state need grant))~~ Washington college promise scholarship made in the 2011-2013 biennium, adjusted for inflation, and eligibility for ~~((state need grant))~~ Washington college promise scholarship recipients is at least seventy percent of state median family income;

(v) An amount equal to at least fifty percent of all grants and contributions must be deposited into the scholarship account until such time as twenty million dollars have been deposited into the scholarship account, after which time the private donors may designate whether their contributions must be deposited to the scholarship account, the student support pathways account, the advanced degrees pathways account, or the endowment account(~~((s))~~). The board and the program administrator must work to maximize private sector contributions to ~~((the scholarship account, the student support pathways account, the advanced degrees pathways account, and the endowment account;))~~ these accounts to maintain a robust scholarship program while simultaneously building the endowment, and to determine the division between the ~~((scholarship, the student support pathways, the advanced degrees pathways, and the endowment))~~ accounts in the case of undesignated grants and contributions, taking into account the need for a long-term funding mechanism and the short-term needs of families and students in Washington. The first five million dollars in state match, as provided in RCW 28B.145.040, shall be deposited into the scholarship account and thereafter the state match shall be deposited into the ~~((three))~~ specified accounts created in this subsection (2)(b) in equal proportion to the private funds deposited in each account, except that no more than one million dollars in state match shall be deposited into the advanced degrees pathways account in a single fiscal biennium; and

(vi) Once moneys in the opportunity scholarship match transfer account are subject to an agreement under RCW 28B.145.050(5) and are deposited in the scholarship account, the student support pathways account, the advanced degrees pathways account, or the endowment account under this section, the state acts in a fiduciary rather than ownership capacity with regard to those assets. Assets in the scholarship account, the student support pathways account, the advanced degrees pathways account, and the endowment account are not considered state money, common cash, or revenue to the state;

(c) Provide proof of receipt of grants and contributions from private sources to the council, identifying the amounts received

by name of private source and date, and whether the amounts received were deposited into the scholarship account, the student support pathways account, the advanced degrees pathways account, or the endowment account((s));

(d) In consultation with the council and the state board for community and technical colleges, make an assessment of the reasonable annual eligible expenses associated with eligible education programs and eligible advanced degree programs identified by the board;

(e) Determine the dollar difference between tuition fees charged by institutions of higher education in the 2008-09 academic year and the academic year for which an opportunity scholarship is being distributed;

(f) Develop and implement an application, selection, and notification process for awarding opportunity scholarships;

(g) Determine the annual amount of the opportunity scholarship for each selected participant. The annual amount shall be at least one thousand dollars or the amount determined under (e) of this subsection, but may be increased on an income-based, sliding scale basis up to the amount necessary to cover all reasonable annual eligible expenses as assessed pursuant to (d) of this subsection, or to encourage participation in professional-technical certificate programs, professional-technical degree programs, ((or)) baccalaureate degree programs, or eligible advanced degree programs identified by the board;

(h) Distribute scholarship funds to selected participants. Once awarded, and to the extent funds are available for distribution, an opportunity scholarship shall be automatically renewed as long as the participant annually submits documentation of filing both a free application for federal student aid (FAFSA) and for available federal education tax credits including, but not limited to, the American opportunity tax credit, or if ineligible to apply for federal student aid, the participant annually submits documentation of filing a state financial aid application as approved by the office of student financial assistance; and until the participant withdraws from or is no longer attending the program, completes the program, or has taken the credit or clock hour equivalent of one hundred twenty-five percent of the published length of time of the participant's program, whichever occurs first;

(i) Notify institutions of scholarship recipients who will attend their institutions and inform them of the terms of the students' eligibility;

(j) Establish a required service obligation for participants enrolled in an eligible advanced degree program, and establish a process for verifying a participant's employment in a service obligation area; and

(k) Establish a repayment obligation and appeals process for participants who serve less than the required service obligation, unless the program administrator determines the circumstances are beyond the participant's control. If the participant is unable to pay the repayment obligation in full, the participant may enter into payment arrangements with the program administrator. The program administrator is responsible for the collection of repayment obligations on behalf of participants who fail to complete their service obligation.

(3) With respect to the opportunity expansion program, the program administrator shall:

(a) Assist the board in developing and implementing an application, selection, and notification process for making opportunity expansion awards; and

(b) Solicit and accept grants and contributions from private sources for opportunity expansion awards.

Sec. 5. RCW 28C.18.166 and 2011 1st sp.s. c 11 s 242 are each amended to read as follows:

On an annual basis, each opportunity internship consortium shall provide the board with a list of the opportunity internship graduates from the consortium. The board shall compile the lists from all consortia and shall notify the office of student financial assistance of the eligibility of each graduate on the lists to receive a ~~((state need grant))~~ Washington college promise scholarship under chapter 28B.92 RCW if the graduate enrolls in a postsecondary program of study within one year of high school graduation.

NEW SECTION. Sec. 33. The following acts or parts of acts are each repealed:

(1)RCW 28B.92.010 (State need grant program established—Purpose) and 2014 c 1 s 1, 2004 c 275 s 34, 1999 c 345 s 2, 1993 sp.s. c 18 s 2, & 1969 ex.s. c 222 s 7;

(2)RCW 28B.92.020 (State need grant program—Findings—Intent) and 2011 1st sp.s. c 11 s 158, 2003 c 19 s 11, & 1999 c 345 s 1;

(3)RCW 28B.92.050 (Powers and duties of office) and 2011 1st sp.s. c 11 s 161, 1999 c 345 s 4, 1989 c 254 s 3, & 1969 ex.s. c 222 s 11;

(4)RCW 28B.92.060 (State need grant awards) and 2012 c 229 s 558;

(5)RCW 28B.92.080 (Eligibility for state need grant) and 2015 c 121 s 1, 2012 c 229 s 605, 2009 c 238 s 9, 2007 c 404 s 1, 2004 c 275 s 39, 1999 c 345 s 6, 1989 c 254 s 5, & 1969 ex.s. c 222 s 13;

(6)RCW 28B.92.082 (Enhanced need grants—Eligibility) and 2012 c 229 s 560 & 2009 c 215 s 3;

(7)RCW 28B.92.084 (Eligibility of opportunity internship graduates) and 2011 1st sp.s. c 11 s 163 & 2009 c 238 s 8;

(8)RCW 28B.119.005 (Intent—Finding) and 2002 c 204 s 1;

(9)RCW 28B.119.010 (Program design—Parameters) and 2013 c 39 s 12, 2011 1st sp.s. c 11 s 231, 2004 c 275 s 60, 2003 c 233 s 5, & 2002 c 204 s 2;

(10)RCW 28B.119.020 (Implementation and administration) and 2011 1st sp.s. c 11 s 232 & 2002 c 204 s 3;

(11)RCW 28B.119.030 (Funding for state need grant program not impaired) and 2011 1st sp.s. c 11 s 233, 2004 c 275 s 71, & 2002 c 204 s 4;

(12)RCW 28B.119.040 (Requirements for students receiving home-based instruction not affected) and 2002 c 204 s 5;

(13)RCW 28B.119.050 (Washington promise scholarship account) and 2011 1st sp.s. c 11 s 234 & 2002 c 204 s 6; and

(14)RCW 28B.119.900 (Effective date—2002 c 204) and 2002 c 204 s 9.

NEW SECTION. Sec. 34. Sections 1 through 4 and 7 through 33 of this act take effect July 1, 2021.”

On page 1, line 3 of the title, after “scholarship;” strike the remainder of the title and insert “amending RCW 28B.92.030, 43.88C.010, 28B.10.790, 28B.12.030, 28B.92.040, 28B.92.065, 28B.15.065, 28B.15.740, 28B.15.760, 28B.15.762, 28B.15.820, 28B.116.010, 28A.180.120, 28B.76.502, 28B.76.525, 28B.76.526, 28B.76.540, 28B.76.699, 28B.77.020, 28B.117.020, 28B.118.090, 28B.133.010, 28B.133.020, and 28C.18.166; reenacting and amending RCW 28B.108.010, 28B.118.010, 28B.145.010, and 28B.145.030; adding new sections to chapter 28B.92 RCW; repealing RCW 28B.92.010, 28B.92.020, 28B.92.050, 28B.92.060, 28B.92.080, 28B.92.082, 28B.92.084, 28B.119.005, 28B.119.010, 28B.119.020, 28B.119.030, 28B.119.040, 28B.119.050, and 28B.119.900; and providing an effective date.”

MOTION

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Senator Holy moved that the following amendment no. 331 by Senator Holy be adopted:

On page 2, beginning on line 7, strike all of subsections (3) and (4) and insert the following:

“(3) Subject to appropriations, the office shall exercise sound discretion in selecting financial aid recipients, prioritizing financial need and other considerations such as whether the student is a former foster youth.”

Renumber the remaining subsections consecutively and correct any internal references accordingly.

On page 4, line 9, after “(2)” strike all material through “RCW 28B.92.030” on line 19 and insert “Students with family incomes between zero and fifty percent of the state median family income may be eligible to receive the maximum Washington college promise scholarship award as defined in RCW 28B.92.030. Awards for students with incomes between fifty-one and seventy percent of the state median family income shall be prorated at the following percentages of the maximum Washington college promise scholarship award amount granted to those with incomes below fifty-one percent of the state median family income”

On page 4, beginning on line 20, strike all of subsection (2)(a) Reletter the remaining subsections consecutively and correct any internal references accordingly.

Beginning on page 6, line 29, strike all of part II Renumber the remaining part and sections consecutively and correct any internal references accordingly.

On page 41, line 33, after “**Sec. 34.**” strike “Sections 1 through 4 and 7 through 33 of this act take” and insert “This act takes”

On page 42, at the beginning of line 3, strike “43.88C.010,”

Senator Holy spoke in favor of adoption of the amendment to the striking amendment.

Senator Palumbo spoke against adoption of the amendment to the striking amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 331 by Senator Holy on page 2, line 7 to striking amendment no. 328.

MOTION

Senator Holy moved that the following amendment no. 329 by Senator Holy be adopted:

On page 3, line 8, after “office;” strike “and”
On page 3, line 9, after “(e)” insert “Must not have any felony convictions; and
(f)”

Senator Holy spoke in favor of adoption of the amendment to the striking amendment.

Senator Palumbo spoke against adoption of the amendment to the striking amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 329 by Senator Holy on page 3, line 8 to striking amendment no. 328.

The motion by Senator Holy did not carry and amendment no. 329 was not adopted by voice vote.

MOTION

Senator Walsh moved that the following amendment no. 330 by Senator Walsh be adopted:

On page 3, line 19, after “(8)” insert “(a)”

On page 3, line 21, after “office” strike all material through “rule” and insert “and the student must meet the following requirements:

(i) Maintain a cumulative grade point average of at least a 2.5; or

(ii) For students enrolled at The Evergreen State College, meet the requirements of The Evergreen State College’s satisfactory academic progress policy for state financial aid.

(b) Institutions of higher education may make exemptions as necessary for family and medical emergencies”

Senators Walsh, King, Short, Braun, Hawkins and Wagoner spoke in favor of adoption of the amendment to the striking amendment.

Senators Liias and Darneille spoke against adoption of the amendment to the striking amendment.

Senator Short demanded a roll call.
The President Pro Tempore declared that one-sixth of the members supported the demand and the demand was sustained.

The President Pro Tempore declared the question before the Senate to be the adoption of the amendment by Senator Walsh on page 3, line 19, to striking amendment no.328.

ROLL CALL

The Secretary called the roll on the adoption of amendment no. 330 by Senator Walsh and the amendment was not adopted by the following vote: Yeas, 19; Nays, 26; Absent, 0; Excused, 4.

Voting yea: Senators Becker, Braun, Brown, Fortunato, Hawkins, Holy, Honeyford, King, O’Ban, Padden, Rivers, Schoesler, Sheldon, Short, Wagoner, Walsh, Warnick, Wilson, L. and Zeiger

Voting nay: Senators Billig, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Palumbo, Pedersen, Randall, Rolfes, Saldaña, Salomon, Takko, Van De Wege, Wellman and Wilson, C.

Excused: Senators Bailey, Carlyle, Ericksen and Hobbs.

Senators Palumbo and Holy spoke in favor of adoption of the striking amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of striking amendment no. 328 by Senators Palumbo, Frockt and Liias to Second Substitute Senate Bill No. 5393.

The motion by Senator Palumbo carried and striking amendment no. 328 was adopted by voice vote.

MOTION

On motion of Senator Palumbo, the rules were suspended, Engrossed Second Substitute Senate Bill No. 5393 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Palumbo and Frockt spoke in favor of passage of the bill.

Senators Holy and Braun spoke against passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 5393.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5393 and the bill passed the Senate by the following vote: Yeas, 27; Nays, 18; Absent, 0; Excused, 4.

Voting yea: Senators Billig, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hunt, Keiser, Kuderer, Lias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Palumbo, Pedersen, Randall, Rolfes, Saldaña, Salomon, Takko, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Becker, Braun, Brown, Fortunato, Hawkins, Holy, Honeyford, King, Padden, Rivers, Schoesler, Sheldon, Short, Wagoner, Walsh, Warnick, Wilson, L. and Zeiger

Excused: Senators Bailey, Carlyle, Ericksen and Hobbs

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5393, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Lias announced a meeting of the Committee on Rules at the bar of the senate immediately upon adjournment.

MOTION

At 1:28 p.m., on motion of Senator Lias, the Senate adjourned until 10:00 o'clock a.m. Monday, March 11, 2019.

KAREN KEISER, President Pro Tempore of the Senate

BRAD HENDRICKSON, Secretary of the Senate

FIFTY SEVENTH DAY

MORNING SESSION

Senate Chamber, Olympia
Monday, March 11, 2019

The Senate was called to order at 10:08 a.m. by the President Pro Tempore, Senator Keiser presiding. The Secretary called the roll and announced to the President Pro Tempore that all senators were present with the exception of Senator Carlyle.

The Sergeant at Arms Color Guard consisting of Pages Miss Grace Fuller and Mr. Logan Matthews, presented the Colors. Page Miss Rowan Matner led the Senate in the Pledge of Allegiance.

The prayer was offered by Reverend George Bedlion Jr., Senior Pastor, Bethany Baptist Church, Puyallup. Reverend Bedlion was a guest of Senator Zeiger.

The President Pro Tempore called upon the Secretary to read the journal of the preceding day.

MOTION

On motion of Senator Liias, the reading of the Journal of the previous day was dispensed with and it was approved.

MOTION

On motion of Senator Liias, Rule 15 was suspended for the remainder of the day for the purpose of allowing continued floor action.

EDITOR'S NOTE: Senate Rule 15 establishes the floor schedule and calls for a lunch and dinner break of 90 minutes each per day during regular daily sessions.

MOTION TO LIMIT DEBATE

Pursuant to Rule 29, on motion of Senator Liias and without objection, senators were limited to speaking but once and for no more than three minutes on each question under debate for the remainder of the day by voice vote.

MOTION

On motion of Senator Liias, the Senate advanced to the fourth order of business.

MESSAGES FROM THE HOUSE

March 9, 2019

MR. PRESIDENT:

The House has passed:

- SUBSTITUTE HOUSE BILL NO. 1075,
- ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1114,
- SUBSTITUTE HOUSE BILL NO. 1196,
- SECOND SUBSTITUTE HOUSE BILL NO. 1304,
- HOUSE BILL NO. 1305,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1308,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1332,
- SUBSTITUTE HOUSE BILL NO. 1476,
- HOUSE BILL NO. 1583,

- HOUSE BILL NO. 1634,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1696,
- HOUSE BILL NO. 1838,
- HOUSE BILL NO. 1918,
- HOUSE BILL NO. 2051,

and the same are herewith transmitted.

NONA SNELL, Deputy Chief Clerk

March 8, 2019

MR. PRESIDENT:

The House has passed:

- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1099,
- ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1139,
- ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1224,
- ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1296,
- ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1311,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1329,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1379,
- ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1401,
- ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1523,
- ENGROSSED HOUSE BILL NO. 1564,
- ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1599,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1667,
- ENGROSSED HOUSE BILL NO. 1777,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1813,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1879,

and the same are herewith transmitted.

NONA SNELL, Deputy Chief Clerk

MOTION

On motion of Senator Liias, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

HB 1026 by Representatives Appleton, Fitzgibbon and Stanford
AN ACT Relating to breed-based dog regulations; adding a new section to chapter 16.08 RCW; creating a new section; and providing an effective date.

Referred to Committee on Local Government.

HB 1070 by Representatives Mosbrucker, Fitzgibbon, Tharinger and Doglio
AN ACT Relating to the tax treatment of renewable natural gas; amending RCW 82.16.310, 82.04.310, and 82.04.120; and creating a new section.

Referred to Committee on Environment, Energy & Technology.

SHB 1168 by House Committee on Finance (originally sponsored by Leavitt, Barkis, Kilduff, Jinkins, MacEwen, Goodman, Macri, Pollet, Callan, Wylie, Chapman, Valdez, Fey, Doglio and Kloba)

AN ACT Relating to sales and use and excise tax exemptions for self-help housing development; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; creating a new section; providing an effective date; and providing expiration dates.

Referred to Committee on Housing Stability & Affordability.

SHB 1239 by House Committee on Health Care & Wellness (originally sponsored by Cody, Schmick, Macri, Harris, Appleton, Thai, Wylie and Chambers)

AN ACT Relating to protecting the confidentiality of health care quality and peer review discussions to support effective patient safety; amending RCW 42.30.110; and adding a new section to chapter 70.41 RCW.

Referred to Committee on Health & Long Term Care.

SHB 1251 by House Committee on State Government & Tribal Relations (originally sponsored by Tarleton, Hudgins and Wylie)

AN ACT Relating to security breaches of election systems or election data including by foreign entities; adding a new section to chapter 29A.12 RCW; and creating a new section.

Referred to Committee on State Government, Tribal Relations & Elections.

E3SHB 1324 by House Committee on Appropriations (originally sponsored by Chapman, Maycumber, Springer, Chandler, Blake, Stokesbary, Steele, Reeves, Pettigrew, Dolan, Volz, Barkis, Eslick, Lekanoff, Tharinger, Hoff, Jinkins, Kilduff and Leavitt)

AN ACT Relating to creating the Washington rural development and opportunity zone act; amending RCW 82.04.260 and 82.04.261; adding a new section to chapter 48.14 RCW; adding a new section to chapter 82.04 RCW; adding a new chapter to Title 43 RCW; creating new sections; and providing expiration dates.

Referred to Committee on Financial Institutions, Economic Development & Trade.

SHB 1360 by House Committee on Transportation (originally sponsored by Irwin and Fey)

AN ACT Relating to abstracts of driving records; and amending RCW 46.52.130.

Referred to Committee on Transportation.

SHB 1377 by House Committee on Housing, Community Development & Veterans (originally sponsored by Walen, Barkis, Jenkin, Harris, Springer, Macri, Wylie, Ryu, Reeves, Robinson, Griffey, Appleton, Bergquist, Jinkins, Tharinger, Slatter, Kloba, Doglio, Goodman, Leavitt, Ormsby and Santos)

AN ACT Relating to affordable housing development on religious organization property; adding a new section to chapter 35.63 RCW; adding a new section to chapter 35A.63 RCW; adding a new section to chapter 36.70A RCW; and adding a new section to chapter 44.28 RCW.

Referred to Committee on Housing Stability & Affordability.

SHB 1415 by House Committee on Appropriations (originally sponsored by Schmick and Cody)

AN ACT Relating to funding the medical marijuana authorization database; amending RCW 43.70.320 and 69.51A.230; providing an effective date; and declaring an emergency.

Referred to Committee on Ways & Means.

HB 1432 by Representatives Cody, DeBolt, Robinson, Harris, Macri, Slatter, Jinkins, Doglio, Tharinger and Ormsby

AN ACT Relating to hospital privileges for advanced registered nurse practitioners and physician assistants; and amending RCW 70.41.230.

Referred to Committee on Health & Long Term Care.

3SHB 1498 by House Committee on Appropriations (originally sponsored by Hudgins, Dye, Tharinger, Maycumber, DeBolt, Wylie, Orcutt, Chapman, Kloba, Tarleton, Frame, Appleton, Smith, Shewmake, Doglio, Paul, Reeves, Stanford, Valdez, Leavitt, Macri and Steele)

AN ACT Relating to expanding affordable, resilient broadband service to enable economic development, public safety, health care, and education in Washington's communities; amending RCW 54.16.330, 53.08.370, 80.36.630, 80.36.650, 80.36.660, 80.36.670, 80.36.680, 80.36.690, and 80.36.700; amending 2013 2nd sp.s. c 8 ss 212 and 303 (uncodified); reenacting and amending RCW 43.84.092; adding new sections to chapter 43.330 RCW; adding new sections to chapter 43.155 RCW; creating new sections; repealing RCW 43.330.415, 43.330.418, and 80.36.620; providing expiration dates; and declaring an emergency.

Referred to Committee on Environment, Energy & Technology.

HB 1548 by Representatives Davis, Cody, Harris, Caldier and Appleton

AN ACT Relating to changing the name of the medical quality assurance commission to the Washington medical commission; amending RCW 18.50.115, 18.71.002, 18.71.010, 18.71.015, 18.71A.010, 18.71A.020, 18.130.040, 18.360.030, 69.41.030, 69.50.402, 69.51A.300, 70.41.200, 70.41.230, 70.230.080, 70.230.130, 70.230.140, 74.09.290, and 74.42.230; and reenacting and amending RCW 69.45.010 and 69.50.101.

Referred to Committee on Health & Long Term Care.

ESHB 1578 by House Committee on Environment & Energy (originally sponsored by Lekanoff, Peterson, Doglio, Fitzgibbon, Shewmake, Robinson, Slatter, Valdez, Bergquist, Morris, Stanford, Tharinger, Cody, Jinkins, Kloba, Pollet, Frame, Davis and Macri)

AN ACT Relating to reducing threats to southern resident killer whales by improving the safety of oil transportation; amending RCW 88.16.190, 88.46.240, 90.56.565, and 88.46.165; adding a new section to chapter 88.16 RCW; adding new sections to chapter 88.46 RCW; creating a new section; and providing an effective date.

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Referred to Committee on Environment, Energy & Technology.

EHB 1584 by Representatives Riccelli, Ormsby, Fey, Fitzgibbon, Lovick, Ramos, Stanford and Leavitt

AN ACT Relating to restricting the availability of state funds to regional transportation planning organizations that do not provide a reasonable opportunity for voting membership to certain federally recognized tribes; amending RCW 47.80.050; and providing an effective date.

Referred to Committee on Transportation.

SHB 1607 by House Committee on Civil Rights & Judiciary (originally sponsored by Caldier, Jinkins, Robinson, Macri and Cody)

AN ACT Relating to notice of material changes to the operations or governance structure of participants in the health care marketplace; adding a new chapter to Title 19 RCW; and prescribing penalties.

Referred to Committee on Law & Justice.

HB 1676 by Representative MacEwen

AN ACT Relating to business activities that may be considered as factors in the liquor licensing process; and adding a new section to chapter 66.24 RCW.

Referred to Committee on Labor & Commerce.

SHB 1686 by House Committee on Health Care & Wellness (originally sponsored by Macri, Cody, Robinson, Riccelli, Slatter, Jinkins and Pollet)

AN ACT Relating to hospital access to care policies; and adding a new section to chapter 70.41 RCW.

Referred to Committee on Health & Long Term Care.

ESHB 1692 by House Committee on State Government & Tribal Relations (originally sponsored by Jinkins, Caldier, Fitzgibbon, Doglio, Cody, Macri, Gregerson, Riccelli, Kilduff, Bergquist, Dolan, Appleton, Davis, Ryu, Robinson, Morgan, Blake, Stanford, Frame, Ormsby, Tarleton, Tharinger, Fey, Kloba, Valdez, Orwall, Callan, Harris, Kirby, Ortiz-Self, Senn, Goodman, Peterson and Reeves)

AN ACT Relating to protecting information concerning agency employees who have filed a claim of harassment or stalking; adding new sections to chapter 42.56 RCW; creating a new section; prescribing penalties; and declaring an emergency.

Referred to Committee on State Government, Tribal Relations & Elections.

ESHB 1732 by House Committee on Public Safety (originally sponsored by Valdez, Entenman, Ramos, Wylie, Gregerson, Dolan, Frame, Jinkins, Ortiz-Self, Orwall, Peterson, Ryu, Stanford, Kilduff, Santos, Thai, Senn, Macri and Pollet)

AN ACT Relating to identifying and responding to bias-based criminal offenses; amending RCW 9A.36.078, 9A.36.080, 9A.36.083, 2.56.030, 9.94A.030, 9A.46.060, 36.28A.030, 43.43.830, and 48.18.553; reenacting and

amending RCW 9.94A.515; and adding a new section to chapter 43.10 RCW.

Referred to Committee on Law & Justice.

HB 1753 by Representatives Riccelli, Macri and Harris

AN ACT Relating to requiring a statement of inquiry for rules affecting fees related to health professions; and amending RCW 34.05.310.

Referred to Committee on Health & Long Term Care.

ESHB 1788 by House Committee on Civil Rights & Judiciary (originally sponsored by Stokesbary)

AN ACT Relating to the Washington state bar association; amending RCW 2.48.180; adding new sections to chapter 2.44 RCW; recodifying RCW 2.48.180 and 2.48.200; and repealing RCW 2.48.010, 2.48.020, 2.48.021, 2.48.030, 2.48.035, 2.48.040, 2.48.050, 2.48.060, 2.48.070, 2.48.080, 2.48.090, 2.48.100, 2.48.110, 2.48.130, 2.48.140, 2.48.150, 2.48.160, 2.48.166, 2.48.170, 2.48.190, 2.48.210, 2.48.220, and 2.48.230.

Referred to Committee on Law & Justice.

ESHB 1794 by House Committee on Commerce & Gaming (originally sponsored by Stanford, MacEwen, Blake, Vick, Kirby, Young, Reeves and Appleton)

AN ACT Relating to agreements between licensed marijuana businesses and other people and businesses, including royalty and licensing agreements relating to the use of intellectual property; and amending RCW 69.50.395.

Referred to Committee on Labor & Commerce.

SHB 1856 by House Committee on Health Care & Wellness (originally sponsored by Tharinger, Caldier, Cody, Kloba, Wylie, Corry, Sutherland, Ybarra, Steele, Peterson, Klippert, DeBolt, Stanford, Doglio, Mead, Ryu and Macri)

AN ACT Relating to prohibiting scleral tattooing; amending RCW 18.300.100; adding a new section to chapter 70.54 RCW; and prescribing penalties.

Referred to Committee on Health & Long Term Care.

SHB 1865 by House Committee on Health Care & Wellness (originally sponsored by Cody, Harris, Pettigrew, Caldier, Tharinger and Thai)

AN ACT Relating to acupuncture and Eastern medicine; amending RCW 18.06.010, 18.06.020, 18.06.045, 18.06.050, 18.06.060, 18.06.080, 18.06.130, 18.06.140, 18.06.190, 18.06.220, 18.06.230, 4.24.240, 4.24.290, 7.70.020, 18.120.020, 18.130.040, 18.250.010, 41.05.074, 43.70.110, and 48.43.016; reenacting and amending RCW 69.41.010; adding a new section to chapter 18.06 RCW; creating a new section; and repealing RCW 18.06.070, 18.06.180, and 18.06.005.

Referred to Committee on Health & Long Term Care.

2SHB 1907 by House Committee on Appropriations (originally sponsored by Davis, Appleton, Doglio, Ryu, Goodman and Jinkins)

AN ACT Relating to the substance use disorder treatment system; amending RCW 71.05.050, 71.05.150, 71.05.150, 71.05.153, 71.05.153, 71.05.210, 71.05.210, 71.05.220, 71.05.360, 71.05.760, 71.05.190, 71.05.180, 71.05.160, 71.05.157, 71.05.148, 71.24.037, 71.34.020, 71.34.375, 71.05.435, 71.34.410, 71.34.600, 71.34.660, 71.34.700, 71.34.700, 71.34.710, 71.34.710, 71.34.720, 71.34.720, 71.34.740, 71.34.740, 71.34.750, 71.34.780, and 71.34.780; reenacting and amending RCW 71.05.020, 71.05.240, 71.05.240, 71.05.590, 71.05.590, 71.05.120, 71.34.730, and 71.34.750; creating a new section; providing an effective date; and providing an expiration date.

Referred to Committee on Health & Long Term Care.

ESHB 2018 by House Committee on State Government & Tribal Relations (originally sponsored by Morgan, Jinkins, Harris, Bergquist, Appleton, Cody, Tharinger, Pollet, Fey, Tarleton, Goodman, Pettigrew, Doglio, Senn, Lovick, Dolan, Kilduff, Ryu, Thai, Stanford, Lekanoff, Wylie, Slater, Hansen, Shewmake, Robinson, Chapman, Santos, Walen, Chopp, Fitzgibbon, Hudgins, Leavitt, Macri, Valdez, Irwin, Reeves, Pellicciotti, Frame and Ormsby)

AN ACT Relating to harassment and discrimination by legislators and legislative branch employees; and adding a new section to chapter 42.52 RCW.

Referred to Committee on State Government, Tribal Relations & Elections.

HB 2038 by Representatives Ramos, Orcutt, Eslick and Fey

AN ACT Relating to pavement condition reporting requirements; adding a new section to chapter 47.04 RCW; and repealing RCW 46.68.113.

Referred to Committee on Transportation.

SHB 2049 by House Committee on Rural Development, Agriculture, & Natural Resources (originally sponsored by Blake)

AN ACT Relating to commercial egg layer operations; amending RCW 69.25.010, 69.25.065, 69.25.070, 69.25.103, 69.25.107, and 69.25.110; reenacting and amending RCW 69.25.020; and creating new sections.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

EHB 2066 by Representatives Davis, Pellicciotti, Goodman, Appleton, Sutherland, Graham, Klippert, Leavitt and Pollet

AN ACT Relating to restrictions on driver's licenses associated with certain criminal offenses; and amending RCW 46.20.285.

Referred to Committee on Law & Justice.

MOTIONS

On motion of Senator Liias, all measures listed on the Introduction and First Reading report were referred to the committees as designated.

On motion of Senator Liias, the Senate advanced to the eighth order of business.

MOTION

Senator Padden moved adoption of the following resolution:

SENATE RESOLUTION 8626

By Senators Padden, Billig, Holy, Schoesler, Short, Brown, and Wilson, L.

WHEREAS, Greater Spokane County Meals on Wheels was founded in the basement of the Spokane Valley United Methodist Church in 1972, to fight hunger and social isolation among vulnerable adults in the region; and

WHEREAS, The daily works performed by the organization's director, Marta Harrington; assistant director, Mark Laskowski; board of directors; staff; and volunteers prevent vulnerable adults in the community from going hungry; and

WHEREAS, Their team provides the only home delivery meal program that serves all of Spokane County, from Elk and Deer Park on the north to Rockford and Fairfield on the south, Liberty Lake on the east and Medical Lake on the west; and

WHEREAS, Staff and volunteers prepare more than 1,000 fresh-made meals a day, Monday through Friday, served at 12 locations where patrons can enjoy their meals with peers and friends, and delivered to homes between the hours of 11 a.m. and 1 p.m.; and

WHEREAS, Each meal served fulfills a third of the daily nutrition and calorie requirements, and allows vulnerable adults to remain living independently while supplementing their lives with social contact; and

WHEREAS, The organization's collective efforts span 45 delivery routes across all 1,281 square miles of Spokane County, serving over 250,000 meals annually and providing a lifeline that connects vulnerable adults to necessary resources and offers them peace of mind; and

WHEREAS, The organization's strength has been its volunteers and organizers, from cofounder Norma Trefry, who guided its growth from a small church-based organization, to Pam Almeida, who served as executive director for 19 years, under whose leadership the program further grew and prospered; and

WHEREAS, Not a single delivery was missed during the snowstorms of the last month; and

WHEREAS, The Greater Spokane County Meals on Wheels further advocates for vulnerable adults through their annual Champions Week event during the national March for Meals awareness month to advance the efforts and resources impacting their community;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate honor the Greater Spokane County Meals on Wheels director, Marta Harrington; assistant director, Mark Laskowski; board of directors; staff; and volunteers, for their extraordinary efforts and their devotion to the vulnerable adults of Spokane County; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the Senate to Marta Harrington, Mark Laskowski, and the Greater Spokane County Meals on Wheels board of directors, staff, and volunteers.

Senator Padden spoke in favor of adoption of the resolution.

MOTION

On motion of Senator Wilson, C., Senators Carlyle, Hasegawa, Hobbs and Palumbo were excused.

APPOINTMENT OF LOUISE CHERNIN

The President Pro Tempore declared the question before the Senate to be the adoption of Senate Resolution No. 8626.

The motion by Senator Padden carried and the resolution was adopted by voice vote.

INTRODUCTION OF SPECIAL GUESTS

The President Pro Tempore welcomed and introduced Greater Spokane County Meals on Wheels organization representatives, Ms. Joey Yonago, Senior Nutrition Program Director and Ms. Jerri Horton, Food Service Director who were seated in the gallery.

MOTION

On motion of Senator Liias, the Senate reverted to the seventh order of business.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Saldaña moved that Teresita Batayola, Senate Gubernatorial Appointment No. 9006, be confirmed as a member of the Seattle College District Board of Trustees.

Senator Saldaña spoke in favor of the motion.

APPOINTMENT OF TERESITA BATAYOLA

The President Pro Tempore declared the question before the Senate to be the confirmation of Teresita Batayola, Senate Gubernatorial Appointment No. 9006, as a member of the Seattle College District Board of Trustees.

The Secretary called the roll on the confirmation of Teresita Batayola, Senate Gubernatorial Appointment No. 9006, as a member of the Seattle College District Board of Trustees and the appointment was confirmed by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senator Carlyle

Teresita Batayola, Senate Gubernatorial Appointment No. 9006, having received the constitutional majority was declared confirmed as a member of the Seattle College District Board of Trustees.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Pedersen moved that Louise Chernin, Senate Gubernatorial Appointment No. 9007, be confirmed as a member of the Seattle College District Board of Trustees.

Senators Pedersen and Liias spoke in favor of passage of the motion.

The President Pro Tempore declared the question before the Senate to be the confirmation of Louise Chernin, Senate Gubernatorial Appointment No. 9007, as a member of the Seattle College District Board of Trustees.

The Secretary called the roll on the confirmation of Louise Chernin, Senate Gubernatorial Appointment No. 9007, as a member of the Seattle College District Board of Trustees and the appointment was confirmed by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senator Carlyle

Louise Chernin, Senate Gubernatorial Appointment No. 9007, having received the constitutional majority was declared confirmed as a member of the Seattle College District Board of Trustees.

MOTION

At 10:32 a.m., on motion of Senator Liias, the Senate was declared to be at ease subject to the call of the President.

Senator Becker announced a meeting of the Republican Caucus immediately upon going at ease.

AFTERNOON SESSION

The Senate was called to order at 1:24 p.m. by the acting President Pro Tempore, Senator Hasegawa presiding.

MOTION

On motion of Senator Liias, the Senate reverted to the sixth order of business.

SECOND READING

SENATE BILL NO. 5370, by Senators Keiser, Warnick, Saldaña, Hasegawa, Wilson, C. and Honeyford

Creating a state commercial aviation coordinating commission.

MOTIONS

On motion of Senator Keiser, Substitute Senate Bill No. 5370 was substituted for Senate Bill No. 5370 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Keiser, the rules were suspended, Substitute Senate Bill No. 5370 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

MOTION

On motion of Senator Wilson, C., Senator Hobbs was excused.

Senators Keiser, King and Warnick spoke in favor of passage of the bill.

MOTIONS

On motion of Senator Wilson, C., Senator Dhingra was excused.

On motion of Senator Rivers, Senators Erickson, O'Ban and Sheldon were excused.

The acting President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5370.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5370 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 1; Absent, 0; Excused, 3.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Cleveland, Conway, Darneille, Das, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senator Liias

Excused: Senators Carlyle, Dhingra and Erickson

SUBSTITUTE SENATE BILL NO. 5370, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

INTRODUCTION OF SPECIAL GUESTS

The acting President Pro Tempore welcomed and introduced students and representatives of Liberty Bell Jr.-Sr. High School, Winthrop, who were seated in the gallery.

Senator Keiser, the President Pro Tempore, assumed the chair.

SECOND READING

SENATE BILL NO. 5885, by Senators Padden, Dhingra, O'Ban, Wilson, C. and Nguyen

Creating an exemption to hearsay for child sex trafficking victims.

MOTIONS

On motion of Senator Padden, Substitute Senate Bill No. 5885 was substituted for Senate Bill No. 5885 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Padden, the rules were suspended, Substitute Senate Bill No. 5885 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Padden and Pedersen spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5885.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5885 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Cleveland, Conway, Darneille, Das, Dhingra, Erickson, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senator Carlyle

SUBSTITUTE SENATE BILL NO. 5885, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5718, by Senators Saldaña, Hasegawa, Nguyen, O'Ban, Das, Keiser, Kuderer and Zeiger

Establishing the child welfare housing assistance program that provides housing assistance to parents reunifying with a child and parents at risk of having a child removed.

MOTIONS

On motion of Senator Liias, Second Substitute Senate Bill No. 5718 was substituted for Senate Bill No. 5718 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Saldaña, the rules were suspended, Second Substitute Senate Bill No. 5718 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Saldaña and Walsh spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 5718.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 5718 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Cleveland, Conway, Darneille, Das, Dhingra, Erickson, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senator Carlyle

SECOND SUBSTITUTE SENATE BILL NO. 5718, having received the constitutional majority, was declared passed. There

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being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Liias, the Senate reverted to the fourth order of business.

MESSAGE FROM THE HOUSE

March 8, 2019

MR. PRESIDENT:

The House passed SUBSTITUTE SENATE BILL NO. 5581 with the following amendment(s): 5581-S AMH FIN H2062.1

Strike everything after the enacting clause and insert the following:

**"Part I
Nexus**

Sec. 101. RCW 82.04.067 and 2017 3rd sp.s. c 28 s 302 are each amended to read as follows:

(1) A person engaging in business is deemed to have substantial nexus with this state if, in the current or immediately preceding calendar year, the person is:

- (a) An individual and is a resident or domiciliary of this state;
- (b) A business entity and is organized or commercially domiciled in this state; or
- (c) A nonresident individual or a business entity that is organized or commercially domiciled outside this state, and the person had:
 - (i) More than fifty-three thousand dollars of property in this state;
 - (ii) More than fifty-three thousand dollars of payroll in this state;
 - (iii) More than two hundred sixty-seven thousand dollars of receipts from this state; or
 - (iv) At least twenty-five percent of the person's total property, total payroll, or total receipts in this state.

(2)(a) Property counting toward the thresholds in subsection (1)(c)(i) and (iv) of this section is the average value of the taxpayer's property, including intangible property, owned or rented and used in this state during the current or immediately preceding calendar year.

(b)(i) Property owned by the taxpayer, other than loans and credit card receivables owned by the taxpayer, is valued at its original cost basis. Loans and credit card receivables owned by the taxpayer are valued at their outstanding principal balance, without regard to any reserve for bad debts. However, if a loan or credit card receivable is charged off in whole or in part for federal income tax purposes, the portion of the loan or credit card receivable charged off is deducted from the outstanding principal balance.

(ii) Property rented by the taxpayer is valued at eight times the net annual rental rate. For purposes of this subsection, "net annual rental rate" means the annual rental rate paid by the taxpayer less any annual rental rate received by the taxpayer from subrentals.

(c) The average value of property must be determined by averaging the values at the beginning and ending of the applicable calendar year; but the department may require the averaging of monthly values during the applicable calendar year if reasonably required to properly reflect the average value of the taxpayer's property.

(d)(i) For purposes of this subsection (2), loans and credit card receivables are deemed owned and used in this state as follows:

(A) Loans secured by real property, personal property, or both real and personal property are deemed owned and used in the state if the real property or personal property securing the loan is located within this state. If the property securing the loan is located both within this state and one or more other states, the loan is deemed owned and used in this state if more than fifty percent of the fair market value of the real or personal property is located within this state. If more than fifty percent of the fair market value of the real or personal property is not located within any one state, then the loan is deemed owned and used in this state if the borrower is located in this state. The determination of whether the real or personal property securing a loan is located within this state must be made, as of the time the original agreement was made, and any and all subsequent substitutions of collateral must be disregarded.

(B) Loans not secured by real or personal property are deemed owned and used in this state if the borrower is located in this state.

(C) Credit card receivables are deemed owned and used in this state if the billing address of the cardholder is in this state.

(ii)(A) Except as otherwise provided in (d)(ii)(B) of this subsection (2), the definitions in the multistate tax commission's recommended formula for the apportionment and allocation of net income of financial institutions as existing on June 1, 2010, or such subsequent date as may be provided by the department by rule, consistent with the purposes of this section, apply to this section.

(B) "Credit card" means a card or device existing for the purpose of obtaining money, property, labor, or services on credit.

(e) Notwithstanding anything else to the contrary in this subsection, property counting toward the thresholds in subsection (1)(c)(i) and (iv) of this section does not include a person's ownership of, or rights in, computer software as defined in RCW 82.04.215, including computer software used in providing a digital automated service; master copies of software; and digital goods and digital codes residing on servers located in this state.

(3)(a) Payroll counting toward the thresholds in subsection (1)(c)(ii) and (iv) of this section is the total amount paid by the taxpayer for compensation in this state during the current or immediately preceding calendar year plus nonemployee compensation paid to representative third parties in this state. Nonemployee compensation paid to representative third parties includes the gross amount paid to nonemployees who represent the taxpayer in interactions with the taxpayer's clients and includes sales commissions.

(b) Employee compensation is paid in this state if the compensation is properly reportable to this state for unemployment compensation tax purposes, regardless of whether the compensation was actually reported to this state.

(c) Nonemployee compensation is paid in this state if the service performed by the representative third party occurs entirely or primarily within this state.

(d) For purposes of this subsection, "compensation" means wages, salaries, commissions, and any other form of remuneration paid to employees or nonemployees and defined as gross income under 26 U.S.C. Sec. 61 of the federal internal revenue code of 1986, as existing on June 1, 2010.

(4) Receipts counting toward the thresholds in subsection (1)(c)(iii) and (iv) of this section are:

(a) Those amounts included in the numerator of the receipts factor under RCW 82.04.462;

(b) For financial institutions, those amounts included in the numerator of the receipts factor under the rule adopted by the department as authorized in RCW 82.04.460(2); and

(c) For persons taxable under RCW 82.04.250(1), 82.04.257(1), or 82.04.270, the gross proceeds of sales taxable

under those statutory provisions and sourced to this state in accordance with RCW 82.32.730.

(5)(a) Each December, the department must review the cumulative percentage change in the consumer price index. The department must adjust the thresholds in subsection (1)(c)(i) through (iii) of this section if the consumer price index has changed by five percent or more since the later of June 1, 2010, or the date that the thresholds were last adjusted under this subsection. For purposes of determining the cumulative percentage change in the consumer price index, the department must compare the consumer price index available as of December 1st of the current year with the consumer price index as of the later of June 1, 2010, or the date that the thresholds were last adjusted under this subsection. The thresholds must be adjusted to reflect that cumulative percentage change in the consumer price index. The adjusted thresholds must be rounded to the nearest one thousand dollars. Any adjustment will apply to tax periods that begin after the adjustment is made.

(b) As used in this subsection, "consumer price index" means the consumer price index for all urban consumers (CPI-U) available from the bureau of labor statistics of the United States department of labor.

(6)(a)(i) Except as provided in (a)(iii) of this subsection (6), subsections (1) through (5) of this section only apply with respect to the taxes on persons engaged in apportionable activities as defined in RCW 82.04.460 or making wholesale sales taxable under RCW 82.04.257(1) or 82.04.270.

(ii) Subject to the limitation in RCW 82.32.531, for purposes of the taxes imposed under this chapter on the business of making sales at retail or any other activity not included in the definition of apportionable activities in RCW 82.04.460, other than the business of making wholesale sales taxed under RCW 82.04.257(1) or 82.04.270, a person is deemed to have a substantial nexus with this state if the person has a physical presence in this state during the current or immediately preceding calendar year, which need only be demonstrably more than a slightest presence.

(iii) For purposes of the taxes imposed under this chapter on the business of making sales at retail taxable under RCW 82.04.250(1) or 82.04.257(1), a person is also deemed to have a substantial nexus with this state if the person's receipts from this state, pursuant to subsection (4)(c) of this section, meet either criterion in subsection (1)(c)(iii) or (iv) of this section, as adjusted under subsection (5) of this section.

(b) For purposes of this subsection, a person is physically present in this state if the person has property or employees in this state.

(c)((~~+~~)) A person is also physically present in this state for the purposes of this subsection if the person, either directly or through an agent or other representative, engages in activities in this state that are significantly associated with the person's ability to establish or maintain a market for its products in this state.

~~((ii) A remote seller as defined in RCW 82.08.052 is presumed to be engaged in activities in this state that are significantly associated with the remote seller's ability to establish or maintain a market for its products in this state if the remote seller is presumed to have a substantial nexus with this state under RCW 82.08.052. The presumption in this subsection (6)(c)(ii) may be rebutted as provided in RCW 82.08.052. To the extent that the presumption in RCW 82.08.052 is no longer operative pursuant to RCW 82.32.762, the presumption in this subsection (6)(c)(ii) is no longer operative.))~~

Sec. 102. RCW 82.04.067 and 2019 c . . . s 101 (section 101 of this act) are each amended to read as follows:

(1) A person engaging in business is deemed to have substantial nexus with this state if, in the current or immediately preceding calendar year, the person is:

(a) An individual and is a resident or domiciliary of this state;

(b) A business entity and is organized or commercially domiciled in this state; or

(c) A nonresident individual or a business entity that is organized or commercially domiciled outside this state, and the person had:

~~(i) ((More than fifty three thousand dollars of property in this state;~~

~~(ii) More than fifty three thousand dollars of payroll in this state;~~

~~(iii)) More than ((two hundred sixty seven)) one hundred thousand dollars of cumulative gross receipts from this state; or~~

~~((iv) At least twenty five percent of the person's total property, total payroll, or total receipts in this state.~~

~~(2)(a) Property counting toward the thresholds in subsection (1)(c)(i) and (iv) of this section is the average value of the taxpayer's property, including intangible property, owned or rented and used in this state during the current or immediately preceding calendar year.~~

~~(b)(i) Property owned by the taxpayer, other than loans and credit card receivables owned by the taxpayer, is valued at its original cost basis. Loans and credit card receivables owned by the taxpayer are valued at their outstanding principal balance, without regard to any reserve for bad debts. However, if a loan or credit card receivable is charged off in whole or in part for federal income tax purposes, the portion of the loan or credit card receivable charged off is deducted from the outstanding principal balance.~~

~~(ii) Property rented by the taxpayer is valued at eight times the net annual rental rate. For purposes of this subsection, "net annual rental rate" means the annual rental rate paid by the taxpayer less any annual rental rate received by the taxpayer from subrentals.~~

~~(e) The average value of property must be determined by averaging the values at the beginning and ending of the applicable calendar year; but the department may require the averaging of monthly values during the applicable calendar year if reasonably required to properly reflect the average value of the taxpayer's property.~~

~~(d)(i) For purposes of this subsection (2), loans and credit card receivables are deemed owned and used in this state as follows:~~

~~(A) Loans secured by real property, personal property, or both real and personal property are deemed owned and used in the state if the real property or personal property securing the loan is located within this state. If the property securing the loan is located both within this state and one or more other states, the loan is deemed owned and used in this state if more than fifty percent of the fair market value of the real or personal property is located within this state. If more than fifty percent of the fair market value of the real or personal property is not located within any one state, then the loan is deemed owned and used in this state if the borrower is located in this state. The determination of whether the real or personal property securing a loan is located within this state must be made, as of the time the original agreement was made, and any and all subsequent substitutions of collateral must be disregarded.~~

~~(B) Loans not secured by real or personal property are deemed owned and used in this state if the borrower is located in this state.~~

~~(C) Credit card receivables are deemed owned and used in this state if the billing address of the cardholder is in this state.~~

~~(ii)(A) Except as otherwise provided in (d)(ii)(B) of this subsection (2), the definitions in the multistate tax commission's recommended formula for the apportionment and allocation of net income of financial institutions as existing on June 1, 2010, or~~

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such subsequent date as may be provided by the department by rule, consistent with the purposes of this section, apply to this section.

(B) "Credit card" means a card or device existing for the purpose of obtaining money, property, labor, or services on credit.

(e) Notwithstanding anything else to the contrary in this subsection, property counting toward the thresholds in subsection (1)(c)(i) and (iv) of this section does not include a person's ownership of, or rights in, computer software as defined in RCW 82.04.215, including computer software used in providing a digital automated service; master copies of software; and digital goods and digital codes residing on servers located in this state.

(3)(a) Payroll counting toward the thresholds in subsection (1)(c)(ii) and (iv) of this section is the total amount paid by the taxpayer for compensation in this state during the current or immediately preceding calendar year plus nonemployee compensation paid to representative third parties in this state. Nonemployee compensation paid to representative third parties includes the gross amount paid to nonemployees who represent the taxpayer in interactions with the taxpayer's clients and includes sales commissions.

(b) Employee compensation is paid in this state if the compensation is properly reportable to this state for unemployment compensation tax purposes, regardless of whether the compensation was actually reported to this state.

(c) Nonemployee compensation is paid in this state if the service performed by the representative third party occurs entirely or primarily within this state.

(d) For purposes of this subsection, "compensation" means wages, salaries, commissions, and any other form of remuneration paid to employees or nonemployees and defined as gross income under 26 U.S.C. Sec. 61 of the federal internal revenue code of 1986, as existing on June 1, 2010.

(4) Receipts counting toward the thresholds in subsection (1)(c)(iii) and (iv) of this section are:

(a) Those amounts included in the numerator of the receipts factor under RCW 82.04.462;

(b) For financial institutions, those amounts included in the numerator of the receipts factor under the rule adopted by the department as authorized in RCW 82.04.460(2); and

(c) For persons taxable under RCW 82.04.250(1), 82.04.257(1), or 82.04.270, the gross proceeds of sales taxable under those statutory provisions and sourced to this state in accordance with RCW 82.32.730.

(5)(a) Each December, the department must review the cumulative percentage change in the consumer price index. The department must adjust the thresholds in subsection (1)(c)(i) through (iii) of this section if the consumer price index has changed by five percent or more since the later of June 1, 2010, or the date that the thresholds were last adjusted under this subsection. For purposes of determining the cumulative percentage change in the consumer price index, the department must compare the consumer price index available as of December 1st of the current year with the consumer price index as of the later of June 1, 2010, or the date that the thresholds were last adjusted under this subsection. The thresholds must be adjusted to reflect that cumulative percentage change in the consumer price index. The adjusted thresholds must be rounded to the nearest one thousand dollars. Any adjustment will apply to tax periods that begin after the adjustment is made.

(b) As used in this subsection, "consumer price index" means the consumer price index for all urban consumers (CPI-U) available from the bureau of labor statistics of the United States department of labor.

(6)(a)(i) Except as provided in (a)(iii) of this subsection (6), subsections (1) through (5) of this section only apply with respect to the taxes on persons engaged in apportionable activities as defined in RCW 82.04.460 or making wholesale sales taxable under RCW 82.04.257(1) or 82.04.270.

(ii) Subject to the limitation in RCW 82.32.531, for purposes of the taxes imposed under this chapter on the business of making sales at retail or any other activity not included in the definition of apportionable activities in RCW 82.04.460, other than the business of making wholesale sales taxed under RCW 82.04.257(1) or 82.04.270, a person is deemed to have a substantial nexus with this state if the person has a physical presence in this state during the current or immediately preceding calendar year, which need only be demonstrably more than a slightest presence.

(iii) For purposes of the taxes imposed under this chapter on the business of making sales at retail taxable under RCW 82.04.250(1) or 82.04.257(1), a person is also deemed to have a substantial nexus with this state if the person's receipts from this state, pursuant to subsection (4)(c) of this section, meet either criterion in subsection (1)(e)(iii) or (iv) of this section, as adjusted under subsection (5) of this section.

(b)) (i) Subject to the limitation in RCW 82.32.531, physical presence in this state, which need only be demonstrably more than a slightest presence.

(2)(a) Cumulative gross receipts counting toward the threshold in subsection (1)(c)(i) of this section include all of a person's gross income of the business attributed to this state. For purposes of this subsection, gross income of the business is attributed to this state as follows:

(i) For apportionable income, all amounts included in the numerator of the receipts factor under RCW 82.04.462 and, in the case of financial institutions, all amounts included in the numerator of the receipts factor under the rule adopted by the department as authorized in RCW 82.04.460(2); and

(ii) For all other income, the gross income of the business allocated to this state in accordance with the sourcing provisions of RCW 82.32.730.

(b) For a marketplace facilitator, cumulative gross receipts counting toward the threshold in subsection (1)(c)(i) of this section include, in addition to the gross proceeds of its own sales, the cumulative gross proceeds from sales by all marketplace sellers through the marketplace facilitator's marketplace, including marketplace sellers that do not have a substantial nexus with this state under the provisions of this section.

(3)(a) For purposes of ((this)) subsection (1)(c)(ii) of this section, a person is physically present in this state if the person has property or employees in this state.

((e)) (b) A person is also physically present in this state for the purposes of ((this)) subsection (1)(c)(ii) of this section if the person, either directly or through an agent or other representative, engages in activities in this state that are significantly associated with the person's ability to establish or maintain a market for its products in this state.

(4) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Apportionable income" has the same meaning as provided in RCW 82.04.460.

(b) "Marketplace," "marketplace facilitator," and "marketplace seller" have the same meaning as provided in RCW 82.08.010.

(c) "Product" has the same meaning as provided in RCW 82.32.023.

Sec. 103. RCW 82.04.220 and 2017 3rd sp.s. c 28 s 303 are each amended to read as follows:

(1) There is levied and collected from every person that has a substantial nexus with this state, as provided in RCW 82.04.067, a tax for the act or privilege of engaging in business activities. The tax is measured by the application of rates against value of products, gross proceeds of sales, or gross income of the business, as the case may be.

(2)~~((a))~~ A person who ~~((has))~~ establishes a substantial nexus with this state in the current calendar year under the provisions of RCW 82.04.067~~((, based solely on the person's property, payroll, or receipts in this state during the current calendar year.))~~ is subject to the tax imposed under this chapter for the current calendar year only on business activity occurring on and after the date that the person established a substantial nexus with this state in the current calendar year. This subsection does not apply to a person who also had a substantial nexus with this state during the immediately preceding calendar year under RCW 82.04.067, and such person is taxable under this chapter for the current calendar year in its entirety.

~~((b)) This subsection (2) does not apply to any person who also had a substantial nexus with this state during:~~

~~(i) The immediately preceding calendar year under RCW 82.04.067; or~~

~~(ii) The current calendar year under RCW 82.04.067 (1)(a) or (b) or (6)(a)(ii) or (c).))~~

NEW SECTION. Sec. 104. A new section is added to chapter 82.02 RCW to read as follows:

A person that has a substantial nexus under RCW 82.04.067 is obligated to pay all applicable taxes and fees imposed on that person's business activity, including any taxes and fees enacted after December 31, 2018. For purposes of this section, "taxes and fees" means any monetary exaction, regardless of its label, that is imposed directly on a person engaging in business and that the department is responsible for collecting.

Sec. 105. RCW 82.08.010 and 2014 c 140 s 11 are each amended to read as follows:

For the purposes of this chapter:

(1)(a)(i) "Selling price" includes "sales price." "Sales price" means the total amount of consideration, except separately stated trade-in property of like kind, including cash, credit, property, and services, for which tangible personal property, extended warranties, digital goods, digital codes, digital automated services, or other services or anything else defined as a "retail sale" under RCW 82.04.050 are sold, leased, or rented, valued in money, whether received in money or otherwise. No deduction from the total amount of consideration is allowed for the following: (A) The seller's cost of the property sold; (B) the cost of materials used, labor or service cost, interest, losses, all costs of transportation to the seller, all taxes imposed on the seller, and any other expense of the seller; (C) charges by the seller for any services necessary to complete the sale, other than delivery and installation charges; (D) delivery charges; and (E) installation charges.

(ii) When tangible personal property is rented or leased under circumstances that the consideration paid does not represent a reasonable rental for the use of the articles so rented or leased, the "selling price" must be determined as nearly as possible according to the value of such use at the places of use of similar products of like quality and character under such rules as the department may prescribe;

(b) "Selling price" or "sales price" does not include: Discounts, including cash, term, or coupons that are not reimbursed by a third party that are allowed by a seller and taken by a purchaser on a sale; interest, financing, and carrying charges from credit extended on the sale of tangible personal property, extended

warranties, digital goods, digital codes, digital automated services, or other services or anything else defined as a retail sale in RCW 82.04.050, if the amount is separately stated on the invoice, bill of sale, or similar document given to the purchaser; and any taxes legally imposed directly on the consumer that are separately stated on the invoice, bill of sale, or similar document given to the purchaser;

(c) "Selling price" or "sales price" includes consideration received by the seller from a third party if:

(i) The seller actually receives consideration from a party other than the purchaser, and the consideration is directly related to a price reduction or discount on the sale;

(ii) The seller has an obligation to pass the price reduction or discount through to the purchaser;

(iii) The amount of the consideration attributable to the sale is fixed and determinable by the seller at the time of the sale of the item to the purchaser; and

(iv) One of the criteria in this subsection (1)(c)(iv) is met:

(A) The purchaser presents a coupon, certificate, or other documentation to the seller to claim a price reduction or discount where the coupon, certificate, or documentation is authorized, distributed, or granted by a third party with the understanding that the third party will reimburse any seller to whom the coupon, certificate, or documentation is presented;

(B) The purchaser identifies himself or herself to the seller as a member of a group or organization entitled to a price reduction or discount, however a "preferred customer" card that is available to any patron does not constitute membership in such a group; or

(C) The price reduction or discount is identified as a third party price reduction or discount on the invoice received by the purchaser or on a coupon, certificate, or other documentation presented by the purchaser;

(2)(a)(i) "Seller" means every person, including the state and its departments and institutions, making sales at retail or retail sales to a buyer, purchaser, or consumer, whether as agent, broker, or principal, except ~~(("seller" does not mean))~~ as otherwise provided in this subsection (2).

(ii) "Seller" includes marketplace facilitators, whether making sales in their own right or facilitating sales on behalf of marketplace sellers.

(b)(i) "Seller" does not include:

~~((#))~~ (A) The state and its departments and institutions when making sales to the state and its departments and institutions; or

~~((#))~~ (B) A professional employer organization when a covered employee coemployed with the client under the terms of a professional employer agreement engages in activities that constitute a sale at retail that is subject to the tax imposed by this chapter. In such cases, the client, and not the professional employer organization, is deemed to be the seller and is responsible for collecting and remitting the tax imposed by this chapter.

~~((b))~~ (ii) For the purposes of ~~((a)-(f))~~ this subsection (2)(b), the terms "client," "covered employee," "professional employer agreement," and "professional employer organization" have the same meanings as in RCW 82.04.540;

(3) "Buyer," "purchaser," and "consumer" include, without limiting the scope hereof, every individual, receiver, assignee, trustee in bankruptcy, trust, estate, firm, copartnership, joint venture, club, company, joint stock company, business trust, corporation, association, society, or any group of individuals acting as a unit, whether mutual, cooperative, fraternal, nonprofit, or otherwise, municipal corporation, quasi municipal corporation, and also the state, its departments and institutions and all political subdivisions thereof, irrespective of the nature of the activities engaged in or functions performed, and also the United States or any instrumentality thereof;

(4) "Delivery charges" means charges by the seller of personal property or services for preparation and delivery to a location designated by the purchaser of personal property or services including, but not limited to, transportation, shipping, postage, handling, crating, and packing;

(5) "Direct mail" means printed material delivered or distributed by United States mail or other delivery service to a mass audience or to addressees on a mailing list provided by the purchaser or at the direction of the purchaser when the cost of the items are not billed directly to the recipients. "Direct mail" includes tangible personal property supplied directly or indirectly by the purchaser to the direct mail seller for inclusion in the package containing the printed material. "Direct mail" does not include multiple items of printed material delivered to a single address;

(6) The meaning attributed in chapter 82.04 RCW to the terms "tax year," "taxable year," "person," "company," "sale," "sale at wholesale," "wholesale," "business," "engaging in business," "cash discount," "successor," "consumer," "in this state," "within this state," "marijuana," "useable marijuana," and "marijuana-infused products" applies equally to the provisions of this chapter;

(7) For the purposes of the taxes imposed under this chapter and under chapter 82.12 RCW, "tangible personal property" means personal property that can be seen, weighed, measured, felt, or touched, or that is in any other manner perceptible to the senses. Tangible personal property includes electricity, water, gas, steam, and prewritten computer software;

(8) "Extended warranty" has the same meaning as in RCW 82.04.050(7);

(9) The definitions in RCW 82.04.192 apply to this chapter;

(10) For the purposes of the taxes imposed under this chapter and chapter 82.12 RCW, whenever the terms "property" or "personal property" are used, those terms must be construed to include digital goods and digital codes unless:

(a) It is clear from the context that the term "personal property" is intended only to refer to tangible personal property;

(b) It is clear from the context that the term "property" is intended only to refer to tangible personal property, real property, or both; or

(c) To construe the term "property" or "personal property" as including digital goods and digital codes would yield unlikely, absurd, or strained consequences; and

(11) "Retail sale" or "sale at retail" means any sale, lease, or rental for any purpose other than for resale, sublease, or subrent.

(12) The terms "agriculture," "farming," "horticulture," "horticultural," and "horticultural product" may not be construed to include or relate to marijuana, useable marijuana, or marijuana-infused products unless the applicable term is explicitly defined to include marijuana, useable marijuana, or marijuana-infused products.

(13)(a) "Affiliated person" means a person that, with respect to another person:

(i) Has an ownership interest of more than five percent, whether direct or indirect, in the other person; or

(ii) Is related to the other person because a third person, or group of third persons who are affiliated persons with respect to each other, holds an ownership interest of more than five percent, whether direct or indirect, in the related persons.

(b) For purposes of this subsection (13):

(i) "Ownership interest" means the possession of equity in the capital, the stock, or the profits of the other person; and

(ii) An indirect ownership interest in a person is an ownership interest in an entity that has an ownership interest in the person or in an entity that has an indirect ownership interest in the person.

(14) "Marketplace" means a physical or electronic place, including, but not limited to, a store, a booth, an internet web site, a catalog or a dedicated sales software application, where tangible personal property, digital codes and digital products, or services are offered for sale.

(15)(a) "Marketplace facilitator" means a person that:

(i) Contracts with sellers to facilitate for consideration, regardless of whether deducted as fees from the transaction, the sale of the seller's products through a marketplace owned or operated by the person;

(ii) Engages directly or indirectly, through one or more affiliated persons, in transmitting or otherwise communicating the offer or acceptance between the buyer and seller. For purposes of this subsection, mere advertising does not constitute transmitting or otherwise communicating the offer or acceptance between the buyer and seller; and

(iii) Engages directly or indirectly, through one or more affiliated persons, in any of the following activities with respect to the seller's products:

(A) Payment processing services;

(B) Fulfillment or storage services;

(C) Listing products for sale;

(D) Setting prices;

(E) Branding sales as those of the marketplace facilitator;

(F) Taking orders; or

(G) Providing customer service or accepting or assisting with returns or exchanges.

(b)(i) "Marketplace facilitator" does not include:

(A) A person who provides internet advertising services, including listing products for sale, so long as the person does not also engage in the activity described in (a)(ii) of this subsection (15) in addition to any of the activities described in (a)(iii) of this subsection (15); or

(B) A person with respect to the provision of travel agency services or the operation of a marketplace or that portion of a marketplace that enables consumers to purchase transient lodging accommodations in a hotel or other commercial transient lodging facility.

(ii) The exclusion in this subsection (15)(b) does not apply to a marketplace or that portion of a marketplace that facilitates the retail sale of transient lodging accommodations in homes, apartments, cabins, or other residential dwelling units.

(iii) For purposes of this subsection (15)(b), the following definitions apply:

(A) "Hotel" has the same meaning as in RCW 19.48.010.

(B) "Travel agency services" means arranging or booking, for a commission, fee or other consideration, vacation or travel packages, rental car or other travel reservations or accommodations, tickets for domestic or foreign travel by air, rail, ship, bus, or other medium of transportation, or hotel or other lodging accommodations.

(16) "Marketplace seller" means a seller that makes retail sales through any marketplace operated by a marketplace facilitator, regardless of whether the seller is required to be registered with the department under RCW 82.32.030.

(17) "Remote seller" means any seller, including a marketplace facilitator, who does not have a physical presence in this state and makes retail sales to purchasers or facilitates retail sales on behalf of marketplace sellers.

Sec. 106. RCW 82.08.052 and 2015 3rd sp.s. c 5 s 202 are each amended to read as follows:

(1) (For purposes of this chapter, a remote seller is presumed to have a substantial nexus with this state and is obligated to collect retail sales tax if the remote seller enters into an agreement with a resident of this state under which the resident, for a

~~commission or other consideration, directly or indirectly refers potential customers, whether by a link on an internet web site or otherwise, to the remote seller, if the cumulative gross receipts from sales by the remote seller to customers in this state who are referred to the remote seller by all residents with this type of an agreement with the remote seller exceed ten thousand dollars during the preceding calendar year. This presumption may be rebutted by proof that the resident with whom the remote seller has an agreement did not engage in any solicitation in this state on behalf of the remote seller that would satisfy the nexus requirement of the United States Constitution during the calendar year in question. Proof may be shown by (a) establishing, in a manner acceptable to the department, that (i) each in-state person with whom the remote seller has an agreement is prohibited from engaging in any solicitation activities in this state that refer potential customers to the remote seller, and (ii) such in-state person or persons have complied with that prohibition; or (b) any other means as may be approved by the department.~~

~~(2) "Remote seller" means a seller that makes retail sales in this state through one or more agreements described in subsection (1) of this section, and the seller's other physical presence in this state, if any, is not sufficient to establish a retail sales or use tax collection obligation under the commerce clause of the United States Constitution.~~

~~(3) Nothing in this section may be construed to affect in any way RCW 82.04.424, 82.08.050(1), or 82.12.040(5).~~

~~(4)) (a) From October 1, 2018, through December 31, 2019, a seller is obligated to collect and remit to the department the taxes imposed under this chapter, except as otherwise provided in RCW 82.08.0531(2) and this subsection, if the seller, in the current or immediately preceding calendar year, had:~~

~~(i) More than one hundred thousand dollars of cumulative gross receipts from this state;~~

~~(ii) Subject to the limitation in (c)(ii) of this subsection (1), two hundred or more separate transactions for the delivery of products into this state; or~~

~~(iii) Subject to the limitation in RCW 82.32.531, physical presence in this state under RCW 82.04.067.~~

~~(b) Cumulative gross receipts counting toward the threshold in (a)(i) of this subsection include a person's gross income of the business from all retail sales made by the seller and sourced to this state under RCW 82.32.730.~~

~~(c)(i) Transactions counting toward the threshold in (a)(ii) of this subsection include all retail sales transactions made by the seller and sourced to this state under RCW 82.32.730.~~

~~(ii) From the effective date of this section, a seller is relieved of the obligation to collect the taxes imposed under this chapter and remit those taxes to the department if that obligation arose solely based on the threshold in (a)(ii) of this subsection.~~

~~(iii) For purposes of the threshold in (a)(ii) of this subsection "transaction" means an agreement to furnish a product or products for consideration, and includes a sale as defined in RCW 82.04.040.~~

~~(iv) The term "transaction" does not include an agreement if the agreement is canceled or rescinded before any of the products are delivered to the buyer or other recipient designated by the buyer, the seller retains no part of the consideration from the buyer, and the seller did not collect from the buyer any tax imposed or authorized under this title.~~

~~(v) With regard to agreements requiring multiple payments by the consumer, such as a lease, rental, or installment sale, such agreements count as a single transaction for purposes of this subsection, regardless of the number of payments required under the agreement. However, any modification of such an agreement that provides for additional payments is counted as an additional transaction.~~

(d)(i) Subject to (b) and (c) of this subsection (1), for a marketplace facilitator, receipts and transactions counting toward the thresholds in (a)(i) and (ii) of this subsection include, in addition to the cumulative gross receipts and separate transactions of its own sales, the cumulative gross receipts and separate transactions from sales by all marketplace sellers through the marketplace facilitator's marketplace, including marketplace sellers that are not obligated to collect the taxes under this chapter pursuant to the provisions of this section.

(ii) For a purchase made by one consumer through a marketplace facilitator, where the purchase involves sales by multiple marketplace sellers, the purchase is deemed to be one transaction for the marketplace facilitator and one transaction apiece for each marketplace seller.

(2) Beginning January 1, 2020, a seller with a substantial nexus with this state under RCW 82.04.067 is obligated to collect and remit to the department the taxes imposed under this chapter.

(3)(a) For purposes of this section, the following definitions apply:

(i) "Apportionable income" has the same meaning as provided in RCW 82.04.460.

(ii) "Gross income of the business" has the same meaning as provided in RCW 82.04.080.

(iii) "Product" has the same meaning as provided in RCW 82.32.023.

(b) The definitions in RCW 82.13.010 apply to this section through June 30, 2019.

(4)(a) A seller whose obligation to collect the taxes imposed under this chapter arises after October 1, 2018, must begin collecting taxes imposed under this chapter as follows:

(i) For a remote seller, on the first day of the first calendar month that is at least thirty days from the date that the remote seller becomes required under subsection (1) or (2) of this section to collect the taxes imposed under this chapter.

(ii) For a seller that has a physical presence in this state, immediately upon establishing a tax collection obligation under subsection (1)(a)(iii) or (2) of this section.

(b) Nothing in this subsection (4) affects the ongoing tax collection obligation of any seller that was required, or elected, to collect the taxes imposed under this chapter on or before October 1, 2018.

(5) This section is subject to RCW 82.32.762.

NEW SECTION. Sec. 107. A new section is added to chapter 82.02 RCW to read as follows:

A seller that is obligated to collect the taxes imposed under chapter 82.08 RCW must also collect all other applicable taxes and fees in effect as of the effective date of this section, or enacted after December 31, 2018. For purposes of this section, "taxes and fees" means any monetary exaction, regardless of its label, imposed on a buyer and that the seller is required to collect and pay over to the department.

Part II Marketplace Facilitators

Sec. 201 RCW 82.08.0531 and 2017 3rd sp.s. c 28 s 203 are each amended to read as follows:

(1)((~~+~~)) For purposes of this chapter and chapters 82.04 and 82.12 RCW, a marketplace facilitator (~~(or referrer)~~) is deemed to be an agent of any marketplace seller making retail sales through the marketplace facilitator's (~~(physical or electronic)~~) marketplace (~~(or directly resulting from a referral of the purchaser by the referrer)~~).

((~~b~~)) (2) Beginning October 1, 2018, marketplace facilitators subject to a tax collection obligation under RCW 82.08.052 (1) or (2) must collect and remit to the department retail sales tax on all

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taxable retail sales made or facilitated by the marketplace facilitator, whether in its own right or as an agent of a marketplace seller, regardless of whether the marketplace seller is subject to a tax collection obligation under RCW 82.08.052 (1) or (2). Beginning January 1, 2020, the collection obligation of a marketplace facilitator under this chapter also applies to any other taxes and fees, as defined under section 107 of this act, that are imposed on a retail sale made or facilitated by the marketplace facilitator, whether in its own right or as an agent of a marketplace seller, regardless of whether the marketplace seller has a tax collection obligation under RCW 82.08.052 (1) or (2).

(3) In addition to other applicable recordkeeping requirements, the department may require a marketplace facilitator (~~(or referrer)~~) to provide or make available to the department any information the department determines is reasonably necessary to enforce the provisions of this chapter and chapter 82.13 RCW. Such information may include documentation of sales made by marketplace sellers through the marketplace facilitator's (~~(physical or electronic)~~) marketplace (~~(or directly resulting from a referral by the referrer)~~). The department may prescribe by rule the form and manner for providing this information.

((2)) (4)(a) Beginning July 1, 2019, to ensure that marketplace sellers have the necessary information to timely and accurately file their excise tax returns with the department pursuant to RCW 82.32.045, a marketplace facilitator must, at a minimum, provide each of its marketplace sellers with access, through a written report or other means, to gross sales information for all Washington sales made as an agent of the marketplace seller under this section during the immediately preceding month. Marketplace facilitators must provide such access within fifteen calendar days following the end of each month.

(b) If a marketplace seller does not receive the gross sales information for all Washington sales through a marketplace facilitator, as required under (a) of this subsection (4), the marketplace seller may determine its business and occupation tax liability under chapter 82.04 RCW based on a reasonable method of estimating Washington sales as may be required or approved by the department.

(c) For purposes of this subsection, "Washington sales" means any sale sourced to this state under RCW 82.32.730, regardless of whether the sale is a retail sale.

(5) If a marketplace facilitator (~~(or referrer)~~) has fully complied with the requirements of subsection (4)(a) of this section, the marketplace facilitator is relieved of liability under this chapter and chapter 82.12 RCW for failure to collect the correct amount of tax to the extent that the marketplace facilitator (~~(or referrer)~~) can show to the department's satisfaction that the error was due to incorrect information given to the marketplace facilitator (~~(or referrer)~~) by the marketplace seller, unless the marketplace facilitator (~~(or referrer)~~) and marketplace seller are affiliated persons. Where the marketplace facilitator (~~(or referrer)~~) is relieved of liability under this subsection ((2)) (5), the marketplace seller is solely liable for the amount of uncollected tax due.

((3)) (6)(a) Subject to the limits in (b) and (c) of this subsection ((3)) (6), a marketplace facilitator (~~(or referrer)~~) that has fully complied with the requirements of subsection (4)(a) of this section is relieved of liability under this chapter and chapter 82.12 RCW for the failure to collect tax on taxable retail sales to the extent that the marketplace facilitator (~~(or referrer)~~) can show to the department's satisfaction that:

(i) The taxable retail sale was made through the marketplace facilitator's marketplace (~~(or directly resulting from a referral of the purchaser by the referrer)~~);

(ii) The taxable retail sale was made solely as the agent of a marketplace seller, and the marketplace facilitator (~~(or referrer)~~) and marketplace seller are not affiliated persons; and

(iii) The failure to collect sales tax was not due to an error in sourcing the sale under RCW 82.32.730.

(b) Liability relief for a marketplace facilitator under (a) of this subsection ((3)) (6) for a calendar year is limited as follows:

(i) For calendar year 2018, the liability relief may not exceed ten percent of the total tax due under this chapter and chapter 82.12 RCW on taxable retail sales facilitated by the marketplace facilitator as agent of a marketplace seller and sourced to this state under RCW 82.32.730 during the same calendar year.

(ii) For calendar year(s) 2019(~~, 2020, 2021, 2022, and 2023~~), the liability relief may not exceed five percent of the total tax due under this chapter and chapter 82.12 RCW on taxable retail sales by the marketplace facilitator as agent of a marketplace seller and sourced to this state under RCW 82.32.730 during the same calendar year.

~~(iii) (Beginning in calendar year 2024, the liability relief may not exceed three percent of the total tax due under this chapter and chapter 82.12 RCW on taxable retail sales by the marketplace facilitator as agent of a marketplace seller and sourced to this state under RCW 82.32.730 during the same calendar year.~~

~~(e) Liability relief for a referrer under (a) of this subsection (3) for a calendar year is limited as follows:~~

~~(i) For calendar year 2018, the liability relief may not exceed ten percent of the total tax due under this chapter and chapter 82.12 RCW on taxable retail sales directly resulting from a referral of the purchaser to the marketplace seller by the referrer and sourced to this state under RCW 82.32.730 during the same calendar year.~~

~~(ii) For calendar years 2019, 2020, 2021, 2022, and 2023, the liability relief may not exceed five percent of the total tax due under this chapter and chapter 82.12 RCW on taxable retail sales directly resulting from a referral of the purchaser to the marketplace seller by the referrer and sourced to this state under RCW 82.32.730 during the same calendar year.~~

~~(iii) Beginning in calendar year 2024, the liability relief may not exceed three percent of the total tax due under this chapter and chapter 82.12 RCW on taxable retail sales directly resulting from a referral of the purchaser to the marketplace seller by the referrer and sourced to this state under RCW 82.32.730 during the same calendar year.) The provisions of this subsection (6) do not apply to retail sales made after December 31, 2019.~~

(c) For purposes of this subsection (6), a retail sale is deemed to be facilitated by a marketplace facilitator when the marketplace facilitator either:

(i) Accepts the order for the product;

(ii) Communicates to the marketplace seller the buyer's offer to purchase the product;

(iii) Accepts the buyer's payment for the product; or

(iv) Delivers or arranges for delivery of the product.

(d) Where the marketplace facilitator or referrer is relieved of liability under this subsection ((3)) (6), the marketplace seller is also relieved of liability for the amount of uncollected tax due, subject to the limitations in subsection ((4)) (7) of this section.

(e) The department may by rule determine the manner in which a taxpayer may claim the liability relief provided under this subsection.

((4)) (7) Except as otherwise provided in this section, a marketplace seller obligated (~~(or electing)~~) to collect the taxes imposed under this chapter and chapter 82.12 RCW is not required to collect such taxes on all taxable retail sales through a marketplace operated by a marketplace facilitator (~~(or directly resulting from a referral of the purchaser to the marketplace seller~~

~~by the referrer)) if the marketplace seller has obtained documentation from the marketplace facilitator ((or referrer)) indicating that the marketplace facilitator ((or referrer)) is registered with the department and will collect all applicable taxes due under this chapter and chapter 82.12 RCW on all taxable retail sales made on behalf of the marketplace seller through the marketplace operated by the marketplace facilitator ((or taxable retail sales directly resulting from a referral of the purchaser to the marketplace seller by the referrer)). The documentation required by this subsection ((4)) (7) must be provided in a form and manner prescribed by or acceptable to the department. This subsection ((4)) (7) does not relieve a marketplace seller from liability for uncollected taxes due under this chapter or chapter 82.12 RCW resulting from a marketplace facilitator's ((or referrer's)) failure to collect the proper amount of tax due when the error was due to incorrect information given to the marketplace facilitator ((or referrer)) by the marketplace seller.~~

~~((5) Except as otherwise provided in this section, a marketplace seller that is also a remote seller subject to RCW 82.08.053(1) is relieved of its obligation to collect sales or use taxes imposed under RCW 82.08.053 with respect to all taxable retail sales through a marketplace operated by a marketplace facilitator that provides the marketplace seller with written confirmation that the marketplace facilitator has elected to comply with the notice and reporting requirements of RCW 82.13.020 in lieu of collecting sales and use taxes.~~

~~(6) Notwithstanding subsections (4) and (5) of this section, a marketplace seller is not relieved of the obligation to collect taxes imposed under this chapter and chapter 82.12 RCW or comply with RCW 82.08.053 with respect to retail sales of digital products and digital codes, other than (a) specified digital products and digital games and (b) digital codes used to redeem specified digital products and digital games, until January 1, 2020.~~

~~(7)) (8) No class action may be brought against a marketplace facilitator ((or referrer)) in any court of this state on behalf of purchasers arising from or in any way related to an overpayment of sales or use tax collected by the marketplace facilitator ((or referrer)), regardless of whether that claim is characterized as a tax refund claim. Nothing in this subsection affects a purchaser's right to seek a refund from the department as provided under chapter 82.32 RCW.~~

~~((8)) (9) Nothing in this section affects the obligation of any purchaser to remit sales or use tax and any other applicable taxes and fees, as to any applicable taxable transaction in which the seller or the seller's agent does not collect and remit sales tax.~~

~~((9) This section is subject to the provisions of RCW 82.32.733.~~

~~(10) The definitions in RCW 82.13.010 apply to this section.)~~

Part III

Repealing and Modifying Conflicting and Unnecessary Laws

NEW SECTION. **Sec. 301.** The following acts or parts of acts are each repealed:

(1)RCW 82.08.053 (Remote sellers, referrers, and marketplace facilitators—Tax collection and remittance) and 2017 3rd sp.s. c 28 s 202;

(2)RCW 82.13.010 (Definitions) and 2017 3rd sp.s. c 28 s 204;

(3)RCW 82.13.020 (Notice and reporting requirements) and 2017 3rd sp.s. c 28 s 205;

(4)RCW 82.13.030 (Penalties) and 2017 3rd sp.s. c 28 s 206;

(5)RCW 82.13.040 (Administration of chapter) and 2017 3rd sp.s. c 28 s 207;

(6)RCW 82.13.050 (Liability, administration, and enforcement under chapters 82.08 and 82.12 RCW) and 2017 3rd sp.s. c 28 s 208;

(7)RCW 82.32.047 (Taxes—Payable by consumer directly to department—When due) and 2017 3rd sp.s. c 28 s 209;

(8)RCW 82.32.733 (Changes in federal law or the streamlined sales and use tax agreement after July 7, 2017—Conflicts) and 2017 3rd sp.s. c 28 s 214; and

(9)RCW 82.32.763 (Remote seller, referrer, and marketplace facilitator—Recovery procedures—Liability) and 2017 3rd sp.s. c 28 s 210.

Sec. 6. RCW 82.32.045 and 2010 1st sp.s. c 23 s 1103 are each amended to read as follows:

(1) Except as otherwise provided in this chapter and subsection (5) of this section, payments of the taxes imposed under chapters 82.04, 82.08, 82.12, 82.14, and 82.16 RCW, along with reports and returns on forms prescribed by the department, are due monthly within twenty-five days after the end of the month in which the taxable activities occur.

(2) The department of revenue may relieve any taxpayer or class of taxpayers from the obligation of remitting monthly and may require the return to cover other longer reporting periods, but in no event may returns be filed for a period greater than one year. For these taxpayers, tax payments are due on or before the last day of the month next succeeding the end of the period covered by the return.

(3) The department of revenue may also require verified annual returns from any taxpayer, setting forth such additional information as it may deem necessary to correctly determine tax liability.

(4) Notwithstanding subsections (1) and (2) of this section, the department may relieve any person of the requirement to file returns if the following conditions are met:

(a) The person's value of products, gross proceeds of sales, or gross income of the business, from all business activities taxable under chapter 82.04 RCW, is less than:

(i) Twenty-eight thousand dollars per year; or

(ii) Forty-six thousand six hundred sixty-seven dollars per year for persons generating at least fifty percent of their taxable amount from activities taxable under RCW 82.04.255, 82.04.290(2)(a), and 82.04.285;

(b) The person's gross income of the business from all activities taxable under chapter 82.16 RCW is less than twenty-four thousand dollars per year; and

(c) The person is not required to collect or pay to the department of revenue any other tax or fee which the department is authorized to collect.

(5)(a) Taxes imposed under chapter 82.08 or 82.12 RCW on taxable events that occur beginning January 1, 2019, through June 30, 2019, and payable by a consumer directly to the department are due, on returns prescribed by the department, by July 25, 2019.

(b) This subsection (5) does not apply to the reporting and payment of taxes imposed under chapters 82.08 and 82.12 RCW:

(i) On the retail sale or use of motor vehicles, vessels, or aircraft; or

(ii) By consumers who are engaged in business, unless the department has relieved the consumer of the requirement to file returns pursuant to subsection (4) of this section.

Part IV

Ensuring Continuing Compliance with the Streamlined Sales & Use Tax Agreement and Addressing Potential Federal Preemption

Sec. 401. RCW 82.08.0293 and 2017 3rd sp.s. c 28 s 101 are each amended to read as follows:

(1) The tax levied by RCW 82.08.020 does not apply to sales of food and food ingredients. "Food and food ingredients" means substances, whether in liquid, concentrated, solid, frozen, dried, or dehydrated form, that are sold for ingestion or chewing by humans and are consumed for their taste or nutritional value. "Food and food ingredients" does not include:

(a) "Alcoholic beverages," which means beverages that are suitable for human consumption and contain one-half of one percent or more of alcohol by volume;

(b) "Tobacco," which means cigarettes, cigars, chewing or pipe tobacco, or any other item that contains tobacco; and

(c) Marijuana, useable marijuana, or marijuana-infused products.

(2) The exemption of "food and food ingredients" provided for in subsection (1) of this section does not apply to prepared food, soft drinks, bottled water, or dietary supplements. The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Bottled water" means water that is placed in a safety sealed container or package for human consumption. Bottled water is calorie free and does not contain sweeteners or other additives except that it may contain: (i) Antimicrobial agents; (ii) fluoride; (iii) carbonation; (iv) vitamins, minerals, and electrolytes; (v) oxygen; (vi) preservatives; and (vii) only those flavors, extracts, or essences derived from a spice or fruit. "Bottled water" includes water that is delivered to the buyer in a reusable container that is not sold with the water.

(b) "Dietary supplement" means any product, other than tobacco, intended to supplement the diet that:

(i) Contains one or more of the following dietary ingredients:

(A) A vitamin;

(B) A mineral;

(C) An herb or other botanical;

(D) An amino acid;

(E) A dietary substance for use by humans to supplement the diet by increasing the total dietary intake; or

(F) A concentrate, metabolite, constituent, extract, or combination of any ingredient described in this subsection;

(ii) Is intended for ingestion in tablet, capsule, powder, softgel, gelcap, or liquid form, or if not intended for ingestion in such form, is not represented as conventional food and is not represented for use as a sole item of a meal or of the diet; and

(iii) Is required to be labeled as a dietary supplement, identifiable by the "supplement facts" box found on the label as required pursuant to 21 C.F.R. Sec. 101.36, as amended or renumbered as of January 1, 2003.

(c)(i) "Prepared food" means:

(A) Food sold in a heated state or heated by the seller;

(B) Food sold with eating utensils provided by the seller, including plates, knives, forks, spoons, glasses, cups, napkins, or straws. A plate does not include a container or packaging used to transport the food; or

(C) Two or more food ingredients mixed or combined by the seller for sale as a single item, except:

(I) Food that is only cut, repackaged, or pasteurized by the seller; or

(II) Raw eggs, fish, meat, poultry, and foods containing these raw animal foods requiring cooking by the consumer as recommended by the federal food and drug administration in chapter 3, part 401.11 of The Food Code, published by the food and drug administration, as amended or renumbered as of January 1, 2003, so as to prevent foodborne illness.

(ii) Food is "sold with eating utensils provided by the seller" if:

(A) The seller's customary practice for that item is to physically deliver or hand a utensil to the customer with the food or food ingredient as part of the sales transaction. If the food or food ingredient is prepackaged with a utensil, the seller is considered to have physically delivered a utensil to the customer unless the food and utensil are prepackaged together by a food manufacturer classified under sector 311 of the North American industry classification system (NAICS);

(B) A plate, glass, cup, or bowl is necessary to receive the food or food ingredient, and the seller makes those utensils available to its customers; or

(C)(I) The seller makes utensils available to its customers, and the seller has more than seventy-five percent prepared food sales. For purposes of this subsection (2)(c)(ii)(C), a seller has more than seventy-five percent prepared food sales if the seller's gross retail sales of prepared food under (c)(i)(A), (c)(i)(C), and (c)(ii)(B) of this subsection equal more than seventy-five percent of the seller's gross retail sales of all food and food ingredients, including prepared food, soft drinks, and dietary supplements.

(II) However, even if a seller has more than seventy-five percent prepared food sales, four servings or more of food or food ingredients packaged for sale as a single item and sold for a single price are not "sold with utensils provided by the seller" unless the seller's customary practice for the package is to physically hand or otherwise deliver a utensil to the customer as part of the sales transaction. Whenever available, the number of servings included in a package of food or food ingredients must be determined based on the manufacturer's product label. If no label is available, the seller must reasonably determine the number of servings.

(III) The seller must determine a single prepared food sales percentage annually for all the seller's establishments in the state based on the prior year of sales. The seller may elect to determine its prepared food sales percentage based either on the prior calendar year or on the prior fiscal year. A seller may not change its elected method for determining its prepared food percentage without the written consent of the department. The seller must determine its annual prepared food sales percentage as soon as possible after accounting records are available, but in no event later than ninety days after the beginning of the seller's calendar or fiscal year. A seller may make a good faith estimate of its first annual prepared food sales percentage if the seller's records for the prior year are not sufficient to allow the seller to calculate the prepared food sales percentage. The seller must adjust its good faith estimate prospectively if its relative sales of prepared foods in the first ninety days of operation materially depart from the seller's estimate.

(iii) "Prepared food" does not include the following (~~food or food ingredients, if the food or food ingredients are~~) items, if sold without eating utensils provided by the seller:

(A) Food sold by a seller whose proper primary (~~North American industry classification system~~—(NAICS)) classification is manufacturing in sector 311, except subsector 3118 (bakeries), as provided in the "North American industry classification system—United States, 2002";

(B) Food sold in an unheated state by weight or volume as a single item; or

(C) Bakery items. The term "bakery items" includes bread, rolls, buns, biscuits, bagels, croissants, pastries, donuts, Danish, cakes, tortes, pies, tarts, muffins, bars, cookies, or tortillas.

(d) "Soft drinks" means nonalcoholic beverages that contain natural or artificial sweeteners. Soft drinks do not include beverages that contain: Milk or milk products; soy, rice, or similar milk substitutes; or greater than fifty percent of vegetable or fruit juice by volume.

(3) Notwithstanding anything in this section to the contrary, the exemption of "food and food ingredients" provided in this section applies to food and food ingredients that are furnished, prepared, or served as meals:

(a) Under a state administered nutrition program for the aged as provided for in the older Americans act (P.L. 95-478 Title III) and RCW 74.38.040(6);

(b) That are provided to senior citizens, individuals with disabilities, or low-income persons by a not-for-profit organization organized under chapter 24.03 or 24.12 RCW; or

(c) That are provided to residents, sixty-two years of age or older, of a qualified low-income senior housing facility by the lessor or operator of the facility. The sale of a meal that is billed to both spouses of a marital community or both domestic partners of a domestic partnership meets the age requirement in this subsection (3)(c) if at least one of the spouses or domestic partners is at least sixty-two years of age. For purposes of this subsection, "qualified low-income senior housing facility" means a facility:

(i) That meets the definition of a qualified low-income housing project under 26 U.S.C. Sec. 42 of the federal internal revenue code, as existing on August 1, 2009;

(ii) That has been partially funded under 42 U.S.C. Sec. 1485; and

(iii) For which the lessor or operator has at any time been entitled to claim a federal income tax credit under 26 U.S.C. Sec. 42 of the federal internal revenue code.

(4)(a) Subsection (1) of this section notwithstanding, the retail sale of food and food ingredients is subject to sales tax under RCW 82.08.020 if the food and food ingredients are sold through a vending machine. Except as provided in (b) of this subsection, the selling price of food and food ingredients sold through a vending machine for purposes of RCW 82.08.020 is fifty-seven percent of the gross receipts.

(b) For soft drinks, bottled water, and hot prepared food and food ingredients, other than food and food ingredients which are heated after they have been dispensed from the vending machine, the selling price is the total gross receipts of such sales divided by the sum of one plus the sales tax rate expressed as a decimal.

(c) For tax collected under this subsection (4), the requirements that the tax be collected from the buyer and that the amount of tax be stated as a separate item are waived.

Sec. 402. RCW 82.32.020 and 2015 c 86 s 309 are each amended to read as follows:

For the purposes of this chapter:

(1) The meaning attributed in chapters 82.01 through 82.27 RCW to the words and phrases "tax year," "taxable year," "person," "company," "gross proceeds of sales," "gross income of the business," "business," "engaging in business," "successor," "gross operating revenue," "gross income," "taxpayer," "retail sale," "seller," "buyer," "purchaser," "extended warranty," and "value of products" apply equally to the provisions of this chapter.

(2) Unless the context clearly requires otherwise, the term "tax" includes any monetary exaction, regardless of its label, that the department is responsible for collecting, but not including interest, penalties, the surcharge imposed in RCW 40.14.027, or fees incurred by the department and recouped from taxpayers.

(3) Whenever "property" or "personal property" is used, those terms must be construed to include digital goods and digital codes unless: (a) It is clear from the context that the term "personal property" is intended only to refer to tangible personal property; (b) it is clear from the context that the term "property" is intended only to refer to tangible personal property, real property, or both; or (c) to construe the term "property" or "personal property" as including digital goods and digital codes would yield unlikely, absurd, or strained consequences.

(4) The definitions in this subsection apply throughout this chapter, unless the context clearly requires otherwise.

(a) "Agreement" means the streamlined sales and use tax agreement.

(b) "Associate member" means a petitioning state that is found to be in compliance with the agreement and changes to its laws, rules, or other authorities necessary to bring it into compliance are not in effect, but are scheduled to take effect on or before January 1, 2008. The petitioning states, by majority vote, may also grant associate member status to a petitioning state that does not receive an affirmative vote of three-fourths of the petitioning states upon a finding that the state has achieved substantial compliance with the terms of the agreement as a whole, but not necessarily each required provision, measured qualitatively, and there is a reasonable expectation that the state will achieve compliance by January 1, 2008.

(c) "Certified automated system" means software certified under the agreement to calculate the tax imposed by each jurisdiction on a transaction, determine the amount of tax to remit to the appropriate state, and maintain a record of the transaction.

(d) "Certified service provider" means an agent certified under the agreement to perform all of the seller's sales and use tax functions, other than the seller's obligation to remit tax on its own purchases.

(e)(i) "Member state" means a state that:

(A) Has petitioned for membership in the agreement and submitted a certificate of compliance; and

(B) Before the effective date of the agreement, has been found to be in compliance with the requirements of the agreement by an affirmative vote of three-fourths of the other petitioning states; or

(C) After the effective date of the agreement, has been found to be in compliance with the agreement by a three-fourths vote of the entire governing board of the agreement.

(ii) Membership by reason of (e)(i)(A) and (B) of this subsection is effective on the first day of a calendar quarter at least sixty days after at least ten states comprising at least twenty percent of the total population, as determined by the 2000 federal census, of all states imposing a state sales tax have petitioned for membership and have either been found in compliance with the agreement or have been found to be an associate member under section 704 of the agreement.

(iii) Membership by reason of (e)(i)(A) and (C) of this subsection is effective on the state's proposed date of entry or the first day of the calendar quarter after its petition is approved by the governing board, whichever is later, and is at least sixty days after its petition is approved.

(f) "Model 1 seller" means a seller that has selected a certified service provider as its agent to perform all the seller's sales and use tax functions as outlined in the contract between the streamlined sales tax governing board and the certified service provider, other than the seller's obligation to remit tax on its own purchases.

(g) "Model 2 seller" means a seller that has selected a certified automated system to perform part of its sales and use tax functions, but retains responsibility for remitting the tax.

(h) "Model 3 seller" means a seller that has sales in at least five member states, has total annual sales revenue of at least five hundred million dollars, has a proprietary system that calculates the amount of tax due each jurisdiction, and has entered into a performance agreement with the member states that establishes a tax performance standard for the seller. As used in this subsection (4)(h), a seller includes an affiliated group of sellers using the same proprietary system.

(i) "Source" means the location in which the sale or use of tangible personal property, a digital good or digital code, an extended warranty, or a digital automated service or other service,

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subject to tax under chapter 82.08, 82.12, 82.14, or 82.14B RCW, is deemed to occur.

Sec. 403. RCW 82.32.715 and 2007 c 6 s 301 are each amended to read as follows:

(1) The department ~~((shall))~~ must adopt by rule monetary allowances for certified service providers ~~((, model 2 sellers, and model 3 sellers and all other sellers that are not model 1 or))~~ selected by model 1 sellers and also for model 2 sellers. The department may be guided by the provisions for monetary allowances adopted by the governing board of the agreement to determine the amount of the allowances and the conditions under which they are allowed. The monetary allowances must be reasonable and provide adequate incentive for certified service providers and sellers to collect and remit sales and use taxes under the agreement. Monetary allowances will be funded solely from state sales and use taxes. The department may modify its rules for monetary allowances in light of the holding of the United States supreme court in *South Dakota v. Wayfair, Inc.*, Docket No. 17-494, issued June 21, 2018.

(2) For certified service providers, the monetary allowance may include a base rate that applies to taxable transactions processed by the certified service provider. ~~((Additionally, for a period not to exceed twenty-four months following a seller's registration under RCW 82.32.030(3), the monetary allowance may include a percentage of tax revenue generated by the seller.))~~

(3) For model 2 sellers, the monetary allowance may include a base rate and a percentage of revenue generated by a seller registering under RCW 82.32.030(3), but ~~((shall))~~ may not exceed a period of twenty-four months.

~~((4) For model 3 sellers and all other sellers that are not model 1 sellers or model 2 sellers, the monetary allowance may include a percentage of tax revenue generated by a seller registering under RCW 82.32.030(3), but shall not exceed a period of twenty-four months.))~~

Sec. 404. RCW 82.32.762 and 2015 3rd sp.s. c 5 s 205 are each amended to read as follows:

(1) If the department determines that a change, taking effect after ~~((September 1, 2015))~~ the effective date of this section, in the streamlined sales and use tax agreement or federal law creates a conflict with any provision of ~~((RCW 82.08.052))~~ chapter . . . , Laws of 2019 (this act), such conflicting provision or provisions of ~~((RCW 82.08.052))~~ chapter . . . , Laws of 2019 (this act), including any related provisions that would not function as originally intended, have no further force and effect as of the date the change in the streamlined sales and use tax agreement or federal law becomes effective.

(2) For purposes of this section:

(a) A change in federal law conflicts with ~~((RCW 82.08.052))~~ chapter . . . , Laws of 2019 (this act) if the change ~~((clearly allows states to impose greater sales and use tax collection obligations on remote sellers than provided for, or))~~ clearly prevents states from imposing sales and use tax collection obligations on remote sellers to the extent provided for ~~((, under RCW 82.08.052))~~ under chapter . . . , Laws of 2019 (this act).

(b) A change in the streamlined sales and use tax agreement conflicts with ~~((RCW 82.08.052))~~ chapter . . . , Laws of 2019 (this act) if one or more provisions of ~~((RCW 82.08.052))~~ chapter . . . , Laws of 2019 (this act) causes this state to be found out of compliance with the streamlined sales and use tax agreement by its governing board.

(3)(a) If the department makes a determination under this section that a change in federal law or the streamlined sales and use tax agreement conflicts with one or more provisions of

~~((RCW 82.08.052, the department))~~ chapter . . . , Laws of 2019 (this act):

~~((a))~~ (i) For purposes of conflicts between the streamlined sales and use tax agreement and chapter . . . , Laws of 2019 (this act), the department may adopt rules in accordance with chapter 34.05 RCW, including emergency rules, that are consistent with the streamlined sales and use tax agreement ~~((and that impose sales and use tax collection obligations on remote sellers to the fullest extent allowed under state and federal law))~~; and

~~((b))~~ (ii) For purposes of conflicts between federal law and chapter . . . , Laws of 2019 (this act), the department must, by rule or rules adopted in accordance with chapter 34.05 RCW, including emergency rules:

(A) Impose sales and use tax collection obligations and business and occupation tax on remote sellers to the fullest extent allowed under state and federal law, which may include adopting provisions identical or substantially similar to those in sections 202 and 204(6)(c)(ii), chapter 5, Laws of 2015 3rd sp. sess.; and

(B) Implement election, notice, and reporting provisions substantially similar to those in sections 202 through 207, chapter 28, Laws of 2017 3rd sp. sess. The department must impose such election, notice, and reporting provisions only on remote sellers and marketplace facilitators against whom the department is unable to enforce a tax collection obligation as a result of a change in federal law. The department must not impose election, notice, and reporting provisions on referrers as defined in section 204, chapter 28, Laws of 2017 3rd sp. sess. The department must impose penalties for failure to comply with notice or reporting requirements consistent with those penalties imposed in section 206, chapter 28, Laws of 2017 3rd sp. sess.

(b) For purposes of (a)(i) and (ii) of this subsection (3), the department must include information on its web site informing taxpayers and the public (i) of the provision or provisions of ~~((RCW 82.08.052))~~ chapter . . . , Laws of 2019 (this act) that will have no further force and effect, (ii) when such change will become effective, and (iii) about how to participate in any rule making conducted by the department in accordance with (a)(i) and (ii) of this subsection (3).

(4) For purposes of this section, "remote seller" ~~((has the same meaning as in RCW 82.08.052))~~ and "marketplace facilitator" have the same meaning as in RCW 82.13.010 through June 30, 2019, and RCW 82.08.010 beginning July 1, 2019.

Sec. 405. RCW 34.05.328 and 2018 c 207 s 8 are each amended to read as follows:

(1) Before adopting a rule described in subsection (5) of this section, an agency must:

(a) Clearly state in detail the general goals and specific objectives of the statute that the rule implements;

(b) Determine that the rule is needed to achieve the general goals and specific objectives stated under (a) of this subsection, and analyze alternatives to rule making and the consequences of not adopting the rule;

(c) Provide notification in the notice of proposed rule making under RCW 34.05.320 that a preliminary cost-benefit analysis is available. The preliminary cost-benefit analysis must fulfill the requirements of the cost-benefit analysis under (d) of this subsection. If the agency files a supplemental notice under RCW 34.05.340, the supplemental notice must include notification that a revised preliminary cost-benefit analysis is available. A final cost-benefit analysis must be available when the rule is adopted under RCW 34.05.360;

(d) Determine that the probable benefits of the rule are greater than its probable costs, taking into account both the qualitative and quantitative benefits and costs and the specific directives of the statute being implemented;

(e) Determine, after considering alternative versions of the rule and the analysis required under (b), (c), and (d) of this subsection, that the rule being adopted is the least burdensome alternative for those required to comply with it that will achieve the general goals and specific objectives stated under (a) of this subsection;

(f) Determine that the rule does not require those to whom it applies to take an action that violates requirements of another federal or state law;

(g) Determine that the rule does not impose more stringent performance requirements on private entities than on public entities unless required to do so by federal or state law;

(h) Determine if the rule differs from any federal regulation or statute applicable to the same activity or subject matter and, if so, determine that the difference is justified by the following:

(i) A state statute that explicitly allows the agency to differ from federal standards; or

(ii) Substantial evidence that the difference is necessary to achieve the general goals and specific objectives stated under (a) of this subsection; and

(i) Coordinate the rule, to the maximum extent practicable, with other federal, state, and local laws applicable to the same activity or subject matter.

(2) In making its determinations pursuant to subsection (1)(b) through (h) of this section, the agency must place in the rule-making file documentation of sufficient quantity and quality so as to persuade a reasonable person that the determinations are justified.

(3) Before adopting rules described in subsection (5) of this section, an agency must place in the rule-making file a rule implementation plan for rules filed under each adopting order. The plan must describe how the agency intends to:

(a) Implement and enforce the rule, including a description of the resources the agency intends to use;

(b) Inform and educate affected persons about the rule;

(c) Promote and assist voluntary compliance; and

(d) Evaluate whether the rule achieves the purpose for which it was adopted, including, to the maximum extent practicable, the use of interim milestones to assess progress and the use of objectively measurable outcomes.

(4) After adopting a rule described in subsection (5) of this section regulating the same activity or subject matter as another provision of federal or state law, an agency must do all of the following:

(a) Coordinate implementation and enforcement of the rule with the other federal and state entities regulating the same activity or subject matter by making every effort to do one or more of the following:

(i) Deferring to the other entity;

(ii) Designating a lead agency; or

(iii) Entering into an agreement with the other entities specifying how the agency and entities will coordinate implementation and enforcement.

If the agency is unable to comply with this subsection (4)(a), the agency must report to the legislature pursuant to (b) of this subsection;

(b) Report to the joint administrative rules review committee:

(i) The existence of any overlap or duplication of other federal or state laws, any differences from federal law, and any known overlap, duplication, or conflict with local laws; and

(ii) Make recommendations for any legislation that may be necessary to eliminate or mitigate any adverse effects of such overlap, duplication, or difference.

(5)(a) Except as provided in (b) of this subsection, this section applies to:

(i) Significant legislative rules of the departments of ecology, labor and industries, health, revenue, social and health services,

and natural resources, the employment security department, the forest practices board, the office of the insurance commissioner, the state building code council, and to the legislative rules of the department of fish and wildlife implementing chapter 77.55 RCW; and

(ii) Any rule of any agency, if this section is voluntarily made applicable to the rule by the agency, or is made applicable to the rule by a majority vote of the joint administrative rules review committee within forty-five days of receiving the notice of proposed rule making under RCW 34.05.320.

(b) This section does not apply to:

(i) Emergency rules adopted under RCW 34.05.350;

(ii) Rules relating only to internal governmental operations that are not subject to violation by a nongovernment party;

(iii) Rules adopting or incorporating by reference without material change federal statutes or regulations, Washington state statutes, rules of other Washington state agencies, shoreline master programs other than those programs governing shorelines of statewide significance, or, as referenced by Washington state law, national consensus codes that generally establish industry standards, if the material adopted or incorporated regulates the same subject matter and conduct as the adopting or incorporating rule;

(iv) Rules that only correct typographical errors, make address or name changes, or clarify language of a rule without changing its effect;

(v) Rules the content of which is explicitly and specifically dictated by statute, including any rules of the department of revenue adopted under the authority of RCW 82.32.762(3);

(vi) Rules that set or adjust fees under the authority of RCW 19.02.075 or that set or adjust fees or rates pursuant to legislative standards, including fees set or adjusted under the authority of RCW 19.80.045;

(vii) Rules of the department of social and health services relating only to client medical or financial eligibility and rules concerning liability for care of dependents; or

(viii) Rules of the department of revenue that adopt a uniform expiration date for reseller permits as authorized in RCW 82.32.780 and 82.32.783.

(c) For purposes of this subsection:

(i) A "procedural rule" is a rule that adopts, amends, or repeals (A) any procedure, practice, or requirement relating to any agency hearings; (B) any filing or related process requirement for making application to an agency for a license or permit; or (C) any policy statement pertaining to the consistent internal operations of an agency.

(ii) An "interpretive rule" is a rule, the violation of which does not subject a person to a penalty or sanction, that sets forth the agency's interpretation of statutory provisions it administers.

(iii) A "significant legislative rule" is a rule other than a procedural or interpretive rule that (A) adopts substantive provisions of law pursuant to delegated legislative authority, the violation of which subjects a violator of such rule to a penalty or sanction; (B) establishes, alters, or revokes any qualification or standard for the issuance, suspension, or revocation of a license or permit; or (C) adopts a new, or makes significant amendments to, a policy or regulatory program.

(d) In the notice of proposed rule making under RCW 34.05.320, an agency must state whether this section applies to the proposed rule pursuant to (a)(i) of this subsection, or if the agency will apply this section voluntarily.

(6) By January 31, 1996, and by January 31st of each even-numbered year thereafter, the office of regulatory assistance, after consulting with state agencies, counties, and cities, and business, labor, and environmental organizations, must report to the

governor and the legislature regarding the effects of this section on the regulatory system in this state. The report must document:

- (a) The rules proposed to which this section applied and to the extent possible, how compliance with this section affected the substance of the rule, if any, that the agency ultimately adopted;
- (b) The costs incurred by state agencies in complying with this section;
- (c) Any legal action maintained based upon the alleged failure of any agency to comply with this section, the costs to the state of such action, and the result;
- (d) The extent to which this section has adversely affected the capacity of agencies to fulfill their legislatively prescribed mission;
- (e) The extent to which this section has improved the acceptability of state rules to those regulated; and
- (f) Any other information considered by the office of financial management to be useful in evaluating the effect of this section.

**Part V
Eliminating Unfair Tax Advantages for Foreign
Marketplace Sellers and Peer-to-Peer Car Rental
Marketplace Facilitators**

Sec. 501. RCW 82.04.610 and 2007 c 477 s 2 are each amended to read as follows:

- (1) This chapter does not apply to:
 - ~~(a) The sale of tangible personal property in ((import or) export commerce; and~~
 - (b) The wholesale sale of tangible personal property in import commerce, but only when the wholesale sale is:
 - (i) A sale of unroasted coffee beans; or
 - (ii) Between a parent company and its wholly owned subsidiary.
- (2) Tangible personal property is in import commerce while the property is in the process of import transportation. Except as provided in (a) through (c) of this subsection, property is in the process of import transportation from the time the property begins its transportation at a point outside of the United States until the time that the property is delivered to the buyer in this state. Property is also in the process of import transportation if it is merely flowing through this state on its way to a destination in some other state or country. However, property is no longer in the process of import transportation when the property is:
 - (a) Put to actual use in any state, territory, or possession of the United States for any purpose;
 - (b) Resold by the importer or any other person after the property has arrived in this state or any other state, territory, or possession of the United States, regardless of whether the property is in its original unbroken package or container; or
 - (c) Processed, handled, or otherwise stopped in transit for a business purpose other than shipping needs, if the processing, handling or other stoppage of transit occurs within the United States, including any of its possessions or territories, or the territorial waters of this state or any other state, regardless of whether the processing, handling, or other stoppage of transit occurs within a foreign trade zone.
- (3)(a) Tangible personal property is in export commerce when the seller delivers the property to:
 - (i) The buyer at a destination in a foreign country;
 - (ii) A carrier consigned to and for transportation to a destination in a foreign country;
 - (iii) The buyer at shipside or aboard the buyer's vessel or other vehicle of transportation under circumstances where it is clear that the process of exportation of the property has begun; or
 - (iv) The buyer in this state if the property is capable of being transported to a foreign destination under its own power, the seller

files a shipper's export declaration with respect to the property listing the seller as the exporter, and the buyer immediately transports the property directly to a destination in a foreign country. This subsection (3)(a)(iv) does not apply to sales of motor vehicles as defined in RCW 46.04.320.

(b) The exemption under this subsection (3) applies with respect to property delivered to the buyer in this state if, at the time of delivery, there is a certainty of export, and the process of export has begun. The process of exportation will not be deemed to have begun if the property is merely in storage awaiting shipment, even though there is reasonable certainty that the property will be exported. The intention to export, as evidenced for example, by financial and contractual relationships does not indicate certainty of export. The process of exportation begins when the property starts its final and certain continuous movement to a destination in a foreign country.

(4) Persons claiming an exemption under this section must keep and maintain records for the period required by RCW 82.32.070 establishing their right to the exemption.

**Part VI
Sourcing Mitigation for Local Governments**

Sec. 601. RCW 82.14.500 and 2017 3rd sp.s. c 28 s 402 are each amended to read as follows:

- (1) In order to mitigate local sales tax revenue net losses as a result of the sourcing provisions of the streamlined sales and use tax agreement under this title, the state treasurer, on July 1, 2011, and each July 1st thereafter through July 1, 2019, must transfer into the streamlined sales and use tax mitigation account from the general fund the sum required to mitigate actual net losses as determined under this section.
- (2) Beginning July 1, 2008, and continuing until the department determines annual losses under subsection (3) of this section, the department must determine the amount of local sales tax net loss each local taxing jurisdiction experiences as a result of the sourcing provisions of the streamlined sales and use tax agreement under this title each calendar quarter. The department must determine losses by analyzing and comparing data from tax return information and tax collections for each local taxing jurisdiction before and after July 1, 2008, on a calendar quarter basis. The department's analysis may be revised and supplemented in consultation with the oversight committee as provided in subsection (4) of this section. To determine net losses, the department must reduce losses by the amount of voluntary compliance revenue for the calendar quarter analyzed. Beginning December 31, 2008, distributions must be made quarterly from the streamlined sales and use tax mitigation account by the state treasurer, as directed by the department, to each local taxing jurisdiction, other than public facilities districts for losses in respect to taxes imposed under the authority of RCW 82.14.390, in an amount representing its net losses for the previous calendar quarter. Distributions must be made on the last working day of each calendar quarter and must cease when distributions under subsection (3) of this section begin.
- (3)(a) By December 31, 2009, or such later date the department in consultation with the oversight committee determines that sufficient data is available, the department must determine each local taxing jurisdiction's annual loss. The department must determine annual losses by comparing at least twelve months of data from tax return information and tax collections for each local taxing jurisdiction before and after July 1, 2008. The department is not required to determine annual losses on a recurring basis, but may make any adjustments to annual losses as it deems proper as a result of the annual reviews provided in (b) of this subsection. Beginning the calendar quarter in which the department

determines annual losses, and each calendar quarter thereafter through September 30, 2019, distributions must be made from the streamlined sales and use tax mitigation account by the state treasurer on the last working day of the calendar quarter, as directed by the department, to each local taxing jurisdiction, other than public facilities districts for losses in respect to taxes imposed under the authority of RCW 82.14.390, in an amount representing one-fourth of the jurisdiction's annual loss reduced by voluntary compliance revenue reported during the previous calendar quarter and marketplace facilitator/remote seller revenue reported during the previous calendar quarter.

(b) The department's analysis of annual losses must be reviewed by December 1st of each year and may be revised and supplemented in consultation with the oversight committee as provided in subsection (4) of this section.

(4) The department must convene an oversight committee to assist in the determination of losses. The committee includes one representative of one city whose revenues are increased, one representative of one city whose revenues are reduced, one representative of one county whose revenues are increased, one representative of one county whose revenues are decreased, one representative of one transportation authority under RCW 82.14.045 whose revenues are increased, and one representative of one transportation authority under RCW 82.14.045 whose revenues are reduced, as a result of RCW 82.14.490 and the chapter 6, Laws of 2007 amendments to RCW 82.14.020. Beginning July 1, 2008, the oversight committee must meet quarterly with the department to review and provide additional input and direction on the department's analyses of losses. Local taxing jurisdictions may also present to the oversight committee additional information to improve the department's analyses of the jurisdiction's loss. Beginning January 1, 2010, the oversight committee must meet at least annually with the department by December 1st.

(5) The rule-making provisions of chapter 34.05 RCW do not apply to this section.

(6)(a) As a result of part II of chapter 28, Laws of 2017 3rd sp. sess., local sales and use tax revenue is anticipated to increase due to additional tax remittance by marketplace facilitators, remote sellers, and consumers. This additional revenue will further mitigate the losses that resulted from the sourcing provisions of the streamlined sales and use tax agreement under this title and should be reflected in mitigation payments to negatively impacted local jurisdictions.

(b) Beginning January 1, 2018, and continuing through September 30, 2019, the department must determine the increased sales and use tax revenue each local taxing jurisdiction experiences from marketplace facilitator/remote seller revenue as a result of ~~((RCW 82.08.053, 82.08.0531, 82.32.047, and 82.32.763, chapter 82.13 RCW, and))~~ sections 201~~((, 211, and))~~ through 213, chapter 28, Laws of 2017 3rd sp. sess. each calendar quarter. The department must convene the mitigation advisory committee before January 1, 2018, to receive input on the determination of marketplace facilitator/remote seller revenue. Beginning with distributions made after March 31, 2018, distributions from the streamlined sales and use tax mitigation account by the state treasurer, as directed by the department, to each local taxing jurisdiction, must be reduced by the amount of its marketplace facilitator/remote seller revenue reported during the previous calendar quarter. ~~((No later than December 1, 2019, the department will determine the total marketplace facilitator/remote seller revenue for each local taxing jurisdiction for reporting periods beginning January 1, 2018, through reporting periods ending June 30, 2019. If the total distribution made from the streamlined sales and use tax mitigation account to a local taxing jurisdiction was not fully reduced by its total~~

~~amount of marketplace facilitator/remote seller revenue for reporting periods beginning January 1, 2018, through reporting periods ending June 30, 2019, the department must reduce the local taxing jurisdiction's distribution of local sales and use tax under RCW 82.14.060 by the excess amount received.))~~

Part VII Conforming Amendments

Sec. 701. RCW 34.05.010 and 2014 c 97 s 101 are each amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Adjudicative proceeding" means a proceeding before an agency in which an opportunity for hearing before that agency is required by statute or constitutional right before or after the entry of an order by the agency. Adjudicative proceedings also include all cases of licensing and rate making in which an application for a license or rate change is denied except as limited by RCW 66.08.150, or a license is revoked, suspended, or modified, or in which the granting of an application is contested by a person having standing to contest under the law.

(2) "Agency" means any state board, commission, department, institution of higher education, or officer, authorized by law to make rules or to conduct adjudicative proceedings, except those in the legislative or judicial branches, the governor, or the attorney general except to the extent otherwise required by law and any local governmental entity that may request the appointment of an administrative law judge under chapter 42.41 RCW.

(3) "Agency action" means licensing, the implementation or enforcement of a statute, the adoption or application of an agency rule or order, the imposition of sanctions, or the granting or withholding of benefits.

Agency action does not include an agency decision regarding (a) contracting or procurement of goods, services, public works, and the purchase, lease, or acquisition by any other means, including eminent domain, of real estate, as well as all activities necessarily related to those functions, or (b) determinations as to the sufficiency of a showing of interest filed in support of a representation petition, or mediation or conciliation of labor disputes or arbitration of labor disputes under a collective bargaining law or similar statute, or (c) any sale, lease, contract, or other proprietary decision in the management of public lands or real property interests, or (d) the granting of a license, franchise, or permission for the use of trademarks, symbols, and similar property owned or controlled by the agency.

(4) "Agency head" means the individual or body of individuals in whom the ultimate legal authority of the agency is vested by any provision of law. If the agency head is a body of individuals, a majority of those individuals constitutes the agency head.

(5) "Entry" of an order means the signing of the order by all persons who are to sign the order, as an official act indicating that the order is to be effective.

(6) "Filing" of a document that is required to be filed with an agency means delivery of the document to a place designated by the agency by rule for receipt of official documents, or in the absence of such designation, at the office of the agency head.

(7) "Institutions of higher education" are the University of Washington, Washington State University, Central Washington University, Eastern Washington University, Western Washington University, The Evergreen State College, the various community colleges, and the governing boards of each of the above, and the various colleges, divisions, departments, or offices authorized by the governing board of the institution involved to act for the

institution, all of which are sometimes referred to in this chapter as "institutions."

(8) "Interpretive statement" means a written expression of the opinion of an agency, entitled an interpretive statement by the agency head or its designee, as to the meaning of a statute or other provision of law, of a court decision, or of an agency order.

(9)(a) "License" means a franchise, permit, certification, approval, registration, charter, or similar form of authorization required by law, but does not include (i) a license required solely for revenue purposes, or (ii) a certification of an exclusive bargaining representative, or similar status, under a collective bargaining law or similar statute, or (iii) a license, franchise, or permission for use of trademarks, symbols, and similar property owned or controlled by the agency.

(b) "Licensing" includes the agency process respecting the issuance, denial, revocation, suspension, or modification of a license.

(10) "Mail" or "send," for purposes of any notice relating to rule making or policy or interpretive statements, means regular mail or electronic distribution, as provided in RCW 34.05.260. "Electronic distribution" or "electronically" means distribution by ~~(electronic mail or facsimile mail)~~ email or fax.

(11)(a) "Order," without further qualification, means a written statement of particular applicability that finally determines the legal rights, duties, privileges, immunities, or other legal interests of a specific person or persons.

(b) "Order of adoption" means the official written statement by which an agency adopts, amends, or repeals a rule.

(12) "Party to agency proceedings," or "party" in a context so indicating, means:

(a) A person to whom the agency action is specifically directed; or

(b) A person named as a party to the agency proceeding or allowed to intervene or participate as a party in the agency proceeding.

(13) "Party to judicial review or civil enforcement proceedings," or "party" in a context so indicating, means:

(a) A person who files a petition for a judicial review or civil enforcement proceeding; or

(b) A person named as a party in a judicial review or civil enforcement proceeding, or allowed to participate as a party in a judicial review or civil enforcement proceeding.

(14) "Person" means any individual, partnership, corporation, association, governmental subdivision or unit thereof, or public or private organization or entity of any character, and includes another agency.

(15) "Policy statement" means a written description of the current approach of an agency, entitled a policy statement by the agency head or its designee, to implementation of a statute or other provision of law, of a court decision, or of an agency order, including where appropriate the agency's current practice, procedure, or method of action based upon that approach.

(16) "Rule" means any agency order, directive, or regulation of general applicability (a) the violation of which subjects a person to a penalty or administrative sanction; (b) which establishes, alters, or revokes any procedure, practice, or requirement relating to agency hearings; (c) which establishes, alters, or revokes any qualification or requirement relating to the enjoyment of benefits or privileges conferred by law; (d) which establishes, alters, or revokes any qualifications or standards for the issuance, suspension, or revocation of licenses to pursue any commercial activity, trade, or profession; or (e) which establishes, alters, or revokes any mandatory standards for any product or material which must be met before distribution or sale. The term includes the amendment or repeal of a prior rule, but does not include (i)

statements concerning only the internal management of an agency and not affecting private rights or procedures available to the public, (ii) declaratory rulings issued pursuant to RCW 34.05.240, (iii) traffic restrictions for motor vehicles, bicyclists, and pedestrians established by the secretary of transportation or his or her designee where notice of such restrictions is given by official traffic control devices, or (iv) rules of institutions of higher education involving standards of admission, academic advancement, academic credit, graduation and the granting of degrees, employment relationships, or fiscal processes ~~(~~or~~ ~~or~~)~~ ~~the determination and publication of updated nexus thresholds by the department of revenue in accordance with RCW 82.04.067).~~

(17) "Rules review committee" or "committee" means the joint administrative rules review committee created pursuant to RCW 34.05.610 for the purpose of selectively reviewing existing and proposed rules of state agencies.

(18) "Rule making" means the process for formulation and adoption of a rule.

(19) "Service," except as otherwise provided in this chapter, means posting in the United States mail, properly addressed, postage prepaid, or personal or electronic service. Service by mail is complete upon deposit in the United States mail. Agencies may, by rule, authorize service by electronic transmission, or by commercial parcel delivery company.

Sec. 702. RCW 82.04.066 and 2017 3rd sp.s. c 28 s 301 are each amended to read as follows:

"Engaging within this state" and "engaging within the state," when used in connection with any apportionable activity as defined in RCW 82.04.460 or selling activity taxable under RCW 82.04.250(1), 82.04.257(1), ~~((~~or~~))~~ 82.04.270, or other provision of this chapter means that a person generates gross income of the business from sources within this state, such as customers or intangible property located in this state, regardless of whether the person is physically present in this state.

Sec. 703. RCW 82.04.43391 and 2017 c 323 s 503 are each amended to read as follows:

(1) In computing tax there may be deducted from the measure of tax interest and fees on loans secured by commercial aircraft primarily used to provide routine air service and owned by:

(a) An air carrier, as defined in RCW 82.42.010, which is primarily engaged in the business of providing passenger air service;

(b) An affiliate of such air carrier; or

(c) A parent entity for which such air carrier is an affiliate.

(2) The deduction authorized under this section is not available to any person who is physically present in this state as determined under RCW 82.04.067~~((~~6~~))~~.

(3) For purposes of this section, the following definitions apply:

(a) "Affiliate" means a person is "affiliated," as defined in RCW 82.04.645, with another person; and

(b) "Commercial aircraft" means a commercial airplane as defined in RCW 82.32.550.

Sec. 704. RCW 82.12.040 and 2017 3rd sp.s. c 28 s 213 are each amended to read as follows:

(1) Every person who is subject to a collection obligation under chapter 82.08 RCW ~~((~~except a person making a valid election to comply with the notice and reporting provisions of RCW 82.13.020~~))~~ must obtain from the department a certificate of registration ~~((~~and~~))~~. Such persons must, at the time of making sales of tangible personal property, digital goods, digital codes, digital automated services, extended warranties, or sales of any service defined as a retail sale in RCW 82.04.050 (2) (a) or (g) or (6)(c), or making transfers of either possession or title, or both, of

tangible personal property for use in this state, collect from the purchasers or transferees the tax imposed under this chapter. The tax to be collected under this section must be in an amount equal to the purchase price multiplied by the rate in effect for the retail sales tax under RCW 82.08.020. This section does not apply to any retail sale if, in respect to such sale, the seller is subject to a tax collection obligation under chapter 82.08 RCW.

(2) Every person who engages in this state in the business of acting as an independent selling agent for persons who do not hold a valid certificate of registration, and who receives compensation by reason of sales of tangible personal property, digital goods, digital codes, digital automated services, extended warranties, or sales of any service defined as a retail sale in RCW 82.04.050 (2) (a) or (g) or (6)(c), of his or her principals for use in this state, must, at the time such sales are made, collect from the purchasers the tax imposed on the purchase price under this chapter, and for that purpose is deemed a retailer as defined in this chapter.

(3) The tax required to be collected by this chapter is deemed to be held in trust by the retailer until paid to the department, and any retailer who appropriates or converts the tax collected to the retailer's own use or to any use other than the payment of the tax provided herein to the extent that the money required to be collected is not available for payment on the due date as prescribed is guilty of a misdemeanor. In case any seller fails to collect the tax herein imposed or having collected the tax, fails to pay the same to the department in the manner prescribed, whether such failure is the result of the seller's own acts or the result of acts or conditions beyond the seller's control, the seller is nevertheless personally liable to the state for the amount of such tax, unless the seller has taken from the buyer a copy of a direct pay permit issued under RCW 82.32.087.

(4) Any retailer who refunds, remits, or rebates to a purchaser, or transferee, either directly or indirectly, and by whatever means, all or any part of the tax levied by this chapter is guilty of a misdemeanor.

(5) Notwithstanding subsections (1) through (4) of this section, any person making sales is not obligated to collect the tax imposed by this chapter if the person would have been obligated to collect retail sales tax on the sale absent a specific exemption provided in chapter 82.08 RCW, and there is no corresponding use tax exemption in this chapter. Nothing in this subsection (5) may be construed as relieving purchasers from liability for reporting and remitting the tax due under this chapter directly to the department.

(6) Notwithstanding subsections (1) through (4) of this section, any person making sales is not obligated to collect the tax imposed by this chapter if the state is prohibited under the Constitution or laws of the United States from requiring the person to collect the tax imposed by this chapter.

(7) Notwithstanding subsections (1) through (4) of this section, any licensed dealer facilitating a firearm sale or transfer between two unlicensed persons by conducting background checks under chapter 9.41 RCW is not obligated to collect the tax imposed by this chapter.

Part VIII Miscellaneous

NEW SECTION. Sec. 801. The repeals and amendments in this act do not affect any existing right acquired or liability or obligation incurred under the statutes repealed or amended, or under any rule or order adopted under those statutes, nor do they affect any proceeding instituted under them.

NEW SECTION. Sec. 802. If any provision of this act or its application to any person or circumstance is held invalid, the

remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 803. This act applies prospectively only, except for sections 106 and 201 of this act, which apply both prospectively and retroactively to October 1, 2018.

NEW SECTION. Sec. 804. Sections 101, 104, 106, 201, 402, 403, 404, 405, and 501 of this act are necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and take effect immediately.

NEW SECTION. Sec. 805. Sections 105, 301, 302, 401, and 704 of this act are necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and take effect July 1, 2019.

NEW SECTION. Sec. 806. Sections 102, 103, 107, 701, 702, and 703 of this act take effect January 1, 2020.

NEW SECTION. Sec. 807. Section 601 of this act expires October 1, 2019."

Correct the title.

and the same is herewith transmitted.

BERNARD DEAN, Chief Clerk

MOTION

Senator Rolfes moved that the Senate concur in the House amendment(s) to Substitute Senate Bill No. 5581.

Senators Rolfes and Braun spoke in favor of the motion.

The President Pro Tempore declared the question before the Senate to be the motion by Senator Rolfes that the Senate concur in the House amendment(s) to Substitute Senate Bill No. 5581.

The motion by Senator Rolfes carried and the Senate concurred in the House amendment(s) to Substitute Senate Bill No. 5581 by voice vote.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5581, as amended by the House.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5581, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 37; Nays, 11; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Billig, Braun, Cleveland, Conway, Darneille, Das, Dhingra, Erickson, Frockt, Hasegawa, Hobbs, Hunt, Keiser, King, Kuderer, Lias, Lovelett, McCoy, Mullet, Nguyen, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman and Wilson, C.

Voting nay: Senators Becker, Brown, Fortunato, Hawkins, Holy, Honeyford, O'Ban, Padden, Short, Wilson, L. and Zeiger
Excused: Senator Carlyle

SUBSTITUTE SENATE BILL NO. 5581, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

FIFTY SEVENTH DAY, MARCH 11, 2019

2019 REGULAR SESSION

On motion of Senator Liias, the Senate advanced to the sixth order of business.

SECOND READING

SENATE BILL NO. 5025, by Senators Das, Warnick, Wilson, C., Zeiger, Fortunato, Palumbo, Saldaña, Kuderer and O'Ban

Creating sales and use and excise tax exemptions for self-help housing development.

MOTION

On motion of Senator Liias, Substitute Senate Bill No. 5025 was substituted for Senate Bill No. 5025 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Becker moved that the following amendment no. 239 by Senator Becker be adopted:

On page 8, after line 5, insert the following:

"(v) The sale of residential property by an owner who is at least sixty-five years of age."

Senator Becker spoke in favor of adoption of the amendment.

Senator Kuderer spoke against adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 239 by Senator Becker on page 8, line 5 to Substitute Senate Bill No. 5025.

The motion by Senator Becker did not carry and amendment no. 239 was not adopted by voice vote.

MOTION

On motion of Senator Das, the rules were suspended, Substitute Senate Bill No. 5025 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Das, Zeiger, Becker and Fortunato spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5025.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5025 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 2; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senators Frockt and Hasegawa

Excused: Senator Carlyle

SUBSTITUTE SENATE BILL NO. 5025, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5247, by Senators Frockt, Zeiger, Hobbs, Bailey, Rolfes, Hunt, Conway, Das, Honeyford, Keiser and Mullet

Addressing catastrophic incidents that are natural or human-caused emergencies by providing guidance that may be used by state public schools to plan for seismic catastrophic incidents.

MOTIONS

On motion of Senator Frockt, Substitute Senate Bill No. 5247 was substituted for Senate Bill No. 5247 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Frockt, the rules were suspended, Substitute Senate Bill No. 5247 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Frockt, Zeiger and Hasegawa spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5247.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5247 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senator Carlyle

SUBSTITUTE SENATE BILL NO. 5247, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SIGNED BY THE PRESIDENT

Pursuant to Article 2, Section 32 of the State Constitution and Senate Rule 1(5), the President Pro Tempore announced the signing of and thereupon did sign in open session:

ENGROSSED SUBSTITUTE SENATE BILL NO. 5079.

SECOND READING

SENATE BILL NO. 5820, by Senators Nguyen, Randall, Hasegawa, Keiser, Hunt, Kuderer and Wilson C.

Increasing eligibility for child care and early learning programs for homeless and other vulnerable children.

MOTIONS

On motion of Senator Nguyen, Second Substitute Senate Bill No. 5820 was substituted for Senate Bill No. 5820 and the

substitute bill was placed on the second reading and read the second time.

On motion of Senator Nguyen, the rules were suspended, Second Substitute Senate Bill No. 5820 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Nguyen and Hawkins spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 5820.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 5820 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 3; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senators Honeyford, Padden and Short

Excused: Senator Carlyle

SECOND SUBSTITUTE SENATE BILL NO. 5820, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5652, by Senators Fortunato, Rivers, Becker, Hawkins, Brown, Hobbs, Warnick, Honeyford, Wilson, L., Short and Palumbo

Clarifying personal belonging disposal for impounded vehicles.

MOTIONS

On motion of Senator Fortunato, Substitute Senate Bill No. 5652 was substituted for Senate Bill No. 5652 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Fortunato, the rules were suspended, Substitute Senate Bill No. 5652 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Fortunato spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5652.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5652 and the bill passed the Senate by the following vote: Yeas, 41; Nays, 7; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Cleveland, Conway, Darneille, Dhingra, Ericksen, Fortunato, Frockt, Hawkins, Hobbs, Holy, Honeyford, Hunt, King, Liias, McCoy, Mullet, O'Ban, Padden, Palumbo, Pedersen, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van

De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senators Das, Hasegawa, Keiser, Kuderer, Lovelett, Nguyen and Randall

Excused: Senator Carlyle

SUBSTITUTE SENATE BILL NO. 5652, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5695, by Senators Liias, King, Zeiger, Saldaña and Kuderer

Concerning high occupancy vehicle lane penalties.

MOTIONS

On motion of Senator Liias, Substitute Senate Bill No. 5695 was substituted for Senate Bill No. 5695 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Liias, the rules were suspended, Substitute Senate Bill No. 5695 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Liias and King spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5695.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5695 and the bill passed the Senate by the following vote: Yeas, 37; Nays, 11; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Billig, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hawkins, Hobbs, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Nguyen, O'Ban, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Sheldon, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senators Becker, Braun, Brown, Ericksen, Fortunato, Holy, Honeyford, Mullet, Padden, Schoesler and Short

Excused: Senator Carlyle

SUBSTITUTE SENATE BILL NO. 5695, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5024, by Senators Hasegawa and Fortunato

Concerning the transparency of local taxing districts.

MOTION

On motion of Senator Hasegawa, Substitute Senate Bill No. 5024 was substituted for Senate Bill No. 5024 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Hasegawa moved that the following striking amendment no. 118 by Senators Hasegawa and Short be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 35.58 RCW to read as follows:

Any metropolitan municipal corporation must disclose the rates of each tax it collects on behalf of the state or another political subdivision, if any. Metropolitan municipal corporations must also disclose the method by which the tax rates are applied to the relevant service charges billed to the customer or taxpayer. The disclosures required by this section must occur through at least one of the following methods:

- (1) On regular billing statements provided electronically or in written form;
- (2) On the corporation's web site, if the corporation provides written notice to customers or taxpayers that such information is available on its web site; or
- (3) Through a billing insert, mailer, or other written or electronic communication provided to customers or taxpayers on either an annual basis or within thirty days of the effective date of any subsequent tax rate change.

NEW SECTION. Sec. 2. A new section is added to chapter 54.04 RCW to read as follows:

Any public utility district must disclose the rates of each tax it collects on behalf of the state or another political subdivision, if any. Public utility districts must also disclose the method by which the tax rates are applied to the relevant service charges billed to the customer or taxpayer. The disclosures required by this section must occur through at least one of the following methods:

- (1) On regular billing statements provided electronically or in written form;
- (2) On the district's web site, if the district provides written notice to customers or taxpayers that such information is available on its web site; or
- (3) Through a billing insert, mailer, or other written or electronic communication provided to customers or taxpayers on either an annual basis or within thirty days of the effective date of any subsequent tax rate change.

NEW SECTION. Sec. 3. A new section is added to chapter 85.08 RCW to read as follows:

Any diking, drainage, and sewerage improvement district must disclose the rates of each tax it collects on behalf of the state or another political subdivision, if any. Diking, drainage, and sewerage improvement districts must also disclose the method by which the tax rates are applied to the relevant service charges billed to the customer or taxpayer. The disclosures required by this section must occur through at least one of the following methods:

- (1) On regular billing statements provided electronically or in written form;
- (2) On the district's web site, if the district provides written notice to customers or taxpayers that such information is available on its web site; or
- (3) Through a billing insert, mailer, or other written or electronic communication provided to customers or taxpayers on either an annual basis or within thirty days of the effective date of any subsequent tax rate change.

NEW SECTION. Sec. 4. A new section is added to chapter 36.58A RCW to read as follows:

Any solid waste collection district must disclose the rates of each tax it collects on behalf of the state or another political subdivision, if any. Solid waste collection districts must also disclose the method by which the tax rates are applied to the relevant service charges billed to the customer or taxpayer. The disclosures required by this section must occur through at least one of the following methods:

- (1) On regular billing statements provided electronically or in written form;
- (2) On the district's web site, if the district provides written notice to customers or taxpayers that such information is available on its web site; or
- (3) Through a billing insert, mailer, or other written or electronic communication provided to customers or taxpayers on either an annual basis or within thirty days of the effective date of any subsequent tax rate change.

NEW SECTION. Sec. 5. A new section is added to chapter 36.58 RCW to read as follows:

Any solid waste disposal district must disclose the rates of each tax it collects on behalf of the state or another political subdivision, if any. Solid waste disposal districts must also disclose the method by which the tax rates are applied to the relevant service charges billed to the customer or taxpayer. The disclosures required by this section must occur through at least one of the following methods:

- (1) On regular billing statements provided electronically or in written form;
- (2) On the district's web site, if the district provides written notice to customers or taxpayers that such information is available on its web site; or
- (3) Through a billing insert, mailer, or other written or electronic communication provided to customers or taxpayers on either an annual basis or within thirty days of the effective date of any subsequent tax rate change.

NEW SECTION. Sec. 6. A new section is added to chapter 57.02 RCW to read as follows:

Any water-sewer district must disclose the rates of each tax it collects on behalf of the state or another political subdivision, if any. Water-sewer districts must also disclose the method by which the tax rates are applied to the relevant service charges billed to the customer or taxpayer. The disclosures required by this section must occur through at least one of the following methods:

- (1) On regular billing statements provided electronically or in written form;
- (2) On the district's web site, if the district provides written notice to customers or taxpayers that such information is available on its web site; or
- (3) Through a billing insert, mailer, or other written or electronic communication provided to customers or taxpayers on either an annual basis or within thirty days of the effective date of any subsequent tax rate change.

NEW SECTION. Sec. 7. A new section is added to chapter 35.92 RCW to read as follows:

Any city or town operating as a municipal utility must disclose the rates of each tax it collects on behalf of the state or another political subdivision, if any. Municipal utilities must also disclose the method by which the tax rates are applied to the relevant service charges billed to the customer or taxpayer. The disclosures required by this section must occur through at least one of the following methods:

- (1) On regular billing statements provided electronically or in written form;

(2) On the municipal utility's web site, if it provides written notice to customers or taxpayers that such information is available on its web site; or

(3) Through a billing insert, mailer, or other written or electronic communication provided to customers or taxpayers on either an annual basis or within thirty days of the effective date of any subsequent tax rate change.

Sec. 8. RCW 19.29A.030 and 1998 c 300 s 4 are each amended to read as follows:

Except as otherwise provided in RCW 19.29A.040, an electric utility (~~shall~~) **must**:

(1) Provide notice to all of its retail electric customers that the disclosures required in RCW 19.29A.020 are available without charge upon request. Such notice (~~shall~~) **must** be provided at the time service is established and either included as a prominent part of each customer's bill or in a written notice mailed to each customer at least once a year thereafter. Required disclosures (~~shall~~) **must** be provided without charge, in writing using plain language that is understandable to an ordinary customer, and presented in a form that is clear and conspicuous(-);

(2) Provide written or electronic notice of public hearings where changes in electricity rates will be considered or approved by the commission or governing body, in a form and manner as may be required by the commission or governing body;

(3) Disclose on each billing statement the rate of tax imposed upon the electric utility under RCW 35.21.870, if any, and the amount of such tax to be paid directly by the retail electric customer through the billing statement;

(4) Disclose the following information in a prominent manner on all billing statements sent to retail electric customers, or by a separate written notice mailed to all retail electric customers at least quarterly and at the same time as a billing statement: "YOUR BILL INCLUDES CHARGES FOR ELECTRICITY, DELIVERY SERVICES, GENERAL ADMINISTRATION AND OVERHEAD, METERING, TAXES, CONSERVATION EXPENSES, AND OTHER ITEMS."

On page 1, line 1 of the title, after "districts;" strike the remainder of the title and insert "amending RCW 19.29A.030; adding a new section to chapter 35.58 RCW; adding a new section to chapter 54.04 RCW; adding a new section to chapter 85.08 RCW; adding a new section to chapter 36.58A RCW; adding a new section to chapter 36.58 RCW; adding a new section to chapter 57.02 RCW; and adding a new section to chapter 35.92 RCW."

Senator Hasegawa spoke in favor of adoption of the striking amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of striking amendment no. 118 by Senators Hasegawa and Short to Substitute Senate Bill No. 5024.

The motion by Senator Hasegawa carried and striking amendment no. 118 was adopted by voice vote.

MOTION

On motion of Senator Hasegawa, the rules were suspended, Engrossed Substitute Senate Bill No. 5024 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Hasegawa and Short spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5024.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5024 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 2; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Cleveland, Conway, Darneille, Das, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Lias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senators Dhingra and Salomon

Excused: Senator Carlyle

ENGROSSED SUBSTITUTE SENATE BILL NO. 5024, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5212, by Senators Palumbo, Wilson, L., Rolfes, Mullet, Wilson, C., Hunt and Kuderer

Concerning the adoption of dogs and cats used for science or research purposes.

MOTIONS

On motion of Senator Palumbo, Substitute Senate Bill No. 5212 was substituted for Senate Bill No. 5212 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Palumbo, the rules were suspended, Substitute Senate Bill No. 5212 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Palumbo and Holy spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5212.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5212 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Lias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senator Carlyle

SUBSTITUTE SENATE BILL NO. 5212, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

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SENATE BILL NO. 5746, by Senators Saldaña, Nguyen and Zeiger

Providing for adequate provisions for low-income homeownership opportunities.

MOTIONS

On motion of Senator Saldaña, Substitute Senate Bill No. 5746 was substituted for Senate Bill No. 5746 and the substitute bill was placed on the second reading and read the second time.

Senator Saldaña moved that the following amendment no. 188 by Senator Saldaña be adopted:

On page 2, beginning on line 26, after "children" strike all material through "2006" on line 29

On page 3, beginning on line 7, after "(ii)" strike all material through "used" on line 8 and insert "A target of thirteen percent of the moneys used in any funding cycle is established"

Senators Saldaña and Zeiger spoke in favor of adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 188 by Senator Saldaña on page 2, line 26 to Substitute Senate Bill No. 5746.

The motion by Senator Saldaña carried and amendment no. 188 was adopted by voice vote.

WITHDRAWAL OF AMENDMENT

On motion of Senator Saldaña and without objection, amendment no. 049 by Senator Saldaña on page 3, line 7 to Substitute Senate Bill No. 5746 was withdrawn.

MOTION

Senator Fortunato moved that the following amendment no. 346 by Senator Fortunato be adopted:

On page 9, after line 12, insert the following:

NEW SECTION. Sec. 7. A new section is added to chapter 36.70A RCW to read as follows:

(1) A city or county required or choosing to plan under RCW 36.70A.040 may designate American dream zones within a designated urban growth area in which to permit development of residential housing for low-income households. A city or county may only permit single-family residential housing within these American dream zones.

(2) A new American dream zone may be approved in a city or county planning under RCW 36.70A.040 if the following criteria are met:

(a) Any permits granted within the zone are limited to the development of owner occupied single-family residential detached dwellings serving low-income households;

(b) Each dwelling developed within the zone is exempt from impact fees under RCW 82.02.050;

(c) The city or county does not charge cumulative permitting fees for each dwelling within the zone that equal more than one thousand two hundred fifty dollars;

(d) Provisions are included to ensure that each dwelling developed within the zone remains reserved for low-income households; and

(e) In selecting potential zones, the city or county coordinates with the Washington state department of ecology and the

department of commerce to identify possible sites for healthy housing remediation.

(3) "Low-income household," as used in this section, means a single person, family, or unrelated persons living together whose adjusted income is less than eighty percent of the median family income adjusted for household size, for the city or county where the project is located.

NEW SECTION. Sec. 8. A new section is added to chapter 82.08 RCW to read as follows:

(1) A city or county may receive a distribution equal to the state portion of the tax levied by RCW 82.08.020 in respect to:

(a) Charges for labor and services rendered in respect to the constructing of dwellings in designated American dream zones, as provided in section 7 of this act;

(b) Sales of tangible personal property that will be incorporated as an ingredient or component of such dwellings during the course of the constructing; or

(c) Charges made for labor and services rendered in respect to installing, during the course of constructing such dwellings, fixtures not otherwise eligible for the exemption under RCW 82.08.02565.

(2)(a) The department must at least once annually remit to the city or county an estimated amount, as determined by the department, of state taxes collected during the prior calendar year with respect to section 7 of this act.

(b) The department must determine eligibility under this section based on information provided by the city or county and through audit and other administrative records.

(c) The city or county must, on an annual basis, submit an application, in a form and manner as required by the department by rule, containing any information the department deems necessary in determining remittance amounts under this section.

NEW SECTION. Sec. 9. A new section is added to chapter 82.12 RCW to read as follows:

(1) The provisions of this chapter do not apply with respect to the use of:

(a) Tangible personal property that will be incorporated as an ingredient or component in constructing of dwellings in designated American dream zones, as provided in section 7 of this act; or

(b) Labor and services rendered in respect to installing, during the course of constructing such dwellings, fixtures not otherwise eligible for the exemption under RCW 82.08.02565.

(2) The definitions and eligibility requirements and conditions in section 8 of this act apply to this section.

(3) This section is exempt from the provisions of RCW 82.32.805 and 82.32.808.

NEW SECTION. Sec. 10. A new section is added to chapter 82.04 RCW to read as follows:

(1) A person that sells a dwelling in an American dream zone is allowed an annual credit against the tax due under this chapter as provided in this section. The credit equals four percent of the gross selling price of an eligible single-family home.

(2) The credit may be used against any tax due under this chapter, and may be carried over until used, except as provided in subsection (4) of this section. No refund may be granted for credits under this section.

(3) Credits earned under this section may be claimed only on returns filed electronically with the department using the department's online tax filing service or other method of electronic reporting as the department may authorize. The taxpayer must keep records necessary for the department to determine eligibility under this section including records establishing the sale of an eligible single-family home.

(4) Credits allowed under this section can be earned for tax reporting periods through June 30, 2029. No credits can be claimed after June 30, 2030.

(5) This section is exempt from the provisions of RCW 82.32.808.

(6) This section expires July 1, 2030."

Re-number the remaining section consecutively and correct any internal references accordingly.

On page 1, line 4 of the title, after "RCW;" strike the remainder of the title and insert "adding a new section to chapter 36.70A RCW; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; adding a new section to chapter 82.04 RCW; creating a new section; providing an effective date; and providing an expiration date."

Senators Fortunato and Padden spoke in favor of adoption of the amendment.

Senator Kuderer spoke against adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 346 by Senator Fortunato on page 9, after line 12 to Substitute Senate Bill No. 5746.

The motion by Senator Fortunato did not carry and amendment no. 346 was not adopted by voice vote.

MOTION

On motion of Senator Saldaña, the rules were suspended, Engrossed Substitute Senate Bill No. 5746 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Saldaña and Zeiger spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5746.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5746 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 2; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senators Hasegawa and Mullet

Excused: Senator Carlyle

ENGROSSED SUBSTITUTE SENATE BILL NO. 5746, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5496, by Senators Zeiger and Hunt

Concerning modification of precinct and district boundary lines.

The measure was read the second time.

MOTION

Senator Zeiger moved that the following amendment no. 350 by Senator Zeiger be adopted:

On page 1, line 13, after "section." insert "The county legislative authority must hold a public hearing on the auditor's proposed changes within forty-five days."

Senators Zeiger, Hunt and Short spoke in favor of adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 350 by Senator Zeiger on page 1, line 13 to Senate Bill No. 5496.

The motion by Senator Zeiger carried and amendment no. 350 was adopted by voice vote.

MOTION

Senator Hunt moved that the following amendment no. 347 by Senator Hunt be adopted:

On page 2, line 5, after "precinct", strike all material through "is" on page 2, line 7, and insert "~~((within its jurisdiction. The number~~) may be less than the number established by law, but in no case may the number exceed"

Senators Hunt, Zeiger and Padden spoke in favor of adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 347 by Senator Hunt on page 2, line 5 to Senate Bill No. 5496.

The motion by Senator Hunt carried and amendment no. 347 was adopted by voice vote.

MOTION

On motion of Senator Zeiger, the rules were suspended, Engrossed Senate Bill No. 5496 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Zeiger spoke in favor of passage of the bill.

Senator Short spoke against passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 5496.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5496 and the bill passed the Senate by the following vote: Yeas, 44; Nays, 4; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Cleveland, Conway, Darneille, Das, Dhingra, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senators Ericksen, Honeyford, Padden and Short

Excused: Senator Carlyle

ENGROSSED SENATE BILL NO. 5496, having received the constitutional majority, was declared passed. There being no

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objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5748, by Senators Conway, O'Ban, Frockt, Rolfes, Randall and Zeiger

Creating an account to support necessary infrastructure nearby military installations.

MOTIONS

On motion of Senator Conway, Substitute Senate Bill No. 5748 was substituted for Senate Bill No. 5748 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Conway, the rules were suspended, Substitute Senate Bill No. 5748 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Conway, O'Ban, Frockt and Zeiger spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5748.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5748 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senator Van De Wege

Excused: Senator Carlyle

SUBSTITUTE SENATE BILL NO. 5748, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5287, by Senators Darneille and Hunt

Ensuring accurate redistricting.

MOTION

On motion of Senator Darneille, Second Substitute Senate Bill No. 5287 was substituted for Senate Bill No. 5287 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Zeiger moved that the following amendment no. 349 by Senator Zeiger be adopted:

On page 2, line 38, after "facility" insert ", other than an inmate serving a sentence of life without the possibility of parole,"

Senators Zeiger, Short, Padden and Honeyford spoke in favor of adoption of the amendment.

Senators Hunt and Darneille spoke against adoption of the amendment.

Senator Short demanded a roll call.

The President Pro Tempore declared that one-sixth of the members supported the demand and the demand was sustained.

The President Pro Tempore declared the question before the Senate to be the adoption of the amendment by Senator Zeiger on page 2, line 38, to Second Substitute Senate Bill No. 5287.

ROLL CALL

The Secretary called the roll on the adoption of the amendment by Senator Zeiger and the amendment was not adopted by the following vote: Yeas, 22; Nays, 26; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Braun, Brown, Ericksen, Fortunato, Frockt, Hawkins, Holy, Honeyford, King, O'Ban, Padden, Rivers, Schoesler, Sheldon, Short, Wagoner, Walsh, Warnick, Wilson, L. and Zeiger

Voting nay: Senators Billig, Cleveland, Conway, Darneille, Das, Dhingra, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Palumbo, Pedersen, Randall, Rolfes, Saldaña, Salomon, Takko, Van De Wege, Wellman and Wilson, C.

Excused: Senator Carlyle.

MOTION

Senator Zeiger moved that the following amendment no. 339 by Senator Zeiger be adopted:

On page 3, line 8, after "at" strike all material through "precinct" on line 11 and insert "the facility at which the person is incarcerated or resides"

Senators Zeiger, Padden and Short spoke in favor of adoption of the amendment.

Senator Hunt spoke against adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 339 by Senator Zeiger on page 3, line 8 to Second Substitute Senate Bill No. 5287.

The motion by Senator Zeiger did not carry and amendment no. 339 was not adopted by a rising vote.

MOTION

On motion of Senator Darneille, the rules were suspended, Second Substitute Senate Bill No. 5287 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Darneille spoke in favor of passage of the bill.

Senators Schoesler, Wagoner and Zeiger spoke against passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 5287.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 5287 and the bill passed the Senate by the following vote: Yeas, 27; Nays, 21; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Palumbo, Pedersen, Randall, Rolfes, Saldaña, Salomon, Takko, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Bailey, Becker, Braun, Brown, Ericksen, Fortunato, Hawkins, Holy, Honeyford, King, O'Ban, Padden, Rivers, Schoesler, Sheldon, Short, Wagoner, Walsh, Warnick, Wilson, L. and Zeiger

Excused: Senator Carlyle

SECOND SUBSTITUTE SENATE BILL NO. 5287, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5779, by Senators Kuderer, Hunt, Takko, Dhingra and Nguyen

Concerning ballot drop box placement requirements.

The measure was read the second time.

MOTION

Senator Kuderer moved that the following striking amendment no. 341 by Senator Kuderer be adopted:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 29A.40.160 and 2018 c 112 s 4 are each amended to read as follows:

(1) Each county auditor shall open a voting center each primary, special election, and general election. The voting center shall be open during business hours during the voting period, which begins eighteen days before, and ends at 8:00 p.m. on the day of, the primary, special election, or general election.

(2) Each county auditor shall register voters in person at each of the following locations in the county:

(a) At the county auditor's office;

(b) At the division of elections, if located in a separate city from the county auditor's office; and

(c) For each presidential general election, at a voting center in each city in the county with a population of one hundred thousand or greater, which does not have a voting center as required in (a) or (b) of this subsection. A voting center opened pursuant to this subsection (2) is not required to be open on the Sunday before the presidential election.

(3) Voting centers shall be located in public buildings or buildings that are leased by a public entity including, but not limited to, libraries.

(4) Each voting center, and at least one of the other locations designated by the county auditor to allow voters to register in person pursuant to RCW 29A.08.140(1)(b), must provide voter registration materials, ballots, provisional ballots, disability access voting units, sample ballots, instructions on how to properly vote the ballot, a ballot drop box, and voters' pamphlets, if a voters' pamphlet has been published.

(5) Each voting center must be accessible to persons with disabilities. Each state agency and entity of local government

shall permit the use of any of its accessible facilities as voting centers when requested by a county auditor.

(6) Each voting center must provide at least one voting unit certified by the secretary of state that provides access to individuals who are blind or visually impaired, enabling them to vote with privacy and independence.

(7) No person may interfere with a voter attempting to vote in a voting center. Interfering with a voter attempting to vote is a violation of RCW 29A.84.510.

(8) Before opening the voting center, the voting equipment shall be inspected to determine if it has been properly prepared for voting. If the voting equipment is capable of direct tabulation of each voter's choices, the county auditor shall verify that no votes have been registered for any issue or office, and that the device has been sealed with a unique numbered seal at the time of final preparation and logic and accuracy testing. A log must be made of all device numbers and seal numbers.

(9) The county auditor shall require any person desiring to vote at a voting center to either sign a ballot declaration or provide identification.

(a) The signature on the declaration must be compared to the signature on the voter registration record before the ballot may be counted. If the voter registered using a mark, or can no longer sign his or her name, the election officers shall require the voter to be identified by another registered voter.

(b) The identification must be valid photo identification, such as a driver's license, state identification card, student identification card, tribal identification card, or employer identification card. Any individual who desires to vote in person but cannot provide identification shall be issued a provisional ballot, which shall be accepted if the signature on the declaration matches the signature on the voter's registration record.

(10) Provisional ballots must be accompanied by a declaration and security envelope, as required by RCW 29A.40.091, and space for the voter's name, date of birth, current and former registered address, reason for the provisional ballot, and disposition of the provisional ballot. The voter shall vote and return the provisional ballot at the voting center. The voter must be provided information on how to ascertain whether the provisional ballot was counted and, if applicable, the reason why the vote was not counted.

(11) Any voter may take printed or written material into the voting device to assist in casting his or her vote. The voter shall not use this material to electioneer and shall remove it when he or she leaves the voting center.

(12) If any voter states that he or she is unable to cast his or her votes due to a disability, the voter may designate a person of his or her choice, or two election officers, to enter the voting booth and record the votes as he or she directs.

(13) No voter is entitled to vote more than once at a primary, special election, or general election. If a voter incorrectly marks a ballot, he or she may be issued a replacement ballot.

(14) A voter who has already returned a ballot but requests to vote at a voting center shall be issued a provisional ballot. The canvassing board shall not count the provisional ballot if it finds that the voter has also voted a regular ballot in that primary, special election, or general election.

(15) The county auditor must prevent overflow of each ballot drop box to allow a voter to deposit his or her ballot securely. Ballots must be removed from a ballot drop box by at least two people, with a record kept of the date and time ballots were removed, and the names of people removing them. Ballots from drop boxes must be returned to the counting center in secured transport containers. A copy of the record must be placed in the container, and one copy must be transported with the ballots to the counting center, where the seal number must be verified by

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the county auditor or a designated representative. All ballot drop boxes must be secured at 8:00 p.m. on the day of the primary, special election, or general election.

(16) Any voter who is inside or in line at the voting center at 8:00 p.m. on the day of the primary, special election, or general election must be allowed to vote.

(17) For each primary, special election, and general election, the county auditor may provide election services at locations in addition to the voting center. The county auditor has discretion to establish which services will be provided at the additional locations, and which days and hours the locations will be open, except that the county auditor must establish a minimum of one ballot drop box per ~~((fifteen))~~ twenty thousand registered voters in the county ~~((and a minimum of one ballot drop box in each city, town, and census designated place in the county with a post office)).~~

Sec. 2. RCW 29A.40.--- and 2019 c ... (Engrossed Substitute Senate Bill No. 5079) s 5 are each amended to read as follows:

(1) The county auditor must prevent overflow of each ballot drop box to allow a voter to deposit his or her ballot securely. Ballots must be removed from a ballot drop box by at least two people, with a record kept of the date and time ballots were removed, and the names of people removing them. Ballots from drop boxes must be returned to the counting center in secured transport containers. A copy of the record must be placed in the container, and one copy must be transported with the ballots to the counting center, where the seal number must be verified by the county auditor or a designated representative. All ballot drop boxes must be secured at 8:00 p.m. on the day of the primary, special election, or general election.

(2) The county auditor must establish a minimum of one ballot drop box per ~~((fifteen))~~ twenty thousand registered voters in the county ~~((and a minimum of one ballot drop box in each city, town, and census designated place in the county with a post office)).~~

(3) At the request of a federally recognized Indian tribe with a reservation in the county, the county auditor must establish at least one ballot drop box on the Indian reservation on a site selected by the tribe ~~((that is accessible to the county auditor by a public road.~~

~~(4) A federally recognized Indian tribe may designate at least one building as a ballot pickup and collection location at no cost to the tribe. The designated building must be accessible to the county auditor by a public road. The county auditor of the county in which the building is located must collect ballots from that location in compliance with the procedures in subsection (1) of this section)).~~

NEW SECTION. Sec. 3. (1) Section 1 of this act takes effect only if Engrossed Substitute Senate Bill No. 5079 is not enacted by June 30, 2019.

(2) Section 2 of this act takes effect only if Engrossed Substitute Senate Bill No. 5079 is enacted by June 30, 2019."

On page 1, line 1 of the title, after "requirements;" strike the remainder of the title and insert "amending RCW 29A.40.160 and 29A.40.---; and providing a contingent effective date."

Senators Kuderer and Zeiger spoke in favor of adoption of the striking amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of striking amendment no. 341 by Senator Kuderer to Senate Bill No. 5779.

The motion by Senator Kuderer carried and striking amendment no. 341 was adopted by voice vote.

MOTION

On motion of Senator Kuderer, the rules were suspended, Engrossed Senate Bill No. 5779 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Kuderer and Zeiger spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 5779.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5779 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Cleveland, Conway, Darneille, Das, Dhingra, Erickson, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senator Carlyle

ENGROSSED SENATE BILL NO. 5779, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5829, by Senators Mullet, Schoesler, Hunt, Walsh, Warnick, Takko and Van De Wege

Concerning pension benefits and contributions in the volunteer firefighters' and reserve officers' relief and pension system.

MOTIONS

On motion of Senator Mullet, Substitute Senate Bill No. 5829 was substituted for Senate Bill No. 5829 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Mullet, the rules were suspended, Substitute Senate Bill No. 5829 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Mullet, Schoesler, Honeyford and Short spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5829.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5829 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Cleveland, Conway, Darneille, Das, Dhingra, Erickson, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers,

Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senator Carlyle

SUBSTITUTE SENATE BILL NO. 5829, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5894, by Senator Braun

Clarifying that the firefighters' pension levy may continue to be levied to fund benefits under the law enforcement officers' and firefighters' retirement system.

MOTIONS

On motion of Senator Braun, Substitute Senate Bill No. 5894 was substituted for Senate Bill No. 5894 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Braun, the rules were suspended, Substitute Senate Bill No. 5894 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Braun spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5894.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5894 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senator Carlyle

SUBSTITUTE SENATE BILL NO. 5894, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5812, by Senators Palumbo, Liias and Nguyen

Concerning local governments planning and zoning for accessory dwelling units.

MOTION

On motion of Senator Palumbo, Substitute Senate Bill No. 5812 was substituted for Senate Bill No. 5812 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Palumbo moved that the following striking amendment no. 235 by Senators Palumbo, Nguyen and Liias be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. FINDINGS AND INTENT.

(1) The legislature makes the following findings:

(a) Washington state is experiencing a housing affordability crisis. Many communities across the state are in need of more housing options for renters.

(b) Accessory dwelling units typically rent below market rate, providing additional affordable housing options for renters.

(c) Accessory dwelling units also help to provide housing for very low-income households. More than ten percent of accessory dwelling units in some areas are occupied by tenants who pay no rent at all; among these tenants are grandparents, adult children, family members with disabilities, and friends going through life transitions. Accessory dwelling units meet the needs of these people who might otherwise require subsidized housing space and resources needed by other households.

(d) Homeowners who add an accessory dwelling unit to her or his property may benefit from added income and an increased sense of security.

(e) Accessory dwelling units can also benefit neighborhoods by expanding rental options near public amenities such as schools, parks, and transit without changing the look and feel of existing neighborhoods.

(f) Accessory dwelling units may reduce economic displacement in existing communities by expanding the range of available housing options and prices.

(g) Accessory dwelling units are a housing choice that provides environmental benefits. They promote energy conservation compared with average size single-family homes. In addition, the siting of additional accessory dwelling units near transit hubs can help to reduce greenhouse gas emissions.

(h) Removing certain regulatory barriers to the construction of accessory dwelling units, such as inflexible design standards and siting restrictions, may substantially reduce construction costs, thereby enabling more homeowners to add accessory dwelling units to their properties. The increased availability of accessory dwelling units will provide benefits to homeowners, renters, the community, and the environment.

(2) The legislature intends to promote and encourage the creation of accessory dwelling units as a means to address the need for additional affordable housing options. The legislature encourages local governments to increase the availability of affordable housing by subsidizing accessory dwelling units with local sales tax revenue, as authorized by House Bill No. 1406.

NEW SECTION. Sec. 2. DEFINITIONS. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Accessory dwelling unit" means a dwelling unit located on the same lot as a single-family housing unit.

(2) "Attached accessory dwelling unit" means an accessory dwelling unit located within or attached to a single-family housing unit.

(3) "Detached accessory dwelling unit" means an accessory dwelling unit that consists partly or entirely of a building that is separate and detached from a single-family housing unit.

(4) "Dwelling unit" means a residential living unit that provides complete independent living facilities for one or more persons

and that includes permanent provisions for living, sleeping, eating, cooking, and sanitation.

(5) "Cities" means, except as provided in section 4(2) of this act, (a) all cities, code cities, and towns with a population of ten thousand or more, and (b) all cities, code cities, and towns with a population of at least two thousand five hundred but less than ten thousand in which any portion of the city, code city, or town lies within the boundaries of a regional transit authority or a transit agency as defined in RCW 81.104.015.

(6) "Counties" means all counties with a population of fifteen thousand or more.

(7) "Gross floor area" means the interior habitable area of a dwelling unit including basements and attics but not including a garage or accessory structure.

(8) "Single-family housing unit" means a single-family detached house, and excludes a duplex, triplex, townhome, or other housing unit.

NEW SECTION. Sec. 3. ACCESSORY DWELLING UNIT REGULATIONS REQUIRED. (1) Cities and counties must adopt or amend by ordinance and incorporate into their development regulations, zoning regulations, and other official controls, an authorization for the creation of accessory dwelling units that is consistent with this chapter.

(2) Ordinances, development regulations, and other official controls adopted or amended pursuant to this chapter may only apply in the portions of towns, cities, and counties that are within designated urban growth areas.

(3) Cities and counties must implement the requirements of this chapter by June 1, 2021. Any city or county that does not comply with this subsection must consider any permit application it receives under this chapter in accordance with this chapter unless it adopts its own ordinance, development regulation, or other official control in accordance with this subsection within sixty days after receipt of the application.

(4) Any action taken by a county or city to comply with the requirements of this chapter within its urban growth area boundary is not subject to legal challenge under chapter 36.70A or 43.21C RCW. This subsection is retroactive, as well as prospective, and applies to any legal challenge commenced on or after January 1, 2018.

NEW SECTION. Sec. 4. GENERAL REGULATORY REQUIREMENTS. (1) Ordinances, development regulations, and other official controls adopted or amended as required by this chapter:

(a) Must allow, on lots on which there is a single-family housing unit either one attached accessory dwelling unit or one detached accessory dwelling unit. To allow local flexibility, the requirement under this subsection (1)(a) is subject to such regulations, conditions, procedures, and limitations as determined by the local legislative authority except as provided in this section. Attached or detached accessory dwelling units may not be considered as contributing to the overall underlying density within the urban growth area boundary of a county for purposes of compliance with chapter 36.70A RCW;

(b) May not impose a minimum lot size requirement for the siting of accessory dwelling units;

(c) May not be inconsistent with water availability requirements, water system plans, small water system management plans, or established policies adopted by cities or counties. Any connection fees or capacity charges for attached or detached accessory dwelling units must be proportionate to the burden of the proposed accessory dwelling unit upon the water or sewer system;

(e) Must require an accessory dwelling unit to be accessible to fire department apparatus by way of a public street or approved fire apparatus access;

(f) May not count residents of accessory dwelling units against any limits on the number of unrelated residents on a single-family lot;

(g) May not establish a requirement for the provision of off-street parking for accessory dwelling units within one-half mile of a transit stop for fixed rail or for bus service that is scheduled at least every fifteen minutes for no less than ten hours per day. Except as provided in this subsection (1)(g), jurisdictions may require up to one additional off-street parking space per lot in which there is at least one accessory dwelling unit; and

(h) May not count the gross floor area of an accessory dwelling unit against any floor area ratio limitations that apply to single-family housing units.

(2) Any city with a population of one hundred thousand or more may not require the owner of a lot on which there is an accessory dwelling unit to reside in or occupy the accessory dwelling unit or another housing unit on the same lot.

NEW SECTION. Sec. 5. DEVELOPMENT STANDARDS. (1) Ordinances, development regulations, and other official controls adopted or amended as required by this chapter are encouraged to minimize the impact of these ordinances and regulations on the construction cost of an accessory dwelling unit, and without adopted findings:

(a) Should not establish a roof height limitation on detached accessory dwelling units that is less than twenty-four feet;

(b) Should not establish a wall height limitation on detached accessory dwelling units that is less than seventeen feet;

(c) Should not establish a maximum gross floor area for accessory dwelling units that is less than one thousand square feet;

(d) Should not establish a minimum gross floor area for accessory dwelling units that is greater than one hundred forty square feet; and

(e) Should not establish setback regulations for accessory dwelling units that are more restrictive than regulations for single-family housing units.

(2) Such ordinances, regulations, and controls may exempt designated historical districts that are recognized as such under local ordinance.

(3) Cities are encouraged to allow detached accessory dwelling units to be sited at the lot line of the rear yard if the rear yard is adjacent to an alley.

NEW SECTION. Sec. 6. IMPACT FEE REVIEW. Cities and counties must review their impact fees to ensure that any impact fees imposed for accessory dwelling units, in accordance with RCW 82.02.060(9), are commensurate with the actual impact of the accessory dwelling unit and are less than impact fees for single-family housing units.

NEW SECTION. Sec. 7. A new section is added to chapter 19.27 RCW to read as follows:

By April 1, 2020, the building code council shall adopt rules pertaining to accessory dwelling units that are consistent with the definitions and standards in chapter 36.--- RCW (the new chapter created in section 14 of this act).

Sec. 8. RCW 82.02.060 and 2012 c 200 s 1 are each amended to read as follows:

The local ordinance by which impact fees are imposed:

(1) Shall include a schedule of impact fees which shall be adopted for each type of development activity that is subject to impact fees, specifying the amount of the impact fee to be

imposed for each type of system improvement. The schedule shall be based upon a formula or other method of calculating such impact fees. In determining proportionate share, the formula or other method of calculating impact fees shall incorporate, among other things, the following:

(a) The cost of public facilities necessitated by new development;

(b) An adjustment to the cost of the public facilities for past or future payments made or reasonably anticipated to be made by new development to pay for particular system improvements in the form of user fees, debt service payments, taxes, or other payments earmarked for or proratable to the particular system improvement;

(c) The availability of other means of funding public facility improvements;

(d) The cost of existing public facilities improvements; and

(e) The methods by which public facilities improvements were financed;

(2) May provide an exemption for low-income housing, and other development activities with broad public purposes, from these impact fees, provided that the impact fees for such development activity shall be paid from public funds other than impact fee accounts;

(3) May provide an exemption from impact fees for low-income housing. Local governments that grant exemptions for low-income housing under this subsection (3) may either: Grant a partial exemption of not more than eighty percent of impact fees, in which case there is no explicit requirement to pay the exempted portion of the fee from public funds other than impact fee accounts; or provide a full waiver, in which case the remaining percentage of the exempted fee must be paid from public funds other than impact fee accounts. An exemption for low-income housing granted under subsection (2) of this section or this subsection (3) must be conditioned upon requiring the developer to record a covenant that, except as provided otherwise by this subsection, prohibits using the property for any purpose other than for low-income housing. At a minimum, the covenant must address price restrictions and household income limits for the low-income housing, and that if the property is converted to a use other than for low-income housing, the property owner must pay the applicable impact fees in effect at the time of conversion. Covenants required by this subsection must be recorded with the applicable county auditor or recording officer. A local government granting an exemption under subsection (2) of this section or this subsection (3) for low-income housing may not collect revenue lost through granting an exemption by increasing impact fees unrelated to the exemption. A school district who receives school impact fees must approve any exemption under subsection (2) of this section or this subsection (3);

(4) Shall provide a credit for the value of any dedication of land for, improvement to, or new construction of any system improvements provided by the developer, to facilities that are identified in the capital facilities plan and that are required by the county, city, or town as a condition of approving the development activity;

(5) Shall allow the county, city, or town imposing the impact fees to adjust the standard impact fee at the time the fee is imposed to consider unusual circumstances in specific cases to ensure that impact fees are imposed fairly;

(6) Shall include a provision for calculating the amount of the fee to be imposed on a particular development that permits consideration of studies and data submitted by the developer to adjust the amount of the fee;

(7) Shall establish one or more reasonable service areas within which it shall calculate and impose impact fees for various land use categories per unit of development; and

(8) May provide for the imposition of an impact fee for system improvement costs previously incurred by a county, city, or town to the extent that new growth and development will be served by the previously constructed improvements provided such fee shall not be imposed to make up for any system improvement deficiencies.

(9) May provide an exemption from impact fees for accessory dwelling units as defined in section 2 of this act, but may not establish an impact fee amount for accessory dwelling units within one-half mile of a transit stop for fixed rail or for bus service that is scheduled at least every fifteen minutes for no less than ten hours per day that is greater than fifty percent of the amount set for single-family residences.

For purposes of this section, "low-income housing" means housing with a monthly housing expense, that is no greater than thirty percent of eighty percent of the median family income adjusted for family size, for the county where the project is located, as reported by the United States department of housing and urban development.

Sec. 9. RCW 35.63.210 and 1993 c 478 s 8 are each amended to read as follows:

Any (~~local government~~) city or county, as defined in (~~RCW 43.63A.215~~) section 2 of this act, that is planning under this chapter shall comply with (~~RCW 43.63A.215(3)~~) chapter 36.--- RCW (the new chapter created in section 14 of this act).

Sec. 10. RCW 35A.63.230 and 1993 c 478 s 9 are each amended to read as follows:

Any (~~local government~~) city or county, as defined in (~~RCW 43.63A.215~~) section 2 of this act, that is planning under this chapter shall comply with (~~RCW 43.63A.215(3)~~) chapter 36.--- RCW (the new chapter created in section 14 of this act).

Sec. 11. RCW 36.70.677 and 1993 c 478 s 10 are each amended to read as follows:

Any (~~local government~~) city or county, as defined in (~~RCW 43.63A.215~~) section 2 of this act, that is planning under this chapter shall comply with (~~RCW 43.63A.215(3)~~) chapter 36.--- RCW (the new chapter created in section 14 of this act).

Sec. 12. RCW 36.70A.400 and 1993 c 478 s 11 are each amended to read as follows:

Any (~~local government~~) city or county, as defined in (~~RCW 43.63A.215~~) section 2 of this act, that is planning under this chapter shall comply with (~~RCW 43.63A.215(3)~~) chapter 36.--- RCW (the new chapter created in section 14 of this act).

NEW SECTION. **Sec. 13.** RCW 43.63A.215 (Accessory apartments—Development and placement—Local governments) and 1993 c 478 s 7 are each repealed.

NEW SECTION. **Sec. 14.** Sections 1 through 6 of this act constitute a new chapter in Title 36 RCW."

On page 1, line 2 of the title, after "units;" strike the remainder of the title and insert "amending RCW 82.02.060, 35.63.210, 35A.63.230, 36.70.677, and 36.70A.400; adding a new section to chapter 19.27 RCW; adding a new chapter to Title 36 RCW; and repealing RCW 43.63A.215."

WITHDRAWAL OF AMENDMENT

On motion of Senator Saldaña and without objection, amendment no. 336 by Senators Palumbo and Saldaña on page 3, line 8 to Substitute Senate Bill No. 5812 was withdrawn.

MOTION

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Senator Saldaña moved that the following amendment no. 352 by Senator Saldaña be adopted:

On page 3, line 8, after "(1)" strike "Cities" and insert "Except as provided in subsection (5) of this section, cities"

On page 3, after line 28, insert the following:

"(5) A city that has adopted accessory dwelling unit regulations on or before the effective date of this section, is not subject to the requirements of this chapter but is encouraged to consider adopting the policies of this chapter no later than the date the city is required to complete its next comprehensive review as required in RCW 36.70A.130."

On page 3, beginning on line 32, after "(a)" strike all material through "section." on line 37, and insert "(i) On lots on which there is a single-family housing unit, except as provided in (a)(ii) of this subsection, must allow either one attached accessory dwelling unit or one detached accessory dwelling unit.

(ii) On lots of two thousand five hundred square feet or less on which there is a single-family housing unit: Must allow at least one attached accessory dwelling unit, and may allow at least one detached accessory dwelling unit.

(iii) To allow local flexibility, the requirements under this subsection (1)(a) are subject to such regulations, conditions, procedures, and limitations as determined by the local legislative authority except as provided in this section.

(iv)"

On page 5, after line 16, insert the following:

"NEW SECTION. Sec. 6. SHORT-TERM RENTALS. Nothing in this chapter preempts any local jurisdiction from enacting any regulations related to short-term rentals including, but not limited to, development standards, lot size provisions, off-street parking requirements, and tree retention requirements."

Re-number the remaining sections consecutively and correct any internal references accordingly.

On page 8, line 26, after "through" strike "6" and insert "7"

Senators Saldaña and Zeiger spoke in favor of adoption of the amendment to the striking amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 352 by Senator Saldaña on page 3, line 8 to striking amendment no. 235.

The motion by Senator Saldaña carried and amendment no. 352 was adopted by voice vote.

MOTION

Senator Das moved that the following amendment no. 315 by Senator Das be adopted:

On page 7, line 28, after "establish" strike "an" and insert "a transportation"

Senators Das and Zeiger spoke in favor of adoption of the amendment to the striking amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 315 by Senator Das on page 7, line 28 to striking amendment no. 235.

The motion by Senator Das carried and amendment no. 315 was adopted by voice vote.

The President Pro Tempore declared the question before the Senate to be the adoption of striking amendment no. 235 by Senators Palumbo, Nguyen and Lias, as amended, to Substitute Senate Bill No. 5812.

The motion by Senator Palumbo carried and striking amendment no. 235, as amended, was adopted by voice vote.

MOTION

On motion of Senator Palumbo, the rules were suspended, Engrossed Substitute Senate Bill No. 5812 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Palumbo, Schoesler, Short, Kuderer and Fortunato spoke in favor of passage of the bill.

Senators Zeiger and Conway spoke against passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5812.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5812 and the bill passed the Senate by the following vote: Yeas, 38; Nays, 10; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Brown, Cleveland, Darneille, Das, Dhingra, Fortunato, Hawkins, Hobbs, Holy, Hunt, Keiser, Kuderer, Lias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Short, Takko, Van De Wege, Walsh, Warnick, Wellman, Wilson, C. and Wilson, L.

Voting nay: Senators Braun, Conway, Ericksen, Frockt, Hasegawa, Honeyford, King, Sheldon, Wagoner and Zeiger

Excused: Senator Carlyle

ENGROSSED SUBSTITUTE SENATE BILL NO. 5812, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5227, by Senators Kuderer, Hunt, Takko, Nguyen and Billig

Concerning deadlines for receipt of voter registrations by election officials.

The measure was read the second time.

MOTION

On motion of Senator Kuderer, the rules were suspended, Senate Bill No. 5227 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Kuderer and Zeiger spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5227.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5227 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 3; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senators Honeyford, Padden and Short

Excused: Senator Carlyle

SENATE BILL NO. 5227, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 4:19 p.m., on motion of Senator Liias, the Senate was declared to be at ease subject to the call of the President.

The Senate was called to order at 4:37 p.m. by President Pro Tempore Keiser.

SECOND READING

SENATE BILL NO. 5210, by Senators Palumbo, Bailey, Rolfes, Wilson, C., Randall, Hunt, Das and Keiser

Notifying purchasers of hearing instruments about uses and benefits of telecoil and bluetooth technology.

The measure was read the second time.

MOTION

Senator O'Ban moved that the following amendment no. 342 by Senator O'Ban be adopted:

On page 3, after line 2, insert the following:

"(4) This section may not be construed to create a private right of action or claim against any person engaging in the fitting and dispensing of hearing instruments."

Senators O'Ban and Palumbo spoke in favor of adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 342 by Senator O'Ban on page 3, after line 2 to Senate Bill No. 5210.

The motion by Senator O'Ban carried and amendment no. 342 was adopted by voice vote.

MOTION

On motion of Senator Palumbo, the rules were suspended, Engrossed Senate Bill No. 5210 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Palumbo, O'Ban and Honeyford spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 5210.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5210 and the bill passed the Senate by the following vote: Yeas, 44; Nays, 4; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Brown, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Takko, Van De Wege, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senators Braun, Fortunato, Padden and Wagoner

Excused: Senator Carlyle

ENGROSSED SENATE BILL NO. 5210, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5434, by Senators Wilson, C., Hunt, Keiser, Kuderer, Nguyen and Pedersen

Restricting possession of weapons in certain locations.

MOTION

On motion of Senator Wilson, C., Substitute Senate Bill No. 5434 was substituted for Senate Bill No. 5434 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Wilson, L. moved that the following amendment no. 354 by Senator Wilson, L. be adopted:

On page 2, line 20, after "center;" strike "or"

On page 2, line 22, after "agency" insert "; or

(d) Any person licensed under RCW 9.41.070 to carry a pistol or exempt from the licensing requirement under RCW 9.41.060"

Senator Wilson, L. spoke in favor of adoption of the amendment.

Senator Wilson, L. demanded a roll call.

The President Pro Tempore declared that one-sixth of the members supported the demand and the demand was sustained.

Senator Pedersen spoke against adoption of the amendment.

Senators Short and Fortunato spoke in favor of adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of the amendment by Senator Wilson, L. on page 2, line 20, to Substitute Senate Bill No. 5434.

ROLL CALL

The Secretary called the roll on the adoption of the amendment by Senator Wilson, L. and the amendment was not adopted by the following vote: Yeas, 22; Nays, 26; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Braun, Brown, Ericksen, Fortunato, Hawkins, Holy, Honeyford, King, O'Ban, Padden, Rivers, Schoesler, Sheldon, Short, Van De Wege, Wagoner, Walsh, Warnick, Wilson, L. and Zeiger

Voting nay: Senators Billig, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Palumbo, Pedersen,

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Randall, Rolfes, Saldaña, Salomon, Takko, Wellman and Wilson, C.

Excused: Senator Carlyle.

MOTION

Senator Fortunato moved that the following amendment no. 356 by Senator Fortunato be adopted:

On page 2, line 29, after "(6)", insert "Child care centers must post signs that state "CHILDREN UNPROTECTED AT THIS LOCATION."

(7)"

Senator Fortunato spoke in favor of adoption of the amendment.

Senator Pedersen spoke against adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 356 by Senator Fortunato on page 2, line 29 to Substitute Senate Bill No. 5434.

The motion by Senator Fortunato did not carry and amendment no. 356 was not adopted by voice vote.

MOTION

Senator Pedersen moved that the following amendment no. 334 by Senators Pedersen and Wilson, C. be adopted:

Beginning on page 3, line 5, strike all of section 3

Renumber the remaining section consecutively.

On page 1, line 2 of the title, after "locations;" strike all material through "9.41.300;"

Senators Pedersen and Padden spoke in favor of adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 334 by Senators Pedersen and Wilson, C. on page 3, line 5 to Substitute Senate Bill No. 5434.

The motion by Senator Pedersen carried and amendment no. 334 was adopted by voice vote.

MOTION

On motion of Senator Wilson, C., the rules were suspended, Engrossed Substitute Senate Bill No. 5434 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wilson, C. and Pedersen spoke in favor of passage of the bill.

Senators Padden, Fortunato and Short spoke against passage of the bill.

POINT OF INQUIRY

Senator Becker: "Thank you Madam President. Would Senator Pedersen yield to a question?"

Senator Pedersen: "Sure."

Senator Becker: "Senator Pedersen, if we pass this bill and it is signed by the Governor and say, down the road, that someone goes in and shoots up a daycare center and they don't have the ability to protect themselves, what liability does that put on to the state of Washington?"

Senator Pedersen: "Senator Becker, I don't believe that there would be any basis for liability for the state of Washington."

Senator Takko spoke in favor of passage of the bill.

Senators Wagoner, Sheldon and Wilson, L. spoke against passage of the bill.

MOTION

On motion of Senator Short, Senator Ericksen was excused.

The President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5434.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5434 and the bill passed the Senate by the following vote: Yeas, 26; Nays, 21; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Palumbo, Pedersen, Randall, Rolfes, Saldaña, Salomon, Takko, Wellman and Wilson, C.

Voting nay: Senators Bailey, Becker, Braun, Brown, Fortunato, Hawkins, Holy, Honeyford, King, O'Ban, Padden, Rivers, Schoesler, Sheldon, Short, Van De Wege, Wagoner, Walsh, Warnick, Wilson, L. and Zeiger

Excused: Senators Carlyle and Ericksen

ENGROSSED SUBSTITUTE SENATE BILL NO. 5434, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5137, by Senators Honeyford and Wagoner

Modifying the aircraft excise tax.

MOTIONS

On motion of Senator Honeyford, Substitute Senate Bill No. 5137 was substituted for Senate Bill No. 5137 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Honeyford, the rules were suspended, Substitute Senate Bill No. 5137 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Honeyford spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5137.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5137 and the bill passed the Senate by the following vote: Yeas, 35; Nays, 12; Absent, 0; Excused, 2.

Voting yea: Senators Becker, Billig, Cleveland, Conway, Darneille, Das, Dhingra, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, Kuderer, Liias, Lovelett,

McCoy, Mullet, Nguyen, Palumbo, Pedersen, Randall, Rolfes, Saldaña, Salomon, Short, Takko, Wagoner, Walsh, Warnick, Wellman and Wilson, C.

Voting nay: Senators Bailey, Braun, Brown, King, O'Ban, Padden, Rivers, Schoesler, Sheldon, Van De Wege, Wilson, L. and Zeiger

Excused: Senators Carlyle and Ericksen

SUBSTITUTE SENATE BILL NO. 5137, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SIGNED BY THE PRESIDENT

Pursuant to Article 2, Section 32 of the State Constitution and Senate Rule 1(5), the President Pro Tempore announced the signing of and thereupon did sign in open session:

SUBSTITUTE SENATE BILL NO. 5581.

SECOND READING

SENATE BILL NO. 5506, by Senators Hobbs, King and Sheldon

Concerning parking at rest areas.

The measure was read the second time.

MOTION

On motion of Senator Hobbs, the rules were suspended, Senate Bill No. 5506 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Hobbs and King spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5506.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5506 and the bill passed the Senate by the following vote: Yeas, 33; Nays, 14; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Cleveland, Conway, Dhingra, Fortunato, Frockt, Hobbs, Holy, Honeyford, Keiser, King, Liias, McCoy, Mullet, O'Ban, Padden, Pedersen, Rivers, Rolfes, Saldaña, Salomon, Sheldon, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wilson, L. and Zeiger

Voting nay: Senators Darneille, Das, Hasegawa, Hawkins, Hunt, Kuderer, Lovelett, Nguyen, Palumbo, Randall, Schoesler, Short, Wellman and Wilson, C.

Excused: Senators Carlyle and Ericksen

SENATE BILL NO. 5506, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5596, by Senators Holy and Billig

Extending the expiration date on the health sciences and services authority sales and use tax authorization.

The measure was read the second time.

MOTION

On motion of Senator Holy, the rules were suspended, Senate Bill No. 5596 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Holy, Billig and King spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5596.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5596 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senator Carlyle

SENATE BILL NO. 5596, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5605, by Senators Nguyen, Keiser, Hunt, Salomon, Hasegawa, Saldaña, Das, Randall, Darneille, Kuderer, Pedersen and Wilson C.

Concerning misdemeanor marijuana offense convictions.

The measure was read the second time.

MOTION

Senator Holy moved that the following amendment no. 248 by Senator Holy be adopted:

On page 1, line 17, after "(2)" insert "The court may not vacate an applicant's record of conviction under subsection (1) of this section if the applicant has two or more vacations of the applicant's record of conviction for a misdemeanor marijuana offense under RCW 69.50.4014.

(3)"

Renumber the remaining subsections consecutively and correct any internal references accordingly.

Senators Holy, Padden and Schoesler spoke in favor of adoption of the amendment.

Senators Nguyen and Kuderer spoke against adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 248 by Senator Holy on page 1, line 17 to Senate Bill No. 5605.

The motion by Senator Holy did not carry and amendment no. 248 was not adopted by voice vote.

MOTION

Senator Padden moved that the following amendment no. 249 by Senator Padden be adopted:

On page 1, line 17, after "(2)" insert "Any person who applies for a vacation of the applicant's record of conviction under subsection (1) of this section must submit the application, if the conviction occurred prior to the effective date of this section, within one year of the effective date of this section.

(3)"

Renumber the remaining subsections consecutively and correct any internal references accordingly.

Senator Padden spoke in favor of adoption of the amendment.

Senator Nguyen spoke against adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 249 by Senator Padden on page 1, line 17 to Senate Bill No. 5605.

The motion by Senator Padden did not carry and amendment no. 249 was not adopted by voice vote.

MOTION

On motion of Senator Nguyen, the rules were suspended, Senate Bill No. 5605 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Nguyen spoke in favor of passage of the bill.

Senator Padden spoke against passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5605.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5605 and the bill passed the Senate by the following vote: Yeas, 29; Nays, 19; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Palumbo, Pedersen, Randall, Rolfes, Saldaña, Salomon, Takko, Van De Wege, Walsh, Wellman, Wilson, C. and Zeiger

Voting nay: Senators Bailey, Becker, Braun, Brown, Ericksen, Fortunato, Hawkins, Holy, Honeyford, King, O'Ban, Padden, Rivers, Schoesler, Sheldon, Short, Wagoner, Warnick and Wilson, L.

Excused: Senator Carlyle

SENATE BILL NO. 5605, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

The senate resumed consideration of Substitute Senate Bill No. 5298 which had been deferred on a previous day.

SUBSTITUTE SENATE BILL NO. 5298, by Senators Rivers, Palumbo and Wellman

Regarding labeling of marijuana products.

MOTION

Senator Rivers moved that the following striking amendment no. 116 by Senators Rivers and Keiser be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature intends to allow additional information on the labels and labeling of marijuana products to assist consumers in making purchases of these products.

The legislature declares that labels and labeling should not make any disease claim indicating the product is intended for use in the diagnosis, treatment, cure, or prevention of any disease.

The legislature recognizes that it may be useful for a label or labeling to describe the intended role of a marijuana product that contains nutrients or other dietary ingredients, including herbs and other botanicals, to maintain a structure or function of the body, or characterize the documented mechanism by which the product acts to maintain such structure or function, provided that the claim is substantiated as truthful and not misleading.

Sec. 2. RCW 69.50.345 and 2018 c 43 s 2 are each amended to read as follows:

The state liquor and cannabis board, subject to the provisions of this chapter, must adopt rules that establish the procedures and criteria necessary to implement the following:

(1) Licensing of marijuana producers, marijuana processors, and marijuana retailers, including prescribing forms and establishing application, reinstatement, and renewal fees.

(a) Application forms for marijuana producers must request the applicant to state whether the applicant intends to produce marijuana for sale by marijuana retailers holding medical marijuana endorsements and the amount of or percentage of canopy the applicant intends to commit to growing plants determined by the department under RCW 69.50.375 to be of a THC concentration, CBD concentration, or THC to CBD ratio appropriate for marijuana concentrates, useable marijuana, or marijuana-infused products sold to qualifying patients.

(b) The state liquor and cannabis board must reconsider and increase limits on the amount of square feet permitted to be in production on July 24, 2015, and increase the percentage of production space for those marijuana producers who intend to grow plants for marijuana retailers holding medical marijuana endorsements if the marijuana producer designates the increased production space to plants determined by the department under RCW 69.50.375 to be of a THC concentration, CBD concentration, or THC to CBD ratio appropriate for marijuana concentrates, useable marijuana, or marijuana-infused products to be sold to qualifying patients. If current marijuana producers do not use all the increased production space, the state liquor and cannabis board may reopen the license period for new marijuana producer license applicants but only to those marijuana producers who agree to grow plants for marijuana retailers holding medical marijuana endorsements. Priority in licensing must be given to marijuana producer license applicants who have an application pending on July 24, 2015, but who are not yet licensed and then to new marijuana producer license applicants. After January 1, 2017, any reconsideration of the limits on the amount of square feet permitted to be in production to meet the medical needs of qualifying patients must consider information contained in the medical marijuana authorization database established in RCW 69.51A.230;

(2) Determining, in consultation with the office of financial management, the maximum number of retail outlets that may be licensed in each county, taking into consideration:

- (a) Population distribution;
- (b) Security and safety issues;

(c) The provision of adequate access to licensed sources of marijuana concentrates, useable marijuana, and marijuana-infused products to discourage purchases from the illegal market; and

(d) The number of retail outlets holding medical marijuana endorsements necessary to meet the medical needs of qualifying patients. The state liquor and cannabis board must reconsider and increase the maximum number of retail outlets it established before July 24, 2015, and allow for a new license application period and a greater number of retail outlets to be permitted in order to accommodate the medical needs of qualifying patients and designated providers. After January 1, 2017, any reconsideration of the maximum number of retail outlets needed to meet the medical needs of qualifying patients must consider information contained in the medical marijuana authorization database established in RCW 69.51A.230;

(3) Determining the maximum quantity of marijuana a marijuana producer may have on the premises of a licensed location at any time without violating Washington state law;

(4) Determining the maximum quantities of marijuana, marijuana concentrates, useable marijuana, and marijuana-infused products a marijuana processor may have on the premises of a licensed location at any time without violating Washington state law;

(5) Determining the maximum quantities of marijuana concentrates, useable marijuana, and marijuana-infused products a marijuana retailer may have on the premises of a retail outlet at any time without violating Washington state law;

(6) In making the determinations required by this section, the state liquor and cannabis board shall take into consideration:

(a) Security and safety issues;

(b) The provision of adequate access to licensed sources of marijuana, marijuana concentrates, useable marijuana, and marijuana-infused products to discourage purchases from the illegal market; and

(c) Economies of scale, and their impact on licensees' ability to both comply with regulatory requirements and undercut illegal market prices;

(7) Determining the nature, form, and capacity of all containers to be used by licensees to contain marijuana, marijuana concentrates, useable marijuana, and marijuana-infused products, and their labeling requirements(~~(, to include but not be limited to:~~

~~(a) The business or trade name and Washington state unified business identifier number of the licensees that produced and processed the marijuana, marijuana concentrates, useable marijuana, or marijuana-infused product;~~

~~(b) Lot numbers of the marijuana, marijuana concentrates, useable marijuana, or marijuana-infused product;~~

~~(c) THC concentration and CBD concentration of the marijuana, marijuana concentrates, useable marijuana, or marijuana-infused product;~~

~~(d) Medically and scientifically accurate information about the health and safety risks posed by marijuana use; and~~

~~(e) Language required by RCW 69.04.480);~~

(8) In consultation with the department of agriculture and the department, establishing classes of marijuana, marijuana concentrates, useable marijuana, and marijuana-infused products according to grade, condition, cannabinoid profile, THC concentration, CBD concentration, or other qualitative measurements deemed appropriate by the state liquor and cannabis board;

(9) Establishing reasonable time, place, and manner restrictions and requirements regarding advertising of marijuana, marijuana concentrates, useable marijuana, and marijuana-infused products that are not inconsistent with the provisions of this chapter, taking into consideration:

(a) Federal laws relating to marijuana that are applicable within Washington state;

(b) Minimizing exposure of people under twenty-one years of age to the advertising;

(c) The inclusion of medically and scientifically accurate information about the health and safety risks posed by marijuana use in the advertising; and

(d) Ensuring that retail outlets with medical marijuana endorsements may advertise themselves as medical retail outlets;

(10) Specifying and regulating the time and periods when, and the manner, methods, and means by which, licensees shall transport and deliver marijuana, marijuana concentrates, useable marijuana, and marijuana-infused products within the state;

(11) In consultation with the department and the department of agriculture, establishing accreditation requirements for testing laboratories used by licensees to demonstrate compliance with standards adopted by the state liquor and cannabis board, and prescribing methods of producing, processing, and packaging marijuana, marijuana concentrates, useable marijuana, and marijuana-infused products; conditions of sanitation; and standards of ingredients, quality, and identity of marijuana, marijuana concentrates, useable marijuana, and marijuana-infused products produced, processed, packaged, or sold by licensees;

(12) Specifying procedures for identifying, seizing, confiscating, destroying, and donating to law enforcement for training purposes all marijuana, marijuana concentrates, useable marijuana, and marijuana-infused products produced, processed, packaged, labeled, or offered for sale in this state that do not conform in all respects to the standards prescribed by this chapter or the rules of the state liquor and cannabis board.

Sec. 3. RCW 69.50.346 and 2018 c 43 s 1 are each amended to read as follows:

(1) The label on a marijuana product container, including marijuana concentrates, useable marijuana, or marijuana-infused products, sold at retail(=

(+) must include;

(a) The business or trade name and Washington state unified business identifier number of the marijuana producer and processor ((that produced and processed the marijuana as required pursuant to RCW 69.50.345(7); and

(2) Is);

(b) The lot numbers of the product;

(c) The THC concentration and CBD concentration of the product;

(d) Medically and scientifically accurate and reliable information about the health and safety risks posed by marijuana use; and

(e) Language required by RCW 69.04.480.

(2)(a) For marijuana products that have been identified by the department in rules adopted under RCW 69.50.375(4) in chapter 246-70 WAC as being a compliant marijuana product, the product label and labeling may include a structure or function claim describing the intended role of a product to maintain the structure or any function of the body, or characterize the documented mechanism by which the product acts to maintain such structure or function, provided that the claim is substantiated as truthful and not misleading.

(b) In the context of describing the product's intended role in maintaining the structure or any function of the body, including the documented mechanism by which a product acts to maintain bodily structure or function, the label and labeling may include such terms as, but not limited to, "wellness," "well-being," "health," "maintain," "support," "assist," "promote," and "relief," and derivatives of any such terms.

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(c) A statement made under (a) and (b) of this subsection may not claim to diagnose, mitigate, treat, cure, or prevent any disease.

(3) The labels and labeling may not be:

(a) False or misleading; or

(b) Especially appealing to children.

(4) The label is not required to include the business or trade name or Washington state unified business identifier number of, or any information about, the marijuana retailer selling the marijuana product.

(5) A marijuana product is not in violation of any Washington state law or rule of the Washington state liquor and cannabis board solely because its label or labeling contains directions or recommended conditions of use.

(6) This section does not create any civil liability on the part of the state, the liquor and cannabis board, any other state agency, officer, employee, or agent based on a marijuana licensee's description of a structure or function claim or the product's intended role under subsection (2) of this section.

Sec. 4. RCW 82.08.9998 and 2015 2nd sp.s. c 4 s 207 are each amended to read as follows:

(1) ~~((Beginning July 1, 2016,))~~ The tax levied by RCW 82.08.020 does not apply to:

(a) Sales of marijuana concentrates, useable marijuana, or marijuana-infused products, identified by the department of health in rules adopted under RCW ((69.50.375 to be beneficial for medical use)) 69.50.375(4) in chapter 246-70 WAC as being a compliant marijuana product, by marijuana retailers with medical marijuana endorsements to qualifying patients or designated providers who have been issued recognition cards;

(b) Sales of products containing THC with a THC concentration of 0.3 percent or less to qualifying patients or designated providers who have been issued recognition cards by marijuana retailers with medical marijuana endorsements;

(c) Sales of marijuana concentrates, useable marijuana, or marijuana-infused products, identified by the department of health under RCW 69.50.375 to have a low THC, high CBD ratio, and to be beneficial for medical use, by marijuana retailers with medical marijuana endorsements, to any person;

(d) Sales of topical, noningestible products containing THC with a THC concentration of 0.3 percent or less by health care professionals under RCW 69.51A.280;

(e)(i) Marijuana, marijuana concentrates, useable marijuana, marijuana-infused products, or products containing THC with a THC concentration of 0.3 percent or less produced by a cooperative and provided to its members; and

(ii) Any nonmonetary resources and labor contributed by an individual member of the cooperative in which the individual is a member. However, nothing in this subsection (1)(e) may be construed to exempt the individual members of a cooperative from the tax imposed in RCW 82.08.020 on any purchase of property or services contributed to the cooperative.

~~(2) ((From July 1, 2015, until July 1, 2016, the tax levied by RCW 82.08.020 does not apply to sales of marijuana, marijuana concentrates, useable marijuana, marijuana-infused products, or products containing THC with a THC concentration of 0.3 percent or less, by collective gardens under RCW 69.51A.085 to qualifying patients or designated providers, if such sales are in compliance with chapter 69.51A RCW.~~

~~(3))~~ Each seller making exempt sales under subsection (1) ~~((or (2)))~~ of this section must maintain information establishing eligibility for the exemption in the form and manner required by the department.

~~((4))~~ (3) The department must provide a separate tax reporting line for exemption amounts claimed under this section.

~~((5))~~ (4) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Cooperative" means a cooperative authorized by and operating in compliance with RCW 69.51A.250.

(b) "Marijuana retailer with a medical marijuana endorsement" means a marijuana retailer permitted under RCW 69.50.375 to sell marijuana for medical use to qualifying patients and designated providers.

(c) "Products containing THC with a THC concentration of 0.3 percent or less" means all products containing THC with a THC concentration not exceeding 0.3 percent and that, when used as intended, are inhalable, ingestible, or absorbable.

(d) "THC concentration," "marijuana," "marijuana concentrates," "useable marijuana," "marijuana retailer," and "marijuana-infused products" have the same meanings as provided in RCW 69.50.101 and the terms "qualifying patients," "designated providers," and "recognition card" have the same meaning as provided in RCW 69.51A.010.

Sec. 5. RCW 82.12.9998 and 2015 2nd sp.s. c 4 s 208 are each amended to read as follows:

~~(1) ((From July 1, 2015, until July 1, 2016, the provisions of this chapter do not apply to the use of marijuana, marijuana concentrates, useable marijuana, marijuana-infused products, or products containing THC with a THC concentration of 0.3 percent or less, by a collective garden under RCW 69.51A.085, and the qualifying patients or designated providers participating in the collective garden, if such use is in compliance with chapter 69.51A RCW.~~

~~(2) Beginning July 1, 2016,))~~ The provisions of this chapter do not apply to:

(a) The use of marijuana concentrates, useable marijuana, or marijuana-infused products, identified by the department of health in rules adopted under RCW ((69.50.375 to be beneficial for medical use)) 69.50.375(4) in chapter 246-70 WAC as being a compliant marijuana product, by qualifying patients or designated providers who have been issued recognition cards and have obtained such products from a marijuana retailer with a medical marijuana endorsement.

(b) The use of products containing THC with a THC concentration of 0.3 percent or less by qualifying patients or designated providers who have been issued recognition cards and have obtained such products from a marijuana retailer with a medical marijuana endorsement.

(c)(i) Marijuana retailers with a medical marijuana endorsement with respect to:

(A) Marijuana concentrates, useable marijuana, or marijuana-infused products; or

(B) Products containing THC with a THC concentration of 0.3 percent or less;

(ii) The exemption in this subsection ~~((2))~~ (1)(c) applies only if such products are provided at no charge to a qualifying patient or designated provider who has been issued a recognition card. Each such retailer providing such products at no charge must maintain information establishing eligibility for this exemption in the form and manner required by the department.

(d) The use of marijuana concentrates, useable marijuana, or marijuana-infused products, identified by the department of health under RCW 69.50.375 to have a low THC, high CBD ratio, and to be beneficial for medical use, purchased from marijuana retailers with a medical marijuana endorsement.

(e) Health care professionals with respect to the use of products containing THC with a THC concentration of 0.3 percent or less provided at no charge by the health care professionals under RCW 69.51A.280. Each health care professional providing such products at no charge must maintain information establishing

eligibility for this exemption in the form and manner required by the department.

(f) The use of topical, noningestible products containing THC with a THC concentration of 0.3 percent or less by qualifying patients when purchased from or provided at no charge by a health care professional under RCW 69.51A.280.

(g) The use of:

(i) Marijuana, marijuana concentrates, useable marijuana, marijuana-infused products, or products containing THC with a THC concentration of 0.3 percent or less, by a cooperative and its members, when produced by the cooperative; and

(ii) Any nonmonetary resources and labor by a cooperative when contributed by its members. However, nothing in this subsection (~~((2))~~) (1)(g) may be construed to exempt the individual members of a cooperative from the tax imposed in RCW 82.12.020 on the use of any property or services purchased by the member and contributed to the cooperative.

~~((3))~~ (2) The definitions in RCW 82.08.9998 apply to this section.

NEW SECTION. **Sec. 6.** This act takes effect January 1, 2020."

On page 1, line 1 of the title, after "products;" strike the remainder of the title and insert "amending RCW 69.50.345, 69.50.346, 82.08.9998, and 82.12.9998; creating a new section; and providing an effective date."

MOTION

Senator Rivers moved that the following amendment no. 132 by Senator Rivers and Palumbo be adopted:

On page 6, beginning on line 5, after "contains" strike all material through "use" on line 6 and insert":

(a) Directions or recommended conditions of use;

(b) A claim describing the psychoactive effects of the marijuana product, provided that the claim is substantiated as truthful and not misleading; or

(c) An otherwise legal claim related to the nonmarijuana ingredients"

Senator Rivers spoke in favor of adoption of the amendment to the striking amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 132 by Senator Rivers on page 6, line 5 to striking amendment no. 116.

The motion by Senator Rivers carried and amendment no. 132 was adopted by voice vote.

MOTION

Senator Walsh moved that the following amendment no. 135 by Senator Walsh be adopted:

On page 9, after line 21, insert the following:

"**Sec. 6.** RCW 69.50.4013 and 2017 c 317 s 15 are each amended to read as follows:

(1) It is unlawful for any person to possess a controlled substance unless the substance was obtained directly from, or pursuant to, a valid prescription or order of a practitioner while acting in the course of his or her professional practice, or except as otherwise authorized by this chapter.

(2) Except as provided in RCW 69.50.4014, any person who violates this section is guilty of a class C felony punishable under chapter 9A.20 RCW.

(3)(a) The possession, by a person twenty-one years of age or older, of useable marijuana, marijuana concentrates, or marijuana-infused products in amounts that do not exceed those set forth in RCW 69.50.360(3) is not a violation of this section, this chapter, or any other provision of Washington state law.

(b) The possession of marijuana, useable marijuana, marijuana concentrates, and marijuana-infused products being physically transported or delivered within the state, in amounts not exceeding those that may be established under RCW 69.50.385(3), by a licensed employee of a common carrier when performing the duties authorized in accordance with RCW 69.50.382 and 69.50.385, is not a violation of this section, this chapter, or any other provision of Washington state law.

(4)(a) The delivery by a person twenty-one years of age or older to one or more persons twenty-one years of age or older, during a single twenty-four hour period, for noncommercial purposes and not conditioned upon or done in connection with the provision or receipt of financial consideration, of any of the following marijuana products, is not a violation of this section, this chapter, or any other provisions of Washington state law:

(i) One-half ounce of useable marijuana;

(ii) Eight ounces of marijuana-infused product in solid form;

(iii) Thirty-six ounces of marijuana-infused product in liquid form; or

(iv) Three and one-half grams of marijuana concentrates.

(b) The act of delivering marijuana or a marijuana product as authorized under this subsection (4) must meet one of the following requirements:

(i) The delivery must be done in a location outside of the view of general public and in a nonpublic place; or

(ii) The marijuana or marijuana product must be in the original packaging as purchased from the marijuana retailer.

(5) No person under twenty-one years of age may possess, manufacture, sell, or distribute marijuana, marijuana-infused products, or marijuana concentrates, regardless of THC concentration. This does not include qualifying patients with a valid authorization.

(6) The possession by a qualifying patient or designated provider of marijuana concentrates, useable marijuana, marijuana-infused products, or plants in accordance with chapter 69.51A RCW is not a violation of this section, this chapter, or any other provision of Washington state law.

(7)(a) It is not a violation of this section, this chapter, or any other provision of Washington state law for a person twenty-one years of age or older to produce or possess no more than six plants on the premises of the housing unit occupied by the person, provided the person complies with the requirements of this subsection.

(b) It is not a violation of this section, this chapter, or any other provision of Washington state law for a person twenty-one years of age or older to produce or possess marijuana, including all stalks and roots, produced from no more than six plants grown by the person on the premises of the housing unit occupied by the person, subject to the limitations provided in (c) of this subsection, if the person complies with the requirements of this subsection.

(c) The quantity of marijuana and marijuana products a person may produce or possess under this subsection is subject to the following limits:

(i) A person may possess useable marijuana in an amount not to exceed what is produced by the person's plants in addition to useable marijuana obtained in the manner and according to the limits specified in RCW 69.50.360(3). However, a person may not possess marijuana capable of being processed into useable marijuana, marijuana-infused products, or marijuana

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concentrates, unless the person possesses fewer than sixteen ounces of useable marijuana, irrespective of source;

(ii) A person may not produce or possess a total of more than sixteen ounces of marijuana-infused products in solid form, irrespective of source;

(iii) A person may not produce or possess a total of more than seventy-two ounces of marijuana-infused products in liquid form, irrespective of source; and

(iv) A person may not produce or possess a total of more than seven grams of marijuana concentrates, irrespective of source.

(d) No more than fifteen plants may be grown at any one time on the premises of a single housing unit, regardless of the number of residents living on the premises of the housing unit.

(e) All plants grown under this subsection must be clearly marked with the name, residential address, and date of birth of the person growing the plants, and the date on which the plants were planted.

(f) All marijuana capable of being processed into useable marijuana, marijuana-infused products, or marijuana concentrate must be clearly marked with the name, date of birth, and residential address of the person who grew the plants from which the marijuana is derived, the date on which the plants were planted, and the date on which the plants were harvested.

(g) All containers containing more than one ounce of useable marijuana must be clearly marked with the name, date of birth, residential address of the person who grew the plants from which the useable marijuana is derived, the date on which the plants were planted, and the date on which the plants were harvested. Any containers containing one ounce or less of useable marijuana are not required to be labeled.

(h) Any extraction or separation of resin from marijuana and any production or processing of any form of marijuana concentrates or marijuana-infused products must be performed in accordance with rules adopted under RCW 69.51A.270.

(i) This subsection (7) does not apply to plants or useable marijuana possessed or delivered other than on the premises of the housing unit at which the plants were grown.

(j) Nothing in this subsection (7) prevents or restricts a property owner from prohibiting the cultivation of plants by a renter or lessee upon or within the property under the terms of a rental agreement, lease, or other contract.

(k) The production, possession, delivery, and acquisition of plants or marijuana capable of being processed into useable marijuana, marijuana-infused products, or marijuana concentrate, and useable marijuana under this subsection (7) may not form the basis of a seizure or forfeiture action pursuant to RCW 69.50.505.

(l) A person twenty-one years of age or older who possesses marijuana in compliance with this subsection (7) is considered an ultimate user who may not sell marijuana, useable marijuana, marijuana concentrate, or marijuana-infused products produced from the person's plants, and is not required to obtain a registration under RCW 69.50.302 or a license under RCW 69.50.325.

(m) For purposes of this subsection (7), "housing unit" has the meaning provided in RCW 69.51A.010.

Sec. 7. RCW 69.50.505 and 2013 c 3 s 25 are each amended to read as follows:

(1) The following are subject to seizure and forfeiture and no property right exists in them:

(a) All controlled substances which have been manufactured, distributed, dispensed, acquired, or possessed in violation of this chapter or chapter 69.41 or 69.52 RCW, and all hazardous chemicals, as defined in RCW 64.44.010, used or intended to be used in the manufacture of controlled substances;

(b) All raw materials, products, and equipment of any kind which are used, or intended for use, in manufacturing, compounding, processing, delivering, importing, or exporting any controlled substance in violation of this chapter or chapter 69.41 or 69.52 RCW;

(c) All property which is used, or intended for use, as a container for property described in (a) or (b) of this subsection;

(d) All conveyances, including aircraft, vehicles, or vessels, which are used, or intended for use, in any manner to facilitate the sale, delivery, or receipt of property described in (a) or (b) of this subsection, except that:

(i) No conveyance used by any person as a common carrier in the transaction of business as a common carrier is subject to forfeiture under this section unless it appears that the owner or other person in charge of the conveyance is a consenting party or privy to a violation of this chapter or chapter 69.41 or 69.52 RCW;

(ii) No conveyance is subject to forfeiture under this section by reason of any act or omission established by the owner thereof to have been committed or omitted without the owner's knowledge or consent;

(iii) No conveyance is subject to forfeiture under this section if used in the receipt of only an amount of marijuana for which possession constitutes a misdemeanor under RCW 69.50.4014;

(iv) A forfeiture of a conveyance encumbered by a bona fide security interest is subject to the interest of the secured party if the secured party neither had knowledge of nor consented to the act or omission; and

(v) When the owner of a conveyance has been arrested under this chapter or chapter 69.41 or 69.52 RCW the conveyance in which the person is arrested may not be subject to forfeiture unless it is seized or process is issued for its seizure within ten days of the owner's arrest;

(e) All books, records, and research products and materials, including formulas, microfilm, tapes, and data which are used, or intended for use, in violation of this chapter or chapter 69.41 or 69.52 RCW;

(f) All drug paraphernalia~~((2+))~~ other than paraphernalia possessed, sold, or used solely to facilitate marijuana-related activities that are not violations of this chapter;

(g) All moneys, negotiable instruments, securities, or other tangible or intangible property of value furnished or intended to be furnished by any person in exchange for a controlled substance in violation of this chapter or chapter 69.41 or 69.52 RCW, all tangible or intangible personal property, proceeds, or assets acquired in whole or in part with proceeds traceable to an exchange or series of exchanges in violation of this chapter or chapter 69.41 or 69.52 RCW, and all moneys, negotiable instruments, and securities used or intended to be used to facilitate any violation of this chapter or chapter 69.41 or 69.52 RCW. A forfeiture of money, negotiable instruments, securities, or other tangible or intangible property encumbered by a bona fide security interest is subject to the interest of the secured party if, at the time the security interest was created, the secured party neither had knowledge of nor consented to the act or omission. No personal property may be forfeited under this subsection (1)(g), to the extent of the interest of an owner, by reason of any act or omission which that owner establishes was committed or omitted without the owner's knowledge or consent; and

(h) All real property, including any right, title, and interest in the whole of any lot or tract of land, and any appurtenances or improvements which are being used with the knowledge of the owner for the manufacturing, compounding, processing, delivery, importing, or exporting of any controlled substance, or which have been acquired in whole or in part with proceeds traceable to

an exchange or series of exchanges in violation of this chapter or chapter 69.41 or 69.52 RCW, if such activity is not less than a class C felony and a substantial nexus exists between the commercial production or sale of the controlled substance and the real property. However:

(i) No property may be forfeited pursuant to this subsection (1)(h), to the extent of the interest of an owner, by reason of any act or omission committed or omitted without the owner's knowledge or consent;

(ii) The bona fide gift of a controlled substance, legend drug, or imitation controlled substance shall not result in the forfeiture of real property;

(iii) The acquisition, delivery, production, or possession of marijuana, useable marijuana, marijuana concentrates, or marijuana-infused products, including in the manner and in the amount provided in RCW 69.50.4013(7), shall not result in the forfeiture of real property unless the marijuana is possessed for commercial purposes that are unlawful under Washington state law, the amount possessed is five or more plants or one pound or more of marijuana except as provided in RCW 69.50.4013, and a substantial nexus exists between the possession of marijuana and the real property. In such a case, the intent of the offender shall be determined by the preponderance of the evidence, including the offender's prior criminal history, the amount of marijuana possessed by the offender, the sophistication of the activity or equipment used by the offender, whether the offender was licensed to produce, process, or sell marijuana, or was an employee of a licensed producer, processor, or retailer, and other evidence which demonstrates the offender's intent to engage in unlawful commercial activity;

(iv) The unlawful sale of marijuana or a legend drug shall not result in the forfeiture of real property unless the sale was forty grams or more in the case of marijuana or one hundred dollars or more in the case of a legend drug, and a substantial nexus exists between the unlawful sale and the real property; and

(v) A forfeiture of real property encumbered by a bona fide security interest is subject to the interest of the secured party if the secured party, at the time the security interest was created, neither had knowledge of nor consented to the act or omission.

(2) Real or personal property subject to forfeiture under this chapter may be seized by any ~~((board))~~ commission inspector or law enforcement officer of this state upon process issued by any superior court having jurisdiction over the property. Seizure of real property shall include the filing of a lis pendens by the seizing agency. Real property seized under this section shall not be transferred or otherwise conveyed until ninety days after seizure or until a judgment of forfeiture is entered, whichever is later(~~(= PROVIDED, That))~~). However, real property seized under this section may be transferred or conveyed to any person or entity who acquires title by foreclosure or deed in lieu of foreclosure of a security interest. Seizure of personal property without process may be made if:

(a) The seizure is incident to an arrest or a search under a search warrant or an inspection under an administrative inspection warrant;

(b) The property subject to seizure has been the subject of a prior judgment in favor of the state in a criminal injunction or forfeiture proceeding based upon this chapter;

(c) A ~~((board))~~ commission inspector or law enforcement officer has probable cause to believe that the property is directly or indirectly dangerous to health or safety; or

(d) The ~~((board))~~ commission inspector or law enforcement officer has probable cause to believe that the property was used or is intended to be used in violation of this chapter.

(3) In the event of seizure pursuant to subsection (2) of this section, proceedings for forfeiture shall be deemed commenced

by the seizure. The law enforcement agency under whose authority the seizure was made shall cause notice to be served within fifteen days following the seizure on the owner of the property seized and the person in charge thereof and any person having any known right or interest therein, including any community property interest, of the seizure and intended forfeiture of the seized property. Service of notice of seizure of real property shall be made according to the rules of civil procedure. However, the state may not obtain a default judgment with respect to real property against a party who is served by substituted service absent an affidavit stating that a good faith effort has been made to ascertain if the defaulted party is incarcerated within the state, and that there is no present basis to believe that the party is incarcerated within the state. Notice of seizure in the case of property subject to a security interest that has been perfected by filing a financing statement in accordance with chapter 62A.9A RCW, or a certificate of title, shall be made by service upon the secured party or the secured party's assignee at the address shown on the financing statement or the certificate of title. The notice of seizure in other cases may be served by any method authorized by law or court rule including but not limited to service by certified mail with return receipt requested. Service by mail shall be deemed complete upon mailing within the fifteen day period following the seizure.

(4) If no person notifies the seizing law enforcement agency in writing of the person's claim of ownership or right to possession of items specified in subsection (1)(d), (g), or (h) of this section within forty-five days of the service of notice from the seizing agency in the case of personal property and ninety days in the case of real property, the item seized shall be deemed forfeited. The community property interest in real property of a person whose spouse or domestic partner committed a violation giving rise to seizure of the real property may not be forfeited if the person did not participate in the violation.

(5) If any person notifies the seizing law enforcement agency in writing of the person's claim of ownership or right to possession of items specified in subsection (1)(b), (c), (d), (e), (f), (g), or (h) of this section within forty-five days of the service of notice from the seizing agency in the case of personal property and ninety days in the case of real property, the person or persons shall be afforded a reasonable opportunity to be heard as to the claim or right. The notice of claim may be served by any method authorized by law or court rule including, but not limited to, service by first-class mail. Service by mail shall be deemed complete upon mailing within the forty-five day period following service of the notice of seizure in the case of personal property and within the ninety-day period following service of the notice of seizure in the case of real property. The hearing shall be before the chief law enforcement officer of the seizing agency or the chief law enforcement officer's designee, except where the seizing agency is a state agency as defined in RCW 34.12.020(4), the hearing shall be before the chief law enforcement officer of the seizing agency or an administrative law judge appointed under chapter 34.12 RCW, except that any person asserting a claim or right may remove the matter to a court of competent jurisdiction. Removal of any matter involving personal property may only be accomplished according to the rules of civil procedure. The person seeking removal of the matter must serve process against the state, county, political subdivision, or municipality that operates the seizing agency, and any other party of interest, in accordance with RCW 4.28.080 or 4.92.020, within forty-five days after the person seeking removal has notified the seizing law enforcement agency of the person's claim of ownership or right to possession. The court to which the matter is to be removed shall be the district court when the aggregate value of personal property is within the jurisdictional limit set forth in RCW 3.66.020. A

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hearing before the seizing agency and any appeal therefrom shall be under Title 34 RCW. In all cases, the burden of proof is upon the law enforcement agency to establish, by a preponderance of the evidence, that the property is subject to forfeiture.

The seizing law enforcement agency shall promptly return the article or articles to the claimant upon a determination by the administrative law judge or court that the claimant is the present lawful owner or is lawfully entitled to possession thereof of items specified in subsection (1)(b), (c), (d), (e), (f), (g), or (h) of this section.

(6) In any proceeding to forfeit property under this title, where the claimant substantially prevails, the claimant is entitled to reasonable attorneys' fees reasonably incurred by the claimant. In addition, in a court hearing between two or more claimants to the article or articles involved, the prevailing party is entitled to a judgment for costs and reasonable attorneys' fees.

(7) When property is forfeited under this chapter the ((board)) commission or seizing law enforcement agency may:

(a) Retain it for official use or upon application by any law enforcement agency of this state release such property to such agency for the exclusive use of enforcing the provisions of this chapter;

(b) Sell that which is not required to be destroyed by law and which is not harmful to the public;

(c) Request the appropriate sheriff or director of public safety to take custody of the property and remove it for disposition in accordance with law; or

(d) Forward it to the drug enforcement administration for disposition.

(8)(a) When property is forfeited, the seizing agency shall keep a record indicating the identity of the prior owner, if known, a description of the property, the disposition of the property, the value of the property at the time of seizure, and the amount of proceeds realized from disposition of the property.

(b) Each seizing agency shall retain records of forfeited property for at least seven years.

(c) Each seizing agency shall file a report including a copy of the records of forfeited property with the state treasurer each calendar quarter.

(d) The quarterly report need not include a record of forfeited property that is still being held for use as evidence during the investigation or prosecution of a case or during the appeal from a conviction.

(9)(a) By January 31st of each year, each seizing agency shall remit to the state treasurer an amount equal to ten percent of the net proceeds of any property forfeited during the preceding calendar year. Money remitted shall be deposited in the state general fund.

(b) The net proceeds of forfeited property is the value of the forfeitable interest in the property after deducting the cost of satisfying any bona fide security interest to which the property is subject at the time of seizure; and in the case of sold property, after deducting the cost of sale, including reasonable fees or commissions paid to independent selling agents, and the cost of any valid landlord's claim for damages under subsection (15) of this section.

(c) The value of sold forfeited property is the sale price. The value of retained forfeited property is the fair market value of the property at the time of seizure, determined when possible by reference to an applicable commonly used index, such as the index used by the department of licensing for valuation of motor vehicles. A seizing agency may use, but need not use, an independent qualified appraiser to determine the value of retained property. If an appraiser is used, the value of the property

appraised is net of the cost of the appraisal. The value of destroyed property and retained firearms or illegal property is zero.

(10) Forfeited property and net proceeds not required to be paid to the state treasurer shall be retained by the seizing law enforcement agency exclusively for the expansion and improvement of controlled substances related law enforcement activity. Money retained under this section may not be used to supplant preexisting funding sources.

(11) Controlled substances listed in Schedule I, II, III, IV, and V that are possessed, transferred, sold, or offered for sale in violation of this chapter are contraband and shall be seized and summarily forfeited to the state. Controlled substances listed in Schedule I, II, III, IV, and V, which are seized or come into the possession of the ((board)) commission, the owners of which are unknown, are contraband and shall be summarily forfeited to the ((board)) commission.

(12) Species of plants from which controlled substances in Schedules I and II may be derived which have been planted or cultivated in violation of this chapter, or of which the owners or cultivators are unknown, or which are wild growths, may be seized and summarily forfeited to the ((board)) commission.

(13) The failure, upon demand by a ((board)) commission inspector or law enforcement officer, of the person in occupancy or in control of land or premises upon which the species of plants are growing or being stored to produce an appropriate registration or proof that he or she is the holder thereof constitutes authority for the seizure and forfeiture of the plants.

(14) Upon the entry of an order of forfeiture of real property, the court shall forward a copy of the order to the assessor of the county in which the property is located. Orders for the forfeiture of real property shall be entered by the superior court, subject to court rules. Such an order shall be filed by the seizing agency in the county auditor's records in the county in which the real property is located.

(15)(a) A landlord may assert a claim against proceeds from the sale of assets seized and forfeited under subsection (7)(b) of this section, only if:

(i) A law enforcement officer, while acting in his or her official capacity, directly caused damage to the complaining landlord's property while executing a search of a tenant's residence; and

(ii) The landlord has applied any funds remaining in the tenant's deposit, to which the landlord has a right under chapter 59.18 RCW, to cover the damage directly caused by a law enforcement officer prior to asserting a claim under the provisions of this section;

(A) Only if the funds applied under (a)(ii) of this subsection are insufficient to satisfy the damage directly caused by a law enforcement officer, may the landlord seek compensation for the damage by filing a claim against the governmental entity under whose authority the law enforcement agency operates within thirty days after the search;

(B) Only if the governmental entity denies or fails to respond to the landlord's claim within sixty days of the date of filing, may the landlord collect damages under this subsection by filing within thirty days of denial or the expiration of the sixty-day period, whichever occurs first, a claim with the seizing law enforcement agency. The seizing law enforcement agency must notify the landlord of the status of the claim by the end of the thirty-day period. Nothing in this section requires the claim to be paid by the end of the sixty-day or thirty-day period.

(b) For any claim filed under (a)(ii) of this subsection, the law enforcement agency shall pay the claim unless the agency provides substantial proof that the landlord either:

(i) Knew or consented to actions of the tenant in violation of this chapter or chapter 69.41 or 69.52 RCW; or

(ii) Failed to respond to a notification of the illegal activity, provided by a law enforcement agency under RCW 59.18.075, within seven days of receipt of notification of the illegal activity.

(16) The landlord's claim for damages under subsection (15) of this section may not include a claim for loss of business and is limited to:

- (a) Damage to tangible property and clean-up costs;
- (b) The lesser of the cost of repair or fair market value of the damage directly caused by a law enforcement officer;
- (c) The proceeds from the sale of the specific tenant's property seized and forfeited under subsection (7)(b) of this section; and
- (d) The proceeds available after the seizing law enforcement agency satisfies any bona fide security interest in the tenant's property and costs related to sale of the tenant's property as provided by subsection (9)(b) of this section.

(17) Subsections (15) and (16) of this section do not limit any other rights a landlord may have against a tenant to collect for damages. However, if a law enforcement agency satisfies a landlord's claim under subsection (15) of this section, the rights the landlord has against the tenant for damages directly caused by a law enforcement officer under the terms of the landlord and tenant's contract are subrogated to the law enforcement agency.

Sec. 8. RCW 69.50.101 and 2018 c 132 s 2 are each reenacted and amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(a) "Administer" means to apply a controlled substance, whether by injection, inhalation, ingestion, or any other means, directly to the body of a patient or research subject by:

- (1) a practitioner authorized to prescribe (or, by the practitioner's authorized agent); or
- (2) the patient or research subject at the direction and in the presence of the practitioner.

(b) "Agent" means an authorized person who acts on behalf of or at the direction of a manufacturer, distributor, or dispenser. It does not include a common or contract carrier, public warehouseperson, or employee of the carrier or warehouseperson.

(c) "CBD concentration" has the meaning provided in RCW 69.51A.010.

(d) "CBD product" means any product containing or consisting of cannabidiol.

(e) "Commission" means the pharmacy quality assurance commission.

(f) "Controlled substance" means a drug, substance, or immediate precursor included in Schedules I through V as set forth in federal or state laws, or federal or commission rules, but does not include industrial hemp as defined in RCW 15.120.010.

(g)(1) "Controlled substance analog" means a substance the chemical structure of which is substantially similar to the chemical structure of a controlled substance in Schedule I or II and:

- (i) that has a stimulant, depressant, or hallucinogenic effect on the central nervous system substantially similar to the stimulant, depressant, or hallucinogenic effect on the central nervous system of a controlled substance included in Schedule I or II; or
- (ii) with respect to a particular individual, that the individual represents or intends to have a stimulant, depressant, or hallucinogenic effect on the central nervous system substantially similar to the stimulant, depressant, or hallucinogenic effect on the central nervous system of a controlled substance included in Schedule I or II.

(2) The term does not include:

- (i) a controlled substance;
- (ii) a substance for which there is an approved new drug application;

(iii) a substance with respect to which an exemption is in effect for investigational use by a particular person under Section 505 of the federal food, drug, and cosmetic act, 21 U.S.C. Sec. 355, or chapter 69.77 RCW to the extent conduct with respect to the substance is pursuant to the exemption; or

(iv) any substance to the extent not intended for human consumption before an exemption takes effect with respect to the substance.

(h) "Deliver" or "delivery" means the actual or constructive transfer from one person to another of a substance, whether or not there is an agency relationship.

(i) "Department" means the department of health.

(j) "Designated provider" has the meaning provided in RCW 69.51A.010.

(k) "Dispense" means the interpretation of a prescription or order for a controlled substance and, pursuant to that prescription or order, the proper selection, measuring, compounding, labeling, or packaging necessary to prepare that prescription or order for delivery.

(l) "Dispenser" means a practitioner who dispenses.

(m) "Distribute" means to deliver other than by administering or dispensing a controlled substance.

(n) "Distributor" means a person who distributes.

(o) "Drug" means (1) a controlled substance recognized as a drug in the official United States pharmacopoeia/national formulary or the official homeopathic pharmacopoeia of the United States, or any supplement to them; (2) controlled substances intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in individuals or animals; (3) controlled substances (other than food) intended to affect the structure or any function of the body of individuals or animals; and (4) controlled substances intended for use as a component of any article specified in (1), (2), or (3) of this subsection. The term does not include devices or their components, parts, or accessories.

(p) "Drug enforcement administration" means the drug enforcement administration in the United States Department of Justice, or its successor agency.

(q) "Electronic communication of prescription information" means the transmission of a prescription or refill authorization for a drug of a practitioner using computer systems. The term does not include a prescription or refill authorization verbally transmitted by telephone nor a facsimile manually signed by the practitioner.

(r) "Immature plant or clone" means a plant or clone that has no flowers, is less than twelve inches in height, and is less than twelve inches in diameter.

(s) "Immediate precursor" means a substance:

- (1) that the commission has found to be and by rule designates as being the principal compound commonly used, or produced primarily for use, in the manufacture of a controlled substance;
- (2) that is an immediate chemical intermediary used or likely to be used in the manufacture of a controlled substance; and
- (3) the control of which is necessary to prevent, curtail, or limit the manufacture of the controlled substance.

(t) "Isomer" means an optical isomer, but in subsection (ff)(5) of this section, RCW 69.50.204(a) (12) and (34), and 69.50.206(b)(4), the term includes any geometrical isomer; in RCW 69.50.204(a) (8) and (42), and 69.50.210(c) the term includes any positional isomer; and in RCW 69.50.204(a)(35), 69.50.204(c), and 69.50.208(a) the term includes any positional or geometric isomer.

(u) "Lot" means a definite quantity of marijuana, marijuana concentrates, useable marijuana, or marijuana-infused product identified by a lot number, every portion or package of which is

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uniform within recognized tolerances for the factors that appear in the labeling.

(v) "Lot number" must identify the licensee by business or trade name and Washington state unified business identifier number, and the date of harvest or processing for each lot of marijuana, marijuana concentrates, useable marijuana, or marijuana-infused product.

(w) "Manufacture" means the production, preparation, propagation, compounding, conversion, or processing of a controlled substance, either directly or indirectly by extraction from substances of natural origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis, and includes any packaging or repackaging of the substance or labeling or relabeling of its container. The term does not include the preparation, compounding, packaging, repackaging, labeling, or relabeling of a controlled substance:

(1) by a practitioner as an incident to the practitioner's administering or dispensing of a controlled substance in the course of the practitioner's professional practice; or

(2) by a practitioner, or by the practitioner's authorized agent under the practitioner's supervision, for the purpose of, or as an incident to, research, teaching, or chemical analysis and not for sale.

(x) "Marijuana" or "marihuana" means all parts of the plant *Cannabis*, whether growing or not, with a THC concentration greater than 0.3 percent on a dry weight basis; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin. The term does not include:

(1) The mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination; or

(2) Industrial hemp as defined in RCW 15.120.010.

(y) "Marijuana concentrates" means products consisting wholly or in part of the resin extracted from any part of the plant *Cannabis* and having a THC concentration greater than ten percent.

(z) "Marijuana processor" means a person licensed by the state liquor and cannabis board to process marijuana into marijuana concentrates, useable marijuana, and marijuana-infused products, package and label marijuana concentrates, useable marijuana, and marijuana-infused products for sale in retail outlets, and sell marijuana concentrates, useable marijuana, and marijuana-infused products at wholesale to marijuana retailers.

(aa) "Marijuana producer" means a person licensed by the state liquor and cannabis board to produce and sell marijuana at wholesale to marijuana processors and other marijuana producers.

(bb) "Marijuana products" means useable marijuana, marijuana concentrates, and marijuana-infused products as defined in this section.

(cc) "Marijuana researcher" means a person licensed by the state liquor and cannabis board to produce, process, and possess marijuana for the purposes of conducting research on marijuana and marijuana-derived drug products.

(dd) "Marijuana retailer" means a person licensed by the state liquor and cannabis board to sell marijuana concentrates, useable marijuana, and marijuana-infused products in a retail outlet.

(ee) "Marijuana-infused products" means products that contain marijuana or marijuana extracts, are intended for human use, are derived from marijuana as defined in subsection (x) of this section, and have a THC concentration no greater than ten

percent. The term "marijuana-infused products" does not include either useable marijuana or marijuana concentrates.

(ff) "Narcotic drug" means any of the following, whether produced directly or indirectly by extraction from substances of vegetable origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis:

(1) Opium, opium derivative, and any derivative of opium or opium derivative, including their salts, isomers, and salts of isomers, whenever the existence of the salts, isomers, and salts of isomers is possible within the specific chemical designation. The term does not include the isoquinoline alkaloids of opium.

(2) Synthetic opiate and any derivative of synthetic opiate, including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, whenever the existence of the isomers, esters, ethers, and salts is possible within the specific chemical designation.

(3) Poppy straw and concentrate of poppy straw.

(4) Coca leaves, except coca leaves and extracts of coca leaves from which cocaine, ecgonine, and derivatives or ecgonine or their salts have been removed.

(5) Cocaine, or any salt, isomer, or salt of isomer thereof.

(6) Cocaine base.

(7) Ecgonine, or any derivative, salt, isomer, or salt of isomer thereof.

(8) Any compound, mixture, or preparation containing any quantity of any substance referred to in subparagraphs (1) through (7).

(gg) "Opiate" means any substance having an addiction-forming or addiction-sustaining liability similar to morphine or being capable of conversion into a drug having addiction-forming or addiction-sustaining liability. The term includes opium, substances derived from opium (opium derivatives), and synthetic opiates. The term does not include, unless specifically designated as controlled under RCW 69.50.201, the dextrorotatory isomer of 3-methoxy-n-methylmorphinan and its salts (dextromethorphan). The term includes the racemic and levorotatory forms of dextromethorphan.

(hh) "Opium poppy" means the plant of the species *Papaver somniferum* L., except its seeds.

(ii) "Person" means individual, corporation, business trust, estate, trust, partnership, association, joint venture, government, governmental subdivision or agency, or any other legal or commercial entity.

(jj) "Plant" has the meaning provided in RCW 69.51A.010.

(kk) "Poppy straw" means all parts, except the seeds, of the opium poppy, after mowing.

(ll) "Practitioner" means:

(1) A physician under chapter 18.71 RCW; a physician assistant under chapter 18.71A RCW; an osteopathic physician and surgeon under chapter 18.57 RCW; an osteopathic physician assistant under chapter 18.57A RCW who is licensed under RCW 18.57A.020 subject to any limitations in RCW 18.57A.040; an optometrist licensed under chapter 18.53 RCW who is certified by the optometry board under RCW 18.53.010 subject to any limitations in RCW 18.53.010; a dentist under chapter 18.32 RCW; a podiatric physician and surgeon under chapter 18.22 RCW; a veterinarian under chapter 18.92 RCW; a registered nurse, advanced registered nurse practitioner, or licensed practical nurse under chapter 18.79 RCW; a naturopathic physician under chapter 18.36A RCW who is licensed under RCW 18.36A.030 subject to any limitations in RCW 18.36A.040; a pharmacist under chapter 18.64 RCW or a scientific investigator under this chapter, licensed, registered or otherwise permitted insofar as is consistent with those licensing laws to distribute,

dispense, conduct research with respect to or administer a controlled substance in the course of their professional practice or research in this state.

(2) A pharmacy, hospital or other institution licensed, registered, or otherwise permitted to distribute, dispense, conduct research with respect to or to administer a controlled substance in the course of professional practice or research in this state.

(3) A physician licensed to practice medicine and surgery, a physician licensed to practice osteopathic medicine and surgery, a dentist licensed to practice dentistry, a podiatric physician and surgeon licensed to practice podiatric medicine and surgery, a licensed physician assistant or a licensed osteopathic physician assistant specifically approved to prescribe controlled substances by his or her state's medical quality assurance commission or equivalent and his or her supervising physician, an advanced registered nurse practitioner licensed to prescribe controlled substances, or a veterinarian licensed to practice veterinary medicine in any state of the United States.

(mm) "Prescription" means an order for controlled substances issued by a practitioner duly authorized by law or rule in the state of Washington to prescribe controlled substances within the scope of his or her professional practice for a legitimate medical purpose.

(nn) "Production" includes the manufacturing, planting, cultivating, growing, or harvesting of a controlled substance.

(oo) "Qualifying patient" has the meaning provided in RCW 69.51A.010.

(pp) "Recognition card" has the meaning provided in RCW 69.51A.010.

(qq) "Retail outlet" means a location licensed by the state liquor and cannabis board for the retail sale of marijuana concentrates, useable marijuana, and marijuana-infused products.

(rr) "Secretary" means the secretary of health or the secretary's designee.

(ss) "State," unless the context otherwise requires, means a state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, or a territory or insular possession subject to the jurisdiction of the United States.

(tt) "THC concentration" means percent of delta-9 tetrahydrocannabinol content per dry weight of any part of the plant *Cannabis*, or per volume or weight of marijuana product, or the combined percent of delta-9 tetrahydrocannabinol and tetrahydrocannabinolic acid in any part of the plant *Cannabis* regardless of moisture content.

(uu) "Ultimate user" means an individual who lawfully possesses a controlled substance for the individual's own use or for the use of a member of the individual's household or for administering to an animal owned by the individual or by a member of the individual's household.

(vv) "Useable marijuana" means dried marijuana flowers. The term "useable marijuana" does not include either marijuana-infused products or marijuana concentrates.

(ww) "Commercial activity" means an activity related to or connected with buying, selling, or bartering.

NEW SECTION. Sec. 9. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

Renumber the remaining section consecutively and correct any internal references accordingly.

On page 9, line 25, after "82.08.9998," strike "and 82.12.9998" and insert "82.12.9998, 69.50.4013, and 69.50.505; reenacting and amending RCW 69.50.101"

Senator Walsh spoke in favor of adoption of the amendment to the striking amendment.

Senator Rivers spoke against adoption of the amendment to the striking amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 135 by Senator Walsh on page 9, after line 21 to striking amendment no. 116.

The motion by Senator Walsh did not carry and amendment no. 135 was not adopted by voice vote.

The President Pro Tempore declared the question before the Senate to be the adoption of striking amendment no. 116 by Senators Rivers and Keiser, as amended, to Substitute Senate Bill No. 5298.

The motion by Senator Rivers carried and striking amendment no. 116, as amended, was adopted by voice vote.

MOTION

On motion of Senator Rivers, the rules were suspended, Engrossed Substitute Senate Bill No. 5298 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Rivers and Saldaña spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5298.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5298 and the bill passed the Senate by the following vote: Yeas, 40; Nays, 8; Absent, 0; Excused, 1.

Voting yea: Senators Becker, Billig, Cleveland, Conway, Darneille, Das, Dhingra, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Hunt, Keiser, King, Kuderer, Lias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Schoesler, Sheldon, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senators Bailey, Braun, Brown, Ericksen, Honeyford, Padden, Salomon and Short

Excused: Senator Carlyle

ENGROSSED SUBSTITUTE SENATE BILL NO. 5298, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5318, by Senators Rivers, Palumbo and Wagoner

Reforming the compliance and enforcement provisions for marijuana licensees.

MOTION

On motion of Senator Rivers, Substitute Senate Bill No. 5318 was substituted for Senate Bill No. 5318 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Rivers moved that the following striking amendment no. 182 by Senators Rivers and Palumbo be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature finds that:

(1) In the years since the creation of a legal and regulated marketplace for adult use of cannabis, the industry, stakeholders, and state agencies have collaborated to develop a safe, fully regulated marketplace.

(2) As the regulated marketplace has been developing, Washington residents with a strong entrepreneurial spirit have taken great financial and personal risk to become licensed and part of this nascent industry.

(3) It should not be surprising that mistakes have been made both by licensees and regulators, and that both have learned from these mistakes leading to a stronger, safer industry.

(4) While a strong focus on enforcement is an important component of the regulated marketplace, a strong focus on compliance and education is also critically necessary to assist licensees who strive for compliance and in order to allow the board to focus its enforcement priorities on those violations that directly harm public health and safety.

(5) The risk taking entrepreneurs who are trying to comply with board regulations should not face punitive consequences for mistakes made during this initial phase of the industry that did not pose a direct threat to public health and safety.

NEW SECTION. Sec. 2. A new section is added to chapter 43.05 RCW to read as follows:

(1) If, during an inspection or visit to a marijuana business licensed under chapter 69.50 RCW that is not a technical assistance visit, the liquor and cannabis board becomes aware of conditions that are not in compliance with applicable laws and rules enforced by the board and are not subject to civil penalties as provided for in section 3 of this act, the board may issue a notice of correction to the responsible party that includes:

(a) A description of the condition that is not in compliance and the text of the specific section or subsection of the applicable state law or rule;

(b) A statement of what is required to achieve compliance;

(c) The date by which the board requires compliance to be achieved;

(d) Notice of the means to contact any technical assistance services provided by the board or others; and

(e) Notice of when, where, and to whom a request to extend the time to achieve compliance for good cause may be filed with the board.

(2) A notice of correction is not a formal enforcement action, is not subject to appeal, and is a public record.

(3) If the liquor and cannabis board issues a notice of correction, it may not issue a civil penalty for the violations identified in the notice of correction unless the responsible party fails to comply with the notice.

NEW SECTION. Sec. 3. A new section is added to chapter 43.05 RCW to read as follows:

(1) The liquor and cannabis board may issue a civil penalty without first issuing a notice of correction if:

(a) The person has previously been subject to an enforcement action for the same or similar type of violation of the same statute or rule or has been given previous notice of the same or similar type of violation of the same statute or rule;

(b) Compliance is not achieved by the date established by the liquor and cannabis board in a previously issued notice of correction and if the board has responded to a request for review

of the date by reaffirming the original date or establishing a new date; or

(c) The board can prove by a preponderance of the evidence:

(i) Diversion of marijuana product to the illicit market or sales across state lines;

(ii) Furnishing of marijuana product to minors;

(iii) Diversion of revenue from the sale of marijuana product to criminal enterprises, gangs, or cartels;

(iv) Use of firearms in a facility licensed by the board that poses a direct and significant threat to public safety; or

(v) The commission of nonmarijuana-related crimes.

(2) The liquor and cannabis board may adopt rules to implement this section and section 2 of this act.

Sec. 4. RCW 69.50.342 and 2015 2nd sp.s. c 4 s 1601 are each amended to read as follows:

(1) For the purpose of carrying into effect the provisions of chapter 3, Laws of 2013 according to their true intent or of supplying any deficiency therein, the state liquor and cannabis board may adopt rules not inconsistent with the spirit of chapter 3, Laws of 2013 as are deemed necessary or advisable. Without limiting the generality of the preceding sentence, the state liquor and cannabis board is empowered to adopt rules regarding the following:

(a) The equipment and management of retail outlets and premises where marijuana is produced or processed, and inspection of the retail outlets and premises where marijuana is produced or processed;

(b) The books and records to be created and maintained by licensees, the reports to be made thereon to the state liquor and cannabis board, and inspection of the books and records;

(c) Methods of producing, processing, and packaging marijuana, useable marijuana, marijuana concentrates, and marijuana-infused products; conditions of sanitation; safe handling requirements; approved pesticides and pesticide testing requirements; and standards of ingredients, quality, and identity of marijuana, useable marijuana, marijuana concentrates, and marijuana-infused products produced, processed, packaged, or sold by licensees;

(d) Security requirements for retail outlets and premises where marijuana is produced or processed, and safety protocols for licensees and their employees;

(e) Screening, hiring, training, and supervising employees of licensees;

(f) Retail outlet locations and hours of operation;

(g) Labeling requirements and restrictions on advertisement of marijuana, useable marijuana, marijuana concentrates, cannabis health and beauty aids, and marijuana-infused products for sale in retail outlets;

(h) Forms to be used for purposes of this chapter and chapter 69.51A RCW or the rules adopted to implement and enforce these chapters, the terms and conditions to be contained in licenses issued under this chapter and chapter 69.51A RCW, and the qualifications for receiving a license issued under this chapter and chapter 69.51A RCW, including a criminal history record information check. The state liquor and cannabis board may submit any criminal history record information check to the Washington state patrol and to the identification division of the federal bureau of investigation in order that these agencies may search their records for prior arrests and convictions of the individual or individuals who filled out the forms. The state liquor and cannabis board must require fingerprinting of any applicant whose criminal history record information check is submitted to the federal bureau of investigation;

(i) Application, reinstatement, and renewal fees for licenses issued under this chapter and chapter 69.51A RCW, and fees for

anything done or permitted to be done under the rules adopted to implement and enforce this chapter and chapter 69.51A RCW;

(j) The manner of giving and serving notices required by this chapter and chapter 69.51A RCW or rules adopted to implement or enforce these chapters;

(k) Times and periods when, and the manner, methods, and means by which, licensees transport and deliver marijuana, marijuana concentrates, useable marijuana, and marijuana-infused products within the state;

(l) Identification, seizure, confiscation, destruction, or donation to law enforcement for training purposes of all marijuana, marijuana concentrates, useable marijuana, and marijuana-infused products produced, processed, sold, or offered for sale within this state which do not conform in all respects to the standards prescribed by this chapter or chapter 69.51A RCW or the rules adopted to implement and enforce these chapters.

(2) Rules adopted on retail outlets holding medical marijuana endorsements must be adopted in coordination and consultation with the department.

(3) The board must adopt rules to perfect and expand existing programs for compliance education for licensed marijuana businesses and their employees. The rules must include a voluntary compliance program created in consultation with licensed marijuana businesses and their employees. The voluntary compliance program must include recommendations on abating violations of this chapter and rules adopted under this chapter.

NEW SECTION. Sec. 5. A new section is added to chapter 69.50 RCW to read as follows:

(1) The board may grant a licensee's application for advice and consultation as provided in RCW 69.50.342(3) and visit the licensee's licensed premises in order to provide such advice and consultation. Advice and consultation services are limited to the matters specified in the request affecting the interpretation and applicability of the standards in this chapter to the conditions, structures, machines, equipment, apparatus, devices, materials, methods, means, and practices in the licensee's licensed premises. The board may provide for an alternative means of affording consultation and advice other than on-site consultation.

(2) The board must make recommendations on eliminating areas of concern disclosed within the scope of the on-site consultation. A visit to a licensee's licensed premises may not be considered an inspection or investigation under this chapter. During the visit, the board may not issue notices or citations and may not assess civil penalties. However, if the on-site visit discloses a violation with a direct or immediate relationship to public safety and the violation is not corrected, the board may investigate.

(3) This section does not provide immunity to a licensee who has applied for consultative services from inspections or investigations conducted under this chapter or from any inspection conducted as a result of a complaint before, during, or after the provision of consultative services.

(4) This section does not require an inspection of a licensee's licensed premises that has been visited for consultative purposes. However, if the premises are inspected after a visit, the board may consider any information obtained during the consultation visit in determining the nature of an alleged violation and the amount of penalties to be assessed, if any.

(5) Rules adopted under section 6 of this act must provide that violations with a direct or immediate relationship to public safety discovered during the consultation visit must be corrected within a specified period of time and an inspection must be conducted at the end of that time period.

(6) All licensees requesting consultative services must be advised of this section and the rules adopted by the board relating

to the voluntary compliance program. Information obtained by the board as a result of licensee-requested consultation and training services is confidential and not subject to public inspection under chapter 42.56 RCW.

(7) The board may adopt rules on the frequency, manner, and method of providing consultative services to licensees. Rules may include scheduling of consultative services and prioritizing requests for the services while maintaining the enforcement requirements of this chapter.

NEW SECTION. Sec. 6. A new section is added to chapter 69.50 RCW to read as follows:

(1) The board must prescribe procedures for the following:

(a) Issuance of written warnings or notices to correct in lieu of penalties, sanctions, or other violations with respect to regulatory violations that have no direct or immediate relationship to public safety as defined by the board;

(b) Waiving any fines, civil penalties, or administrative sanctions for violations, that have no direct or immediate relationship to public safety, and are corrected by the licensee within a reasonable amount of time as designated by the board; and

(c) A compliance program in accordance with chapter 43.05 RCW and RCW 69.50.342, whereby licensees may request compliance assistance and inspections without issuance of a penalty, sanction, or other violation provided that any noncompliant issues are resolved within a specified period of time.

(2) The board must adopt rules prescribing penalties for violations of this chapter. The board:

(a) May establish escalating penalties for violation of this chapter, provided that the cumulative effect of any such escalating penalties cannot last beyond two years;

(b) May not include cancellation of a license for a single violation, unless the board can prove by clear, cogent, and convincing evidence that the administrative violation evidences intentional or grossly negligent action or inaction that results in a high probability of:

(i) Diversion of marijuana product to the illicit market or sales across state lines;

(ii) Furnishing of marijuana product to minors;

(iii) Diversion of revenue from the sale of marijuana product to criminal enterprises, gangs, or cartels;

(iv) Use of firearms in a facility licensed by the board that poses a direct and significant threat to public safety; or

(v) The commission of nonmarijuana-related crimes;

(c) May include cancellation of a license for cumulative violations only if a marijuana licensee commits at least four violations within a two-year period of time;

(d) Must consider aggravating and mitigating circumstances and deviate from the prescribed penalties accordingly, and must authorize enforcement officers to do the same, provided that such penalty may not exceed the maximum escalating penalty prescribed by the board for that violation; and

(e) May not issue a violation if there is employee misconduct that led to the violation if the licensee provides documentation that before the date of the violation the licensee:

(i) Established a compliance program designed to prevent the violation;

(ii) Performed meaningful training with employees designed to prevent the violation; and

(iii) Had not enabled or ignored the violation or other similar violations in the past.

(3) The board may not consider any violation that occurred before April 30, 2017, as grounds for denial, suspension, revocation, cancellation, or nonrenewal, unless the board can

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prove by clear, cogent, and convincing evidence that the prior administrative violation evidences:

- (a) Diversion of marijuana product to the illicit market or sales across state lines;
- (b) Furnishing of marijuana product to minors;
- (c) Diversion of revenue from the sale of marijuana product to criminal enterprises, gangs, or cartels;
- (d) Use of firearms in a facility licensed by the board that poses a direct and significant threat to public safety; or
- (e) The commission of nonmarijuana-related crimes.

Sec. 7. RCW 69.50.331 and 2017 c 317 s 2 are each amended to read as follows:

(1) For the purpose of considering any application for a license to produce, process, research, transport, or deliver marijuana, useable marijuana, marijuana concentrates, or marijuana-infused products subject to the regulations established under RCW 69.50.385, or sell marijuana, or for the renewal of a license to produce, process, research, transport, or deliver marijuana, useable marijuana, marijuana concentrates, or marijuana-infused products subject to the regulations established under RCW 69.50.385, or sell marijuana, the ~~((state liquor and cannabis))~~ board must conduct a comprehensive, fair, and impartial evaluation of the applications timely received.

(a) The ~~((state liquor and cannabis))~~ board may cause an inspection of the premises to be made, and may inquire into all matters in connection with the construction and operation of the premises. For the purpose of reviewing any application for a license and for considering the denial, suspension, revocation, cancellation, or renewal or denial thereof, of any license, the ~~((state liquor and cannabis))~~ board may consider any prior criminal ~~((conduct))~~ arrests or convictions of the applicant ~~((including an administrative violation history record with the state liquor and cannabis board))~~ and a criminal history record information check. The ~~((state liquor and cannabis))~~ board may submit the criminal history record information check to the Washington state patrol and to the identification division of the federal bureau of investigation in order that these agencies may search their records for prior arrests and convictions of the individual or individuals who filled out the forms. The ~~((state liquor and cannabis))~~ board must require fingerprinting of any applicant whose criminal history record information check is submitted to the federal bureau of investigation. The provisions of RCW 9.95.240 and of chapter 9.96A RCW do not apply to these cases. Subject to the provisions of this section, the ~~((state liquor and cannabis))~~ board may, in its discretion, grant or deny the renewal or license applied for. Denial may be based on, without limitation, the existence of chronic illegal activity documented in objections submitted pursuant to subsections (7)(c) and (10) of this section. Authority to approve an uncontested or unopposed license may be granted by the ~~((state liquor and cannabis))~~ board to any staff member the board designates in writing. Conditions for granting this authority must be adopted by rule.

- (b) No license of any kind may be issued to:
 - (i) A person under the age of twenty-one years;
 - (ii) A person doing business as a sole proprietor who has not lawfully resided in the state for at least six months prior to applying to receive a license;
 - (iii) A partnership, employee cooperative, association, nonprofit corporation, or corporation unless formed under the laws of this state, and unless all of the members thereof are qualified to obtain a license as provided in this section; or
 - (iv) A person whose place of business is conducted by a manager or agent, unless the manager or agent possesses the same qualifications required of the licensee.

(2)(a) The ~~((state liquor and cannabis))~~ board may, in its discretion, subject to ~~((the provisions of))~~ sections 2, 3, and 6 of this act, RCW 69.50.334, and 69.50.342(3) suspend or cancel any license; and all protections of the licensee from criminal or civil sanctions under state law for producing, processing, researching, or selling marijuana, marijuana concentrates, useable marijuana, or marijuana-infused products thereunder must be suspended or terminated, as the case may be.

(b) The ~~((state liquor and cannabis))~~ board must immediately suspend the license of a person who has been certified pursuant to RCW 74.20A.320 by the department of social and health services as a person who is not in compliance with a support order. If the person has continued to meet all other requirements for reinstatement during the suspension, reissuance of the license is automatic upon the ~~((state liquor and cannabis))~~ board's receipt of a release issued by the department of social and health services stating that the licensee is in compliance with the order.

(c) The ~~((state liquor and cannabis))~~ board may request the appointment of administrative law judges under chapter 34.12 RCW who shall have power to administer oaths, issue subpoenas for the attendance of witnesses and the production of papers, books, accounts, documents, and testimony, examine witnesses, ~~((and to))~~ receive testimony in any inquiry, investigation, hearing, or proceeding in any part of the state, and consider mitigating and aggravating circumstances in any case and deviate from any prescribed penalty, under rules ~~((and regulations))~~ the ~~((state liquor and cannabis))~~ board may adopt.

(d) Witnesses must be allowed fees and mileage each way to and from any inquiry, investigation, hearing, or proceeding at the rate authorized by RCW 34.05.446. Fees need not be paid in advance of appearance of witnesses to testify or to produce books, records, or other legal evidence.

(e) In case of disobedience of any person to comply with the order of the ~~((state liquor and cannabis))~~ board or a subpoena issued by the ~~((state liquor and cannabis))~~ board, or any of its members, or administrative law judges, or on the refusal of a witness to testify to any matter regarding which he or she may be lawfully interrogated, the judge of the superior court of the county in which the person resides, on application of any member of the board or administrative law judge, compels obedience by contempt proceedings, as in the case of disobedience of the requirements of a subpoena issued from said court or a refusal to testify therein.

(3) Upon receipt of notice of the suspension or cancellation of a license, the licensee must forthwith deliver up the license to the ~~((state liquor and cannabis))~~ board. Where the license has been suspended only, the ~~((state liquor and cannabis))~~ board must return the license to the licensee at the expiration or termination of the period of suspension. The ~~((state liquor and cannabis))~~ board must notify all other licensees in the county where the subject licensee has its premises of the suspension or cancellation of the license; and no other licensee or employee of another licensee may allow or cause any marijuana, marijuana concentrates, useable marijuana, or marijuana-infused products to be delivered to or for any person at the premises of the subject licensee.

(4) Every license issued under this chapter is subject to all conditions and restrictions imposed by this chapter or by rules adopted by the ~~((state liquor and cannabis))~~ board to implement and enforce this chapter. All conditions and restrictions imposed by the ~~((state liquor and cannabis))~~ board in the issuance of an individual license must be listed on the face of the individual license along with the trade name, address, and expiration date.

(5) Every licensee must post and keep posted its license, or licenses, in a conspicuous place on the premises.

(6) No licensee may employ any person under the age of twenty-one years.

(7)(a) Before the ((state liquor and cannabis)) board issues a new or renewed license to an applicant it must give notice of the application to the chief executive officer of the incorporated city or town, if the application is for a license within an incorporated city or town, or to the county legislative authority, if the application is for a license outside the boundaries of incorporated cities or towns, or to the tribal government if the application is for a license within Indian country, or to the port authority if the application for a license is located on property owned by a port authority.

(b) The incorporated city or town through the official or employee selected by it, the county legislative authority or the official or employee selected by it, the tribal government, or port authority has the right to file with the ((state liquor and cannabis)) board within twenty days after the date of transmittal of the notice for applications, or at least thirty days prior to the expiration date for renewals, written objections against the applicant or against the premises for which the new or renewed license is asked. The ((state liquor and cannabis)) board may extend the time period for submitting written objections upon request from the authority notified by the ((state liquor and cannabis)) board.

(c) The written objections must include a statement of all facts upon which the objections are based, and in case written objections are filed, the city or town or county legislative authority may request, and the ((state liquor and cannabis)) board may in its discretion hold, a hearing subject to the applicable provisions of Title 34 RCW. If the ((state liquor and cannabis)) board makes an initial decision to deny a license or renewal based on the written objections of an incorporated city or town or county legislative authority, the applicant may request a hearing subject to the applicable provisions of Title 34 RCW. If a hearing is held at the request of the applicant, ((state liquor and cannabis)) board representatives must present and defend the ((state liquor and cannabis)) board's initial decision to deny a license or renewal.

(d) Upon the granting of a license under this title the ((state liquor and cannabis)) board must send written notification to the chief executive officer of the incorporated city or town in which the license is granted, or to the county legislative authority if the license is granted outside the boundaries of incorporated cities or towns.

(8)(a) Except as provided in (b) through (d) of this subsection, the ((state liquor and cannabis)) board may not issue a license for any premises within one thousand feet of the perimeter of the grounds of any elementary or secondary school, playground, recreation center or facility, child care center, public park, public transit center, or library, or any game arcade admission to which is not restricted to persons aged twenty-one years or older.

(b) A city, county, or town may permit the licensing of premises within one thousand feet but not less than one hundred feet of the facilities described in (a) of this subsection, except elementary schools, secondary schools, and playgrounds, by enacting an ordinance authorizing such distance reduction, provided that such distance reduction will not negatively impact the jurisdiction's civil regulatory enforcement, criminal law enforcement interests, public safety, or public health.

(c) A city, county, or town may permit the licensing of research premises allowed under RCW 69.50.372 within one thousand feet but not less than one hundred feet of the facilities described in (a) of this subsection by enacting an ordinance authorizing such distance reduction, provided that the ordinance will not negatively impact the jurisdiction's civil regulatory enforcement, criminal law enforcement, public safety, or public health.

(d) The ((state liquor and cannabis)) board may license premises located in compliance with the distance requirements set

in an ordinance adopted under (b) or (c) of this subsection. Before issuing or renewing a research license for premises within one thousand feet but not less than one hundred feet of an elementary school, secondary school, or playground in compliance with an ordinance passed pursuant to (c) of this subsection, the board must ensure that the facility:

(i) Meets a security standard exceeding that which applies to marijuana producer, processor, or retailer licensees;

(ii) Is inaccessible to the public and no part of the operation of the facility is in view of the general public; and

(iii) Bears no advertising or signage indicating that it is a marijuana research facility.

(e) The ((state liquor and cannabis)) board may not issue a license for any premises within Indian country, as defined in 18 U.S.C. Sec. 1151, including any fee patent lands within the exterior boundaries of a reservation, without the consent of the federally recognized tribe associated with the reservation or Indian country.

(9) A city, town, or county may adopt an ordinance prohibiting a marijuana producer or marijuana processor from operating or locating a business within areas zoned primarily for residential use or rural use with a minimum lot size of five acres or smaller.

(10) In determining whether to grant or deny a license or renewal of any license, the ((state liquor and cannabis)) board must give substantial weight to objections from an incorporated city or town or county legislative authority based upon chronic illegal activity associated with the applicant's operations of the premises proposed to be licensed or the applicant's operation of any other licensed premises, or the conduct of the applicant's patrons inside or outside the licensed premises. "Chronic illegal activity" means (a) a pervasive pattern of activity that threatens the public health, safety, and welfare of the city, town, or county including, but not limited to, open container violations, assaults, disturbances, disorderly conduct, or other criminal law violations, or as documented in crime statistics, police reports, emergency medical response data, calls for service, field data, or similar records of a law enforcement agency for the city, town, county, or any other municipal corporation or any state agency; or (b) an unreasonably high number of citations for violations of RCW 46.61.502 associated with the applicant's or licensee's operation of any licensed premises as indicated by the reported statements given to law enforcement upon arrest.

NEW SECTION. Sec. 8. A new section is added to chapter 69.50 RCW to read as follows:

(1) This section applies to the board's issuance of administrative violations to licensed marijuana producers, processors, retailers, transporters, and researchers, when a settlement conference is held between a hearing examiner or designee of the board and the marijuana licensee that received a notice of an alleged administrative violation or violations.

(2) If a settlement agreement is entered between a marijuana licensee and a hearing examiner or designee of the board at or after a settlement conference, the terms of the settlement agreement must be given substantial weight by the board and the board may only disapprove, modify, change, or add to the terms of the settlement agreement including terms addressing penalties and license restrictions if the board finds the agreements to be clearly erroneous.

(3) For the purposes of this section:

(a) "Settlement agreement" means the agreement or compromise between a licensed marijuana producer, processor, retailer, researcher, transporter, or researcher and the hearing examiner or designee of the board with authority to participate in the settlement conference, that:

(i) Includes the terms of the agreement or compromise regarding an alleged violation or violations by the licensee of this chapter, chapter 69.51A RCW, or rules adopted under either chapter, and any related penalty or licensing restriction; and

(ii) Is in writing and signed by the licensee and the hearing examiner or designee of the board.

(b) "Settlement conference" means a meeting or discussion between a licensed marijuana producer, processor, retailer, researcher, transporter, researcher, or authorized representative of any of the preceding licensees, and a hearing examiner or designee of the board, held for purposes such as discussing the circumstances surrounding an alleged violation of law or rules by the licensee, the recommended penalty, and any aggravating or mitigating factors, and that is intended to resolve the alleged violation before an administrative hearing or judicial proceeding is initiated.

Sec. 9. RCW 69.50.101 and 2018 c 132 s 2 are each reenacted and amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(a) "Administer" means to apply a controlled substance, whether by injection, inhalation, ingestion, or any other means, directly to the body of a patient or research subject by:

(1) a practitioner authorized to prescribe (or, by the practitioner's authorized agent); or

(2) the patient or research subject at the direction and in the presence of the practitioner.

(b) "Agent" means an authorized person who acts on behalf of or at the direction of a manufacturer, distributor, or dispenser. It does not include a common or contract carrier, public warehouseperson, or employee of the carrier or warehouseperson.

(c) "CBD concentration" has the meaning provided in RCW 69.51A.010.

(d) "CBD product" means any product containing or consisting of cannabidiol.

(e) "Commission" means the pharmacy quality assurance commission.

(f) "Controlled substance" means a drug, substance, or immediate precursor included in Schedules I through V as set forth in federal or state laws, or federal or commission rules, but does not include industrial hemp as defined in RCW 15.120.010.

(g)(1) "Controlled substance analog" means a substance the chemical structure of which is substantially similar to the chemical structure of a controlled substance in Schedule I or II and:

(i) that has a stimulant, depressant, or hallucinogenic effect on the central nervous system substantially similar to the stimulant, depressant, or hallucinogenic effect on the central nervous system of a controlled substance included in Schedule I or II; or

(ii) with respect to a particular individual, that the individual represents or intends to have a stimulant, depressant, or hallucinogenic effect on the central nervous system substantially similar to the stimulant, depressant, or hallucinogenic effect on the central nervous system of a controlled substance included in Schedule I or II.

(2) The term does not include:

(i) a controlled substance;

(ii) a substance for which there is an approved new drug application;

(iii) a substance with respect to which an exemption is in effect for investigational use by a particular person under Section 505 of the federal food, drug, and cosmetic act, 21 U.S.C. Sec. 355, or chapter 69.77 RCW to the extent conduct with respect to the substance is pursuant to the exemption; or

(iv) any substance to the extent not intended for human consumption before an exemption takes effect with respect to the substance.

(h) "Deliver" or "delivery" means the actual or constructive transfer from one person to another of a substance, whether or not there is an agency relationship.

(i) "Department" means the department of health.

(j) "Designated provider" has the meaning provided in RCW 69.51A.010.

(k) "Dispense" means the interpretation of a prescription or order for a controlled substance and, pursuant to that prescription or order, the proper selection, measuring, compounding, labeling, or packaging necessary to prepare that prescription or order for delivery.

(l) "Dispenser" means a practitioner who dispenses.

(m) "Distribute" means to deliver other than by administering or dispensing a controlled substance.

(n) "Distributor" means a person who distributes.

(o) "Drug" means (1) a controlled substance recognized as a drug in the official United States pharmacopoeia/national formulary or the official homeopathic pharmacopoeia of the United States, or any supplement to them; (2) controlled substances intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in individuals or animals; (3) controlled substances (other than food) intended to affect the structure or any function of the body of individuals or animals; and (4) controlled substances intended for use as a component of any article specified in (1), (2), or (3) of this subsection. The term does not include devices or their components, parts, or accessories.

(p) "Drug enforcement administration" means the drug enforcement administration in the United States Department of Justice, or its successor agency.

(q) "Electronic communication of prescription information" means the transmission of a prescription or refill authorization for a drug of a practitioner using computer systems. The term does not include a prescription or refill authorization verbally transmitted by telephone nor a facsimile manually signed by the practitioner.

(r) "Immature plant or clone" means a plant or clone that has no flowers, is less than twelve inches in height, and is less than twelve inches in diameter.

(s) "Immediate precursor" means a substance:

(1) that the commission has found to be and by rule designates as being the principal compound commonly used, or produced primarily for use, in the manufacture of a controlled substance;

(2) that is an immediate chemical intermediary used or likely to be used in the manufacture of a controlled substance; and

(3) the control of which is necessary to prevent, curtail, or limit the manufacture of the controlled substance.

(t) "Isomer" means an optical isomer, but in subsection (ff)(5) of this section, RCW 69.50.204(a) (12) and (34), and 69.50.206(b)(4), the term includes any geometrical isomer; in RCW 69.50.204(a) (8) and (42), and 69.50.210(c) the term includes any positional isomer; and in RCW 69.50.204(a)(35), 69.50.204(c), and 69.50.208(a) the term includes any positional or geometric isomer.

(u) "Lot" means a definite quantity of marijuana, marijuana concentrates, useable marijuana, or marijuana-infused product identified by a lot number, every portion or package of which is uniform within recognized tolerances for the factors that appear in the labeling.

(v) "Lot number" must identify the licensee by business or trade name and Washington state unified business identifier number, and the date of harvest or processing for each lot of

marijuana, marijuana concentrates, useable marijuana, or marijuana-infused product.

(w) "Manufacture" means the production, preparation, propagation, compounding, conversion, or processing of a controlled substance, either directly or indirectly or by extraction from substances of natural origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis, and includes any packaging or repackaging of the substance or labeling or relabeling of its container. The term does not include the preparation, compounding, packaging, repackaging, labeling, or relabeling of a controlled substance:

(1) by a practitioner as an incident to the practitioner's administering or dispensing of a controlled substance in the course of the practitioner's professional practice; or

(2) by a practitioner, or by the practitioner's authorized agent under the practitioner's supervision, for the purpose of, or as an incident to, research, teaching, or chemical analysis and not for sale.

(x) "Marijuana" or "marihuana" means all parts of the plant *Cannabis*, whether growing or not, with a THC concentration greater than 0.3 percent on a dry weight basis; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin. The term does not include:

(1) The mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination; or

(2) Industrial hemp as defined in RCW 15.120.010.

(y) "Marijuana concentrates" means products consisting wholly or in part of the resin extracted from any part of the plant *Cannabis* and having a THC concentration greater than ten percent.

(z) "Marijuana processor" means a person licensed by the state liquor and cannabis board to process marijuana into marijuana concentrates, useable marijuana, and marijuana-infused products, package and label marijuana concentrates, useable marijuana, and marijuana-infused products for sale in retail outlets, and sell marijuana concentrates, useable marijuana, and marijuana-infused products at wholesale to marijuana retailers.

(aa) "Marijuana producer" means a person licensed by the state liquor and cannabis board to produce and sell marijuana at wholesale to marijuana processors and other marijuana producers.

(bb) "Marijuana products" means useable marijuana, marijuana concentrates, and marijuana-infused products as defined in this section.

(cc) "Marijuana researcher" means a person licensed by the state liquor and cannabis board to produce, process, and possess marijuana for the purposes of conducting research on marijuana and marijuana-derived drug products.

(dd) "Marijuana retailer" means a person licensed by the state liquor and cannabis board to sell marijuana concentrates, useable marijuana, and marijuana-infused products in a retail outlet.

(ee) "Marijuana-infused products" means products that contain marijuana or marijuana extracts, are intended for human use, are derived from marijuana as defined in subsection (x) of this section, and have a THC concentration no greater than ten percent. The term "marijuana-infused products" does not include either useable marijuana or marijuana concentrates.

(ff) "Narcotic drug" means any of the following, whether produced directly or indirectly by extraction from substances of vegetable origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis:

(1) Opium, opium derivative, and any derivative of opium or opium derivative, including their salts, isomers, and salts of isomers, whenever the existence of the salts, isomers, and salts of isomers is possible within the specific chemical designation. The term does not include the isoquinoline alkaloids of opium.

(2) Synthetic opiate and any derivative of synthetic opiate, including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, whenever the existence of the isomers, esters, ethers, and salts is possible within the specific chemical designation.

(3) Poppy straw and concentrate of poppy straw.

(4) Coca leaves, except coca leaves and extracts of coca leaves from which cocaine, ecgonine, and derivatives or ecgonine or their salts have been removed.

(5) Cocaine, or any salt, isomer, or salt of isomer thereof.

(6) Cocaine base.

(7) Ecgonine, or any derivative, salt, isomer, or salt of isomer thereof.

(8) Any compound, mixture, or preparation containing any quantity of any substance referred to in subparagraphs (1) through (7).

(gg) "Opiate" means any substance having an addiction-forming or addiction-sustaining liability similar to morphine or being capable of conversion into a drug having addiction-forming or addiction-sustaining liability. The term includes opium, substances derived from opium (opium derivatives), and synthetic opiates. The term does not include, unless specifically designated as controlled under RCW 69.50.201, the dextrorotatory isomer of 3-methoxy-n-methylmorphinan and its salts (dextromethorphan). The term includes the racemic and levorotatory forms of dextromethorphan.

(hh) "Opium poppy" means the plant of the species *Papaver somniferum* L., except its seeds.

(ii) "Person" means individual, corporation, business trust, estate, trust, partnership, association, joint venture, government, governmental subdivision or agency, or any other legal or commercial entity.

(jj) "Plant" has the meaning provided in RCW 69.51A.010.

(kk) "Poppy straw" means all parts, except the seeds, of the opium poppy, after mowing.

(ll) "Practitioner" means:

(1) A physician under chapter 18.71 RCW; a physician assistant under chapter 18.71A RCW; an osteopathic physician and surgeon under chapter 18.57 RCW; an osteopathic physician assistant under chapter 18.57A RCW who is licensed under RCW 18.57A.020 subject to any limitations in RCW 18.57A.040; an optometrist licensed under chapter 18.53 RCW who is certified by the optometry board under RCW 18.53.010 subject to any limitations in RCW 18.53.010; a dentist under chapter 18.32 RCW; a podiatric physician and surgeon under chapter 18.22 RCW; a veterinarian under chapter 18.92 RCW; a registered nurse, advanced registered nurse practitioner, or licensed practical nurse under chapter 18.79 RCW; a naturopathic physician under chapter 18.36A RCW who is licensed under RCW 18.36A.030 subject to any limitations in RCW 18.36A.040; a pharmacist under chapter 18.64 RCW or a scientific investigator under this chapter, licensed, registered or otherwise permitted insofar as is consistent with those licensing laws to distribute, dispense, conduct research with respect to or administer a controlled substance in the course of their professional practice or research in this state.

(2) A pharmacy, hospital or other institution licensed, registered, or otherwise permitted to distribute, dispense, conduct research with respect to or to administer a controlled substance in the course of professional practice or research in this state.

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(3) A physician licensed to practice medicine and surgery, a physician licensed to practice osteopathic medicine and surgery, a dentist licensed to practice dentistry, a podiatric physician and surgeon licensed to practice podiatric medicine and surgery, a licensed physician assistant or a licensed osteopathic physician assistant specifically approved to prescribe controlled substances by his or her state's medical quality assurance commission or equivalent and his or her supervising physician, an advanced registered nurse practitioner licensed to prescribe controlled substances, or a veterinarian licensed to practice veterinary medicine in any state of the United States.

(mm) "Prescription" means an order for controlled substances issued by a practitioner duly authorized by law or rule in the state of Washington to prescribe controlled substances within the scope of his or her professional practice for a legitimate medical purpose.

(nn) "Production" includes the manufacturing, planting, cultivating, growing, or harvesting of a controlled substance.

(oo) "Qualifying patient" has the meaning provided in RCW 69.51A.010.

(pp) "Recognition card" has the meaning provided in RCW 69.51A.010.

(qq) "Retail outlet" means a location licensed by the state liquor and cannabis board for the retail sale of marijuana concentrates, useable marijuana, and marijuana-infused products.

(rr) "Secretary" means the secretary of health or the secretary's designee.

(ss) "State," unless the context otherwise requires, means a state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, or a territory or insular possession subject to the jurisdiction of the United States.

(tt) "THC concentration" means percent of delta-9 tetrahydrocannabinol content per dry weight of any part of the plant *Cannabis*, or per volume or weight of marijuana product, or the combined percent of delta-9 tetrahydrocannabinol and tetrahydrocannabinolic acid in any part of the plant *Cannabis* regardless of moisture content.

(uu) "Ultimate user" means an individual who lawfully possesses a controlled substance for the individual's own use or for the use of a member of the individual's household or for administering to an animal owned by the individual or by a member of the individual's household.

(vv) "Useable marijuana" means dried marijuana flowers. The term "useable marijuana" does not include either marijuana-infused products or marijuana concentrates.

(ww) "Board" means the Washington state liquor and cannabis board.

NEW SECTION. Sec. 10. (1)(a) A legislative work group on cannabis enforcement and training processes and procedures is established, with members as provided in this subsection.

(i) The president of the senate shall appoint one member from each of the two largest caucuses of the senate.

(ii) The speaker of the house of representatives shall appoint one member from each of the two largest caucuses of the house of representatives.

(iii) The president of the senate and the speaker of the house of representatives jointly shall appoint members representing one representative from each of the trade associations representing licensed cannabis businesses and one representative of a labor union representing employees who are enforcement officers for the liquor and cannabis board.

(iv) The governor shall appoint one member representing the governor.

(v) The chair of the liquor and cannabis board shall appoint one member representing the board.

(b) The work group shall choose its cochairs from among its legislative membership. A legislator shall convene the initial meeting of the work group.

(2) The work group shall review the following issues:

(a) The use of anonymous complaints to initiate enforcement actions;

(b) The uniform qualifications and experience that should be established for enforcement officers;

(c) The training and guidelines given to enforcement officers;

(d) Whether the board should create an ombuds position where license holders may register concerns about the board's procedures, actions, or employees, without threat of retaliation; and

(e) Other such issues as identified by the cochairs of the work group.

(3) Staff support for the work group must be provided by the senate committee services and the house of representatives office of program research.

(4) Legislative members of the work group are reimbursed for travel expenses in accordance with RCW 44.04.120. Nonlegislative members are not entitled to be reimbursed for travel expenses if they are elected officials or are participating on behalf of an employer, governmental entity, or other organization. Any reimbursement for other nonlegislative members is subject to chapter 43.03 RCW.

(5) The expenses of the work group must be paid jointly by the senate and the house of representatives. Work group expenditures are subject to approval by the senate facilities and operations committee and the house of representatives executive rules committee, or their successor committees.

(6) The work group shall report its findings and recommendations to the appropriate committees of the legislature by December 15, 2019.

(7) This section expires December 31, 2019."

On page 1, line 2 of the title, after "licensees;" strike the remainder of the title and insert "amending RCW 69.50.342 and 69.50.331; reenacting and amending RCW 69.50.101; adding new sections to chapter 43.05 RCW; adding new sections to chapter 69.50 RCW; creating new sections; and providing an expiration date."

MOTION

Senator Saldaña moved that the following amendment no. 362 by Senator Saldaña be adopted:

On page 3, line 8, after "therein," strike "the state liquor and cannabis" and insert "((the state liquor and cannabis)) and except as provided in subsection (4) of this section, the"

On page 4, after line 39, insert the following:

"(4)(a) No rule may:

(i) Limit the number of marijuana retailer licenses that an individual retail licensee and other persons or entities with a financial or other ownership interest in the business operating under the license may hold in the aggregate, in a manner contrary to RCW 69.50.325(3);

(ii) Limit the number of marijuana producer or marijuana processor licenses that an individual marijuana producer or marijuana processor licensee and other persons or entities with a financial or other ownership interest in the business operating under the license may hold in the aggregate, in a manner contrary to RCW 69.50.325 (1) and (2); or

(iii) Require a person or interest holder to be a resident of this state or require a business or nonprofit entity to be formed under the laws of this state for the person or entity to qualify for a marijuana producer, marijuana processor, or marijuana retailer

license, if the person or entity has in effect a labor peace agreement covering each licensed establishment as provided in section 8 of this act.

(b) This subsection (4) does not limit the application of RCW 69.50.345(2)."

Beginning on page 8, line 36, after "(b)" strike all material through "section" on page 9, line 4 and insert "Except as provided in (c) of this subsection and in section 8 of this act, no license of any kind may be issued to:

(i) A person under the age of twenty-one years;

(ii) A person doing business as a sole proprietor who has not lawfully resided in the state for at least six months prior to applying to receive a license;

(iii) A ~~((partnership, employee cooperative, association, nonprofit corporation, or corporation))~~ business or nonprofit entity unless formed under the laws of this state((-)) and, except as provided in (d) of this subsection, unless all of the ((members thereof)) interest holders are qualified to obtain a license as provided in this section and have lawfully resided in the state for at least six months before applying to receive a license"

On page 9, after line 7, insert the following:

"(c) Pursuant to section 8 of this act, a person or business or nonprofit entity that does not meet the requirements of (b) of this subsection may be eligible for a marijuana license in certain circumstances.

(d)(i) For any marijuana license issued by the board, all natural persons holding an ownership interest of more than ten percent of the business or nonprofit entity licensed or proposed to be licensed must qualify for and be named on the license. If no natural person owns more than ten percent of the entity, the natural person with the largest ownership interest must qualify for and be named on the license. Officers and directors must possess the same qualifications as the licensee. Except as otherwise provided in this subsection, any natural person holding an ownership interest of ten percent or less of the entity is not required to qualify for or be named on the license. For licensees with labor peace agreements in effect as provided in section 8 of this act, a natural person who is not required to qualify for or be named on the license is not required to be a resident of Washington state. For licensees without labor peace agreements in effect, all natural persons who own any interest in the entity must be residents of this state and natural persons who own interests of more than ten percent of the entity must meet all other requirements and qualifications in this section and chapter.

(ii) The identification of any natural person holding an ownership interest of ten percent or less but more than one percent of the entity, who is not otherwise required to qualify for and be named on the license as provided in (d)(i) of this subsection, must be disclosed to the board."

On page 10, after line 10, insert the following:

"(f) In accordance with section 8 of this act, the board shall suspend, cancel, or revoke the license of an establishment for which the board determines there is no longer a labor peace agreement in effect and for which a labor peace agreement is required under section 8 of this act."

On page 13, beginning on line 5, after "premises." strike all material through "arrest." on line 17 and insert the following:

"(11) Nothing in this chapter prevents an interest in a business with a marijuana producer, processor, retailer, or transportation license from transferring, upon the death or incapacity of the owner, to an heir or assign of the owner in accordance with the uniform transfers to minors act, chapter 11.114 RCW, or otherwise, even if the heir or assign is under age twenty-one.

(12) For the purposes of this section:

(a) "Chronic illegal activity" means ((+)):

(i) A pervasive pattern of activity that threatens the public health, safety, and welfare of the city, town, or county including, but not limited to, open container violations, assaults, disturbances, disorderly conduct, or other criminal law violations, or as documented in crime statistics, police reports, emergency medical response data, calls for service, field data, or similar records of a law enforcement agency for the city, town, county, or any other municipal corporation or any state agency; or ((+))

(ii) An unreasonably high number of citations for violations of RCW 46.61.502 associated with the applicant's or licensee's operation of any licensed premises as indicated by the reported statements given to law enforcement upon arrest.

(b) "Entity" has the meaning provided in RCW 23.95.105.

(c) "Interest" has the meaning provided in RCW 23.95.105.

(d) "Interest holder" has the meaning provided in RCW 23.95.105.

NEW SECTION. Sec. 8. A new section is added to chapter 69.50 RCW to read as follows:

(1) In accordance with RCW 69.50.331, 69.50.325, and 69.50.342, a licensed marijuana producer, processor, or retailer or an applicant for such a license, shall submit to the board an attestation signed by a bona fide labor organization stating the licensee or applicant has entered into a labor peace agreement with the bona fide labor organization, if the licensee or applicant:

(a) Is not formed under the laws of this state or if not all interest holders who must qualify for the license have lawfully resided in the state for longer than six months before applying for the license, so long as sixty percent of the interest holders meet the residency requirements;

(b) Is an applicant for a marijuana retailer license who, if the license is issued, would hold more than a collective total of five marijuana retailer licenses but not more than a collective total of seven marijuana retailer licenses as provided in RCW 69.50.325(3); or

(c) Is an applicant for a marijuana producer or marijuana processor license who, if the license is issued, would collectively hold more marijuana producer or marijuana processor licenses than any limit established under board rules for marijuana producers or marijuana processors without labor peace agreements in effect, as provided in RCW 69.50.325 and 69.50.342(3).

(2) The board may issue a conditional license to an applicant who has not fully complied with this section, provided that compliance with this section is required for an applicant to receive final license approval, and an applicant must meet all other license requirements established in this chapter.

(3) For an applicant or licensee relying on the authorization in this section:

(a) The submission of the attestation and the maintenance of a labor peace agreement with a bona fide labor organization is an ongoing material condition of the establishment's license; and

(b) In accordance with RCW 69.50.331, the board shall suspend, cancel, or revoke the license of an establishment for which the board determines there is no longer a labor peace agreement in effect.

(4) The board may impose additional licensing fees to recover any additional costs incurred in investigating any nonresident required to be investigated under this section and RCW 69.50.331. If, after reasonable efforts, the board is unable to investigate any nonresident required to be investigated under this section and RCW 69.50.331, in accordance with the investigatory standards applicable to the investigation of a state resident, the board may deny a license or license renewal to an entity.

(5) Any business entity or nonprofit entity not formed under Washington state law must hold a certificate of registration under

chapter 23.95 RCW to be eligible for a marijuana license under this section.

Sec. 9. RCW 69.50.325 and 2018 c 132 s 3 are each amended to read as follows:

(1)(a) There shall be a marijuana producer's license regulated by the ((state liquor and cannabis)) board and subject to annual renewal. The licensee is authorized to produce: (a) Marijuana for sale at wholesale to marijuana processors and other marijuana producers; (b) immature plants or clones and seeds for sale to cooperatives as described under RCW 69.51A.250; and (c) immature plants or clones and seeds for sale to qualifying patients and designated providers as provided under RCW 69.51A.310. The production, possession, delivery, distribution, and sale of marijuana in accordance with the provisions of this chapter and the rules adopted to implement and enforce it, by a validly licensed marijuana producer, shall not be a criminal or civil offense under Washington state law. Every marijuana producer's license shall be issued in the name of the applicant, shall specify the location at which the marijuana producer intends to operate, which must be within the state of Washington, and the holder thereof shall not allow any other person to use the license. The application fee for a marijuana producer's license shall be two hundred fifty dollars. The annual fee for issuance and renewal of a marijuana producer's license shall be one thousand three hundred eighty-one dollars. A separate license shall be required for each location at which a marijuana producer intends to produce marijuana.

(b) In accordance with RCW 69.50.342(3) and section 8 of this act, if the board adopts rules limiting the collective number of marijuana producer or marijuana processor licenses that an individual marijuana producer or marijuana processor licensee and all other persons or entities with a financial or other ownership interest in the business operating under the license are limited, in the aggregate, to holding, then the board's rules must provide an exemption for individual marijuana producer or marijuana processor licensees that have in effect a labor peace agreement to allow these licensees to hold up to two more marijuana producer or processor licenses than would otherwise be allowed under rule.

(2) There shall be a marijuana processor's license to process, package, and label marijuana concentrates, useable marijuana, and marijuana-infused products for sale at wholesale to marijuana processors and marijuana retailers, regulated by the ((state liquor and cannabis)) board and subject to annual renewal. The processing, packaging, possession, delivery, distribution, and sale of marijuana, useable marijuana, marijuana-infused products, and marijuana concentrates in accordance with the provisions of this chapter and chapter 69.51A RCW and the rules adopted to implement and enforce these chapters, by a validly licensed marijuana processor, shall not be a criminal or civil offense under Washington state law. Every marijuana processor's license shall be issued in the name of the applicant, shall specify the location at which the licensee intends to operate, which must be within the state of Washington, and the holder thereof shall not allow any other person to use the license. The application fee for a marijuana processor's license shall be two hundred fifty dollars. The annual fee for issuance and renewal of a marijuana processor's license shall be one thousand three hundred eighty-one dollars. A separate license shall be required for each location at which a marijuana processor intends to process marijuana. Subsection (1)(b) of this section applies to marijuana processors.

(3)(a) There shall be a marijuana retailer's license to sell marijuana concentrates, useable marijuana, and marijuana-infused products at retail in retail outlets, regulated by the ((state liquor and cannabis)) board and subject to annual renewal. The

possession, delivery, distribution, and sale of marijuana concentrates, useable marijuana, and marijuana-infused products in accordance with the provisions of this chapter and the rules adopted to implement and enforce it, by a validly licensed marijuana retailer, shall not be a criminal or civil offense under Washington state law. Every marijuana retailer's license shall be issued in the name of the applicant, shall specify the location of the retail outlet the licensee intends to operate, which must be within the state of Washington, and the holder thereof shall not allow any other person to use the license. The application fee for a marijuana retailer's license shall be two hundred fifty dollars. The annual fee for issuance and renewal of a marijuana retailer's license shall be one thousand three hundred eighty-one dollars. A separate license shall be required for each location at which a marijuana retailer intends to sell marijuana concentrates, useable marijuana, and marijuana-infused products.

(b)(i) Except as provided in (b)(ii) of this subsection, an individual retail licensee and all other persons or entities with a financial or other ownership interest in the business operating under the license are limited, in the aggregate, to holding a collective total of not more than five retail marijuana licenses.

(ii) Not more than a collective total of seven marijuana retailer licenses may be held by an individual retail licensee and all other persons or entities with a financial or other ownership interest in the business operating under the license, if each marijuana retailer establishment is covered by a labor peace agreement as provided in section 8 of this act.

(c)(i) A marijuana retailer's license is subject to forfeiture in accordance with rules adopted by the ((state liquor and cannabis)) board pursuant to this section.

(ii) The ((state liquor and cannabis)) board shall adopt rules to establish a license forfeiture process for a licensed marijuana retailer that is not fully operational and open to the public within a specified period from the date of license issuance, as established by the ((state liquor and cannabis)) board, subject to the following restrictions:

(A) No marijuana retailer's license may be subject to forfeiture within the first nine months of license issuance; and

(B) The ((state liquor and cannabis)) board must require license forfeiture on or before twenty-four calendar months of license issuance if a marijuana retailer is not fully operational and open to the public, unless the board determines that circumstances out of the licensee's control are preventing the licensee from becoming fully operational and that, in the board's discretion, the circumstances warrant extending the forfeiture period beyond twenty-four calendar months.

(iii) The ((state liquor and cannabis)) board has discretion in adopting rules under this subsection (3)(c).

(iv) This subsection (3)(c) applies to marijuana retailer's licenses issued before and after July 23, 2017. However, no license of a marijuana retailer that otherwise meets the conditions for license forfeiture established pursuant to this subsection (3)(c) may be subject to forfeiture within the first nine calendar months of July 23, 2017.

(v) The ((state liquor and cannabis)) board may not require license forfeiture if the licensee has been incapable of opening a fully operational retail marijuana business due to actions by the city, town, or county with jurisdiction over the licensee that include any of the following:

(A) The adoption of a ban or moratorium that prohibits the opening of a retail marijuana business; or

(B) The adoption of an ordinance or regulation related to zoning, business licensing, land use, or other regulatory measure that has the effect of preventing a licensee from receiving an occupancy permit from the jurisdiction or which otherwise

prevents a licensed marijuana retailer from becoming operational."

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 21, after line 16, insert the following:

"(xx) "Labor peace agreement" means an agreement between an employer and a bona fide labor organization in which the employer agrees to remain neutral or otherwise agrees to work with or provide information to the bona fide labor organization for the purpose of unionizing employees.

NEW SECTION. Sec. 10. The liquor and cannabis board must collect demographic information on applicants for marijuana licenses, marijuana licensees, and interest holders in marijuana businesses including gender, race, ethnicity, and related geographic distribution and report the aggregate data to the relevant committees of the legislature by January 1, 2020.

NEW SECTION. Sec. 11. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

Renumber the remaining section consecutively and correct any internal references accordingly.

On page 22, beginning on line 30, after "69.50.342" strike "and 69.50.331" and insert ", 69.50.331, and 69.50.325"

Senator Saldaña spoke in favor of adoption of the amendment to the striking amendment.

POINT OF ORDER

Senator Ericksen: "Thank you Madam President. I believe that amendment no. 362 to the floor striker amendment no. 182 impermissibly expands the scope and object of the floor striker no. 182 in violation of Senate Rule 66.

President Pro Tempore Keiser: "Would you speak to your objection Senator Ericksen?"

Senator Ericksen: "Yes, thank you Madam President. The floor striker 182 makes a number of changes to the compliance authority of the Liquor & Cannabis Board. Those changes include items like penalties, violations of licensees, addressing the evidentiary standard when reviewing alleged violations, and creates a legislative workgroup on cannabis enforcement and training processes and procedures. There is nothing in the floor striker that deals with labor peace agreements. Amendment 362 defines labor peace agreements and allows licensees having labor peace agreements in place, special treatment with regard to having additional licenses, allowing them to receive out of state investment in their businesses. Forcing unionization within a bill about the Liquor & Cannabis Board compliance is grossly misplaced within the floor striker or any version of the underlying bill. I would submit to you, Madam President, that amendment 362 is really about giving licensees having labor peace agreements different treatment than other licensees. It certainly doesn't deal with compliance, penalties or violations of the underlying bill. This is simply not the proper vehicle for such a goal, and I ask that you rule this amendment outside the scope of the bill."

President Pro Tempore Keiser: "Senator Liias."

Senator Liias: "Thank you Madam President. If I can speak in opposition to Senator Ericksen's motion.

President Pro Tempore Keiser: "Proceed."

Senator Liias "Thank you Madam President. When we look to the scope and object of the bill, and you can see in the striking amendment for example, an intent section that describes what the purpose of the striking amendment is. It talks to a broad set of regulatory frameworks that are intended to create a safe and effective cannabis industry in Washington. I think that when you look at that broad scope of the bill which is intended to create a safe regulatory environment, clearly talking about the workers that work in these companies. And some of the other issues that are covered in the striking amendment or the amendment that is being offered clearly fall within that broad scope. It is clear that the author of the striking amendment, the authors of the underlying bill intended this bill to broadly speak to the issues facing regulated marijuana in Washington and the amendment appropriately falls within that scope and object of the underlying bill and the striking amendment."

President Pro Tempore Keiser: "The President will take some time to consider the arguments before us."

MOTION

On motion of Senator Liias, further consideration of Substitute Senate Bill No. 5318 was deferred and the bill held its place on the second reading calendar.

MOTION

At 6:12 p.m., on motion of Senator Liias, the Senate was declared to be at ease subject to the call of the President for the purposes of granting the President Pro Tempore time to consider her ruling, caucuses and dinner.

Senator McCoy announced a meeting of the Democratic Caucus immediately upon going at ease.

Senator Becker announced a meeting of the Republican Caucus immediately upon going at ease.

EVENING SESSION

The Senate was called to order at 8:08 p.m. by President Pro Tempore Keiser.

The Senate resumed consideration of Substitute Senate Bill No. 5318 which had been deferred earlier in the day.

RULING BY THE PRESIDENT PRO TEMPORE

President Pro Tempore Keiser: "On the question raised by Senator Ericksen regarding the scope and object challenge to amendment no. 362 to Substitute Senate Bill No. 5318 the President finds and rules as follows: Substitute Senate Bill No. 5318 makes a series of changes in the compliance authority of the Liquor & Cannabis Board. These changes include penalties, violations of licensees, addressing the evidentiary standard when reviewing alleged violations and creates a legislative workgroup on cannabis enforcement, training processes and procedures. In addition to the provisions related to labor peace agreements raised by Senator Ericksen in his comments, amendment no. 362 adds a number of provisions changing the ability of businesses and entities to obtain a marijuana license, sets license limits, and authorizes the Liquor & Cannabis Board to impose additional

licensing fees. None of these provisions address compliance, penalties or violations as in the substitute senate bill. For that reason, Senator Ericksen’s point of order is well taken.”

MOTION

Senator Padden moved that the following amendment no. 190 by Senator Padden be adopted:

Beginning on page 7, line 34, strike all of section 7 and insert the following:

"Sec. 7. RCW 69.50.331 and 2017 c 317 s 2 are each amended to read as follows:

(1) For the purpose of considering any application for a license to produce, process, research, transport, or deliver marijuana, useable marijuana, marijuana concentrates, or marijuana-infused products subject to the regulations established under RCW 69.50.385, or sell marijuana, or for the renewal of a license to produce, process, research, transport, or deliver marijuana, useable marijuana, marijuana concentrates, or marijuana-infused products subject to the regulations established under RCW 69.50.385, or sell marijuana, the ~~((state liquor and cannabis))~~ board must conduct a comprehensive, fair, and impartial evaluation of the applications timely received.

(a) The ~~((state liquor and cannabis))~~ board may cause an inspection of the premises to be made, and may inquire into all matters in connection with the construction and operation of the premises. For the purpose of reviewing any application for a license and for considering the denial, suspension, revocation, cancellation, or renewal or denial thereof, of any license, the ~~((state liquor and cannabis))~~ board may consider any prior administrative violation history record with the board or prior criminal ~~((conduct))~~ arrests or convictions of the applicant ~~((including an administrative violation history record with the state liquor and cannabis board))~~ and a criminal history record information check. The ~~((state liquor and cannabis))~~ board may submit the criminal history record information check to the Washington state patrol and to the identification division of the federal bureau of investigation in order that these agencies may search their records for prior arrests and convictions of the individual or individuals who filled out the forms. The ~~((state liquor and cannabis))~~ board must require fingerprinting of any applicant whose criminal history record information check is submitted to the federal bureau of investigation. The provisions of RCW 9.95.240 and of chapter 9.96A RCW do not apply to these cases. Subject to the provisions of this section, the ~~((state liquor and cannabis))~~ board may, in its discretion, grant or deny the renewal or license applied for. Denial may be based on, without limitation, the existence of chronic illegal activity documented in objections submitted pursuant to subsections (7)(c) and (10) of this section. Authority to approve an uncontested or unopposed license may be granted by the ~~((state liquor and cannabis))~~ board to any staff member the board designates in writing. Conditions for granting this authority must be adopted by rule.

(b) No license of any kind may be issued to:

(i) A person under the age of twenty-one years;

(ii) A person doing business as a sole proprietor who has not lawfully resided in the state for at least six months prior to applying to receive a license;

(iii) A partnership, employee cooperative, association, nonprofit corporation, or corporation unless formed under the laws of this state, and unless all of the members thereof are qualified to obtain a license as provided in this section; or

(iv) A person whose place of business is conducted by a manager or agent, unless the manager or agent possesses the same qualifications required of the licensee.

(2)(a) The ~~((state liquor and cannabis))~~ board may, in its discretion, subject to ~~((the provisions of))~~ sections 2 and 3 of this act, RCW 69.50.334, and 69.50.342(3) suspend or cancel any license; and all protections of the licensee from criminal or civil sanctions under state law for producing, processing, researching, or selling marijuana, marijuana concentrates, useable marijuana, or marijuana-infused products thereunder must be suspended or terminated, as the case may be.

(b) The ~~((state liquor and cannabis))~~ board must immediately suspend the license of a person who has been certified pursuant to RCW 74.20A.320 by the department of social and health services as a person who is not in compliance with a support order. If the person has continued to meet all other requirements for reinstatement during the suspension, reissuance of the license is automatic upon the ~~((state liquor and cannabis))~~ board's receipt of a release issued by the department of social and health services stating that the licensee is in compliance with the order.

(c) The ~~((state liquor and cannabis))~~ board may request the appointment of administrative law judges under chapter 34.12 RCW who shall have power to administer oaths, issue subpoenas for the attendance of witnesses and the production of papers, books, accounts, documents, and testimony, examine witnesses, ~~((and to))~~ receive testimony in any inquiry, investigation, hearing, or proceeding in any part of the state, and consider mitigating and aggravating circumstances in any case and deviate from any prescribed penalty, under rules ~~((and regulations))~~ the ~~((state liquor and cannabis))~~ board may adopt.

(d) Witnesses must be allowed fees and mileage each way to and from any inquiry, investigation, hearing, or proceeding at the rate authorized by RCW 34.05.446. Fees need not be paid in advance of appearance of witnesses to testify or to produce books, records, or other legal evidence.

(e) In case of disobedience of any person to comply with the order of the ~~((state liquor and cannabis))~~ board or a subpoena issued by the ~~((state liquor and cannabis))~~ board, or any of its members, or administrative law judges, or on the refusal of a witness to testify to any matter regarding which he or she may be lawfully interrogated, the judge of the superior court of the county in which the person resides, on application of any member of the board or administrative law judge, compels obedience by contempt proceedings, as in the case of disobedience of the requirements of a subpoena issued from said court or a refusal to testify therein.

(3) Upon receipt of notice of the suspension or cancellation of a license, the licensee must forthwith deliver up the license to the ~~((state liquor and cannabis))~~ board. Where the license has been suspended only, the ~~((state liquor and cannabis))~~ board must return the license to the licensee at the expiration or termination of the period of suspension. The ~~((state liquor and cannabis))~~ board must notify all other licensees in the county where the subject licensee has its premises of the suspension or cancellation of the license; and no other licensee or employee of another licensee may allow or cause any marijuana, marijuana concentrates, useable marijuana, or marijuana-infused products to be delivered to or for any person at the premises of the subject licensee.

(4) Every license issued under this chapter is subject to all conditions and restrictions imposed by this chapter or by rules adopted by the ~~((state liquor and cannabis))~~ board to implement and enforce this chapter. All conditions and restrictions imposed by the ~~((state liquor and cannabis))~~ board in the issuance of an

individual license must be listed on the face of the individual license along with the trade name, address, and expiration date.

(5) Every licensee must post and keep posted its license, or licenses, in a conspicuous place on the premises.

(6) No licensee may employ any person under the age of twenty-one years.

(7)(a) Before the ~~((state liquor and cannabis))~~ board issues a new or renewed license to an applicant or authorizes a licensee's application for a change of location, it must give notice of the application to the chief executive officer of the incorporated city or town, if the application is for a license within an incorporated city or town, or to the county legislative authority, if the application is for a license outside the boundaries of incorporated cities or towns, or to the tribal government if the application is for a license within Indian country, or to the port authority if the application for a license is located on property owned by a port authority.

(b) The incorporated city or town through the official or employee selected by it, the county legislative authority or the official or employee selected by it, the tribal government, or port authority has the right to file with the ~~((state liquor and cannabis))~~ board within twenty days after the date of transmittal of the notice for original license applications, or at least thirty days prior to the expiration date for renewals, or forty-five days from the notice of an application for a change of location, written objections against the applicant or against the premises for which the new or renewed license, or application for a change of location, is asked. The ~~((state liquor and cannabis))~~ board may extend the time period for submitting written objections upon request from the authority notified by the ~~((state liquor and cannabis))~~ board.

(c)(i) The written objections must include a statement of all facts upon which the objections are based, and in case written objections are filed, the city or town or county legislative authority may request, and the ~~((state liquor and cannabis))~~ board ~~((may in its discretion))~~ must hold, a hearing subject to the applicable provisions of Title 34 RCW.

(ii) If the ~~((state liquor and cannabis))~~ board makes an initial decision to deny a license ~~((or))~~, renewal, or change of location based on the written objections of an incorporated city or town or county legislative authority, the applicant or licensee may request a hearing subject to the applicable provisions of Title 34 RCW. If a hearing is held at the request of the applicant or licensee, ~~((state liquor and cannabis))~~ the objecting local government may appear and present their objections, and the board representatives must present and defend the ~~((state liquor and cannabis))~~ board's initial decision to deny a license ~~((or))~~, renewal, or application for a change of location.

(d) Upon the granting of a license under this title the ~~((state liquor and cannabis))~~ board must send written notification to the chief executive officer of the incorporated city or town in which the license is granted, or to the county legislative authority if the license is granted outside the boundaries of incorporated cities or towns.

(8)(a) Except as provided in (b) through (d) of this subsection, the ~~((state liquor and cannabis))~~ board may not issue a license for any premises within one thousand feet of the perimeter of the grounds of any elementary or secondary school, playground, recreation center or facility, child care center, public park, public transit center, or library, or any game arcade admission to which is not restricted to persons aged twenty-one years or older.

(b) A city, county, or town may permit the licensing of premises within one thousand feet but not less than one hundred feet of the facilities described in (a) of this subsection, except elementary schools, secondary schools, and playgrounds, by enacting an ordinance authorizing such distance reduction, provided that such distance reduction will not negatively impact

the jurisdiction's civil regulatory enforcement, criminal law enforcement interests, public safety, or public health.

(c) A city, county, or town may permit the licensing of research premises allowed under RCW 69.50.372 within one thousand feet but not less than one hundred feet of the facilities described in (a) of this subsection by enacting an ordinance authorizing such distance reduction, provided that the ordinance will not negatively impact the jurisdiction's civil regulatory enforcement, criminal law enforcement, public safety, or public health.

(d) The ~~((state liquor and cannabis))~~ board may license premises located in compliance with the distance requirements set in an ordinance adopted under (b) or (c) of this subsection. Before issuing or renewing a research license for premises within one thousand feet but not less than one hundred feet of an elementary school, secondary school, or playground in compliance with an ordinance passed pursuant to (c) of this subsection, the board must ensure that the facility:

(i) Meets a security standard exceeding that which applies to marijuana producer, processor, or retailer licensees;

(ii) Is inaccessible to the public and no part of the operation of the facility is in view of the general public; and

(iii) Bears no advertising or signage indicating that it is a marijuana research facility.

(e) The ~~((state liquor and cannabis))~~ board may not issue a license for any premises within Indian country, as defined in 18 U.S.C. Sec. 1151, including any fee patent lands within the exterior boundaries of a reservation, without the consent of the federally recognized tribe associated with the reservation or Indian country.

(9) A city, town, or county may adopt an ordinance prohibiting a marijuana producer or marijuana processor from operating or locating a business within areas zoned primarily for residential use or rural use with a minimum lot size of five acres or smaller.

(10) In determining whether to grant or deny a license or renewal of any license, or deny an application for a change in location, the ~~((state liquor and cannabis))~~ board must give substantial weight to objections from an incorporated city or town or county legislative authority based upon:

(a) The number of existing license retail outlets within five miles of the proposed location;

(b) Chronic illegal activity associated with the applicant's operations of the premises proposed to be licensed or the applicant's operation of any other licensed premises, or the conduct of the applicant's patrons inside or outside the licensed premises; and

(c) Concerns expressed by law enforcement about the potential sale of products that could be transported out-of-state.

(11) For the purposes of subsection (10) of this section, "chronic illegal activity" means (a) a ~~((pervasive))~~ pattern of activity that threatens the public health, safety, and welfare of the city, town, or county including, but not limited to, diversion of marijuana or marijuana products out of the state, open container violations, assaults, disturbances, disorderly conduct, or other criminal law violations, or as documented in crime statistics, police reports, emergency medical response data, calls for service, field data, or similar records of a law enforcement agency for the city, town, county, or any other municipal corporation or any state agency or any law enforcement agency of another state; or (b) an unreasonably high number of citations for violations of RCW 46.61.502, 46.61.504, or 46.61.5249 associated with the applicant's or licensee's operation of any licensed premises as indicated by the reported statements given to law enforcement upon arrest.

Sec. 8. RCW 69.50.580 and 2015 2nd sp.s. c 4 s 801 are each amended to read as follows:

(1) Applicants for a marijuana producer's, marijuana processor's, marijuana researcher's or marijuana retailer's license and licensees who apply for a change of location under this chapter must display a sign provided by the state liquor and cannabis board on the outside of the premises to be licensed notifying the public that the premises are subject to an application for such license. The sign must:

(a) Contain text with content sufficient to notify the public of the nature of the pending license application, the date of the application, the name of the applicant, and contact information for the state liquor and cannabis board;

(b) Be conspicuously displayed on, or immediately adjacent to, the premises subject to the application and in the location that is most likely to be seen by the public;

(c) Be of a size sufficient to ensure that it will be readily seen by the public; and

(d) Be posted within seven business days of the submission of the application to the state liquor and cannabis board.

(2) The state liquor and cannabis board must adopt such rules as are necessary for the implementation of this section, including rules pertaining to the size of the sign and the text thereon, the textual content of the sign, the fee for providing the sign, and any other requirements necessary to ensure that the sign provides adequate notice to the public.

(3)(a) A city, town, or county may adopt an ordinance requiring individual notice by an applicant for a marijuana producer's, marijuana processor's, marijuana researcher's, or marijuana retailer's license under this chapter, sixty days prior to issuance of the license, to any elementary or secondary school, playground, recreation center or facility, child care center, church, public park, public transit center, library, licensed business, or any game arcade admission to which is not restricted to persons aged twenty-one years or older, that is within one thousand feet of the perimeter of the grounds of the establishment seeking licensure. The ordinance may also require notice be given to any residents who reside within one thousand feet of the proposed establishment. The notice must provide the contact information for the liquor and cannabis board where any of the objecting residents or owners or operators of these entities may submit comments or concerns about the proposed business location.

(b)(i) The board must consider the objections from the residents or owners or operators of the entities listed in (a) of this subsection based upon the factors specified in RCW 69.50.331(10), associated with the applicant's operations of the premises proposed to be licensed or the applicant's operation of any other licensed premises, or the conduct of the applicant's patrons inside or outside the licensed premises.

(ii) The written objections must include a statement of all facts upon which the objections are based. If written objections are filed, the objecting residents or owners or operators of the entities may request, and the board must hold, a hearing subject to the applicable provisions of Title 34 RCW.

(iii) If the board makes an initial decision to deny a license, renewal, or change of location based on the written objections of an objecting resident or entity, the applicant or licensee may request a hearing subject to the applicable provisions of Title 34 RCW. If a hearing is held at the request of the applicant, the objecting residents or owners or operators may appear and present their objections, and the board representatives must present and defend the board's initial decision to deny a license or renewal or an application for a change of location.

(c) For the purposes of this subsection, "church" means a building erected for and used exclusively for religious worship and schooling or other activity in connection therewith."

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 14, after line 15, insert the following:

"NEW SECTION. Sec. 9. A new section is added to chapter 69.50 RCW to read as follows:

Within existing resources, the board must assist any in-state or out-of-state law enforcement agency with concerns over the in-state purchase of licensed marijuana products for use or resale outside of this state."

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 2, beginning on line 30, after "69.50.342" strike "and 69.50.331" and insert ", 69.50.331, and 69.50.580"

Senator Padden spoke in favor of adoption of the amendment to the striking amendment.

POINT OF ORDER

Senator Liias: "Thank you Madam President. In light of the ruling you made on the previous amendment, I wanted to ask whether this is within the scope and object of the bill? It appears that it adds additional statutory requirements for folks to transfer their licenses which sort of, listening to the logic on the previous one, strikes me as being outside the scope and object of the bill, as you outlined it."

President Pro Tempore Keiser: "On the point of order raised by Senator Liias regarding scope and object challenging amendment no. 190 to Substitute Senate Bill No. 5318 the President finds and rules as follows...Senator Padden?"

PARLIAMENTARY INQUIRY

Senator Padden: "Isn't it the usual procedure to let each side speak and try to convince you? Is there still a chance you could be convinced?" [Laughter]

President Pro Tempore Keiser: "Senator Padden I think that is less of a chance but you have..."

Senator Padden: "You are a fair and open-minded person so ..."

President Pro Tempore Keiser: "Senator Padden is no longer speaking on the amendment. I am going to rule on the scope and object objection. Senator Liias did not speak. If you insist on you speaking further, then Senator Liias shall speak too."

PARLIAMENTARY INQUIRY

Senator Padden: "I don't mean to be argumentative but I thought Senator Liias did speak and give an argument as to why it was outside of scope and object and I was just trying to briefly reply but I will accept your ruling. Thank you."

RULING BY THE PRESIDENT PRO TEMPORE

President Pro Tempore Keiser: "On the motion by Senator Liias the President rules and finds that the amendment before us has additional statutory requirements for licensees who apply to move the locations of their business. These provisions are not addressed in Substitute Senate Bill No. 5318 which applies to compliance, penalties and violations. For that reason, Senator Liias' point of order is well taken."

MOTION

Senator Walsh moved that the following amendment no. 212 by Senator Walsh be adopted:

On page 14, after line 15, insert the following:

"**Sec. 9.** RCW 69.50.4013 and 2017 c 317 s 15 are each amended to read as follows:

(1) It is unlawful for any person to possess a controlled substance unless the substance was obtained directly from, or pursuant to, a valid prescription or order of a practitioner while acting in the course of his or her professional practice, or except as otherwise authorized by this chapter.

(2) Except as provided in RCW 69.50.4014, any person who violates this section is guilty of a class C felony punishable under chapter 9A.20 RCW.

(3)(a) The possession, by a person twenty-one years of age or older, of useable marijuana, marijuana concentrates, or marijuana-infused products in amounts that do not exceed those set forth in RCW 69.50.360(3) is not a violation of this section, this chapter, or any other provision of Washington state law.

(b) The possession of marijuana, useable marijuana, marijuana concentrates, and marijuana-infused products being physically transported or delivered within the state, in amounts not exceeding those that may be established under RCW 69.50.385(3), by a licensed employee of a common carrier when performing the duties authorized in accordance with RCW 69.50.382 and 69.50.385, is not a violation of this section, this chapter, or any other provision of Washington state law.

(4)(a) The delivery by a person twenty-one years of age or older to one or more persons twenty-one years of age or older, during a single twenty-four hour period, for noncommercial purposes and not conditioned upon or done in connection with the provision or receipt of financial consideration, of any of the following marijuana products, is not a violation of this section, this chapter, or any other provisions of Washington state law:

- (i) One-half ounce of useable marijuana;
- (ii) Eight ounces of marijuana-infused product in solid form;
- (iii) Thirty-six ounces of marijuana-infused product in liquid form; or
- (iv) Three and one-half grams of marijuana concentrates.

(b) The act of delivering marijuana or a marijuana product as authorized under this subsection (4) must meet one of the following requirements:

(i) The delivery must be done in a location outside of the view of general public and in a nonpublic place; or

(ii) The marijuana or marijuana product must be in the original packaging as purchased from the marijuana retailer.

(5) No person under twenty-one years of age may possess, manufacture, sell, or distribute marijuana, marijuana-infused products, or marijuana concentrates, regardless of THC concentration. This does not include qualifying patients with a valid authorization.

(6) The possession by a qualifying patient or designated provider of marijuana concentrates, useable marijuana, marijuana-infused products, or plants in accordance with chapter 69.51A RCW is not a violation of this section, this chapter, or any other provision of Washington state law.

(7)(a) It is not a violation of this section, this chapter, or any other provision of Washington state law for a person twenty-one years of age or older to produce or possess no more than six plants on the premises of the housing unit occupied by the person, provided the person complies with the requirements of this subsection.

(b) It is not a violation of this section, this chapter, or any other provision of Washington state law for a person twenty-one years

of age or older to produce or possess marijuana, including all stalks and roots, produced from no more than six plants grown by the person on the premises of the housing unit occupied by the person, subject to the limitations provided in (c) of this subsection, if the person complies with the requirements of this subsection.

(c) The quantity of marijuana and marijuana products a person may produce or possess under this subsection is subject to the following limits:

(i) A person may possess useable marijuana in an amount not to exceed what is produced by the person's plants in addition to useable marijuana obtained in the manner and according to the limits specified in RCW 69.50.360(3). However, a person may not possess marijuana capable of being processed into useable marijuana, marijuana-infused products, or marijuana concentrates, unless the person possesses fewer than sixteen ounces of useable marijuana, irrespective of source;

(ii) A person may not produce or possess a total of more than sixteen ounces of marijuana-infused products in solid form, irrespective of source;

(iii) A person may not produce or possess a total of more than seventy-two ounces of marijuana-infused products in liquid form, irrespective of source; and

(iv) A person may not produce or possess a total of more than seven grams of marijuana concentrates, irrespective of source.

(d) No more than fifteen plants may be grown at any one time on the premises of a single housing unit, regardless of the number of residents living on the premises of the housing unit.

(e) All plants grown under this subsection must be clearly marked with the name, residential address, and date of birth of the person growing the plants, and the date on which the plants were planted.

(f) All marijuana capable of being processed into useable marijuana, marijuana-infused products, or marijuana concentrate must be clearly marked with the name, date of birth, and residential address of the person who grew the plants from which the marijuana is derived, the date on which the plants were planted, and the date on which the plants were harvested.

(g) All containers containing more than one ounce of useable marijuana must be clearly marked with the name, date of birth, residential address of the person who grew the plants from which the useable marijuana is derived, the date on which the plants were planted, and the date on which the plants were harvested. Any containers containing one ounce or less of useable marijuana are not required to be labeled.

(h) Any extraction or separation of resin from marijuana and any production or processing of any form of marijuana concentrates or marijuana-infused products must be performed in accordance with rules adopted under RCW 69.51A.270.

(i) This subsection (7) does not apply to plants or useable marijuana possessed or delivered other than on the premises of the housing unit at which the plants were grown.

(j) Nothing in this subsection (7) prevents or restricts a property owner from prohibiting the cultivation of plants by a renter or lessee upon or within the property under the terms of a rental agreement, lease, or other contract.

(k) The production, possession, delivery, and acquisition of plants or marijuana capable of being processed into useable marijuana, marijuana-infused products, or marijuana concentrate, and useable marijuana under this subsection (7) may not form the basis of a seizure or forfeiture action pursuant to RCW 69.50.505.

(l) A person twenty-one years of age or older who possesses marijuana in compliance with this subsection (7) is considered an ultimate user who may not sell marijuana, useable marijuana, marijuana concentrate, or marijuana-infused products produced from the person's plants, and is not required to obtain a

registration under RCW 69.50.302 or a license under RCW 69.50.325.

(m) For purposes of this subsection (7), "housing unit" has the meaning provided in RCW 69.51A.010.

Sec. 10. RCW 69.50.505 and 2013 c 3 s 25 are each amended to read as follows:

(1) The following are subject to seizure and forfeiture and no property right exists in them:

(a) All controlled substances which have been manufactured, distributed, dispensed, acquired, or possessed in violation of this chapter or chapter 69.41 or 69.52 RCW, and all hazardous chemicals, as defined in RCW 64.44.010, used or intended to be used in the manufacture of controlled substances;

(b) All raw materials, products, and equipment of any kind which are used, or intended for use, in manufacturing, compounding, processing, delivering, importing, or exporting any controlled substance in violation of this chapter or chapter 69.41 or 69.52 RCW;

(c) All property which is used, or intended for use, as a container for property described in (a) or (b) of this subsection;

(d) All conveyances, including aircraft, vehicles, or vessels, which are used, or intended for use, in any manner to facilitate the sale, delivery, or receipt of property described in (a) or (b) of this subsection, except that:

(i) No conveyance used by any person as a common carrier in the transaction of business as a common carrier is subject to forfeiture under this section unless it appears that the owner or other person in charge of the conveyance is a consenting party or privy to a violation of this chapter or chapter 69.41 or 69.52 RCW;

(ii) No conveyance is subject to forfeiture under this section by reason of any act or omission established by the owner thereof to have been committed or omitted without the owner's knowledge or consent;

(iii) No conveyance is subject to forfeiture under this section if used in the receipt of only an amount of marijuana for which possession constitutes a misdemeanor under RCW 69.50.4014;

(iv) A forfeiture of a conveyance encumbered by a bona fide security interest is subject to the interest of the secured party if the secured party neither had knowledge of nor consented to the act or omission; and

(v) When the owner of a conveyance has been arrested under this chapter or chapter 69.41 or 69.52 RCW the conveyance in which the person is arrested may not be subject to forfeiture unless it is seized or process is issued for its seizure within ten days of the owner's arrest;

(e) All books, records, and research products and materials, including formulas, microfilm, tapes, and data which are used, or intended for use, in violation of this chapter or chapter 69.41 or 69.52 RCW;

(f) All drug paraphernalia~~(2+)~~ other than paraphernalia possessed, sold, or used solely to facilitate marijuana-related activities that are not violations of this chapter;

(g) All moneys, negotiable instruments, securities, or other tangible or intangible property of value furnished or intended to be furnished by any person in exchange for a controlled substance in violation of this chapter or chapter 69.41 or 69.52 RCW, all tangible or intangible personal property, proceeds, or assets acquired in whole or in part with proceeds traceable to an exchange or series of exchanges in violation of this chapter or chapter 69.41 or 69.52 RCW, and all moneys, negotiable instruments, and securities used or intended to be used to facilitate any violation of this chapter or chapter 69.41 or 69.52 RCW. A forfeiture of money, negotiable instruments, securities, or other tangible or intangible property encumbered by a bona fide

security interest is subject to the interest of the secured party if, at the time the security interest was created, the secured party neither had knowledge of nor consented to the act or omission. No personal property may be forfeited under this subsection (1)(g), to the extent of the interest of an owner, by reason of any act or omission which that owner establishes was committed or omitted without the owner's knowledge or consent; and

(h) All real property, including any right, title, and interest in the whole of any lot or tract of land, and any appurtenances or improvements which are being used with the knowledge of the owner for the manufacturing, compounding, processing, delivery, importing, or exporting of any controlled substance, or which have been acquired in whole or in part with proceeds traceable to an exchange or series of exchanges in violation of this chapter or chapter 69.41 or 69.52 RCW, if such activity is not less than a class C felony and a substantial nexus exists between the commercial production or sale of the controlled substance and the real property. However:

(i) No property may be forfeited pursuant to this subsection (1)(h), to the extent of the interest of an owner, by reason of any act or omission committed or omitted without the owner's knowledge or consent;

(ii) The bona fide gift of a controlled substance, legend drug, or imitation controlled substance shall not result in the forfeiture of real property;

(iii) The acquisition, delivery, production, or possession of marijuana, useable marijuana, marijuana concentrates, or marijuana-infused products, including in the manner and in the amount provided in RCW 69.50.4013(7), shall not result in the forfeiture of real property unless the marijuana is possessed for commercial purposes that are unlawful under Washington state law, the amount possessed is five or more plants or one pound or more of marijuana except as provided in RCW 69.50.4013, and a substantial nexus exists between the possession of marijuana and the real property. In such a case, the intent of the offender shall be determined by the preponderance of the evidence, including the offender's prior criminal history, the amount of marijuana possessed by the offender, the sophistication of the activity or equipment used by the offender, whether the offender was licensed to produce, process, or sell marijuana, or was an employee of a licensed producer, processor, or retailer, and other evidence which demonstrates the offender's intent to engage in unlawful commercial activity;

(iv) The unlawful sale of marijuana or a legend drug shall not result in the forfeiture of real property unless the sale was forty grams or more in the case of marijuana or one hundred dollars or more in the case of a legend drug, and a substantial nexus exists between the unlawful sale and the real property; and

(v) A forfeiture of real property encumbered by a bona fide security interest is subject to the interest of the secured party if the secured party, at the time the security interest was created, neither had knowledge of nor consented to the act or omission.

(2) Real or personal property subject to forfeiture under this chapter may be seized by any ~~(board)~~ commission inspector or law enforcement officer of this state upon process issued by any superior court having jurisdiction over the property. Seizure of real property shall include the filing of a lis pendens by the seizing agency. Real property seized under this section shall not be transferred or otherwise conveyed until ninety days after seizure or until a judgment of forfeiture is entered, whichever is later(~~= PROVIDED, That~~). However, real property seized under this section may be transferred or conveyed to any person or entity who acquires title by foreclosure or deed in lieu of foreclosure of a security interest. Seizure of personal property without process may be made if:

(a) The seizure is incident to an arrest or a search under a search warrant or an inspection under an administrative inspection warrant;

(b) The property subject to seizure has been the subject of a prior judgment in favor of the state in a criminal injunction or forfeiture proceeding based upon this chapter;

(c) A ~~((board))~~ commission inspector or law enforcement officer has probable cause to believe that the property is directly or indirectly dangerous to health or safety; or

(d) The ~~((board))~~ commission inspector or law enforcement officer has probable cause to believe that the property was used or is intended to be used in violation of this chapter.

(3) In the event of seizure pursuant to subsection (2) of this section, proceedings for forfeiture shall be deemed commenced by the seizure. The law enforcement agency under whose authority the seizure was made shall cause notice to be served within fifteen days following the seizure on the owner of the property seized and the person in charge thereof and any person having any known right or interest therein, including any community property interest, of the seizure and intended forfeiture of the seized property. Service of notice of seizure of real property shall be made according to the rules of civil procedure. However, the state may not obtain a default judgment with respect to real property against a party who is served by substituted service absent an affidavit stating that a good faith effort has been made to ascertain if the defaulted party is incarcerated within the state, and that there is no present basis to believe that the party is incarcerated within the state. Notice of seizure in the case of property subject to a security interest that has been perfected by filing a financing statement in accordance with chapter 62A.9A RCW, or a certificate of title, shall be made by service upon the secured party or the secured party's assignee at the address shown on the financing statement or the certificate of title. The notice of seizure in other cases may be served by any method authorized by law or court rule including but not limited to service by certified mail with return receipt requested. Service by mail shall be deemed complete upon mailing within the fifteen day period following the seizure.

(4) If no person notifies the seizing law enforcement agency in writing of the person's claim of ownership or right to possession of items specified in subsection (1)(d), (g), or (h) of this section within forty-five days of the service of notice from the seizing agency in the case of personal property and ninety days in the case of real property, the item seized shall be deemed forfeited. The community property interest in real property of a person whose spouse or domestic partner committed a violation giving rise to seizure of the real property may not be forfeited if the person did not participate in the violation.

(5) If any person notifies the seizing law enforcement agency in writing of the person's claim of ownership or right to possession of items specified in subsection (1)(b), (c), (d), (e), (f), (g), or (h) of this section within forty-five days of the service of notice from the seizing agency in the case of personal property and ninety days in the case of real property, the person or persons shall be afforded a reasonable opportunity to be heard as to the claim or right. The notice of claim may be served by any method authorized by law or court rule including, but not limited to, service by first-class mail. Service by mail shall be deemed complete upon mailing within the forty-five day period following service of the notice of seizure in the case of personal property and within the ninety-day period following service of the notice of seizure in the case of real property. The hearing shall be before the chief law enforcement officer of the seizing agency or the chief law enforcement officer's designee, except where the seizing agency is a state agency as defined in RCW 34.12.020(4), the hearing shall be before the chief law enforcement officer of

the seizing agency or an administrative law judge appointed under chapter 34.12 RCW, except that any person asserting a claim or right may remove the matter to a court of competent jurisdiction. Removal of any matter involving personal property may only be accomplished according to the rules of civil procedure. The person seeking removal of the matter must serve process against the state, county, political subdivision, or municipality that operates the seizing agency, and any other party of interest, in accordance with RCW 4.28.080 or 4.92.020, within forty-five days after the person seeking removal has notified the seizing law enforcement agency of the person's claim of ownership or right to possession. The court to which the matter is to be removed shall be the district court when the aggregate value of personal property is within the jurisdictional limit set forth in RCW 3.66.020. A hearing before the seizing agency and any appeal therefrom shall be under Title 34 RCW. In all cases, the burden of proof is upon the law enforcement agency to establish, by a preponderance of the evidence, that the property is subject to forfeiture.

The seizing law enforcement agency shall promptly return the article or articles to the claimant upon a determination by the administrative law judge or court that the claimant is the present lawful owner or is lawfully entitled to possession thereof of items specified in subsection (1)(b), (c), (d), (e), (f), (g), or (h) of this section.

(6) In any proceeding to forfeit property under this title, where the claimant substantially prevails, the claimant is entitled to reasonable attorneys' fees reasonably incurred by the claimant. In addition, in a court hearing between two or more claimants to the article or articles involved, the prevailing party is entitled to a judgment for costs and reasonable attorneys' fees.

(7) When property is forfeited under this chapter the ~~((board))~~ commission or seizing law enforcement agency may:

(a) Retain it for official use or upon application by any law enforcement agency of this state release such property to such agency for the exclusive use of enforcing the provisions of this chapter;

(b) Sell that which is not required to be destroyed by law and which is not harmful to the public;

(c) Request the appropriate sheriff or director of public safety to take custody of the property and remove it for disposition in accordance with law; or

(d) Forward it to the drug enforcement administration for disposition.

(8)(a) When property is forfeited, the seizing agency shall keep a record indicating the identity of the prior owner, if known, a description of the property, the disposition of the property, the value of the property at the time of seizure, and the amount of proceeds realized from disposition of the property.

(b) Each seizing agency shall retain records of forfeited property for at least seven years.

(c) Each seizing agency shall file a report including a copy of the records of forfeited property with the state treasurer each calendar quarter.

(d) The quarterly report need not include a record of forfeited property that is still being held for use as evidence during the investigation or prosecution of a case or during the appeal from a conviction.

(9)(a) By January 31st of each year, each seizing agency shall remit to the state treasurer an amount equal to ten percent of the net proceeds of any property forfeited during the preceding calendar year. Money remitted shall be deposited in the state general fund.

(b) The net proceeds of forfeited property is the value of the forfeitable interest in the property after deducting the cost of satisfying any bona fide security interest to which the property is subject at the time of seizure; and in the case of sold property,

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after deducting the cost of sale, including reasonable fees or commissions paid to independent selling agents, and the cost of any valid landlord's claim for damages under subsection (15) of this section.

(c) The value of sold forfeited property is the sale price. The value of retained forfeited property is the fair market value of the property at the time of seizure, determined when possible by reference to an applicable commonly used index, such as the index used by the department of licensing for valuation of motor vehicles. A seizing agency may use, but need not use, an independent qualified appraiser to determine the value of retained property. If an appraiser is used, the value of the property appraised is net of the cost of the appraisal. The value of destroyed property and retained firearms or illegal property is zero.

(10) Forfeited property and net proceeds not required to be paid to the state treasurer shall be retained by the seizing law enforcement agency exclusively for the expansion and improvement of controlled substances related law enforcement activity. Money retained under this section may not be used to supplant preexisting funding sources.

(11) Controlled substances listed in Schedule I, II, III, IV, and V that are possessed, transferred, sold, or offered for sale in violation of this chapter are contraband and shall be seized and summarily forfeited to the state. Controlled substances listed in Schedule I, II, III, IV, and V, which are seized or come into the possession of the ~~((board))~~ commission, the owners of which are unknown, are contraband and shall be summarily forfeited to the ~~((board))~~ commission.

(12) Species of plants from which controlled substances in Schedules I and II may be derived which have been planted or cultivated in violation of this chapter, or of which the owners or cultivators are unknown, or which are wild growths, may be seized and summarily forfeited to the ~~((board))~~ commission.

(13) The failure, upon demand by a ~~((board))~~ commission inspector or law enforcement officer, of the person in occupancy or in control of land or premises upon which the species of plants are growing or being stored to produce an appropriate registration or proof that he or she is the holder thereof constitutes authority for the seizure and forfeiture of the plants.

(14) Upon the entry of an order of forfeiture of real property, the court shall forward a copy of the order to the assessor of the county in which the property is located. Orders for the forfeiture of real property shall be entered by the superior court, subject to court rules. Such an order shall be filed by the seizing agency in the county auditor's records in the county in which the real property is located.

(15)(a) A landlord may assert a claim against proceeds from the sale of assets seized and forfeited under subsection (7)(b) of this section, only if:

(i) A law enforcement officer, while acting in his or her official capacity, directly caused damage to the complaining landlord's property while executing a search of a tenant's residence; and

(ii) The landlord has applied any funds remaining in the tenant's deposit, to which the landlord has a right under chapter 59.18 RCW, to cover the damage directly caused by a law enforcement officer prior to asserting a claim under the provisions of this section;

(A) Only if the funds applied under (a)(ii) of this subsection are insufficient to satisfy the damage directly caused by a law enforcement officer, may the landlord seek compensation for the damage by filing a claim against the governmental entity under whose authority the law enforcement agency operates within thirty days after the search;

(B) Only if the governmental entity denies or fails to respond to the landlord's claim within sixty days of the date of filing, may

the landlord collect damages under this subsection by filing within thirty days of denial or the expiration of the sixty-day period, whichever occurs first, a claim with the seizing law enforcement agency. The seizing law enforcement agency must notify the landlord of the status of the claim by the end of the thirty-day period. Nothing in this section requires the claim to be paid by the end of the sixty-day or thirty-day period.

(b) For any claim filed under (a)(ii) of this subsection, the law enforcement agency shall pay the claim unless the agency provides substantial proof that the landlord either:

(i) Knew or consented to actions of the tenant in violation of this chapter or chapter 69.41 or 69.52 RCW; or

(ii) Failed to respond to a notification of the illegal activity, provided by a law enforcement agency under RCW 59.18.075, within seven days of receipt of notification of the illegal activity.

(16) The landlord's claim for damages under subsection (15) of this section may not include a claim for loss of business and is limited to:

(a) Damage to tangible property and clean-up costs;

(b) The lesser of the cost of repair or fair market value of the damage directly caused by a law enforcement officer;

(c) The proceeds from the sale of the specific tenant's property seized and forfeited under subsection (7)(b) of this section; and

(d) The proceeds available after the seizing law enforcement agency satisfies any bona fide security interest in the tenant's property and costs related to sale of the tenant's property as provided by subsection (9)(b) of this section.

(17) Subsections (15) and (16) of this section do not limit any other rights a landlord may have against a tenant to collect for damages. However, if a law enforcement agency satisfies a landlord's claim under subsection (15) of this section, the rights the landlord has against the tenant for damages directly caused by a law enforcement officer under the terms of the landlord and tenant's contract are subrogated to the law enforcement agency.

NEW SECTION. Sec. 11. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 21, after line 16, insert the following:

"(xx) "Commercial activity" means an activity related to or connected with buying, selling, or bartering."

On page 22, line 30, after "69.50.342" strike "and 69.50.331" and insert ", 69.50.331, 69.50.4013, and 69.50.505"

Senators Walsh and Becker spoke in favor of adoption of the amendment to the striking amendment.

POINT OF ORDER

Senator Liias: "Thank you Madam President. Again, in line with your previous two rulings on amendments, I am asking if this is within the scope and object of the underlying bill? Although I am very sympathetic, I think it is an interesting policy. One that has merit. It does appear to add statutory requirements and authorization outside of what the original bill envisioned."

RULING BY THE PRESIDENT PRO TEMPORE

President Pro Tempore Keiser: "On the point of order raised by Senator Liias regarding scope and object challenge to amendment no. 212 to Substitute Senate Bill No. 5318, the President finds and rules that the amendment is not within the scope or object of the underlying bill because it has to do with

authorizing private individuals to cultivate, grow and provide marijuana products for themselves and others. None of these provisions address the underlying compliance penalties or violations of Substitute Senate Bill No. 5318 and for that reason Senator Liias point of order is well taken.”

MOTION

Senator Palumbo moved that the following amendment no. 363 by Senators Palumbo and Rivers be adopted:

On page 14, after line 15, insert the following:

"Sec. 9. RCW 69.50.369 and 2017 c 317 s 14 are each amended to read as follows:

(1) No licensed marijuana producer, processor, researcher, or retailer may place or maintain, or cause to be placed or maintained, any sign or other advertisement for a marijuana business or marijuana product, including useable marijuana, marijuana concentrates, or marijuana-infused product, in any form or through any medium whatsoever within one thousand feet of the perimeter of a school grounds, playground, recreation center or facility, child care center, public park, or library, or any game arcade admission to which is not restricted to persons aged twenty-one years or older.

(2) ~~((Except for the use of billboards as authorized under this section.))~~ Licensed marijuana retailers may not display any signage outside of the licensed premises, other than reader boards, plus two signs identifying the retail outlet by the licensee's business or trade name, stating the location of the business, and identifying the nature of the business. ~~((Each sign must be no larger than one thousand six hundred square inches and be permanently affixed to a building or other structure.))~~ The location and content of the retail marijuana signs authorized under this subsection are subject to all other requirements and restrictions established in this section for indoor signs, outdoor signs, and other marijuana-related advertising methods.

(3) A marijuana licensee may not utilize transit advertisements for the purpose of advertising its business or product line. "Transit advertisements" means advertising on or within private or public vehicles and all advertisements placed at, on, or within any bus stop, taxi stand, transportation waiting area, train station, airport, or any similar transit-related location.

(4) A marijuana licensee may not engage in advertising or other marketing practice that specifically targets persons residing outside of the state of Washington.

(5) All signs(~~billboards~~) or other print advertising for marijuana businesses or marijuana products must contain text stating that marijuana products may be purchased or possessed only by persons twenty-one years of age or older.

(6) A marijuana licensee may not:

(a) Take any action, directly or indirectly, to target youth in the advertising, promotion, or marketing of marijuana and marijuana products, or take any action the primary purpose of which is to initiate, maintain, or increase the incidence of youth use of marijuana or marijuana products;

(b) Use objects such as toys or inflatables, movie or cartoon characters, or any other depiction or image likely to be appealing to youth, where such objects, images, or depictions indicate an intent to cause youth to become interested in the purchase or consumption of marijuana products; or

(c) Use or employ a commercial mascot outside of, and in proximity to, a licensed marijuana business. A "commercial mascot" means live human being, animal, or mechanical device used for attracting the attention of motorists and passersby so as to make them aware of marijuana products or the presence of a

marijuana business. Commercial mascots include, but are not limited to, inflatable tube displays, persons in costume, or wearing, holding, or spinning a sign with a marijuana-related commercial message or image, where the intent is to draw attention to a marijuana business or its products.

(7) A marijuana licensee that engages in outdoor advertising is subject to the advertising requirements and restrictions set forth in this subsection (7) and elsewhere in this chapter.

(a) All outdoor advertising signs, ~~((including billboards))~~ with the exception of outdoor advertising authorized by a local government under subsection (12) of this section, are limited to text that identifies the retail outlet by the licensee's business or trade name, states the location of the business, and identifies the type or nature of the business. Such signs may not contain any depictions of marijuana plants, marijuana products, or images that might be appealing to children. The state liquor and cannabis board is granted rule-making authority to regulate the text and images that are permissible on outdoor advertising. Such rule making must be consistent with other administrative rules generally applicable to the advertising of marijuana businesses and products.

(b) Outdoor advertising is prohibited:

(i) On signs and placards in arenas, stadiums, shopping malls, fairs that receive state allocations, farmers markets, and video game arcades, whether any of the foregoing are open air or enclosed, but not including any such sign or placard located in an adult only facility; and

(ii) On billboards that are visible from any street, road, highway, right-of-way, or public parking area ~~((are prohibited, except as provided in (c) of this subsection))~~.

(c) Licensed retail outlets may use ~~((a billboard or))~~ an outdoor sign solely for the purpose of identifying the name of the business, the nature of the business, and providing the public with directional information to the licensed retail outlet. ~~((Billboard advertising is subject to the same requirements and restrictions as set forth in (a) of this subsection.))~~

(d) Advertising signs within the premises of a retail marijuana business outlet that are visible to the public from outside the premises must meet the signage regulations and requirements applicable to outdoor signs as set forth in this section.

(e) The restrictions and regulations applicable to outdoor advertising under this section are not applicable to:

(i) An advertisement inside a licensed retail establishment that sells marijuana products that is not placed on the inside surface of a window facing outward; or

(ii) An outdoor advertisement at the site of an event to be held at an adult only facility that is placed at such site during the period the facility or enclosed area constitutes an adult only facility, but in no event more than fourteen days before the event, and that does not advertise any marijuana product other than by using a brand name to identify the event.

(8) Merchandising within a retail outlet is not advertising for the purposes of this section.

(9) This section does not apply to a noncommercial message.

(10)(a) The state liquor and cannabis board must:

(i) Adopt rules implementing this section and specifically including provisions regulating ~~((the billboards and))~~ outdoor signs authorized under this section; and

(ii) Fine a licensee one thousand dollars for each violation of this section until the state liquor and cannabis board adopts rules prescribing penalties for violations of this section. The rules must establish escalating penalties including fines and up to suspension or revocation of a marijuana license for subsequent violations.

(b) Fines collected under this subsection must be deposited into the dedicated marijuana account created under RCW 69.50.530.

(11) A city, town, or county may adopt rules of outdoor advertising by licensed marijuana retailers that are more restrictive than the advertising restrictions imposed under this chapter. Enforcement of restrictions to advertising by a city, town, or county is the responsibility of the city, town, or county.

(12) A city, town, or county may adopt rules of outdoor advertising by licensed marijuana retailers that are less restrictive than the advertising restrictions imposed under this chapter, so long as the rules are consistent with the signage provisions allowed for other businesses. The local government may regulate the signage for licensed marijuana retailers in terms of number, size, and content, except for the restrictions concerning advertising that is appealing to children and the restriction on location of signs specified in subsection (1) of this section.

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 22, beginning on line 30, after "69.50.342" strike "and 69.50.331" and insert ", 69.50.331, and 69.50.369"

Senator Palumbo spoke in favor of adoption of the amendment to the striking amendment.

Senator Rivers spoke against adoption of the amendment to the striking amendment.

POINT OF ORDER

Senator Saldaña: "I do believe that amendment no. 363 impermissibly expands the scope and object of Substitute Senate Bill No. 5318 in violation of Senate Rule No. 66. It makes a couple, a number of changes to the compliance authority, the LCB, those changes include items like penalties, violations and licensees addressing the evidentiary standard when reviewing alleged violations and creates a legislative workgroup on cannabis enforcement and training processes and procedures. There is nothing in the floor striker that deals with the content or allowance of billboards. The subject of amendment no. 363 is outdoor advertising and the purpose is to prohibit outdoor advertising on billboards while allowing local governments to adopt rules around outdoor advertising. Madam President, I believe that amendment no. 363 does not address compliance penalties or violations and ask that you rule this amendment outside the scope and object of the bill."

RULING BY THE PRESIDENT PRO TEMPORE

President Pro Tempore Keiser: "On the point of order raised by Senator Saldaña regarding the scope and object challenge to amendment no. 363 to Substitute Senate Bill No. 5318 the President finds and rules as follows: The President has ruled on the permissible scope and object of Substitute Senate Bill No. 5318 in the previous point of order raised by Senator Ericksen. Amendment no. 363 addresses the allowance and content of billboard advertising marijuana retailers. For the same reasons I ruled amendment no. 362 to be out of scope and object of the underlying Substitute Senate Bill No. 5318, I rule that amendment no. 363 is also out of order and Senator Saldaña's objection is well taken."

The President Pro Tempore declared the question before the Senate to be the adoption of striking amendment no. 182 by Senators Rivers and Palumbo to Substitute Senate Bill No. 5318.

The motion by Senator Rivers carried and striking amendment no. 182 was adopted by voice vote.

MOTION

On motion of Senator Rivers, the rules were suspended, Engrossed Substitute Senate Bill No. 5318 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Rivers and Saldaña spoke in favor of passage of the bill.

MOTIONS

On motion of Senator Rivers, Senator Sheldon was excused.

On motion of Senator Braun, Senator Ericksen was excused.

On motion of Senator Wilson, C., Senator Conway was excused.

The President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5318.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5318 and the bill passed the Senate by the following vote: Yeas, 41; Nays, 5; Absent, 0; Excused, 3.

Voting yea: Senators Becker, Billig, Braun, Cleveland, Darneille, Das, Dhingra, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Hunt, Keiser, King, Kuderer, Lias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senators Bailey, Brown, Ericksen, Honeyford and Padden

Excused: Senators Carlyle, Conway and Sheldon

ENGROSSED SUBSTITUTE SENATE BILL NO. 5318, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 8:36 p.m., on motion of Senator Lias, the Senate adjourned until 10:00 o'clock a.m. Tuesday, March 12, 2019.

KAREN KEISER, President Pro Tempore of the Senate

BRAD HENDRICKSON, Secretary of the Senate

FIFTY EIGHTH DAY

MORNING SESSION

Senate Chamber, Olympia
Tuesday, March 12, 2019

The Senate was called to order at 10:02 a.m. by the President Pro Tempore, Senator Keiser presiding. The Secretary called the roll and announced to the President Pro Tempore that all senators were present.

The Sergeant at Arms Color Guard consisting of Pages Mr. Aidan Kittilstved and Mr. Alexander Lascar, presented the Colors. Page Miss Tessa Snowden led the Senate in the Pledge of Allegiance.

The prayer was offered by Senator Rebecca Saldaña, 37th Legislative District, Seattle.

The President called upon the Secretary to read the journal of the preceding day.

MOTIONS

On motion of Senator Liias, the reading of the Journal of the previous day was dispensed with and it was approved.

On motion of Senator Liias, Rule 15 was suspended for the remainder of the day for the purpose of allowing continued floor action.

EDITOR'S NOTE: Senate Rule 15 establishes the floor schedule and calls for a lunch and dinner break of 90 minutes each per day during regular daily sessions.

MOTION TO LIMIT DEBATE

Pursuant to Rule 29, on motion of Senator Liias and without objection, senators were limited to speaking but once and for no more than three minutes on each question under debate for the remainder of the day by voice vote.

MOTION

There being no objection, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

March 11, 2019

HB 1906 Prime Sponsor, Representative Ortiz-Self: Recognizing the tenth day of April as Dolores Huerta day. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Hunt, Chair; Kuderer, Vice Chair; Zeiger, Ranking Member; Bailey; Hasegawa; Hawkins and Takko.

Referred to Committee on Rules for second reading.

MOTION

On motion of Senator Liias, all measures listed on the Standing Committee report were referred to the committees as designated.

MOTION

On motion of Senator Liias, the Senate advanced to the fourth order of business.

MESSAGE FROM THE HOUSE

March 11, 2019

MR. PRESIDENT:

The Speaker has signed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 5079,
SUBSTITUTE SENATE BILL NO. 5581,

and the same are herewith transmitted.

NONA SNELL, Deputy Chief Clerk

MOTION

On motion of Senator Liias, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 5983 by Senator Van De Wege

AN ACT Relating to the law enforcement officers' and firefighters' plan 2 pension system; amending RCW 41.26.802 and 41.26.805; creating a new section; repealing RCW 41.26.800; and declaring an emergency.

Referred to Committee on Ways & Means.

SB 5984 by Senators Wellman, Rivers, Hasegawa, Padden,

Cleveland, Walsh, Hunt, Brown, Zeiger, Randall, Takko, Lovelett, Nguyen, Kuderer and Das

AN ACT Relating to language understanding of documents used in dissolution proceedings; and adding a new section to chapter 26.09 RCW.

Referred to Committee on Law & Justice.

SHB 1075 by House Committee on Consumer Protection & Business (originally sponsored by Kirby and Vick)

AN ACT Relating to consumer competitive group insurance; and amending RCW 48.30.140 and 48.30.150.

Referred to Committee on Financial Institutions, Economic Development & Trade.

ESHB 1099 by House Committee on Health Care & Wellness (originally sponsored by Jinkins, Cody, Tharinger, Robinson and Reeves)

AN ACT Relating to providing notice about network adequacy to consumers; and adding a new section to chapter 48.43 RCW.

Referred to Committee on Health & Long Term Care.

FIFTY EIGHTH DAY, MARCH 12, 2019

2019 REGULAR SESSION

E2SHB 1114 by House Committee on Appropriations (originally sponsored by Doglio, Slatter, Fey, Peterson, Ryu, Fitzgibbon, Tharinger, Jinkins, Macri and Walen)

AN ACT Relating to reducing the wasting of food in order to fight hunger and reduce environmental impacts; amending RCW 70.93.180 and 70.95.090; adding a new section to chapter 70.95 RCW; and creating a new section.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

E2SHB 1139 by House Committee on Appropriations (originally sponsored by Santos, Dolan, Callan, Pollet, Reeves and Bergquist)

AN ACT Relating to expanding the current and future educator workforce supply through evidence-based strategies to improve and incentivize the recruitment and retention of highly effective educators, especially in high-need subject, grade-level, and geographic areas, and to establish a cohesive continuum of high quality professional learning from preparation programs to job embedded induction, mentoring, collaboration, and other professional development opportunities; amending RCW 28A.415.370, 28A.180.120, 28A.660.020, 28A.660.035, 28B.10.033, 28B.76.699, 28A.630.205, 28B.102.020, 28B.102.030, 28B.102.045, 28B.102.090, 28A.660.042, 28A.660.045, 28B.102.055, 28B.102.080, 28B.15.558, 28A.415.265, 28A.405.100, 28A.410.278, and 41.32.068; reenacting and amending RCW 43.79A.040; adding a new section to chapter 28A.310 RCW; adding new sections to chapter 28A.630 RCW; adding new sections to chapter 28A.410 RCW; adding a new section to chapter 28B.10 RCW; adding a new section to chapter 28B.76 RCW; adding new sections to chapter 28B.102 RCW; adding a new section to chapter 28A.660 RCW; adding a new section to chapter 41.35 RCW; adding a new section to chapter 28A.400; creating new sections; recodifying RCW 28A.630.205, 28A.660.042, and 28A.660.045; repealing RCW 28B.102.010, 28B.102.040, 28B.102.050, 28B.102.060, 28A.660.050, and 28A.660.055; repealing 2016 c 233 s 19 (uncodified); providing expiration dates; and declaring an emergency.

Referred to Committee on Early Learning & K-12 Education.

SHB 1196 by House Committee on Appropriations (originally sponsored by Riccelli, Steele, Stonier, Fitzgibbon, Ortiz-Self, Tarleton, Doglio, Schmick, Eslick, Lovick, Fey, Shea, Tharinger and Goodman)

AN ACT Relating to observing daylight saving time year round; amending RCW 35A.21.190; adding new sections to chapter 1.20 RCW; repealing RCW 1.20.050, 1.20.051, and 1.20.---; and providing a contingent effective date.

Referred to Committee on State Government, Tribal Relations & Elections.

E2SHB 1224 by House Committee on Appropriations (originally sponsored by Robinson, Macri, Ryu, Peterson, Frame, Tharinger, Bergquist, Gregerson, Jinkins, Ortiz-Self, Lovick, Doglio, Stanford, Appleton, Slatter and Wylie)

AN ACT Relating to prescription drug cost transparency; reenacting and amending RCW 74.09.215; adding a new chapter to Title 43 RCW; creating new sections; and prescribing penalties.

Referred to Committee on Health & Long Term Care.

E2SHB 1296 by House Committee on Appropriations (originally sponsored by Macri, Goodman, Appleton, Cody, Thai, Tharinger and Springer)

AN ACT Relating to continuing care retirement communities; amending RCW 18.390.010, 18.390.030, 18.390.040, 18.390.060, 18.390.070, 18.390.080, and 18.390.900; and adding a new section to chapter 18.390 RCW.

Referred to Committee on Health & Long Term Care.

2SHB 1304 by House Committee on Appropriations (originally sponsored by MacEwen, Stonier, Santos, Harris, Steele, Griffey, Reeves, Stokesbary, Sells, Dolan, Eslick, Lekanoff, Bergquist, Jinkins, Leavitt, Thai and Wylie)

AN ACT Relating to career and technical education in alternative learning experience programs; reenacting and amending RCW 28A.700.070; adding a new section to chapter 28A.232 RCW; and creating a new section.

Referred to Committee on Early Learning & K-12 Education.

HB 1305 by Representatives Walen, Irwin and Jinkins

AN ACT Relating to notices of disqualification in courts of limited jurisdiction; amending RCW 3.34.110, 3.50.045, 35.20.175, 3.34.130, 3.50.090, and 3.66.090; and repealing RCW 3.20.100.

Referred to Committee on Law & Justice.

ESHB 1308 by House Committee on Appropriations (originally sponsored by Stanford, Volz, Ormsby, Fitzgibbon and Griffey)

AN ACT Relating to plan membership default provisions in the public employees' retirement system, the teachers' retirement system, and the school employees' retirement system; amending RCW 41.32.835, 41.35.610, and 41.40.785; and providing an effective date.

Referred to Committee on Ways & Means.

E2SHB 1311 by House Committee on Appropriations (originally sponsored by Bergquist, Ortiz-Self, Stonier, Dolan, Frame, Paul, Ryu, Sells, Valdez, Lekanoff, Stanford, Leavitt, Thai and Wylie)

AN ACT Relating to college bound scholarship eligible students; amending RCW 28B.118.040, 28B.118.090, and 28B.92.060; reenacting and amending RCW 28B.118.010; and creating a new section.

Referred to Committee on Higher Education & Workforce Development.

ESHB 1329 by House Committee on Civil Rights & Judiciary (originally sponsored by Kilduff, Harris, Jinkins, Klippert, Valdez, Walen, Tharinger and Leavitt)

AN ACT Relating to methods of services provided by the office of public guardianship; and amending RCW 2.72.005, 2.72.010, 2.72.020, 2.72.030, and 11.28.120.

Referred to Committee on Law & Justice.

ESHB 1332 by House Committee on Environment & Energy (originally sponsored by Wylie, DeBolt, Mead, Doglio, Fitzgibbon and Tharinger)

AN ACT Relating to updating and streamlining the energy facility site evaluation council operations; amending RCW 80.50.040, 80.50.060, 80.50.100, and 80.50.175; and reenacting and amending RCW 80.50.030 and 80.50.090.

Referred to Committee on Environment, Energy & Technology.

ESHB 1379 by House Committee on State Government & Tribal Relations (originally sponsored by Pellicciotti, Hudgins, Appleton, Gregerson, Pollet, Macri, Valdez, Kloba, Bergquist, Tarleton, Doglio, Frame, Goodman, Reeves and Fey)

AN ACT Relating to disclosure of contributions from political committees to other political committees; amending RCW 42.17A.320; adding a new section to chapter 42.17A RCW; and creating a new section.

Referred to Committee on State Government, Tribal Relations & Elections.

E2SHB 1401 by House Committee on Appropriations (originally sponsored by Shea, Blake, Chandler, Walsh, Eslick and Kloba)

AN ACT Relating to hemp production; amending RCW 69.50.204; reenacting and amending RCW 69.50.101; adding a new chapter to Title 15 RCW; creating a new section; repealing RCW 15.120.005, 15.120.010, 15.120.020, 15.120.030, 15.120.035, 15.120.040, 15.120.050, and 15.120.060; providing an effective date; and declaring an emergency.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

SHB 1476 by House Committee on Consumer Protection & Business (originally sponsored by Stanford, Appleton and Fitzgibbon)

AN ACT Relating to contracts for dogs and cats; amending RCW 62A.9A-102; and adding a new section to chapter 63.10 RCW.

Referred to Committee on Labor & Commerce.

E2SHB 1523 by House Committee on Appropriations (originally sponsored by Cody, Macri, Riccelli, Stonier, Tharinger, Ormsby, Davis, Frame, Robinson, Thai, Doglio, Stanford and Valdez)

AN ACT Relating to increasing the availability of quality, affordable health coverage in the individual market; adding a new section to chapter 43.71 RCW; adding a new section to chapter 42.56 RCW; adding a new section to chapter 41.05 RCW; creating new sections; and providing an expiration date.

Referred to Committee on Health & Long Term Care.

EHB 1564 by Representatives Macri, Schmick, Cody, Tharinger, Jinkins, Kilduff, Appleton and Lekanoff

AN ACT Relating to the nursing facility medicaid payment system; amending RCW 74.46.561 and 74.46.501; and adding a new section to chapter 74.46 RCW.

Referred to Committee on Health & Long Term Care.

HB 1583 by Representatives Kraft, Pollet, Harris, Griffey, Slatter, Stonier and Wylie

AN ACT Relating to mosquito control districts; and amending RCW 17.28.257.

Referred to Committee on Local Government.

E2SHB 1599 by House Committee on Appropriations (originally sponsored by Stonier, Harris, Dolan, Ortiz-Self, MacEwen, Kilduff, Young, Valdez, Wylie, Volz, Bergquist, Stanford, Tharinger, Lekanoff, Pollet, Slatter and Ormsby)

AN ACT Relating to promoting career and college readiness through modified high school graduation requirements; amending RCW 28A.655.065, 28A.230.090, 28A.155.045, 28A.655.061, 28A.155.170, 28A.180.100, 28A.195.010, 28A.200.010, 28A.230.122, 28A.230.125, 28A.305.130, 28A.320.190, 28A.320.208, 28A.600.310, 28A.700.080, 28A.415.360, 28A.655.068, 28A.655.070, 28A.655.090, 28A.655.200, and 28A.655.063; adding new sections to chapter 28A.655 RCW; adding a new section to chapter 28A.230 RCW; creating new sections; repealing RCW 28A.655.066; providing expiration dates; and declaring an emergency.

Referred to Committee on Early Learning & K-12 Education.

HB 1634 by Representatives Goehner and Eslick

AN ACT Relating to requiring property sold in tax lien foreclosure proceedings to be sold as is; and amending RCW 84.64.080.

Referred to Committee on Local Government.

ESHB 1667 by House Committee on Appropriations (originally sponsored by Springer, Walsh, Appleton, Peterson, Smith and Griffey)

AN ACT Relating to public records request administration; and amending RCW 40.14.026, 42.56.570, and 36.22.175; and providing an effective date.

Referred to Committee on State Government, Tribal Relations & Elections.

ESHB 1696 by House Committee on Appropriations (originally sponsored by Dolan, Senn, Davis, Macri, Robinson, Jinkins, Kilduff, Wylie, Frame, Appleton, Ortiz-Self, Stanford, Goodman, Chapman, Peterson, Doglio, Pollet, Leavitt, Valdez and Gregerson)

AN ACT Relating to wage and salary information; adding new sections to chapter 49.12 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Labor & Commerce.

EHB 1777 by Representatives Cody, Harris, Macri, Schmick, Vick, Appleton and Robinson

AN ACT Relating to exempting certain existing ambulatory surgical facilities from certificate of need; and amending RCW 70.38.111.

Referred to Committee on Health & Long Term Care.

ESHB 1813 by House Committee on Appropriations (originally sponsored by Sullivan, Santos, Ortiz-Self and Ormsby)
 AN ACT Relating to incorporating the costs of employee health benefits into school district contracts for pupil transportation; and amending RCW 28A.160.140.

Referred to Committee on Early Learning & K-12 Education.

HB 1838 by Representatives Walsh, Goehner, Hudgins, Gregerson and Stanford
 AN ACT Relating to public disclosure of unaggregated financial, proprietary, or commercial information submitted to the liquor and cannabis board by a licensed distillery; and reenacting and amending RCW 42.56.270.

Referred to Committee on State Government, Tribal Relations & Elections.

ESHB 1879 by House Committee on Health Care & Wellness (originally sponsored by Jinkins, Cody, Harris, Macri, DeBolt, Pollet, Robinson, Tharinger and Doglio)
 AN ACT Relating to regulating and reporting of utilization management in prescription drug benefits; adding new sections to chapter 48.43 RCW; and creating a new section.

Referred to Committee on Health & Long Term Care.

HB 1918 by Representative Santos
 AN ACT Relating to community preservation and development authorities; amending RCW 43.167.010; adding new sections to chapter 43.167 RCW; and creating new sections.

Referred to Committee on Local Government.

HB 2051 by Representatives Lovick, Chapman, Griffey and Dent
 AN ACT Relating to firefighters and law enforcement officers pension and disability boards; amending RCW 41.16.010, 41.16.020, 41.18.015, 41.20.010, and 41.26.030; and reenacting and amending RCW 41.18.010 and 41.26.110.

Referred to Committee on Ways & Means.

MOTION

On motion of Senator Liias, all measures listed on the Introduction and First Reading report were referred to the committees as designated.

MOTION

On motion of Senator Liias, the Senate advanced to the seventh order of business.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Frockt moved that Rosa Peralta, Senate Gubernatorial Appointment No. 9131, be confirmed as a member of the Seattle College District Board of Trustees.

Senator Frockt spoke in favor of the motion.

APPOINTMENT OF ROSA PERALTA

The President Pro Tempore declared the question before the Senate to be the confirmation of Rosa Peralta, Senate Gubernatorial Appointment No. 9131, as a member of the Seattle College District Board of Trustees.

The Secretary called the roll on the confirmation of Rosa Peralta, Senate Gubernatorial Appointment No. 9131, as a member of the Seattle College District Board of Trustees and the appointment was confirmed by the following vote: Yeas, 48; Nays, 0; Absent, 1; Excused, 0.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Erickson, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Absent: Senator Salomon

Rosa Peralta, Senate Gubernatorial Appointment No. 9131, having received the constitutional majority was declared confirmed as a member of the Seattle College District Board of Trustees.

MOTIONS

On motion of Senator Wilson, C., Senator Salomon was excused.

On motion of Senator Liias, the Senate reverted to the sixth order of business.

SECOND READING

SENATE BILL NO. 5279, by Senators Van De Wege, Warnick and Short

Regulating outdoor burning for the protection of life or property and for public health, safety, and welfare.

MOTION

On motion of Senator Van De Wege, Substitute Senate Bill No. 5279 was substituted for Senate Bill No. 5279 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Short moved that the following amendment no. 335 by Senator Short be adopted:

On page 2, line 21, after “(5)” strike “Outdoor” and insert “Notwithstanding any other provisions of this section, outdoor”

On page 2, line 21, after “burning that” insert “reduces the risk of a wildfire, or”

On page 2, line 25, after “for any” strike “silvicultural”

On page 4, line 14, after “Abating” insert “or prevention of”

On page 4, line 15, after “(b)” strike “Prevention of a fire hazard” and insert “((Prevention of a fire hazard)) Reducing the risk of a wildfire under RCW 70.94.6514(5)”

On page 4, line 31, after “responsibility” insert “, except for the issuance of permits for reducing the risk of wildfire under RCW”

70.94.6514(5). The department of natural resources may enter into cooperative agreements with local fire protection agencies to issue permits for reducing wildfire risk under RCW 70.94.6514(5)”

On page 4, line 32, after “assessed for” insert “wildfire risk reduction and for””

Senators Short and Van De Wege spoke in favor of adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 335 by Senator Short on page 2, line 21 to Substitute Senate Bill No. 5279.

The motion by Senator Short carried and amendment no. 335 was adopted by voice vote.

MOTION

On motion of Senator Van De Wege, the rules were suspended, Engrossed Substitute Senate Bill No. 5279 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Van De Wege, Short and Padden spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5279.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5279 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O’Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

ENGROSSED SUBSTITUTE SENATE BILL NO. 5279, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5467, by Senators Liias, Short, Takko, Padden, Sheldon, Hobbs, Warnick, Wellman and Van De Wege

Extending the tax preferences in RCW 82.04.260(12).

The measure was read the second time.

MOTION

On motion of Senator Liias, the rules were suspended, Senate Bill No. 5467 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Liias, Warnick and Short spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5467.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5467 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O’Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senator Hasegawa

SENATE BILL NO. 5467, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5276, by Senators Ericksen, Takko and Wellman

Authorizing hemp production in conformance with the agriculture improvement act of 2018.

MOTION

On motion of Senator Warnick, Second Substitute Senate Bill No. 5276 was substituted for Senate Bill No. 5276 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Warnick moved that the following amendment no. 143 by Senator Warnick be adopted:

On page 2, line 32, after “samples” strike “without heat applied” and insert “or other approved testing method”

On page 3, after line 14, insert the following:

“(4) Immediately upon the effective date of this section, and before the adoption of rules implementing this chapter, persons licensed to grow hemp under chapter 15.120 RCW may produce hemp in a manner otherwise consistent with the provisions of this chapter and the agriculture improvement act of 2018.”

On page 4, beginning on line 11, after “food.” strike all material through “state.” on line 18 and insert “The department shall regulate the processing of hemp for food products, that are allowable under federal law, in the same manner as other food processing under chapters 15.130 and 69.07 RCW and may adopt rules as necessary to properly regulate the processing of hemp for food products including, but not limited to, establishing standards for creating hemp extracts used for food.”

On page 5, line 28, after “zone” insert “without the evaluation of sufficient data showing impacts to either crop as a result of cross-pollination”

On page 20, line 30, after “RCW.” insert “The department may not adopt rules without the evaluation of sufficient data showing impacts to either crop as a result of cross-pollination.”

Senator Warnick spoke in favor of adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 143 by Senator

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Warnick on page 2, line 32 to Second Substitute Senate Bill No. 5276.

The motion by Senator Warnick carried and amendment no. 143 was adopted by voice vote.

MOTION

On motion of Senator Warnick, the rules were suspended, Engrossed Second Substitute Senate Bill No. 5276 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Warnick and Van De Wege spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 5276.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5276 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O’Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5276, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5874, by Senators Warnick, Billig, Becker, Short, Fortunato, Rivers, Walsh, O’Ban, Bailey, Wilson, L., Holy, Wagoner and Wellman

Funding rural satellite skill centers.

MOTION

On motion of Senator Warnick, Substitute Senate Bill No. 5874 was substituted for Senate Bill No. 5874 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Warnick moved that the following amendment no. 382 by Senator Warnick be adopted:

On page 2, beginning on line 10, after “operational and” strike all material through “year” on line 11 and insert “has secured agreements for at least one year with two or more rural districts in the area to accept and enroll students in the center”

Senators Warnick and Wellman spoke in favor of adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 382 by Senator Warnick on page 2, line 10 to Substitute Senate Bill No. 5874.

The motion by Senator Warnick carried and amendment no. 382 was adopted by voice vote.

MOTION

On motion of Senator Warnick, the rules were suspended, Engrossed Substitute Senate Bill No. 5874 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Warnick, Wellman and Short spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5874.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5874 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O’Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

ENGROSSED SUBSTITUTE SENATE BILL NO. 5874, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5088, by Senators Wellman, Palumbo and Mullet

Awarding credits for computer science.

The measure was read the second time.

MOTION

On motion of Senator Wellman, the rules were suspended, Senate Bill No. 5088 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Wellman spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5088.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5088 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford,

Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

SENATE BILL NO. 5088, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5354, by Senators Rivers, Rolfes, Becker, Brown, Wilson, C. and Kuderer

Concerning programs for highly capable students.

MOTIONS

On motion of Senator Rivers, Substitute Senate Bill No. 5354 was substituted for Senate Bill No. 5354 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Rivers, the rules were suspended, Substitute Senate Bill No. 5354 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Rivers, Wellman and Wagoner spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5354.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5354 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

SUBSTITUTE SENATE BILL NO. 5354, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5612, by Senators Rivers, Salomon, Frockt, Wilson, C., Carlyle, Billig, Wellman, Zeiger, Warnick, Palumbo, Pedersen, Van De Wege, Hasegawa, Holy, Hunt, Keiser, Kuderer, Liias and O'Ban

Concerning Holocaust education.

MOTIONS

On motion of Senator Salomon, Substitute Senate Bill No. 5612 was substituted for Senate Bill No. 5612 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Salomon, the rules were suspended, Substitute Senate Bill No. 5612 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Salomon, Frockt, Billig, Wilson, C., Becker, Ericksen, Fortunato, Rivers, Sheldon, Braun, Darneille, Wagoner, Kuderer, Conway, O'Ban, Honeyford and Hasegawa spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5612.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5612 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

SUBSTITUTE SENATE BILL NO. 5612, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5662, by Senators Palumbo, Carlyle, Rolfes, Mullet, Nguyen, Hobbs, Liias, Pedersen and Braun

Concerning cloud computing solutions.

MOTION

On motion of Senator Palumbo, Second Substitute Senate Bill No. 5662 was substituted for Senate Bill No. 5662 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Palumbo moved that the following striking amendment no. 384 by Senator Palumbo be adopted:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 43.105.020 and 2017 c 92 s 2 are each amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Agency" means the consolidated technology services agency.

(2) "Board" means the technology services board.

(3) "Customer agencies" means all entities that purchase or use information technology resources, telecommunications, or services from the consolidated technology services agency.

(4) "Director" means the state chief information officer, who is the director of the consolidated technology services agency.

(5) "Enterprise architecture" means an ongoing activity for translating business vision and strategy into effective enterprise

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change. It is a continuous activity. Enterprise architecture creates, communicates, and improves the key principles and models that describe the enterprise's future state and enable its evolution.

(6) "Equipment" means the machines, devices, and transmission facilities used in information processing, including but not limited to computers, terminals, telephones, wireless communications system facilities, cables, and any physical facility necessary for the operation of such equipment.

(7) "Information" includes, but is not limited to, data, text, voice, and video.

(8) "Information security" means the protection of communication and information resources from unauthorized access, use, disclosure, disruption, modification, or destruction in order to:

- (a) Prevent improper information modification or destruction;
- (b) Preserve authorized restrictions on information access and disclosure;
- (c) Ensure timely and reliable access to and use of information; and
- (d) Maintain the confidentiality, integrity, and availability of information.

(9) "Information technology" includes, but is not limited to, all electronic technology systems and services, automated information handling, system design and analysis, conversion of data, computer programming, information storage and retrieval, telecommunications, requisite system controls, simulation, electronic commerce, radio technologies, and all related interactions between people and machines.

(10) "Information technology portfolio" or "portfolio" means a strategic management process documenting relationships between agency missions and information technology and telecommunications investments.

(11) "K-20 network" means the network established in RCW 43.41.391.

(12) "Local governments" includes all municipal and quasi-municipal corporations and political subdivisions, and all agencies of such corporations and subdivisions authorized to contract separately.

(13) "Office" means the office of the state chief information officer within the consolidated technology services agency.

(14) "Oversight" means a process of comprehensive risk analysis and management designed to ensure optimum use of information technology resources and telecommunications.

(15) "Proprietary software" means that software offered for sale or license.

(16) "Public agency" means any agency of this state or another state; any political subdivision or unit of local government of this state or another state including, but not limited to, municipal corporations, quasi-municipal corporations, special purpose districts, and local service districts; any public benefit nonprofit corporation; any agency of the United States; and any Indian tribe recognized as such by the federal government.

(17) "Public benefit nonprofit corporation" means a public benefit nonprofit corporation as defined in RCW 24.03.005 that is receiving local, state, or federal funds either directly or through a public agency other than an Indian tribe or political subdivision of another state.

(18) "Public record" has the definitions in RCW 42.56.010 and chapter 40.14 RCW and includes legislative records and court records that are available for public inspection.

(19) "Public safety" refers to any entity or services that ensure the welfare and protection of the public.

(20) "Security incident" means an accidental or deliberative event that results in or constitutes an imminent threat of the

unauthorized access, loss, disclosure, modification, disruption, or destruction of communication and information resources.

(21) "State agency" means every state office, department, division, bureau, board, commission, or other state agency, including offices headed by a statewide elected official.

(22) "Telecommunications" includes, but is not limited to, wireless or wired systems for transport of voice, video, and data communications, network systems, requisite facilities, equipment, system controls, simulation, electronic commerce, and all related interactions between people and machines.

(23) "Utility-based infrastructure services" includes personal computer and portable device support, servers and server administration, security administration, network administration, telephony, email, and other information technology services commonly used by state agencies.

(24) "Cloud computing" has the same meaning as provided by the special publication 800-145 issued by the national institute of standards and technology of the United States department of commerce as of September 2011.

NEW SECTION. Sec. 2. A new section is added to chapter 43.105 RCW to read as follows:

(1) State agencies must adopt third-party, commercial cloud computing solutions for any new information technology or telecommunications investments except as provided in subsection (2) of this section. Prior to selecting and implementing a cloud computing solution, state agencies must evaluate:

(a) The ability of the cloud computing solution to meet security and compliance requirements for all workload types including low, moderate, and high impact data, leveraging defined federal authorization or accreditation programs to the fullest extent possible; and

(b) The portability of data, should the state agency choose to discontinue use of the cloud service.

(2) State agencies must receive a waiver from the office if there is a service requirement that prohibits the adoption of a cloud computing solution, as required in subsection (1) of this section.

(a) Waivers must be based on written justification from the requesting state agency citing specific services or performance requirements for not utilizing a cloud computing solution.

(b) Information on waiver applications, requested and granted, must be submitted by the office to the appropriate committees of the legislature by December 30th each calendar year.

(3) State agencies are prohibited from installing and operating servers, storage, networking, and related hardware in agency-operated facilities unless a waiver is granted by the office or otherwise allowed by statewide policy.

(4) Subject to the availability of amounts appropriated for this specific purpose, the office must conduct a statewide cloud computing readiness assessment to prepare for the migration of core services to cloud services, including ways it can leverage cloud computing to reduce costs. The assessment must:

(a) Inventory state agency assets, associated service contracts, and other relevant information;

(b) Identify impacts to state agency staffing resulting from the migration to cloud computing including: (i) Skill gaps between current on-premises computing practices and how cloud services are procured, secured, administered, maintained, and developed; and (ii) necessary retraining and ongoing training and development to ensure state agency staff maintain the skills necessary to effectively maintain information security and understand changes to enterprise architectures; and

(c) Identify additional resources needed by the agency to enable sufficient cloud migration support to state agencies.

(5) By June 30, 2020, the office must submit a report to the governor and the appropriate committees of the legislature that

summarizes statewide cloud migration readiness and makes recommendations for migration goals.

(6) Subject to the availability of amounts appropriated for this specific purpose, the agency must oversee and provide technical specifications to the department of enterprise services who must conduct competitive procurements processes to identify no more than three contracts per procurement to provide cloud computing services and to provide system migration support. The procurement process must be reopened and contracts must be renegotiated at a minimum every five years.

(7) This section does not apply to institutions of higher education.

NEW SECTION. Sec. 3. RCW 43.105.375 (Use of state data center—Business plan and migration schedule for state agencies—Exceptions) and 2015 3rd sp.s. c 1 s 219 & 2011 1st sp.s. c 43 s 735 are each repealed.”

On page 1, line 1 of the title, after “solutions;” strike the remainder of the title and insert “amending RCW 43.105.020; adding a new section to chapter 43.105 RCW; and repealing RCW 43.105.375.”

Senators Palumbo and Ericksen spoke in favor of adoption of the striking amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of striking amendment no. 384 by Senator Palumbo to Second Substitute Senate Bill No. 5662.

The motion by Senator Palumbo carried and striking amendment no. 384 was adopted by voice vote.

MOTION

On motion of Senator Palumbo, the rules were suspended, Engrossed Second Substitute Senate Bill No. 5662 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Palumbo, Ericksen, Carlyle, Brown, Becker and Braun spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 5662.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5662 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O’Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5662, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 11:42 a.m., on motion of Senator Liias, the Senate was declared to be at ease subject to the call of the President for the purposes of caucus.

Senator McCoy announced a meeting of the Democratic Caucus immediately upon going at ease.

AFTERNOON SESSION

The Senate was called to order at 12:04 p.m. by President Pro Tempore Keiser.

SECOND READING

SENATE JOINT RESOLUTION NO. 8201, by Senators Wellman, Carlyle, Cleveland, Conway, Dhingra, Palumbo, Pedersen, Hunt, Wilson, C., Keiser, Kuderer, Saldaña, Takko and Van De Wege

Amending the Constitution to allow a simple majority of voters voting to authorize school district bonds.

MOTION

On motion of Senator Liias, Substitute Senate Joint Resolution No. 8201 was substituted for Senate Joint Resolution No. 8201 and the substitute resolution was placed on the second reading and read the second time.

MOTION

Senator Zeiger moved that the following amendment no. 383 by Senator Zeiger be adopted:

Beginning on page 1, line 3, strike all material through “state.” on page 4, line 18 and insert the following:

“THAT, At the next general election to be held in this state the secretary of state shall submit to the qualified voters of the state for their approval and ratification, or rejection, an amendment to Article VII, section 2 of the Constitution of the state of Washington and an amendment to Article IX of the Constitution of the state of Washington by adding a new section to read as follows:

Article VII, section 2. Except as hereinafter provided and notwithstanding any other provision of this Constitution, the aggregate of all tax levies upon real and personal property by the state and all taxing districts now existing or hereafter created, shall not in any year exceed one percent of the true and fair value of such property in money. Nothing herein shall prevent levies at the rates now provided by law by or for any port or public utility district. The term “taxing district” for the purposes of this section shall mean any political subdivision, municipal corporation, district, or other governmental agency authorized by law to levy, or have levied for it, ad valorem taxes on property, other than a port or public utility district. Such aggregate limitation or any specific limitation imposed by law in conformity therewith may be exceeded only as follows:

(a) By any taxing district when specifically authorized so to do by a majority of at least three-fifths of the voters of the taxing district voting on the proposition to levy such additional tax submitted not more than twelve months prior to the date on which the proposed initial levy is to be made and not oftener than twice in such twelve month period, either at a special election or at the regular election of such taxing district, at which election the number of voters voting “yes” on the proposition shall constitute three-fifths of a number equal to forty percent of the total number

of voters voting in such taxing district at the last preceding general election when the number of voters voting on the proposition does not exceed forty percent of the total number of voters voting in such taxing district in the last preceding general election; or by a majority of at least three-fifths of the voters of the taxing district voting on the proposition to levy when the number of voters voting on the proposition exceeds forty percent of the number of voters voting in such taxing district in the last preceding general election. Notwithstanding any other provision of this Constitution, any proposition pursuant to this subsection to levy additional tax for the support of the common schools or fire protection districts may provide such support for a period of up to four years and any proposition to levy an additional tax to support the construction, modernization, or remodelling of school facilities or fire facilities may provide such support for a period not exceeding six years. Notwithstanding any other provision of this subsection, a proposition under this subsection to levy an additional tax for a school district shall be authorized by a majority of the voters voting on the proposition, regardless of the number of voters voting on the proposition;

(b) By any taxing district otherwise authorized by law to issue general obligation bonds for capital purposes, for the sole purpose of making the required payments of principal and interest on general obligation bonds issued solely for capital purposes, other than the replacement of equipment, when authorized so to do by majority of at least three-fifths of the voters of the taxing district voting on the proposition to issue such bonds and to pay the principal and interest thereon by annual tax levies in excess of the limitation herein provided during the term of such bonds, submitted not oftener than twice in any calendar year, at an election held in the manner provided by law for bond elections in such taxing district, at which election the total number of voters voting on the proposition shall constitute not less than forty percent of the total number of voters voting in such taxing district at the last preceding general election. Any such taxing district shall have the right by vote of its governing body to refund any general obligation bonds of said district issued for capital purposes only, and to provide for the interest thereon and amortization thereof by annual levies in excess of the tax limitation provided for herein. Notwithstanding any other provision of this subsection (b), a proposition under this subsection to levy an additional tax for a school district to pay principal and interest on bonds as provided under this subsection (b) shall be authorized by at least fifty-five percent of the voters voting on the proposition, regardless of the number of voters voting on the proposition, if the proposition is approved at the general election. The provisions of this section shall also be subject to the limitations contained in Article VIII, Section 6, of this Constitution;

(c) By the state or any taxing district for the purpose of preventing the impairment of the obligation of a contract when ordered so to do by a court of last resort.

Article IX, section . . . State prevailing wage laws do not apply to public works undertaken by, or under contract for, the board of education of any school district.

BE IT FURTHER RESOLVED, That this amendment is a single amendment within the meaning of Article XXIII, section 1 of the state Constitution.

The legislature finds that the changes contained in this amendment constitute a single integrated plan for funding school construction projects. If this amendment is held to be separate amendments, this joint resolution is void in its entirety and is of no further force and effect.

BE IT FURTHER RESOLVED, That the secretary of state shall cause notice of this constitutional amendment to be published at least four times during the four weeks next preceding the election in every legal newspaper in the state.”

POINT OF ORDER

Senator Liias: “Thank you Madam President. In reading the language proposed in the amendment, it appears to exceed the scope and object of the underlying joint resolution, Madam President. It adds provisions relating to prevailing wage laws not only for capital projects that would be affected by the new voting threshold but by all capital projects undertaken by the school district. The capital projects and the prevailing wage laws that apply to them or not a subject of the underlying amendment and certainly the prevailing wage laws applying to other capital projects not discussed by the amendment originally also are not subject of this joint resolution. So, I believe this is outside the scope and object of the underlying joint resolution.”

Senator Zeiger: “Well, thank you Madam President. We are dealing here with a proposed constitutional amendment that would govern the process by which school bonds are approved and certainly in my opinion this falls under the scope of that particular topic. We are talking about the threshold for which the threshold for approval of those bonds but also what happens when those bonds are approved and so I think this is entirely appropriate Thank you.”

MOTION

On motion of Senator Liias, further consideration of Substitute Senate Joint Resolution No. 8201 was deferred and the resolution held its place on the second reading calendar.

The Senate resumed consideration of Substitute Senate Joint Resolution No. 8201 which had been deferred earlier in the day.

RULING BY THE PRESIDENT PRO TEMPORE

President Pro Tempore Keiser: “On the point of order raised by Senator Liias, the President finds and rules as follows: Senate Joint Resolution 8201 relates entirely with the, changing the vote threshold for school district bond elections. It allows a simple majority vote to pass a school bond regardless of the number of votes in the last general election. That is all. Amendment no. 383 by Senators Zeiger would add an entirely second subject, the prevailing wage, and would allow districts to not use prevailing wage in any school construction project whether approved by simple majority by sixty percent or other. The amendment then is impermissible and seeks to expand the scope of the underlying bill. I would also note that, although the objection was not raised by Senator Liias, this amendment appears to violate the single subject rule as well. Senator Liias, this point is well taken.”

PARLIAMENTARY INQUIRY

Senator Braun: “Thank you Madam President. I just want to make sure I understand. So, your ruling differentiated between the use of prevailing wage for school construction and other construction projects, is that, is that accurate?”

RULING BY THE PRESIDENT PRO TEMPORE

President Pro Tempore Keiser: "My ruling was that the amendment was out of scope because it did not deal solely with the subject of the bill."

Senator Braun: "Alright, thank you Madam President."

Senator Wellman moved that the rules be suspended and Substitute Senate Joint Resolution No. 8201 be advanced to third reading, the second reading considered the third and the resolution be placed on final passage.

Senator Zeiger objected to the motion by Senator Wellman to advance the resolution.

MOTION

On motion of Senator Liias, further consideration of Substitute Senate Joint Resolution No. 8201 was deferred and the resolution held its place on the second reading calendar.

The Senate resumed consideration of Substitute Senate Joint Resolution No. 8201 which had been deferred earlier in the day.

MOTION

Senator Zeiger moved that the following amendment no. 385 by Senator Zeiger be adopted:

Beginning on page 1, line 3, strike all material through "state." on page 4, line 18 and insert the following:

"THAT, At the next general election to be held in this state the secretary of state shall submit to the qualified voters of the state for their approval and ratification, or rejection, an amendment to Article VII, section 2 of the Constitution of the state of Washington and an amendment to Article IX of the Constitution of the state of Washington by adding a new section to read as follows:

Article VII, section 2. Except as hereinafter provided and notwithstanding any other provision of this Constitution, the aggregate of all tax levies upon real and personal property by the state and all taxing districts now existing or hereafter created, shall not in any year exceed one percent of the true and fair value of such property in money. Nothing herein shall prevent levies at the rates now provided by law by or for any port or public utility district. The term "taxing district" for the purposes of this section shall mean any political subdivision, municipal corporation, district, or other governmental agency authorized by law to levy, or have levied for it, ad valorem taxes on property, other than a port or public utility district. Such aggregate limitation or any specific limitation imposed by law in conformity therewith may be exceeded only as follows:

(a) By any taxing district when specifically authorized so to do by a majority of at least three-fifths of the voters of the taxing district voting on the proposition to levy such additional tax submitted not more than twelve months prior to the date on which the proposed initial levy is to be made and not oftener than twice in such twelve month period, either at a special election or at the regular election of such taxing district, at which election the number of voters voting "yes" on the proposition shall constitute three-fifths of a number equal to forty percent of the total number of voters voting in such taxing district at the last preceding general election when the number of voters voting on the proposition does not exceed forty percent of the total number of voters voting in such taxing district in the last preceding general election; or by a

majority of at least three-fifths of the voters of the taxing district voting on the proposition to levy when the number of voters voting on the proposition exceeds forty percent of the number of voters voting in such taxing district in the last preceding general election. Notwithstanding any other provision of this Constitution, any proposition pursuant to this subsection to levy additional tax for the support of the common schools or fire protection districts may provide such support for a period of up to four years and any proposition to levy an additional tax to support the construction, modernization, or remodelling of school facilities or fire facilities may provide such support for a period not exceeding six years. Notwithstanding any other provision of this subsection, a proposition under this subsection to levy an additional tax for a school district shall be authorized by a majority of the voters voting on the proposition, regardless of the number of voters voting on the proposition;

(b) By any taxing district otherwise authorized by law to issue general obligation bonds for capital purposes, for the sole purpose of making the required payments of principal and interest on general obligation bonds issued solely for capital purposes, other than the replacement of equipment, when authorized so to do by majority of at least three-fifths of the voters of the taxing district voting on the proposition to issue such bonds and to pay the principal and interest thereon by annual tax levies in excess of the limitation herein provided during the term of such bonds, submitted not oftener than twice in any calendar year, at an election held in the manner provided by law for bond elections in such taxing district, at which election the total number of voters voting on the proposition shall constitute not less than forty percent of the total number of voters voting in such taxing district at the last preceding general election. Any such taxing district shall have the right by vote of its governing body to refund any general obligation bonds of said district issued for capital purposes only, and to provide for the interest thereon and amortization thereof by annual levies in excess of the tax limitation provided for herein. Notwithstanding any other provision of this subsection (b), a proposition under this subsection to levy an additional tax for a school district to pay principal and interest on bonds as provided under this subsection (b) shall be authorized by at least fifty-five percent of the voters voting on the proposition, regardless of the number of voters voting on the proposition, if the proposition is approved at the general election. The provisions of this section shall also be subject to the limitations contained in Article VIII, Section 6, of this Constitution;

(c) By the state or any taxing district for the purpose of preventing the impairment of the obligation of a contract when ordered so to do by a court of last resort.

BE IT FURTHER RESOLVED, That this amendment is a single amendment within the meaning of Article XXIII, section 1 of the state Constitution.

The legislature finds that the changes contained in this amendment constitute a single integrated plan for funding school construction projects. If this amendment is held to be separate amendments, this joint resolution is void in its entirety and is of no further force and effect.

BE IT FURTHER RESOLVED, That the secretary of state shall cause notice of this constitutional amendment to be published at least four times during the four weeks next preceding the election in every legal newspaper in the state."

Senator Zeiger spoke in favor of adoption of the amendment.

Senator Liias moved to table amendment no. 385.

Senator Short objected to the motion by Senator Liias to table the amendment.

Senator Liias spoke in favor of the motion by Senator Liias to table the amendment.

The President Pro Tempore declared the question before the Senate to be the motion by Senator Liias to table amendment no. 385.

The motion by Senator Liias to table amendment no. 385 carried and the amendment was laid upon the table by a rising vote.

MOTION

On motion of Senator Wellman, the rules were suspended, Substitute Senate Joint Resolution No. 8201 was advanced to third reading, the second reading considered the third and the resolution was placed on final passage.

Senators Wellman, Randall, Pedersen, Conway, Wilson, C., Hunt, Hobbs and Palumbo spoke in favor of passage of the resolution.

Senators Schoesler, Zeiger, Fortunato, Ericksen, Warnick, Short, Hawkins, Sheldon and Braun spoke against passage of the resolution.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Joint Resolution No. 8201.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Joint Resolution No. 8201 and the bill passed the Senate by the following vote: Yeas, 28; Nays, 21; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Palumbo, Pedersen, Randall, Rolfes, Saldaña, Salomon, Takko, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Bailey, Becker, Braun, Brown, Ericksen, Fortunato, Hawkins, Holy, Honeyford, King, O’Ban, Padden, Rivers, Schoesler, Sheldon, Short, Wagoner, Walsh, Warnick, Wilson, L. and Zeiger

SUBSTITUTE SENATE JOINT RESOLUTION NO. 8201, having failed to receive the constitutionally-required two-thirds majority, was declared lost.

MOTION

At 1:07 p.m., on motion of Senator Liias, the Senate was declared to be at ease subject to the call of the President for the purposes of lunch.

The Senate was called to order at 2:34 p.m. by President Habib.

SECOND READING

SENATE BILL NO. 5263, by Senator Zeiger

Concerning school bus driver requirements.

The measure was read the second time.

MOTION

On motion of Senator Zeiger, the rules were suspended, Senate Bill No. 5263 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Zeiger, Wellman and Warnick spoke in favor of passage of the bill.

REMARKS BY THE PRESIDENT

President Habib: “That’s an important skill set to have, how to manage a set of unwieldy individuals as you preside over them in a certain way, so [Laughter] ... In that vein, before we, before, before we go any further, thank you all for saying it’s nice to have me back. Of course, as always, I want to say thank you to Senator Karen Keiser, who I understand has been fighting through a cold and has been presiding through all of that while also chairing committee and seeing those bills through and her own substantial set of policies. So, it may end up getting repetitive, but I will always thank her and Senator Conway and I understand also Senator Hasegawa. So, for everyone who stepped up, thank you so much for doing that these past couple days.”

The President declared the question before the Senate to be the final passage of Senate Bill No. 5263.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5263 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 1; Absent, 1; Excused, 0.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Fortunato, Frockt, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O’Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senator Hasegawa
Absent: Senator Ericksen

SENATE BILL NO. 5263, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5067, by Senator Zeiger

Modifying certain common school provisions.

MOTIONS

On motion of Senator Zeiger, Substitute Senate Bill No. 5067 was substituted for Senate Bill No. 5067 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Zeiger moved that the following amendment no. 333 by Senators Zeiger and Warnick be adopted:

On page 3, after line 32, insert the following:

“Sec. 3. RCW 28A.300.080 and 1983 1st ex.s. c 34 s 1 are each amended to read as follows:

(1) The legislature recognizes that agriculture is the most basic and singularly important industry in the state, that agriculture is of central importance to the welfare and economic stability of the state, and that the maintenance of this vital industry requires a continued source of trained and qualified individuals who qualify for employment in agriculture, food, and natural resource career pathways.

(2) The legislature finds that research shows that students enrolled in a career and technical education program in high school have a higher graduation rate than other students, and that the agricultural education branch of career and technical education fosters an understanding of the history and principles of agriculture, agriscience, manufacturing, agribusiness, leadership, advocacy, and community service.

(3) The legislature, therefore, intends to promote comprehensive and formal instruction in agricultural education, and membership in the corresponding career and technical student organizations, to provide students with the opportunity to:

(a) Develop fundamental leadership and communication skills;

(b) Develop an applied understanding of the agricultural industry and its potential;

(c) Explore and understand career opportunities through supervised agricultural experiences;

(d) Engage with industry mentors; and

(e) Plan for career and college success.

(4) In an effort to assist actions of schools to offer career and technical education courses, the legislature intends to support dropout prevention programs and career readiness, and improve learning opportunities and educational outcomes in agriculture, food, and natural resource education.

(5) The legislature declares that it is within the best interests of the people and state of Washington that a comprehensive ~~((vocational—education))~~ program in agriculture education through career and technical education be maintained in the state's secondary school system in order to ensure both an adequate supply of trained and skilled individuals, and appropriate representation of sexual orientation, racial, and ethnic groups in all phases of the agricultural, food, and natural resource supply chain.

Sec. 4. RCW 28A.300.090 and 1983 1st ex.s. c 34 s 2 are each amended to read as follows:

(1) ~~((A vocational))~~ An agriculture education ~~((service area within))~~ program must be established as a career and technical education program in the office of the superintendent of public instruction ~~((shall be established))~~. The program must serve the agriculture, food, and natural resource career cluster. Adequate funding for the staffing of individuals trained or experienced in the field of ~~((vocational agriculture shall be provided for the vocational))~~ agriculture education ~~((service area for coordination of the state))~~ must be provided for program ~~((and to))~~ oversight.

(2) The program must provide assistance to ~~((local))~~ school districts ~~((for the coordination of the))~~ and coordinate its activities ~~((of))~~ with applicable career and technical student ~~((agricultural))~~ organizations ~~((and associations))~~. The program staff members must include, but are not limited to, a 1.0 FTE supervisor of agriculture education employed by the office of the superintendent of public instruction, and any additional staff member deemed appropriate.

~~((2))~~ (3) The ~~((vocational agriculture education service area))~~ program supervisor shall:

(a) Assess needs in ~~((vocational))~~ agriculture ~~((education))~~, food, and natural resource sciences, assist local school districts in establishing ~~((vocational))~~ agriculture programs, review local school district applications for approval of ~~((vocational))~~ agriculture programs, evaluate existing programs, and plan

research and studies for the improvement of curriculum materials for specialty areas of ~~((vocational))~~ agriculture. Standards and criteria developed under this subsection shall satisfy the mandates of federally-assisted ~~((vocational))~~ career and technical education;

(b) Develop in-service programs for teachers and administrators of ~~((vocational))~~ agriculture education, review applications for ~~((vocational))~~ career and technical education agriculture teacher certification, and assist in teacher recruitment and placement in ~~((vocational))~~ career and technical education agriculture programs;

(c) Serve ~~((as a liaison with))~~ on the ~~((Future Farmers of America))~~ Washington FFA association board of directors, consisting of representatives of business, industry, and appropriate public agencies, and institutions of higher education in order to disseminate information, promote improvement of ~~((vocational))~~ career and technical education agriculture programs, and assist in the development of adult and continuing education programs in ~~((vocational))~~ agriculture; ~~((and))~~

(d) Serve as the FFA state advisor for Washington; and

(e) Establish an advisory task force committee of agriculturists, who represent the diverse areas of the agricultural industry in Washington, which shall make annual recommendations including, but not limited to, the development of curriculum, staffing, strategies for the purpose of establishing a source of trained and qualified individuals in agriculture, and strategies for articulating the state program in ~~((vocational))~~ agriculture education, including youth leadership throughout the state school system.

(4) For the purposes of this section, "agriculture, food, and natural resource career cluster area" means a program of study requiring the student to:

(a) Complete courses in the following areas:

(i) Agribusiness systems;

(ii) Animal systems;

(iii) Biotechnology systems;

(iv) Environmental service systems;

(v) Food products and processing systems;

(vi) Natural resource systems;

(vii) Plant systems; and

(viii) Power, structural, and technical systems;

(b) Develop a supervised agriculture experience extended learning program that is supervised by the student's agriculture educator; and

(c) Be engaged in a career and technical student organization.

NEW SECTION. Sec. 5. A new section is added to chapter 28A.300 RCW to read as follows:

(1) The legislature finds that career and technical student organizations prepare students to enter a postsecondary education institute and a career. The legislature finds also that barriers for agriculture education students should be removed.

(2) Subject to the availability of amounts appropriated for this specific purpose, the office of the superintendent of public instruction shall provide every student enrolled in an agriculture education pathway course approved by the office of the superintendent of public instruction, based on annual June 1st enrollment, with state and national membership to the corresponding career and technical student organizations.

NEW SECTION. Sec. 6. A new section is added to chapter 28A.300 RCW to read as follows:

The office of the superintendent of public instruction, in consultation with the board of directors of the Washington FFA association, shall adopt and periodically revise rules to implement RCW 28A.300.090 and section 5 of this act."

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On page 1, line 1 of the title, after “modifying” strike the remainder of the title and insert “provisions related to second grade reading assessments, revising requirements for the building bridges program, and modifying provisions governing an existing vocational agriculture education service area program; amending RCW 28A.175.025, 28A.300.310, 28A.300.080, and 28A.300.090; and adding new sections to chapter 28A.300 RCW.”

Senators Zeiger, Wellman and Short spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 333 by Senators Zeiger and Warnick on page 3, after line 32 to Substitute Senate Bill No. 5067.

The motion by Senator Zeiger carried and amendment no. 333 was adopted by voice vote.

MOTION

On motion of Senator Zeiger, the rules were suspended, Engrossed Substitute Senate Bill No. 5067 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Zeiger, Wellman and Warnick spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5067.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5067 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O’Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senator Hasegawa

ENGROSSED SUBSTITUTE SENATE BILL NO. 5067, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5731, by Senator Short

Concerning petitions for proposed transfer of school district territory.

The measure was read the second time.

MOTION

On motion of Senator Short, the rules were suspended, Senate Bill No. 5731 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Short and Wellman spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5731.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5731 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O’Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

SENATE BILL NO. 5731, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5363, by Senators Palumbo, Wagoner, Hunt, Mullet and Liias

Extending the property tax exemption for new and rehabilitated multiple-unit dwellings in urban centers.

MOTIONS

On motion of Senator Palumbo, Substitute Senate Bill No. 5363 was substituted for Senate Bill No. 5363 and the substitute bill was placed on the second reading and read the second time.

WITHDRAWAL OF AMENDMENT

On motion of Senator Zeiger and without objection, amendment no. 338 by Senator Zeiger on page 2, line 11 to Substitute Senate Bill No. 5363 was withdrawn.

MOTION

Senator Ericksen moved that the following amendment no. 351 by Senator Ericksen be adopted:

On page 3, after line 25, insert the following:

“(8) The exemptions under subsections (1)(a)(ii)(A) and (6) of this section only apply to a local government:

(a) Whose transportation infrastructure has received a grade of at least B or better from the department of transportation’s level of service report; and

(b) Has demonstrated that the resulting new construction will not result in a reduction in transportation level of service.”

Senators Ericksen and Becker spoke in favor of adoption of the amendment.

Senator Palumbo spoke against adoption of the amendment.

Senator Zeiger spoke on adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 351 by Senator Ericksen on page 3, after line 25 to Substitute Senate Bill No. 5363.

The motion by Senator Ericksen did not carry and amendment no. 351 was not adopted by voice vote.

MOTION

On motion of Senator Palumbo, the rules were suspended, Substitute Senate Bill No. 5363 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Palumbo spoke in favor of passage of the bill.
Senator Ericksen spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5363.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5363 and the bill passed the Senate by the following vote: Yeas, 39; Nays, 10; Absent, 0; Excused, 0.

Voting yea: Senators Bailey, Billig, Braun, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Fortunato, Frockt, Hawkins, Hobbs, Holy, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Palumbo, Pedersen, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Voting nay: Senators Becker, Brown, Ericksen, Hasegawa, Honeyford, King, Padden, Randall, Short and Wilson, L.

SUBSTITUTE SENATE BILL NO. 5363, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5366, by Senators Wagoner, Mullet, Rivers, Palumbo, Rolfes, Brown, Honeyford, Wilson, L. and Zeiger

Expanding the property tax exemption for new and rehabilitated multiple-unit dwellings in urban centers.

MOTIONS

On motion of Senator Wagoner, Substitute Senate Bill No. 5366 was substituted for Senate Bill No. 5366 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Wagoner, the rules were suspended, Substitute Senate Bill No. 5366 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wagoner and Kuderer spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5366.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5366 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 4; Absent, 0; Excused, 0.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Fortunato, Frockt, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senators Ericksen, Hasegawa, King and Randall

SUBSTITUTE SENATE BILL NO. 5366, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

RULING BY THE PRESIDENT

President Habib: "The President would like to clarify a Point of Order before we continue on the second reading calendar. Senator Liias, earlier today when the President Pro Tempore was presiding, I understand that you made a motion that prevailed on the question of restricting speeches among other things to one per senator under Rule 29 with the exception of the maker of the motion could speak to close debate and last year or in the past I have construed that narrowly to say that final passage of a bill is not a motion. And so, in the past, we've clarified that issue. I just want to be sure that everyone is on the same page. Is it your, was it your intent on making that motion, or is your intent now that the prime sponsor of the bill also have the opportunity to speak twice, including to close debate on final passage?"

Senator Liias: "Mr. President my, my intent was to use the same policy we used last year so if there are words that we could use to state that motion more clearly for tomorrow happy to include that."

President Habib: "So, without objection, the rule as adopted earlier the restriction will remain in place except that the maker, the prime sponsor of a bill will also have the opportunity to speak to close debate on final passage. Hearing no objections, so ordered."

SECOND READING

SENATE BILL NO. 5441, by Senators Nguyen, Wilson, C., Darneille, Cleveland, Salomon, Randall, Hasegawa and Kuderer

Extending rental vouchers for eligible offenders.

MOTIONS

On motion of Senator Nguyen, Substitute Senate Bill No. 5441 was substituted for Senate Bill No. 5441 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Nguyen, the rules were suspended, Substitute Senate Bill No. 5441 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Nguyen, Walsh and O'Ban spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5441.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5441 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers,

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SUBSTITUTE SENATE BILL NO. 5441, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5051, by Senators O’Ban, Brown, Palumbo and Wagoner

Incentivizing the development of commercial office space in cities with a population of greater than fifty thousand and located in a county with a population of less than one million five hundred thousand.

MOTION

On motion of Senator O’Ban, Substitute Senate Bill No. 5051 was substituted for Senate Bill No. 5051 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator O’Ban moved that the following striking amendment no. 007 by Senators O’Ban and Mullet be adopted:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. The legislature finds that the cost of developing high-quality, commercial office space is prohibitive in cities located outside of a major metropolitan area. The legislature finds these cities have designated urban centers and plan to locate high-quality, commercial office space within those urban centers. The legislature also finds that solely planning for commercial office space within urban centers is inadequate and an incentive should be created to stimulate the development of new commercial office space in urban centers. The legislature intends to provide these cities with local options to incentivize the development of commercial office space in urban centers with access to transit, high capacity transportation systems, and other amenities.

NEW SECTION. Sec. 2. (1) A governing authority of a city may adopt a local sales and use tax exemption program to incentivize the development of class A commercial office space in urban centers with access to transit, high capacity transportation systems, and other amenities.

(2) A governing authority of a city may adopt a local property tax exemption program to incentivize the development of class A commercial office space in urban centers with access to transit, high capacity transportation systems, and other amenities.

NEW SECTION. Sec. 3. In order to use the sales and use tax exemption authorized in section 2 of this act, a city must:

(1) Obtain written agreement for the use of the local sales tax exemption from any taxing authority that imposes a sales or use tax under chapters 82.14 or 81.104 RCW. The agreement must be authorized by the governing body of such participating taxing authorities;

(2) Hold a public hearing on the proposed use of the exemption.

(a) Notice of the hearing must be published in a legal newspaper of general circulation at least ten days before the public hearing and posted in at least six conspicuous public places

located within one mile of the proposed location of a qualifying project.

(b) Notices must describe the qualifying project and estimate the amount of revenue exempted under this section.

(c) The public hearing may be held by either the governing body of a city, or a committee of the governing body that includes at least a majority of the whole governing body;

(3)(a) Establish criteria for a qualifying project exempted under section 6 of this act. Criteria must include:

(i) A minimum number of new family living wage jobs for location within the qualifying project; and

(ii) The physical characteristics, features, and amenities necessary for a qualifying project to be defined as class A commercial office space.

(b) Criteria may also include height, density, public benefit features, quality of amenities, number and size of proposed development, parking, employment targets, percent occupied, or other adopted requirements indicated necessary by the city; and

(4) Adopt an ordinance announcing the use of the sales and use tax exemptions under sections 6 and 7 of this act. The ordinance must:

(a) Describe the qualifying project, including a physical description of proposed building or buildings, a list of features and amenities, cost of construction, length that the qualifying project will be under construction, and final use such as residential, commercial, or mixed use;

(b) Estimate the amount of local sales tax revenue that will be exempted under sections 6 and 7 of this act;

(c) Provide the approximate date that the local sales tax revenue will be remitted to a taxpayer; and

(d) Certify the criteria under this section by which a qualifying project can later receive certification under sections 6(3) and 7(3) of this act confirming that a taxpayer is eligible for the remittance.

NEW SECTION. Sec. 4. (1) In order to use the property tax exemption authorized under section 2 of this act, a city must:

(a) Establish the criteria under which property can qualify for the exemption under section 9 of this act. Criteria:

(i) Must include: (A) A minimum number of new family living wage jobs for location within the qualifying project;

(B) The physical characteristics, features, and amenities necessary for a qualifying project to be defined as class A commercial office space;

(C) A location in a designated commercial office development targeted area; and

(ii) May also include height, density, public benefit features, quality of amenities, number and size of proposed development, parking, employment targets, percent occupied, or other adopted requirements indicated necessary by the city;

(b) Designate an area as a commercial office development targeted area. The following criteria must be met before an area may be designated as a commercial office development targeted area:

(i) The area must be within an urban center, as determined by the governing authority;

(ii) The area must lack, as determined by the governing authority, sufficient available, desirable, high-quality, and convenient commercial office space to provide jobs in the urban center, if the desirable, attractive, and convenient commercial office space was available;

(iii) The providing of additional commercial office space development opportunities in the area, as determined by the governing authority, will assist in achieving one or more of the stated purposes of this chapter; and

(iv) The use of the incentive in this chapter is not expected to be used for the purpose of relocating a business from outside of

the commercial office development targeted area, but within the state, to within the commercial office development targeted area. The incentive may be used for the expansion of a business, including the development of additional offices or satellite facilities.

(2) For the purpose of designating a commercial office development targeted area or areas, the governing authority must adopt a resolution of intention to so designate an area as generally described in the resolution. The resolution must state the time and place of a hearing to be held by the governing authority to consider the designation of the area and must include, at a minimum, findings as to the number of commercial office buildings that will be newly constructed or rehabilitated within the proposed commercial office development targeted areas, estimated construction costs of the new construction or rehabilitation, estimated local taxes generated, and jobs produced within the targeted area in a period of ten years from the date of the hearing, and may include such other information pertaining to the designation of the area as the governing authority determines to be appropriate to apprise the public of the action intended.

(3) The governing authority must give notice of a hearing held under this chapter by publication of the notice once each week for two consecutive weeks, not less than seven days, nor more than thirty days before the date of the hearing in a paper having a general circulation in the city or county where the proposed commercial office development targeted area is located. The notice must state the time, date, place, and purpose of the hearing and generally identify the area proposed to be designated as a commercial office development targeted area.

(4) Following the hearing, the governing authority may designate all or a portion of the area described in the resolution of intent as a commercial office development targeted area if it finds, in its sole discretion, that the criteria in subsections (1) and (2) of this section have been met.

(5) After designation of a commercial office development targeted area, the governing authority must adopt and implement standards and guidelines to be utilized in considering applications and making the determinations required under section 12 of this act. The standards and guidelines must establish basic requirements for both new construction and rehabilitation, which must include:

- (a) Application process and procedures;
- (b) Requirements that address demolition of existing structures and site utilization;
- (c) Building requirements that may include elements addressing parking, height, density, environmental impact, and compatibility with the existing surrounding property and such other amenities as will attract and keep commercial tenants and that will properly enhance the commercial office development targeted area in which they are to be located; and
- (d) Guidelines regarding individual units that are part of a qualifying project that may meet the requirements of the exemption in chapter 84.-- RCW (the new chapter created in section 21 of this act).

NEW SECTION. Sec. 5. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "City" means a city located in a county with a population of less than one million five hundred thousand.

(2) "Class A" means among the most competitive and highest quality building or buildings in the local market, as determined by a city's governing authority. High quality must be reflected in the finishes, construction, and infrastructure of the project building. The building or buildings must be at least fifty thousand square feet, and at least three stories. The building must be

centrally located in a city, provide close access to public transportation and freeways, be managed professionally, and offer amenities and advanced technology options to tenants.

(3) "Commercial office development targeted area" means an area within an urban center or urban growth area that has been designated by the governing authority as a commercial office development targeted area in accordance with this chapter.

(4) "County" means a county with a population of less than one million five hundred thousand.

(5) "Family living wage job" means a job with a wage that is sufficient for raising a family. A family living wage job must have an average wage of eighteen dollars an hour or more, working two thousand eighty hours per year, as adjusted annually by the consumer price index. The family living wage may be increased by the local authority based on regional factors and wage conditions.

(6) "Governing authority" means the local legislative authority of a city or a county having jurisdiction over the property for which an exemption may be applied for under this chapter.

(7) "Mixed use" means any building or buildings containing a combination of residential and commercial units, whether title to the entire property is held in single or undivided ownership or title to individual units is held by owners who also, directly or indirectly through an association, own real property in common with the other unit owners.

(8) "Qualifying project" means new construction or rehabilitation of a building or group of buildings intended for use as class A office space. Projects may include mixed use buildings, not solely intended to be used as office space, but does not include any portion of a project intended for residential use.

(9) "Rehabilitation" means modifications to an existing building or buildings made to achieve substantial improvements such that the building or buildings can be categorized as class A.

(10) "Rehabilitation improvements" means modifications to an existing building or buildings made to achieve substantial improvements in quality, features, or amenities, such that the building or buildings can be categorized as class A as determined by a city's governing authority.

(11) "Relocating a business" means the closing of a business and the reopening of that business, or the opening of a new business that engages in the same activities as the previous business, in a different location within a one-year period, when an individual or entity has an ownership interest in the business at the time of closure and at the time of opening or reopening. "Relocating a business" does not include the closing and reopening of a business in a new location where the business has been acquired and is under entirely new ownership at the new location, or the closing and reopening of a business in a new location as a result of the exercise of the power of eminent domain.

(12) "Urban center" means a compact identifiable district where urban residents may obtain a variety of products and services. An urban center must contain:

- (a) Several existing or previous, or both, business establishments that may include but are not limited to shops, offices, banks, restaurants, and governmental agencies;
- (b) Adequate public facilities including streets, sidewalks, lighting transit, domestic water, and sanitary sewer systems; and
- (c) A mixture of uses and activities that may include housing, recreation, and cultural activities in association with either commercial or office use, or both commercial and office use.

NEW SECTION. Sec. 6. A new section is added to chapter 82.14 RCW to read as follows:

(1) Subject to the requirements of this section and section 3 of this act, a taxpayer is eligible for an exemption from the sales and use taxes imposed under the authority of this chapter on:

(a) The sale of or charge made for labor and services rendered in respect to construction or rehabilitation of a qualifying project located in a city; and

(b) The sale or use of tangible personal property that will be incorporated as an ingredient or component of a qualifying project located in a city during the course of the constructing or rehabilitating.

(2)(a) The exemption in this section is in the form of a remittance. A taxpayer claiming an exemption under this section must pay all applicable state and local sales and use taxes on all activities qualifying for the exemption.

(b) The amount of the exemption is one hundred percent of the local sales and use taxes paid under the authority of this chapter for activities qualifying under subsection (1) of this section, if the taxing authorities imposing taxes authorized under this chapter have authorized the use of the exemption to the governing authority of a city as provided under section 3(1) of this act.

(3)(a) After the qualifying project has been operationally complete for four years, but not later than five years after all state and local sales and use tax for activities qualifying under subsection (1) of this section has been paid, a taxpayer may apply to the department for a remittance of local sales and use taxes.

(b) A taxpayer requesting a remittance under this section must obtain certification from the governing authority of a city verifying that the qualifying project has satisfied the criteria in section 3 of this act.

(c) The taxpayer must specify the amount of exempted tax claimed and the qualifying activities for which the exemption is claimed. The taxpayer must retain, in adequate detail, records to enable the department to determine whether the taxpayer is entitled to an exemption under this section, including invoices, proof of tax paid, and construction contracts.

(d) The department must determine eligibility under this section based on information provided by the taxpayer, which is subject to audit verification by the department.

(4) The definitions in section 5 of this act apply to this section.

NEW SECTION. Sec. 7. A new section is added to chapter 81.104 RCW to read as follows:

(1) Subject to the requirements of this section and section 3 of this act, a taxpayer is eligible for an exemption from the tax imposed under the authority of RCW 81.104.170.

(2)(a) The exemption in this section is in the form of a remittance. A taxpayer claiming an exemption under this section must pay all applicable state and local sales taxes imposed or authorized under RCW 82.08.020, 82.12.020, section 6 of this act, and this chapter on all activities qualifying for the exemption as described in section 6(1) of this act.

(b) The amount of the exemption is one hundred percent of the local sales and use taxes paid under this chapter for activities qualifying under (a) of this subsection, if the taxing authorities imposing sales and use taxes authorized under this chapter have authorized the use of the exemption to the governing authority of a city as provided under section 3(1) of this act.

(3)(a) After the qualifying project has been operationally complete for four years, but not later than five years after all local sales and use tax for activities qualifying under subsection (2)(a) of this section has been paid, a taxpayer may apply to the department for a remittance of local sales and use taxes.

(b) A taxpayer requesting a remittance under this section must obtain certification from the governing authority of a city verifying that the qualifying project has satisfied the criteria in section 3 of this act.

(c) The taxpayer must specify the amount of exempted tax claimed and the qualifying activities for which the exemption is claimed. The taxpayer must retain, in adequate detail, records to enable the department to determine whether the taxpayer is entitled to an exemption under this section, including invoices, proof of tax paid, and construction contracts.

(d) The department must determine eligibility under this section based on information provided by the taxpayer, which is subject to audit verification by the department.

(4) The definitions in section 5 of this act apply to this section.

Sec. 8. RCW 81.104.170 and 2015 3rd sp.s. c 44 s 320 are each amended to read as follows:

(1) Cities that operate transit systems, county transportation authorities, metropolitan municipal corporations, public transportation benefit areas, high capacity transportation corridor areas, and regional transit authorities may submit an authorizing proposition to the voters and if approved by a majority of persons voting, fix and impose a sales and use tax in accordance with the terms of this chapter, solely for the purpose of providing high capacity transportation service.

(2) The tax authorized pursuant to this section is in addition to the tax authorized by RCW 82.14.030 and must be collected from those persons who are taxable by the state pursuant to chapters 82.08 and 82.12 RCW upon the occurrence of any taxable event within the taxing district.

(a) Except for the tax imposed under (b) of this subsection by regional transit authorities that include a county with a population of more than one million five hundred thousand, the maximum rate of such tax must be approved by the voters and may not exceed one percent of the selling price (in the case of a sales tax) or value of the article used (in the case of a use tax). The maximum rate of such tax that may be imposed may not exceed nine-tenths of one percent in any county that imposes a tax under RCW 82.14.340, or within a regional transit authority if any county within the authority imposes a tax under RCW 82.14.340.

(b) The maximum rate of such tax that may be imposed by a regional transit authority that includes a county with a population of more than one million five hundred thousand must be approved by the voters and may not exceed 1.4 percent. If a regional transit authority imposes the tax authorized under this subsection (2)(b) in excess of 0.9 percent, the authority may not receive any state grant funds provided in an omnibus transportation appropriations act except transit coordination grants created in chapter 11, Laws of 2015 3rd sp. sess.

(3)(a) The exemptions in RCW 82.08.820 and 82.12.820 are for the state portion of the sales and use tax and do not extend to the tax authorized in this section.

(b) The exemptions in RCW 82.08.962 and 82.12.962 are for the state and local sales and use taxes and include the tax authorized by this section.

(c) The exemptions in section 7 of this act are for the local sales and use taxes and include the tax authorized by this section.

NEW SECTION. Sec. 9. (1) In a city that has met the requirements of section 4 of this act, the value of new construction and rehabilitation improvements of real property qualifying under this chapter is exempt from the city share of ad valorem property taxation for a period of ten successive years beginning January 1st of the calendar year immediately following the calendar year in which a certificate of tax exemption is filed with the county assessor in accordance with section 13 of this act.

(2) Upon approval by a county legislative authority, the value of new construction and rehabilitation improvements of real property qualifying under this chapter is exempt from all property taxes levied by a county legislative authority for a period of ten

successive years beginning January 1st of the calendar year immediately following the calendar year in which a certificate of tax exemption is filed with the county assessor in accordance with section 13 of this act.

(3) The exemptions provided in subsections (1) and (2) of this section do not include the value of land or improvements not qualifying under this chapter.

(4) When a local government adopts guidelines pursuant to section 4 of this act and includes conditions that must be satisfied with respect to individual commercial units, rather than with respect to the qualifying project as a whole or some minimum portion thereof, the exemption may, at the local government's discretion, be limited to the value of the improvements allocable to those individual commercial units that meet the local guidelines.

(5) In the case of rehabilitation of existing buildings, the exemption does not include the value of improvements constructed prior to the submission of the application required under this chapter.

(6) This chapter does not apply to increases in assessed valuation made by the assessor on nonqualifying portions of building and value of land nor to increases made by lawful order of a county board of equalization, the department of revenue, or a county to a class of property throughout the county or specific area of the county to achieve the uniformity of assessment or appraisal required by law.

(7) At the conclusion of the exemption period, the new or rehabilitated property must be considered as new construction for the purposes of chapter 84.55 RCW.

(8) The incentive provided by this chapter is in addition to any other incentives, tax credits, grants, or other incentives provided by law.

NEW SECTION. Sec. 10. An owner of property making application under this chapter must meet the following requirements:

(1) The qualifying project must be located in an urban center as designated by the city or county;

(2) The qualifying project must meet criteria as adopted by the governing authority under section 4 of this act that may include height, density, public benefit features, quality of amenities, number and size of proposed development, parking, and other adopted requirements indicated necessary by the city or county. The required amenities should be relative to the size of the project and tax benefit to be obtained;

(3) A qualifying project must be completed within three years from the date of approval of the application;

(4) The applicant must enter into a contract with the city approved by the governing authority, or an administrative official or commission authorized by the governing authority, under which the applicant has agreed to the implementation of the development on terms and conditions satisfactory to the governing authority.

NEW SECTION. Sec. 11. An owner of property seeking tax incentives under this chapter must complete the following procedures:

(1) In the case of rehabilitation or where demolition or new construction is required, the owner must secure from the governing authority or duly authorized representative, before commencement of rehabilitation improvements or new construction, verification of property noncompliance with applicable building codes;

(2) The owner must apply to the city on forms adopted by the governing authority. The application must contain the following:

(a) Information setting forth the grounds supporting the requested exemption including information indicated on the application form or in the guidelines;

(b) A statement of the expected number of new family living wage jobs to be created;

(c) A description of the project and site plan; and

(d) A statement that the applicant is aware of the potential tax liability involved when the property ceases to be eligible for the incentive provided under this chapter;

(3) The applicant must verify the application by oath or affirmation; and

(4) The application may be accompanied by the application fee, if any, required under section 14 of this act. The governing authority may permit the applicant to revise an application before final action by the governing authority.

NEW SECTION. Sec. 12. The duly authorized administrative official or committee of the city may approve the application if it finds that:

(1) The proposed qualifying project meets the criteria as defined by the city in section 4 of this act, including the minimum number of new family living wage jobs to be created for permanent location in the qualifying project within one year of building occupancy;

(2) The proposed project is or will be, at the time of completion, in conformance with all local plans and regulations that apply at the time the application is approved;

(3) The owner has complied with all standards and guidelines adopted by the city under section 4 of this act; and

(4) The site is located in a commercial office development targeted area of an urban center or urban growth area that has been designated by the governing authority in accordance with procedures and guidelines indicated under section 4 of this act.

NEW SECTION. Sec. 13. (1) The governing authority or an administrative official or commission authorized by the governing authority must approve or deny an application filed under this chapter within ninety days after receipt of the application.

(2) If the application is approved, the city must issue the owner of the property a conditional certificate of acceptance of tax exemption. The certificate must contain a statement by a duly authorized administrative official of the governing authority that the property has complied with the required findings indicated in section 12 of this act.

(3) If the application is denied by the authorized administrative official or commission authorized by the governing authority, the deciding administrative official or commission must state in writing the reasons for denial and send the notice to the applicant at the applicant's last known address within ten days of the denial.

(4) Upon denial by a duly authorized administrative official or commission, an applicant may appeal the denial to the governing authority within thirty days after issuance of the denial. The appeal before the governing authority must be based upon the record made before the administrative official with the burden of proof on the applicant to show that there was no substantial evidence to support the administrative official's decision. The decision of the governing body in denying or approving the application is final.

NEW SECTION. Sec. 14. The governing authority may establish an application fee. This fee may not exceed an amount determined to be required to cover the cost to be incurred by the governing authority and the assessor in administering this chapter. The application fee must be paid at the time the application for limited exemption is filed. If the application is approved, the governing authority shall pay the application fee to

the county assessor for deposit in the county current expense fund, after first deducting that portion of the fee attributable to its own administrative costs in processing the application. If the application is denied, the governing authority may retain that portion of the application fee attributable to its own administrative costs and refund the balance to the applicant.

NEW SECTION. Sec. 15. (1) Upon completion of rehabilitation or new construction for which an application for a limited tax exemption under this chapter has been approved and after issuance of the certificate of occupancy, the owner must file with the city the following:

- (a) A statement of the amount of rehabilitation or construction expenditures made;
- (b) A statement of the new family living wage jobs to be created for location at the qualifying project;
- (c) A description of the work that has been completed and a statement that the rehabilitation improvements or new construction on the owner's property qualify the property for limited exemption under this chapter;
- (d) If applicable, a statement that the project meets the local requirements as described in section 10 of this act; and
- (e) A statement that the work has been completed within three years of the issuance of the conditional certificate of tax exemption.

(2) Within thirty days after receipt of the statements required under subsection (1) of this section, the authorized representative of the city must determine whether the work completed, and the affordability of the units, is consistent with the application and the contract approved by the city and is qualified for a limited tax exemption under this chapter. The city must also determine which specific improvements completed meet the requirements and required findings.

(3) If the rehabilitation or construction is completed within three years of the date the application for a limited tax exemption is filed under this chapter, or within an authorized extension of this time limit, and the authorized representative of the city determines that improvements were constructed consistent with the application and other applicable requirements, and the owner's property is qualified for a limited tax exemption under this chapter, the city must file the certificate of tax exemption with the county assessor within ten days of the expiration of the thirty-day period provided under subsection (2) of this section.

(4) The authorized representative of the city must notify the applicant that a certificate of tax exemption is not going to be filed if the authorized representative determines that:

- (a) The rehabilitation or new construction was not completed within three years of the application date, or within any authorized extension of the time limit;
- (b) The improvements were not constructed consistent with the application or other applicable requirements;
- (c) If applicable, the additional criteria related to a qualifying project under section 4 of this act were not met; or
- (d) The owner's property is otherwise not qualified for limited exemption under this chapter.

(5) If the authorized representative finds that construction or rehabilitation of a qualifying project was not completed within the required time period due to circumstances beyond the control of the owner and that the owner has been acting and could reasonably be expected to act in good faith and with due diligence, the governing authority or the city official authorized by the governing authority may extend the deadline for completion of construction or rehabilitation for a period not to exceed twenty-four consecutive months.

(6) The governing authority may provide by ordinance for an appeal of a decision by the deciding officer or authority that an

owner is not entitled to a certificate of tax exemption to the governing authority, a hearing examiner, or other city officer authorized by the governing authority to hear the appeal in accordance with such reasonable procedures and time periods as provided by ordinance of the governing authority. The owner may appeal a decision by the deciding officer or authority that is not subject to local appeal or a decision by the local appeal authority that the owner is not entitled to a certificate of tax exemption in superior court under RCW 34.05.510 through 34.05.598, if the appeal is filed within thirty days of notification by the governing authority to the owner of the decision being challenged.

NEW SECTION. Sec. 16. (1) Thirty days after the anniversary of the date of the certificate of tax exemption and each year for the tax exemption period, the owner of the rehabilitated or newly constructed property must file with a designated authorized representative of the city or the governing authority an annual report indicating the following:

- (a) A statement of the family living wage jobs at the qualifying project as of the anniversary date;
- (b) A certification by the owner that the property has not changed use and, if applicable, that the property has been in compliance with all criteria under sections 4 and 11 of this act since the date of the certificate approved by the governing authority;
- (c) A description of changes or improvements constructed after issuance of the certificate of tax exemption; and
- (d) Any additional information requested by the governing authority in regards to the units receiving a tax exemption.

(2) All cities, which issue certificates of tax exemption for class A commercial office space that conform to the requirements of this chapter, must publish on the city's web site, or in another format that is easily available to the public, annually by December 31st of each year, beginning in 2019, the following information:

- (a) The number of tax exemption certificates granted;
- (b) A description of the new construction and rehabilitation improvements of any qualifying projects;
- (c) The value of the tax exemption for each project receiving a tax exemption and the total value of tax exemptions granted;
- (d) The number of family living wage jobs located at the qualifying project; and
- (e) A comparison of the data required in this section with the data included in the findings developed when the commercial office development targeted area was established.

NEW SECTION. Sec. 17. (1) If improvements have been exempted under this chapter, the improvements continue to be exempted for the applicable period under this chapter, so long as they are not converted to another use and continue to satisfy all applicable conditions. If the owner intends to convert the qualifying project to another use or, if applicable, if the owner intends to discontinue compliance with criteria established under section 4(1) of this act or any other condition to exemption, the owner must notify the assessor within sixty days of the change in use or intended discontinuance. If, after a certificate of tax exemption has been filed with the county assessor, the authorized representative of the governing authority discovers that the property or a portion of the property no longer qualifies according to the requirements of this chapter as previously approved or agreed upon by contract between the city and the owner and that the qualifying project, or a portion of the qualifying project, no longer qualifies for the exemption, the tax exemption must be canceled and the following must occur:

- (a) Additional real property tax must be imposed upon the value of the nonqualifying improvements in the amount that would normally be imposed, plus a penalty must be imposed

amounting to twenty percent. This additional tax is calculated based upon the difference between the property tax paid and the property tax that would have been paid if it had included the value of the nonqualifying improvements dated back to the date that the improvements were converted to a use that no longer qualifies them for the exemption;

(b) The tax must include interest upon the amounts of the additional tax at the same statutory rate charged on delinquent property taxes from the dates on which the additional tax could have been paid without penalty if the improvements had been assessed at a value without regard to this chapter; and

(c) The additional tax owed together with interest and penalty must become a lien on the land and attach at the time that the property or portion of the property no longer qualifies for the exemption, and has priority to and must be fully paid and satisfied before a recognizance, mortgage, judgment, debt, obligation, or responsibility to or with which the land may become charged or liable. The lien may be foreclosed upon expiration of the same period after delinquency and in the same manner provided by law for foreclosure of liens for delinquent real property taxes. An additional tax unpaid on its due date is delinquent. From the date of delinquency until paid, interest must be charged at the same rate applied by law to delinquent ad valorem property taxes.

(2) Upon a determination that a tax exemption is to be canceled for a reason stated in this section, the governing authority or authorized representative must notify the record owner of the property as shown by the tax rolls by mail, return receipt requested, of the determination to cancel the exemption. The owner may appeal the determination to the governing authority or authorized representative, within thirty days by filing a notice of appeal with the clerk of the governing authority, which notice must specify the factual and legal basis on which the determination of cancellation is alleged to be erroneous. The governing authority or a hearing examiner or other official authorized by the governing authority may hear the appeal. At the hearing, all affected parties may be heard and all competent evidence received. After the hearing, the deciding body or officer must either affirm, modify, or repeal the decision of cancellation of exemption based on the evidence received. An aggrieved party may appeal the decision of the deciding body or officer to the superior court under RCW 34.05.510 through 34.05.598.

NEW SECTION. Sec. 18. (1) If a property exempted under section 9 of this act changes ownership, the property must continue to qualify for the exemption provided that the new owner complies with all application procedures, terms, conditions, and reporting requirements under this chapter, and meets all criteria established by a city under section 4 of this act.

(2) The exemption is limited to ten successive years, beginning the January 1st immediately following the calendar year in which a certificate of tax exemption is filed by the city with the county assessor in accordance with section 13 of this act.

NEW SECTION. Sec. 19. The definitions in section 5 of this act apply to this chapter.

NEW SECTION. Sec. 20. Sections 2 through 5 of this act constitute a new chapter in Title 35 RCW.

NEW SECTION. Sec. 21. Sections 9 through 19 of this act constitute a new chapter in Title 84 RCW.

NEW SECTION. Sec. 22. Sections 6 and 7 of this act apply to sales and use taxes due on or after October 1, 2019.

NEW SECTION. Sec. 23. Sections 9 through 18 of this act apply to taxes levied for collection in 2020 and thereafter."

On page 1, beginning on line 2 of the title, after "cities" strike the remainder of the title and insert "located in a county with a population of less than one million five hundred thousand; amending RCW 81.104.170; adding a new section to chapter 82.14 RCW; adding a new section to chapter 81.104 RCW; adding a new chapter to Title 35 RCW; adding a new chapter to Title 84 RCW; and creating new sections."

Senator O'Ban spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of striking amendment no. 007 by Senators O'Ban and Mullet to Substitute Senate Bill No. 5051.

The motion by Senator O'Ban carried and striking amendment no. 007 was adopted by voice vote.

MOTION

On motion of Senator O'Ban, the rules were suspended, Engrossed Substitute Senate Bill No. 5051 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators O'Ban and Mullet spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5051.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5051 and the bill passed the Senate by the following vote: Yeas, 39; Nays, 10; Absent, 0; Excused, 0.

Voting yea: Senators Bailey, Becker, Braun, Brown, Cleveland, Conway, Darneille, Das, Dhingra, Fortunato, Frockt, Hawkins, Hobbs, Holy, Honeyford, Keiser, King, Kuderer, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Rivers, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senators Billig, Carlyle, Ericksen, Hasegawa, Hunt, Liias, Pedersen, Randall, Rolfes and Saldaña

ENGROSSED SUBSTITUTE SENATE BILL NO. 5051, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5078, by Senators Kuderer, Hunt, Darneille, Saldaña, Conway, Frockt, Palumbo, Wellman, Pedersen, Mullet and Van De Wege

Requiring disclosure of federal income tax returns of presidential and vice presidential candidates prior to appearing on the ballot.

The measure was read the second time.

MOTION

Senator Sheldon moved that the following amendment no. 359 by Senator Sheldon be adopted:

On page 1, line 11, after "(a)" insert "Publicly disclose the candidate's grade point averages for all high school and

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postsecondary schools the candidate attended, and if the candidate graduated, their rank within the class; and

(b)(i)”

On page 1, at the beginning of line 15, strike “(b)(i)” and insert “(ii)(A)”

On page 1, line 16, after “in” strike “(a)” and insert “(b)(i)”

On page 1, at the beginning of line 17, strike “(ii)” and insert “(B)”

On page 1, line 20, after “returns” insert “, grade point averages, or class rankings,”

POINT OF ORDER

Senator Liias: “Thank you Mr. President. I believe that this amendment falls outside the scope and object of the bill. The underlying bill is designed to obtain federal income tax returns from presidential and vice presidential candidates with the purpose of improving transparency into the financial affairs of presidential and vice presidential candidates and this amendment goes far beyond that to high school and other data points that aren’t related to federal income tax returns. I would also say, Mr. President, as you deliberate on this one, that I intend to bring similar objections to the other amendments as they all appear to be outside the scope and object so, to expedite our consideration today, it might be helpful to take a look at all of them although I’m glad to bring separate points for each one.”

President Habib: “Okay, so you intend to bring similar scope and object point of orders with respect to all of the amendments that are offered on this bill?”

Senator Liias: “Yes.”

President Habib: “Okay. They are not all offered by the same senator is my understanding. One second. So the way we do this tonight, we’re going have one opportunity for senator to respond but I am going to follow the suggestion, the implicit suggestion by Senator Liias, and actually consider all of these at the same time. So I will allow Senator Sheldon to respond to this and then, and then also Senator Erickson, who has amendments that would also be challenged. So, Senator Sheldon.”

Senator Sheldon: “Thank you Mr. President. I would like to have these amendments, my three amendments certainly, and Senator Erickson could speak to his, considered by the body. I think that the issue of including someone’s federal income taxes in the Voters’ Pamphlet is just as relevant as the three amendments that I have. And Mr. President, I have a special connection here because I graduated with Senator or President Trump from the University of Pennsylvania. He was in Class of ’68. I was the Class of ’69. Now, that may not have any bearing on it ... but Mr. President I think that this is a bill that invites other opportunities for qualifications.”

President Habib: “Senator Erickson, would you like to speak to the scoping? Just so you all are clear, the amendment, the only amendment that is before the Senate right now is the one that has been read in. But, for the sake of efficiency, I’m going to consider all of them and then depending on, irrespective actually, of how, what the ruling is anticipated will be, we will read all the amendments in so they will all be read and brought before the Senate no matter what the ultimate ruling, dispensation of the ruling on scope and object for those will be, but I am going to consider them all one time just for sanity’s sake. Senator Erickson.”

Senator Erickson: “Well thank you but I am a little confused on that Mr. President. I need a point of clarification. I have two amendments that I proposed to this piece of legislation both of which include a title amendment within my particular amendment. I have not heard an objection yet to my amendments so I don’t know how to respond yet since point of order on scope and object has not been raised yet to the amendments I have in front of the body so I don’t think it’s timely for me to respond to that yet.”

President Habib: “It’s a fair point. Senator Liias, would you like to speak to any of the amendments put forward by Senator Erickson as to why they are not in the scope and object in more particularity?”

Senator Liias: “Yes. Thank you Mr. President. One of Senator Erickson’s amendments, number 343, relates to the speaker and minority leader of the house, of the state representative, and the majority, minority leaders of the state Senate which are outside the scope of the bill which is intending to get transparency into presidential and vice presidential candidates very clearly. Similarly, amendment 344 purports to extend the bill to candidates for United States Senate and United States House of Representatives again, both clearly outside the scope and original object of the bill which is to provide transparency into the finances and financial information of candidates for the presidency and vice presidency the United States.”

President Habib: “Senator Erickson.”

Senator Erickson: “Well thank you Mr. President. I believe that the underlying bill deals with transparency of our government, not simply related to one office within government but all offices within the government that we, that we serve here. And so, if it’s good to know what our president believes, why not get a know what the majority leader of the senate? See his tax returns. The minority leader the senate? Speaker the house? All politics are local. And so there are two different amendments. One deals at the federal level for our U.S. senators and our U.S. House of Representatives so there’s a federal amendment that we should know the answers to those questions also to become an informed electorate. I believe it falls completely within the scope and title which is transparency of tax returns for elected officials, particularly those at high levels. And I believe that is what the underlying bill gets to. Those at the highest level should have their tax returns made public. What is more high in the state of Washington than the U.S. senator? And here locally what is a greater position than speaker of the house? Or majority leader of the Senate? Should they not have their tax returns also made public so the public can make an informed decision going forward? I believe the amendment clearly falls within the scope and object based upon the title amendment included within each amendment that I provided today.”

President Habib: “All right, the President’s going to consider these scope and object challenges both the one that’s before the Senate and the one which notice has been given.”

MOTION

On motion of Senator Liias, further consideration of Senate Bill No. 5078 was deferred and the bill held its place on the second reading calendar.

SECOND READING

SENATE BILL NO. 5687, by Senators Bailey, Braun, Holy, Becker, Brown, Warnick and Walsh

Allowing new government employees the option of opting out of retirement system membership if the employee is age sixty or older when first hired, or when the employee's employer opts into retirement plan participation.

MOTIONS

On motion of Senator Bailey, Substitute Senate Bill No. 5687 was substituted for Senate Bill No. 5687 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Bailey, the rules were suspended, Substitute Senate Bill No. 5687 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Bailey spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5687.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5687 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 3; Absent, 0; Excused, 0.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senators Conway, Hasegawa and Van De Wege

SUBSTITUTE SENATE BILL NO. 5687, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5308, by Senators Short and Liias

Concerning performance-based contracting services by energy service contractors.

MOTIONS

On motion of Senator Short, Second Substitute Senate Bill No. 5308 was substituted for Senate Bill No. 5308 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Short, the rules were suspended, Second Substitute Senate Bill No. 5308 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Short and Carlyle spoke in favor of passage of the bill.

PARLIAMENTARY INQUIRY

Senator Pedersen: "My question Mr. President is whether I am permitted to vote on this measure?"

President Habib: "Senator Pedersen, one moment, we did not anticipate this."

Senator Pedersen: "I didn't anticipate this either."

President Habib: "Senator Pederson, could you disclose what, any kind of salient information that would give you the need to have this point of clarification? Not knowing enough, I have a general sense of your job outside the legislature, but if you could ask a more tailored question about where a potential conflict would exist that I could then rule on."

Senator Pedersen: "Thank you Mr. President. In my outside employment I am the Vice President, General Counsel for McKinstry, which is a large energy service contractor qualified by the Department of Enterprise Services to provide services under our RCW 39.35A and 39.35C and in fact does so. I'm..."

President Habib: "And to the best of your knowledge, is it either disproportionately large, command a disproportionately large percentage of market share in our state? Or is – and without asking you to disclose private information – or would it be in a class of providers? That is, how large is the class of providers be, that it would fit?"

Senator Pedersen: "Mr. President, I don't, I probably should know, but I don't know exactly how many, how many service providers there are. I think that it is maybe in the couple of dozen range so it's a relatively small class and McKinstry's share of that work is substantial. The market share is substantial."

President Habib: "Senator Pedersen, one final question: Is it a privately held company?"

Senator Pedersen: "Yes."

President Habib: "It's a private. Of which you also own equity?"

Senator Pedersen: "And I am one, a small, but one of the equity owners."

RULING BY THE PRESIDENT

President Habib: "Senator Pedersen, I don't have sufficient facts to give you a kind of dispositive ruling. What I would suggest is, and permit as President, is for you to recuse yourself in an abundance of caution, given the information you've shared. It's not my, in other words, it's not my ruling that it would be a conflict but I think that, in an abundance of caution, it would be in order and well received for you to recuse yourself from the vote."

Senator Pedersen: "Thank you Mr. President. That is my inclination as well so I appreciate that and will. I don't know how that gets reflected, but I will recuse myself from the vote. Thank you."

With the consent of the Senate, Senator Pedersen was excused.

EDITOR'S NOTE: Rule 22(1) states, 'No senator shall be allowed to vote ... upon any question upon which he or she is in any way personally or directly interested ...'

The President declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 5308.

ROLL CALL

FIFTY EIGHTH DAY, MARCH 12, 2019

2019 REGULAR SESSION

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 5308 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 2; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Randall, Rivers, Rolfes, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senators Hasegawa and Saldaña

Excused: Senator Pedersen

SECOND SUBSTITUTE SENATE BILL NO. 5308, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5139, by Senators Honeyford, Hunt, Van De Wege, Fortunato and Pedersen

Concerning daylight saving time in Washington state.

MOTION

On motion of Senator Honeyford, Substitute Senate Bill No. 5139 was substituted for Senate Bill No. 5139 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Honeyford moved that the following striking amendment no. 120 by Senators Honeyford and Mullet be adopted:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. The legislature finds that the state of Washington would benefit from the consistency and predictability of observing a standard time throughout the calendar year. Research has shown that changing to and from daylight saving time twice per year has negative impacts on public health, increases traffic accidents and crime, disrupts agriculture scheduling, and hinders economic growth. Scientific studies have connected a number of health consequences with the act of switching between standard time and daylight saving time, including greater risks of heart attacks, more frequent workplace injuries, and increased suicide rates in the days immediately following the switch. In addition, there have been other political subdivisions within the United States that are petitioning congress for year-round daylight saving time or changed their time zone over the years to create more consistency across the United States for convenience of commerce. Therefore, the legislature intends to observe daylight saving time year-round if authorized by the United States congress; and also review the potential impact the time zone has on communities along the border between Washington and other states to determine whether the state should seek authorization through the United States department of transportation to change Washington state to mountain standard time year-round if year-round daylight saving time is not authorized by congress.

Sec. 2. RCW 1.20.051 and 2018 c 22 s 2 are each amended to read as follows:

~~((At two o'clock antemeridian Pacific Standard Time of the second Sunday in March each year the time of the state of Washington shall be advanced one hour, and at two o'clock antemeridian Pacific Standard Time of the first Sunday in November in each year the time of the state of Washington shall, by the retarding of one hour, be returned to Pacific Standard Time.))~~ (1) The standard time for the state of Washington is the zone designated by the United States department of transportation for the state of Washington under the uniform time act, 15 U.S.C. Secs. 261 and 263, as determined by reference to coordinated universal time.

(2) The standard time within the state shall advance by one hour commencing at two o'clock antemeridian on the second Sunday in March each year and ending at two o'clock antemeridian on the first Sunday in November each year.

(3) If the United States congress amends 15 U.S.C. Sec. 260a to authorize states to observe daylight saving time year-round, it is the intent of the legislature that daylight saving time be the year-round standard time of the entire state and all of its political subdivisions.

Sec. 3. RCW 35A.21.190 and 1967 ex.s. c 119 s 35A.21.190 are each amended to read as follows:

No code city shall adopt any provision for the observance of daylight saving time other than as authorized by RCW (~~1.20.050 and~~) 1.20.051.

NEW SECTION. Sec. 4. A new section is added to chapter 1.20 RCW to read as follows:

(1) The standard time for the state is permanent daylight saving time year-round.

(2) Permanent daylight saving time within the state is that of the fifth zone designated by federal law as Pacific Standard Time, 15 U.S.C. Secs. 261 and 263, advanced by one hour.

Sec. 5. RCW 35A.21.190 and 2019 c . . . s 3 (section 3 of this act) are each amended to read as follows:

No code city shall adopt any provision for the observance of daylight saving time other than as authorized by (~~RCW 1.20.051~~) section 4 of this act.

NEW SECTION. Sec. 6. RCW 1.20.051 (Daylight saving time) and 2019 c . . . s 2 (section 2 of this act), 2018 c 22 s 2, 1963 c 14 s 1, & 1961 c 3 s 1 (Initiative Measure No. 210, approved November 8, 1960) are each repealed.

NEW SECTION. Sec. 7. RCW 1.20.050 (Standard time—Daylight saving time) and 1953 c 2 s 1 are each repealed.

NEW SECTION. Sec. 8. (1) Sections 4 through 6 of this act take effect on the second Sunday in March in the year following the effective date of legislation passed by United States congress amending 15 U.S.C. Secs. 260a to authorize states to observe daylight saving time year-round.

(2) The department of commerce must provide notice of the effective date of sections 4 through 6 of this act to affected parties, the chief clerk of the house of representatives, the secretary of the senate, the office of the code reviser, and others as deemed appropriate by the department.

NEW SECTION. Sec. 9. The secretary of state shall submit this act to the people for their adoption and ratification, or rejection, at the next general election to be held in this state, in accordance with Article II, section 1 of the state Constitution and the laws adopted to facilitate its operation.”

On page 1, line 1 of the title, after “state;” strike the remainder of the title and insert “amending RCW 1.20.051, 35A.21.190, and 35A.21.190; adding a new section to chapter 1.20 RCW; creating a new section; repealing RCW 1.20.051 and 1.20.050; providing a contingent effective date; and providing for submission of this act to a vote of the people.”

Senators Honeyford and Hunt spoke in favor of adoption of the striking amendment.

The President declared the question before the Senate to be the adoption of striking amendment no. 120 by Senators Honeyford and Mullet to Substitute Senate Bill No. 5139.

The motion by Senator Honeyford carried and striking amendment no. 120 was adopted by voice vote.

MOTION

On motion of Senator Honeyford, the rules were suspended, Engrossed Substitute Senate Bill No. 5139 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Honeyford, Mullet and Lias spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5139.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5139 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 3; Absent, 0; Excused, 0.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Lias, McCoy, Mullet, Nguyen, O’Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Short, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senators Lovelett, Sheldon and Takko

ENGROSSED SUBSTITUTE SENATE BILL NO. 5139, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5290, by Senators Darneille, Wellman, Kuderer, Randall, Palumbo, Das, Hasegawa, McCoy, Nguyen, Saldaña and Wilson C.

Eliminating the use of the valid court order exception to place youth in detention for noncriminal behavior.

MOTION

On motion of Senator Darneille, Second Substitute Senate Bill No. 5290 was substituted for Senate Bill No. 5290 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Braun moved that the following striking amendment no. 185 by Senator Braun be adopted:

Strike everything after the enacting clause and insert the following:

“NEW SECTION. Sec. 1. (1) The legislature finds that it is a goal of our state to divert juveniles who have committed status offenses, behaviors that are prohibited under law only because of an individual’s status as a minor, away from the juvenile justice system because a stay in detention is a predictive factor for future criminal justice system involvement. The legislature finds that use of the valid court order exception to detain youth for acts like truancy, breaking curfew, or running away from home is counterproductive and may worsen outcomes for at-risk youth.

(2) The legislature further finds that these youth should not be confined with or treated with the same interventions as criminal offenders. The legislature also finds that studies show a disproportionality in race, gender, and socioeconomic status of youth referred to courts or detained, or both. Likewise, the legislature finds that community-based interventions are more effective at addressing underlying causes of status offenses than detention and can reduce court caseloads and lower system costs. As a result, it is the intent of the legislature to strengthen and fund community-based programs that are culturally relevant and focus on addressing disproportionality of youth of color, especially at-risk youth.

NEW SECTION. Sec. 2. A new section is added to chapter 7.21 RCW to read as follows:

(1) It is the policy of the state of Washington to reduce the use of juvenile detention as a remedy for contempt of a valid court order for youth under chapters 13.34 and 28A.225 RCW and child in need of services petition youth under chapter 13.32A RCW. As of July 1, 2019, such youth may not be committed to juvenile detention as a contempt sanction under chapter 13.32A, 13.34, or 28A.225 RCW, and a warrant may not be issued for such youth for failure to appear at a court hearing that requires commitment of such youth to juvenile detention other than pursuant to RCW 13.32A.250(3)(b).

(2)(a) It is also the policy of the state of Washington to reduce the use of juvenile detention as a remedy for contempt of a valid court order for at-risk youth under chapter 13.32A RCW by July 1, 2021. After this date, at-risk youth may not be committed to juvenile detention as a contempt sanction under chapter 13.32A RCW, and a warrant may not be issued for failure to appear at a court hearing that requires commitment of the at-risk youth to juvenile detention other than pursuant to RCW 13.32A.250(3)(b).

(b) Any at-risk youth committed to juvenile detention as a sanction for contempt under chapter 13.32A RCW, or for failure to appear at a court hearing under chapter 13.32A RCW, must be detained in such a manner so that no direct communication or physical contact may be made between the youth and any youth who is detained to juvenile detention pursuant to a violation of criminal law, unless these separation requirements would result in a youth being detained in solitary confinement.

Sec. 3. RCW 7.21.030 and 2001 c 260 s 6 are each amended to read as follows:

(1) The court may initiate a proceeding to impose a remedial sanction on its own motion or on the motion of a person aggrieved by a contempt of court in the proceeding to which the contempt is related. Except as provided in RCW 7.21.050, the court, after notice and hearing, may impose a remedial sanction authorized by this chapter.

(2) If the court finds that the person has failed or refused to perform an act that is yet within the person’s power to perform, the court may find the person in contempt of court and impose one or more of the following remedial sanctions:

(a) Imprisonment if the contempt of court is of a type defined in RCW 7.21.010(1) (b) through (d). The imprisonment may extend only so long as it serves a coercive purpose.

(b) A forfeiture not to exceed two thousand dollars for each day the contempt of court continues.

(c) An order designed to ensure compliance with a prior order of the court.

(d) Any other remedial sanction other than the sanctions specified in (a) through (c) of this subsection if the court expressly finds that those sanctions would be ineffectual to terminate a continuing contempt of court.

~~(e) ((In cases))~~ Under chapters 13.32A, 13.34, and 28A.225 RCW and subject to the requirements under RCW 13.32A.250(3)(b), commitment to juvenile detention for a period of time not to exceed ((seven days)) seventy-two hours, excluding Saturdays, Sundays, and holidays. The seventy-two hour period shall commence upon the next nonholiday weekday following the court order and shall run to the end of the last nonholiday weekday within the seventy-two hour period. This sanction may be imposed in addition to, or as an alternative to, any other remedial sanction authorized by this chapter. This remedy is specifically determined to be a remedial sanction. All such remedial sanctions may not be imposed more than four times during a thirty-day period.

(3) The court may, in addition to the remedial sanctions set forth in subsection (2) of this section, order a person found in contempt of court to pay a party for any losses suffered by the party as a result of the contempt and any costs incurred in connection with the contempt proceeding, including reasonable attorney's fees.

(4) If the court finds that a person under the age of eighteen years has willfully disobeyed the terms of an order issued under chapter 10.14 RCW, the court may find the person in contempt of court and may, as a sole sanction for such contempt, commit the person to juvenile detention for a period of time not to exceed seven days.

Sec. 4. RCW 13.32A.250 and 2000 c 162 s 14 are each amended to read as follows:

(1) In all child in need of services proceedings and at-risk youth proceedings, the court shall verbally notify the parents and the child of the possibility of a finding of contempt for failure to comply with the terms of a court order entered pursuant to this chapter. Except as otherwise provided in this section, the court shall treat the parents and the child equally for the purposes of applying contempt of court processes and penalties under this section.

(2) Failure by a party in an at-risk youth proceeding to comply with an order entered under this chapter is a civil contempt of court as provided in RCW 7.21.030(2)(e), subject to the limitations of subsection (3) of this section.

(3) For at-risk youth proceedings only:

(a) If the child fails to comply with the court order, the court may impose:

(i) Community restitution;

(ii) Nonresidential programs with intensive wraparound services;

(iii) A requirement that the child meet with a mentor for a specified number of times; or

(iv) Other services and interventions that the court deems appropriate.

(b) The court may impose remedial sanctions including a fine of up to one hundred dollars and confinement for up to ((seven days)) seventy-two hours, or both for contempt of court under this section upon issuing formal written findings that it: (i) Considered, on the record, the mitigating and aggravating factors

used to determine the appropriateness of detention for enforcement of its order; (ii) affirmed that it considered all less restrictive options, that detention is the only appropriate alternative, including its rationale and the clear, cogent, and convincing evidence used to enforce the order; (iii) afforded the same due process considerations that it affords all youth in a criminal contempt proceeding; and (iv) sought input from all relevant parties, including the youth. The seventy-two hour period excludes Saturdays, Sundays, and holidays and shall commence upon the next nonholiday weekday following the court order and shall run to the end of the last nonholiday weekday within the seventy-two hour period. The court may impose no more than four such seventy-two hour periods in a thirty-day period.

~~((4))~~ (c) A child placed in confinement for contempt under this section shall be placed in confinement only in a secure juvenile detention facility operated by or pursuant to a contract with a county.

~~((5))~~ (4) A motion for contempt may be made by a parent, a child, juvenile court personnel, or by any public agency, organization, or person having custody of the child under a court order adopted pursuant to this chapter.

~~((6))~~ (5) For at-risk youth proceedings only, whenever the court finds probable cause to believe, based upon consideration of a motion for contempt and the information set forth in a supporting declaration, that a child has violated a placement order entered under this chapter, the court must direct the court clerk to command the presence of the child by the issuance of a summons or other method approved by local court rule instead of a warrant, unless the court finds probable cause to believe that the child would not appear in response to the command or finds probable cause to believe that the arrest is necessary to prevent serious bodily harm to the juvenile or another, in which case the court may issue a warrant. A warrant of arrest must be supported by an affidavit or sworn testimony, which must be recorded electronically or by stenographer, establishing the grounds for issuing the warrant. The warrant of arrest for a child under this subsection may not be served on a child inside of school during school hours in a location where other students are present if the child named in the warrant is a pupil at the school. The court must communicate the summons to the child through mail, telephone, text message, or other method of communication needed in order to ensure the child has received the information. If the child fails to appear via the summons or other method, the court may issue an order directing law enforcement to pick up and take the child to detention. ((The order may be entered ex parte without prior notice to the child or other parties. Following the child's admission to detention, a detention review hearing must be held in accordance with RCW 13.32A.065.))

Sec. 5. RCW 13.32A.040 and 2000 c 123 s 3 are each amended to read as follows:

(1) If requested by the family, the department must provide families who are in conflict or who are experiencing problems with at-risk youth or a child who may be in need of services ((may request)) with family reconciliation services, or its successor program, from the department before or once a petition is filed. The department should provide these services in a timely manner once requested by the family. The department may involve a local multidisciplinary team in its response in determining the services to be provided and in providing those services. Such services shall be provided to alleviate personal or family situations which present a serious and imminent threat to the health or stability of the child or family and to maintain families intact wherever possible. Family reconciliation services shall be designed to develop skills and supports within families to resolve problems related to at-risk youth, children in need of services, or family

conflicts. These services may include, but are not limited to, referral to services for suicide prevention, psychiatric or other medical care, or psychological, mental health, drug or alcohol treatment, welfare, legal, educational, or other social services, as appropriate to the needs of the child and the family, and training in parenting, conflict management, and dispute resolution skills.

(2) The department must report to the appropriate committees of the legislature annually, beginning by December 31, 2019, on the use of family reconciliation services or its successor program, any significant reductions or outcomes within the program, and any recommendations for improvement.

Sec. 6. RCW 13.32A.150 and 2000 c 123 s 17 are each amended to read as follows:

(1) Except as otherwise provided in this chapter, the juvenile court shall not accept the filing of a child in need of services petition by the child or the parents or the filing of an at-risk youth petition by the parent, unless verification is provided that the department has completed a family assessment. The family assessment shall involve the multidisciplinary team if one exists. The family assessment or plan of services developed by the multidisciplinary team shall be aimed at family reconciliation, reunification, and avoidance of the out-of-home placement of the child. ~~((If the department is unable to complete an assessment within two working days following a request for assessment the child or the parents may proceed under subsection (2) of this section or the parent may proceed under RCW 13.32A.191-))~~

(2) A child or a child's parent may file with the juvenile court a child in need of services petition to approve an out-of-home placement for the child before completion of a family assessment. The department shall, when requested, assist either a parent or child in the filing of the petition. The petition must be filed in the county where the parent resides. The petition shall allege that the child is a child in need of services and shall ask only that the placement of a child outside the home of his or her parent be approved. The filing of a petition to approve the placement is not dependent upon the court's having obtained any prior jurisdiction over the child or his or her parent, and confers upon the court a special jurisdiction to approve or disapprove an out-of-home placement under this chapter.

(3) A petition may not be filed if the child is the subject of a proceeding under chapter 13.34 RCW.

Sec. 7. RCW 13.34.165 and 2000 c 122 s 21 are each amended to read as follows:

(1) Failure by a party to comply with an order entered under this chapter is civil contempt of court as provided in RCW 7.21.030(2)((~~+~~)).

~~(2) ((The maximum term of confinement that may be imposed as a remedial sanction for contempt of court under this section is confinement for up to seven days.~~

~~(3) A child held for contempt under this section shall be confined only in a secure juvenile detention facility operated by or pursuant to a contract with a county.~~

~~(4)) A motion for contempt may be made by a parent, juvenile court personnel, or by any public agency, organization, or person having custody of the child under a court order entered pursuant to this chapter.~~

~~((~~5~~)) (3)(a) Subject to (b) of this subsection, whenever the court finds probable cause to believe, based upon consideration of a motion ((for contempt)) and the information set forth in a supporting declaration, that a child ((has violated a placement order entered under this chapter)) is missing from care, the court may issue an order directing law enforcement to pick up and ~~((take))~~ return the child to ~~((detention))~~ department custody. ~~((The order may be entered ex parte without prior notice to the~~~~

~~child or other parties. Following the child's admission to detention, a detention review hearing must be held in accordance with RCW 13.32A.065-))~~

(b) If the department is notified of the child's whereabouts and authorizes the child's location, the court must withdraw the order directing law enforcement to pick up and return the child to department custody.

Sec. 8. RCW 28A.225.090 and 2017 c 291 s 5 are each amended to read as follows:

(1) A court may order a child subject to a petition under RCW 28A.225.035 to do one or more of the following:

(a) Attend the child's current school, and set forth minimum attendance requirements, which shall not consider a suspension day as an unexcused absence;

(b) If there is space available and the program can provide educational services appropriate for the child, order the child to attend another public school, an alternative education program, center, a skill center, dropout prevention program, or another public educational program;

(c) Attend a private nonsectarian school or program including an education center. Before ordering a child to attend an approved or certified private nonsectarian school or program, the court shall: (i) Consider the public and private programs available; (ii) find that placement is in the best interest of the child; and (iii) find that the private school or program is willing to accept the child and will not charge any fees in addition to those established by contract with the student's school district. If the court orders the child to enroll in a private school or program, the child's school district shall contract with the school or program to provide educational services for the child. The school district shall not be required to contract for a weekly rate that exceeds the state general apportionment dollars calculated on a weekly basis generated by the child and received by the district. A school district shall not be required to enter into a contract that is longer than the remainder of the school year. A school district shall not be required to enter into or continue a contract if the child is no longer enrolled in the district;

(d) Submit to a substance abuse assessment if the court finds on the record that such assessment is appropriate to the circumstances and behavior of the child and will facilitate the child's compliance with the mandatory attendance law and, if any assessment, including a urinalysis test ordered under this subsection indicates the use of controlled substances or alcohol, order the minor to abstain from the unlawful consumption of controlled substances or alcohol and adhere to the recommendations of the substance abuse assessment at no expense to the school; or

(e) Submit to a mental health evaluation or other diagnostic evaluation and adhere to the recommendations of the drug assessment, at no expense to the school, if the court finds on the court records that such evaluation is appropriate to the circumstances and behavior of the child, and will facilitate the child's compliance with the mandatory attendance law.

~~(2)((~~+~~))~~ If the child fails to comply with the court order, the court may impose:

~~((~~+~~))~~ (a) Community restitution;

~~((~~+~~))~~ (b) Nonresidential programs with intensive wraparound services;

~~((~~+~~))~~ (c) A requirement that the child meet with a mentor for a specified number of times; ~~((~~+~~))~~

~~((~~+~~))~~ (d) Other services and interventions that the court deems appropriate; or

(e) The remedial sanctions pursuant to RCW 13.32A.250(3)(d).

~~((b) If the child continues to fail to comply with the court order and the court makes a finding that other measures to secure compliance have been tried but have been unsuccessful and no less restrictive alternative is available, the court may order the child to be subject to detention, as provided in RCW 7.21.030(2)(e). Failure by a child to comply with an order issued under this subsection shall not be subject to detention for a period greater than that permitted pursuant to a civil contempt proceeding against a child under chapter 13.32A RCW. Detention ordered under this subsection may be for no longer than seven days. Detention ordered under this subsection shall preferably be served at a secure crisis residential center close to the child's home rather than in a juvenile detention facility. A warrant of arrest for a child under this subsection may not be served on a child inside of school during school hours in a location where other students are present.))~~

(3) Any parent violating any of the provisions of either RCW 28A.225.010, 28A.225.015, or 28A.225.080 shall be fined not more than twenty-five dollars for each day of unexcused absence from school. The court shall remit fifty percent of the fine collected under this section to the child's school district. It shall be a defense for a parent charged with violating RCW 28A.225.010 to show that he or she exercised reasonable diligence in attempting to cause a child in his or her custody to attend school or that the child's school did not perform its duties as required in RCW 28A.225.020. The court may order the parent to provide community restitution instead of imposing a fine. Any fine imposed pursuant to this section may be suspended upon the condition that a parent charged with violating RCW 28A.225.010 shall participate with the school and the child in a supervised plan for the child's attendance at school or upon condition that the parent attend a conference or conferences scheduled by a school for the purpose of analyzing the causes of a child's absence.

(4) If a child continues to be truant after entering into a court-approved order with the truancy board under RCW 28A.225.035, the juvenile court shall find the child in contempt, and the court may ~~((order the child to be subject to detention, as provided in RCW 7.21.030(2)(e), or may))~~ impose alternatives to detention ~~((such as meaningful community restitution. Failure by a child to comply with an order issued under this subsection may not subject a child to detention for a period greater than that permitted under a civil contempt proceeding against a child under chapter 13.32A RCW))~~ consistent with best practice models for reengagement with school.

(5) Subsections (1), (2), and (4) of this section shall not apply to a six or seven year old child required to attend public school under RCW 28A.225.015.

Sec. 9. RCW 43.185C.260 and 2018 c 58 s 61 are each amended to read as follows:

- (1) A law enforcement officer shall take a child into custody:
 - (a) If a law enforcement agency has been contacted by the parent of the child that the child is absent from parental custody without consent; or
 - (b) If a law enforcement officer reasonably believes, considering the child's age, the location, and the time of day, that a child is in circumstances which constitute a danger to the child's safety or that a child is violating a local curfew ordinance; or
 - (c) If an agency legally charged with the supervision of a child has notified a law enforcement agency that the child has run away from placement~~((or~~
 - ~~(d) If a law enforcement agency has been notified by the juvenile court that the court finds probable cause exists to believe that the child has violated a court placement order issued under this chapter or chapter 13.34 RCW or that the court has issued an~~

~~order for law enforcement pick up of the child under this chapter or chapter 13.34 RCW)).~~

(2) Law enforcement custody shall not extend beyond the amount of time reasonably necessary to transport the child to a destination authorized by law and to place the child at that destination. Law enforcement custody continues until the law enforcement officer transfers custody to a person, agency, or other authorized entity under this chapter, or releases the child because no placement is available. Transfer of custody is not complete unless the person, agency, or entity to whom the child is released agrees to accept custody.

(3) If a law enforcement officer takes a child into custody pursuant to either subsection (1)(a) or (b) of this section and transports the child to a crisis residential center, the officer shall, within twenty-four hours of delivering the child to the center, provide to the center a written report detailing the reasons the officer took the child into custody. The center shall provide the department of children, youth, and families with a copy of the officer's report if the youth is in the care of or receiving services from the department of children, youth, and families.

(4) If the law enforcement officer who initially takes the juvenile into custody or the staff of the crisis residential center have reasonable cause to believe that the child is absent from home because he or she is abused or neglected, a report shall be made immediately to the department of children, youth, and families.

(5) Nothing in this section affects the authority of any political subdivision to make regulations concerning the conduct of minors in public places by ordinance or other local law.

(6) If a law enforcement officer has a reasonable suspicion that a child is being unlawfully harbored in violation of RCW 13.32A.080, the officer shall remove the child from the custody of the person harboring the child and shall transport the child to one of the locations specified in RCW 43.185C.265.

(7) No child may be placed in a secure facility except as provided in this chapter.

Sec. 10. RCW 43.185C.265 and 2015 c 69 s 14 are each amended to read as follows:

(1) An officer taking a child into custody under RCW 43.185C.260(1) (a) or (b) shall inform the child of the reason for such custody and shall:

(a) Transport the child to his or her home or to a parent at his or her place of employment, if no parent is at home. The parent may request that the officer take the child to the home of an adult extended family member, responsible adult, crisis residential center, the department of ~~((social and health services))~~ children, youth, and families, or a licensed youth shelter. In responding to the request of the parent, the officer shall take the child to a requested place which, in the officer's belief, is within a reasonable distance of the parent's home. The officer releasing a child into the custody of a parent, an adult extended family member, responsible adult, or a licensed youth shelter shall inform the person receiving the child of the reason for taking the child into custody and inform all parties of the nature and location of appropriate services available in the community; or

(b) After attempting to notify the parent, take the child to a designated crisis residential center's secure facility or a center's semi-secure facility if a secure facility is full, not available, or not located within a reasonable distance if:

(i) The child expresses fear or distress at the prospect of being returned to his or her home which leads the officer to believe there is a possibility that the child is experiencing some type of abuse or neglect;

(ii) It is not practical to transport the child to his or her home or place of the parent's employment; or

(iii) There is no parent available to accept custody of the child; or

(c) After attempting to notify the parent, if a crisis residential center is full, not available, or not located within a reasonable distance, request the department of ~~((social and health services))~~ children, youth, and families to accept custody of the child. If the department of ~~((social and health services))~~ children, youth, and families determines that an appropriate placement is currently available, the department of ~~((social and health services))~~ children, youth, and families shall accept custody and place the child in an out-of-home placement. Upon accepting custody of a child from the officer, the department of ~~((social and health services))~~ children, youth, and families may place the child in an out-of-home placement for up to seventy-two hours, excluding Saturdays, Sundays, and holidays, without filing a child in need of services petition, obtaining parental consent, or obtaining an order for placement under chapter 13.34 RCW. Upon transferring a child to the department of ~~((social and health services))~~ children, youth, and families' custody, the officer shall provide written documentation of the reasons and the statutory basis for taking the child into custody. If the department of ~~((social and health services))~~ children, youth, and families declines to accept custody of the child, the officer may release the child after attempting to take the child to the following, in the order listed: The home of an adult extended family member; a responsible adult; or a licensed youth shelter. The officer shall immediately notify the department of ~~((social and health services))~~ children, youth, and families if no placement option is available and the child is released.

(2) An officer taking a child into custody under RCW 43.185C.260(1)(c) ~~((or (d)))~~ shall inform the child of the reason for custody. An officer taking a child into custody under RCW 43.185C.260(1)(c) may release the child to the supervising agency, may return the child to the placement authorized by the supervising agency, or shall take the child to a designated crisis residential ~~((center's secure facility. If the secure facility is not available, not located within a reasonable distance, or full, the officer shall take the child to a semi-secure crisis residential center. An officer taking a child into custody under RCW 43.185C.260(1)(d) may place the child in a juvenile detention facility as provided in RCW 43.185C.270 or a secure facility, except that the child shall be taken to detention whenever the officer has been notified that a juvenile court has entered a detention order under this chapter or chapter 13.34 RCW))~~ center.

(3) Every officer taking a child into custody shall provide the child and his or her parent or parents or responsible adult with a copy of the statement specified in RCW 43.185C.290(6).

(4) Whenever an officer transfers custody of a child to a crisis residential center or the department of ~~((social and health services))~~ children, youth, and families, the child may reside in the crisis residential center or may be placed by the department of ~~((social and health services))~~ children, youth, and families in an out-of-home placement for an aggregate total period of time not to exceed seventy-two hours excluding Saturdays, Sundays, and holidays. Thereafter, the child may continue in out-of-home placement only if the parents have consented, a child in need of services petition has been filed, or an order for placement has been entered under chapter 13.34 RCW.

(5) The department of ~~((social and health services))~~ children, youth, and families shall ensure that all law enforcement authorities are informed on a regular basis as to the location of all designated secure and semi-secure facilities within centers in their jurisdiction, where children taken into custody under RCW 43.185C.260 may be taken.

Sec. 11. RCW 2.56.032 and 2016 c 205 s 19 are each amended to read as follows:

(1)(a) To accurately track the extent to which courts order youth into a secure detention facility in Washington state for the violation of a court order related to a truancy, at-risk youth, or a child in need of services petition, all juvenile courts shall transmit youth-level secure detention data to the administrative office of the courts.

(b) Data may either be entered into the statewide management information system for juvenile courts or securely transmitted to the administrative office of the courts at least monthly. Juvenile courts shall provide, at a minimum, the name and date of birth for the youth, the court case number assigned to the petition, the reasons for admission to the juvenile detention facility, the date of admission, the date of exit, and the time the youth spent in secure confinement.

(c) Courts are also encouraged to report individual-level data reflecting whether a detention alternative, such as electronic monitoring, was used, and the time spent in detention alternatives.

(d) The administrative office of the courts and the juvenile court administrators must work to develop uniform data standards for detention.

(2) The administrative office of the courts shall deliver an annual statewide report to the legislature that details the number of Washington youth who are placed into detention facilities during the preceding calendar year. The first report shall be delivered by March 1, 2017, and shall detail the most serious reason for detention and youth gender, race, and ethnicity. The report must have a specific emphasis on youth who are detained for reasons relating to a truancy, at-risk youth, or a child in need of services petition. The administrative office of the courts shall ensure that the annual statewide report delivered to the legislature in 2021 provides sufficient information to measure the impacts of RCW 13.32A.250(3)(b) on reducing the use of juvenile detention as a remedy for contempt of a valid court order for youth referenced in this subsection.

NEW SECTION. Sec. 12. The following acts or parts of acts are each repealed:

(1) RCW 43.185C.270 (Youth services—Officer taking child into custody—Placing in detention—Detention review hearing—Hearing on contempt) and 2015 c 69 s 15; and

(2) 1998 c 296 s 35 (uncodified)."

On page 1, line 2 of the title, after "behavior;" strike the remainder of the title and insert "amending RCW 7.21.030, 13.32A.250, 13.32A.040, 13.32A.150, 13.34.165, 28A.225.090, 43.185C.260, 43.185C.265, and 2.56.032; adding a new section to chapter 7.21 RCW; creating a new section; repealing RCW 43.185C.270; and repealing 1998 c 296 s 35 (uncodified)."

MOTION

Senator Braun moved that the following amendment no. 388 by Senator Braun to the striking amendment be adopted:

Beginning on page 1, line 3, strike all material through "confinement." on page 2, line 18

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 3, line 12, after "sanction." strike all material through "period." on line 14 and insert "All such remedial sanctions may not be imposed more than two times during a thirty-day period. The court may not order detention pursuant to this subsection if placement is available at a crisis residential center or other secure juvenile facility in the county in which the action is pending."

On page 4, line 24, after "more than" strike "four" and insert "two"

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On page 5, after line 19, insert the following:

“(6) A contempt sanction under this section cannot be served in a juvenile detention facility when the case is filed in a county with an operational and secure crisis residential center with an unused bed.”

Beginning on page 8, line 36, after “(2)” strike all material through “~~present~~”)” on page 9, line 20 and insert “(a) If the child fails to comply with the court order, the court may impose:

- (i) Community restitution;
- (ii) Nonresidential programs with intensive wraparound services;
- (iii) A requirement that the child meet with a mentor for a specified number of times; or
- (iv) Other services and interventions that the court deems appropriate.

(b) If the child continues to fail to comply with the court order and the court makes a finding that other measures to secure compliance have been tried but have been unsuccessful and no less restrictive alternative is available, the court may order the child to be subject to detention, as provided in RCW 7.21.030(2)(e). Failure by a child to comply with an order issued under this subsection shall not be subject to detention for a period greater than that permitted pursuant to a civil contempt proceeding against a child under chapter 13.32A RCW. Detention ordered under this subsection may be for no longer than seven days. Detention ordered under this subsection shall preferably be served at a secure crisis residential center close to the child’s home rather than in a juvenile detention facility. A warrant of arrest for a child under this subsection may not be served on a child inside of school during school hours in a location where other students are present.

(c) The court may impose remedial sanctions, including a fine of up to one hundred dollars and confinement for up to seventy-two hours, or both, for contempt of court under this section upon issuing formal written findings that it: (i) Considered, on the record, the mitigating and aggravating factors used to determine the appropriateness of detention for enforcement of its order; (ii) affirmed that it considered all less restrictive options, that detention is the only appropriate alternative, including its rationale and the clear, cogent, and convincing evidence used to enforce the order; (iii) afforded the same due process considerations that it affords all youth in a criminal contempt proceeding; and (iv) sought input from all relevant parties, including the youth. The seventy-two hour period excludes Saturdays, Sundays, and holidays and must commence upon the next nonholiday weekday following the court order and must run to the end of the last nonholiday weekday within the seventy-two hour period. The court may impose no more than two such seventy-two hour periods in a thirty-day period.”

Beginning on page 10, line 11, strike all of section 9

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 13, beginning on line 9, strike all material through “center” on line 17 and insert “center’s secure facility. If the secure facility is not available, not located within a reasonable distance, or full, the officer shall take the child to a semi-secure crisis residential center. An officer taking a child into custody under RCW 43.185C.260(1)(d) may place the child in a juvenile detention facility as provided in RCW 43.185C.270 or a secure facility, except that the child shall be taken to detention whenever the officer has been notified that a juvenile court has entered a detention order under this chapter or chapter 13.34 RCW”

On page 15, line 3 of the title amendment, after “28A.225.090,” strike “43.185C.260,” and beginning on line 4 of the title

amendment, after “2.56.032;” strike all material through “section;” on line 5

Senators Braun and Walsh spoke in favor of adoption of the amendment to the striking amendment.

Senator Darneille spoke on adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 388 by Senator Braun on page 1, line 3 to striking amendment no. 185.

The motion by Senator Braun carried and amendment no. 388 was adopted by a rising vote.

Senators Braun and Padden spoke in favor of adoption of the striking amendment as amended.

Senators Darneille, Salomon and Dhingra spoke against adoption of the striking amendment as amended.

The President declared the question before the Senate to be the adoption of striking amendment no. 185 by Senator Braun, as amended, to Second Substitute Senate Bill No. 5290.

The motion by Senator Braun carried and striking amendment no. 185 was adopted by a rising vote.

MOTION

On motion of Senator Darneille, the rules were suspended, Engrossed Second Substitute Senate Bill No. 5290 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Darneille, Walsh, Braun, Keiser and Padden spoke in favor of passage of the bill.

Senator Saldaña spoke against passage of the bill.

Senator Liias spoke on passage of the bill.

POINT OF ORDER

Senator Sheldon: “Mr. President, I don’t think that a member may opine about what the other chamber might do with the bill that we have under discussion, is that correct?”

REPLY BY THE PRESIDENT

President Habib: “That is true. And Senator Liias I will remind you that under the Senate’s rules, under Reed’s Rules, we are to refrain from speculating about what action may take place in the other chamber. Thank you Senator Sheldon for the reminder.”

[Chap. XIII, §224, Reed’s Parliamentary Rules]

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 5290.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5290 and the bill passed the Senate by the following vote: Yeas, 35; Nays, 14; Absent, 0; Excused, 0.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Dhingra, Erickson, Fortunato, Hawkins, Hobbs, Holy, Honeyford, King, Liias, Mullet, O’Ban, Padden, Pedersen, Rivers, Rolfes, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wilson, L. and Zeiger

Voting nay: Senators Das, Frockt, Hasegawa, Hunt, Keiser, Kuderer, Lovelett, McCoy, Nguyen, Palumbo, Randall, Saldaña, Wellman and Wilson, C.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5290, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 4:38 p.m., on motion of Senator Liias, the Senate was declared to be at ease subject to the call of the President.

EVENING SESSION

The Senate was called to order at 5:23 p.m. by President Habib.

The Senate resumed consideration on Senate Bill No. 5078 which had been deferred earlier in the day.

RULING BY THE PRESIDENT

President Habib: "The President has had an opportunity to consider the Point of Order raised on amendment 359 by Senator Liias, as well as the further amendments to which has had given notice that he will raise points of order so I'm prepared now to issue rulings on these amendments as they appear.

One point for Senator Fortunato and for others: Senator Fortunato has, since we last took this bill up, Senator Fortunato has written an amendment and filed that amendment. However, that amendment is now out of order because it appears earlier in the bill language than amendment 359. We've already read amendment 359 so amendments that deal with material in the bill prior to that amendment are deemed out of order.

So now with, with respect to amendment 359 proposed by Senator Sheldon. This amendment, first let me say something about the underlying bill, and, by the way, for expediency I'm giving these responses orally. We also will have, as we have in the past, written rulings available on my website and the Senate's website shortly. So the scope of this bill is extremely narrow in two different ways. It's narrow both with the respect to the class of covered entities, which is to say in this case it's a class really of one, which is the president and, in the general election, the president's running mate. That is the covered entity. It is also extremely narrow with respect to the subject, the disclosure subject matter, which is tax returns. And so, as has been the precedent from my predecessor and others even before him, scope and object rulings when, in instances where there is a class of one or an extremely small class, there is a much higher threshold for adding more elements than there would be, say, for example, if this bill dealt with the disclosure of many different types of material, including tax returns, lots of other material. That would be different. That is on display right here with this amendment where what's being asked for would be the G.P.A. and class rank. And so the President finds that, because the scope of the subject matter, that subject matter discloses is extremely narrow, it is just tax returns, just tax returns for the purpose of financial transparency, and there is nothing else that adding G.P.A. and class rank which have nothing to do with taxes, which have nothing to do even with finances would be impermissibly out of the scope of the underlying bill. So, that amendment is out of order."

"In responding to the Point of Order raised by Senator Liias as to whether Amendments 359, 343, and 344 are outside the scope of Senate Bill 5078, the President finds and rules as follows:

Senate Bill 5078 requires presidential and vice presidential candidates to release copies of their federal income tax returns for the last five years before they may appear on the ballot. The scope of the bill is extremely narrow in two respects. First, the class of covered entities is extremely small, being limited to the president and, in a general election, the president's running mate. Second, the scope of the bill is extremely narrow with regard to the information required to be disclosed.

Amendment 359 proposed by Senator Sheldon seeks to require presidential and vice presidential candidates to publicly disclose their high school and postsecondary grade point averages and graduating class rank before their names may appear on a presidential primary or general election ballot. The subject matter of what is required to be disclosed in the underlying bill is limited to tax returns for purposes of financial transparency. Because the scope of the bill is extremely narrow in this regard, adding these additional categories of information would impermissibly broaden scope of the underlying bill. As such, the President finds the amendment outside the scope of the underlying bill. ..."

WITHDRAWAL OF AMENDMENT

On motion of Senator Sheldon and without objection, amendment no. 360 by Senator Sheldon on page 1, line 20 to Senate Bill No. 5078 was withdrawn.

WITHDRAWAL OF AMENDMENT

On motion of Senator Sheldon and without objection, amendment no. 361 by Senator Sheldon on page 1, line 20 to Senate Bill No. 5078 was withdrawn.

MOTION

Senator Ericksen moved that the following amendment no. 343 by Senator Ericksen be adopted:

On page 2, after line 15, insert the following:

NEW SECTION. Sec. 2. A new section is added to chapter 44.04 RCW to read as follows:

(1) Within thirty days of assuming the position of the speaker or minority leader of the house of representatives or the majority and minority leaders of the senate, the person in that position shall:

(a) Publicly release a copy of their federal income tax returns, as defined in 26 U.S.C. Sec. 6103(b)(1), for at least the five most recent taxable years for which a return has been filed with the internal revenue service; or

(b)(i) File with the secretary of state their federal income tax returns as described in (a) of this subsection; and

(ii) Provide written consent to the secretary of state, in a manner to be prescribed by the secretary of state by rule, for the public disclosure of such returns pursuant to this section.

(2) The secretary of state shall make federal income tax returns filed or released under this section publicly available on the secretary of state's web site within seven days of receipt or release. The secretary of state may make additional schedules or forms filed under this section publicly available upon request. Prior to making any federal income tax returns public, the secretary of state shall redact such information contained in the returns as deemed needed in consultation with the director of the department of revenue.

(3) Persons who do not comply with the requirements of subsection (1) of this section may not serve in as speaker or

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minority leader of the house of representatives or majority or minority leader of the senate.

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 1, line 2 of the title, after “of”, strike “presidential and vice presidential candidates prior to appearing on the ballot; and” and insert “certain elected officials and candidates for office;”

On page 1, line 4 of the title, after “RCW”, insert “; and adding a new section to chapter 44.04 RCW”

POINT OF ORDER

Senator Liias: “Thank you Mr. President. As I stated earlier in the day, I believe this amendment is outside the scope and object of the bill and I would just refer back to the arguments I made then.”

RULING BY THE PRESIDENT

President Habib: “As I mentioned earlier with respect to amendment no. 389, when I was discussing the underlying bill, I mentioned that it is extremely narrow in two different regards. We dealt with its narrowness of scope with respect to the material being disclosed or being required to be disclosed but it is also extremely narrow with respect to who the bill applies to. It only applies to the president and again, in the general election, the running mate of the president. And the amendment proposed here by Senator Ericksen seeks to have similar provisions apply to the speaker of the house, and caucus leaders and there are, again, two ways to look at this. The first way is to say, it’s a class of one and so there is a much higher burden to add additional individuals, in this case a number of other individuals and so exceeds the scope in that regard. It would be different if the underlying bill referred to many different elected officials and then you just threw in the speaker and some caucus leaders as well, on top of, you know, already 30, 40, 50, let’s say, other elected officials or even six or seven and so, but it is not that way. It only applies to president and vice president when, as a running mate. The other way though in which this amendment exceeds the scope is insofar as presidential elections are treated very differently under the law than other sorts of elections. I believe, just today, the Governor will have signed a bill that you all passed which is testament to that. And there’s many different ways, for example, our presidential elections are not subject to the Top Two, as our, as every other candidate is, federal and state, that runs on the ballot. We have a special primary for the presidency unlike every other primary election in our state. We have electors unlike every other campaign race. So, there’s good reason to believe that the presidency is unique, presidential elections are unique. So, a bill having to do specifically with presidential elections unless there were other nonpresidential elected officials also included in there it would seem any additions outside would be out of scope and in this instance there is one final thing and that is the speaker and caucus leaders aren’t even elected on the ballot. They’re chosen, in the speaker’s case, by election and the caucus leader by the rules of each perspective caucus. So that amendment, for all those reasons, is also ruled out of order.”

“In responding to the Point of Order raised by Senator Liias as to whether Amendments 359, 343, and 344 are outside the scope of Senate Bill 5078, the President finds and rules as follows:

...

Amendment 343 proposed by Senator Ericksen seeks to require the speaker and minority leader of the State House of Representatives and the majority and minority leaders of the State Senate to publicly release their federal tax returns for the previous five years within thirty days of assuming their titles. This amendment relates to the underlying bill’s narrowness with respect to entities covered by the bill. The underlying bill only applies to candidates for president and, in the general election, the president’s running mate. Because there is this “class of one,” there is a higher threshold when considering the addition of new individuals, and the amendment is out of scope in this regard. The President notes that his conclusion might be different if the underlying bill dealt with many different types of elected officials, versus just one.

The amendment also exceeds the scope because of the unique nature of presidential elections themselves. Under State law presidential elections are treated very differently from other types of elections. Presidential elections are not subject to the “top two” primary system, as are other partisan offices. There is a special primary for presidential candidates, unlike other offices. Presidential elections rely on the use of electors, unlike other offices. A bill addressing presidential elections, specifically, is narrow in its scope for this reason as well. The elected officials addressed in Amendment 343 are not even elected on the ballot, but are instead chosen by their fellow legislators. For these reasons, the President finds the amendment outside the scope of the underlying bill. . . .”

MOTION

Senator Ericksen moved that the following amendment no. 344 by Senator Ericksen be adopted:

On page 2, after line 15, insert the following:

NEW SECTION. Sec. 2. A new section is added to chapter 29A.24 RCW to read as follows:

(1) By sixty-three days before the primary election, all candidates for United States senate and United States house of representatives shall:

(a) Publicly release a copy of their federal income tax returns, as defined in 26 U.S.C. Sec. 6103(b)(1), for at least the five most recent taxable years for which a return has been filed with the internal revenue service; or

(b)(i) File with the secretary of state their federal income tax returns as described in (a) of this subsection; and

(ii) Provide written consent to the secretary of state, in a manner to be prescribed by the secretary of state by rule, for the public disclosure of such returns pursuant to this section.

(2) The secretary of state shall make federal income tax returns filed or released under this section publicly available on the secretary of state’s web site within seven days of receipt or release. The secretary of state may make additional schedules or forms filed under this section publicly available upon request. Prior to making any federal income tax returns public, the secretary of state shall redact such information contained in the returns as deemed needed in consultation with the director of the department of revenue.

(3) Candidates who do not comply with the requirements of subsection (1) of this section may not appear on the primary or general election ballot.

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 1, line 2 of the title, after “of”, strike the remainder of the title and insert “candidates for federal office prior to appearing on

the ballot; adding a new section to chapter 29A.56 RCW; and adding a new section to chapter 29A.24 RCW.”

POINT OF ORDER

Senator Liias: “Thank you Mr. President. I believe this amendment exceeds the scope and object of the bill for the reasons I previously stated.”

RULING BY THE PRESIDENT

President Habib: “So, much like the previous amendment, this bill also seeks to expand the class from a class of one, which is to say, presidential tickets to add federal elected officials in our state, members of congress, including senators and house representatives. Again, presidential elections are so different under our law than every other type of election. In fact, our congressional elections, for the purpose of the secretary of state and under state law, are virtually indistinguishable from legislative races. You have the Top Two, the primaries on the same date. The rules are all pretty much the same. Again, very different from the presidential electoral process that our state governs and so there’s no reason to believe that adding congressional members and having their tax returns would fit within the scope of a bill that otherwise only deals with very unique electoral process, very unique electoral system. And so for those reasons that amendment is declared out of order.”

“In responding to the Point of Order raised by Senator Liias as to whether Amendments 359, 343, and 344 are outside the scope of Senate Bill 5078, the President finds and rules as follows:

...

Amendment 344 proposed by Senator Ericksen seeks to require candidates for the United States Senate and the United States House of Representatives to publicly release a copy of their federal income tax returns for the previous five years before appearing on the ballot. Much like Amendment 343, this seeks to expand the "class of one" to add other federal elected officials. Again, the President finds that presidential elections are so unique under our laws from any other type of election, there is no reason to believe that adding members of Congress to the narrow class addressed in Senate Bill 5078 would fit within the scope of the underlying bill. The President declares the amendment outside the scope of the underlying bill, and thus out of order.”

MOTION

On motion of Senator Kuderer, the rules were suspended, Senate Bill No. 5078 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Kuderer, Frockt, Pedersen and Liias spoke in favor of passage of the bill.

Senators Zeiger, Padden, Ericksen and Sheldon spoke against passage of the bill.

REMARKS BY THE PRESIDENT

President Habib: “Senator Sheldon, I do want to point out that it was you who asked me to clarify that we can’t speculate about the other chamber and what they do, not a half an hour ago, before flirting with that same rule violation yourself right there.”

Senators Becker, Walsh, Fortunato and O’Ban spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5078.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5078 and the bill passed the Senate by the following vote: Yeas, 28; Nays, 21; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Palumbo, Pedersen, Randall, Rolfes, Saldaña, Salomon, Takko, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Bailey, Becker, Braun, Brown, Ericksen, Fortunato, Hawkins, Holy, Honeyford, King, O’Ban, Padden, Rivers, Schoesler, Sheldon, Short, Wagoner, Walsh, Warnick, Wilson, L. and Zeiger

SENATE BILL NO. 5078, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 6:03 p.m., on motion of Senator Liias, the Senate was declared to be at ease subject to the call of the President for the purposes of dinner and caucuses.

Senator Becker announced a meeting of the Republican Caucus immediately upon going at ease.

Senator McCoy announced a meeting of the Democratic Caucus immediately upon going at ease.

The Senate was called to order at 7:41 p.m. by President Habib.

MOTION

On motion of Senator Liias, the Senate reverted to the fourth order of business.

MESSAGE FROM THE HOUSE

March 11, 2019

MR. PRESIDENT:

The House has passed:

SECOND SUBSTITUTE HOUSE BILL NO. 1048,
 SECOND SUBSTITUTE HOUSE BILL NO. 1059,
 HOUSE BILL NO. 1092,
 SUBSTITUTE HOUSE BILL NO. 1100,
 ENGROSSED HOUSE BILL NO. 1126,
 SUBSTITUTE HOUSE BILL NO. 1158,
 HOUSE BILL NO. 1301,
 HOUSE BILL NO. 1423,
 HOUSE BILL NO. 1537,
 SUBSTITUTE HOUSE BILL NO. 1545,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1557,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1569,
 SUBSTITUTE HOUSE BILL NO. 1575,
 HOUSE BILL NO. 1673,
 ENGROSSED HOUSE BILL NO. 1706,
 SECOND SUBSTITUTE HOUSE BILL NO. 1725,
 HOUSE BILL NO. 1727,
 SUBSTITUTE HOUSE BILL NO. 1734,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1839,

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ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.
1874,

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1880,
HOUSE BILL NO. 1900,
HOUSE BILL NO. 2033,

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2097,
and the same are herewith transmitted.

NONA SNELL, Deputy Chief Clerk

March 11, 2019

MR. PRESIDENT:

The House passed SUBSTITUTE SENATE BILL NO. 5954 with the following amendment(s): 5954-S AMH KLIP ADAM 052

On page 2, line 26, after “explosives” insert “, or a Washington law enforcement agency.”

and the same is herewith transmitted.

BERNARD DEAN, Chief Clerk

MOTION

Senator Liias moved that the Senate concur in the House amendment(s) to Substitute Senate Bill No. 5954.

Senator Braun spoke in favor of the motion.

The President declared the question before the Senate to be the motion by Senator Liias that the Senate concur in the House amendment(s) to Substitute Senate Bill No. 5954.

The motion by Senator Liias carried and the Senate concurred in the House amendment(s) to Substitute Senate Bill No. 5954 by voice vote.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5954, as amended by the House.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5954, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 1; Excused, 0.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O’Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Absent: Senator Conway

SUBSTITUTE SENATE BILL NO. 5954, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Wilson, C., Senator Conway was excused.

MOTION

On motion of Senator Liias, the Senate advanced to the sixth order of business.

SECOND READING

SENATE BILL NO. 5668, by Senators Takko, Warnick and Fortunato

Concerning moneys received at auctions conducted by registered tow truck operators.

MOTIONS

On motion of Senator Takko, Substitute Senate Bill No. 5668 was substituted for Senate Bill No. 5668 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Takko, the rules were suspended, Substitute Senate Bill No. 5668 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Takko and Fortunato spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5668.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5668 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O’Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senator Hasegawa

Excused: Senator Conway

SUBSTITUTE SENATE BILL NO. 5668, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5211, by Senators Palumbo, Rolfes, Hunt and Zeiger

Prohibiting the use of live animals to practice invasive medical procedures in paramedic training programs.

MOTIONS

On motion of Senator Palumbo, Substitute Senate Bill No. 5211 was substituted for Senate Bill No. 5211 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Palumbo, the rules were suspended, Substitute Senate Bill No. 5211 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Palumbo spoke in favor of passage of the bill.

SECOND READING

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5211.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5211 and the bill passed the Senate by the following vote: Yeas, 41; Nays, 7; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hobbs, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Sheldon, Short, Takko, Van De Wege, Walsh, Wellman, Wilson, C. and Zeiger

Voting nay: Senators Hawkins, Holy, Honeyford, Schoesler, Wagoner, Warnick and Wilson, L.

Excused: Senator Conway

SUBSTITUTE SENATE BILL NO. 5211, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5265, by Senators Zeiger, Hunt, Bailey and Hawkins

Concerning the role of volunteerism within state government.

MOTIONS

On motion of Senator Zeiger, Substitute Senate Bill No. 5265 was substituted for Senate Bill No. 5265 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Zeiger, the rules were suspended, Substitute Senate Bill No. 5265 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Zeiger and Hunt spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5265.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5265 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senator Conway

SUBSTITUTE SENATE BILL NO. 5265, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 5008, by Senators Palumbo and Fortunato

Concerning short subdivisions.

The measure was read the second time.

MOTION

Senator Palumbo moved that the following striking amendment no. 159 by Senator Palumbo be adopted:

Strike everything after the enacting clause and insert the following:

“Sec. 1. RCW 58.17.020 and 2002 c 262 s 1 are each amended to read as follows:

As used in this chapter, unless the context or subject matter clearly requires otherwise, the words or phrases defined in this section shall have the indicated meanings.

(1) “Subdivision” is the division or redivision of land into five or more lots, tracts, parcels, sites, or divisions for the purpose of sale, lease, or transfer of ownership, except as provided in subsection (6) of this section.

(2) “Plat” is a map or representation of a subdivision, showing thereon the division of a tract or parcel of land into lots, blocks, streets and alleys, or other divisions and dedications.

(3) “Dedication” is the deliberate appropriation of land by an owner for any general and public uses, reserving to himself or herself no other rights than such as are compatible with the full exercise and enjoyment of the public uses to which the property has been devoted. The intention to dedicate shall be evidenced by the owner by the presentment for filing of a final plat or short plat showing the dedication thereon; and, the acceptance by the public shall be evidenced by the approval of such plat for filing by the appropriate governmental unit.

A dedication of an area of less than two acres for use as a public park may include a designation of a name for the park, in honor of a deceased individual of good character.

(4) “Preliminary plat” is a neat and approximate drawing of a proposed subdivision showing the general layout of streets and alleys, lots, blocks, and other elements of a subdivision consistent with the requirements of this chapter. The preliminary plat shall be the basis for the approval or disapproval of the general layout of a subdivision.

(5) “Final plat” is the final drawing of the subdivision and dedication prepared for filing for record with the county auditor and containing all elements and requirements set forth in this chapter and in local regulations adopted under this chapter.

(6)(a) “Short subdivision” is the division or redivision of land into four or fewer lots, tracts, parcels, sites, or divisions for the purpose of sale, lease, or transfer of ownership. ~~((However,))~~ ~~The legislative authority of ((any)) a county or city ((or town may)) not planning under RCW 36.70A.040 by local ordinance increase the number of lots, tracts, or parcels to be regulated as short subdivisions to a maximum of nine.~~

(b) For counties and cities planning under RCW 36.70A.040, “short subdivision” is the division or redivision of land into nine or fewer lots, tracts, parcels, sites, or divisions for the purpose of sale, lease, or transfer of ownership. The legislative authority of ~~((any))~~ a county or city planning under RCW 36.70A.040 that has adopted a comprehensive plan and development regulations in compliance with chapter 36.70A RCW may by ordinance increase the number of lots, tracts, or parcels to be regulated as

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short subdivisions to a maximum of ~~((nine))~~ twenty-four in any urban growth area.

(7) "Binding site plan" means a drawing to a scale specified by local ordinance which: (a) Identifies and shows the areas and locations of all streets, roads, improvements, utilities, open spaces, and any other matters specified by local regulations; (b) contains inscriptions or attachments setting forth such appropriate limitations and conditions for the use of the land as are established by the local government body having authority to approve the site plan; and (c) contains provisions making any development be in conformity with the site plan.

(8) "Short plat" is the map or representation of a short subdivision.

(9) "Lot" is a fractional part of divided lands having fixed boundaries, being of sufficient area and dimension to meet minimum zoning requirements for width and area. The term shall include tracts or parcels.

(10) "Block" is a group of lots, tracts, or parcels within well defined and fixed boundaries.

(11) "County treasurer" shall be as defined in chapter 36.29 RCW or the office or person assigned such duties under a county charter.

(12) "County auditor" shall be as defined in chapter 36.22 RCW or the office or person assigned such duties under a county charter.

(13) "County road engineer" shall be as defined in chapter 36.40 RCW or the office or person assigned such duties under a county charter.

(14) "Planning commission" means that body as defined in chapter 36.70, 35.63, or 35A.63 RCW as designated by the legislative body to perform a planning function or that body assigned such duties and responsibilities under a city or county charter.

(15) "County commissioner" shall be as defined in chapter 36.32 RCW or the body assigned such duties under a county charter.

Sec. 2. RCW 58.17.060 and 1990 1st ex.s. c 17 s 51 are each amended to read as follows:

(1) The legislative body of a city, town, or county ~~((shall))~~ must adopt regulations and procedures, and appoint administrative personnel for the summary approval of short plats and short subdivisions or alteration or vacation thereof. When an alteration or vacation involves a public dedication, the alteration or vacation ~~((shall))~~ must be processed as provided in RCW 58.17.212 or 58.17.215. Such regulations ~~((shall))~~ must be adopted by ordinance and ~~((shall))~~ must provide that a short plat and short subdivision may be approved only if written findings that are appropriate, as provided in RCW 58.17.110, are made by the administrative personnel, and may contain wholly different requirements than those governing the approval of preliminary and final plats of subdivisions and may require surveys and monumentations and ~~((shall))~~ must require filing of a short plat, or alteration or vacation thereof, for record in the office of the county auditor: PROVIDED, That such regulations must contain a requirement that land in short subdivisions may not be further divided in any manner within a period of five years without the filing of a final plat, except that when the short plat contains fewer than four parcels, nothing in this section shall prevent the owner who filed the short plat from filing an alteration within the five-year period to create up to a total of four lots within the original short plat boundaries: PROVIDED FURTHER, That such regulations are not required to contain a penalty clause as provided in RCW 36.32.120 and may provide for wholly injunctive relief.

An ordinance requiring a survey ~~((shall))~~ must require that the survey be completed and filed with the application for approval of the short subdivision.

(2) In addition to the requirements of subsection (1) of this section, approval of short plats and short subdivisions creating ten or more lots in counties and cities planning under RCW 36.70A.040 and short plats and short subdivisions creating five or more lots in counties and cities not planning under RCW 36.70A.040 are subject to the provisions under RCW 58.17.110.

(3) Cities, towns, and counties ~~((shall))~~ must include in their short plat regulations and procedures pursuant to subsection (1) of this section provisions for considering sidewalks and other planning features that assure safe walking conditions for students who walk to and from school.

Sec. 3. RCW 58.17.110 and 2018 c 1 s 104 are each amended to read as follows:

(1) The city, town, or county legislative body shall inquire into the public use and interest proposed to be served by the establishment of the subdivision and dedication. It shall determine: (a) If appropriate provisions are made for, but not limited to, the public health, safety, and general welfare, for open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and schoolgrounds, and shall consider all other relevant facts, including sidewalks and other planning features that assure safe walking conditions for students who only walk to and from school; and (b) whether the public interest will be served by the subdivision and dedication.

(2) A proposed subdivision and dedication shall not be approved unless the city, town, or county legislative body makes written findings that: (a) Appropriate provisions are made for the public health, safety, and general welfare and for such open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and schoolgrounds and all other relevant facts, including sidewalks and other planning features that assure safe walking conditions for students who only walk to and from school; and (b) the public use and interest will be served by the platting of such subdivision and dedication. If it finds that the proposed subdivision and dedication make such appropriate provisions and that the public use and interest will be served, then the legislative body shall approve the proposed subdivision and dedication. Dedication of land to any public body, provision of public improvements to serve the subdivision, and/or impact fees imposed under RCW 82.02.050 through 82.02.090 may be required as a condition of subdivision approval. Dedications shall be clearly shown on the final plat. No dedication, provision of public improvements, or impact fees imposed under RCW 82.02.050 through 82.02.090 shall be allowed that constitutes an unconstitutional taking of private property. The legislative body shall not as a condition to the approval of any subdivision require a release from damages to be procured from other property owners.

(3) If the preliminary plat includes a dedication of a public park with an area of less than two acres and the donor has designated that the park be named in honor of a deceased individual of good character, the city, town, or county legislative body must adopt the designated name.

(4) If water supply is to be provided by a groundwater withdrawal exempt from permitting under RCW 90.44.050, the applicant's compliance with RCW 90.44.050 and with applicable rules adopted pursuant to chapters 90.22 and 90.54 RCW is sufficient in determining appropriate provisions for water supply for a subdivision, dedication, or short subdivision under this chapter.

(5) Short plats and short subdivisions creating ten or more lots in counties and cities planning under RCW 36.70A.040 and short plats and short subdivisions creating five or more lots in counties and cities not planning under RCW 36.70A.040 that are subject to the provisions of this section may be evaluated by administrative personnel.”

On page 1, line 1 of the title, after “subdivisions;” strike the remainder of the title and insert “and amending RCW 58.17.020, 58.17.060, and 58.17.110.”

The President declared the question before the Senate to be the adoption of striking amendment no. 159 by Senator Palumbo to Senate Bill No. 5008.

The motion by Senator Palumbo carried and striking amendment no. 159 was adopted by voice vote.

MOTION

On motion of Senator Palumbo, the rules were suspended, Engrossed Senate Bill No. 5008 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Palumbo and Short spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 5008.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5008 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 2; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Lias, McCoy, Mullet, Nguyen, O’Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senators Lovelett and Rolfes

Excused: Senator Conway

ENGROSSED SENATE BILL NO. 5008, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5739, by Senators Sheldon and Wellman

Promoting affordable housing in unincorporated areas of rural counties within urban growth areas.

MOTIONS

On motion of Senator Sheldon, Substitute Senate Bill No. 5739 was substituted for Senate Bill No. 5739 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Sheldon, the rules were suspended, Substitute Senate Bill No. 5739 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Sheldon and Kuderer spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5739.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5739 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Lias, Lovelett, McCoy, Mullet, Nguyen, O’Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senator Conway

SUBSTITUTE SENATE BILL NO. 5739, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5453, by Senators Takko and Short

Concerning the administration of irrigation districts.

The measure was read the second time.

WITHDRAWAL OF AMENDMENT

On motion of Senator Schoesler and without objection, amendment no. 046 by Senators Hunt and Schoesler on page 3, line 24 to Senate Bill No. 5453 was withdrawn.

MOTION

Senator Schoesler moved that the following amendment no. 205 by Senators Schoesler and Hunt be adopted:

On page 3, after line 24, insert the following:

“NEW SECTION. **Sec. 3.** (1) The Washington association of county officials must conduct a study of irrigation district election-related practices and procedures and recommend best practices to standardize those procedures across all districts. Best practices are those that are equitable and ensure thorough governance of irrigation districts. In conducting this study, the Washington association of county officials may collaborate with the secretary of state, county assessors, county auditors, and other relevant stakeholders as necessary.

(2) The Washington association of county officials must report its findings and recommendations to the governor and the appropriate committees of the legislature by December 1, 2019. At minimum, recommendations for the standardization of election procedures must include procedures to:

- (a) Identify qualified voters and directors;
- (b) Notify qualified voters and directors;
- (c) Deliver and return ballots;
- (d) Identify and count official returns; and
- (e) Declare the winning candidate.”

On page 1, at the beginning of line 2 of the title, strike all material through “87.03.435” and insert “amending RCW 87.03.082 and 87.03.435; and creating a new section”

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Senator Schoesler spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 205 by Senators Schoesler and Hunt on page 3, after line 24 to Senate Bill No. 5453.

The motion by Senator Schoesler carried and amendment no. 205 was adopted by voice vote.

MOTION

On motion of Senator Takko, the rules were suspended, Engrossed Senate Bill No. 5453 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Takko and Short spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 5453.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5453 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senator Conway

ENGROSSED SENATE BILL NO. 5453, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5739, by Senators Sheldon and Wellman

Promoting affordable housing in unincorporated areas of rural counties within urban growth areas.

MOTIONS

On motion of Senator Sheldon, Substitute Senate Bill No. 5739 was substituted for Senate Bill No. 5739 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Sheldon, the rules were suspended, Substitute Senate Bill No. 5739 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Sheldon and Kuderer spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5739.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5739 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senator Conway

SUBSTITUTE SENATE BILL NO. 5739, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5291, by Senators Darneille, Randall, Kuderer, Frockt, Hasegawa, Nguyen and Saldaña

Creating alternatives to total confinement for certain qualifying persons with minor children.

MOTION

On motion of Senator Darneille, Second Substitute Senate Bill No. 5291 was substituted for Senate Bill No. 5291 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator O'Ban moved that the following amendment no. 314 by Senator O'Ban be adopted:

On page 15, line 30, after "offense" insert "and has been determined to be a low risk to reoffend"

Senators O'Ban and Darneille spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 314 by Senator O'Ban on page 15, line 30 to Second Substitute Senate Bill No. 5291.

The motion by Senator O'Ban carried and amendment no. 314 was adopted by voice vote.

MOTION

On motion of Senator Becker, Senator Sheldon was excused.

MOTION

Senator Padden moved that the following amendment no. 393 by Senator Padden be adopted:

On page 15, line 33, after "court;" strike "and" and insert "~~((and))~~"

On page 16, line 4, after "offense" insert "; and"

(f) The offender has not been found by the United States attorney general to be subject to a deportation detainer or order and does not become subject to a deportation order during the period of the sentence"

On page 19, line 39, after "~~current~~" strike "~~offense;~~) and" and insert "~~offense; and~~)"

On page 20, line 2, after “child” insert “, and
(g) The offender has not been found by the United States attorney general to be subject to a deportation detainer or order and does not become subject to a deportation order during the period of the sentence”

Senator Padden spoke in favor of adoption of the amendment.
Senator Dhingra spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 393 by Senator Padden on page 15, line 33 to Second Substitute Senate Bill No. 5291.

The motion by Senator Padden did not carry and amendment no. 393 was not adopted by voice vote.

MOTION

On motion of Senator Darneille, the rules were suspended, Engrossed Second Substitute Senate Bill No. 5291 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Darneille, Walsh and O’Ban spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 5291.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5291 and the bill passed the Senate by the following vote: Yeas, 39; Nays, 8; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Holy, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O’Ban, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Takko, Van De Wege, Walsh, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senators Erickson, Fortunato, Hawkins, Honeyford, Padden, Short, Wagoner and Warnick

Excused: Senators Conway and Sheldon

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5291, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5903, by Senators Darneille, Warnick, Das, Nguyen and O’Ban

Concerning children’s mental health.

MOTIONS

On motion of Senator Darneille, Second Substitute Senate Bill No. 5903 was substituted for Senate Bill No. 5903 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Darneille, the rules were suspended, Second Substitute Senate Bill No. 5903 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Darneille, Warnick, Walsh and Brown spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 5903.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 5903 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Darneille, Das, Dhingra, Erickson, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O’Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senators Conway and Sheldon

SECOND SUBSTITUTE SENATE BILL NO. 5903, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5566, by Senators Braun and Takko

Concerning setting fees for administration of the prevailing wage program.

The measure was read the second time.

MOTION

On motion of Senator Braun, the rules were suspended, Senate Bill No. 5566 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Braun and Keiser spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5566.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5566 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 1; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Darneille, Das, Dhingra, Erickson, Fortunato, Frockt, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O’Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senator Hasegawa

Excused: Senators Conway and Sheldon

SENATE BILL NO. 5566, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

FIFTY EIGHTH DAY, MARCH 12, 2019

2019 REGULAR SESSION

SENATE BILL NO. 5295, by Senators Keiser, Hasegawa and Saldaña

Concerning labor neutrality and contractor compliance for certain contracted service providers.

MOTION

On motion of Senator Keiser, Substitute Senate Bill No. 5295 was substituted for Senate Bill No. 5295 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Keiser moved that the following striking amendment no. 178 by Senator Keiser be adopted:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. The legislature intends to prevent or mitigate service disruptions caused by employee disaffection or labor unrest within private sector providers contracted to provide certain essential state services that, if disrupted, could harm vulnerable members of the community, compromise the efficient delivery of essential state services, and burden taxpayers with additional costs.

The legislature further intends to spend scarce taxpayer resources for the efficient delivery of certain essential state services by law-abiding private sector providers. Contracting with providers with multiple legal violations represents wasteful government spending on remedying legal wrongs. Private sector providers of certain state services must certify their legal compliance with state, federal, and local laws before earning a contract involving government funds.

NEW SECTION. Sec. 2. A new section is added to chapter 43.20A RCW to read as follows:

Any contract entered into by the department with a private contractor for adult care, behavioral health, disability support, or youth services must contain a provision that requires the private contractor to certify its compliance with federal, state, and local laws in the provision of such care or services.

NEW SECTION. Sec. 3. A new section is added to chapter 43.20A RCW to read as follows:

(1) Any contract entered into by the department with a private contractor for adult care, behavioral health, disability support, or youth services must contain an assurance of the contractor's commitment to ensuring the uninterrupted delivery of services subject to the contract.

(2) The assurance required under subsection (1) of this section is a condition of contracting with the state for the provision of such services. The assurance may be made by offering one or more of the following commitments:

(a) A commitment that, upon receiving an award of the contract, the contractor will remain neutral in its policies, practices, and activities with regard to its employees performing the services required under the contract in the event such employees seek to exercise rights guaranteed by the national labor relations act, 29 U.S.C. Sec. 151 et seq.

(b) Inclusion of no-strike, no-lockout, or arbitration clauses in a collective bargaining agreement with a labor organization representing the contractor's employees covered by this section. In the event such collective bargaining agreement is due to expire during the term of the contract, the contracting employer must establish the parties have committed to resolving negotiation of disputes as to the terms of a successor collective bargaining

agreement through a process that ensures neither party will engage in economic action.

(c) A commitment not to strike or engage in workplace or service disruptions on the part of the representative of the employees performing the services contracted by the state through the term of the contract with the state.

(d) Any other similar assurances or commitments that provide equivalent assurances that continuity of services will be maintained through the life of the contract with the state.

(3) A contractor's assurances under this section made to the state are a binding provision of any contract awarded by the state, and constitute a warranty to the state on the part of the contractor.

(4) In the event the contractor's assurances fail to ensure uninterrupted service delivery, the contract with the department may be revoked and the department may make arrangements for the provision of services by other means.

(5) In awarding any contract subject to this section, the department must require bidders to disclose past violations of the national labor relations act, 29 U.S.C. Sec. 151 et seq.

NEW SECTION. Sec. 4. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

On page 1, line 1 of the title, after "to" strike the remainder of the title and insert "ensuring contractor compliance and continuity of public services for certain contracted service providers; adding new sections to chapter 43.20A RCW; and creating a new section."

The President declared the question before the Senate to be the adoption of the amendments by Senator Keiser to Substitute Senate Bill No. 5295.

The motion by Senator Keiser carried and striking amendment no. 178 were adopted by voice vote.

MOTION

On motion of Senator Keiser, the rules were suspended, Engrossed Substitute Senate Bill No. 5295 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Keiser spoke in favor of passage of the bill.

Senator King spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5295.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5295 and the bill passed the Senate by the following vote: Yeas, 27; Nays, 20; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Carlyle, Cleveland, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Palumbo, Pedersen, Randall, Rolfes, Saldaña, Salomon, Takko, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Bailey, Becker, Braun, Brown, Ericksen, Fortunato, Hawkins, Holy, Honeyford, King, O'Ban, Padden, Rivers, Schoesler, Short, Wagoner, Walsh, Warnick, Wilson, L. and Zeiger

Excused: Senators Conway and Sheldon

ENGROSSED SUBSTITUTE SENATE BILL NO. 5295, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5633, by Senators Brown, Walsh, Becker, Hasegawa, Zeiger, Keiser and O'Ban

Supporting and expanding behavioral health workforce pathway programs.

MOTIONS

On motion of Senator Brown, Substitute Senate Bill No. 5633 was substituted for Senate Bill No. 5633 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Brown, the rules were suspended, Substitute Senate Bill No. 5633 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Brown and Dhingra spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5633.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5633 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senators Conway and Sheldon

SUBSTITUTE SENATE BILL NO. 5633, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 8:56 p.m., on motion of Senator Liias, the Senate adjourned until 9:30 a.m. Wednesday, March 13, 2019.

CYRUS HABIB, President of the Senate

BRAD HENDRICKSON, Secretary of the Senate

FIFTY NINTH DAY

MORNING SESSION

Senate Chamber, Olympia
Wednesday, March 13, 2019

The Senate was called to order at 9:34 a.m. by the President of the Senate, Lt. Governor Habib presiding. The Secretary called the roll and announced to the President that all senators were present.

The Sergeant at Arms Color Guard consisting of Pages Miss Esmerelda Rodriguez-Flores and Mr. Asa Trowbridge, presented the Colors. Page Miss Phuong Phan led the Senate in the Pledge of Allegiance.

The prayer was offered by the Reverend Robert C. Laird, Rector, St. John's Episcopal Church, Olympia.

The President called upon the Secretary to read the journal of the preceding day.

MOTION

On motion of Senator Liias, the reading of the Journal of the previous day was dispensed with and it was approved.

MOTION

On motion of Senator Liias, Rule 15 was suspended for the remainder of the day for the purpose of allowing continued floor action.

EDITOR'S NOTE: Senate Rule 15 establishes the floor schedule and calls for a lunch and dinner break of 90 minutes each per day during regular daily sessions.

MOTION TO LIMIT DEBATE

Pursuant to Rule 29, on motion of Senator Liias and without objection, senators were limited to speaking but once and for no more than three minutes on each question under debate for the remainder of the day by voice vote.

MOTION

There being no objection, the Senate advanced to the first order of business.

COMMITTEE ON HEALTH & LONG TERM CARE

Pursuant to Senate Rule 45(13) and without objection, notice was received from the Committee on Health & Long Term Care that the following measures had been re-referred to the Subcommittee on Behavioral Health:

Second Substitute House Bill No. 1767,
Engrossed Substitute House Bill No. 1768,
and Second Substitute House Bill No. 1907.

MOTION

On motion of Senator Liias, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SJM 8012 by Senators Randall, Lovelett, Nguyen, Short, Rolfes, Palumbo, Cleveland, Saldaña, Billig, Keiser and Wilson, C.

Requesting that Congress allow design defect claims against vaccine manufacturers by individuals who have experienced adverse side effects caused by vaccines.

Referred to Committee on Law & Justice.

2SHB 1048 by House Committee on Appropriations (originally sponsored by Goodman, Stokesbary, Jinkins, Macri, Appleton, Wylie and Chambers)

AN ACT Relating to modifying the process for prevailing parties to recover judgments in small claims court; amending RCW 12.40.020, 12.40.030, 12.40.040, 12.40.050, 12.40.105, 12.40.120, 4.56.200, and 43.79.505; adding a new section to chapter 12.40 RCW; and repealing RCW 12.40.110.

Referred to Committee on Law & Justice.

2SHB 1059 by House Committee on Appropriations (originally sponsored by Van Werven, Kraft, Kilduff, Chambers, Eslick, Vick and Leavitt)

AN ACT Relating to extending the business and occupation tax return filing due date for annual filers; amending RCW 82.32.045 and 35.102.070; and creating new sections.

Referred to Committee on Ways & Means.

HB 1092 by Representatives Fey and Jinkins

AN ACT Relating to the compensation of commissioners of certain metropolitan park districts; and amending RCW 35.61.150.

Referred to Committee on Local Government.

SHB 1100 by House Committee on Civil Rights & Judiciary (originally sponsored by Jinkins)

AN ACT Relating to competency to stand trial evaluations; amending RCW 10.77.073; providing an effective date; providing an expiration date; and declaring an emergency.

Referred to Committee on Health & Long Term Care.

EHB 1126 by Representatives Morris, Ryu, Wylie, Kloba and Young

AN ACT Relating to enabling electric utilities to prepare for the distributed energy future; and adding a new section to chapter 19.280 RCW.

Referred to Committee on Environment, Energy & Technology.

SHB 1158 by House Committee on Consumer Protection & Business (originally sponsored by Ryu, Eslick, Appleton, Lovick, Blake, Stanford, Reeves, Kirby and Santos)

AN ACT Relating to regulation of permanent cosmetics under the Washington body art, body piercing, and tattooing

act; amending RCW 18.300.005, 18.300.010, 18.300.020, 18.300.030, 18.300.040, 18.300.050, 18.300.060, 18.300.070, 18.300.080, 18.300.090, and 18.300.900; and providing an effective date.

Referred to Committee on Labor & Commerce.

HB 1301 by Representatives Kirby, Fey, Jinkins, Kilduff, Morgan, Leavitt and Wylie

AN ACT Relating to exempting certain leasehold interests in arenas with a seating capacity of more than two thousand from the leasehold excise tax; amending RCW 82.29A.130; creating a new section; and providing an effective date.

Referred to Committee on Ways & Means.

HB 1423 by Representatives Tharinger, Harris, Jinkins, Corry, Macri, Kloba, Leavitt and Ormsby

AN ACT Relating to safe egress from adult family homes; and amending RCW 70.128.130.

Referred to Committee on Health & Long Term Care.

HB 1537 by Representatives Springer and Van Werven

AN ACT Relating to sunshine committee recommendations; amending RCW 42.56.250; and repealing RCW 42.56.340.

Referred to Committee on State Government, Tribal Relations & Elections.

SHB 1545 by House Committee on State Government & Tribal Relations (originally sponsored by Mead, Hudgins, Morgan, Ramos, Gregerson, Wylie, Appleton, Bergquist, Doglio, Jinkins and Pollet)

AN ACT Relating to curing ballots to assure that votes are counted; and amending RCW 29A.60.165.

Referred to Committee on State Government, Tribal Relations & Elections.

ESHB 1557 by House Committee on Commerce & Gaming (originally sponsored by MacEwen and Stanford)

AN ACT Relating to updating the liquor licensing process for annual licenses to address issues typically occurring between the time an applicant submits an application through the first renewal; and amending RCW 66.24.010.

Referred to Committee on Labor & Commerce.

ESHB 1569 by House Committee on Environment & Energy (originally sponsored by Ramos, Chapman, Callan, Peterson, Fitzgibbon and Slatter)

AN ACT Relating to marketing the degradability of products; adding a new chapter to Title 70 RCW; prescribing penalties; and providing an effective date.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

SHB 1575 by House Committee on Labor & Workplace Standards (originally sponsored by Stonier, Valdez, Ryu, Sells, Chapman, Cody, Macri, Peterson, Kloba, Lovick, Gregerson, Fey, Pollet, Senn, Riccelli, Lekanoff, Fitzgibbon, Bergquist, Stanford, Doglio, Tharinger, Goodman, Jinkins, Frame and Davis)

AN ACT Relating to strengthening the rights of workers through collective bargaining by addressing authorizations and revocations, certifications, and the authority to deduct and accept union dues and fees; amending RCW 28B.52.020, 28B.52.030, 28B.52.025, 28B.52.045, 41.56.060, 41.56.110, 41.56.113, 41.56.122, 41.59.060, 41.76.020, 41.76.045, 41.80.050, 41.80.080, 41.80.100, 47.64.090, 47.64.160, 49.39.080, 49.39.090, and 53.18.050; adding a new section to chapter 28B.52 RCW; adding a new section to chapter 41.56 RCW; adding a new section to chapter 41.80 RCW; adding a new section to chapter 49.39 RCW; and repealing RCW 41.59.100.

Referred to Committee on Labor & Commerce.

HB 1673 by Representatives Steele, Eslick, Goehner and Riccelli

AN ACT Relating to exempting information relating to the regulation of explosives from public disclosure; amending RCW 42.56.460; and adding a new section to chapter 42.56 RCW.

Referred to Committee on State Government, Tribal Relations & Elections.

EHB 1706 by Representatives Frame, Sells, Macri, Doglio, Gregerson, Riccelli, Callan, Jinkins, Goodman, Valdez, Bergquist, Kloba and Pollet

AN ACT Relating to eliminating subminimum wage certificates for persons with disabilities; and amending RCW 49.12.110 and 49.46.060.

Referred to Committee on Labor & Commerce.

2SHB 1725 by House Committee on Appropriations (originally sponsored by Dent, Valdez, Schmick, Pettigrew, Orcutt, Blake, Chandler, Springer, Pollet and Riccelli)

AN ACT Relating to implementing the recommendations of the pesticide application safety work group; adding a new section to chapter 70.104 RCW; creating new sections; and providing expiration dates.

Referred to Committee on Labor & Commerce.

HB 1727 by Representatives Walen and Ormsby

AN ACT Relating to gift cards; amending RCW 19.240.010 and 19.240.020; repealing RCW 19.240.030, 19.240.040, 19.240.050, 19.240.060, and 19.240.070; and providing an effective date.

Referred to Committee on Financial Institutions, Economic Development & Trade.

SHB 1734 by House Committee on College & Workforce Development (originally sponsored by Leavitt, Boehnke, Van Werven, Slatter, Jinkins and Santos)

AN ACT Relating to accreditation standards for college in the high school programs; and adding a new section to chapter 28B.10 RCW.

Referred to Committee on Higher Education & Workforce Development.

ESHB 1839 by House Committee on Finance (originally sponsored by Sullivan, MacEwen, Pettigrew, Springer, Vick and Valdez)

FIFTY NINTH DAY, MARCH 13, 2019

2019 REGULAR SESSION

AN ACT Relating to requiring eligible arena projects to fully pay the state and local sales tax within ten years of commencing construction; adding a new section to chapter 82.32 RCW; creating a new section; providing an expiration date; and declaring an emergency.

Referred to Committee on Ways & Means.

E2SHB 1874 by House Committee on Appropriations (originally sponsored by Frame, Eslick, Davis, Bergquist and Doglio)

AN ACT Relating to implementing policies related to expanding adolescent behavioral health care access as reviewed and recommended by the children’s mental health work group; amending RCW 71.34.010, 71.34.020, 71.34.500, 71.34.510, 71.34.520, 71.34.530, 71.34.650, 71.34.700, 71.34.700, 71.34.710, 71.34.710, and 74.13.280; adding new sections to chapter 71.34 RCW; creating new sections; providing an effective date; and providing expiration dates.

Referred to Committee on Health & Long Term Care.

ESHB 1880 by House Committee on Commerce & Gaming (originally sponsored by Kloba, Harris, Davis, Ryu and Stanford)

AN ACT Relating to the creation of a joint legislative task force on problem gambling; adding a new section to chapter 9.46 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Labor & Commerce.

HB 1900 by Representatives Callan, Dent, Senn, Appleton, Doglio, Davis, Pollet, Frame and Jinkins

AN ACT Relating to implementing the family first prevention services act, P.L. 115-123, regarding expansion of services to children and families; amending RCW 13.34.025, 26.44.030, 74.14C.020, 74.15.020, 13.34.065, 13.34.130, 13.34.138, and 13.34.145; reenacting and amending RCW 13.34.030, 26.44.020, 74.13.020, and 74.13.031; adding new sections to chapter 13.34 RCW; adding a new section to chapter 26.44 RCW; adding a new section to chapter 74.13 RCW; and providing an effective date.

Referred to Committee on Human Services, Reentry & Rehabilitation.

HB 2033 by Representatives Chambers, Paul, Dent, Van Werven, Thai, Eslick, Lekanoff, Corry, Shewmake and Frame

AN ACT Relating to mandatory reporting of child abuse and neglect; amending RCW 26.44.080 and 26.44.030; and prescribing penalties.

Referred to Committee on Human Services, Reentry & Rehabilitation.

ESHB 2097 by House Committee on Appropriations (originally sponsored by Kretz, Chapman, Springer, Blake, Pettigrew, Dent, Schmick, Dye, Maycumber, Wilcox and Corry)

AN ACT Relating to addressing statewide wolf recovery; amending RCW 16.76.020; adding a new section to chapter 77.36 RCW; and creating new sections.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

MOTION

On motion of Senator Liias, all measures listed on the Introduction and First Reading report were referred to the committees as designated.

MOTION

On motion of Senator Liias, the Senate advanced to the seventh order of business.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Cleveland moved that Lisa Keohokalole Schauer, Senate Gubernatorial Appointment No. 9244, be confirmed as a member of the Board of Regents, Washington State University.

Senators Cleveland and Holy spoke in favor of passage of the motion.

APPOINTMENT OF LISA KEOHOKALOOLE SCHAUER

The President declared the question before the Senate to be the confirmation of Lisa Keohokalole Schauer, Senate Gubernatorial Appointment No. 9244, as a member of the Board of Regents, Washington State University.

The Secretary called the roll on the confirmation of Lisa Keohokalole Schauer, Senate Gubernatorial Appointment No. 9244, as a member of the Board of Regents, Washington State University and the appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 2; Excused, 0.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O’Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Absent: Senators Ericksen and Sheldon

Lisa Keohokalole Schauer, Senate Gubernatorial Appointment No. 9244, having received the constitutional majority was declared confirmed as a member of the Board of Regents, Washington State University.

MOTION

On motion of Senator Rivers, Senators Ericksen and Sheldon were excused.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Hawkins moved that Phyllis Gleasman, Senate Gubernatorial Appointment No. 9069, be confirmed as a member of the Wenatchee Valley College Board of Trustees.

Senator Hawkins spoke in favor of the motion.

APPOINTMENT OF PHYLLIS GLEASMAN

The President declared the question before the Senate to be the confirmation of Phyllis Gleasman, Senate Gubernatorial Appointment No. 9069, as a member of the Wenatchee Valley College Board of Trustees.

The Secretary called the roll on the confirmation of Phyllis Gleasman, Senate Gubernatorial Appointment No. 9069, as a member of the Wenatchee Valley College Board of Trustees and the appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senators Erickson and Sheldon

Phyllis Gleasman, Senate Gubernatorial Appointment No. 9069, having received the constitutional majority was declared confirmed as a member of the Wenatchee Valley College Board of Trustees.

MOTION

On motion of Senator Liias, the Senate reverted to the sixth order of business.

SECOND READING

SENATE BILL NO. 5359, by Senators Cleveland, Rivers, Darneille, Keiser, Van De Wege, Nguyen, Saldaña and Wilson, C.

Funding investigations to protect individuals with disabilities in the supported living program.

The measure was read the second time.

MOTION

On motion of Senator Cleveland, the rules were suspended, Senate Bill No. 5359 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Cleveland spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5359.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5359 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Fortunato,

Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senators Erickson and Sheldon

SENATE BILL NO. 5359, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5483, by Senators Braun, Keiser, Palumbo, Sheldon, Becker, Short, Wilson, C., Hunt, Kuderer and Darneille

Improving services for individuals with developmental disabilities.

MOTION

On motion of Senator Braun, Second Substitute Senate Bill No. 5483 was substituted for Senate Bill No. 5483 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Braun moved that the following striking amendment no. 195 by Senators Braun and Keiser be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** The legislature finds that:

(1) The office of the developmental disabilities ombuds is a private, independent office focused on improving the lives of persons with developmental disabilities in Washington state. It is the duty of the developmental disabilities ombuds to monitor procedures and services provided to people with developmental disabilities; review facilities and residences where services are provided; resolve complaints about services; and issue reports on the services provided.

(2) The office of the developmental disabilities ombuds has identified a systemic issue of adults with developmental disabilities being stuck in hospitals without any medical need because there is no alternative setting available to discharge the individual.

(3) Many of the individuals that are unable to discharge from the hospital are clients of the developmental disabilities administration of the department of social and health services. In some cases, these clients were receiving residential services and went to the hospital for a medical condition, but when the client was ready for discharge, their residential services provider had terminated services. Other clients were dropped off at the hospital by their residential service provider because the residential service provider could no longer manage the client's care.

(4) It is not in the public or the client's interest for hospitals to be used for clients that do not have medical needs. Further, changes must be made to the developmental disabilities administration's service delivery system to ensure clients have access to services that keep them in the community and prevent inappropriate hospital stays.

NEW SECTION. **Sec. 2.** A new section is added to chapter 71A.12 RCW to read as follows:

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(1) Within existing resources, the department shall track and monitor the following items and make the deidentified information available to the office of the developmental disabilities ombuds created in RCW 43.382.005, the legislature, the Washington state hospital association, and the public upon request:

(a) Information about clients receiving services from a provider that are taken to a hospital. This includes:

(i) The number of clients that are taken to a hospital without a medical need;

(ii) The number of clients that are taken to a hospital with a medical need, but are unable to discharge once the medical need is met;

(iii) Each client's length of hospital stay for nonmedical purposes;

(iv) The reason each client was unable to be discharged from a hospital once the client's medical need was met;

(v) The location, including the type of provider, where each client was before being taken to a hospital; and

(vi) The location where each client is discharged.

(b) Information about clients that are taken to a hospital once their provider terminates services. This includes:

(i) The number of clients that are taken to a hospital without a medical need;

(ii) The number of clients that are taken to a hospital with a medical need, but are unable to discharge once the medical need is met;

(iii) Each client's length of hospital stay for nonmedical purposes;

(iv) The reason each client was unable to be discharged from a hospital once the client's medical need was met;

(v) For each client, the reason the provider terminated services;

(vi) The location, including the type of provider, where each client was before being taken to a hospital; and

(vii) The location where each client is discharged.

(2) A provider must notify the department when a client is taken to a hospital so that the department may track and collect data as required under subsection (1) of this section.

(3) A provider must notify the department before terminating services on the basis that the provider is unable to manage the client's care. Prior to a provider terminating services to a client because the provider is unable to manage the client's care, and subject to the availability of amounts appropriated for this specific purpose, the department shall offer crisis stabilization services to support the provider and the client in the client's current setting.

(4) In the event that the provider is unable to manage the client's care after crisis stabilization services are offered, the provider may terminate services and, subject to the availability of amounts appropriated for this specific purpose, the department shall:

(a) Transition the client to another provider that meets the client's needs and preferences; or

(b) Transition the client to a residential habilitation center for crisis stabilization services until an alternative provider is determined.

(5)(a) The department shall be responsible for frequently and appropriately communicating with a hospital that is caring for a client without a medical need, and providing frequent updates on transitioning the client to a more appropriate setting.

(b) The department shall coordinate providing psychological and habilitative services to clients who are being cared for at a hospital without a medical need.

(c) Subject to the availability of amounts appropriated for this specific purpose, the department shall coordinate with the

appropriate state agencies to reimburse any hospital that provides care for:

(i) A client without a medical need that is receiving services from a provider; or

(ii) A client without a medical need that is taken to the hospital once their provider terminated services.

(6) This section may not be construed to create a private right of action.

(7) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise:

(a) "Administration" means the developmental disabilities administration of the department of social and health services.

(b) "Crisis stabilization services" has the same meaning as defined in RCW 71A.10.020.

(c) "Hospital" means a facility licensed under chapter 70.41 or 71.12 RCW.

(d) "Provider" means a certified residential services and support program that contracts with the administration to provide services to administration clients. "Provider" also includes the state-operated living alternatives program operated by the administration.

NEW SECTION. Sec. 3. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

On page 1, line 2 of the title, after "disabilities;" strike the remainder of the title and insert "adding a new section to chapter 71A.12 RCW; creating a new section; and declaring an emergency."

The President declared the question before the Senate to be the adoption of striking amendment no. 195 by Senators Braun and Keiser to Second Substitute Senate Bill No. 5483.

The motion by Senator Braun carried and striking amendment no. 195 was adopted by voice vote.

MOTION

On motion of Senator Braun, the rules were suspended, Engrossed Second Substitute Senate Bill No. 5483 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Braun, Cleveland, Keiser and Walsh spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 5483.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5483 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senator Ericksen

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5483, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5536, by Senators Braun, Keiser, Darneille and Honeyford

Concerning intermediate care facilities for individuals with intellectual disability.

MOTION

On motion of Senator Braun, Substitute Senate Bill No. 5536 was substituted for Senate Bill No. 5536 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Keiser moved that the following amendment no. 324 by Senator Keiser be adopted:

On page 3, line 21, after "and" insert "may be"

On page 5, line 1, after "and" strike "every ninety days" a insert "quarterly"

On page 5, after line 13, insert the following:

"(4) The department shall develop a plan to preserve support living and expand state-operated living alternatives to ensure residents of residential habilitation centers can transition to the settings when necessary."

Senators Keiser, Braun and Cleveland spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 324 by Senator Keiser on page 3, line 21 to Substitute Senate Bill No. 5536.

The motion by Senator Keiser carried and amendment no. 324 was adopted by voice vote.

MOTION

On motion of Senator Keiser, the rules were suspended, Engrossed Substitute Senate Bill No. 5536 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Keiser and Cleveland spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5536.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5536 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Fortunato, Frocht, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senator Ericksen

ENGROSSED SUBSTITUTE SENATE BILL NO. 5536, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5846, by Senators Saldaña, Hasegawa, Randall, Nguyen, Wilson, C., Keiser, Das, Cleveland and Dhingra

Concerning the integration of international medical graduates into Washington's health care delivery system.

MOTIONS

On motion of Senator Saldaña, Second Substitute Senate Bill No. 5846 was substituted for Senate Bill No. 5846 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Saldaña, the rules were suspended, Second Substitute Senate Bill No. 5846 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Saldaña, O'Ban, Hasegawa, Becker, Randall and King spoke in favor of passage of the bill.

Senator Brown spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 5846.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 5846 and the bill passed the Senate by the following vote: Yeas, 44; Nays, 4; Absent, 0; Excused, 1.

Voting yea: Senators Becker, Billig, Braun, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Fortunato, Frocht, Hasegawa, Hawkins, Hobbs, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senators Bailey, Brown, Holy and Short

Excused: Senator Ericksen

SECOND SUBSTITUTE SENATE BILL NO. 5846, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

PERSONAL PRIVILEGE

Senator Brown: "I understand that you are one of twenty-four American selected as a young global leader by the World Economic Forum and I just stand to congratulate you."

President Habib: "Oh, thank you. That's always in order. Thank you so mu- Oh, that's. Thank you Senator Brown. that's very kind of you. Thank you. Thank you. Oh geez. All right. Thank you, thank you. Thank you. Thank you Senator Brown, thank you so much."

The senate rose and recognized Lt. Governor Habib on the occasion of his selecting as a Young Global Leader by the World

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Economic Forum. Created in 2004, the 2019 class of the Forum for Young Global Leaders is comprised of 127 members from across the globe representing a variety of backgrounds.

MOTION

At 10:33 a.m., on motion of Senator Liias, the Senate was declared to be at ease subject to the call of the President.

Senator McCoy announced a meeting of the Democratic Caucus immediately upon going at ease.

Senator Becker announced a meeting of the Republican Caucus immediately upon going at ease.

The Senate was called to order at 11:39 a.m. by President Habib.

SIGNED BY THE PRESIDENT

Pursuant to Article 2, Section 32 of the State Constitution and Senate Rule 1(5), the President announced the signing of and thereupon did sign in open session:

SUBSTITUTE SENATE BILL NO. 5954.

SECOND READING

SENATE BILL NO. 5274, by Senators Hasegawa, Hunt, Wilson, C., Billig, Nguyen, Conway, Das, Frockt, Keiser, Randall and Saldaña

Concerning dental coverage for Pacific islanders residing in Washington.

The measure was read the second time.

MOTION

Senator Hasegawa moved that the following amendment no. 327 by Senator Hasegawa be adopted:

On page 3, after line 19, insert the following:

"Sec. 3. RCW 43.71A.020 and 2018 c 161 s 3 are each amended to read as follows:

(1) An individual is eligible for the COFA premium assistance program if the individual:

- (a) Is a resident;
- (b) Is a COFA citizen;
- (c) Enrolls in a silver qualified health plan;
- (d) Has income that is less than one hundred thirty-three percent of the federal poverty level; and
- (e) Is ineligible for a federal or state medical assistance program administered by the authority under chapter 74.09 RCW.

(2) Subject to the availability of amounts appropriated for this specific purpose, the authority shall pay the premium cost for a qualified health plan and the out-of-pocket costs for the coverage provided by the plan for an individual who is eligible for the premium assistance program under subsection (1) of this section.

(3) The authority may disqualify a participant from the program if the participant:

- (a) No longer meets the eligibility criteria in subsection (1) of this section;
- (b) Fails, without good cause, to comply with procedural or documentation requirements established by the authority in accordance with subsection (4) of this section;

- (c) Fails, without good cause, to notify the authority of a change of address in a timely manner;
- (d) Withdraws the participant's application or requests termination of coverage; or
- (e) Performs an act, practice, or omission that constitutes fraud, and, as a result, an insurer rescinds the participant's policy for the qualified health plan.

(4) The authority shall establish:

- (a) Application, enrollment, and renewal processes for the COFA premium assistance program;
- (b) The qualified health plans that are eligible for reimbursement under the program;
- (c) Procedural requirements for continued participation in the program, including participant documentation requirements that are necessary for the authority to administer the program; and

(d) Open enrollment periods and special enrollment periods consistent with the enrollment periods for the health ((insurance health benefit)) benefit exchange (and

~~(e) A comprehensive community education and outreach campaign, working with stakeholder and community organizations, to facilitate applications for, and enrollment in, the program. Subject to the availability of amounts appropriated for this specific purpose, the education and outreach program shall provide culturally and linguistically accessible information to facilitate participation in the program, including but not limited to enrollment procedures, benefit utilization, and patient responsibilities.~~

~~(5) The community education and outreach campaign conducted by the authority must begin no later than September 1, 2018).~~

~~((6))~~ (5) The first open enrollment period for the COFA premium assistance program must begin no later than November 1, 2018.

NEW SECTION. Sec. 4. A new section is added to chapter 43.71A RCW to read as follows:

The authority, in consultation with the Washington state commission on Asian Pacific American affairs, shall establish an annual comprehensive community education and outreach program to COFA citizens, including contracting with a Washington organization that has multilingual language capacity, and working with stakeholder and community organizations, to facilitate applications for, and enrollment in, the COFA premium assistance and dental care programs. Subject to the availability of amounts appropriated for this specific purpose, the education and outreach program shall provide culturally and linguistically accessible information to facilitate participation in the programs, including but not limited to enrollment procedures, benefit utilization, and patient responsibilities."

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 4, line 19, after "periods" insert "consistent with the enrollment periods for the health benefit exchange"

On page 4, beginning on line 20, after "(5)" strike all material through "(6)" on line 31

On page 4, line 32, after "November 1," strike "2019" and insert "2020"

On page 1, line 2 of the title, after "43.71A.010" strike "and 43.71A.800; adding a new section to chapter 43.71A RCW" and insert ", 43.71A.020, and 43.71A.800; adding new sections to chapter 43.71A RCW"

Senator Hasegawa spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 327 by Senator Hasegawa on page 3, after line 19 to Senate Bill No. 5274.

The motion by Senator Hasegawa carried and amendment no. 327 was adopted by voice vote.

MOTION

On motion of Senator Hasegawa, the rules were suspended, Engrossed Senate Bill No. 5274 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Hasegawa, Brown, Saldaña, King and Cleveland spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 5274.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5274 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 1; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Absent: Senator Salomon

Excused: Senator Ericksen

ENGROSSED SENATE BILL NO. 5274, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5741, by Senators Keiser, Rivers, Frockt and Mullet

Making changes to support future operations of the state all payer claims database by transferring the responsibility to the health care authority, partnering with a lead organization with broad data experience, including with self-insured employers, and other changes to improve and ensure successful and sustainable database operations for access to and use of the data to improve health care, providing consumers useful and consistent quality and cost measures, and assess total cost of care in Washington state.

MOTION

On motion of Senator Keiser, Substitute Senate Bill No. 5741 was substituted for Senate Bill No. 5741 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Rolfes moved that the following amendment no. 394 by Senators Rolfes and Becker be adopted:

On page 4, line 5, after "delivery." insert "Any claims data collected in the all-payer health care claims database is owned by the state."

On page 4, line 8, after "organization" strike "~~((from among the best potential bidders))~~" and insert "from among the best potential bidders"

On page 4, line 10, after "(a)" insert "(i) In conducting the competitive procurement, the authority must ensure that no state officer or state employee participating in the procurement process:

(A) Has a current relationship or had a relationship within the last three years with any organization that bids on the procurement that would constitute a conflict with the proper discharge of official duties under chapter 42.52 RCW; or

(B) Is a compensated or uncompensated member of a bidding organization's board of directors, advisory committee, or similar group within an organization, or has held such a position in the past three years.

(ii) If any relationship or interest described in (a)(i) of this subsection is discovered during the procurement process, the officer or employee with the prohibited relationship must withdraw from involvement in the procurement process.

(b)"

On page 4, beginning on line 19, after "reports" strike ", especially among groups of health providers, carriers, and self-insured purchasers in the state"

On page 4, beginning on line 24, after "data" strike ", especially among groups of health providers, carriers, and self-insured purchasers"

On page 4, at the beginning of line 26 strike "(b) ~~((By December 31, 2017;))~~" and insert "((b) By December 31, 2017;)) (c)"

On page 7, after line 19, insert the following:

"(4) The state retains the ownership over all claims data submitted to the database pursuant to this section. No contract with the lead organization may transfer ownership of data from the state to the lead organization or the data vendor."

Senators Rolfes and Becker spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 394 by Senators Rolfes and Becker on page 4, line 5 to Substitute Senate Bill No. 5741.

The motion by Senator Rolfes carried and amendment no. 394 was adopted by voice vote.

MOTION

Senator Becker moved that the following amendment no. 395 by Senators Becker and Rolfes be adopted:

On page 11, line 30, after "information;" strike "or" and insert "~~((or))~~"

On page 11, line 33, after "providers" insert "; or

(d) Contain medicaid data that is in direct conflict with the biannual medicaid forecast"

Senators Becker and Keiser spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 395 by Senators Becker and Rolfes on page 11, line 30 to Substitute Senate Bill No. 5741.

The motion by Senator Becker carried and amendment no. 395 was adopted by voice vote.

MOTION

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Senator O'Ban moved that the following amendment no. 250 by Senators O'Ban and Cleveland be adopted:

On page 13, line 34, after "agencies" insert "and other data users"

On page 14, line 1, after "database" insert ", including accountable communities of health"

On page 14, after line 32, insert the following:

"NEW SECTION. Sec. 10. A new section is added to chapter 43.371 RCW to read as follows:

The lead organization and the authority shall provide any persons or entities that have a signed data use agreement with the lead organization in effect on June 1, 2019, with the option to extend the data use agreement through June 30, 2020. Any person or entity that chooses to extend its data use agreement through June 30, 2020, may not be charged any fees in excess of the fees in the data use agreement in effect on June 1, 2019."

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 1, line 11 of the title, after "adding" strike "a new section" and insert "new sections"

Senator O'Ban spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 250 by Senators O'Ban and Cleveland on page 13, line 34 to Substitute Senate Bill No. 5741.

The motion by Senator O'Ban carried and amendment no. 250 was adopted by voice vote.

MOTION

Senator Becker moved that the following amendment no. 396 by Senators Becker and Rolfes be adopted:

On page 13, line 34, after "the" strike "authority" and insert "office"

On page 14, line 2, after "the" strike "authority" and insert "office"

Senators Becker and Rolfes spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 396 by Senators Becker and Rolfes on page 13, line 34 to Substitute Senate Bill No. 5741.

The motion by Senator Becker carried and amendment no. 396 was adopted by voice vote.

MOTION

On motion of Senator Keiser, the rules were suspended, Engrossed Substitute Senate Bill No. 5741 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Keiser, Becker, Cleveland, Conway and Rolfes spoke in favor of passage of the bill.

MOTION

On motion of Senator Wilson, C., Senator Salomon was excused.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5741.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5741 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Erickson, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senator Padden

Excused: Senator Salomon

ENGROSSED SUBSTITUTE SENATE BILL NO. 5741, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Pursuant to Rule 18, on motion of Senator Liias and without objection, Senate Bill No. 5822 was made a special order of business to be considered at 4:55 p.m.

SECOND READING

SENATE BILL NO. 5415, by Senators McCoy, Rivers, Cleveland, Saldaña, Van De Wege, Billig, Conway, Frockt, Kuderer, Nguyen and Rolfes

Creating the Washington Indian health improvement act.

The measure was read the second time.

MOTION

On motion of Senator McCoy, the rules were suspended, Senate Bill No. 5415 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators McCoy and O'Ban spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5415.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5415 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Erickson, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senator Salomon

SENATE BILL NO. 5415, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5523, by Senators Braun, Rivers and Frockt

Improving managed care organization performance in caring for medicaid clients.

MOTION

On motion of Senator Braun, Substitute Senate Bill No. 5523 was substituted for Senate Bill No. 5523 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Braun moved that the following striking amendment no. 400 by Senator Braun be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) The legislature finds that the state of Washington has substantial public interest in the quality, price, and cost of health care, and ensuring that managed care organizations are delivering quality health care. Oversight of performance management of managed care organizations providing health care services to medicaid clients contracted by the health care authority is necessary in order to provide accountability for state purchased health care.

(2) The legislature further finds that health care costs are rising, and that containing health care costs while ensuring positive health outcomes, appropriate performance management, and accountability for dollars spent on state purchased health care is essential. The legislature must hold both the health care authority and the managed care organizations that provide services to medicaid clients accountable for performance and performance improvement.

(3) The legislature therefore intends to ensure medicaid clients receive appropriate care in the right setting, at the right time, for the right cost, by providing appropriate oversight for performance management and accountability for state purchased health care.

Sec. 2. RCW 74.09.605 and 2013 c 320 s 7 are each amended to read as follows:

(1) The authority shall incorporate the expected outcomes and criteria to measure the performance of service coordination organizations as provided in chapter 70.320 RCW into contracts with managed care organizations that provide services to clients under this chapter.

(2)(a) The authority shall contract with an external quality improvement organization to annually analyze the performance of managed care organizations providing services to clients under this chapter based on seven performance measures. The analysis required under this subsection must:

(i) Measure managed care performance in three common measures across each managed care organization, including:

(A) At least one common measure must be weighted towards having the potential to impact managed care costs; and

(B) At least one common measure must be weighted towards population health management, as defined by the measure; and

(ii) Measure managed care performance in an additional four quality focus performance measures specific to a managed care organization. Quality focus performance measures chosen by the authority must:

(A) Be chosen from the total measures the managed care organizations are required to report;

(B) Reflect specific measures where a managed care organization has poor performance; and

(C) Be substantive and clinically meaningful in promoting health status.

(b) By September 1, 2019, the authority shall set the three common measures to be analyzed across all managed care organizations.

(c) By September 1, 2019, and every three years thereafter, the authority shall set four quality focus performance measures specific to each managed care organization. The authority must determine performance measures for each managed care organization based on the criteria established in (a)(ii) of this subsection.

(d) By September 15, 2019, and annually thereafter, the authority shall notify each managed care organization of the performance measures for the organization for the subsequent plan year.

(3)(a) Beginning in plan year 2020, three percent of the total plan year funding appropriated to each managed care organization that provides services to clients under this chapter shall be withheld. Each managed care organization may earn back the annual withhold if the external quality improvement organization finds that the managed care organization:

(i) Made statistically significant improvement in the seven performance measures as compared to the preceding plan year; or

(ii) Scored in the top quartile of the performance measures.

(b) The amount of withhold annually paid to each managed care organization shall be proportional to findings of statistically significant improvement or top quartile scoring by a managed care organization.

(c) For no more than two of the four quality focus performance measures in the first three years under this act, the authority may use an alternate methodology to approximate top quartile performance where top quartile performance data is unavailable.

(4) For the purposes of this section, "external quality improvement organization" means an organization that meets the competence and independence requirements under 42 C.F.R. Sec. 438.354, as it existed on the effective date of this section.

NEW SECTION. Sec. 3. A new section is added to chapter 74.09 RCW to read as follows:

(1) Beginning January 1, 2020, and annually thereafter, each managed care organization that provides services to clients under this chapter shall report the following information, by age and gender, where appropriate, reflective of the prior plan year, to the authority:

(a) The number of clients enrolled with the managed care organization;

(b) The number and percentage of clients who received an annual preventative screening;

(c) The number and percentage of clients who received childhood immunizations, according to standard immunization recommendations;

(d) The number and percentage of clients over the age of seventeen who received immunizations, according to standard immunization recommendations; and

(e) The number and percentage of male clients who received a prostate cancer screening.

(2) By January 1, 2020, each managed care organization that provides services to clients under this chapter shall report the following information to the authority, where available, for the managed care organization's overall book of business for Washington state, for the three plan years prior to contracting with the authority for managed care, by age and gender:

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(a) The number and percentage of clients who received childhood immunizations, according to standard immunization recommendations; and

(b) The number and percentage of clients over the age of seventeen who received immunizations, according to standard immunization recommendations."

On page 1, line 2 of the title, after "clients;" strike the remainder of the title and insert "amending RCW 74.09.605; adding a new section to chapter 74.09 RCW; and creating a new section."

The President declared the question before the Senate to be the adoption of striking amendment no. 400 by Senator Braun to Substitute Senate Bill No. 5523.

The motion by Senator Braun carried and striking amendment no. 400 was adopted by voice vote.

MOTION

On motion of Senator Braun, the rules were suspended, Engrossed Substitute Senate Bill No. 5523 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Braun, Liias, Conway and Cleveland spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5523.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5523 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senator Salomon

ENGROSSED SUBSTITUTE SENATE BILL NO. 5523, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5385, by Senators Becker, Cleveland, Braun, O'Ban, Wilson, L., Brown, Warnick, Zeiger, Bailey and Van De Wege

Concerning telemedicine payment parity.

MOTIONS

On motion of Senator Becker, Substitute Senate Bill No. 5385 was substituted for Senate Bill No. 5385 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Becker, the rules were suspended, Substitute Senate Bill No. 5385 was advanced to third reading,

the second reading considered the third and the bill was placed on final passage.

Senators Becker and Cleveland spoke in favor of passage of the bill.

Senator Mullet spoke against passage of the bill.

Senator Warnick spoke on passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5385.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5385 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 2; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senators Hasegawa and Mullet

Excused: Senator Salomon

SUBSTITUTE SENATE BILL NO. 5385, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5828, by Senators Cleveland, Rivers, Kuderer and Nguyen

Concerning the medicaid home health reimbursement rate for medical assistance clients.

The measure was read the second time.

MOTION

On motion of Senator Cleveland, the rules were suspended, Senate Bill No. 5828 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Cleveland spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5828.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5828 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senator Salomon

SENATE BILL NO. 5828, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 12:39 p.m., on motion of Senator Liias, the Senate was declared to be at ease subject to the call of the President for the purposes of lunch.

AFTERNOON SESSION

The Senate was called to order at 2:11 p.m. by President Habib.

MOTION

On motion of Senator Liias, the Senate advanced to the seventh order of business.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Hunt moved that William Downing, Senate Gubernatorial Appointment No. 9135, be confirmed as a member of the Public Disclosure Commission.

Senators Hunt, Pedersen and O'Ban spoke in favor of passage of the motion.

APPOINTMENT OF WILLIAM DOWNING

The President declared the question before the Senate to be the confirmation of William Downing, Senate Gubernatorial Appointment No. 9135, as a member of the Public Disclosure Commission.

The Secretary called the roll on the confirmation of William Downing, Senate Gubernatorial Appointment No. 9135, as a member of the Public Disclosure Commission and the appointment was confirmed by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Erickson, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senator Salomon

William Downing, Senate Gubernatorial Appointment No. 9135, having received the constitutional majority was declared confirmed as a member of the Public Disclosure Commission.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Hunt moved that Ly, Kathleena, Senate Gubernatorial Appointment No. 9180, be confirmed as a member of The Evergreen State College Board of Trustees.

Senator Hunt spoke in favor of the motion.

APPOINTMENT OF KATHLEENA LY

The President declared the question before the Senate to be the confirmation of Kathleena Ly, Senate Gubernatorial Appointment No. 9180, as a member of The Evergreen State College Board of Trustees.

The Secretary called the roll on the confirmation of Kathleena Ly, Senate Gubernatorial Appointment No. 9180, as a member of The Evergreen State College Board of Trustees and the appointment was confirmed by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Erickson, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senator Salomon

Kathleena Ly, Senate Gubernatorial Appointment No. 9180, having received the constitutional majority was declared confirmed as a member of The Evergreen State College Board of Trustees.

MOTION

On motion of Senator Liias, the Senate reverted to the fourth order of business.

MESSAGE FROM THE HOUSE

March 12, 2019

MR. PRESIDENT:

The House has passed:

HOUSE BILL NO. 1079,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1094,
 SUBSTITUTE HOUSE BILL NO. 1095,
 ENGROSSED SECOND SUBSTITUTE
 HOUSE BILL NO. 1105,
 ENGROSSED SECOND SUBSTITUTE
 HOUSE BILL NO. 1110,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1325,
 SUBSTITUTE HOUSE BILL NO. 1436,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1450,
 ENGROSSED HOUSE BILL NO. 1465,
 SUBSTITUTE HOUSE BILL NO. 1512,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1582,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1622,
 ENGROSSED SECOND SUBSTITUTE
 HOUSE BILL NO. 1660,
 SUBSTITUTE HOUSE BILL NO. 1661,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1772,
 SECOND SUBSTITUTE HOUSE BILL NO. 1776,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1849,
 SUBSTITUTE HOUSE BILL NO. 1917,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1966,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1994,
 SUBSTITUTE HOUSE BILL NO. 2024,

and the same are herewith transmitted.

NONA SNELL, Deputy Chief Clerk

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MOTION

On motion of Senator Liias, the Senate advanced to the sixth order of business.

SECOND READING

SENATE BILL NO. 5184, by Senators Kuderer, Cleveland and Darneille

Concerning prescription coverage and the use of nonresident pharmacies.

MOTION

On motion of Senator Kuderer, Substitute Senate Bill No. 5184 was substituted for Senate Bill No. 5184 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator O'Ban moved that the following amendment no. 404 by Senator O'Ban be adopted:

On page 1, beginning on line 10, after "must" strike all material through "year" on line 17 and insert "provide information in the enrollee health plan booklet that clearly describes the pharmacy benefit coverage and the use of nonresident pharmacies to fill certain prescriptions, and includes contact information for receiving more information about the options available for filling prescriptions. The booklet must be available upon enrollment and at the request of the enrollee"

On page 1, beginning on line 18, strike all of subsection (3), and insert "(3) Each enrollee must be provided information by the health carrier or pharmacy benefit manager or its agents clearly describing the rights that the enrollee has available to him or her regarding use of a nonresident pharmacy."

On page 2, beginning on line 1, strike all of subsection (4)

Renumber the remaining subsections consecutively and correct any internal references accordingly.

On page 2, line 7, after "purchase" insert "all of his or her"

Senators O'Ban and Mullet spoke in favor of adoption of the amendment.

Senators Kuderer, Rivers and Cleveland spoke against adoption of the amendment.

The President, being in doubt as to whether a voice vote would reveal the will of the assembly, "preemptively" called for a division of the house on the question of the adoption of amendment no. 404 by Senator O'Ban.

POINT OF ORDER

Senator Schoesler: "Thank you Mr. President. I am a little bit confused. Under what rule are you doing this from the rostrum?"

President Habib: "The President feels that I will not be able, sufficiently, to determine, based on a voice vote and so I'm going to divide the house here and ask that member..."

Senator Schoesler: "Under what rule do you cite you can do that?"

President Habib: "So, Senator Schoesler, there's no rule preventing me from doing it but if you're concerned about it we can take the vote and I will then immediately call for a division."

Senator Schoesler: "Mr. President, under what rule can you call for a division from the rostrum?"

President Habib: "If I am uncertain as to the outcome of the vote, Senator Schoesler, that's how we do things here. That's how we make sure that the prevailing side wins."

Senator Schoesler: "Mr. President, we would be more than happy to call for a division."

President Habib: "Senator Schoesler, do you have another point of inquiry?"

The President declared the question before the Senate to be the adoption of amendment no. 404 by Senator O'Ban on page 1, line 10 to Substitute Senate Bill No. 5184.

The motion by Senator O'Ban did not carry and amendment no. 404 was not adopted by a rising vote.

MOTION

On motion of Senator Kuderer, the rules were suspended, Substitute Senate Bill No. 5184 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Kuderer, Rivers, Conway, Short and Keiser spoke in favor of passage of the bill.

Senators O'Ban, Mullet and Ericksen spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5184.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5184 and the bill passed the Senate by the following vote: Yeas, 28; Nays, 20; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Holy, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Nguyen, Pedersen, Randall, Rivers, Rolfes, Saldaña, Sheldon, Short, Van De Wege, Wellman, Wilson, C. and Zeiger

Voting nay: Senators Bailey, Becker, Brown, Carlyle, Ericksen, Fortunato, Hawkins, Hobbs, Honeyford, King, Mullet, O'Ban, Padden, Palumbo, Schoesler, Takko, Wagoner, Walsh, Warnick and Wilson, L.

Excused: Senator Salomon

SUBSTITUTE SENATE BILL NO. 5184, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5389, by Senators Becker, Cleveland, Bailey, Wilson, L., Brown, Walsh and Warnick

Establishing a telehealth training and treatment program to assist youth.

MOTION

On motion of Senator Becker, Substitute Senate Bill No. 5389 was substituted for Senate Bill No. 5389 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Dhingra moved that the following amendment no. 163 by Senator Dhingra be adopted:

On page 4, beginning on line 9, strike all of subsection (6)

Renumber the remaining subsections consecutively and correct any internal references accordingly.

Senators Dhingra and Becker spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 163 by Senator Dhingra on page 4, line 9 to Substitute Senate Bill No. 5389.

The motion by Senator Dhingra carried and amendment no. 163 was adopted by voice vote.

MOTION

On motion of Senator Becker, the rules were suspended, Engrossed Substitute Senate Bill No. 5389 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Becker, Dhingra and Rolfes spoke in favor of passage of the bill.

MOTION

On motion of Senator Braun, Senator Rivers was excused.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5389.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5389 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 2; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rolfes, Saldaña, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senators Hasegawa and Mullet

Excused: Senators Rivers and Salomon

ENGROSSED SUBSTITUTE SENATE BILL NO. 5389, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 2:59 p.m., on motion of Senator Liias, the Senate was declared to be at ease subject to the call of the President for the purposes of caucuses.

The Senate was called to order at 3:36 p.m. by President Habib.

MOTION

On motion of Senator Liias, the Senate advanced to the seventh order of business.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Van De Wege moved that Dwayne Johnson, Senate Gubernatorial Appointment No. 9083, be confirmed as a member of the Peninsula College Board of Trustees.

Senator Van De Wege spoke in favor of the motion.

APPOINTMENT OF DWAYNE JOHNSON

The President declared the question before the Senate to be the confirmation of Dwayne Johnson, Senate Gubernatorial Appointment No. 9083, as a member of the Peninsula College Board of Trustees.

The Secretary called the roll on the confirmation of Dwayne Johnson, Senate Gubernatorial Appointment No. 9083, as a member of the Peninsula College Board of Trustees and the appointment was confirmed by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Dwayne Johnson, Senate Gubernatorial Appointment No. 9083, having received the constitutional majority was declared confirmed as a member of the Peninsula College Board of Trustees.

MOTION

On motion of Senator Liias, the Senate reverted to the sixth order of business.

SECOND READING

SENATE BILL NO. 5288, by Senator Darneille

Sentencing for persistent offenders.

MOTION

On motion of Senator Darneille, Substitute Senate Bill No. 5288 was substituted for Senate Bill No. 5288 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Pedersen moved that the following amendment no. 355 by Senator Pedersen be adopted:

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On page 1, line 1 of the title, after "Relating to" strike "persistent offenders" and insert "removing robbery in the second degree from the list of offenses that qualify an individual as a persistent offender"

Senator Pedersen spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 355 by Senator Pedersen on page 1, line 1 to Substitute Senate Bill No. 5288.

The motion by Senator Pedersen carried and amendment no. 355 was adopted by voice vote.

MOTION

Senator Padden moved that the following amendment no. 161 by Senator Padden be adopted:

Beginning on page 15, line 17, strike all of section 2

On page 1, line 1 of the title, after "offenders;" insert "and"

On page 1, beginning on line 1 of the title, after "9.94A.030" strike all material through "date" on line 3

Senators Padden and Pedersen spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 161 by Senator Padden on page 15, line 17 to Substitute Senate Bill No. 5288.

The motion by Senator Padden carried and amendment no. 161 was adopted by voice vote.

WITHDRAWAL OF AMENDMENT

On motion of Senator Padden and without objection, amendment no. 242 by Senator Padden on page 15, line 21 to Substitute Senate Bill No. 5288 was withdrawn.

WITHDRAWAL OF AMENDMENT

On motion of Senator Padden and without objection, amendment no. 241 by Senator Padden on page 15, line 21 to Substitute Senate Bill No. 5288 was withdrawn.

WITHDRAWAL OF AMENDMENT

On motion of Senator Padden and without objection, amendment no. 243 by Senator Padden on page 16, line 1 to Substitute Senate Bill No. 5288 was withdrawn.

MOTION

Senator Holy moved that the following amendment no. 410 by Senator Holy be adopted:

On page 16, line 1, after "(3)", insert the following: "The sentencing court may not grant the motion until the department of corrections submits to the legislature the report described in section 3 of this act."

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 16, after line 1, insert the following:

"NEW SECTION. Sec. 3. A new section is added to chapter 9.94A RCW to read as follows:

(1) By December 2, 2019, and in compliance with RCW 43.01.036, the department of corrections must submit a report to the legislature that details the number of offenders eligible for a resentencing hearing under section 2 of this act that have participated in any offender treatment or change program. The report must provide information on:

(a) The number and type of programs in which the offender participated;

(b) The number and type of programs the offender completed; and

(c) If the offender failed to complete such a program, the number and type of programs the offender failed to complete and the reason for the failure.

On page 1, line 2 of the title, after "adding", strike "a new section", and insert "new sections"

Senator Holy spoke in favor of adoption of the amendment.

Senator Pedersen spoke against adoption of the amendment.

PARLIAMENTARY INQUIRY

Senator Liias: "In Senator Padden's amendment we struck all of section two which this one purports to amend, so I was just asking how we can amend language that has been stricken from the bill?"

WITHDRAWAL OF AMENDMENT

On motion of Senator Holy and without objection, amendment no. 410 by Senator Holy on page 16, line 1 to Substitute Senate Bill No. 5288 was withdrawn.

MOTION

On motion of Senator Darneille, the rules were suspended, Engrossed Substitute Senate Bill No. 5288 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Darneille, Dhingra and Pedersen spoke in favor of passage of the bill.

Senators Schoesler, Padden, Holy and Wagoner spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5288.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5288 and the bill passed the Senate by the following vote: Yeas, 29; Nays, 20; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Palumbo, Pedersen, Randall, Rolfes, Saldaña, Salomon, Takko, Van De Wege, Walsh, Wellman and Wilson, C.

Voting nay: Senators Bailey, Becker, Braun, Brown, Ericksen, Fortunato, Hawkins, Holy, Honeyford, King, O'Ban, Padden, Rivers, Schoesler, Sheldon, Short, Wagoner, Warnick, Wilson, L. and Zeiger

ENGROSSED SUBSTITUTE SENATE BILL NO. 5288, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5054, by Senators O'Ban, Brown, Conway, Wilson, L., Zeiger, Short, Van De Wege and Wagoner

Increasing the behavioral health workforce by establishing a reciprocity program to increase the portability of behavioral health licenses and certifications.

The measure was read the second time.

WITHDRAWAL OF AMENDMENT

On motion of Senator Randall and without objection, amendment no. 405 by Senator Randall on page 1, line 16 to Senate Bill No. 5054 was withdrawn.

MOTION

On motion of Senator O'Ban, the rules were suspended, Senate Bill No. 5054 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators O'Ban, Cleveland, King and Randall spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5054.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5054 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

SENATE BILL NO. 5054, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

POINT OF ORDER

Senator Short: "I move that the Senate immediately consider Senate Bill No. 5299 and I demand a roll call on the motion."

The President declared that one-sixth of the members supported the demand and the demand was sustained.

Senators Short, Padden and Schoesler spoke in favor of adoption of the motion.

Senator Liias spoke against adoption of the motion.

The President declared the question before the Senate to be the adoption of the motion by Senator Short that the senate immediately consider Senate Bill No. 5299.

The Secretary called the roll on the motion by Senator Short on immediate consideration of Senate Bill No. 5299 and the motion did not carry by the following vote: Yeas, 21; Nays, 28; Absent, 0; Excused, 0.

Voting yea: Senators Bailey, Becker, Braun, Brown, Ericksen, Fortunato, Hawkins, Holy, Honeyford, King, O'Ban, Padden, Rivers, Schoesler, Sheldon, Short, Wagoner, Walsh, Warnick, Wilson, L. and Zeiger

Voting nay: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Palumbo, Pedersen, Randall, Rolfes, Saldaña, Salomon, Takko, Van De Wege, Wellman and Wilson, C.

SECOND READING

SENATE BILL NO. 5526, by Senators Frockt, Cleveland, Kuderer, Randall, Keiser, Dhingra, Conway, Wellman, Darneille, Hunt, Hobbs, Das, Liias, Nguyen, Pedersen, Rolfes, Saldaña and Van De Wege

Increasing the availability of quality, affordable health coverage in the individual market.

MOTION

On motion of Senator Frockt, Substitute Senate Bill No. 5526 was substituted for Senate Bill No. 5526 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Frockt moved that the following striking amendment no. 398 by Senator Frockt be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 43.71 RCW to read as follows:

(1) The exchange, in consultation with the commissioner, the authority, an independent actuary, and other stakeholders, must establish up to three standardized health plans for each of the bronze, silver, and gold levels.

(a) The standardized health plans must be designed to reduce deductibles, make more services available before the deductible, provide predictable cost sharing, maximize subsidies, limit adverse premium impacts, reduce barriers to maintaining and improving health, and encourage choice based on value, while limiting increases in health plan premium rates.

(b) The exchange may update the standardized health plans annually.

(c) The exchange must provide a notice and public comment period before finalizing each year's standardized health plans.

(d) The exchange must provide written notice of the standardized health plans to licensed health carriers by January 31st before the year in which the health plans are to be offered on the exchange.

(2)(a) Beginning January 1, 2021, any health carrier offering a qualified health plan on the exchange must offer one silver standardized health plan and one gold standardized health plan on the exchange. If a health carrier offers a bronze health plan on the exchange, it must offer one bronze standardized health plan on the exchange.

(b)(i) A health plan offering a standardized health plan under this section may also offer nonstandardized health plans on the exchange.

(ii) The exchange and the office of the insurance commissioner shall analyze the impact to exchange consumers of offering only standard plans beginning in 2025 and submit a report to the appropriate committees of the legislature by December 1, 2023. The report must include an analysis of how plan choice and affordability will be impacted for exchange consumers across the state.

(iii) The actuarial value of nonstandardized silver health plans offered on the exchange may not be less than the actuarial value of the standardized silver health plan with the lowest actuarial value.

(c) A health carrier offering a standardized health plan on the exchange under this section must continue to meet all

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requirements for qualified health plan certification under RCW 43.71.065 including, but not limited to, requirements relating to rate review and network adequacy.

NEW SECTION. Sec. 2. A new section is added to chapter 42.56 RCW to read as follows:

Any data submitted by health carriers to the health benefit exchange for purposes of establishing standardized benefit plans under section 1 of this act are confidential and exempt from disclosure under this chapter.

NEW SECTION. Sec. 3. A new section is added to chapter 41.05 RCW to read as follows:

(1) The authority, in consultation with the health benefit exchange, must contract with one or more health carriers to offer silver and gold qualified health plans on the Washington health benefit exchange for plan years beginning in 2021. A qualified health plan offered under this section must meet the following criteria:

(a) The qualified health plan must be a standardized health plan established under section 1 of this act;

(b) The qualified health plan must meet all requirements for qualified health plan certification under RCW 43.71.065 including, but not limited to, requirements relating to rate review and network adequacy;

(c) The qualified health plan must incorporate recommendations of the Robert Bree collaborative and the health technology assessment program;

(d) The qualified health plan may use a managed care model that includes care coordination care management to enrollees as appropriate;

(e) The qualified health plan must meet additional participation requirements to reduce barriers to maintaining and improving health and align to state agency value-based purchasing. These requirements may include, but are not limited to, standards for population health management; high-value, proven care; health equity; primary care; care coordination and chronic disease management; wellness and prevention; prevention of wasteful and harmful care; and patient engagement;

(f) To reduce administrative burden and increase transparency, the qualified health plan's utilization review processes must:

(i) Be focused on care that has high variation, high cost, or low evidence of clinical effectiveness;

(ii) Meet national accreditation standards; and

(iii) Align with published criteria published by the authority; and

(g) For services provided by rural hospitals certified by the centers for medicare and medicaid services as critical access hospitals or sole community hospitals, the rates may not be less than one hundred one percent of allowable costs.

(2) The director, after consultation with the health benefit exchange, shall conduct procurement negotiations with health carriers and selectively contract with a health carrier or carriers to offer a qualified health plan or plans that offer the optimal combination of choice, affordability, quality, and service. The goal of the procurement conducted under this section is to have health carriers contracting with the authority under this section offering at least one qualified health plan in every county in the state. The director shall consider the rates, utilization management policies, pharmaceutical costs, and other factors proposed by the carrier or carriers, with the goal of negotiating for qualified health plans that reduce premiums below the average premiums for qualified health plans in the same metal tier in Washington during plan year 2019.

(3) Nothing in this section prohibits a health carrier offering qualified health plans under this section from offering other health plans in the individual market.

NEW SECTION. Sec. 4. (1) The Washington health benefit exchange, in consultation with the health care authority and the insurance commissioner, must develop a plan to implement and fund premium subsidies for individuals whose modified adjusted gross incomes are less than five hundred percent of the federal poverty level and who are purchasing individual market coverage on the exchange. The goal of the plan is to enable participating individuals to spend no more than ten percent of their modified adjusted gross incomes on premiums. The plan must also include an assessment of providing cost-sharing reductions to plan participants.

(2) The Washington health benefit exchange must submit the plan, along with proposed implementing legislation, to the appropriate committees of the legislature by November 15, 2020.

(3) This section expires January 1, 2021.

NEW SECTION. Sec. 5. A new section is added to chapter 48.43 RCW to read as follows:

The commissioner shall submit an annual report to the appropriate committees of the legislature on the number of health plans available per county in the individual market."

On page 1, line 2 of the title, after "market;" strike the remainder of the title and insert "adding a new section to chapter 43.71 RCW; adding a new section to chapter 42.56 RCW; adding a new section to chapter 41.05 RCW; adding a new section to chapter 48.43 RCW; creating a new section; and providing an expiration date."

MOTION

Senator Becker moved that the following amendment no. 402 by Senator Becker be adopted:

Beginning on page 1, line 3, strike all of sections 1 through 4 and insert the following:

"**Sec. 1.** RCW 48.43.028 and 2001 c 196 s 10 are each amended to read as follows:

(1) To the extent required of the federal health insurance portability and accountability act of 1996, the eligibility of an employer or group to purchase a health benefit plan set forth in RCW 48.21.045(1)(b), 48.44.023(1)(b), and 48.46.066(1)(b) must be extended to all small employers and small groups as defined in RCW 48.43.005.

(2) To the extent permitted under federal law, the eligibility of individuals to purchase an association health plan must be extended to all individuals, including employees of small employers and sole proprietors.

Re-number the remaining section consecutively and correct any internal references accordingly.

On page 4, line 17, after "insert" strike all material through "date." on line 20 and insert "amending RCW 48.43.028; and adding a new section to chapter 48.43 RCW."

Senator Becker spoke in favor of adoption of the amendment to the striking amendment.

Senator Frockt spoke against adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 402 by Senator Becker on page 1, line 3 to striking amendment no. 398.

The motion by Senator Becker did not carry and amendment no. 402 was not adopted by voice vote.

MOTION

Senator Becker moved that the following amendment no. 403 by Senator Becker be adopted:

Beginning on page 1, line 3, strike all of sections 1, 2, and 3
 Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 3, beginning on line 36, after "Sec. 4." strike all material through "the" on line 37 and insert "The"

On page 3, line 38, after "commissioner" strike ", must" and insert "shall apply to the federal government for a state innovation waiver under 42 U.S.C. Sec. 18052, to"

Beginning on page 3, line 38, after "plan" strike all material through "2021" on page 4, line 10 and insert "to improve the affordability of health insurance for Washingtonians"

Beginning on page 4, line 11, strike all of section 5

On page 4, beginning on line 17, after "insert" strike all material through "date" on line 20 and insert "and creating a new section"

Senator Ericksen spoke in favor of adoption of the amendment to the striking amendment.

Senators Frockt and Cleveland spoke against adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 403 by Senator Becker on page 1, line 3 to striking amendment no. 398.

The motion by Senator Becker did not carry and amendment no. 403 was not adopted by voice vote.

MOTION

Senator O'Ban moved that the following amendment no. 399 by Senator O'Ban be adopted:

On page 1, line 5, after "(1) The" strike all material through "commissioner" and insert "commissioner, in consultation with the exchange"

On page 1, line 15, after "(b) The" strike "exchange" and insert "commissioner"

On page 1, line 17, after "(c) The" strike "exchange" and insert "commissioner"

On page 1, line 19, after "(d) The" strike "exchange" and insert "commissioner"

On page 2, beginning on line 15, after "to the" strike "health benefit exchange" and insert "commissioner"

Senator O'Ban spoke in favor of adoption of the amendment to the striking amendment.

Senator Frockt spoke against adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 399 by Senator O'Ban on page 1, line 5 to striking amendment no. 398.

The motion by Senator O'Ban did not carry and amendment no. 399 was not adopted by voice vote.

MOTION

Senator O'Ban moved that the following amendment no. 406 by Senator O'Ban be adopted:

On page 1, line 19, after "(d)" insert "By January 1st before the year in which the health plans are to be offered on the exchange, the commissioner shall review the standardized health plan designs and provide written comments to the exchange and the

chairs of the health care committees of the state senate and house of representatives."

Senators O'Ban and Frockt spoke in favor of adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 406 by Senator O'Ban on page 1, line 19 to floor striking amendment no. 398.

The motion by Senator O'Ban carried and amendment no. 406 was adopted by voice vote.

The President declared the question before the Senate to be the adoption of striking amendment no. 398 by Senator Frockt, as amended, to Substitute Senate Bill No. 5526.

The motion by Senator Frockt carried and striking amendment no. 398, as amended, was adopted by voice vote.

MOTION

On motion of Senator Frockt, the rules were suspended, Engrossed Substitute Senate Bill No. 5526 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Frockt, O'Ban, Cleveland, King, Keiser, Sheldon, Randall, Das and Lovelett spoke in favor of passage of the bill.

Senator Ericksen spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5526.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5526 and the bill passed the Senate by the following vote: Yeas, 36; Nays, 13; Absent, 0; Excused, 0.

Voting yea: Senators Bailey, Billig, Braun, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, King, Kuderer, Lias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Sheldon, Takko, Van De Wege, Walsh, Wellman, Wilson, C. and Zeiger

Voting nay: Senators Becker, Brown, Ericksen, Fortunato, Hawkins, Holy, Honeyford, Padden, Schoesler, Short, Wagoner, Warnick and Wilson, L.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5526, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Pursuant to Rule 18, the hour fixed for consideration of a special order of business having arrived, the President called the senate to order and announced Senate Bill No. 5822 to be before the Senate and the bill was immediately considered.

SECOND READING

SENATE BILL NO. 5822, by Senators Randall, Frockt, Cleveland, Wilson, C., Salomon, Nguyen, Hasegawa, Keiser, Saldaña, Van De Wege, Lias, Das, Darneille, Dhingra and Kuderer

Providing a pathway to establish a universal health care system for the residents of Washington state.

MOTION

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On motion of Senator Liias, Second Substitute Senate Bill No. 5822 was substituted for Senate Bill No. 5822 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator O'Ban moved that the following amendment no. 392 by Senator O'Ban be adopted:

On page 2, line 37, after "that" insert "preserves the private employer insurance market and protects an individual's right to keep an employer-provided insurance plan, and"

Senators O'Ban and Short spoke in favor of adoption of the amendment.

Senators Randall and Cleveland spoke against adoption of the amendment.

Senator Short demanded a roll call.

The President declared that one-sixth of the members supported the demand and the demand was sustained.

The President declared the question before the Senate to be the adoption of the amendment by Senator O'Ban on page 2, line 37 to Second Substitute Senate Bill No. 5822.

ROLL CALL

The Secretary called the roll on the adoption of the amendment by Senator O'Ban and the amendment was not adopted by the following vote: Yeas, 21; Nays, 28; Absent, 0; Excused, 0.

Voting yea: Senators Bailey, Becker, Braun, Brown, Ericksen, Fortunato, Hawkins, Holy, Honeyford, King, O'Ban, Padden, Rivers, Schoesler, Sheldon, Short, Wagoner, Walsh, Warnick, Wilson, L. and Zeiger

Voting nay: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Palumbo, Pedersen, Randall, Rolfes, Saldaña, Salomon, Takko, Van De Wege, Wellman and Wilson, C. .

MOTION

Senator O'Ban moved that the following amendment no. 407 by Senator O'Ban be adopted:

On page 3, line 28, after "(3)" insert "The work group must study the number of individuals traveling from Canada to the United States to receive health care, and the number of individuals traveling from the United States to Canada to receive health care. This includes:

- (a) The health care services each individual is seeking; and
- (b) Each individual's reason for declining health care services in their native country.

(4)"

Renumber the remaining subsection consecutively and correct any internal references accordingly.

Senators O'Ban, Schoesler, Ericksen, Becker and Warnick spoke in favor of adoption of the amendment.

Senators Randall, Frockt, Liias and Keiser spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 407 by Senator O'Ban on page 3, line 28 to Second Substitute Senate Bill No. 5822.

The motion by Senator O'Ban did not carry and amendment no. 407 was not adopted by voice vote.

MOTION

Senator Fortunato moved that the following amendment no. 408 by Senator Fortunato be adopted:

On page 3, line 28, after "(3)" insert "The work group must study Cuba's health care system.

(4)"

Renumber the remaining subsection consecutively and correct any internal references accordingly.

Senator Fortunato spoke in favor of adoption of the amendment.

Senator Cleveland spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 408 by Senator Fortunato on page 3, line 28 to Second Substitute Senate Bill No. 5822.

The motion by Senator Fortunato did not carry and amendment no. 408 was not adopted by voice vote.

MOTION

Senator Ericksen moved that the following amendment no. 409 by Senator Ericksen be adopted:

On page 3, line 28, after "(3)" insert "The work group must study Venezuela's health care system.

(4)"

Renumber the remaining subsection consecutively and correct any internal references accordingly.

Senator Ericksen spoke in favor of adoption of the amendment.

Senator Cleveland spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 409 by Senator Ericksen on page 3, line 28 to Second Substitute Senate Bill No. 5822.

The motion by Senator Ericksen did not carry and amendment no. 409 was not adopted by voice vote.

MOTION

On motion of Senator Randall, the rules were suspended, Second Substitute Senate Bill No. 5822 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Randall, Wilson, C., Frockt, Cleveland, Conway, Saldaña, Kuderer and Hasegawa spoke in favor of passage of the bill.

Senators O'Ban, Ericksen and Fortunato spoke against passage of the bill.

MOTION

Senator Liias demanded that the previous question be put.

The President declared that at least two additional senators joined the demand and the demand was sustained.

The President declared the question before the Senate to be, "Shall the main question be now put?"

The motion by Senator Liias carried and the previous question was put by voice vote.

The President declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 5822.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 5822 and the bill passed the Senate by the following vote: Yeas, 28; Nays, 21; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Palumbo, Pedersen, Randall, Rolfes, Saldaña, Salomon, Takko, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Bailey, Becker, Braun, Brown, Ericksen, Fortunato, Hawkins, Holy, Honeyford, King, O'Ban, Padden, Rivers, Schoesler, Sheldon, Short, Wagoner, Walsh, Warnick, Wilson, L. and Zeiger

SECOND SUBSTITUTE SENATE BILL NO. 5822, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Becker announced a group photograph at the rostrum after adjournment for the day in celebration of "On Wednesdays we were pink" day to raise awareness of breast cancer and testicular cancer and in solidarity with Senator Linda Wilson. All were invited to participate and throw pink paper with Senator Linda Wilson.

MOTION

At 6:09 p.m., on motion of Senator Liias, the Senate adjourned until 12 o'clock noon Thursday, March 14, 2019.

CYRUS HABIB, President of the Senate

BRAD HENDRICKSON, Secretary of the Senate

SIXTIETH DAY

NOON SESSION

Senate Chamber, Olympia
Thursday, March 14, 2019

The Senate was called to order at 12:02 p.m. by the President of the Senate, Lt. Governor Habib presiding. No roll call was taken.

The President called upon the Secretary to read the journal of the preceding day.

MOTION

On motion of Senator Liias, the reading of the Journal of the previous day was dispensed with and it was approved.

MOTION

On motion of Senator Liias, the Senate advanced to the fourth order of business.

MESSAGES FROM THE HOUSE

March 13, 2019

MR. PRESIDENT:

The Speaker has signed:

SUBSTITUTE SENATE BILL NO. 5954,
and the same are herewith transmitted.

NONA SNELL, Deputy Chief Clerk

March 13, 2019

MR. PRESIDENT:

The House has passed:

SUBSTITUTE HOUSE BILL NO. 1082,
HOUSE BILL NO. 1318,
HOUSE BILL NO. 1441,
HOUSE BILL NO. 1707,
SUBSTITUTE HOUSE BILL NO. 1746,
SECOND SUBSTITUTE HOUSE BILL NO. 1784,
HOUSE BILL NO. 1841,
HOUSE BILL NO. 2058,
HOUSE BILL NO. 2062,
HOUSE BILL NO. 2075,
HOUSE BILL NO. 2085,

and the same are herewith transmitted.

NONA SNELL, Deputy Chief Clerk

MOTION

On motion of Senator Liias, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 5985 by Senators Saldaña, Rivers and Palumbo

AN ACT Relating to provisions impacting marijuana business licensees; amending RCW 69.50.342, 69.50.331, 69.50.325, and 69.50.369; reenacting and amending RCW 69.50.101; adding a new section to chapter 69.50 RCW; and creating new sections.

Referred to Committee on Labor & Commerce.

HB 1079 by Representatives Pollet, Kloba, Stanford and Frame
AN ACT Relating to adding a faculty member to the board of regents at the research universities; and amending RCW 28B.20.100 and 28B.30.100.

Referred to Committee on Higher Education & Workforce Development.

ESHB 1094 by House Committee on Health Care & Wellness
(originally sponsored by Blake and Walsh)

AN ACT Relating to establishing compassionate care renewals for medical marijuana qualifying patients; amending RCW 69.51A.030 and 69.51A.230; and adding a new section to chapter 69.51A RCW.

Referred to Committee on Labor & Commerce.

SHB 1095 by House Committee on Health Care & Wellness
(originally sponsored by Blake, Walsh and Jinkins)

AN ACT Relating to the administration of marijuana to students for medical purposes; amending RCW 69.51A.060; adding a new section to chapter 28A.210 RCW; adding a new section to chapter 69.51A RCW; and adding a new section to chapter 28A.300 RCW.

Referred to Committee on Early Learning & K-12 Education.

E2SHB 1105 by House Committee on Appropriations (originally sponsored by Orwall, Ryu, Wylie, Pollet, Stanford and Frame)

AN ACT Relating to protecting taxpayers from home foreclosure; amending RCW 84.56.020, 84.64.225, 36.35.110, and 84.64.050; adding new sections to chapter 84.56 RCW; adding a new section to chapter 36.29 RCW; adding a new section to chapter 36.21 RCW; adding a new chapter to Title 36 RCW; and providing an effective date.

Referred to Committee on Local Government.

E2SHB 1110 by House Committee on Appropriations (originally sponsored by Fitzgibbon, Slatter, Kloba, Peterson, Tharinger, Jinkins, Macri, Cody, Bergquist, Doglio, Robinson, Pollet, Stanford and Frame)

AN ACT Relating to reducing the greenhouse gas emissions associated with transportation fuels; amending RCW 46.17.365, 46.25.100, 46.20.202, 46.25.052, 46.25.060, and 70.94.431; adding new sections to chapter 70.94 RCW; creating new sections; prescribing penalties; and providing an expiration date.

Referred to Committee on Environment, Energy & Technology.

ESHB 1325 by House Committee on Transportation (originally sponsored by Kloba, Steele, Walen, Fey and Slatter)

AN ACT Relating to the regulation of personal delivery devices; amending RCW 46.04.320, 46.04.670, 46.61.050,

46.61.055, 46.61.060, 46.61.235, 46.61.240, 46.61.250, 46.61.261, 46.61.264, 46.61.269, 46.61.365, and 46.61.710; reenacting and amending RCW 81.80.010; adding a new section to chapter 46.61 RCW; adding new sections to chapter 81.80 RCW; adding a new chapter to Title 46 RCW; prescribing penalties; providing effective dates; and declaring an emergency.

Referred to Committee on Transportation.

SHB 1436 by House Committee on Transportation (originally sponsored by Mosbrucker, Wylie, Orcutt, Pettigrew, Goodman, Irwin and Griffey)

AN ACT Relating to snow bikes; amending RCW 82.80.140; reenacting and amending RCW 46.10.300; adding a new section to chapter 46.16A RCW; adding a new section to chapter 46.10 RCW; adding a new section to chapter 46.61 RCW; adding a new section to chapter 46.04 RCW; and providing an effective date.

Referred to Committee on Transportation.

ESHB 1450 by House Committee on Labor & Workplace Standards (originally sponsored by Stanford, Kloba, Bergquist, Fitzgibbon, Sells, Ramos and Ormsby)

AN ACT Relating to restraints, including noncompetition covenants, on persons engaging in lawful professions, trades, or businesses; adding a new chapter to Title 49 RCW; and providing an effective date.

Referred to Committee on Labor & Commerce.

EHB 1465 by Representatives Goodman, Jinkins and Santos

AN ACT Relating to requirements for pistol sales or transfers; amending RCW 9.41.090; providing an effective date; and declaring an emergency.

Referred to Committee on Law & Justice.

SHB 1512 by House Committee on Environment & Energy (originally sponsored by Fey, Steele, Valdez, Ortiz-Self, Fitzgibbon, Klippert, Tarleton, Mead, Pollet, Jinkins, Boehnke, Slatter, DeBolt, Dent, Chapman, Frame, Stanford, Tharinger and Macri)

AN ACT Relating to the electrification of transportation; amending RCW 80.28.360; adding a new section to chapter 35.92 RCW; adding a new section to chapter 54.16 RCW; adding a new section to chapter 80.28 RCW; and creating a new section.

Referred to Committee on Environment, Energy & Technology.

ESHB 1582 by House Committee on Civil Rights & Judiciary (originally sponsored by Gregerson, Kloba, Peterson, Valdez, Pollet, Wylie, Appleton, Bergquist, Doglio, Reeves, Tharinger, Kirby, Jinkins and Macri)

AN ACT Relating to manufactured/mobile home tenant protections; and amending RCW 59.20.030, 59.20.045, 59.20.050, 59.20.060, 59.20.070, 59.20.073, 59.20.080, 59.20.090, 59.20.150, and 59.20.210; and adding a new section to chapter 59.20 RCW.

Referred to Committee on Housing Stability & Affordability.

ESHB 1622 by House Committee on Rural Development, Agriculture, & Natural Resources (originally sponsored by Blake, Kretz, Springer, Chandler, Chapman, Dent and Shewmake)

AN ACT Relating to drought preparedness and response; amending RCW 43.83B.400, 43.83B.405, 43.83B.410, 43.83B.415, and 43.83B.430; adding new sections to chapter 43.83B RCW; decodifying RCW 43.83B.005, 43.83B.200, 43.83B.210, 43.83B.300, 43.83B.345, 43.83B.360, 43.83B.380, and 43.83B.385; repealing RCW 43.83B.220 and 43.83B.336; and providing an expiration date.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

E2SHB 1660 by House Committee on Appropriations (originally sponsored by Bergquist, Harris, Hudgins, Young, Tarleton, Ybarra, Slatter, Santos, Jinkins, Doglio, Fey, Leavitt, Ormsby and Valdez)

AN ACT Relating to the participation of students who are low income in extracurricular activities; amending RCW 28A.325.010 and 28A.325.050; adding new sections to chapter 28A.320 RCW; adding a new section to chapter 28A.300 RCW; adding a new section to chapter 28A.600 RCW; adding a new section to chapter 28A.630 RCW; creating a new section; providing an effective date; and providing an expiration date.

Referred to Committee on Early Learning & K-12 Education.

SHB 1661 by House Committee on Appropriations (originally sponsored by Chandler and Ormsby)

AN ACT Relating to the higher education retirement plans; amending RCW 28B.10.423, 41.45.050, 41.45.060, and 41.50.075; adding a new section to chapter 41.50 RCW; creating a new section; providing an effective date; and declaring an emergency.

Referred to Committee on Ways & Means.

ESHB 1772 by House Committee on Transportation (originally sponsored by Macri, Chambers, Fitzgibbon, Irwin and Shewmake)

AN ACT Relating to motorized foot scooters; amending RCW 46.04.336, 46.04.670, and 46.61.710; and adding a new section to chapter 46.61 RCW.

Referred to Committee on Transportation.

2SHB 1776 by House Committee on Appropriations (originally sponsored by Cody, Harris, Macri, Caldier, Robinson, Jinkins, Tarleton, Ormsby and Slatter)

AN ACT Relating to making changes to support future operations of the state all payer claims database by transferring the responsibility to the health care authority, partnering with a lead organization with broad data experience, including with self-insured employers, and other changes to improve and ensure successful and sustainable database operations for access to and use of the data to improve health care, providing consumers useful and consistent quality and cost measures, and assess total cost of care in Washington state; amending RCW 43.371.005, 43.371.020, 43.371.030, 43.371.050, 43.371.060, 43.371.070, and 43.371.080; reenacting and amending RCW

SIXTIETH DAY, MARCH 14, 2019

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43.371.010; adding a new section to chapter 43.371 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Health & Long Term Care.

ESHB 1849 by House Committee on Environment & Energy (originally sponsored by Lekanoff, Chapman, Fitzgibbon and Doglio)

AN ACT Relating to revising the lease terms for managing first-class unplatted tidelands and shorelands; amending RCW 79.125.400, 79.130.020, and 79.125.030; and repealing RCW 79.125.020 and 79.125.410.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

SHB 1917 by House Committee on Rural Development, Agriculture, & Natural Resources (originally sponsored by Peterson and Dent)

AN ACT Relating to the use of certain animal traps by airport operators; and amending RCW 77.15.194.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

ESHB 1966 by House Committee on Transportation (originally sponsored by Kilduff, Goodman, Lovick, Kloba, Fitzgibbon and Ortiz-Self)

AN ACT Relating to increasing safety on roadways for pedestrians, bicyclists, and other roadway users; amending RCW 46.61.110, 46.61.145, 46.61.180, 46.61.185, 46.61.190, 46.61.205, 46.61.250, 46.61.770, 3.62.090, 2.68.040, and 46.63.110; reenacting and amending RCW 43.84.092; creating a new section; prescribing penalties; and providing an effective date.

Referred to Committee on Transportation.

ESHB 1994 by House Committee on Transportation (originally sponsored by Wylie, Vick, Stonier, Hoff and Harris)

AN ACT Relating to facilitating transportation projects of statewide significance; adding new sections to chapter 47.05 RCW; and creating a new section.

Referred to Committee on Transportation.

SHB 2024 by House Committee on Finance (originally sponsored by Robinson and Cody)

AN ACT Relating to deductions of incentive payments under the medicaid program established within 42 C.F.R. 438.6(b)(2) and Sec. 1115 medicaid demonstration project number 11-W-00304/0; amending RCW 82.04.43395; and creating new sections.

Referred to Committee on Ways & Means.

MOTION

On motion of Senator Liias, all measures listed on the Introduction and First Reading report were referred to the committees as designated.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced students and representatives from Woodmoor Elementary School, Bothell who were present in the wings.

MOTION

At 12:04 p.m., on motion of Senator Liias, the Senate adjourned until 10:00 o'clock a.m. Friday, March 15, 2019.

CYRUS HABIB, President of the Senate

BRAD HENDRICKSON, Secretary of the Senate

SIXTY FIRST DAY

MORNING SESSION

Senate Chamber, Olympia
Friday, March 15, 2019

The Senate was called to order at 10:03 a.m. by the President Pro Tempore, Senator Keiser presiding. No roll call was taken.

The President called upon the Secretary to read the journal of the preceding day.

MOTIONS

On motion of Senator Lias, the reading of the Journal of the previous day was dispensed with and it was approved.

There being no objection, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

March 14, 2019

HB 1001 Prime Sponsor, Representative Kirby: Concerning service contract providers. Reported by Committee on Financial Institutions, Economic Development & Trade

MAJORITY recommendation: Do pass. Signed by Senators Mullet, Chair; Hasegawa, Vice Chair; Wilson, L., Ranking Member; Das; Ericksen and Hobbs.

Referred to Committee on Rules for second reading.

March 14, 2019

SHB 1002 Prime Sponsor, Committee on Public Safety: Modifying the offense of rape in the third degree. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass as amended. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; Kuderer and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Holy.

Referred to Committee on Rules for second reading.

March 14, 2019

HB 1011 Prime Sponsor, Representative Reeves: Adding proximity to working forests to the residential real estate disclosure statement. Reported by Committee on Financial Institutions, Economic Development & Trade

MAJORITY recommendation: Do pass. Signed by Senators Hobbs; Ericksen; Das; Wilson, L., Ranking Member; Hasegawa, Vice Chair Mullet, Chair.

Referred to Committee on Rules for second reading.

March 14, 2019

SHB 1034 Prime Sponsor, Committee on Commerce & Gaming: Establishing a soju endorsement to certain restaurant licenses. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; King, Ranking Member; Saldaña; Walsh; Wellman Conway, Vice Chair.

Referred to Committee on Rules for second reading.

March 14, 2019

HB 1055 Prime Sponsor, Representative Entenman: Authorizing law enforcement to arrest persons in violation of certain no-contact orders involving victims of trafficking and promoting prostitution offenses. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Wilson, L.; Kuderer; Holy; Padden, Ranking Member; Dhingra, Vice Chair Pedersen, Chair.

Referred to Committee on Rules for second reading.

March 14, 2019

SHB 1075 Prime Sponsor, Committee on Consumer Protection & Business: Concerning consumer competitive group insurance. Reported by Committee on Financial Institutions, Economic Development & Trade

MAJORITY recommendation: Do pass. Signed by Senators Mullet, Chair; Hasegawa, Vice Chair; Wilson, L., Ranking Member; Das; Ericksen and Hobbs.

Referred to Committee on Rules for second reading.

March 14, 2019

HB 1133 Prime Sponsor, Representative Peterson: Limiting liability for registered apiarists. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass as amended. Signed by Senators Wilson, L.; Kuderer; Holy; Padden, Ranking Member; Dhingra, Vice Chair Pedersen, Chair.

Referred to Committee on Rules for second reading.

March 14, 2019

ESHB 1138 Prime Sponsor, Committee on Civil Rights & Judiciary: Concerning the armed forces exceptions for giving notice of termination of a tenancy. Reported by Committee on Financial Institutions, Economic Development & Trade

MAJORITY recommendation: Do pass. Signed by Senators Hobbs; Ericksen; Das; Wilson, L., Ranking Member; Hasegawa, Vice Chair Mullet, Chair.

Referred to Committee on Rules for second reading.

March 14, 2019

SIXTY FIRST DAY, MARCH 15, 2019

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HB 1176 Prime Sponsor, Representative Hoff: Providing consistency and efficiency in the regulation of auctioneers and auction companies, engineering and land surveying, real estate, funeral directors, and cosmetology. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Wellman; Walsh; Saldaña; Keiser, Chair; Conway, Vice Chair King, Ranking Member.

Referred to Committee on Rules for second reading.

March 14, 2019

HB 1247 Prime Sponsor, Representative Reeves: Concerning the Washington state credit union act. Reported by Committee on Financial Institutions, Economic Development & Trade

MAJORITY recommendation: Do pass. Signed by Senators Mullet, Chair; Hasegawa, Vice Chair; Das; Ericksen; Hobbs Wilson, L., Ranking Member.

Referred to Committee on Rules for second reading.

March 14, 2019

HB 1252 Prime Sponsor, Representative Pellicciotti: Concerning crime committed by business entities. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass as amended. Signed by Senators Dhingra, Vice Chair; Wilson, L.; Kuderer; Holy; Padden, Ranking Member Pedersen, Chair.

Referred to Committee on Rules for second reading.

March 14, 2019

HB 1335 Prime Sponsor, Representative Slatter: Transferring duties of the life sciences discovery fund. Reported by Committee on Financial Institutions, Economic Development & Trade

MAJORITY recommendation: Do pass. Signed by Senators Mullet, Chair; Wilson, L., Ranking Member; Das; Ericksen and Hobbs.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Hasegawa, Vice Chair.

Referred to Committee on Rules for second reading.

March 14, 2019

HB 1431 Prime Sponsor, Representative Kirby: Concerning joint self-insurance programs for property and liability risks. Reported by Committee on Financial Institutions, Economic Development & Trade

MAJORITY recommendation: Do pass. Signed by Senators Hobbs; Ericksen; Das; Wilson, L., Ranking Member; Hasegawa, Vice Chair Mullet, Chair.

Referred to Committee on Rules for second reading.

March 14, 2019

HB 1490 Prime Sponsor, Representative Ormsby: Amending the application of the occupational disease presumption for cancer

for Hanford site workers. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Saldaña; Walsh; Wellman Conway, Vice Chair.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator King, Ranking Member.

Referred to Committee on Rules for second reading.

March 14, 2019

SHB 1764 Prime Sponsor, Committee on Local Government: Adjusting monetary thresholds for found property. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Senators Takko, Chair; Short, Ranking Member; Honeyford and Lovelett.

Referred to Committee on Rules for second reading.

March 14, 2019

HB 1792 Prime Sponsor, Representative Pettigrew: Concerning criminal penalties applicable to licensed marijuana retailers and employees of marijuana retail outlets. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Wellman; Walsh; Saldaña; King, Ranking Member; Keiser, Chair Conway, Vice Chair.

Referred to Committee on Law & Justice.

March 14, 2019

HB 1852 Prime Sponsor, Representative Ramos: Concerning property tax refunds more than three years after the due date resulting from certain manifest errors. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Senators Lovelett; Honeyford; Short, Ranking Member Takko, Chair.

Referred to Committee on Rules for second reading.

March 14, 2019

SHB 2044 Prime Sponsor, Committee on Local Government: Concerning the deannexation of a portion of land from a park and recreation district or metropolitan park district. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Senators Takko, Chair; Short, Ranking Member and Lovelett.

MINORITY recommendation: Do not pass. Signed by Senator Honeyford.

Referred to Committee on Rules for second reading.

MOTIONS

On motion of Senator Liias, all measures listed on the Standing Committee report were referred to the committees as designated.

On motion of Senator Liias, the Senate advanced to the third order of business.

MESSAGE FROM OTHER STATE OFFICERS

Commerce, Department of – *“Stormwater Community Based Public-Private Partnership Feasibility Assessment”*, in accordance with Engrossed Substitute Senate Bill No. 6095; *“Unreinforced Masonry Building Inventory”*, in accordance with Engrossed Substitute Senate Bill No. 6095; *“Vulnerable Youth Guardianship”*, in accordance with Substitute House Bill No. 1988;

Health Care Authority – *“Adding Behavioral Health Services to the State Plan”*, in accordance with Engrossed Substitute Senate Bill No. 6032;

Labor and Industries, Department of – *“Underground Economy Benchmark Report for 2018”*, pursuant to 18.27.800 RCW;

Transportation, Department of – *“Grant Programs Advisory Committee Report for 2018”*, pursuant to 47.66.080 RCW; *“Toll Division Proviso Report, October - December 2018”*, in accordance with Engrossed Substitute Senate Bill No. 6106; *“Coordination of Transportation Services in South Pierce County and North Thurston County”*, in accordance with Engrossed Substitute Senate Bill No. 6106; *“Local Governments Determination on Permits”*, pursuant to 47.01.485 RCW; *“Violations of Environmental Permits and Regulations for State Highway Projects”*, pursuant to 47.85.040 RCW.

The reports listed were submitted to the Secretary of the Senate and made available online by the Office of the Secretary.

MESSAGE FROM THE GOVERNOR

March 14, 2019

To the Honorable President and Members,
The Senate of the State of Washington

Ladies and Gentlemen:

I have the honor to advise you that on March 14, 2019, Governor Inslee approved the following Senate Bills entitled:

Engrossed Substitute Senate Bill No. 5079

Relating to enacting the Native American voting rights act of Washington.

Engrossed Senate Bill No. 5273

Relating to the presidential primary.

Substitute Senate Bill No. 5581

Relating to improving the effectiveness and adequacy of state tax laws by clarifying and simplifying nexus provisions, by decreasing compliance and administrative burdens for taxpayers and the department of revenue, by facilitating the collection of new tax revenue resulting from the United States supreme court's decision in *South Dakota v. Wayfair, Inc.*, by providing more consistent tax obligations for both domestic and foreign sellers, and by simplifying the expiration of sales tax sour.

Substitute Senate Bill No. 5954

Relating to the bump-fire stock buy-back program.

Sincerely,

/s/

Drew Shirk, Executive Director of Legislative Affairs

MOTION

On motion of Senator Liias, the Senate advanced to the fourth order of business.

MESSAGE FROM THE HOUSE

March 13, 2019

MR. PRESIDENT:

The House has passed:

ENGROSSED HOUSE BILL NO. 1169,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1207,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1504,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1510,
ENGROSSED SECOND SUBSTITUTE
HOUSE BILL NO. 1593,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1747,
ENGROSSED SECOND SUBSTITUTE
HOUSE BILL NO. 1923,
ENGROSSED HOUSE BILL NO. 1996,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2050,

and the same are herewith transmitted.

NONA SNELL, Deputy Chief Clerk

MOTION

On motion of Senator Liias, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 5986 by Senators Braun and Keiser

AN ACT Relating to establishing a tax on vapor and heated tobacco products to fund cancer research and support local public health; amending RCW 66.08.145, 66.44.010, 82.24.510, 82.24.550, 82.26.060, 82.26.080, 82.26.150, 82.26.220, 82.32.300, 70.345.010, 70.345.030, 70.345.090, 82.24.010, and 82.26.020; reenacting and amending RCW 82.26.010; adding a new chapter to Title 82 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Ways & Means.

SHB 1082 by House Committee on Health Care & Wellness

(originally sponsored by Kraft, Wylie, Harris, Cody, Vick and Hoff)

AN ACT Relating to the licensure and certification of massage therapists and reflexologists; and amending RCW 18.108.045.

Referred to Committee on Health & Long Term Care.

HB 1318 by Representatives Tharinger, Van Werven, Eslick, Ryu, Senn, Thai, Jinkins and Wylie

AN ACT Relating to making the public art capital budget language permanent for efficiency; and amending RCW 28B.10.027 and 43.17.200.

Referred to Committee on Ways & Means.

HB 1441 by Representatives Tharinger, Doglio and Ormsby

SIXTY FIRST DAY, MARCH 15, 2019

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AN ACT Relating to financing local infrastructure; amending RCW 39.36.060; and adding new sections to chapter 43.180 RCW.

Referred to Committee on Housing Stability & Affordability.

HB 1707 by Representatives Gildon, Ryu, Jenkin, Boehnke, Riccelli, Vick, Reeves, Graham, Shea, Peterson, Young, Shewmake, Kilduff and Leavitt

AN ACT Relating to modifying qualifications for disabled veterans to receive fee exempt license plates; and amending RCW 46.18.235.

Referred to Committee on Transportation.

SHB 1746 by House Committee on Local Government (originally sponsored by Fey, Gildon, Kilduff, Leavitt, Chambers, Reeves, Jinkins, Robinson and Barkis)

AN ACT Relating to incentivizing the development of commercial office space in cities in a county with a population of less than one million five hundred thousand; adding a new section to chapter 82.14 RCW; adding a new chapter to Title 35 RCW; and providing an expiration date.

Referred to Committee on Financial Institutions, Economic Development & Trade.

2SHB 1784 by House Committee on Appropriations (originally sponsored by Kretz, Blake and Shea)

AN ACT Relating to wildfire prevention; amending RCW 76.06.200 and 76.04.015; and creating a new section.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

HB 1841 by Representatives Riccelli, Chandler, Blake, Boehnke, Macri, Eslick, Santos, Young, Ryu, Jenkin, Sells, Stokesbary, Senn, Griffey, Harris, Stonier, Morgan, Walsh, Gregerson, Lovick, Fey, Volz, Wylie, Hoff, Ramos, Chambers, Stanford, McCaslin, Fitzgibbon, Van Werven, Peterson, MacEwen, Dent, Graham, Hudgins, Valdez, Pollet, Ortiz-Self, Ybarra, Walen, Ormsby, Dolan, Frame, Cody, Jinkins, Tarleton, Appleton, Bergquist, Callan, Chapman, Pellicciotti, Shewmake, Kilduff, Lekanoff, Davis, Pettigrew, Doglio and Entenman

AN ACT Relating to establishing minimum crew size on certain trains; adding new sections to chapter 81.40 RCW; creating a new section; repealing RCW 81.40.010 and 81.40.035; prescribing penalties; and declaring an emergency.

Referred to Committee on Labor & Commerce.

HB 2058 by Representatives Callan, Dufault, Kilduff, Leavitt, Ramos, Goehner, Reeves, Rude, Boehnke, Entenman, Klippert, Corry, Mosbrucker and Davis

AN ACT Relating to Purple Heart license plates; and amending RCW 46.18.280.

Referred to Committee on Transportation.

HB 2062 by Representatives Slatter, Senn, Sells, Kilduff, Ryu, Peterson, Riccelli, Irwin, Walen and Tarleton

AN ACT Relating to creating Seattle Storm special license plates to fund youth leadership and sports programs; amending RCW 46.18.200, 46.17.220, and 46.68.420; and providing an effective date.

Referred to Committee on Transportation.

HB 2075 by Representatives Chandler and Ormsby

AN ACT Relating to removing the authority of the department of agriculture to conduct livestock brand inspections; amending RCW 16.24.110, 16.24.120, 16.24.130, 16.24.160, 16.57.160, 16.57.280, and 16.65.015; reenacting and amending RCW 16.57.010; creating a new section; and repealing RCW 16.57.170, 16.57.180, 16.57.200, 16.57.210, 16.57.220, 16.57.223, 16.57.230, 16.57.240, 16.57.243, 16.57.245, 16.57.260, 16.57.267, 16.57.270, 16.57.290, 16.57.300, 16.57.310, 16.57.320, 16.57.330, 16.57.400, 16.57.430, 16.57.440, 16.58.010, 16.58.020, 16.58.030, 16.58.040, 16.58.050, 16.58.060, 16.58.070, 16.58.080, 16.58.095, 16.58.100, 16.58.110, 16.58.120, 16.58.130, 16.58.140, 16.58.150, 16.58.160, 16.58.170, 16.58.900, 16.65.090, 16.65.100, and 16.65.390.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

HB 2085 by Representatives Orcutt and Blake

AN ACT Relating to creating Mount St. Helens special license plates; amending RCW 46.18.200, 46.17.220, and 46.68.420; adding a new section to chapter 46.04 RCW; and providing an effective date.

Referred to Committee on Transportation.

MOTION

On motion of Senator Liias, all measures listed on the Introduction and First Reading report were referred to the committees as designated.

MOTION

At 10:07 a.m., on motion of Senator Liias, the Senate adjourned until 12:00 o'clock p.m. Monday, March 18, 2019.

KAREN KEISER, President Pro Tempore of the Senate

BRAD HENDRICKSON, Secretary of the Senate

SIXTY FOURTH DAY

NOON SESSION

Senate Chamber, Olympia
Monday, March 18, 2019

The Senate was called to order at 12:01 p.m. by the President Pro Tempore of the Senate, Senator Keiser presiding. The Secretary called the roll and announced to the President Pro Tempore that all Senators were present with the exceptions of Senators Braun, Fortunato, Lovelett and Padden.

The Sergeant at Arms Color Guard consisting of Pages Miss Samantha Black and Mr. Joseph Haggarty, presented the Colors.

Page Miss Jaime Ray led the Senate in the Pledge of Allegiance.

Ms. Lisa Gosiaco, Co-Executive Director of Interfaith Works in Olympia offered the prayer.

The President Pro Tempore called upon the Secretary to read the journal of the preceding day.

MOTION

On motion of Senator Liias the reading of the Journal of the previous day was dispensed with and it was approved.

MOTION

There being no objection, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

March 15, 2019

SHB 1009 Prime Sponsor, Committee on State Government & Tribal Relations: Addressing the state auditor's duties and procedures. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: Do pass as amended. Signed by Senators Hunt, Chair; Kuderer, Vice Chair; Hasegawa; Takko Zeiger, Ranking Member.

Referred to Committee on Rules for second reading.

March 15, 2019

HB 1137 Prime Sponsor, Representative Leavitt: Concerning national guard pay in state active service for wildland fire response duty. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Hasegawa; Zeiger, Ranking Member; Kuderer, Vice Chair; Hunt, Chair and Takko.

Referred to Committee on Ways & Means.

March 15, 2019

HB 1385 Prime Sponsor, Representative Springer: Exempting United States food and drug administration nonpublic information from disclosure under the state public disclosure act. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Hunt, Chair; Kuderer, Vice Chair; Zeiger, Ranking Member; Hasegawa and Takko.

Referred to Committee on Rules for second reading.

March 15, 2019

SHB 1485 Prime Sponsor, Committee on State Government & Tribal Relations: Concerning the appointment of religious coordinators. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Hasegawa; Zeiger, Ranking Member; Kuderer, Vice Chair; Hunt, Chair and Takko.

Referred to Committee on Rules for second reading.

March 15, 2019

SHB 1520 Prime Sponsor, Committee on State Government & Tribal Relations: Concerning calendar election dates on ballot envelopes. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: Do pass as amended. Signed by Senators Hunt, Chair; Kuderer, Vice Chair; Zeiger, Ranking Member; Hasegawa and Takko.

Referred to Committee on Rules for second reading.

MOTION

On motion of Senator Liias, all measures listed on the Standing Committee report were referred to the committees as designated.

MOTION

On motion of Senator Liias, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 5987 by Senator Keiser

AN ACT Relating to applying minimum wage requirements to independent contractors; amending RCW 49.46.010; and providing an effective date.

Referred to Committee on Labor & Commerce.

EHB 1169 by Representatives Peterson, Griffey, Goodman, Ortiz-Self and Pollet

AN ACT Relating to clarifying reimbursement for certain clean-up or removal actions by fire protection jurisdictions; adding a new section to chapter 52.30 RCW; and adding a new section to chapter 35.103 RCW.

Referred to Committee on Local Government.

SIXTY FOURTH DAY, MARCH 18, 2019

2019 REGULAR SESSION

ESHB 1207 by House Committee on Housing, Community Development & Veterans (originally sponsored by Ryu, Jenkin, Dolan and Pollet)

AN ACT Relating to manufactured housing communities; amending RCW 35.21.684, 35A.21.312, and 36.01.225; and creating a new section.

Referred to Committee on Housing Stability & Affordability.

ESHB 1504 by House Committee on Public Safety (originally sponsored by Klippert and Goodman)

AN ACT Relating to impaired driving; amending RCW 9.94A.533, 9.94A.729, 10.21.055, 18.360.030, 38.52.430, 46.20.245, 46.20.3101, 46.20.720, 46.20.740, 46.20.750, 46.55.113, 46.61.500, 46.61.503, 46.61.504, 46.61.5055, and 46.61.5055; reenacting and amending RCW 46.20.355; repealing RCW 43.43.3951; prescribing penalties; providing an effective date; and providing an expiration date.

Referred to Committee on Law & Justice.

ESHB 1510 by House Committee on Transportation (originally sponsored by Shea, Riccelli, Walsh, Young and McCaslin)

AN ACT Relating to governing the use of narrow track vehicles; amending RCW 46.04.320, 46.61.165, 46.61.184, 46.61.575, 46.61.608, and 47.52.025; adding a new section to chapter 46.04 RCW; and creating a new section.

Referred to Committee on Transportation.

E2SHB 1593 by House Committee on Appropriations (originally sponsored by Chopp, Sullivan, Ormsby, Cody, Harris, Lovick, Jinkins, Kilduff, Riccelli, Pettigrew, Davis, Stonier, Macri, Robinson, Ortiz-Self, Frame, Senn, Slatter, Schmick, Chandler, Caldier, Tarleton, Appleton, Dolan, Thai, Shewmake, Valdez, Bergquist, Reeves, Goodman, Lekanoff and Pollet)

AN ACT Relating to establishing a behavioral health innovation and integration campus within the University of Washington school of medicine; adding new sections to chapter 28B.20 RCW; and creating new sections.

Referred to Committee on Health & Long Term Care.

ESHB 1747 by House Committee on Local Government (originally sponsored by Doglio, Gregerson, Jinkins and Dolan)

AN ACT Relating to risk-based water quality standards for on-site nonpotable water systems; and adding a new section to chapter 90.46 RCW.

Referred to Committee on Environment, Energy & Technology.

E2SHB 1923 by House Committee on Appropriations (originally sponsored by Fitzgibbon, Macri, Appleton, Doglio, Dolan, Santos and Frame)

AN ACT Relating to increasing urban residential building capacity; amending RCW 36.70A.280, 36.70A.280, 36.70A.290, 36.70A.030, 43.21C.450, 70.146.070, 43.155.070, 47.26.086, 43.21C.420, 36.70A.490, and 82.02.060; adding new sections to chapter 36.70A RCW; adding a new section to chapter 43.21C RCW; adding a new

section to chapter 35.21 RCW; adding a new section to chapter 35A.21 RCW; creating a new section; providing an effective date; and providing an expiration date.

Referred to Committee on Housing Stability & Affordability.

EHB 1996 by Representatives Lekanoff and Shewmake

AN ACT Relating to creating a San Juan Islands stewardship special license plate; amending RCW 46.18.200, 46.17.220, and 46.68.420; and adding a new section to chapter 46.04 RCW.

Referred to Committee on Transportation.

ESHB 2050 by House Committee on Transportation (originally sponsored by Chambers, Cody, Corry, Goehner, Springer, Schmick, Jenkin and Fey)

AN ACT Relating to creating Washington wine special license plates; amending RCW 46.18.200, 46.17.220, and 46.68.420; adding a new section to chapter 46.04 RCW; and providing an effective date.

Referred to Committee on Transportation.

MOTION

On motion of Senator Liias, all measures listed on the Introduction and First Reading report were referred to the committees as designated.

MOTION

On motion of Senator Liias, and under suspension of the Rules the following measures which had been on the calendars for consideration were referred to the Committee on Rules and placed in the Committee's X file: Senate Bill No. 5011; Senate Bill No. 5020; Senate Bill No. 5026; Senate Bill No. 5047; Senate Bill No. 5055; Senate Bill No. 5065; Senate Bill No. 5076; Senate Bill No. 5104; Senate Bill No. 5118; Senate Bill No. 5123; Senate Bill No. 5138; Senate Bill No. 5150; Senate Bill No. 5156; Senate Bill No. 5174; Senate Bill No. 5180; Senate Bill No. 5190; Senate Bill No. 5195; Senate Bill No. 5219; Senate Bill No. 5231; Senate Bill No. 5253; Senate Bill No. 5254; Senate Bill No. 5257; Senate Bill No. 5277; Senate Bill No. 5282; Senate Bill No. 5293; Senate Bill No. 5299; Senate Bill No. 5320; Senate Bill No. 5329; Senate Bill No. 5344; Senate Bill No. 5362; Senate Bill No. 5382; Senate Bill No. 5402; Senate Bill No. 5417; Senate Bill No. 5457; Senate Bill No. 5470; Senate Bill No. 5479; Senate Bill No. 5486; Senate Bill No. 5487; Senate Bill No. 5507; Senate Bill No. 5533; Senate Bill No. 5545; Senate Bill No. 5548; Senate Bill No. 5567; Senate Bill No. 5574; Senate Bill No. 5592; Senate Bill No. 5611; Senate Bill No. 5614; Senate Bill No. 5623; Senate Bill No. 5656; Senate Bill No. 5666; Senate Bill No. 5682; Senate Bill No. 5696; Senate Bill No. 5745; Senate Bill No. 5805; Senate Bill No. 5841; Senate Bill No. 5844; Senate Bill No. 5847; Senate Bill No. 5862; Senate Bill No. 5872; Senate Bill No. 5904; Senate Bill No. 5920; and Senate Joint Memorial No. 8002.

MOTION

On motion of Senator Liias, under suspension of the rules, the following measures, which had been under consideration by the Committee on Rules were placed in the Committee's X files: Senate Bill No. 5005; Senate Bill No. 5013; Senate Bill No. 5016;

Senate Bill No. 5019; Senate Bill No. 5029; Senate Bill No. 5034; Senate Bill No. 5059; Senate Bill No. 5061; Senate Bill No. 5062; Senate Bill No. 5064; Senate Bill No. 5066; Senate Bill No. 5068; Senate Bill No. 5071; Senate Bill No. 5090; Senate Bill No. 5097; Senate Bill No. 5099; Senate Bill No. 5115; Senate Bill No. 5143; Senate Bill No. 5168; Senate Bill No. 5182; Senate Bill No. 5183; Senate Bill No. 5186; Senate Bill No. 5187; Senate Bill No. 5196; Senate Bill No. 5198; Senate Bill No. 5217; Senate Bill No. 5249; Senate Bill No. 5270; Senate Bill No. 5275; Senate Bill No. 5296; Senate Bill No. 5306; Senate Bill No. 5315; Senate Bill No. 5317; Senate Bill No. 5351; Senate Bill No. 5358; Senate Bill No. 5361; Senate Bill No. 5372; Senate Bill No. 5378; Senate Bill No. 5384; Senate Bill No. 5391; Senate Bill No. 5407; Senate Bill No. 5416; Senate Bill No. 5426; Senate Bill No. 5431; Senate Bill No. 5449; Senate Bill No. 5450; Senate Bill No. 5458; Senate Bill No. 5468; Senate Bill No. 5484; Senate Bill No. 5509; Senate Bill No. 5512; Senate Bill No. 5515; Senate Bill No. 5522; Senate Bill No. 5563; Senate Bill No. 5568; Senate Bill No. 5570; Senate Bill No. 5636; Senate Bill No. 5661; Senate Bill No. 5665; Senate Bill No. 5676; Senate Bill No. 5677; Senate Bill No. 5679; Senate Bill No. 5693; Senate Bill No. 5697; Senate Bill No. 5706; Senate Bill No. 5713; Senate Bill No. 5729; Senate Bill No. 5733; Senate Bill No. 5749; Senate Bill No. 5751; Senate Bill No. 5762; Senate Bill No. 5766; Senate Bill No. 5801; Senate Bill No. 5827; Senate Bill No. 5830; Senate Bill No. 5838; Senate Bill No. 5850; Senate Bill No. 5868; Senate Bill No. 5880; Senate Bill No. 5896; Senate Bill No. 5898; Senate Bill No. 5939; Senate Bill No. 5963; Senate Joint Memorial No. 8001; Senate Joint Memorial No. 8006; and Senate Joint Memorial No. 8010.

MOTIONS

On motion of Senator Liias, the Senate advanced to the sixth order of business.

On motion of Senator Rivers, Senators Fortunato and Walsh were excused.

On motion of Senator Wilson, C., Senator Lovelett was excused.

SECOND READING

HOUSE BILL NO. 1906, by Representatives Ortiz-Self, Valdez, Ramos, Stonier, Doglio, Stanford, Reeves, Macri, Frame and Jinkins

Recognizing the tenth day of April as Dolores Huerta day.

The measure was read the second time.

MOTION

On motion of Senator Saldaña, the rules were suspended, House Bill No. 1906 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Saldaña, Zeiger, Conway and Randall spoke in favor of passage of the bill.

MOTION

On motion of Senator Rivers, Senator Ericksen was excused.

Senator Liias spoke in favor of passage of the bill.

MOTION

On motion of Senator Rivers, Senators Braun, Holy and Sheldon were excused.

Senator Darneille spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of House Bill No. 1906.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1906 and the bill passed the Senate by the following vote: Yeas, 44; Nays, 0; Absent, 1; Excused, 4.

Voting yea: Senators Bailey, Becker, Billig, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, McCoy, Mullet, Nguyen, O'Ban, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Absent: Senator Padden

Excused: Senators Braun, Ericksen, Fortunato and Lovelett

HOUSE BILL NO. 1906, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

INTRODUCTION OF SPECIAL GUESTS

The President Pro Tempore welcomed and introduced Ms. Dolores Huerta, former Representative Phyllis Gutierrez-Kenney and Representative Lillian Ortiz-Self, 21st Legislative District, who were present in the wings of the senate.

SECOND READING

SENATE BILL NO. 5572, by Senators Honeyford, Takko, Short, Warnick, Schoesler and King

Authorizing modernization grants for small school districts.

MOTIONS

On motion of Senator Honeyford, Second Substitute Senate Bill No. 5572 was substituted for Senate Bill No. 5572 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Honeyford, the rules were suspended, Second Substitute Senate Bill No. 5572 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Honeyford and Frockt spoke in favor of passage of the bill.

MOTION

On motion of Senator Rivers, Senator Padden was excused.

Senators Wellman, Schoesler, Pedersen and King spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 5572.

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ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 5572 and the bill passed the Senate by the following vote: Yeas, 44; Nays, 0; Absent, 1; Excused, 4.

Voting yea: Senators Bailey, Becker, Billig, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, McCoy, Mullet, Nguyen, O'Ban, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Absent: Senator Sheldon

Excused: Senators Braun, Fortunato, Lovelett and Padden

SECOND SUBSTITUTE SENATE BILL NO. 5572, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Liias, the Senate advanced to the eighth order of business.

MOTION

Senator O'Ban moved adoption of the following resolution:

SENATE RESOLUTION
8625

By Senators O'Ban, Wagoner, McCoy, Short, Conway, Becker, Bailey, Hobbs, Walsh, Wilson, L., Cleveland, Darneille, Brown, Das, Palumbo, Randall, Wellman, Nguyen, Salomon, Liias, Honeyford, King, and Saldaña

WHEREAS, All citizens of the United States possess the basic human right to the preservation of personal dignity; and

WHEREAS, All citizens of the United States deserve the investment of every possible resource to ensure their lasting physical, mental, and emotional well-being; and

WHEREAS, The diagnosis known as post-traumatic stress disorder (PTSD) was first defined by the American Psychiatric Association in 1980 to more accurately understand and treat veterans who had endured severe operational combat stress; and

WHEREAS, Combat stress injuries have historically been unjustly portrayed as a mental illness caused by a preexisting flaw of character or ability, and that the word "disorder" carries a stigma that perpetuates this misconception which can discourage the injured from seeking proper and timely medical treatment; and

WHEREAS, Referring to the complications from combat operational stress as a disorder perpetuates the stigma of and bias against mental illness; and

WHEREAS, It has been shown through electromagnetic imaging that the condition is more accurately described as an injury; and

WHEREAS, Severe post-traumatic stress is a very common, and treatable, injury to the brain which can occur following exposure to extremely traumatic events such as, but not limited to, interpersonal violence, combat, life-threatening accidents, or natural disasters; and

WHEREAS, Referring to the condition as post-traumatic stress injury (PTSI) is less stigmatizing and viewed as more honorable, and this designation can favorably influence those affected and encourage them to seek treatment without fear of retribution or shame; and

WHEREAS, All citizens suffering from a post-traumatic stress injury deserve our compassion and consideration, and those brave men and women of the United States Armed Forces who have received these wounds in action against an enemy of the United States further deserve our special tribute and acknowledgment; and

WHEREAS, post-traumatic stress injury is an injury that is repairable, and that timely treatment can diminish complications and prevent suicides among the injured;

NOW, THEREFORE, BE IT RESOLVED, That the Senate recognize the importance of educating victims of interpersonal violence, combat, life-threatening accidents, and natural disasters and their families, as well as the general public, about the causes, symptoms, and treatment of post-traumatic stress injuries.

Senators O'Ban, Conway and Hobbs spoke in favor of adoption of the resolution.

REMARKS BY THE PRESIDENT PRO TEMPORE

President Pro Tempore Keiser: "I just want to mention my former husband, who was a Vietnam Vet, and in 1985 he undertook the production of the PBS documentary called *Vietnam: Two Decades and a Wakeup*. He worked with the VA in Lakewood to do that. It was the first public acknowledgement of PTSD as a treatable condition. And I am very proud that that was his work."

The President Pro Tempore declared the question before the Senate to be the adoption of Senate Resolution No. 8625.

The motion by Senator O'Ban carried and the resolution was adopted by voice vote.

INTRODUCTION OF SPECIAL GUEST

The President Pro Tempore welcomed and introduced Ms. Nichole Ayres, Clinical Director, The Steven A. Cohen Military Family Clinic, Valley Cities Behavioral Health Care, Lakewood, who was seated in the gallery.

MOTION

At 12:48 p.m., on motion of Senator Liias, the Senate adjourned until 12:00 o'clock noon Tuesday, March 19, 2019.

KAREN KEISER, President Pro Tempore of the Senate

BRAD HENDRICKSON, Secretary of the Senate

SIXTY FIFTH DAY

NOON SESSION

Senate Chamber, Olympia
Tuesday, March 19, 2019

The Senate was called to order at 12:03 p.m. by the President Pro Tempore, Senator Keiser presiding. No roll call was taken.

The President called upon the Secretary to read the journal of the preceding day.

MOTION

On motion of Senator Liias, the reading of the Journal of the previous day was dispensed with and it was approved.

MOTION

There being no objection, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

March 18, 2019

HB 1014 Prime Sponsor, Representative Jenkin: Concerning financial responsibility of motorcycle operators. Reported by Committee on Transportation

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Cleveland; Das; Nguyen; O'Ban; Padden; Randall; Wilson, C. and Zeiger.

Referred to Committee on Financial Institutions, Economic Development & Trade.

March 14, 2019

HB 1066 Prime Sponsor, Representative Kilduff: Requiring debt collection complaints to be filed prior to service of summons and complaint. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Kuderer and Salomon.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Holy.

MINORITY recommendation: Do not pass. Signed by Senators Padden, Ranking Member and Wilson, L.

Referred to Committee on Rules for second reading.

March 14, 2019

EHB 1175 Prime Sponsor, Representative Kilduff: Concerning authorization of health care decisions by an individual or designated person. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Kuderer and Salomon.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Wilson, L.

MINORITY recommendation: Do not pass. Signed by Senators Padden, Ranking Member and Holy.

Referred to Committee on Rules for second reading.

March 18, 2019

SHB 1399 Prime Sponsor, Committee on Labor & Workplace Standards: Concerning paid family and medical leave. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Wellman; Saldaña; Conway, Vice Chair Keiser, Chair.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators King, Ranking Member and Walsh.

Referred to Committee on Rules for second reading.

March 18, 2019

HB 1743 Prime Sponsor, Representative Ormsby: Addressing the methodology for establishing the prevailing rate of wages for the construction of affordable housing, homeless and domestic violence shelters, and low-income weatherization and home rehabilitation public works. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass as amended. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Saldaña; Wellman and Walsh.

Referred to Committee on Rules for second reading.

MOTION

On motion of Senator Liias, all measures listed on the Standing Committee report were referred to the committees as designated.

COMMITTEE ON HEALTH & LONG TERM CARE

Pursuant to Senate Rule 45(13) and without objection, notice was received from the Committee on Health & Long Term Care that the following measure had been re-referred to the Subcommittee on Behavioral Health:

Engrossed Second Substitute House Bill No. 1593.

MOTION

On motion of Senator Liias, the Senate advanced to the fourth order of business.

MESSAGE FROM THE HOUSE

March 19, 2019

SIXTY FIFTH DAY, MARCH 19, 2019

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MR. PRESIDENT:

The Speaker has signed:

HOUSE BILL NO. 1906,

and the same is herewith transmitted.

BERNARD DEAN, Chief Clerk

MOTION

On motion of Senator Liias, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 5988 by Senators Carlyle, Rolfes and Frockt

AN ACT Relating to reducing a tax preference for prescription drug warehousing to invest in opioid abuse treatment services in rural and high-need areas; adding a new section to chapter 82.32 RCW; repealing RCW 82.04.272; providing an effective date; and declaring an emergency.

Referred to Committee on Ways & Means.

MOTIONS

On motion of Senator Liias, all measures listed on the Introduction and First Reading report were referred to the committees as designated.

At 12:07 p.m., on motion of Senator Liias, the Senate adjourned until 10:00 o'clock a.m. Wednesday, March 20, 2019.

KAREN KEISER, President Pro Tempore of the Senate

BRAD HENDRICKSON, Secretary of the Senate

SIXTY SIXTH DAY

MORNING SESSION

Senate Chamber, Olympia
Wednesday, March 20, 2019

The Senate was called to order at 10:04 a.m. by the President Pro Tempore, Senator Keiser presiding. No roll call was taken.

The President Pro Tempore called upon the Secretary to read the journal of the preceding day.

MOTION

On motion of Senator Liias, the reading of the Journal of the previous day was dispensed with and it was approved.

MOTION

There being no objection, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

March 19, 2019

SHB 1083 Prime Sponsor, Committee on Local Government: Providing greater certainty in association with selling city-owned property used for off-street parking. Reported by Committee on Local Government

MAJORITY recommendation: Do pass as amended. Signed by Senators Honeyford; Short, Ranking Member; Salomon, Vice Chair Takko, Chair.

Referred to Committee on Rules for second reading.

March 19, 2019

SHB 1155 Prime Sponsor, Committee on Appropriations: Concerning meal and rest breaks and mandatory overtime for certain health care employees. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass as amended. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators King, Ranking Member and Walsh.

Referred to Committee on Ways & Means.

March 19, 2019

HB 1279 Prime Sponsor, Representative Hudgins: Eliminating the joint legislative oversight committee on trade policy. Reported by Committee on Financial Institutions, Economic Development & Trade

MAJORITY recommendation: Do pass. Signed by Senators Mullet, Chair; Wilson, L., Ranking Member; Das and Hobbs.

MINORITY recommendation: Do not pass. Signed by Senator Hasegawa, Vice Chair.

Referred to Committee on Rules for second reading.

March 18, 2019

SHB 1284 Prime Sponsor, Committee on State Government & Tribal Relations: Creating the capacity for the state treasurer's office to provide separately managed investment portfolios to eligible governmental entities. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Van De Wege; Schoesler; Pedersen; Palumbo; Liias; Keiser; Hunt; Darneille; Conway; Carlyle; Billig; Becker; Bailey; Honeyford, Assistant Ranking Member, Capital; Brown, Assistant Ranking Member, Operating; Mullet, Capital Budget Cabinet; Frockt, Vice Chair, Operating, Capital Lead and Warnick.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Hasegawa.

Referred to Committee on Rules for second reading.

March 19, 2019

SHB 1302 Prime Sponsor, Committee on Commerce & Gaming: Creating a self-exclusion program for persons with a gambling problem or gambling disorder. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Wellman; Walsh; Saldaña; Conway, Vice Chair Keiser, Chair.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator King, Ranking Member.

Referred to Committee on Rules for second reading.

March 19, 2019

HB 1366 Prime Sponsor, Representative Sullivan: Removing disincentives to the creation of community facilities districts. Reported by Committee on Local Government

MAJORITY recommendation: Do pass as amended. Signed by Senators Honeyford; Short, Ranking Member; Salomon, Vice Chair Takko, Chair.

Referred to Committee on Rules for second reading.

March 18, 2019

HB 1408 Prime Sponsor, Representative Volz: Clarifying the written consent requirement for survivorship benefit options. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Warnick; Wagoner; Van De Wege; Schoesler; Pedersen; Palumbo; Liias; Keiser; Hunt;

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Darneille; Conway; Carlyle; Billig; Becker; Bailey; Honeyford, Assistant Ranking Member, Capital; Brown, Assistant Ranking Member, Operating; Mullet, Capital Budget Cabinet; Frockt, Vice Chair, Operating, Capital Lead and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Hasegawa.

Referred to Committee on Rules for second reading.

March 18, 2019

HB 1413 Prime Sponsor, Representative Ormsby: Concerning the purchase of an optional life annuity benefit for certain public retirement system members. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Wilson, L.; Mullet, Capital Budget Cabinet; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen; Schoesler; Van De Wege; Wagoner; Warnick; Frockt, Vice Chair, Operating, Capital Lead Rolfes, Chair.

Referred to Committee on Rules for second reading.

March 19, 2019

HB 1426 Prime Sponsor, Representative Ramos: Concerning cooperation between conservation districts. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Senators Takko, Chair; Salomon, Vice Chair; Short, Ranking Member and Honeyford.

Referred to Committee on Rules for second reading.

March 19, 2019

ESHB 1569 Prime Sponsor, Committee on Environment & Energy: Concerning marketing the degradability of products. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Van De Wege, Chair; Salomon, Vice Chair; Warnick, Ranking Member; Honeyford; McCoy; Rolfes and Short.

Referred to Committee on Environment, Energy & Technology.

March 19, 2019

SHB 1724 Prime Sponsor, Committee on Local Government: Concerning the mitigation of public facilities in certain cities. Reported by Committee on Local Government

MAJORITY recommendation: Do pass as amended. Signed by Senators Takko, Chair; Salomon, Vice Chair; Short, Ranking Member and Honeyford.

Referred to Committee on Rules for second reading.

March 19, 2019

EHB 1801 Prime Sponsor, Representative Orcutt: Entering abandoned cemeteries for authorized purposes. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Senators Honeyford; Short, Ranking Member; Salomon, Vice Chair Takko, Chair.

Referred to Committee on Rules for second reading.

March 18, 2019

EHB 1912 Prime Sponsor, Representative Blake: Concerning pension benefits and contributions in the volunteer firefighters' and reserve officers' relief and pension system. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Wagoner; Van De Wege; Schoesler; Pedersen; Palumbo; Liias; Keiser; Hunt; Hasegawa; Darneille; Conway; Carlyle; Billig; Becker; Bailey; Honeyford, Assistant Ranking Member, Capital; Brown, Assistant Ranking Member, Operating; Mullet, Capital Budget Cabinet; Frockt, Vice Chair, Operating, Capital Lead; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

March 19, 2019

HB 1913 Prime Sponsor, Representative Doglio: Concerning the presumption of occupational disease for purposes of workers' compensation by adding medical conditions to the presumption, extending the presumption to certain publicly employed firefighters and investigators and law enforcement, addressing the qualifying medical examination, and creating an advisory committee. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Saldaña; Walsh and Wellman.

Referred to Committee on Ways & Means.

March 19, 2019

SHB 1930 Prime Sponsor, Committee on Labor & Workplace Standards: Concerning reasonable accommodation for the expression of breast milk in the workplace. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Wellman; Walsh; Saldaña; King, Ranking Member; Conway, Vice Chair Keiser, Chair.

Referred to Committee on Rules for second reading.

March 19, 2019

SHB 1931 Prime Sponsor, Committee on Labor & Workplace Standards: Concerning workplace violence in health care settings. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Saldaña; Walsh and Wellman.

Referred to Committee on Ways & Means.

March 18, 2019

HB 1980 Prime Sponsor, Representative Macri: Exempting federal tax lien documents from recording surcharges. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Mullet, Capital Budget Cabinet; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Billig; Carlyle; Conway; Darneille; Hunt; Keiser; Liias; Palumbo; Pedersen; Schoesler; Van De Wege; Wagoner; Warnick; Wilson, L.; Frockt, Vice Chair, Operating, Capital Lead Rolfes, Chair.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Hasegawa.

Referred to Committee on Rules for second reading.

March 18, 2019

HB 2051 Prime Sponsor, Representative Lovick: Concerning firefighters and law enforcement officers pension and disability boards. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Rolfes, Chair; Wagoner; Van De Wege; Schoesler; Pedersen; Palumbo; Liias; Keiser; Hunt; Hasegawa; Darneille; Conway; Carlyle; Billig; Becker; Bailey; Honeyford, Assistant Ranking Member, Capital; Brown, Assistant Ranking Member, Operating; Mullet, Capital Budget Cabinet; Frockt, Vice Chair, Operating, Capital Lead; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

March 19, 2019

HB 2072 Prime Sponsor, Representative Volz: Authorizing county treasurers to contract with other treasurers for services. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Senators Takko, Chair; Salomon, Vice Chair; Short, Ranking Member and Honeyford.

Referred to Committee on Rules for second reading.

March 19, 2019

SGA 9158 JERAMIE MAXWELL, appointed on March 19, 2018, for the term ending October 1, 2020, as Member of the Small Business Export Finance Assistance Center Board of Directors. Reported by Committee on Financial Institutions, Economic Development & Trade

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Mullet, Chair; Hasegawa, Vice Chair; Wilson, L., Ranking Member; Das and Hobbs.

Referred to Committee on Rules for second reading.

March 19, 2019

SGA 9279 LISA BROWN, appointed on February 11, 2019, for the term ending at the Governor's pleasure, as Director of the Department of Commerce - Agency Head. Reported by Committee on Financial Institutions, Economic Development & Trade

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Hobbs; Das; Hasegawa, Vice Chair Mullet, Chair.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Wilson, L., Ranking Member.

Referred to Committee on Rules for second reading.

MOTION

On motion of Senator Liias, all measures listed on the Standing Committee report were referred to the committees as designated.

MOTION

On motion of Senator Liias, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 5989 by Senators Palumbo, Zeiger and Keiser

AN ACT Relating to providing a tax preference for rural and nonrural data centers; amending RCW 82.08.986; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; creating new sections; and providing expiration dates.

Referred to Committee on Ways & Means.

MOTION

On motion of Senator Liias, the measure listed on the Introduction and First Reading report was referred to the committee as designated.

PERSONAL PRIVILEGE

Senator Warnick: "Thank you Madam President. I rise to ask the body to think about the three families ... I'm not sure I can do this so I've asked for back up. We lost a Kittitas County Deputy last evening to a shooting. The City of Kittitas has an officer that was wounded in that same shooting. And the suspect was wounded and killed in that same shooting last evening. I'd like us all to keep those three families in your thoughts and prayers today. The deputy who lost his life is the father ... a husband, and his family is grieving very, very deeply for this loss. ... So, I ask that we consider holding a moment of silence for this family."

MOMENT OF SILENCE

The senate rose and observed a moment of silence in memory of Kittitas County Sheriff's Deputy Ryan Thompson, who was killed in the line of duty on Tuesday, March 19, 2019.

EDITOR'S NOTE: Kittitas County Sherriff's Deputy Ryan Thompson and City of Kittitas Police Officer Benito Kellen Chavez were shot during the evening of Tuesday, March 19, 2019, responding to a reckless driving complaint. The officers attempted a traffic stop which became a vehicle pursuit that ended in Kittitas where Deputy Ryan Thompson, a 14 year veteran of the department, was shot and died later in the evening. Officer Chavez, serving in his first year as deputy, suffered a severe leg

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wound that shattered his femur. He was airlifted to Harborview Medical Center where he was hospitalized for several days.

SIGNED BY THE PRESIDENT

Pursuant to Article 2, Section 32 of the State Constitution and Senate Rule 1(5), the President announced the signing of and thereupon did sign in open session:

HOUSE BILL NO. 1906.

MOTION

At 10:08 a.m., on motion of Senator Liias, the Senate was declared to be at ease subject to the call of the President.

Senator Liias announced a meeting of the Committee on Rules at the bar of the senate immediately upon going at ease.

The Senate was called to order at 11:05 a.m. by President Pro Tempore Keiser.

JOINT SESSION

The Assistant Sergeant at Arms, Mr. Mike Burt, announced the presence of the House of Representatives at the Chamber door.

The President Pro Tempore called upon the Assistant Sergeant at Arms of the Senate and the Sergeant At Arms of the House to escort the Honorable Tina Orwall, Deputy Speaker Pro Tempore to a seat on the rostrum, members of the House were invited to seats within the Chamber.

Pursuant to Senate Concurrent Resolution No. 8404, the President Pro Tempore called the Joint Session to order. The Secretary called the roll of the members of the Senate. The Secretary called the roll of the members of the House of Representatives. The President Pro Tempore declared that a quorum of the Legislature present.

The President welcomed and introduced the following honored guest and elected officials who were present at the dais: Mrs. Trudi Inslee, First Lady of Washington; the Honorable Duane Davidson, State Treasurer; the Honorable Pat McCarthy, State Auditor; and justices of the Washington State Supreme Court: Chief Justice Mary Fairhurst; Justice Steven Gonzalez; Justice Sheryl Gordon McCloud; and Justice Mary Yu.

The Washington State Patrol Honor Guard presented the Colors. The National Anthem was performed by Sergeant Jeffery Eifert.

Father Louis Cunningham, Parochial Vicar, St. Michael's Parish of Olympia offered the invocation.

INVOCATION

Father Louis Cunningham: "The biblical understanding of the word 'memory' is much richer than we understand in the common usage. In the biblical context, memory means to remember and recall but also to preserve and to invoke. Memory in the bible refers to encounters and covenants which took place in the past and which were made present and brought to life today. Thus, as Catholics, the memorial of the Eucharist re-presents, it makes

presents, the sacrifice of the Cross and applies its saving effects. Christ's action perpetuated until the end of the world, and its saving power applied to us and to our brokenness for our salvation.

Memory is an important aspect of human nature. Through memory, we recall and learn from the joys and the hopes, the griefs and the anxieties of past ages, proposing a way to progress for the common good. We must recognize that the experience of those that went before us are just as valid, true and real as our own experiences today, since they, too, lived out the human nature that we all share.

In this spirit of memorializing those women and men, our brothers and sisters of a common home, who have fought the good fight before us, let us take a moment to quiet our mortal flesh in silent attentiveness." [A moment of silence was observed.]

"We invoke the name of the Eternal One, the Consoler, the Absolute, the Beginning and the End, the One to whom all flesh must come with its burden of mortality.

That you here might attentively recall the memory of those who went before us to brighten the path of the future, so that you might even more assiduously respect the rights of each and establish human relationships with the harmony that promotes equity to persons and to the common good.

So, may it be. Peace to you on this blessed day, and to all who seek the Lord in simplicity of heart. Amen."

REMARKS BY THE PRESIDENT PRO TEMPORE

President Pro Tempore Keiser: "Honored Statewide Elected Officials, Justices of the Court and Members of the Legislature, Ladies and Gentlemen: The purpose of this Joint Session is to conduct a memorial service in memory of members of the legislature who have passed from among us. This has been our longstanding custom. For more than a century, the Senate and House have met, as we meet today, to pay special and fitting tribute to the lives and service of these valued public servants.

Despite the abundant work we have here before us, we pause upon this sad occasion and reflect upon the course that we have traveled and pay homage to the disappearing generations of men and women who aided in strengthening and multiplying the powers and opportunities, the pleasures and possibilities of the people who constitute this great state.

On behalf of the Senate and the House of Representatives, I would like to extend a warm welcome to the family members, friends and colleagues who have joined us today and to offer our deep sympathies."

Washington State Patrolman, Sergeant Jeffery Eifert, performed "Amazing Grace."

The President Pro Tempore introduced Deputy Speaker Pro Tempore Tina Orwall.

REMARKS BY THE DEPUTY SPEAKER PRO TEMPORE

Deputy Speaker Pro Tempore Tina Orwall: "We gather today to commemorate the lives of the distinguished former governors, members of the Washington State Senate and House of Representatives who have passed from among us.

The people of our state are grateful for their public service. The Sixty-Sixth Legislature conveys its respects to these deceased governors and legislators. They once sat in these chambers, answered roll calls on critical bills, attended committee meetings, and through it sought always to make our state a better place to live. While their journey in this life is complete, their

achievements, public record, and valued service are recorded in the journals of the Senate and House, and are forever a permanent part of our state's history.

We express our sympathies to the families, friends and colleagues of these public servants. We also share with them on this memorable occasion the fond and happy memories of these governors and legislators. They leave a legacy of dedicated service that remains always in our hearts, our memories and the history of our state."

The Deputy Speaker Pro Tempore (Representative Orwall presiding) introduced Pastor Matthew Miles, Associate Pastor, Temple Baptist Church, Lacey, who offered the memorial prayer.

MEMORIAL PRAYER

Pastor Matthew Miles: "Let us pray. To Heavenly Father Lord thank you for the awesome opportunity to be able to recognize those who have gone before us. I pray Lord, that in this room today there are many that have known these people, Lord. Thank you for their testimony and their tenacious acts, Lord, faithfulness, perseverance, Lord, to liberty, truth, the American way. I pray Lord that as we remember the pioneer spirit of many of these that have gone before us we would not forget the paths that they have blazed. Lord I think through the Bible of memorials and it's a reminder of where we have been but it is also a reminder of who's gone before us. Lord, thank you for the testimonies of men and women that Lord have just blazed these trails. I pray Lord that, as we honor their legacy today, that those in this room, Lord, will be able to start to focus on their legacy. Be able to see those that are coming up behind them. And, Lord, that our great state, this great nation would continue to be one nation under God. In Jesus' Name. Amen.

The Deputy Speaker Pro Tempore and the President Pro Tempore, in turn, called the roll of the deceased former governors and members of the Senate and House of Representatives. After each name, a bell tolled and each of the deceased governors and former members, in turn, were memorialized by senators and representatives who placed a white rose on the bar and lit a candle for each deceased member. Memorialists were assisted by candle lighter: Mr. Gavin McCallister, Senate Page, and Miss Gillyan Goodman, House Page.

Member	District
Michael Edward Lowry	Governor
Memorialized by Senator Hunt & Representative Santos	
John Dennis Spellman	Governor
Memorialized by Senator Schoesler	
E. Scott Blair	46 th District, House
Memorialized by Representative Dent	
Rose Bowman	20 th District, House
Memorialized by Representatives DeBolt & Orcutt	
Joanne J. Brekke-Selk	32 nd District, House
Memorialized by Representative Pollet	
Emilio S. Cantu	41 st District, House & Senate
Memorialized by Senator Honeyford	
George Gordon Dowd	42 nd District, House
Memorialized by Representative Van Werven & Senator Carlyle	
Susan Emerson Gould	21 st District, Senate
Memorialized by Senator Wagoner	
Irving F. Greengo	46 th District, House
Memorialized by Representative Jenkins	

Member	District
Theodore R. "Ted" Haley	28 th District, House & Senate
Memorialized by Senator Becker	
Duane Leonard Kaiser	2 nd District, House
Memorialized by Representative Mosbrucker	
Richard A. "Dick" King	38 th District, House
Memorialized by Representative Sells	
Kingsley John "King" Lysen	31 st District, House & Senate
Memorialized by Senator Nguyen	
Joseph Leo McGavick	32 nd District, House
Memorialized by Representative Callan	
Paul F. Pruitt	34 th District, House
Memorialized by Senator Pedersen	
Nancy S. Rust	44 th , 1 st & 32 nd District, House
Memorialized by Representative Ryu	
Ellen M. "Lynn" Schindler	4 th District
Memorialized by Senator Padden	
Helen E. Sommers	36 th District, House
Memorialized by Representative Tarleton	
Walter W. Sprague	21 st District, House
Memorialized by Representative Sutherland	
Leo K. Thorsness	11 th District, Senate
Memorialized by Senator Sheldon	
Gordon L. Walgren	23 rd District, House & Senate
Memorialized by Senator Rolfes	

Ms. Penka Jane Culevski and Ms. Lynne Marie Randall performed "*Row on Another Day*", accompanied by Senator Jamie Pedersen on flute at the dais. Miss Culevski and Miss Randall serve as Legislative Aide and Session Aide, respectively, in the Office of Senator Pedersen.

The Deputy Speaker Pro Tempore (Representative Orwall presiding) introduced Rabbi Yosef Schtroks, Director and Spiritual Leader of Chabad Jewish Center, Olympia, who offered the closing prayer.

CLOSING PRAYER

Rabbi Schtroks: "Regarding the loss of a loved one, Jewish wisdom often quotes the verse in Ecclesiastes, 'Vehachai Yiten el libo' – The living should take to heart.

Having gathered here today to memorialize the selfless men and women who dedicated their lives to public service on behalf of the citizens of this great state of Washington, let us reflect on what we can take to heart from the examples they set.

All human beings were created in the divine image, and while externally we may seem to have great differences, at our core we share a common bond. Thus, we can find relevant the loss of any individual, however it is surely so when we reflect on the passing of those who were communal representatives, our legislators who are no longer with us.

And therefore let us once more recall the words of the scripture 'Vehachai Yiten el libo' – The living should take to heart.

Let us reflect on the following insight, recounted by the great spiritual leader the Lubavitcher Rebbe Rabbi Menachem M. Schneerson of saintly memory on a number of occasions. 'Free choice and the ability to do good is only the hands of those physically alive. Once someone has passed on, they are no longer able to perform those good deeds. It is only the good deeds that are performed in their memory that carry on their legacy.'

As we pray together, let us resolve to continue what these distinguished public servants have started. In the shadow of their

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legacy let us find tangible ways to use these legislative halls as a conduit to create a more kind, moral, just and ethical society throughout the state of Washington. We can be links in their chain to inspire the next generation of Washingtonians to live lives which are filled with doing for others, and pursuit of a higher purpose.

In the spirit of the joyous Jewish holiday Purim, which begins this evening, may God comfort all those who mourn, and bring joy to the grieving family members in the knowledge that the selfless toil of their loved ones will continue to live on through the work of the senators and representatives gathered here today.

May we very soon merit the fulfillment of the words of the prophet Isaiah, a time when 'death will be erased forever; and God, the Lord, will wipe the tears away from every face.' And let us say 'Amen.' "

The Deputy Speaker Pro Tempore (Representative Orwall presiding) thanked the President and the senate for their assistance and hospitality and retired from the chair.

REMARKS BY THE PRESIDENT PRO TEMPORE

President Pro Tempore Keiser: "Thank you, Speaker Orwall and members of the House of Representatives. Our deepest gratitude to all who have participated in the service today. Our special thanks to the members of the state patrol, members of the clergy and Senator Pedersen and his staff for their performance. We very much appreciate your participation. The President hopes that the loved ones of those we honor today will draw comfort from today's observance."

MOTION

On motion of Senator Liias, the Joint Session was dissolved.

The President Pro Tempore announced that refreshments would be available for legislators, families, and guests outside the State Reception Room immediately following adjournment. The traditional "Old Timers' Reception" was held at Tugboat Annie's on Olympia's west side from 5:30 p.m. to 8:30 p.m.

The President Pro Tempore called upon the Sergeant at Arms of the Senate and the Sergeant at Arms of the House to escort First Lady Trudi Inslee, the Statewide Elected Officials and the Justices of the Supreme Court from the Senate Chamber.

The honored guest and elected officials retired from the chamber.

The President Pro Tempore called upon the Sergeant at Arms of the Senate and the Sergeant at Arms of the House to escort Deputy Speaker Pro Tempore Tina Orwall and the members of the House of Representatives from the Senate Chamber.

The Deputy Speaker and members of the House retired from the chamber.

 NOON SESSION

MOTION

At 11:50 a.m., on motion of Senator Liias, the Senate adjourned until 12:00 o'clock noon Thursday, March 21, 2019.

KAREN KEISER, President Pro Tempore of the Senate

BRAD HENDRICKSON, Secretary of the Senate

SIXTY SEVENTH DAY

NOON SESSION

Senate Chamber, Olympia
Thursday, March 21, 2019

The Senate was called to order at 12:01 p.m. by the President of the Senate, Lt. Governor Habib presiding. No roll call was taken.

The President called upon the Secretary to read the journal of the preceding day.

MOTION

On motion of Senator Lias, the reading of the Journal of the previous day was dispensed with and it was approved.

There being no objection, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

March 20, 2019
HB 1020 Prime Sponsor, Representative Eslick: Modifying the qualifications of members composing the county road administration board. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Cleveland; Das; Fortunato; Lovelett; Nguyen; O'Ban; Padden; Randall; Takko; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

March 20, 2019
SHB 1023 Prime Sponsor, Committee on Health Care & Wellness: Allowing certain adult family homes to increase capacity to eight beds. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: Do pass as amended. Signed by Senators Randall, Vice Chair; O'Ban, Ranking Member; Bailey; Conway; Frockt; Keiser; Van De Wege and Becker.

Referred to Committee on Rules for second reading.

March 20, 2019
2SHB 1039 Prime Sponsor, Committee on Appropriations: Concerning opioid overdose medication at kindergarten through twelfth grade schools and higher education institutions. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: Do pass as amended. Signed by Senators Van De Wege; Keiser; Frockt; Conway; Bailey; O'Ban, Ranking Member Cleveland, Chair.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Becker.

Referred to Committee on Ways & Means.

March 20, 2019
EHB 1058 Prime Sponsor, Representative Irwin: Establishing permissible methods of parking a motorcycle. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Saldaña, Vice Chair; King, Ranking Member; Cleveland; Das; Fortunato; Lovelett; Nguyen; O'Ban; Padden; Randall; Takko; Wilson, C.; Zeiger Hobbs, Chair.

Referred to Committee on Rules for second reading.

March 20, 2019
ESHB 1099 Prime Sponsor, Committee on Health Care & Wellness: Providing notice about network adequacy to consumers. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: Do pass. Signed by Senators Cleveland, Chair; Randall, Vice Chair; O'Ban, Ranking Member; Bailey; Conway; Keiser; Frockt and Van De Wege.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Becker.

Referred to Committee on Rules for second reading.

March 20, 2019
SHB 1116 Prime Sponsor, Committee on Transportation: Addressing motorcycle safety. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Wilson, C.; Takko; Randall; Nguyen; Lovelett; Fortunato; Das; Cleveland; King, Ranking Member; Saldaña, Vice Chair; Hobbs, Chair; Padden and Zeiger.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator O'Ban.

Referred to Committee on Rules for second reading.

March 20, 2019
ESHB 1130 Prime Sponsor, Committee on Education: Addressing language access in public schools. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; McCoy; Mullet; Padden; Pedersen; Salomon; Wagoner and Hunt.

Referred to Committee on Ways & Means.

March 20, 2019
HB 1147 Prime Sponsor, Representative Chapman: Concerning access of broadcasters to a geographic area subject to the

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declaration of a national, state, or local emergency. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Hunt, Chair; Kuderer, Vice Chair; Zeiger, Ranking Member; Bailey; Hasegawa; Hawkins and Takko.

Referred to Committee on Rules for second reading.

March 20, 2019

HB 1177 Prime Sponsor, Representative Stonier: Creating the dental laboratory registry within the department of health and establishing minimum standards for dental laboratories serving dentists in Washington state. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: Do pass. Signed by Senators Van De Wege; Keiser; Frockt; Conway; Bailey; O'Ban, Ranking Member; Randall, Vice Chair Cleveland, Chair.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Becker.

Referred to Committee on Rules for second reading.

March 20, 2019

SHB 1189 Prime Sponsor, Committee on Transportation: Concerning ferry system performance measures. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Zeiger; Wilson, C.; Takko; Randall; O'Ban; Nguyen; Das; Cleveland; King, Ranking Member; Saldaña, Vice Chair Hobbs, Chair.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Fortunato; Padden and Lovelett.

Referred to Committee on Rules for second reading.

March 20, 2019

SHB 1199 Prime Sponsor, Committee on Appropriations: Concerning health care for working individuals with disabilities. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: Do pass. Signed by Senators Cleveland, Chair; Randall, Vice Chair; O'Ban, Ranking Member; Bailey; Conway; Frockt; Keiser; Van De Wege and Becker.

Referred to Committee on Ways & Means.

March 20, 2019

SHB 1239 Prime Sponsor, Committee on Health Care & Wellness: Protecting the confidentiality of health care quality and peer review discussions to support effective patient safety. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: Do pass. Signed by Senators Van De Wege; Keiser; Frockt; Conway; Bailey; O'Ban, Ranking Member; Randall, Vice Chair; Cleveland, Chair and Becker.

Referred to Committee on Rules for second reading.

March 20, 2019

SHB 1254 Prime Sponsor, Committee on Transportation: Clarifying the authority of unregistered vehicles shipped as marine cargo through public ports to operate on public roadways. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators King, Ranking Member; Cleveland; Das; Fortunato; Lovelett; Nguyen; O'Ban; Padden; Takko; Wilson, C.; Zeiger; Hobbs, Chair Saldaña, Vice Chair.

Referred to Committee on Rules for second reading.

March 20, 2019

SHB 1264 Prime Sponsor, Committee on Appropriations: Concerning secondary traumatic stress in public school staff. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wagoner; Salomon; McCoy; Hunt; Hawkins, Ranking Member; Wilson, C., Vice Chair Wellman, Chair.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Padden and Mullet.

MINORITY recommendation: Do not pass. Signed by Senator Pedersen.

Referred to Committee on Ways & Means.

March 19, 2019

HB 1301 Prime Sponsor, Representative Kirby: Exempting certain leasehold interests in arenas with a seating capacity of more than two thousand from the leasehold excise tax. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Van De Wege; Darneille; Lias; Warnick; Keiser; Conway; Billig; Becker; Bailey; Honeyford, Assistant Ranking Member, Capital; Brown, Assistant Ranking Member, Operating; Mullet, Capital Budget Cabinet; Frockt, Vice Chair, Operating, Capital Lead and Hunt.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Wagoner; Palumbo; Hasegawa and Carlyle.

MINORITY recommendation: Do not pass. Signed by Senators Pedersen and Schoesler.

Referred to Committee on Rules for second reading.

March 20, 2019

2SHB 1303 Prime Sponsor, Committee on Appropriations: Improving access and completion for students at institutions of higher education, especially at community and technical colleges, by removing restrictions on subsidized child care. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hawkins,

Ranking Member; Hunt; McCoy; Mullet; Pedersen; Salomon and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Padden.

Referred to Committee on Ways & Means.

March 20, 2019

HB 1375 Prime Sponsor, Representative Wylie: Applying campaign contribution limits to candidates for all port districts. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Takko; Hawkins; Hasegawa; Bailey; Zeiger, Ranking Member; Kuderer, Vice Chair Hunt, Chair.

Referred to Committee on Rules for second reading.

March 20, 2019

E2SHB 1391 Prime Sponsor, Committee on Appropriations: Implementing improvements to the early achievers program as reviewed and recommended by the joint select committee on the early achievers program. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass as amended. Signed by Senators Wagoner; Salomon; Pedersen; Mullet; McCoy; Hunt; Hawkins, Ranking Member; Wilson, C., Vice Chair Wellman, Chair.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Padden.

Referred to Committee on Ways & Means.

March 20, 2019

HB 1412 Prime Sponsor, Representative Thai: Concerning nonresident pharmacies. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: Do pass. Signed by Senators Cleveland, Chair; Randall, Vice Chair; O'Ban, Ranking Member; Bailey; Conway; Frockt; Keiser; Van De Wege and Becker.

Referred to Committee on Rules for second reading.

March 20, 2019

HB 1449 Prime Sponsor, Representative Peterson: Recognizing the fourth Saturday of September as public lands day. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Hunt, Chair; Kuderer, Vice Chair; Zeiger, Ranking Member; Bailey; Hasegawa; Hawkins and Takko.

Referred to Committee on Rules for second reading.

March 20, 2019

2SHB 1497 Prime Sponsor, Committee on Appropriations: Concerning foundational public health services. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: Do pass. Signed by Senators Van De Wege; Keiser; Frockt; Conway; O'Ban, Ranking Member; Randall, Vice Chair Cleveland, Chair.

MINORITY recommendation: Do not pass. Signed by Senators Bailey and Becker.

Referred to Committee on Rules for second reading.

March 20, 2019

EHB 1564 Prime Sponsor, Representative Macri: Concerning the nursing facility medicaid payment system. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: Do pass. Signed by Senators Cleveland, Chair; Randall, Vice Chair; O'Ban, Ranking Member; Conway; Frockt; Keiser and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Senator Bailey.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Becker.

Referred to Committee on Ways & Means.

March 20, 2019

SHB 1577 Prime Sponsor, Committee on Education: Concerning K-12 computer science education data. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Hunt; McCoy; Mullet; Pedersen; Salomon; Wagoner and Padden.

Referred to Committee on Rules for second reading.

March 20, 2019

EHB 1584 Prime Sponsor, Representative Riccelli: Restricting the availability of state funds to regional transportation planning organizations that do not provide a reasonable opportunity for voting membership to certain federally recognized tribes. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Wilson, C.; Takko; Randall; Nguyen; Lovelett; Das; Cleveland; Saldaña, Vice Chair Hobbs, Chair.

MINORITY recommendation: Do not pass. Signed by Senators O'Ban; Fortunato; King, Ranking Member and Padden.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Zeiger.

Referred to Committee on Rules for second reading.

March 20, 2019

ESHB 1643 Prime Sponsor, Committee on State Government & Tribal Relations: Concerning property ownership for participants in the address confidentiality program. Reported by Committee on State Government, Tribal Relations & Elections

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MAJORITY recommendation: Do pass. Signed by Senators Takko; Hawkins; Hasegawa; Bailey; Zeiger, Ranking Member; Kuderer, Vice Chair Hunt, Chair.

MAJORITY recommendation: Do pass. Signed by Senators Randall; Padden; O'Ban; Lovelett; Fortunato; Cleveland; King, Ranking Member; Saldaña, Vice Chair; Hobbs, Chair; Wilson, C.; Takko and Zeiger.

Referred to Committee on Rules for second reading.

Referred to Committee on Rules for second reading.

March 20, 2019

March 20, 2019

HB 1647 Prime Sponsor, Representative Chapman: Concerning mandatory rest periods for pilots. Reported by Committee on Transportation

SHJM 4007 Prime Sponsor, Committee on Transportation: Designating the bridge over the Skookumchuck river on state route number 507 as the Regina Clark memorial bridge. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators O'Ban; Nguyen; Lovelett; Fortunato; Das; Cleveland; King, Ranking Member; Saldaña, Vice Chair; Hobbs, Chair; Zeiger; Takko; Padden and Wilson, C.

MAJORITY recommendation: Do pass. Signed by Senators Hobbs, Chair; King, Ranking Member; Cleveland; Fortunato; Lovelett; Nguyen; O'Ban; Padden; Randall; Takko; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Saldaña, Vice Chair.

Referred to Committee on Rules for second reading.

March 20, 2019

2SHB 1713 Prime Sponsor, Committee on Appropriations: Improving law enforcement response to missing and murdered Native American women. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Hunt, Chair; Kuderer, Vice Chair; Zeiger, Ranking Member; Bailey; Hasegawa; Hawkins and Takko.

MOTIONS

On motion of Senator Liias, all measures listed on the Standing Committee report were referred to the committees as designated.

Referred to Committee on Ways & Means.

On motion of Senator Liias, the Senate advanced to the fifth order of business.

March 20, 2019

SHB 1870 Prime Sponsor, Committee on Health Care & Wellness: Making state law consistent with selected federal consumer protections in the patient protection and affordable care act. Reported by Committee on Health & Long Term Care

INTRODUCTION AND FIRST READING

SB 5990 by Senator Rolfes

AN ACT Relating to creating the safety net assessment to fund services for people with developmental disabilities; amending RCW 82.16.010 and 82.16.020; adding a new section to chapter 71A.12 RCW; creating a new section; providing a contingent expiration date; and declaring an emergency.

MAJORITY recommendation: Do pass as amended. Signed by Senators Van De Wege; Frockt; Conway; Bailey; Randall, Vice Chair; Cleveland, Chair and Keiser.

Referred to Committee on Ways & Means.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators O'Ban, Ranking Member and Becker.

SB 5991 by Senator Rolfes

AN ACT Relating to increasing funding for education by establishing a graduated real estate excise tax; amending RCW 82.45.060; providing an effective date; and declaring an emergency.

Referred to Committee on Rules for second reading.

Referred to Committee on Ways & Means.

March 20, 2019

HB 1901 Prime Sponsor, Representative Lovick: Clarifying the exemption from safety belt use for physical or medical reasons. Reported by Committee on Transportation

MOTIONS

MAJORITY recommendation: Do pass. Signed by Senators King, Ranking Member; Cleveland; Das; Fortunato; Lovelett; Nguyen; O'Ban; Padden; Takko; Wilson, C.; Zeiger; Hobbs, Chair Saldaña, Vice Chair.

On motion of Senator Liias, all measures listed on the Introduction and First Reading report were referred to the committees as designated.

Referred to Committee on Rules for second reading.

At 12:03 p.m., on motion of Senator Liias, the Senate adjourned until 10:00 o'clock a.m. Friday, March 22, 2019.

March 20, 2019

ESHB 1994 Prime Sponsor, Committee on Transportation: Facilitating transportation projects of statewide significance. Reported by Committee on Transportation

CYRUS HABIB, President of the Senate

BRAD HENDRICKSON, Secretary of the Senate

SIXTY EIGHTH DAY

MORNING SESSION

Senate Chamber, Olympia
Friday, March 22, 2019

The Senate was called to order at 10:04 a.m. by the President of the Senate, Lt. Governor Habib presiding. No roll call was taken.

The President called upon the Secretary to read the journal of the preceding day.

MOTIONS

On motion of Senator Kuderer, the reading of the Journal of the previous day was dispensed with and it was approved.

On motion of Senator Kuderer, the Senate advanced to the eighth order of business.

MOTION

Senator Kuderer moved adoption of the following resolution:

SENATE RESOLUTION
8633

By Senators Kuderer and Billig

WHEREAS, The Persian New Year, or Nowruz, originated in ancient Persia more than 3,000 years ago and is celebrated annually on the spring equinox, which this year fell on March 20th; and

WHEREAS, Nowruz is celebrated by nearly 300 million people across the globe of different faiths and diverse communities, and by more than 1 million Americans, including tens of thousands in Washington state; and

WHEREAS, In this time where mistrust and fear often threaten to divide us, the spirit of Nowruz inspires us to realize our commonalities and strive for new levels of compassion, understanding, and love for our fellow human beings irrespective of religion or ethnicity; and

WHEREAS, Iranian-Americans have made and continue to make noteworthy and lasting contributions to Washington state through their leadership in business, government, higher education, medicine, military service, and many other arenas; and

WHEREAS, Nowruz presents a fitting opportunity to recognize these contributions; and

WHEREAS, Nowruz is a time for all of us to come together and celebrate the universal values of generosity, compassion, and selflessness;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate celebrate the honored holiday of Nowruz; recognize the historical and cultural significance thereof; and wish a happy and prosperous new year to all.

Senator Kuderer spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8633.

The motion by Senator Kuderer carried and the resolution was adopted by voice vote.

The President announced a reception immediately after adjournment in the Senate Rules Room to which all were invited to see, among other things, a display of the Haft-sin and enjoy Persian music and food to commemorate the New Year.

MOTION

At 10:10 a.m., on motion of Senator Kuderer, the Senate was declared to be at ease subject to the call of the President.

NOON SESSION

The Senate was called to order at 12:02 p.m. by President Habib.

MOTION

On motion of Senator Liias, the Senate reverted to the first order of business.

REPORTS OF STANDING COMMITTEES

March 21, 2019

HB 1070 Prime Sponsor, Representative Mosbrucker: Concerning the tax treatment of renewable natural gas. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: Do pass. Signed by Senators Short; Hobbs; Brown; Sheldon, Assistant Ranking Member, Energy & Technology; Fortunato, Assistant Ranking Member, Environment; Wellman; Nguyen; McCoy; Liias; Das; Billig; Palumbo, Vice Chair Carlyle, Chair.

Referred to Committee on Ways & Means.

March 21, 2019

SHB 1091 Prime Sponsor, Committee on Civil Rights & Judiciary: Making technical corrections and removing obsolete language from the Revised Code of Washington pursuant to RCW 1.08.025. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; Kuderer and Salomon.

Referred to Committee on Rules for second reading.

March 21, 2019

E2SHB 1110 Prime Sponsor, Committee on Appropriations: Reducing the greenhouse gas emissions associated with transportation fuels. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: Do pass as amended. Signed by Senators Carlyle, Chair; Palumbo, Vice Chair; Billig; Das; Liias; McCoy; Nguyen and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Sheldon, Assistant Ranking Member, Energy & Technology.

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MINORITY recommendation: Do not pass. Signed by Senators Fortunato, Assistant Ranking Member, Environment; Brown and Short.

Referred to Committee on Transportation.

March 21, 2019

EHB 1126 Prime Sponsor, Representative Morris: Enabling electric utilities to prepare for the distributed energy future. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: Do pass. Signed by Senators Carlyle, Chair; Fortunato, Assistant Ranking Member, Environment; Sheldon, Assistant Ranking Member, Energy & Technology; Billig; Brown; Das; Hobbs; Liias; McCoy; Nguyen; Short and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Palumbo, Vice Chair.

Referred to Committee on Rules for second reading.

March 21, 2019

HB 1149 Prime Sponsor, Representative Jinkins: Clarifying requirements to obtain a sexual assault protection order. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Salomon; Kuderer; Padden, Ranking Member; Dhingra, Vice Chair Pedersen, Chair.

Referred to Committee on Rules for second reading.

March 21, 2019

2SHB 1166 Prime Sponsor, Committee on Appropriations: Supporting sexual assault survivors. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; Kuderer and Salomon.

Referred to Committee on Ways & Means.

March 21, 2019

EHB 1169 Prime Sponsor, Representative Peterson: Clarifying reimbursement for certain clean-up or removal actions by fire protection jurisdictions. Reported by Committee on Local Government

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Salomon, Vice Chair; Short, Ranking Member and Honeyford.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Lovelett.

Referred to Committee on Financial Institutions, Economic Development & Trade.

March 21, 2019

SHB 1290 Prime Sponsor, Committee on Environment & Energy: Concerning reviews of voluntary cleanups. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: Do pass. Signed by Senators Wellman; Short; Nguyen; McCoy; Liias; Hobbs; Das; Brown; Billig; Sheldon, Assistant Ranking Member, Energy & Technology; Fortunato, Assistant Ranking Member, Environment; Palumbo, Vice Chair Carlyle, Chair.

Referred to Committee on Ways & Means.

March 21, 2019

ESHB 1329 Prime Sponsor, Committee on Civil Rights & Judiciary: Concerning methods of services provided by the office of public guardianship. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Salomon; Kuderer; Dhingra, Vice Chair Pedersen, Chair.

MINORITY recommendation: Do not pass. Signed by Senator Padden, Ranking Member.

Referred to Committee on Rules for second reading.

March 21, 2019

SHB 1356 Prime Sponsor, Committee on Civil Rights & Judiciary: Concerning privileged communication with peer support group counselors. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; Kuderer and Salomon.

Referred to Committee on Rules for second reading.

March 21, 2019

HB 1380 Prime Sponsor, Representative Pellicciotti: Providing an aggravating circumstance for assault against a utility worker. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Kuderer; Padden, Ranking Member; Dhingra, Vice Chair; Pedersen, Chair and Salomon.

Referred to Committee on Rules for second reading.

March 21, 2019

SHB 1476 Prime Sponsor, Committee on Consumer Protection & Business: Concerning contracts for dogs and cats. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Braun; Saldaña and Walsh.

Referred to Committee on Financial Institutions, Economic Development & Trade.

March 21, 2019

HB 1499 Prime Sponsor, Representative Jenkin: Concerning certain public facilities district's authorization to acquire, construct, own, remodel, maintain, equip, reequip, repair, finance, and operate one or more recreational facilities other than a ski

area with voter approval. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Senators Lovelett; Short, Ranking Member; Salomon, Vice Chair Takko, Chair.

MINORITY recommendation: Do not pass. Signed by Senator Honeyford.

Referred to Committee on Rules for second reading.

March 21, 2019

SHB 1512 Prime Sponsor, Committee on Environment & Energy: Concerning the electrification of transportation. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: Do pass. Signed by Senators Carlyle, Chair; Palumbo, Vice Chair; Sheldon, Assistant Ranking Member, Energy & Technology; Billig; Brown; Das; Hobbs; Lias; McCoy; Nguyen; Short and Wellman.

MINORITY recommendation: Do not pass. Signed by Senator Fortunato, Assistant Ranking Member, Environment.

Referred to Committee on Rules for second reading.

March 21, 2019

E2SHB 1517 Prime Sponsor, Committee on Appropriations: Concerning domestic violence. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass as amended. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; Kuderer and Salomon.

Referred to Committee on Ways & Means.

March 21, 2019

SHB 1531 Prime Sponsor, Committee on Civil Rights & Judiciary: Concerning medical debt. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Kuderer; Padden, Ranking Member; Dhingra, Vice Chair; Pedersen, Chair and Salomon.

Referred to Committee on Rules for second reading.

March 21, 2019

SHB 1532 Prime Sponsor, Committee on Public Safety: Concerning traumatic brain injuries in domestic violence cases. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; Kuderer and Salomon.

Referred to Committee on Rules for second reading.

March 21, 2019

ESHB 1565 Prime Sponsor, Committee on Health Care & Wellness: Concerning certain providers sharing background checks. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: Do pass as amended. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; Cleveland; O'Ban; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

March 21, 2019

SHB 1587 Prime Sponsor, Committee on Appropriations: Increasing access to fruits and vegetables for individuals with limited incomes. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: Do pass. Signed by Senators Zeiger; Wilson, C.; O'Ban; Cleveland; Walsh, Ranking Member; Nguyen, Vice Chair Darneille, Chair.

Referred to Committee on Ways & Means.

March 21, 2019

SHB 1602 Prime Sponsor, Committee on Civil Rights & Judiciary: Concerning consumer debt. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass as amended. Signed by Senators Salomon; Kuderer; Dhingra, Vice Chair Pedersen, Chair.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Padden, Ranking Member.

Referred to Committee on Rules for second reading.

March 21, 2019

2SHB 1603 Prime Sponsor, Committee on Appropriations: Revising economic assistance programs by updating standards of need, revising outcome measures and data collected, and reducing barriers to participation. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: Do pass as amended. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; Cleveland and Wilson, C.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators O'Ban and Zeiger.

Referred to Committee on Ways & Means.

March 21, 2019

SHB 1605 Prime Sponsor, Committee on Human Services & Early Learning: Requiring traumatic brain injury screenings for children entering the foster care system. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: Do pass. Signed by Senators Zeiger; Wilson, C.; O'Ban; Cleveland; Walsh, Ranking Member; Nguyen, Vice Chair Darneille, Chair.

Referred to Committee on Ways & Means.

March 21, 2019

HB 1730 Prime Sponsor, Representative Walen: Concerning the effect of payment or acknowledgment made after the expiration

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of a limitations period. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass as amended. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; Kuderer and Salomon.

Referred to Committee on Rules for second reading.

March 21, 2019

HB 1829 Prime Sponsor, Representative Chapman: Concerning veterans' assistance levies. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Senators Lovelett; Honeyford; Short, Ranking Member; Salomon, Vice Chair Takko, Chair.

Referred to Committee on Ways & Means.

March 21, 2019

SHB 1847 Prime Sponsor, Committee on Local Government: Addressing aircraft noise abatement. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Senators Takko, Chair; Salomon, Vice Chair and Lovelett.

MINORITY recommendation: Do not pass. Signed by Senators Short, Ranking Member and Honeyford.

Referred to Committee on Rules for second reading.

March 21, 2019

HB 1900 Prime Sponsor, Representative Callan: Maximizing federal funding for prevention and family services and programs. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: Do pass as amended. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; Cleveland; O'Ban; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

March 21, 2019

SHB 1919 Prime Sponsor, Committee on Public Safety: Preventing and responding to animal abuse. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass as amended. Signed by Senators Padden, Ranking Member; Dhingra, Vice Chair; Pedersen, Chair; Salomon and Kuderer.

Referred to Committee on Rules for second reading.

March 21, 2019

SHB 1949 Prime Sponsor, Committee on Civil Rights & Judiciary: Conducting a feasibility study to examine and make recommendations regarding the establishment of a single point of contact firearm background check system. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; Kuderer and Salomon.

Referred to Committee on Rules for second reading.

March 21, 2019

SHB 2049 Prime Sponsor, Committee on Rural Development, Agriculture, & Natural Resources: Concerning commercial egg layer operations. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: Do pass as amended. Signed by Senators Van De Wege, Chair; Salomon, Vice Chair; Warnick, Ranking Member; McCoy; Rolfes and Short.

MINORITY recommendation: Do not pass. Signed by Senator Honeyford.

Referred to Committee on Rules for second reading.

March 21, 2019

SGA 9034 GUADALUPE GAMBOA, appointed on April 12, 2016, for the term ending June 17, 2019, as Member of the Human Rights Commission. Reported by Committee on Law & Justice

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Padden, Ranking Member; Dhingra, Vice Chair; Pedersen, Chair; Salomon and Kuderer.

Referred to Committee on Rules for second reading.

March 21, 2019

SGA 9073 TONY F. GOLIK, appointed on March 17, 2017, for the term ending August 2, 2019, as Member of the Sentencing Guidelines Commission. Reported by Committee on Law & Justice

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; Kuderer and Salomon.

Referred to Committee on Rules for second reading.

March 21, 2019

SGA 9085 LORETTA S. DEKAY, reappointed on June 22, 2017, for the term ending June 12, 2021, as Member of the Columbia River Gorge Commission. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Van De Wege, Chair; Salomon, Vice Chair; Warnick, Ranking Member; Honeyford; McCoy; Rolfes and Short.

Referred to Committee on Rules for second reading.

March 21, 2019

SGA 9094 MICHAEL J. FENTON, appointed on August 28, 2017, for the term ending August 2, 2019, as Member of the Sentencing Guidelines Commission. Reported by Committee on Law & Justice

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Padden, Ranking Member; Dhingra, Vice Chair; Pedersen, Chair; Salomon and Kuderer.

Referred to Committee on Rules for second reading.

March 21, 2019

SGA 9096 PHILLIP R. LEMLEY, reappointed on August 29, 2017, for the term ending August 2, 2020, as Member of the Sentencing Guidelines Commission. Reported by Committee on Law & Justice

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; Kuderer and Salomon.

Referred to Committee on Rules for second reading.

March 21, 2019

SGA 9100 CHARLENE D. STRONG, reappointed on September 11, 2017, for the term ending June 17, 2022, as Member of the Human Rights Commission. Reported by Committee on Law & Justice

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Padden, Ranking Member; Dhingra, Vice Chair; Pedersen, Chair; Salomon and Kuderer.

Referred to Committee on Rules for second reading.

March 21, 2019

SGA 9142 DIANA H. PEREZ, appointed on January 22, 2018, for the term ending December 31, 2020, as Member of the Parks and Recreation Commission. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Short; Rolfes; McCoy; Honeyford; Warnick, Ranking Member; Salomon, Vice Chair Van De Wege, Chair.

Referred to Committee on Rules for second reading.

March 21, 2019

SGA 9208 TIM G. WETTACK, reappointed on August 22, 2018, for the term ending August 2, 2021, as Member of the Sentencing Guidelines Commission. Reported by Committee on Law & Justice

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; Kuderer and Salomon.

Referred to Committee on Rules for second reading.

March 21, 2019

SGA 9258 KENNETH BOUNDS, reappointed on December 3, 2018, for the term ending December 31, 2024, as Member of the Parks and Recreation Commission. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Van De Wege, Chair;

Salomon, Vice Chair; Warnick, Ranking Member; Honeyford; McCoy; Rolfes and Short.

Referred to Committee on Rules for second reading.

March 21, 2019

SGA 9272 CHRIS G. ENDRESEN SCOTT, appointed on January 16, 2019, for the term ending July 15, 2022, as Member of the Salmon Recovery Funding Board. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Short; Rolfes; McCoy; Honeyford; Warnick, Ranking Member; Salomon, Vice Chair Van De Wege, Chair.

Referred to Committee on Rules for second reading.

MOTIONS

On motion of Senator Liias, all measures listed on the Standing Committee report were referred to the committees as designated.

On motion of Senator Liias, the Senate advanced to the third order of business.

MESSAGES FROM THE GOVERNOR GUBERNATORIAL APPOINTMENTS

March 14, 2019

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

SUSANA REYES, appointed March 15, 2019, for the term ending January 12, 2022, as Member of the State Board of Education.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Early Learning & K-12 Education as Senate Gubernatorial Appointment No. 9283.

March 21, 2019

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

KENNETH J. PEDERSEN, appointed March 21, 2019, for the term ending September 8, 2023, as Member of the Public Employment Relations Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Labor & Commerce as Senate Gubernatorial Appointment No. 9284.

MOTIONS

On motion of Senator Liias, all appointees listed on the Gubernatorial Appointments report were referred to the committees as designated.

On motion of Senator Liias, the Senate advanced to the eighth order of business.

MOTION

Senator Wagoner moved adoption of the following resolution:

SENATE RESOLUTION
8628

By Senators Wagoner, Bailey, Honeyford, Sheldon, Ericksen, Hobbs, Saldaña, Carlyle, Hawkins, Pedersen, Liias, Kuderer, Wilson, C., McCoy, Das, Takko, Salomon, Lovelett, Van De Wege, King, Nguyen, Randall, Hasegawa, Holy, Brown, Walsh, Wilson, L., Cleveland, Darneille, Keiser, Frockt, Hunt, Wellman, Mullet, Zeiger, Becker, and Warnick

WHEREAS, The Washington state Senate remembers and honors the five-year anniversary of the deadly landslide in Oso, Washington, on March 22, 2014; and

WHEREAS, The town of Oso and the surrounding community demonstrated extraordinary valiance and resiliency in the wake of tragedy when the deadliest landslide in United States history hit their community; and

WHEREAS, The destructive landslide hit the community of Steelhead Haven, taking the lives of forty-three, including fifteen active or retired veterans and seven children, and gravely injured four; and

WHEREAS, The names of the forty-three lives lost are: Alan Bejvl, Delaney Webb, Marcy Satterlee, Thom Satterlee, Shelley Bellomo, Jerry Logan, Julie Farnes, Adam Farnes, Gloria Halstead, Jerry Halstead, Steve Harris, Theresa Harris, Christina Jefferds, Sanoah Huestis, Larry Miller, Sandy Miller, John Regelbrugge III, Kris Regelbrugge, Katie Ruthven, Shane Ruthven, Wyatt Ruthven, Hunter Ruthven, JuDee Vandenburg, Lou Vandenburg, Billy Spillers, Kaylee Spillers, Brooke Spillers, Jovon Mangual, Ron deQuillettes, Tom Durnell, Bonnie Gullikson, Mark Gustafson, Steve Hadaway, Denver Harris, Amanda Lennick, Linda McPherson, Joseph Miller, Stephen Neal, Michael Pearson, Summer Raffo, Lon Slauson, Brandy Ward, and William Welsh; and

WHEREAS, The force of the landslide deposited debris up to seventy-five feet deep over an area of approximately one square mile and caused lasting changes to the path of the North Fork Stillaguamish river; and

WHEREAS, The immediate impacts of the slide were devastatingly overwhelming, yet more than one hundred first responders from Snohomish and Skagit counties worked alongside the Oso neighbors to pull eight people from the debris, with seven surviving the event; and

WHEREAS, In the days following, eight hundred more responders from local, state, federal, and tribal responders joined the citizens of Oso, Darrington, Arlington, and the Sauk-Suiattle Tribe to work through cold, rain, and quicksand-like mud for one hundred twenty-three days to aid in the recovery of all forty-three bodies so that each family could have peace; and

WHEREAS, The town of Oso and the greater Stillaguamish river valley community is grateful to the first responders who sacrificed their own personal safety and time to search for survivors; and

WHEREAS, The Oso community persevered through heartache and disaster in the months that followed, giving birth to the phrase "Oso Strong," a feeling, belief, and reminder that remains present along the stretch of Highway 530 running through town; and

WHEREAS, The Washington state transportation commission renamed this twenty-three mile stretch of road the "Oso Slide Memorial Highway"; and

WHEREAS, The unwavering acts of all the responders were recognized in 2015, when the governor awarded the Washington medal of valor to the four communities of Oso, Arlington, Darrington, and the Sauk-Suiattle Tribe, and these communities continue to be recognized today by the families of the victims and survivors;

NOW, THEREFORE, BE IT RESOLVED, That the Senate honor the memory of the lives lost, the families of the lost victims, the survivors of the Oso Slide, and the community response, and commend the steadfast spirit of the responders who helped the community recover.

Senators Wagoner, Liias and Hasegawa spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8628.

The motion by Senator Wagoner carried and the resolution was adopted by voice vote.

MOTION

Senator Cleveland moved adoption of the following resolution:

SENATE RESOLUTION
8631

By Senator Cleveland

WHEREAS, The nation's long-proposed Equal Rights Amendment promises that "equality of rights under the law shall not be denied or abridged by the United States or by any State on account of sex" and was first introduced in Congress in 1923 and filed every session thereafter from 1923 to 1972; and

WHEREAS, The Equal Rights Amendment was finally approved by Congress in 1972 and sent to the states for ratification with a 7-year deadline; and

WHEREAS, Washington has historically been a leader among states in providing equality for all its citizens and in 1972 passed its own equal rights amendment to the Washington state Constitution, prohibiting discrimination on the basis of sex, and then in March of 1973 became the 30th state to ratify the federal Equal Rights Amendment; and

WHEREAS, In 1978 Congress extended the original ratification deadline for three more years and 35 of the needed 38 states ratified the proposed amendment before the deadline; and

WHEREAS, Nevada and Illinois ratified the proposed amendment after the deadline, raising the total number of states to 37 while Virginia continues to consider ratification; and

WHEREAS, After a 38th state votes for ratification, the ERA can be referred back to Congress where the deadline Congress placed on ratification in the 1970s can be removed, extended or waived; and

WHEREAS, Washington has not wavered from its insistence that the bedrock principles of our democracy — "all are created equal," "liberty and justice for all," "government of the people, by the people, and for the people" — apply equally to men and women, and should apply regardless of how an individual identifies;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate acknowledges the anniversary of the passage of the federal Equal Rights Amendment in 1972 and

reaffirms our state's commitment to freedom from discrimination on the basis of sex.

Senators Cleveland, Darneille and Short spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8631.

The motion by Senator Cleveland carried and the resolution was adopted by voice vote.

MOTION

At 12:29 p.m., on motion of Senator Liias, the Senate adjourned until 12:00 o'clock p.m. Monday, March 25, 2019.

CYRUS HABIB, President of the Senate

BRAD HENDRICKSON, Secretary of the Senate

SEVENTY FIRST DAY

NOON SESSION

Senate Chamber, Olympia
Monday, March 25, 2019

The Senate was called to order at 12:04 p.m. by the President Pro Tempore, Senator Keiser presiding. No roll call was taken.

The President Pro Tempore called upon the Secretary to read the journal of the preceding day

MOTION

On motion of Senator Liias, the reading of the Journal of the previous day was dispensed with and it was approved.

There being no objection, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

March 21, 2019

SB 5549 Prime Sponsor, Senator Liias: Modernizing resident distillery marketing and sales restrictions. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5549 be substituted therefor, and the second substitute bill do pass. Signed by Senators Frockt, Vice Chair, Operating, Capital Lead; Schoesler; Conway; Braun, Ranking Member; Rolfes, Chair; Warnick; Wagoner; Liias; Keiser; Hunt; Billig; Becker; Bailey; Honeyford, Assistant Ranking Member, Capital; Brown, Assistant Ranking Member, Operating; Hasegawa and Pedersen.

MINORITY recommendation: Do not pass. Signed by Senators Darneille and Van De Wege.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Carlyle.

Referred to Committee on Rules for second reading.

March 21, 2019

SB 5643 Prime Sponsor, Senator King: Modifying theater license provisions. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5643 be substituted therefor, and the substitute bill do pass. Signed by Senators Warnick; Frockt, Vice Chair, Operating, Capital Lead; Schoesler; Pedersen; Rolfes, Chair; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Hunt; Keiser; Wagoner Braun, Ranking Member.

MINORITY recommendation: Do not pass. Signed by Senators Carlyle; Van De Wege; Darneille and Conway.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Liias and Hasegawa.

Referred to Committee on Rules for second reading.

March 21, 2019

EHB 1074 Prime Sponsor, Representative Harris: Protecting youth from tobacco products and vapor products by increasing the minimum legal age of sale of tobacco and vapor products. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Carlyle; Pedersen; Hunt; Frockt, Vice Chair, Operating, Capital Lead; Braun, Ranking Member; Bailey; Billig; Conway; Darneille; Keiser; Liias and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Senators Honeyford, Assistant Ranking Member, Capital; Becker; Hasegawa and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Brown, Assistant Ranking Member, Operating; Warnick and Schoesler.

Referred to Committee on Rules for second reading.

March 21, 2019

HB 1137 Prime Sponsor, Representative Leavitt: Concerning national guard pay in state active service for wildland fire response duty. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Wagoner; Schoesler; Warnick; Conway; Van De Wege; Liias; Keiser; Hunt; Hasegawa; Darneille; Billig; Rolfes, Chair; Becker; Bailey; Honeyford, Assistant Ranking Member, Capital; Brown, Assistant Ranking Member, Operating; Braun, Ranking Member; Frockt, Vice Chair, Operating, Capital Lead; Carlyle and Pedersen.

Referred to Committee on Rules for second reading.

March 22, 2019

2SHB 1216 Prime Sponsor, Committee on Appropriations: Concerning nonfirearm measures to increase school safety and student well-being. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Hunt; McCoy; Pedersen; Salomon and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Padden.

Referred to Committee on Ways & Means.

March 22, 2019

2SHB 1272 Prime Sponsor, Committee on Appropriations: Concerning school lunch durations. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Salomon; Pedersen; McCoy; Hunt; Wilson, C., Vice Chair Wellman, Chair.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Wagoner; Padden Hawkins, Ranking Member.

Referred to Committee on Ways & Means.

March 21, 2019

ESHB 1308 Prime Sponsor, Committee on Appropriations: Addressing plan membership default provisions in the public employees' retirement system, the teachers' retirement system, and the school employees' retirement system. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Carlyle; Pedersen; Keiser; Becker; Billig; Conway; Darneille; Hasegawa; Hunt; Liias; Van De Wege; Wagoner Frockt, Vice Chair, Operating, Capital Lead.

MINORITY recommendation: Do not pass. Signed by Senators Bailey; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Warnick and Schoesler.

Referred to Committee on Rules for second reading.

March 21, 2019

HB 1318 Prime Sponsor, Representative Tharinger: Making the public art capital budget language permanent for efficiency. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Carlyle; Warnick; Billig; Frockt, Vice Chair, Operating, Capital Lead; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Conway; Wagoner; Darneille; Hasegawa; Hunt; Keiser; Liias; Van De Wege; Pedersen and Schoesler.

Referred to Committee on Rules for second reading.

March 22, 2019

2SHB 1344 Prime Sponsor, Committee on Appropriations: Concerning child care access. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass as amended. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hunt; McCoy; Pedersen and Salomon.

MINORITY recommendation: Do not pass. Signed by Senators Hawkins, Ranking Member and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Padden.

Referred to Committee on Ways & Means.

March 22, 2019

HB 1349 Prime Sponsor, Representative Schmick: Clarifying the definition of a geriatric behavioral health worker for individuals with a bachelor's or master's degree in social work, behavioral health, or other related areas. Reported by

Committee on Behavioral Health Subcommittee to Health & Long Term Care

MAJORITY recommendation: Do pass. Signed by Senators Dhingra, Chair; Wagoner, Ranking Member; Darneille and Frockt.

Referred to Committee on Rules for second reading.

March 22, 2019

2SHB 1394 Prime Sponsor, Committee on Appropriations: Concerning community facilities needed to ensure a continuum of care for behavioral health patients. Reported by Committee on Behavioral Health Subcommittee to Health & Long Term Care

MAJORITY recommendation: Do pass as amended. Signed by Senators Frockt; Darneille; Wagoner, Ranking Member Dhingra, Chair.

Referred to Committee on Ways & Means.

March 22, 2019

HB 1534 Prime Sponsor, Representative Dufault: Concerning psychiatric payments under medical assistance programs for certain rural hospitals that are not designated as critical access hospitals, do not participate in the certified public expenditure program, have less than fifty acute care beds, and have combined medicare and medicaid inpatient days greater than fifty percent of total days. Reported by Committee on Behavioral Health Subcommittee to Health & Long Term Care

MAJORITY recommendation: Do pass. Signed by Senators Dhingra, Chair; Wagoner, Ranking Member; Darneille and Frockt.

Referred to Committee on Ways & Means.

March 22, 2019

SHB 1545 Prime Sponsor, Committee on State Government & Tribal Relations: Concerning curing ballots to assure that votes are counted. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Hunt, Chair; Kuderer, Vice Chair; Zeiger, Ranking Member; Hasegawa and Takko.

Referred to Committee on Rules for second reading.

March 22, 2019

HB 1604 Prime Sponsor, Representative Stonier: Changing the Washington state center for childhood deafness and hearing loss to the Washington center for deaf and hard of hearing youth. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wagoner; Salomon; Pedersen; Padden; McCoy; Hunt; Hawkins, Ranking Member; Wilson, C., Vice Chair Wellman, Chair.

Referred to Committee on Rules for second reading.

March 22, 2019

SHB 1621 Prime Sponsor, Committee on Education: Concerning basic skills assessments for approved teacher

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preparation programs. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Hunt; McCoy; Padden; Pedersen; Salomon and Wagoner.

Referred to Committee on Rules for second reading.

March 22, 2019

HB 2008 Prime Sponsor, Representative Hudgins: Concerning alternate methods of ballot security. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Takko; Hasegawa; Zeiger, Ranking Member; Kuderer, Vice Chair Hunt, Chair.

Referred to Committee on Rules for second reading.

MOTION

On motion of Senator Liias, all measures listed on the Standing Committee report were referred to the committees as designated.

MOTION

On motion of Senator Liias, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 5992 by Senators Nguyen, Lovelett, Sheldon, Bailey and Hobbs

AN ACT Relating to state ferry funding; and amending RCW 47.60.810 and 47.60.315.

Referred to Committee on Transportation.

MOTION

On motion of Senator Liias, the measure listed on the Introduction and First Reading report was referred to the committee as designated.

MOTION

At 12:06 p.m., on motion of Senator Liias, the Senate adjourned until 12:00 o'clock p.m. Tuesday, March 26, 2019.

KAREN KEISER, President Pro Tempore of the Senate

BRAD HENDRICKSON, Secretary of the Senate

SEVENTY SECOND DAY

NOON SESSION

Senate Chamber, Olympia
Tuesday, March 26, 2019

The Senate was called to order at 12:04 p.m. by the President Pro Tempore of the Senate, Senator Keiser presiding. No roll call was taken.

The President Pro Tempore called upon the Secretary to read the journal of the preceding day.

MOTION

On motion of Senator Liias, the reading of the Journal of the previous day was dispensed with and it was approved.

There being no objection, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

March 25, 2019

SHB 1049 Prime Sponsor, Committee on Civil Rights & Judiciary: Concerning health care provider and health care facility whistleblower protections. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: Do pass. Signed by Senators Cleveland, Chair; Randall, Vice Chair; O'Ban, Ranking Member; Bailey; Becker; Conway; Dhingra; Frockt; Keiser and Van De Wege.

Referred to Committee on Rules for second reading.

March 25, 2019

SHB 1168 Prime Sponsor, Committee on Finance: Concerning sales and use and excise tax exemptions for self-help housing development. Reported by Committee on Housing Stability & Affordability

MAJORITY recommendation: Do pass as amended. Signed by Senators Warnick; Saldaña; Darneille; Zeiger, Ranking Member; Das, Vice Chair Kuderer, Chair.

Referred to Committee on Ways & Means.

March 25, 2019

SHB 1198 Prime Sponsor, Committee on Health Care & Wellness: Requiring health care providers sanctioned for sexual misconduct to notify patients. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: Do pass. Signed by Senators Van De Wege; Keiser; Frockt; Dhingra; Conway; Becker; Bailey; O'Ban, Ranking Member; Randall, Vice Chair Cleveland, Chair.

Referred to Committee on Rules for second reading.

March 25, 2019

EHB 1219 Prime Sponsor, Representative Walen: Providing cities and counties authority to use real estate excise taxes to support affordable housing and homelessness projects. Reported by Committee on Housing Stability & Affordability

MAJORITY recommendation: Do pass. Signed by Senators Kuderer, Chair; Das, Vice Chair; Zeiger, Ranking Member; Darneille; Saldaña and Warnick.

Referred to Committee on Rules for second reading.

March 25, 2019

HB 1432 Prime Sponsor, Representative Cody: Concerning hospital privileges for advanced registered nurse practitioners and physician assistants. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: Do pass. Signed by Senators Cleveland, Chair; Randall, Vice Chair; O'Ban, Ranking Member; Bailey; Becker; Conway; Dhingra; Frockt; Keiser and Van De Wege.

Referred to Committee on Rules for second reading.

March 25, 2019

E2SHB 1599 Prime Sponsor, Committee on Appropriations: Promoting career and college readiness through modified high school graduation requirements. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass as amended. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Holy; Hunt; McCoy; Padden; Solomon and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Pedersen.

Referred to Committee on Ways & Means.

March 25, 2019

HB 1657 Prime Sponsor, Representative Callan: Concerning services provided by the office of homeless youth prevention and protection programs. Reported by Committee on Housing Stability & Affordability

MAJORITY recommendation: Do pass. Signed by Senators Kuderer, Chair; Das, Vice Chair; Zeiger, Ranking Member; Darneille; Saldaña and Warnick.

Referred to Committee on Rules for second reading.

March 25, 2019

HB 1726 Prime Sponsor, Representative Riccelli: Concerning services provided by health care professional students. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: Do pass. Signed by Senators Van De Wege; Keiser; Frockt; Dhingra; Conway;

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Becker; Bailey; O'Ban, Ranking Member; Randall, Vice Chair Cleveland, Chair.

Referred to Committee on Rules for second reading.

March 25, 2019

EHB 1777 Prime Sponsor, Representative Cody: Exempting certain existing ambulatory surgical facilities from certificate of need. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: Do pass. Signed by Senators Cleveland, Chair; Randall, Vice Chair; O'Ban, Ranking Member; Bailey; Becker; Conway; Dhingra; Frockt; Keiser and Van De Wege.

Referred to Committee on Rules for second reading.

March 25, 2019

SHB 1856 Prime Sponsor, Committee on Health Care & Wellness: Prohibiting scleral tattooing. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: Do pass. Signed by Senators Van De Wege; Keiser; Frockt; Dhingra; Conway; Becker; Bailey; O'Ban, Ranking Member; Randall, Vice Chair Cleveland, Chair.

Referred to Committee on Rules for second reading.

March 25, 2019

SHB 1865 Prime Sponsor, Committee on Health Care & Wellness: Regulating the practice of acupuncture and Eastern medicine. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: Do pass. Signed by Senators Cleveland, Chair; Randall, Vice Chair; O'Ban, Ranking Member; Bailey; Becker; Conway; Dhingra; Frockt; Keiser and Van De Wege.

Referred to Committee on Rules for second reading.

March 25, 2019

HB 2110 Prime Sponsor, Representative Ryu: Modifying the definition of affordable workforce housing for the purposes of permitted lodging tax revenue expenditures. Reported by Committee on Housing Stability & Affordability

MAJORITY recommendation: Do pass. Signed by Senators Saldaña; Darneille; Das, Vice Chair Kuderer, Chair.

MINORITY recommendation: Do not pass. Signed by Senators Zeiger, Ranking Member and Warnick.

Referred to Committee on Rules for second reading.

MOTION

On motion of Senator Liias, all measures listed on the Standing Committee report were referred to the committees as designated.

MOTION

On motion of Senator Liias, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 5993 by Senators Frockt, Billig and Liias

AN ACT Relating to reforming the financial structure of the model toxics control program; amending RCW 82.21.010, 82.21.020, 82.21.040, 82.21.030, 70.105D.030, 70.105D.050, 70.75A.060, 70.76.100, 70.95M.080, 70.95M.120, 70.240.050, 70.270.050, 70.285.090, 70.280.050, 70.300.040, 90.71.370, 70.105D.130, and 70.105D.140; adding new sections to chapter 70.105D RCW; creating new sections; repealing RCW 70.105D.170 and 70.105D.070; providing an effective date; and declaring an emergency.

Referred to Committee on Ways & Means.

MOTIONS

On motion of Senator Liias, the measure listed on the Introduction and First Reading report was referred to the committee as designated.

On motion of Senator Liias, the Senate advanced to the eighth order of business.

MOTION

Senator Hawkins moved adoption of the following resolution and read the resolution in full:

SENATE RESOLUTION

8627

By Senator Hawkins

WHEREAS, Washington's apple industry is a major contributor to the economic health of both the state and its people; and

WHEREAS, The Wenatchee Valley is preparing to celebrate the 100th annual Washington State Apple Blossom Festival to take place from April 25th to May 5th; and

WHEREAS, The Apple Blossom Festival, which began as a one day gathering of songs and speeches in Wenatchee's Memorial park, is the oldest major festival in the state, first celebrated in 1919 when Mrs. E. Wagner organized the first Blossom Day; and

WHEREAS, The Apple Blossom Festival celebrates the importance of the apple industry in the Wenatchee Valley; and

WHEREAS, The Apple Blossom Festival recognizes three young women who by their superior and distinctive efforts have exemplified the noble spirit and meaning of the Apple Blossom Festival; and

WHEREAS, These three young women were selected to reign over the Apple Blossom Festival and serve as ambassadors to the outlying communities as princesses and queen; and

WHEREAS, Elizabeth Popoff has been selected to represent her community as a 2019 Apple Blossom Princess, in part for her strong leadership ability and dedication to being an exemplary role model to younger community members, including being a Red Zone leader for the student section of her high school's athletic events, editor-in-chief of her school's yearbook, holding leadership positions in Natural Helpers and Link Leader, and dancing competitively at both the Academy of Dance and Performing Arts and Fabulous Feet Dance studio for fourteen

years, as well as inspiring young dancers as a teacher at Fabulous Feet Dance studio, and serving as an intern at RH2 Engineering for the past two summers, and for her dedication to the community she loves; and

WHEREAS, Olivia Lancaster has been selected to represent her community as a 2019 Apple Blossom Princess, in part for her many academic achievements and dedication to extracurricular activities, including serving as the Senior Drum Major of the Wenatchee Golden Apple Band where she plays three instruments, acting as the treasurer of her school's Honor Society, competing in cross country and track and field, working at Mission Ridge Ski & Board Resort as a ski instructor in the winter, and harvesting cherries in the summer, all of which illustrate her genuine enthusiasm for the community she calls home; and

WHEREAS, Savannah Slife has been selected to represent her community as the 2019 Apple Blossom Queen, in part for her volunteer work and drive to succeed in all that she does, including playing soccer, basketball, competing in DECA, volunteering in many special education programs at her high school, staying involved in Young Life, working at the Worx Kid's Club for 3 years, founding her own nationwide company, Twisted Tomboy, when she was only 11 years old, working to obtain both her high school diploma and her Associates degree from Wenatchee Valley College, and her passion and love for the people of the Wenatchee Valley; and

WHEREAS, These three young women desire to share their proven talents and leadership ambition to serve their community and honor the 100th Anniversary of the Apple Blossom Festival;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate honor the accomplishments of the members of the Apple Blossom Court and join the Wenatchee Valley and the people of the State of Washington in celebrating the Washington State Apple Blossom Festival and honoring the positive impact it has had on the state of Washington for 100 years; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the Senate to Queen Savannah Slife, Princess Olivia Lancaster, Princess Elizabeth Popoff, and the board of directors of the Washington State Apple Blossom Festival.

Senator Hawkins spoke in favor of adoption of the resolution.

The President Pro Tempore declared the question before the Senate to be the adoption of Senate Resolution No. 8627.

The motion by Senator Hawkins carried and the resolution was adopted by voice vote.

INTRODUCTION OF SPECIAL GUESTS

The President Pro Tempore welcomed and introduced members of the Apple Blossom Court; Queen Savannah Slife, Princess Olivia Lancaster and Princess Elizabeth Popoff who were seated in the gallery.

The President Pro Tempore also welcomed and introduced the Apple Blossom Court Chaperones: Ms. Wendy Focht and Ms. Allison Womack who were seated in the gallery.

MOTION

At 12:07 p.m., on motion of Senator Liias, the Senate adjourned until 10:00 o'clock a.m. Wednesday, March 27, 2019.

KAREN KEISER, President Pro Tempore of the Senate

BRAD HENDRICKSON, Secretary of the Senate

SEVENTY THIRD DAY

MORNING SESSION

Senate Chamber, Olympia
Wednesday, March 27, 2019

The Senate was called to order at 10:04 a.m. by the President of the Senate, Lt. Governor Habib presiding. The Secretary called the roll and announced to the President that all senators were present with the exceptions of Senators Sheldon, Walsh and Wilson, L.

The Washington National Guard Joint Color Guard presented the Colors.

First Sergeant Miss Tracey Thurston of the Washington Air National Guard performed the National Anthem.

The prayer was offered by Colonel Don Brewer, Chaplain Washington Army National Guard.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced Major General Bret Daugherty and Colonel Jeff Sabatine, of the Washington National Guard, who were seated at the rostrum.

The President called upon the Secretary to read the journal of the preceding day.

MOTIONS

On motion of Senator Liias, the reading of the Journal of the previous day was dispensed with and it was approved.

On motion of Senator Liias, Senate Rule 20 was suspended for the remainder of the day to allow consideration of additional floor resolutions.

EDITOR'S NOTE: Senate Rule 20 limits consideration of floor resolutions not essential to the operation of the Senate to one per day during regular daily sessions.

MOTION

On motion of Senator Liias, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

March 26, 2019

SHB 1071 Prime Sponsor, Committee on Innovation, Technology & Economic Development: Protecting personal information. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: Do pass as amended. Signed by Senators Hobbs; Das; Brown; Billig; Fortunato, Assistant Ranking Member, Environment; Palumbo, Vice Chair; Carlyle, Chair; Liias; McCoy; Nguyen; Rivers; Short and Wellman.

MINORITY recommendation: Do not pass. Signed by Senator Ericksen, Ranking Member.

Referred to Committee on Ways & Means.

March 26, 2019

HB 1092 Prime Sponsor, Representative Fey: Concerning the compensation of commissioners of certain metropolitan park districts. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Senators Takko, Chair; Salomon, Vice Chair; Short, Ranking Member and Lovelett.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Honeyford.

Referred to Committee on Rules for second reading.

March 26, 2019

E2SHB 1105 Prime Sponsor, Committee on Appropriations: Protecting taxpayers from home foreclosure. Reported by Committee on Local Government

MAJORITY recommendation: Do pass as amended. Signed by Senators Takko, Chair; Salomon, Vice Chair; Short, Ranking Member; Honeyford and Lovelett.

Referred to Committee on Rules for second reading.

March 26, 2019

E2SHB 1112 Prime Sponsor, Committee on Appropriations: Reducing greenhouse gas emissions from hydrofluorocarbons. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: Do pass. Signed by Senators Carlyle, Chair; Palumbo, Vice Chair; Billig; Das; Hobbs; Liias; McCoy; Nguyen; Rivers and Wellman.

MINORITY recommendation: Do not pass. Signed by Senator Short.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Ericksen, Ranking Member Fortunato, Assistant Ranking Member, Environment.

Referred to Committee on Ways & Means.

March 26, 2019

SHB 1148 Prime Sponsor, Committee on Consumer Protection & Business: Concerning architect registration. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Braun; Saldaña; Walsh and Wellman.

Referred to Committee on Rules for second reading.

March 26, 2019

HB 1208 Prime Sponsor, Representative Vick: Concerning public accounting services. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Braun; Saldaña; Walsh and Wellman.

Referred to Committee on Rules for second reading.

March 26, 2019

ESHB 1332 Prime Sponsor, Committee on Environment & Energy: Concerning updating and streamlining energy facility site evaluation council operations. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: Do pass as amended. Signed by Senators Wellman; Nguyen; McCoy; Liias; Hobbs; Das; Billig; Palumbo, Vice Chair Carlyle, Chair.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Fortunato, Assistant Ranking Member, Environment.

MINORITY recommendation: Do not pass. Signed by Senators Ericksen, Ranking Member; Brown and Short.

Referred to Committee on Rules for second reading.

March 26, 2019

HB 1341 Prime Sponsor, Representative Hudgins: Concerning the use of unmanned aerial systems near certain protected marine species. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: Do pass as amended. Signed by Senators Wellman; Rivers; Nguyen; McCoy; Liias; Hobbs; Das; Billig; Palumbo, Vice Chair Carlyle, Chair.

MINORITY recommendation: Do not pass. Signed by Senators Ericksen, Ranking Member and Short.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Fortunato, Assistant Ranking Member, Environment.

Referred to Committee on Rules for second reading.

March 26, 2019

SHB 1360 Prime Sponsor, Committee on Transportation: Concerning abstracts of driving records. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Zeiger; Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Das; Lovelett; Nguyen; O'Ban; Padden; Randall; Takko and Wilson, C.

Referred to Committee on Rules for second reading.

March 26, 2019

HB 1397 Prime Sponsor, Representative Slatter: Encouraging the use of electric or hybrid-electric aircraft for regional air travel. Reported by Committee on Transportation

MAJORITY recommendation: Do pass as amended. Signed by Senators Zeiger; Wilson, C.; Takko; Randall; O'Ban; Nguyen; Lovelett; Das; King, Ranking Member; Saldaña, Vice Chair Hobbs, Chair.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Padden.

Referred to Committee on Rules for second reading.

March 25, 2019

SHB 1406 Prime Sponsor, Committee on Housing, Community Development & Veterans: Encouraging investments in affordable and supportive housing. Reported by Committee on Housing Stability & Affordability

MAJORITY recommendation: Do pass as amended. Signed by Senators Kuderer, Chair; Das, Vice Chair; Zeiger, Ranking Member; Darneille; Saldaña and Warnick.

Referred to Committee on Ways & Means.

March 26, 2019

ESHB 1428 Prime Sponsor, Committee on Environment & Energy: Concerning the disclosure of attributes of electricity products. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: Do pass as amended. Signed by Senators Ericksen, Ranking Member; Fortunato, Assistant Ranking Member, Environment; Billig; Brown; Das; Hobbs; Liias; McCoy; Nguyen; Rivers; Short; Palumbo, Vice Chair; Carlyle, Chair and Wellman.

Referred to Committee on Rules for second reading.

March 26, 2019

2SHB 1444 Prime Sponsor, Committee on Appropriations: Concerning appliance efficiency standards. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: Do pass as amended. Signed by Senators Das; Hobbs; Liias; McCoy; Nguyen; Wellman; Billig Carlyle, Chair.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Fortunato, Assistant Ranking Member, Environment.

MINORITY recommendation: Do not pass. Signed by Senators Ericksen, Ranking Member; Brown; Rivers and Short.

Referred to Committee on Ways & Means.

March 26, 2019

SHB 1469 Prime Sponsor, Committee on Transportation: Modifying provisions relating to approaching emergency or work zones and tow truck operators. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Zeiger; Wilson, C.; Takko; Randall; Padden; O'Ban; Nguyen; Lovelett; Das; King, Ranking Member; Saldaña, Vice Chair Hobbs, Chair.

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Referred to Committee on Rules for second reading.

March 26, 2019

SHB 1480 Prime Sponsor, Committee on Environment & Energy: Streamlining the permitting process for disposing of dredged materials. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: Do pass. Signed by Senators Carlyle, Chair; Palumbo, Vice Chair; Fortunato, Assistant Ranking Member, Environment; Billig; Das; Hobbs; Liias; McCoy; Nguyen; Rivers; Short and Wellman.

MINORITY recommendation: Do not pass. Signed by Senator Ericksen, Ranking Member.

Referred to Committee on Rules for second reading.

March 26, 2019

HB 1486 Prime Sponsor, Representative Mosbrucker: Concerning delegation of inspection duties for factory built housing and commercial structures. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Braun; Saldaña; Walsh and Wellman.

Referred to Committee on Rules for second reading.

March 26, 2019

3SHB 1498 Prime Sponsor, Committee on Appropriations: Expanding affordable, resilient broadband service to enable economic development, public safety, health care, and education in Washington's communities. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: Do pass as amended. Signed by Senators Liias; Hobbs; Das; Brown; Billig; Fortunato, Assistant Ranking Member, Environment; Palumbo, Vice Chair; Carlyle, Chair; McCoy; Nguyen; Rivers; Short and Wellman.

MINORITY recommendation: Do not pass. Signed by Senator Ericksen, Ranking Member.

Referred to Committee on Ways & Means.

March 26, 2019

ESHB 1510 Prime Sponsor, Committee on Transportation: Governing the use of narrow track vehicles. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Hobbs, Chair; King, Ranking Member; Das; Nguyen; O'Ban; Padden; Randall; Takko; Wilson, C. and Zeiger.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Lovelett Saldaña, Vice Chair.

Referred to Committee on Rules for second reading.

March 26, 2019

HB 1533 Prime Sponsor, Representative Mosbrucker: Making information about domestic violence resources available in the workplace. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Braun; Saldaña; Walsh and Wellman.

Referred to Committee on Rules for second reading.

March 26, 2019

E2SHB 1543 Prime Sponsor, Committee on Appropriations: Concerning sustainable recycling. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: Do pass as amended. Signed by Senators Palumbo, Vice Chair; Billig; Das; Hobbs; Liias; McCoy; Nguyen; Wellman; Fortunato, Assistant Ranking Member, Environment Carlyle, Chair.

MINORITY recommendation: Do not pass. Signed by Senators Ericksen, Ranking Member; Brown; Rivers and Short.

Referred to Committee on Ways & Means.

March 26, 2019

ESHB 1557 Prime Sponsor, Committee on Commerce & Gaming: Concerning liquor licenses. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Braun; Saldaña; Walsh and Wellman.

Referred to Committee on Rules for second reading.

March 26, 2019

EHB 1563 Prime Sponsor, Representative Jenkin: Concerning liquor-related privileges of students enrolled in certain degree programs. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Braun; Saldaña; Walsh and Wellman.

Referred to Committee on Rules for second reading.

March 26, 2019

ESHB 1569 Prime Sponsor, Committee on Environment & Energy: Concerning marketing the degradability of products. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: Do pass. Signed by Senators McCoy; Liias; Hobbs; Das; Billig; Palumbo, Vice Chair; Carlyle, Chair; Nguyen; Rivers and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Fortunato, Assistant Ranking Member, Environment.

MINORITY recommendation: Do not pass. Signed by Senators Ericksen, Ranking Member; Brown and Short.

Referred to Committee on Rules for second reading.

March 26, 2019

ESHB 1578 Prime Sponsor, Committee on Environment & Energy: Reducing threats to southern resident killer whales by improving the safety of oil transportation. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: Do pass as amended. Signed by Senators Das; Liias; McCoy; Nguyen; Wellman; Billig; Palumbo, Vice Chair Carlyle, Chair.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Fortunato, Assistant Ranking Member, Environment.

MINORITY recommendation: Do not pass. Signed by Senators Ericksen, Ranking Member; Brown; Short and Rivers.

Referred to Committee on Ways & Means.

March 26, 2019

HB 1583 Prime Sponsor, Representative Kraft: Concerning mosquito control districts. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Senators Lovelett; Honeyford; Short, Ranking Member; Salomon, Vice Chair Takko, Chair.

Referred to Committee on Rules for second reading.

March 26, 2019

HB 1634 Prime Sponsor, Representative Goehner: Requiring property sold in tax lien foreclosure proceedings to be sold as is. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Senators Takko, Chair; Salomon, Vice Chair; Short, Ranking Member; Honeyford and Lovelett.

Referred to Committee on Rules for second reading.

March 26, 2019

SHB 1909 Prime Sponsor, Committee on Labor & Workplace Standards: Concerning the confidentiality of industrial insurance claim records. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Braun; Saldaña; Walsh and Wellman.

Referred to Committee on Rules for second reading.

March 26, 2019

HB 1918 Prime Sponsor, Representative Santos: Concerning community preservation and development authorities. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Senators Lovelett; Honeyford; Short, Ranking Member; Salomon, Vice Chair Takko, Chair.

Referred to Committee on Rules for second reading.

MOTION

On motion of Senator Liias, all measures listed on the Standing Committee report were referred to the committees as designated.

MOTION

On motion of Senator Liias, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 5994 by Senator Palumbo

AN ACT Relating to business and occupation tax simplification and relief; amending RCW 82.04.250, 82.04.270, 82.04.240, 82.04.240, 82.04.290, 82.04.230, and 82.32.790; adding a new section to chapter 82.04 RCW; repealing RCW 82.04.2404, 82.04.255, 82.04.257, 82.04.260, 82.04.263, 82.04.272, 82.04.280, 82.04.285, 82.04.286, 82.04.2905, 82.04.2906, 82.04.2907, 82.04.2908, 82.04.2909, 82.04.294, and 82.04.298; creating a new section; providing an effective date; and providing a contingent expiration date.

Referred to Committee on Ways & Means.

SJR 8210 by Senator Palumbo

Amending the Constitution to require a supermajority vote of the legislature or voter approval to increase state business and occupation taxes.

Referred to Committee on Ways & Means.

MOTIONS

On motion of Senator Liias, all measures listed on the Introduction and First Reading report were referred to the committees as designated.

On motion of Senator Liias, the Senate advanced to the eighth order of business.

MOTION

Senator Warnick moved adoption of the following resolution:

SENATE RESOLUTION
8635

By Senators Warnick, Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Wellman, Wilson, C., Wilson, L., and Zeiger

WHEREAS, Ryan Shane Thompson was born and raised in Walla Walla, Washington, and was a graduate of Walla Walla High School and Central Washington University; and

WHEREAS, Deputy Ryan Thompson served our state and his community with dedication, professionalism, and honor; and

WHEREAS, Deputy Ryan Thompson began his career in law enforcement as a reserve deputy with Kittitas County in 2004; and

WHEREAS, Ryan Thompson also served as a corrections officer. He joined the Central Washington University Police

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Department in 2007, returning to the Kittitas County Sheriff's Office in 2013 where he spent the remainder of his career; and

WHEREAS, Deputy Ryan Thompson was a radiant and loving family man, dedicated to his family first, and always; and

WHEREAS, Deputy Ryan Thompson protected his community with the same vigilance. He was known for his positive attitude regardless of the situation, treating all with an innate kindness, and being one who would do anything for a friend; and

WHEREAS, Deputy Ryan Thompson was known for his generosity of spirit and enjoyed spending time with friends and colleagues at the Roslyn Fire Department, especially when pancakes were on the menu; and

WHEREAS, Deputy Ryan Thompson leaves behind a legacy of fond memories with those who knew and loved him. He is survived by his wife Sara and three children, Madison, Pepper, and Archer;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate express its deepest condolences to the family, friends, colleagues, and community that have lost Deputy Ryan Thompson; and

BE IT FURTHER RESOLVED, That the Senate join the people of the State of Washington in expressing our gratitude for the dedicated service of Deputy Ryan Thompson and remember the man, father, and husband who gave his life for the community he cherished; and

BE IT FURTHER RESOLVED, That the Senate express its appreciation to the brave women and men who protect our state every day as members of local law enforcement and particularly Deputy Ryan Thompson's brothers and sisters at the Kittitas County Sheriff's Office; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the Senate to the surviving family members of Deputy Ryan Thompson, Kittitas County Sheriff Gene Dana, and members of the Kittitas County Sheriff's Office.

Senators Warnick and Liias spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8635.

The motion by Senator Warnick carried and the resolution was adopted by voice vote.

MOTION

On motion of Senator Liias, the names of all members were added to Senate Resolution No. 8635.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced Kittitas County Commissioners: Mr. Cory Wright, Ms. Laura Osiazaez and Mr. Brett Wachsmith who were seated in the gallery. The President also introduced former Kittitas County Commissioner Paul Jewell and State Director for the Office of U.S. Senator Patty Murray, Shawn Bills, who were seated in the gallery.

EDITOR'S NOTE: Kittitas County Sheriff's Deputy Ryan Thompson and City of Kittitas Police Officer Benito Kellen Chavez were shot during the evening of Tuesday, March 19, 2019, responding to a reckless driving complaint. The officers attempted a traffic stop which became a vehicle pursuit that ended in Kittitas where Deputy Ryan Thompson, a 14 year veteran of the department, was shot and died later in the evening.

On Thursday, March 28, 2019, following a procession through Ellensburg, a memorial service for Kittitas County Sheriff's Deputy Ryan Thompson was held at the Dean Nicholson Pavilion on the campus of Central Washington University. At the direction of Governor Inslee, the flags of Washington State and the United States were lowered to half-staff on Thursday, March 28, 2019 in honor of Deputy Thompson and in recognition of his and his family's sacrifice.

MOTION

Senator Hobbs moved adoption of the following resolution:

SENATE RESOLUTION 8636

By Senators Hobbs, Zeiger, Bailey, Conway, Van De Wege, King, Fortunato, Liias, Billig, Warnick, Pedersen, Cleveland, Takko, Braun, Short, Honeyford, Sheldon, Hasegawa, McCoy, Saldaña, Schoesler, Hawkins, and Walsh

WHEREAS, More than eight thousand men and women of the Washington National Guard continue to serve the country as guardians of American interests at home and abroad; and

WHEREAS, These recognized leaders in state, regional, and national preparedness, who reside in nearly every legislative district throughout Washington, volunteer their time and put personal lives aside when the needs of the people of Washington state arise; and

WHEREAS, The Guard always answers the state's call in response to all emergency efforts to protect lives and property, and recently mobilized more than one thousand Guardsmen to serve at multiple wildfires in Washington last summer and to King County to assist first responders after massive snow storms; and

WHEREAS, The Guard continues to train and prepare for both natural disasters and threats to our national security, including cyber threats; and

WHEREAS, The Guard continues to improve the lives of Washington's young adults, many on the brink of dropping out of school, through its Washington Youth Academy; and

WHEREAS, The Guard adds value to communities by opening its Readiness Centers for community and youth activities, and uses these facilities to enhance education, add to quality of life, and increase economic vitality; and

WHEREAS, Washington National Guard soldiers and airmen continue to provide critical support to federal missions around the world and are willing to make the ultimate sacrifice to protect our freedoms and enhance our safety;

NOW, THEREFORE, BE IT RESOLVED, That the Washington state Senate express its thanks and appreciation to the devoted families and dedicated employers of our Washington National Guard soldiers and airmen and airwomen for their support, without whom the Guard's missions could not be successful; and

BE IT FURTHER RESOLVED, That the Senate recognize the value and dedication of a strong Washington National Guard to the viability, economy, safety, security, and well-being of this state, both through the outstanding performance of its state emergency and disaster relief mission, and through the continued benefit to local communities by the presence of productively employed, drug-free, well-equipped, and trained Guard units and the readiness centers and armories that house them; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the Senate to the

Adjutant General of the Washington National Guard, the Governor of the state of Washington, the Secretaries of the United States Army and Air Force, and the President of the United States.

Senators Hobbs, Zeiger and Kuderer spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8636.

The motion by Senator Hobbs carried and the resolution was adopted by voice vote.

The senate rose and recognized the officers, staff and members of the Washington National Guard, the Army National Guard and the Air Guard in gratitude for their service.

MOTION

On motion of Senator Liias, Substitute House Bill No. 1075 was removed from the Consent Calendar and placed on the day's Second Reading Calendar.

PERSONAL PRIVILEGE

Senator Honeyford: "Well, thank you Mr. President. We had the resolution honoring the deputy that was shot and killed in Kittitas County and I want to bring the body's attention to the *Behind the Badge Foundation* that supports the families of fallen law enforcement officers. And, I understand that they were there with the family either late that night or the next morning and so this is a great organization that supports our law enforcement and their families. And I know they have an event every year, I hate to call it a gala, but it's a big party, I guess, to raise funds to help support the work of the *Behind the Badge Foundation*. I also want to mention that we have a law enforcement memorial behind the Temple of Justice, and Deputy Thompson's name will be added and that is the second name from Klickitat County. So, thank you Mr. President."

MOTION

At 10:42 a.m., on motion of Senator Liias, the Senate was declared to be at ease subject to the call of the President.

Senator Becker announced a meeting of the Republican Caucus immediately upon going at ease.

The Senate was called to order at 11:52 a.m. by President Habib.

MOTION

On motion of Senator Liias, the Senate advanced to the seventh order of business.

THIRD READING CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Carlyle moved that Theodore R. Willhite, Senate Gubernatorial Appointment No. 9134, be confirmed as a member of the Recreation and Conservation Funding Board.

Senator Carlyle spoke in favor of the motion.

APPOINTMENT OF THEODORE R. WILLHITE

The President declared the question before the Senate to be the confirmation of Theodore R. Willhite, Senate Gubernatorial Appointment No. 9134, as a member of the Recreation and Conservation Funding Board.

MOTION

On motion of Senator Rivers, Senators Sheldon, Walsh and Wilson, L. were excused.

The Secretary called the roll on the confirmation of Theodore R. Willhite, Senate Gubernatorial Appointment No. 9134, as a member of the Recreation and Conservation Funding Board and the appointment was confirmed by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Erickson, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Short, Takko, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C. and Zeiger

Excused: Senators Sheldon, Walsh and Wilson, L.

Theodore R. Willhite, Senate Gubernatorial Appointment No. 9134, having received the constitutional majority was declared confirmed as a member of the Recreation and Conservation Funding Board.

THIRD READING CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Liias moved that Michael S. Shiosaki, Senate Gubernatorial Appointment No. 9132, be confirmed as a member of the Recreation and Conservation Funding Board.

Senator Liias spoke in favor of the motion.

APPOINTMENT OF MICHAEL S. SHIOSAKI

The President declared the question before the Senate to be the confirmation of Michael S. Shiosaki, Senate Gubernatorial Appointment No. 9132, as a member of the Recreation and Conservation Funding Board.

The Secretary called the roll on the confirmation of Michael S. Shiosaki, Senate Gubernatorial Appointment No. 9132, as a member of the Recreation and Conservation Funding Board and the appointment was confirmed by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Erickson, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Short, Takko, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C. and Zeiger

Excused: Senators Sheldon, Walsh and Wilson, L.

Michael S. Shiosaki, Senate Gubernatorial Appointment No. 9132, having received the constitutional majority was declared confirmed as a member of the Recreation and Conservation Funding Board.

MOTION

On motion of Senator Liias, the Senate reverted to the sixth order of business.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1399, by House Committee on Labor & Workplace Standards (originally sponsored by Robinson, Doglio, Sells, Hudgins, Ormsby, Springer, Gregerson, Frame, Appleton, Bergquist, Riccelli, Tharinger, Stanford, Slatter, Goodman, Reeves, Macri and Ortiz-Self)

Concerning paid family and medical leave.

The measure was read the second time.

MOTION

On motion of Senator Keiser, the rules were suspended, Substitute House Bill No. 1399 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Keiser and King spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1399.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1399 and the bill passed the Senate by the following vote: Yeas, 40; Nays, 6; Absent, 0; Excused, 3.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Takko, Van De Wege, Wagoner, Wellman, Wilson, C. and Zeiger

Voting nay: Senators Ericksen, Fortunato, Honeyford, Padden, Short and Warnick

Excused: Senators Sheldon, Walsh and Wilson, L.

SUBSTITUTE HOUSE BILL NO. 1399, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Wilson, C., Senator Palumbo was excused.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1099, by House Committee on Health Care & Wellness (originally sponsored by Jinkins, Cody, Tharinger, Robinson and Reeves)

Providing notice about network adequacy to consumers.

The measure was read the second time.

MOTION

On motion of Senator Cleveland, the rules were suspended, Engrossed Substitute House Bill No. 1099 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Cleveland, O'Ban, Wilson, C. and Darneille spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 1099.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 1099 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 0; Absent, 0; Excused, 4.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Short, Takko, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C. and Zeiger

Excused: Senators Palumbo, Sheldon, Walsh and Wilson, L.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1099, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 1349, by Representatives Schmick, Cody, Jinkins, Doglio and Leavitt

Clarifying the definition of a geriatric behavioral health worker for individuals with a bachelor's or master's degree in social work, behavioral health, or other related areas.

The measure was read the second time.

MOTION

On motion of Senator Dhingra, the rules were suspended, House Bill No. 1349 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Dhingra spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 1349.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1349 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 0; Absent, 0; Excused, 4.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Short, Takko, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C. and Zeiger

Excused: Senators Palumbo, Sheldon, Walsh and Wilson, L.

HOUSE BILL NO. 1349, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Liias, the Senate advanced to the seventh order of business.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Liias moved that Diana L. Clay, Senate Gubernatorial Appointment No. 9236, be confirmed as a member of the Edmonds Community College Board of Trustees.

Senator Liias spoke in favor of the motion.

APPOINTMENT OF DIANA L. CLAY

The President declared the question before the Senate to be the confirmation of Diana L. Clay, Senate Gubernatorial Appointment No. 9236, as a member of the Edmonds Community College Board of Trustees.

The Secretary called the roll on the confirmation of Diana L. Clay, Senate Gubernatorial Appointment No. 9236, as a member of the Edmonds Community College Board of Trustees and the appointment was confirmed by the following vote: Yeas, 45; Nays, 0; Absent, 0; Excused, 4.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Short, Takko, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C. and Zeiger

Excused: Senators Palumbo, Sheldon, Walsh and Wilson, L.

Diana L. Clay, Senate Gubernatorial Appointment No. 9236, having received the constitutional majority was declared confirmed as a member of the Edmonds Community College Board of Trustees.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator King moved that Rosalinda Mendoza, Senate Gubernatorial Appointment No. 9149, be confirmed as a member of the Yakima Valley Community College Board of Trustees.

Senator King spoke in favor of the motion.

APPOINTMENT OF ROSALINDA MENDOZA

The President declared the question before the Senate to be the confirmation of Rosalinda Mendoza, Senate Gubernatorial Appointment No. 9149, as a member of the Yakima Valley Community College Board of Trustees.

The Secretary called the roll on the confirmation of Rosalinda Mendoza, Senate Gubernatorial Appointment No. 9149, as a member of the Yakima Valley Community College Board of

Trustees and the appointment was confirmed by the following vote: Yeas, 45; Nays, 0; Absent, 0; Excused, 4.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Short, Takko, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C. and Zeiger

Excused: Senators Palumbo, Sheldon, Walsh and Wilson, L.

Rosalinda Mendoza, Gubernatorial Appointment No. 9149, having received the constitutional majority was declared confirmed as a member of the Yakima Valley Community College Board of Trustees.

MOTION

On motion of Senator Liias, the Senate reverted to the sixth order of business.

SECOND READING

SECOND SUBSTITUTE HOUSE BILL NO. 1497, by House Committee on Appropriations (originally sponsored by Robinson, Harris, Cody, Jinkins, DeBolt, Macri, Stonier, Corry, Riccelli, Thai, Kilduff, Stanford and Kloba)

Concerning foundational public health services.

The measure was read the second time.

MOTION

On motion of Senator Cleveland, the rules were suspended, Second Substitute House Bill No. 1497 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Cleveland, O'Ban and Becker spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Second Substitute House Bill No. 1497.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute House Bill No. 1497 and the bill passed the Senate by the following vote: Yeas, 44; Nays, 1; Absent, 0; Excused, 4.

Voting yea: Senators Bailey, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Short, Takko, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C. and Zeiger

Voting nay: Senator Becker

Excused: Senators Palumbo, Sheldon, Walsh and Wilson, L.

SECOND SUBSTITUTE HOUSE BILL NO. 1497, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

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HOUSE BILL NO. 1743, by Representatives Ormsby, Sells, Appleton, Fey, Tharinger and Kloba

Addressing the methodology for establishing the prevailing rate of wages for the construction of affordable housing, homeless and domestic violence shelters, and low-income weatherization and home rehabilitation public works.

The measure was read the second time.

MOTION

Senator Conway moved that the following committee striking amendment by the Committee on Labor & Commerce be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature intends that the methodology for establishing the prevailing rates of wages under this act applies only to affordable housing, homeless and domestic violence shelters, and low-income weatherization and home rehabilitation programs.

Sec. 2. RCW 39.12.015 and 2018 c 248 s 1 and 2018 c 242 s 1 are each reenacted and amended to read as follows:

(1) All determinations of the prevailing rate of wage shall be made by the industrial statistician of the department of labor and industries.

(2) The time period for recovery of any wages owed to a worker affected by the determination is tolled until the prevailing wage determination is final.

(3)(a) Except as provided in section 3 of this act, and notwithstanding RCW 39.12.010(1), the industrial statistician shall establish the prevailing rate of wage by adopting the hourly wage, usual benefits, and overtime paid for the geographic jurisdiction established in collective bargaining agreements for those trades and occupations that have collective bargaining agreements. For trades and occupations with more than one collective bargaining agreement in the county, the higher rate will prevail.

~~((4))~~ (b) For trades and occupations in which there are no collective bargaining agreements in the county, the industrial statistician shall establish the prevailing rate of wage as defined in RCW 39.12.010 by conducting wage and hour surveys. In instances when there are no applicable collective bargaining agreements and conducting wage and hour surveys is not feasible, the industrial statistician may employ other appropriate methods to establish the prevailing rate of wage.

NEW SECTION. Sec. 3. A new section is added to chapter 39.12 RCW to read as follows:

(1) For residential construction, the industrial statistician shall establish the prevailing rate of wage by conducting wage and hour surveys. If the industrial statistician determines that information received from a survey is insufficient to determine the prevailing rate of wage for a trade under this subsection, the industrial statistician shall employ other appropriate methods to establish the prevailing rate of wage.

(a) The industrial statistician shall conduct the initial surveys required by this subsection (1) as soon as feasible after the effective date of this section. These surveys shall cover fiscal year 2018.

(b) The industrial statistician shall conduct a wage and hour survey following the initial survey or otherwise reestablish a prevailing rate of wage for each trade covered by this section at least every five years, and after the initial survey may stagger the surveys for workload purposes.

(2)(a) Until the industrial statistician has established a prevailing wage rate under subsection (1)(a) of this section and except as provided in (b) of this subsection, the industrial statistician shall establish the wage rate by:

(i) Identifying the residential prevailing wage rate in effect on August 30, 2018, for that trade (rate A);

(ii) Determining the year most recent to 2018, but not earlier than 2007, in which the wage rate for that trade was adjusted (year A);

(iii) Determining the percentage change in the annual average hourly wages reported for construction workers in Washington state, as calculated by the United States bureau of labor statistics' state and area employment, hours, and earnings estimates, from year A to 2019;

(iv) Adding the percentage change from (a)(iii) of this subsection to one hundred percent (percentage A); and

(v) Multiplying rate A by percentage A.

(b) If the residential construction wage rate in effect for a trade on August 31, 2018, is the same as the wage rate in effect on August 30, 2018, the industrial statistician must adopt the wage rate in effect for the trade on August 31, 2018, until a wage rate is established under subsection (1)(a) of this section.

(3) For purposes of this section:

(a) "Residential construction" means construction, alteration, repair, improvement, or maintenance of single-family dwellings, duplexes, apartments, condominiums, and other residential structures not to exceed four stories in height, including the basement, in the following categories:

(i) Affordable housing, including permanent supportive housing and transitional housing, which may include common spaces, community rooms, recreational spaces, a management office, or offices for the purposes of service delivery;

(ii) Weatherization and home rehabilitation programs for low-income households; and

(iii) Homeless shelters and domestic violence shelters.

(b) "Residential construction" does not include the utilities construction, such as water and sewer lines, or work on streets, or work on other structures unrelated to the housing.

NEW SECTION. Sec. 4. The industrial statistician must establish and publish wage rates under section 3(2) of this act within thirty days after the effective date of this section. The wage rates take effect thirty days after publication.

NEW SECTION. Sec. 5. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

On page 1, line 4 of the title, after "works;" strike the remainder of the title and insert "reenacting and amending RCW 39.12.015; adding a new section to chapter 39.12 RCW; creating new sections; and declaring an emergency."

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Labor & Commerce to House Bill No. 1743.

The motion by Senator Conway carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Conway, the rules were suspended, House Bill No. 1743 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage as amended by the Senate.

Senators Conway and King spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 1743 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1743 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 44; Nays, 1; Absent, 0; Excused, 4.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Short, Takko, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C. and Zeiger

Voting nay: Senator Hasegawa

Excused: Senators Palumbo, Sheldon, Walsh and Wilson, L.

HOUSE BILL NO. 1743, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1870, by House Committee on Health Care & Wellness (originally sponsored by Davis, Cody, Ryu, Jinkins, Dolan, Senn, Bergquist, Peterson, Thai, Valdez, Morgan, Robinson, Goodman, Kilduff, Fey, Pollet, Appleton, Orwall, Mead, Kirby, Kloba, Gregerson, Fitzgibbon, Stanford and Tharinger)

Making state law consistent with selected federal consumer protections in the patient protection and affordable care act.

The measure was read the second time.

MOTION

Senator Cleveland moved that the following committee striking amendment by the Committee on Health & Long Term Care be adopted:

Strike everything after the enacting clause and insert the following:

"PART I DEFINITIONS

Sec. 1. RCW 48.43.005 and 2016 c 65 s 2 are each amended to read as follows:

Unless otherwise specifically provided, the definitions in this section apply throughout this chapter.

(1) "Adjusted community rate" means the rating method used to establish the premium for health plans adjusted to reflect actuarially demonstrated differences in utilization or cost attributable to geographic region, age, family size, and use of wellness activities.

(2) "Adverse benefit determination" means a denial, reduction, or termination of, or a failure to provide or make payment, in whole or in part, for a benefit, including a denial, reduction, termination, or failure to provide or make payment that is based on a determination of an enrollee's or applicant's eligibility to participate in a plan, and including, with respect to group health

plans, a denial, reduction, or termination of, or a failure to provide or make payment, in whole or in part, for a benefit resulting from the application of any utilization review, as well as a failure to cover an item or service for which benefits are otherwise provided because it is determined to be experimental or investigational or not medically necessary or appropriate.

(3) "Applicant" means a person who applies for enrollment in an individual health plan as the subscriber or an enrollee, or the dependent or spouse of a subscriber or enrollee.

(4) "Basic health plan" means the plan described under chapter 70.47 RCW, as revised from time to time.

(5) "Basic health plan model plan" means a health plan as required in RCW 70.47.060(2)(e).

(6) "Basic health plan services" means that schedule of covered health services, including the description of how those benefits are to be administered, that are required to be delivered to an enrollee under the basic health plan, as revised from time to time.

(7) "Board" means the governing board of the Washington health benefit exchange established in chapter 43.71 RCW.

(8)(a) For grandfathered health benefit plans issued before January 1, 2014, and renewed thereafter, "catastrophic health plan" means:

(i) In the case of a contract, agreement, or policy covering a single enrollee, a health benefit plan requiring a calendar year deductible of, at a minimum, one thousand seven hundred fifty dollars and an annual out-of-pocket expense required to be paid under the plan (other than for premiums) for covered benefits of at least three thousand five hundred dollars, both amounts to be adjusted annually by the insurance commissioner; and

(ii) In the case of a contract, agreement, or policy covering more than one enrollee, a health benefit plan requiring a calendar year deductible of, at a minimum, three thousand five hundred dollars and an annual out-of-pocket expense required to be paid under the plan (other than for premiums) for covered benefits of at least six thousand dollars, both amounts to be adjusted annually by the insurance commissioner.

(b) In July 2008, and in each July thereafter, the insurance commissioner shall adjust the minimum deductible and out-of-pocket expense required for a plan to qualify as a catastrophic plan to reflect the percentage change in the consumer price index for medical care for a preceding twelve months, as determined by the United States department of labor. For a plan year beginning in 2014, the out-of-pocket limits must be adjusted as specified in section 1302(c)(1) of P.L. 111-148 of 2010, as amended. The adjusted amount shall apply on the following January 1st.

(c) For health benefit plans issued on or after January 1, 2014, "catastrophic health plan" means:

(i) A health benefit plan that meets the definition of catastrophic plan set forth in section 1302(e) of P.L. 111-148 of 2010, as amended; or

(ii) A health benefit plan offered outside the exchange marketplace that requires a calendar year deductible or out-of-pocket expenses under the plan, other than for premiums, for covered benefits, that meets or exceeds the commissioner's annual adjustment under (b) of this subsection.

(9) "Certification" means a determination by a review organization that an admission, extension of stay, or other health care service or procedure has been reviewed and, based on the information provided, meets the clinical requirements for medical necessity, appropriateness, level of care, or effectiveness under the auspices of the applicable health benefit plan.

(10) "Concurrent review" means utilization review conducted during a patient's hospital stay or course of treatment.

(11) "Covered person" or "enrollee" means a person covered by a health plan including an enrollee, subscriber, policyholder,

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beneficiary of a group plan, or individual covered by any other health plan.

(12) "Dependent" means, at a minimum, the enrollee's legal spouse and dependent children who qualify for coverage under the enrollee's health benefit plan.

(13) "Emergency medical condition" means a medical condition manifesting itself by acute symptoms of sufficient severity, including severe pain, such that a prudent layperson, who possesses an average knowledge of health and medicine, could reasonably expect the absence of immediate medical attention to result in a condition (a) placing the health of the individual, or with respect to a pregnant woman, the health of the woman or her unborn child, in serious jeopardy, (b) serious impairment to bodily functions, or (c) serious dysfunction of any bodily organ or part.

(14) "Emergency services" means a medical screening examination, as required under section 1867 of the social security act (42 U.S.C. 1395dd), that is within the capability of the emergency department of a hospital, including ancillary services routinely available to the emergency department to evaluate that emergency medical condition, and further medical examination and treatment, to the extent they are within the capabilities of the staff and facilities available at the hospital, as are required under section 1867 of the social security act (42 U.S.C. 1395dd) to stabilize the patient. Stabilize, with respect to an emergency medical condition, has the meaning given in section 1867(e)(3) of the social security act (42 U.S.C. 1395dd(e)(3)).

(15) "Employee" has the same meaning given to the term, as of January 1, 2008, under section 3(6) of the federal employee retirement income security act of 1974.

(16) "Enrollee point-of-service cost-sharing" means amounts paid to health carriers directly providing services, health care providers, or health care facilities by enrollees and may include copayments, coinsurance, or deductibles.

(17) "Exchange" means the Washington health benefit exchange established under chapter 43.71 RCW.

(18) "Final external review decision" means a determination by an independent review organization at the conclusion of an external review.

(19) "Final internal adverse benefit determination" means an adverse benefit determination that has been upheld by a health plan or carrier at the completion of the internal appeals process, or an adverse benefit determination with respect to which the internal appeals process has been exhausted under the exhaustion rules described in RCW 48.43.530 and 48.43.535.

(20) "Grandfathered health plan" means a group health plan or an individual health plan that under section 1251 of the patient protection and affordable care act, P.L. 111-148 (2010) and as amended by the health care and education reconciliation act, P.L. 111-152 (2010) is not subject to subtitles A or C of the act as amended.

(21) "Grievance" means a written complaint submitted by or on behalf of a covered person regarding service delivery issues other than denial of payment for medical services or nonprovision of medical services, including dissatisfaction with medical care, waiting time for medical services, provider or staff attitude or demeanor, or dissatisfaction with service provided by the health carrier.

(22) "Health care facility" or "facility" means hospices licensed under chapter 70.127 RCW, hospitals licensed under chapter 70.41 RCW, rural health care facilities as defined in RCW 70.175.020, psychiatric hospitals licensed under chapter 71.12 RCW, nursing homes licensed under chapter 18.51 RCW, community mental health centers licensed under chapter 71.05 or 71.24 RCW, kidney disease treatment centers licensed under

chapter 70.41 RCW, ambulatory diagnostic, treatment, or surgical facilities licensed under chapter 70.41 RCW, drug and alcohol treatment facilities licensed under chapter 70.96A RCW, and home health agencies licensed under chapter 70.127 RCW, and includes such facilities if owned and operated by a political subdivision or instrumentality of the state and such other facilities as required by federal law and implementing regulations.

(23) "Health care provider" or "provider" means:

(a) A person regulated under Title 18 or chapter 70.127 RCW, to practice health or health-related services or otherwise practicing health care services in this state consistent with state law; or

(b) An employee or agent of a person described in (a) of this subsection, acting in the course and scope of his or her employment.

(24) "Health care service" means that service offered or provided by health care facilities and health care providers relating to the prevention, cure, or treatment of illness, injury, or disease.

(25) "Health carrier" or "carrier" means a disability insurer regulated under chapter 48.20 or 48.21 RCW, a health care service contractor as defined in RCW 48.44.010, or a health maintenance organization as defined in RCW 48.46.020, and includes "issuers" as that term is used in the patient protection and affordable care act (P.L. 111-148).

(26) "Health plan" or "health benefit plan" means any policy, contract, or agreement offered by a health carrier to provide, arrange, reimburse, or pay for health care services except the following:

(a) Long-term care insurance governed by chapter 48.84 or 48.83 RCW;

(b) Medicare supplemental health insurance governed by chapter 48.66 RCW;

(c) Coverage supplemental to the coverage provided under chapter 55, Title 10, United States Code;

(d) Limited health care services offered by limited health care service contractors in accordance with RCW 48.44.035;

(e) Disability income;

(f) Coverage incidental to a property/casualty liability insurance policy such as automobile personal injury protection coverage and homeowner guest medical;

(g) Workers' compensation coverage;

(h) Accident only coverage;

(i) Specified disease or illness-triggered fixed payment insurance, hospital confinement fixed payment insurance, or other fixed payment insurance offered as an independent, noncoordinated benefit;

(j) Employer-sponsored self-funded health plans;

(k) Dental only and vision only coverage;

(l) Plans deemed by the insurance commissioner to have a short-term limited purpose or duration, or to be a student-only plan that is guaranteed renewable while the covered person is enrolled as a regular full-time undergraduate or graduate student at an accredited higher education institution, after a written request for such classification by the carrier and subsequent written approval by the insurance commissioner; and

(m) Civilian health and medical program for the veterans affairs administration (CHAMPVA).

(27) "Individual market" means the market for health insurance coverage offered to individuals other than in connection with a group health plan.

(28) "Material modification" means a change in the actuarial value of the health plan as modified of more than five percent but less than fifteen percent.

(29) "Open enrollment" means a period of time as defined in rule to be held at the same time each year, during which applicants may enroll in a carrier's individual health benefit plan without being subject to health screening or otherwise required to provide evidence of insurability as a condition for enrollment.

(30) "Preexisting condition" means any medical condition, illness, or injury that existed any time prior to the effective date of coverage.

(31) "Premium" means all sums charged, received, or deposited by a health carrier as consideration for a health plan or the continuance of a health plan. Any assessment or any "membership," "policy," "contract," "service," or similar fee or charge made by a health carrier in consideration for a health plan is deemed part of the premium. "Premium" shall not include amounts paid as enrollee point-of-service cost-sharing.

(32) "Review organization" means a disability insurer regulated under chapter 48.20 or 48.21 RCW, health care service contractor as defined in RCW 48.44.010, or health maintenance organization as defined in RCW 48.46.020, and entities affiliated with, under contract with, or acting on behalf of a health carrier to perform a utilization review.

(33) "Small employer" or "small group" means any person, firm, corporation, partnership, association, political subdivision, sole proprietor, or self-employed individual that is actively engaged in business that employed an average of at least one but no more than fifty employees, during the previous calendar year and employed at least one employee on the first day of the plan year, is not formed primarily for purposes of buying health insurance, and in which a bona fide employer-employee relationship exists. In determining the number of employees, companies that are affiliated companies, or that are eligible to file a combined tax return for purposes of taxation by this state, shall be considered an employer. Subsequent to the issuance of a health plan to a small employer and for the purpose of determining eligibility, the size of a small employer shall be determined annually. Except as otherwise specifically provided, a small employer shall continue to be considered a small employer until the plan anniversary following the date the small employer no longer meets the requirements of this definition. A self-employed individual or sole proprietor who is covered as a group of one must also: (a) Have been employed by the same small employer or small group for at least twelve months prior to application for small group coverage, and (b) verify that he or she derived at least seventy-five percent of his or her income from a trade or business through which the individual or sole proprietor has attempted to earn taxable income and for which he or she has filed the appropriate internal revenue service form 1040, schedule C or F, for the previous taxable year, except a self-employed individual or sole proprietor in an agricultural trade or business, must have derived at least fifty-one percent of his or her income from the trade or business through which the individual or sole proprietor has attempted to earn taxable income and for which he or she has filed the appropriate internal revenue service form 1040, for the previous taxable year.

(34) "Special enrollment" means a defined period of time of not less than thirty-one days, triggered by a specific qualifying event experienced by the applicant, during which applicants may enroll in the carrier's individual health benefit plan without being subject to health screening or otherwise required to provide evidence of insurability as a condition for enrollment.

(35) "Standard health questionnaire" means the standard health questionnaire designated under chapter 48.41 RCW.

(36) "Utilization review" means the prospective, concurrent, or retrospective assessment of the necessity and appropriateness of the allocation of health care resources and services of a provider

or facility, given or proposed to be given to an enrollee or group of enrollees.

(37) "Wellness activity" means an explicit program of an activity consistent with department of health guidelines, such as, smoking cessation, injury and accident prevention, reduction of alcohol misuse, appropriate weight reduction, exercise, automobile and motorcycle safety, blood cholesterol reduction, and nutrition education for the purpose of improving enrollee health status and reducing health service costs.

(38) "Essential health benefit categories" means:

(a) Ambulatory patient services;

(b) Emergency services;

(c) Hospitalization;

(d) Maternity and newborn care;

(e) Mental health and substance use disorder services, including behavioral health treatment;

(f) Prescription drugs;

(g) Rehabilitative and habilitative services and devices;

(h) Laboratory services;

(i) Preventive and wellness services and chronic disease management; and

(j) Pediatric services, including oral and vision care.

PART II

GUARANTEED ISSUE AND ELIGIBILITY

Sec. 2. RCW 48.43.012 and 2011 c 315 s 3 are each amended to read as follows:

(1) No carrier may reject an individual for an individual or group health benefit plan based upon preexisting conditions of the individual (~~except as provided in RCW 48.43.018~~).

(2) No carrier may deny, exclude, or otherwise limit coverage for an individual's preexisting health conditions (~~except as provided in this section~~) including, but not limited to, preexisting condition exclusions or waiting periods.

(3) ~~((For an individual health benefit plan originally issued on or after March 23, 2000, preexisting condition waiting periods imposed upon a person enrolling in an individual health benefit plan shall be no more than nine months for a preexisting condition for which medical advice was given, for which a health care provider recommended or provided treatment, or for which a prudent layperson would have sought advice or treatment, within six months prior to the effective date of the plan. No carrier may impose a preexisting condition waiting period on an individual health benefit plan issued to an eligible individual as defined in section 2741(b) of the federal health insurance portability and accountability act of 1996 (42 U.S.C. 300gg 41(b)).~~

~~(4) Individual health benefit plan preexisting condition waiting periods shall not apply to prenatal care services.~~

~~(5))~~ No carrier may avoid the requirements of this section through the creation of a new rate classification or the modification of an existing rate classification. A new or changed rate classification will be deemed an attempt to avoid the provisions of this section if the new or changed classification would substantially discourage applications for coverage from individuals who are higher than average health risks. These provisions apply only to individuals who are Washington residents.

~~((6) For any person under age nineteen applying for coverage as allowed by RCW 48.43.0122(1) or enrolled in a health benefit plan subject to sections 1201 and 10103 of the patient protection and affordable care act (P.L. 111 148) that is not a grandfathered health plan in the individual market, a carrier must not impose a preexisting condition exclusion or waiting period or other limitations on benefits or enrollment due to a preexisting condition.))~~

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(4) Unless preempted by federal law, the commissioner shall adopt any rules necessary to implement this section, consistent with federal rules and guidance in effect on January 1, 2017, implementing the patient protection and affordable care act.

NEW SECTION. Sec. 3. A new section is added to chapter 48.43 RCW to read as follows:

(1) A health carrier or health plan may not establish rules for eligibility, including continued eligibility, of any individual to enroll under the terms of the plan or coverage based on any of the following health status-related factors in relation to the individual or a dependent of the individual:

- (a) Health status;
- (b) Medical condition, including both physical and mental illnesses;
- (c) Claims experience;
- (d) Receipt of health care;
- (e) Medical history;
- (f) Genetic information;
- (g) Evidence of insurability, including conditions arising out of acts of domestic violence;
- (h) Disability; or
- (i) Any other health status-related factor determined appropriate by the commissioner.

(2) Unless preempted by federal law, the commissioner shall adopt any rules necessary to implement this section, consistent with federal rules and guidance in effect on January 1, 2017, implementing the patient protection and affordable care act.

Sec. 4. RCW 48.21.270 and 2011 c 314 s 2 are each amended to read as follows:

(1) An insurer shall not require proof of insurability as a condition for issuance of the conversion policy.

(2) A conversion policy may not contain an exclusion for preexisting conditions for any applicant (~~who is under age nineteen. For policies issued to those age nineteen and older, an exclusion for a preexisting condition is permitted only to the extent that a waiting period for a preexisting condition has not been satisfied under the group policy~~).

(3) An insurer must offer at least three policy benefit plans that comply with the following:

- (a) A major medical plan with a five thousand dollar deductible per person;
- (b) A comprehensive medical plan with a five hundred dollar deductible per person; and
- (c) A basic medical plan with a one thousand dollar deductible per person.

(4) The insurance commissioner may revise the deductible amounts in subsection (3) of this section from time to time to reflect changing health care costs.

(5) The insurance commissioner shall adopt rules to establish minimum benefit standards for conversion policies.

(6) The commissioner shall adopt rules to establish specific standards for conversion policy provisions. These rules may include but are not limited to:

- (a) Terms of renewability;
- (b) Nonduplication of coverage;
- (c) Benefit limitations, exceptions, and reductions; and
- (d) Definitions of terms.

Sec. 5. RCW 48.44.380 and 2011 c 314 s 7 are each amended to read as follows:

(1) A health care service contractor shall not require proof of insurability as a condition for issuance of the conversion contract.

(2) A conversion contract may not contain an exclusion for preexisting conditions for any applicant (~~who is under age nineteen. For policies issued to those age nineteen and older, an~~

~~exclusion for a preexisting condition is permitted only to the extent that a waiting period for a preexisting condition has not been satisfied under the group contract~~).

(3) A health care service contractor must offer at least three contract benefit plans that comply with the following:

- (a) A major medical plan with a five thousand dollar deductible per person;
- (b) A comprehensive medical plan with a five hundred dollar deductible per person; and
- (c) A basic medical plan with a one thousand dollar deductible per person.

(4) The insurance commissioner may revise the deductible amounts in subsection (3) of this section from time to time to reflect changing health care costs.

(5) The insurance commissioner shall adopt rules to establish minimum benefit standards for conversion contracts.

(6) The commissioner shall adopt rules to establish specific standards for conversion contract provisions. These rules may include but are not limited to:

- (a) Terms of renewability;
- (b) Nonduplication of coverage;
- (c) Benefit limitations, exceptions, and reductions; and
- (d) Definitions of terms.

Sec. 6. RCW 48.46.460 and 2011 c 314 s 9 are each amended to read as follows:

(1) A health maintenance organization must offer a conversion agreement for comprehensive health care services and shall not require proof of insurability as a condition for issuance of the conversion agreement.

(2) A conversion agreement may not contain an exclusion for preexisting conditions for an applicant (~~who is under age nineteen. For policies issued to those age nineteen and older, an exclusion for a preexisting condition is permitted only to the extent that a waiting period for a preexisting condition has not been satisfied under the group agreement~~).

(3) A conversion agreement need not provide benefits identical to those provided under the group agreement. The conversion agreement may contain provisions requiring the person covered by the conversion agreement to pay reasonable deductibles and copayments, except for preventive service benefits as defined in 45 C.F.R. 147.130 (2010), implementing sections 2701 through 2763, 2791, and 2792 of the public health service act (42 U.S.C. 300gg through 300gg-63, 300gg-91, and 300gg-92), as amended.

(4) The insurance commissioner shall adopt rules to establish minimum benefit standards for conversion agreements.

(5) The commissioner shall adopt rules to establish specific standards for conversion agreement provisions. These rules may include but are not limited to:

- (a) Terms of renewability;
- (b) Nonduplication of coverage;
- (c) Benefit limitations, exceptions, and reductions; and
- (d) Definitions of terms.

NEW SECTION. Sec. 7. The following acts or parts of acts are each repealed:

(1)RCW 48.43.015 (Health benefit plans—Preexisting conditions) and 2012 c 64 s 2, 2004 c 192 s 5, 2001 c 196 s 7, 2000 c 80 s 3, 2000 c 79 s 20, & 1995 c 265 s 5;

(2)RCW 48.43.017 (Organ transplant benefit waiting periods—Prior creditable coverage) and 2009 c 82 s 2;

(3)RCW 48.43.018 (Requirement to complete the standard health questionnaire—Exemptions—Results) and 2012 c 211 s 16, 2012 c 64 s 1, 2010 c 277 s 1, & 2009 c 42 s 1; and

(4)RCW 48.43.025 (Group health benefit plans—Preexisting conditions) and 2001 c 196 s 9, 2000 c 79 s 23, & 1995 c 265 s 6.

PART III PROHIBITING UNFAIR RESCISSIONS

NEW SECTION. **Sec. 8.** A new section is added to chapter 48.43 RCW to read as follows:

(1) A health plan or health carrier offering group or individual coverage may not rescind such coverage with respect to an enrollee once the enrollee is covered under the plan or coverage involved, except that this section does not apply to a covered person who has performed an act or practice that constitutes fraud or makes an intentional misrepresentation of material fact as prohibited by the terms of the plan or coverage. The plan or coverage may not be canceled except as permitted under RCW 48.43.035 or 48.43.038.

(2) The commissioner shall adopt any rules necessary to implement this section, consistent with federal rules and guidance in effect on January 1, 2017, implementing the patient protection and affordable care act.

PART IV ESSENTIAL HEALTH BENEFITS

Sec. 9. RCW 48.43.715 and 2013 c 325 s 1 are each amended to read as follows:

(1) ~~((Consistent with federal law,))~~ The commissioner, in consultation with the board and the health care authority, shall, by rule, select the largest small group plan in the state by enrollment as the benchmark plan for the individual and small group market for purposes of establishing the essential health benefits in Washington state ~~((under P.L. 111-148 of 2010, as amended))~~.

(2) If the essential health benefits benchmark plan for the individual and small group market does not include all of the ten essential health benefits categories ~~((specified by section 1302 of P.L. 111-148, as amended))~~, the commissioner, in consultation with the board and the health care authority, shall, by rule, supplement the benchmark plan benefits as needed ~~((to meet the minimum requirements of section 1302))~~.

(3) ~~((A))~~ All individual and small group health plans ~~((required to offer))~~ must cover the ten essential health benefits categories, other than a health plan offered through the federal basic health program, a grandfathered health plan, or medicaid ~~((under P.L. 111-148 of 2010, as amended))~~. Such a health plan may not be offered in the state unless the commissioner finds that it is substantially equal to the benchmark plan. When making this determination, the commissioner:

(a) Must ensure that the plan covers the ten essential health benefits categories ~~((specified in section 1302 of P.L. 111-148 of 2010, as amended))~~;

(b) May consider whether the health plan has a benefit design that would create a risk of biased selection based on health status and whether the health plan contains meaningful scope and level of benefits in each of the ten essential health benefits categories ~~((specified by section 1302 of P.L. 111-148 of 2010, as amended))~~;

(c) Notwithstanding ~~((the foregoing))~~ (a) and (b) of this subsection, for benefit years beginning January 1, 2015, ~~((and only to the extent permitted by federal law and guidance,))~~ must establish by rule the review and approval requirements and procedures for pediatric oral services when offered in stand-alone dental plans in the nongrandfathered individual and small group markets outside of the exchange; and

(d) ~~((Unless prohibited by federal law and guidance,))~~ Must allow health carriers to also offer pediatric oral services within the health benefit plan in the nongrandfathered individual and small group markets outside of the exchange.

(4) Beginning December 15, 2012, and every year thereafter, the commissioner shall submit to the legislature a list of state-

mandated health benefits, the enforcement of which will result in federally imposed costs to the state related to the plans sold through the exchange because the benefits are not included in the essential health benefits designated under federal law. The list must include the anticipated costs to the state of each state-mandated health benefit on the list and any statutory changes needed if funds are not appropriated to defray the state costs for the listed mandate. The commissioner may enforce a mandate on the list for the entire market only if funds are appropriated in an omnibus appropriations act specifically to pay the state portion of the identified costs.

PART V COST SHARING

NEW SECTION. **Sec. 10.** A new section is added to chapter 48.43 RCW to read as follows:

(1) For plan years beginning in 2020, the cost sharing incurred under a health plan for the essential health benefits may not exceed the following amounts:

(a) For self-only coverage:

(i) The amount required under federal law for the calendar year; or

(ii) If there are no cost-sharing requirements under federal law, eight thousand two hundred dollars increased by the premium adjustment percentage for the calendar year.

(b) For coverage other than self-only coverage:

(i) The amount required under federal law for the calendar year; or

(ii) If there are no cost-sharing requirements under federal law, sixteen thousand four hundred dollars increased by the premium adjustment percentage for the calendar year.

(2) Regardless of whether an enrollee is covered by a self-only plan or a plan that is other than self-only, the enrollee's cost sharing for the essential health benefits may not exceed the self-only annual limitation on cost sharing.

(3) For purposes of this section, "the premium adjustment percentage for the calendar year" means the percentage, if any, by which the average per capita premium for health insurance in Washington for the preceding year, as estimated by the commissioner no later than April 1st of such preceding year, exceeds such average per capita premium for 2020 as determined by the commissioner.

(4) Unless preempted by federal law, the commissioner shall adopt any rules necessary to implement this section, consistent with federal rules and guidance in effect on January 1, 2017, implementing the patient protection and affordable care act.

PART VI OPEN ENROLLMENT PERIODS

Sec. 11. RCW 48.43.0122 and 2011 c 315 s 4 are each amended to read as follows:

(1) The commissioner shall adopt rules establishing and implementing requirements for the open enrollment periods and special enrollment periods that carriers must follow for individual health benefit plans ~~((and enrollment of persons under age nineteen))~~.

(2) The commissioner shall monitor the sale of individual health benefit plans and if a carrier refuses to sell guaranteed issue policies to persons ~~((under age nineteen))~~ in compliance with rules adopted by the commissioner pursuant to subsection (1) of this section, the commissioner may levy fines or suspend or revoke a certificate of authority as provided in chapter 48.05 RCW.

PART VII LIFETIME LIMITS

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NEW SECTION. **Sec. 12.** A new section is added to chapter 48.43 RCW to read as follows:

A health carrier may not impose annual or lifetime dollar limits on an essential health benefit, other than those permitted as reference-based limitations under rules adopted by the commissioner.

**PART VIII
EXPLANATION OF COVERAGE**

NEW SECTION. **Sec. 13.** A new section is added to chapter 48.43 RCW to read as follows:

(1) The commissioner shall develop standards for use by a health carrier offering individual or group coverage, in compiling and providing to applicants and enrollees a summary of benefits and coverage explanation that accurately describes the benefits and coverage under the applicable plan. In developing the standards, the commissioner must use the standards developed under 42 U.S.C. Sec. 300gg-15 in use on the effective date of this section.

(2) The standards must provide for the following:

(a) The standards must ensure that the summary of benefits and coverage is presented in a uniform format that does not exceed four pages in length and does not include print smaller than twelve-point font.

(b) The standards must ensure that the summary is presented in a culturally and linguistically appropriate manner and utilizes terminology understandable by the average plan enrollee.

(c) The standards must ensure that the summary of benefits and coverage includes:

(i) Uniform definitions of standard insurance and medical terms, consistent with the standard definitions developed under this section, so that consumers may compare health insurance coverage and understand the terms of coverage, or exceptions to such coverage;

(ii) A description of the coverage, including cost sharing for:

(A) The essential health benefits; and

(B) Other benefits identified by the commissioner;

(iii) The exceptions, reductions, and limitations on coverage;

(iv) The cost-sharing provisions, including deductible, coinsurance, and copayment obligations;

(v) The renewability and continuation of coverage provisions;

(vi) A coverage facts label that includes examples to illustrate common benefits scenarios, including pregnancy and serious or chronic medical conditions and related cost sharing. The scenarios must be based on recognized clinical practice guidelines;

(vii) A statement of whether the plan:

(A) Provides minimum essential coverage under 26 U.S.C. Sec. 5000A(f); and

(B) Ensures that the plan share of the total allowed costs of benefits provided under the plan is no less than sixty percent of the costs;

(viii) A statement that the outline is a summary of the policy or certificate and that the coverage document itself should be consulted to determine the governing contractual provisions; and

(ix) A contact number for the consumer to call with additional questions and a web site where a copy of the actual individual coverage policy or group certificate of coverage may be reviewed and obtained.

(3) The commissioner shall periodically review and update the standards developed under this section.

(4) A health carrier must provide a summary of benefits and coverage explanation to:

(a) An applicant at the time of application;

(b) An enrollee prior to the time of enrollment or reenrollment, as applicable; and

(c) A policyholder or certificate holder at the time of issuance of the policy or delivery of the certificate.

(5) A health carrier may provide the summary of benefits and coverage either in paper or electronically.

(6) If a health carrier makes any material modification in any of the terms of the plan that is not reflected in the most recently provided summary of benefits and coverage, the carrier shall provide notice of the modification to enrollees no later than sixty days prior to the date on which the modification will become effective.

(7) A health carrier that fails to provide the information required under this section is subject to a fine of no more than one thousand dollars for each failure. A failure with respect to each enrollee constitutes a separate offense for purposes of this subsection.

(8) The commissioner shall, by rule, provide for the development of standards for the definitions of terms used in health insurance coverage, including the following:

(a) Insurance-related terms, including premium; deductible; coinsurance; copayment; out-of-pocket limit; preferred provider; nonpreferred provider; out-of-network copayments; usual, customary, and reasonable fees; excluded services; grievance; appeals; and any other terms the commissioner determines are important to define so that consumers may compare health insurance coverage and understand the terms of their coverage; and

(b) Medical terms, including hospitalization, hospital outpatient care, emergency room care, physician services, prescription drug coverage, durable medical equipment, home health care, skilled nursing care, rehabilitation services, hospice services, emergency medical transportation, and any other terms the commissioner determines are important to define so that consumers may compare the medical benefits offered by health insurance and understand the extent of those medical benefits or exceptions to those benefits.

(9) Unless preempted by federal law, the commissioner shall adopt any rules necessary to implement this section, consistent with federal rules and guidance in effect on January 1, 2017, implementing the patient protection and affordable care act.

**PART IX
WAITING PERIODS FOR GROUP COVERAGE**

NEW SECTION. **Sec. 14.** A new section is added to chapter 48.43 RCW to read as follows:

(1) A group health plan and a health carrier offering group health coverage may not apply any waiting period that exceeds ninety days.

(2) Unless preempted by federal law, the commissioner shall adopt any rules necessary to implement this section, consistent with federal rules and guidance in effect on January 1, 2017, implementing the patient protection and affordable care act.

**PART X
PROHIBITING ISSUER AND HEALTH PLAN
DISCRIMINATION**

NEW SECTION. **Sec. 15.** A new section is added to chapter 48.43 RCW to read as follows:

(1) A health carrier offering a nongrandfathered health plan in the individual or small group market may not:

(a) In its benefit design or implementation of its benefit design, discriminate against individuals because of their age, expected length of life, present or predicted disability, degree of medical dependency, quality of life, or other health conditions; and

(b) With respect to the health plan, discriminate on the basis of race, color, national origin, disability, age, sex, gender identity, or sexual orientation.

(2) Nothing in this section may be construed to prevent an issuer from appropriately utilizing reasonable medical management techniques.

(3) Unless preempted by federal law, the commissioner shall adopt any rules necessary to implement this section, consistent with federal rules and guidance in effect on January 1, 2017, implementing the patient protection and affordable care act.

NEW SECTION. Sec. 16. A new section is added to chapter 43.71 RCW to read as follows:

(1) For qualified health plans, an issue offering a qualified health plan may not employ marketing practices or benefit designs that have the effect of discouraging enrollment in the plan by individuals with significant health needs.

(2) Unless preempted by federal law, the commissioner shall adopt any rules necessary to implement this section, consistent with federal rules and guidance in effect on January 1, 2017, implementing the patient protection and affordable care act."

On page 1, line 3 of the title, after "act;" strike the remainder of the title and insert "amending RCW 48.43.005, 48.43.012, 48.21.270, 48.44.380, 48.46.460, 48.43.715, and 48.43.0122; adding new sections to chapter 48.43 RCW; adding a new section to chapter 43.71 RCW; repealing RCW 48.43.015, 48.43.017, 48.43.018, and 48.43.025; and prescribing penalties."

MOTION

Senator O'Ban moved that the following amendment no. 415 by Senator O'Ban be adopted:

On page 1, after line 2, strike all of sections 1 through 11.

On page 15, after line 19, strike all of sections 13 through 16.

Renumber the remaining sections consecutively and correct any internal references accordingly.

Senators O'Ban and Fortunato spoke in favor of adoption of the amendment to the committee striking amendment.

Senators Cleveland and Keiser spoke against adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 415 by Senator O'Ban on page 1, after line 2 to the striking amendment by the Committee on Health & Long Term Care.

The motion by Senator O'Ban did not carry and amendment no. 415 was not adopted by voice vote.

MOTION

Senator O'Ban moved that the following amendment no. 416 by Senator O'Ban be adopted:

On page 1, after line 2, strike all of section 1.

On page 13, after line 5, strike all of sections 8 through 16.

Renumber the remaining sections consecutively and correct any internal references accordingly.

Senator O'Ban spoke in favor of adoption of the amendment to the committee striking amendment.

Senator O'Ban demanded a roll call.

The President declared that one-sixth of the members supported the demand and the demand was sustained.

Senators Cleveland, Frockt and Liias spoke against adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of the amendment by Senator O'Ban on page 1, after line 2 to the striking amendment by the Committee on Health & Long Term Care.

ROLL CALL

The Secretary called the roll on the adoption of the amendment by Senator O'Ban and the amendment was not adopted by the following vote: Yeas, 14; Nays, 31; Absent, 0; Excused, 4.

Voting yea: Senators Becker, Brown, Erickson, Fortunato, Hawkins, Holy, Honeyford, O'Ban, Padden, Schoesler, Short, Wagoner, Warnick and Zeiger

Voting nay: Senators Bailey, Billig, Braun, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Pedersen, Randall, Rivers, Rolfs, Saldaña, Salomon, Takko, Van De Wege, Wellman and Wilson, C.

Excused: Senators Palumbo, Sheldon, Walsh and Wilson, L.

WITHDRAWAL OF AMENDMENT

On motion of Senator O'Ban and without objection, amendment no. 417 by Senator O'Ban on page 8, line 27 to the striking amendment by the Committee on Health & Long Term Care was withdrawn.

MOTION

Senator Cleveland moved that the following amendment no. 414 by Senator Cleveland be adopted:

On page 20, after line 2, insert the following:

"NEW SECTION. Sec. 17. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

On page 20, line 8, after "48.43.025;" strike "and prescribing penalties" and insert "prescribing penalties; and declaring an emergency"

Senator Cleveland spoke in favor of adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 414 by Senator Cleveland on page 20, after line 2 to the striking amendment by the Committee on Health & Long Term Care.

The motion by Senator Cleveland carried and amendment no. 414 was adopted by voice vote.

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Health & Long Term Care as amended to Substitute House Bill No. 1870.

The motion by Senator Cleveland carried and the committee striking amendment as amended was adopted by voice vote.

MOTION

On motion of Senator Cleveland, the rules were suspended, Substitute House Bill No. 1870 as amended by the Senate was

SEVENTY THIRD DAY, MARCH 27, 2019

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advanced to third reading, the second reading considered the third and the bill was placed on final passage as amended by the Senate.

Senators Cleveland, Conway and Liias spoke in favor of passage of the bill.

Senators Becker, Rivers, Ericksen and Fortunato spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1870 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1870 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 28; Nays, 17; Absent, 0; Excused, 4.

Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Pedersen, Randall, Rolfes, Saldaña, Salomon, Takko, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Bailey, Becker, Braun, Brown, Ericksen, Fortunato, Hawkins, Holy, Honeyford, King, Padden, Rivers, Schoesler, Short, Wagoner, Warnick and Zeiger

Excused: Senators Palumbo, Sheldon, Walsh and Wilson, L.

SUBSTITUTE HOUSE BILL NO. 1870, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED HOUSE BILL NO. 1074, by Representatives Harris, Orwall, Riccelli, Jinkins, DeBolt, Pollet, Stonier, Stanford, Rude, Davis, Tharinger, Macri, Slatte, Kloba, Peterson, Valdez, Kilduff, Ryu, Fitzgibbon, Robinson, Appleton, Wylie, Cody, Bergquist, Doglio, Senn, Frame, Walen and Callan

Protecting youth from tobacco products and vapor products by increasing the minimum legal age of sale of tobacco and vapor products.

The measure was read the second time.

WITHDRAWAL OF AMENDMENT

On motion of Senator Padden and without objection, amendment no. 418 by Senator Padden on page 1, line 10 to Engrossed House Bill No. 1074 was withdrawn.

MOTION

Senator Padden moved that the following amendment no. 419 by Senator Padden be adopted:

On page 1, line 10, after (1), insert "Except as provided in subsection (4) of this section"

On page 1, after line 18, insert the following:

"(4) A person may sell or give, or permit to be sold or given, any cigar, cigarette, cigarette paper or wrapper, tobacco in any form, or a vapor product to any person eighteen years or older if that person is a service member or veteran of the United States armed services."

Senator Padden spoke in favor of adoption of the amendment.

Senators Kuderer and Hobbs spoke against adoption of the amendment.

MOTION

On motion of Senator Rivers, Senator Honeyford was excused.

The President declared the question before the Senate to be the adoption of amendment no. 419 by Senator Padden on page 1, line 10 to Engrossed House Bill No. 1074.

The motion by Senator Padden did not carry and amendment no. 419 was not adopted by voice vote.

MOTION

Senator Ericksen moved that the following amendment no. 413 by Senator Ericksen be adopted:

On page 10, after line 10, insert the following:

"Sec. 12. RCW 70.155.080 and 2002 c 175 s 47 are each amended to read as follows:

(1) A person under the age of (~~(eighteen)~~) twenty-one who purchases or attempts to purchase, possesses, or obtains or attempts to obtain cigarettes or tobacco products commits a class 3 civil infraction under chapter 7.80 RCW and is subject to a fine as set out in chapter 7.80 RCW or participation in up to four hours of community restitution, or both. The court may also require participation in a smoking cessation program. This provision does not apply if a person under the age of eighteen, with parental authorization, is participating in a controlled purchase as part of a *liquor control board, law enforcement, or local health department activity.

(2) Municipal and district courts within the state have jurisdiction for enforcement of this section.

Sec. 13. RCW 70.345.140 and 2016 sp.s. c 38 s 14 are each amended to read as follows:

(1) A person under the age of (~~(eighteen)~~) twenty-one who purchases or attempts to purchase, possesses, or obtains or attempts to obtain vapor products commits a class 3 civil infraction under chapter 7.80 RCW and is subject to a fine as set out in chapter 7.80 RCW or participation in up to four hours of community restitution, or both. The court may also require participation in a smoking cessation program. This provision does not apply if a person under the age of eighteen, with parental authorization, is participating in a controlled purchase as part of a board, law enforcement, or local health department activity.

(2) Municipal and district courts within the state have jurisdiction for enforcement of this section."

Renumber the remaining sections accordingly.

Senator Ericksen spoke in favor of adoption of the amendment. Senator Kuderer spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 413 by Senator Ericksen on page 10, after line 10 to Engrossed House Bill No. 1074.

The motion by Senator Ericksen did not carry and amendment no. 413 was not adopted by voice vote.

MOTION

On motion of Senator Kuderer, the rules were suspended, Engrossed House Bill No. 1074 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Kuderer and Rivers spoke in favor of passage of the bill.

Senator Fortunato spoke against passage of the bill.

MOTION

On motion of Senator Wilson, C., Senator Mullet was excused.

Senators Ericksen and Hasegawa spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed House Bill No. 1074.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 1074 and the bill passed the Senate by the following vote: Yeas, 33; Nays, 12; Absent, 0; Excused, 4.

Voting yea: Senators Bailey, Billig, Braun, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hawkins, Hobbs, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Pedersen, Randall, Rivers, Rolfes, Saldaña, Short, Takko, Van De Wege, Wellman, Wilson, C. and Zeiger

Voting nay: Senators Becker, Brown, Ericksen, Fortunato, Hasegawa, Holy, Honeyford, Padden, Salomon, Schoesler, Wagoner and Warnick

Excused: Senators Palumbo, Sheldon, Walsh and Wilson, L.

ENGROSSED HOUSE BILL NO. 1074, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 2:00 p.m., on motion of Senator Liias, the Senate adjourned until 12:00 o'clock noon Thursday, March 28, 2019.

CYRUS HABIB, President of the Senate

BRAD HENDRICKSON, Secretary of the Senate

SEVENTY FOURTH DAY

NOON SESSION

Senate Chamber, Olympia
Thursday, March 28, 2019

The Senate was called to order at 12:01 p.m. by the President of the Senate, Lt. Governor Habib presiding. No roll call was taken.

The President called upon the Secretary to read the journal of the preceding day.

MOTIONS

On motion of Senator Liias, the reading of the Journal of the previous day was dispensed with and it was approved.

Pursuant to Rule 46, on motion of Senator Liias, and without objection, the Committee on Agriculture, Water, Natural Resources & Parks was granted special leave to meet during the day's session.

MOTION

On motion of Senator Liias, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

March 26, 2019

SHB 1012 Prime Sponsor, Committee on Transportation: Concerning the use of child passenger restraint systems. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Das; Lovelett; Nguyen; O'Ban; Randall; Takko; Wilson, C. and Zeiger.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Padden.

Referred to Committee on Rules for second reading.

March 28, 2019

HB 1026 Prime Sponsor, Representative Appleton: Concerning breed-based dog regulations. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Senators Takko, Chair; Salomon, Vice Chair and Lovelett.

MINORITY recommendation: Do not pass. Signed by Senator Short, Ranking Member.

Referred to Committee on Rules for second reading.

March 27, 2019

E2SHB 1033 Prime Sponsor, Committee on Appropriations: Concerning relocation assistance for manufactured/mobile home

park tenants. Reported by Committee on Housing Stability & Affordability

MAJORITY recommendation: Do pass as amended. Signed by Senators Warnick; Saldaña; Fortunato; Darneille; Zeiger, Ranking Member; Das, Vice Chair Kuderer, Chair.

Referred to Committee on Ways & Means.

March 27, 2019

SHB 1170 Prime Sponsor, Committee on Housing, Community Development & Veterans: Modifying the expiration date of certain state fire service mobilization laws. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: Do pass as amended. Signed by Senators Hunt, Chair; Kuderer, Vice Chair; Zeiger, Ranking Member; Bailey; Hasegawa and Hawkins.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Takko.

Referred to Committee on Ways & Means.

March 27, 2019

SHB 1196 Prime Sponsor, Committee on Appropriations: Allowing for the year round observation of daylight saving time. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: Do pass as amended. Signed by Senators Hawkins; Hasegawa; Zeiger, Ranking Member; Kuderer, Vice Chair; Hunt, Chair and Takko.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Bailey.

Referred to Committee on Rules for second reading.

March 27, 2019

ESHB 1207 Prime Sponsor, Committee on Housing, Community Development & Veterans: Concerning manufactured housing communities. Reported by Committee on Housing Stability & Affordability

MAJORITY recommendation: Do pass as amended. Signed by Senators Kuderer, Chair; Das, Vice Chair; Zeiger, Ranking Member; Darneille; Fortunato; Saldaña and Warnick.

Referred to Committee on Rules for second reading.

March 27, 2019

2SHB 1304 Prime Sponsor, Committee on Appropriations: Concerning career and technical education in alternative learning experience programs. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hawkins,

Ranking Member; Holy; Hunt; McCoy; Mullet; Padden; Pedersen; Salomon and Wagoner.

Referred to Committee on Ways & Means.

March 26, 2019

E2SHB 1311 Prime Sponsor, Committee on Appropriations: Concerning college bound scholarship eligible students. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: Do pass. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Liias and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Holy, Ranking Member and Brown.

Referred to Committee on Ways & Means.

March 26, 2019

ESHB 1355 Prime Sponsor, Committee on College & Workforce Development: Concerning staffing standards and ratios for counselors in community and technical colleges. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: Do pass. Signed by Senators Wellman; Liias; Randall, Vice Chair Palumbo, Chair.

MINORITY recommendation: Do not pass. Signed by Senators Holy, Ranking Member and Brown.

Referred to Committee on Rules for second reading.

March 27, 2019

2SHB 1424 Prime Sponsor, Committee on Appropriations: Concerning access to state career and technical course equivalencies. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass as amended. Signed by Senators Wagoner; Salomon; Pedersen; Padden; Mullet; McCoy; Hunt; Holy; Hawkins, Ranking Member; Wilson, C., Vice Chair Wellman, Chair.

Referred to Committee on Ways & Means.

March 27, 2019

HB 1537 Prime Sponsor, Representative Springer: Concerning sunshine committee recommendations. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Hunt, Chair; Kuderer, Vice Chair; Zeiger, Ranking Member; Bailey; Hasegawa; Hawkins and Takko.

Referred to Committee on Rules for second reading.

March 26, 2019

HB 1568 Prime Sponsor, Representative Chapman: Concerning port district worker development and occupational training programs. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: Do pass. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown; Liias and Wellman.

Referred to Committee on Rules for second reading.

March 26, 2019

E2SHB 1646 Prime Sponsor, Committee on Appropriations: Concerning confinement in juvenile rehabilitation facilities. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: Do pass as amended. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; Cleveland; Wilson, C. and Zeiger.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator O'Ban.

Referred to Committee on Ways & Means.

March 27, 2019

ESHB 1667 Prime Sponsor, Committee on Appropriations: Concerning public records request administration. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Takko; Hawkins; Hasegawa; Bailey; Zeiger, Ranking Member; Kuderer, Vice Chair Hunt, Chair.

Referred to Committee on Ways & Means.

March 27, 2019

HB 1673 Prime Sponsor, Representative Steele: Exempting information relating to the regulation of explosives from public disclosure. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Hunt, Chair; Kuderer, Vice Chair; Zeiger, Ranking Member; Bailey; Hasegawa; Hawkins and Takko.

Referred to Committee on Rules for second reading.

March 26, 2019

HB 1688 Prime Sponsor, Representative Morgan: Concerning resident student status as applied to veterans. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: Do pass. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown; Liias and Wellman.

Referred to Committee on Ways & Means.

March 26, 2019

HB 1714 Prime Sponsor, Representative Entenman: Concerning community and technical colleges granting high school diplomas. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: Do pass. Signed by Senators Brown; Holy, Ranking Member; Randall, Vice Chair; Palumbo, Chair; Liias and Wellman.

Referred to Committee on Rules for second reading.

March 26, 2019

SHB 1734 Prime Sponsor, Committee on College & Workforce Development: Requiring accreditation standards for college in the high school programs. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: Do pass. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown; Liias and Wellman.

Referred to Committee on Rules for second reading.

March 26, 2019

HB 1755 Prime Sponsor, Representative Leavitt: Allowing regional universities to offer doctorate level degrees in education. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: Do pass. Signed by Senators Brown; Holy, Ranking Member; Randall, Vice Chair; Palumbo, Chair; Liias and Wellman.

Referred to Committee on Rules for second reading.

March 27, 2019

HB 1803 Prime Sponsor, Representative Orcutt: Increasing the number of school districts that may be authorized to reduce the minimum number of required school days in a school year. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass as amended. Signed by Senators Wagoner; Salomon; Pedersen; Padden; Mullet; McCoy; Hunt; Holy; Hawkins, Ranking Member; Wilson, C., Vice Chair Wellman, Chair.

Referred to Committee on Rules for second reading.

March 26, 2019

2SHB 1893 Prime Sponsor, Committee on Appropriations: Providing assistance for certain postsecondary students. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: Do pass. Signed by Senators Wellman; Liias; Randall, Vice Chair Palumbo, Chair.

MINORITY recommendation: Do not pass. Signed by Senators Holy, Ranking Member and Brown.

Referred to Committee on Ways & Means.

March 26, 2019

2SHB 1973 Prime Sponsor, Committee on Appropriations: Establishing the Washington dual enrollment scholarship pilot program. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: Do pass as amended. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown; Liias and Wellman.

Referred to Committee on Ways & Means.

HB 2038 Prime Sponsor, Representative Ramos: Concerning pavement condition reporting requirements. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Zeiger; Wilson, C.; Takko; Randall; Padden; O'Ban; Nguyen; Lovelett; Das; King, Ranking Member; Saldaña, Vice Chair Hobbs, Chair.

Referred to Committee on Rules for second reading.

March 27, 2019

SHB 2108 Prime Sponsor, Committee on Appropriations: Concerning state funding for K-3 class sizes in schools. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Holy; Hunt; McCoy; Padden; Pedersen; Salomon and Wagoner.

MINORITY recommendation: Do not pass. Signed by Senator Mullet.

Referred to Committee on Ways & Means.

March 27, 2019

SGA 9074 AMY L. FROST, appointed on March 22, 2017, for the term ending June 30, 2019, as Member of the Professional Educator Standards Board. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Holy; Hunt; McCoy; Mullet; Padden; Pedersen; Salomon and Wagoner.

Referred to Committee on Rules for second reading.

March 27, 2019

SGA 9087 BETHANY S. RIVARD, reappointed on June 20, 2017, for the term ending June 30, 2021, as Member of the Professional Educator Standards Board. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Holy; Hunt; McCoy; Mullet; Padden; Pedersen; Salomon and Wagoner.

Referred to Committee on Rules for second reading.

March 27, 2019

SGA 9145 REGINALD GEORGE, appointed on February 5, 2018, for the term ending July 1, 2022, as Member of the Washington State School for the Blind Board of Trustees. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Holy; Hunt; McCoy; Mullet; Padden; Pedersen; Salomon and Wagoner.

Referred to Committee on Rules for second reading.

March 27, 2019

SGA 9163 HARIUM J. MARTIN-MORRIS, appointed on March 22, 2018, for the term ending January 12, 2021, as Member of the State Board of Education. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Wagoner; Salomon; Pedersen; Padden; Mullet; McCoy; Hunt; Holy; Hawkins, Ranking Member; Wilson, C., Vice Chair Wellman, Chair.

Referred to Committee on Rules for second reading.

March 27, 2019

SGA 9203 MARIA J. CHRISTIANSON, reappointed on July 27, 2018, for the term ending July 1, 2023, as Member of the Center for Childhood Deafness and Hearing Loss Board of Trustees. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Wagoner; Salomon; Pedersen; Padden; Mullet; McCoy; Hunt; Holy; Hawkins, Ranking Member; Wilson, C., Vice Chair Wellman, Chair.

Referred to Committee on Rules for second reading.

March 27, 2019

SGA 9239 BRENT L. STARK, appointed on October 18, 2018, for the term ending July 1, 2023, as Member of the Washington State School for the Blind Board of Trustees. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Holy; Hunt; McCoy; Mullet; Padden; Pedersen; Salomon and Wagoner.

Referred to Committee on Rules for second reading.

March 27, 2019

SGA 9247 LILY CLIFTON, appointed on November 8, 2018, for the term ending July 1, 2023, as Member of the Washington State School for the Blind Board of Trustees. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Holy; Hunt; McCoy; Mullet; Padden; Pedersen; Salomon and Wagoner.

Referred to Committee on Rules for second reading.

March 27, 2019

SGA 9262 PAUL E. PITRE, reappointed on January 13, 2019, for the term ending January 12, 2023, as Member of the State Board of Education. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Holy; Hunt; McCoy; Mullet; Padden; Pedersen; Salomon and Wagoner.

Referred to Committee on Rules for second reading.

March 27, 2019

SGA 9276 MICHELLE L. MILNE, appointed on February 7, 2019, for the term ending June 30, 2022, as Member of the Professional Educator Standards Board. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Wagoner; Salomon; Pedersen; Padden; Mullet; McCoy; Hunt; Holy; Hawkins, Ranking Member; Wilson, C., Vice Chair Wellman, Chair.

Referred to Committee on Rules for second reading.

March 27, 2019

SGA 9277 BILL KALLAPPA, appointed on February 13, 2019, for the term ending January 12, 2023, as Member of the State Board of Education. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Wagoner; Salomon; Pedersen; Padden; Mullet; McCoy; Hunt; Holy; Hawkins, Ranking Member; Wilson, C., Vice Chair Wellman, Chair.

Referred to Committee on Rules for second reading.

March 27, 2019

SGA 9278 ADAM L. AGUILERA, appointed on February 14, 2019, for the term ending September 30, 2021, as Member of the Professional Educator Standards Board. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Wagoner; Salomon; Pedersen; Padden; Mullet; McCoy; Hunt; Holy; Hawkins, Ranking Member; Wilson, C., Vice Chair Wellman, Chair.

Referred to Committee on Rules for second reading.

March 27, 2019

SGA 9281 MARISSA WINMILL, reappointed on February 19, 2019, for the term ending September 30, 2021, as Member of the Professional Educator Standards Board. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Wagoner; Salomon; Pedersen; Padden; Mullet; McCoy; Hunt; Holy; Hawkins, Ranking Member; Wilson, C., Vice Chair Wellman, Chair.

Referred to Committee on Rules for second reading.

MOTIONS

On motion of Senator Liias, all measures listed on the Standing Committee report were referred to the committees as designated.

On motion of Senator Liias, the Senate advanced to the fourth order of business.

MESSAGE FROM THE HOUSE

March 28, 2019

MR. PRESIDENT:
The Speaker has signed:

SEVENTY FOURTH DAY, MARCH 28, 2019

2019 REGULAR SESSION

ENGROSSED HOUSE BILL NO. 1074,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1099,
 HOUSE BILL NO. 1349,
 SUBSTITUTE HOUSE BILL NO. 1399,
 SECOND SUBSTITUTE HOUSE BILL NO. 1497,
 and the same are herewith transmitted.

BERNARD DEAN, Chief Clerk

MOTION

On motion of Senator Liias, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 5995 by Senators Hasegawa, Das, Nguyen, Van De Wege, Keiser, Conway, Saldaña, Billig, Darneille, Takko and Liias

AN ACT Relating to establishing the Washington investment trust; amending RCW 30A.04.020, 43.08.135, and 43.84.080; reenacting and amending RCW 42.56.270 and 42.56.400; adding a new section to chapter 39.58 RCW; adding a new section to chapter 41.06 RCW; adding a new chapter to Title 43 RCW; creating a new section; providing an expiration date; and declaring an emergency.

Referred to Committee on Financial Institutions, Economic Development & Trade.

MOTIONS

On motion of Senator Liias, the measure listed on the Introduction and First Reading report was referred to the committee as designated.

On motion of Senator Liias, the Senate advanced to the eighth order of business.

Senator Liias moved adoption of the following resolution:

SENATE RESOLUTION
 8634

By Senators Liias and Palumbo

WHEREAS, Jerry Smith will always be remembered as a great statesman and an inspirational civic leader who cared deeply about his community; and

WHEREAS, Jerry Smith was Mountlake Terrace's longest tenured Mayor in the city's history; and

WHEREAS, When the people of South Snohomish County were upset that the Sound Transit light rail was going to end at Northgate, it was Jerry who fought to make sure the light rail would extend to Mountlake Terrace; and

WHEREAS, It was Jerry's tireless efforts that led to the passing of the proposal for the creation of a new civic campus in Mountlake Terrace; and

WHEREAS, Jerry traveled to Olympia and Washington, D.C. on many occasions to work with the state and federal delegations and this work resulted in over \$20 million in funding to Mountlake Terrace; and

WHEREAS, Jerry Smith was a veteran of the United States Army; and

WHEREAS, Jerry worked for the Seattle Police Department for eighteen years; and

WHEREAS, Jerry Smith proved to be "a very generous man with a heart of gold" who often helped his community on a personal level; and

WHEREAS, Jerry and his wife of 56 years, Judi, founded Tour de Terrace in 1993, a Seafair-sanctioned summer festival for Mountlake Terrace and neighboring communities, to help establish community pride and celebrate the city's 40th anniversary in 1994; and

WHEREAS, Jerry, Judi, and the Tour de Terrace volunteers began the Tree Lighting Ceremony and continue to serve cookies, cocoa, and coffee to this day; and

WHEREAS, Known for his service to the young and the old, Jerry was MTYAA Youth Soccer President for 25 years and one of the founding members of the Mountlake Terrace Seniors Group; and

WHEREAS, Jerry was a true community booster and a generous man who would go out of his way to help a neighbor; and

WHEREAS, Jerry would help his community by assisting in the building of decks, garages, and general improvements;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate recognize Jerry Smith and all of the accomplishments he achieved during his life. Jerry was a man who aimed to better his community and loved to do so; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the Senate to the family of Jerry Smith, to Mayor Kyoko Matsumoto Wright, and to the City Council of Mountlake Terrace.

Senators Liias, Palumbo and Short spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8634.

The motion by Senator Liias carried and the resolution was adopted by voice vote.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced the family of Mr. Jerry Smith including his wife, Mrs. Judi Smith, son, Mr. Scott Smith, and daughter-in-law, Mrs. Tisa Smith who were seated in the gallery.

The President also introduced Ms. Kyoko Matsumoto Wright, Mayor of Mountlake Terrace and Ms. Laura Sonmore, Mountlake Terrace City Councilmember who were also present in the gallery.

MOTION

At 12:13 p.m., on motion of Senator Liias, the Senate adjourned until 10:00 o'clock a.m. Friday, March 29, 2019.

CYRUS HABIB, President of the Senate

BRAD HENDRICKSON, Secretary of the Senate

SEVENTY FIFTH DAY

MORNING SESSION

Senate Chamber, Olympia
Friday, March 29, 2019

The Senate was called to order at 10:02 a.m. by the President of the Senate, Lt. Governor Habib presiding. The Secretary called the roll and announced to the President that all senators were present with the exceptions of Senators Conway, Ericksen and Wilson, L.

The Sergeant at Arms Color Guard consisting of Pages Mr. William Alexander and Mr. William Kite III, presented the Colors. Page Miss Jackie Fluornoy led the Senate in the Pledge of Allegiance.

The prayer was offered by Reverend Tyler Sollic, Senior Pastor, Life Center Church, Tacoma.

The President called upon the Secretary to read the journal of the preceding day.

MOTION

On motion of Senator Liias, the reading of the Journal of the previous day was dispensed with and it was approved.

MOTION

There being no objection, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

March 28, 2019

SHB 1041 Prime Sponsor, Committee on Public Safety: Promoting successful reentry by modifying the process for obtaining certificates of discharge and vacating conviction records. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass as amended. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; Holy; Kuderer and Salomon.

Referred to Committee on Rules for second reading.

March 28, 2019

2SHB 1048 Prime Sponsor, Committee on Appropriations: Modifying the process for prevailing parties to recover judgments in small claims court. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Salomon; Kuderer; Dhingra, Vice Chair Pedersen, Chair.

MINORITY recommendation: Do not pass. Signed by Senators Padden, Ranking Member and Holy.

Referred to Committee on Ways & Means.

March 28, 2019

ESHB 1094 Prime Sponsor, Committee on Health Care & Wellness: Establishing compassionate care renewals for medical

marijuana qualifying patients. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass as amended. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Braun; Saldaña; Walsh and Wellman.

Referred to Committee on Ways & Means.

March 28, 2019

E3SHB 1324 Prime Sponsor, Committee on Appropriations: Creating the Washington rural development and opportunity zone act. Reported by Committee on Financial Institutions, Economic Development & Trade

MAJORITY recommendation: Do pass as amended. Signed by Senators Mullet, Chair; Das; Ericksen; Hobbs and Braun.

MINORITY recommendation: Do not pass. Signed by Senator Hasegawa, Vice Chair.

Referred to Committee on Ways & Means.

March 28, 2019

SHB 1326 Prime Sponsor, Committee on Public Safety: Collecting DNA samples. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass as amended. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; Holy; Kuderer and Salomon.

Referred to Committee on Ways & Means.

March 28, 2019

SHB 1350 Prime Sponsor, Committee on Civil Rights & Judiciary: Issuing temporary protection orders. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Salomon; Kuderer; Dhingra, Vice Chair Pedersen, Chair.

MINORITY recommendation: Do not pass. Signed by Senator Holy.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Padden, Ranking Member.

Referred to Committee on Rules for second reading.

March 28, 2019

ESHB 1440 Prime Sponsor, Committee on Civil Rights & Judiciary: Providing longer notice of rent increases. Reported by Committee on Financial Institutions, Economic Development & Trade

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MAJORITY recommendation: Do pass. Signed by Senators Ericksen; Das; Hasegawa, Vice Chair Mullet, Chair.

Referred to Committee on Rules for second reading.

March 28, 2019

HB 1462 Prime Sponsor, Representative Barkis: Providing notice of plans to demolish, substantially rehabilitate, or change use of residential premises. Reported by Committee on Financial Institutions, Economic Development & Trade

MAJORITY recommendation: Do pass as amended. Signed by Senators Braun; Hobbs; Mullet, Chair; Hasegawa, Vice Chair; Das and Ericksen.

Referred to Committee on Rules for second reading.

March 28, 2019

EHB 1465 Prime Sponsor, Representative Goodman: Concerning requirements for pistol sales or transfers. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Dhingra, Vice Chair; Kuderer; Salomon Pedersen, Chair.

MINORITY recommendation: Do not pass. Signed by Senators Padden, Ranking Member and Holy.

Referred to Committee on Rules for second reading.

March 28, 2019

ESHB 1504 Prime Sponsor, Committee on Public Safety: Concerning impaired driving. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass as amended. Signed by Senators Holy; Padden, Ranking Member; Dhingra, Vice Chair; Pedersen, Chair; Salomon and Kuderer.

Referred to Committee on Ways & Means.

March 28, 2019

HB 1561 Prime Sponsor, Representative Dent: Ensuring participation on the oversight board for children, youth, and families by current or former foster youth, individuals with current or previous experience in the juvenile justice system, a physician with experience working with children or youth, and individuals residing east of the Cascade mountain range. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: Do pass as amended. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; Cleveland; O'Ban; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

March 28, 2019

SHB 1575 Prime Sponsor, Committee on Labor & Workplace Standards: Strengthening the rights of workers through collective bargaining by addressing authorizations and revocations, certifications, and the authority to deduct and accept union dues and fees. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass as amended. Signed by Senators Wellman; Saldaña; Conway, Vice Chair Keiser, Chair.

MINORITY recommendation: Do not pass. Signed by Senators Braun; King, Ranking Member and Walsh.

Referred to Committee on Rules for second reading.

March 28, 2019

SHB 1594 Prime Sponsor, Committee on Labor & Workplace Standards: Clarifying the exemption for wiring and equipment associated with telecommunication installations. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Braun; Saldaña; Walsh and Wellman.

Referred to Committee on Rules for second reading.

March 28, 2019

SHB 1607 Prime Sponsor, Committee on Civil Rights & Judiciary: Concerning notice of material changes to the operations or governance structure of participants in the health care marketplace. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Kuderer and Salomon.

MINORITY recommendation: Do not pass. Signed by Senator Holy.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Padden, Ranking Member.

Referred to Committee on Rules for second reading.

March 28, 2019

HB 1672 Prime Sponsor, Representative Steele: Allowing recorking wine at wineries and tasting rooms. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass as amended. Signed by Senators Walsh; Saldaña; Braun; King, Ranking Member; Conway, Vice Chair; Keiser, Chair and Wellman.

Referred to Committee on Rules for second reading.

March 28, 2019

ESHB 1696 Prime Sponsor, Committee on Appropriations: Concerning wage and salary information. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass as amended. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Braun and Walsh.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator King, Ranking Member.

Referred to Committee on Rules for second reading.

March 28, 2019

HB 1727 Prime Sponsor, Representative Walen: Concerning gift cards. Reported by Committee on Financial Institutions, Economic Development & Trade

MAJORITY recommendation: Do pass as amended. Signed by Senators Braun; Hobbs; Ericksen; Das; Hasegawa, Vice Chair Mullet, Chair.

Referred to Committee on Rules for second reading.

March 28, 2019

ESHB 1732 Prime Sponsor, Committee on Public Safety: Concerning identifying and responding to bias-based criminal offenses. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass as amended. Signed by Senators Salomon; Kuderer; Dhingra, Vice Chair Pedersen, Chair.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Holy Padden, Ranking Member.

Referred to Committee on Rules for second reading.

March 28, 2019

SHB 1739 Prime Sponsor, Committee on Civil Rights & Judiciary: Addressing undetectable and untraceable firearms. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Kuderer and Salomon.

MINORITY recommendation: Do not pass. Signed by Senators Holy Padden, Ranking Member.

Referred to Committee on Rules for second reading.

March 28, 2019

SHB 1742 Prime Sponsor, Committee on Human Services & Early Learning: Concerning juvenile offenses that involve depictions of minors. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Salomon; Kuderer; Dhingra, Vice Chair Pedersen, Chair.

MINORITY recommendation: Do not pass. Signed by Senators Padden, Ranking Member and Holy.

Referred to Committee on Rules for second reading.

March 28, 2019

SHB 1746 Prime Sponsor, Committee on Local Government: Incentivizing the development of commercial office space in cities in a county with a population of less than one million five hundred thousand. Reported by Committee on Financial Institutions, Economic Development & Trade

MAJORITY recommendation: Do pass as amended. Signed by Senators Braun; Mullet, Chair; Das; Ericksen and Hobbs.

MINORITY recommendation: Do not pass. Signed by Senator Hasegawa, Vice Chair.

Referred to Committee on Rules for second reading.

March 28, 2019

EHB 1756 Prime Sponsor, Representative Orwall: Concerning the safety and security of adult entertainers. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass as amended. Signed by Senators Wellman; Walsh; Saldaña; Braun; King, Ranking Member; Conway, Vice Chair Keiser, Chair.

Referred to Committee on Rules for second reading.

March 28, 2019

SHB 1786 Prime Sponsor, Committee on Civil Rights & Judiciary: Improving procedures and strengthening laws relating to protection orders, no-contact orders, and restraining orders. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass as amended. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Kuderer and Salomon.

MINORITY recommendation: Do not pass. Signed by Senators Holy Padden, Ranking Member.

Referred to Committee on Rules for second reading.

March 28, 2019

ESHB 1788 Prime Sponsor, Committee on Civil Rights & Judiciary: Concerning the Washington state bar association. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass as amended. Signed by Senators Salomon; Kuderer; Holy; Padden, Ranking Member; Dhingra, Vice Chair Pedersen, Chair.

Referred to Committee on Rules for second reading.

March 28, 2019

ESHB 1794 Prime Sponsor, Committee on Commerce & Gaming: Concerning agreements between licensed marijuana businesses and other people and businesses, including royalty and licensing agreements relating to the use of intellectual property. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Saldaña; Walsh and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Braun.

Referred to Committee on Rules for second reading.

March 28, 2019

SHB 1798 Prime Sponsor, Committee on Consumer Protection & Business: Concerning short-term rentals. Reported by

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MAJORITY recommendation: Do pass as amended. Signed by Senators Mullet, Chair; Hobbs; Ericksen; Das; Braun Hasegawa, Vice Chair.

Referred to Committee on Rules for second reading.

March 28, 2019

ESHB 1817 Prime Sponsor, Committee on Labor & Workplace Standards: Ensuring for a skilled and trained workforce in high hazard facilities. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass as amended. Signed by Senators Wellman; Walsh; Saldaña; Conway, Vice Chair Keiser, Chair.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Braun.

MINORITY recommendation: Do not pass. Signed by Senator King, Ranking Member.

Referred to Committee on Rules for second reading.

March 28, 2019

ESHB 1916 Prime Sponsor, Committee on Civil Rights & Judiciary: Improving the delivery of child support services to families by increasing flexibility and efficiency. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; Holy; Salomon and Kuderer.

Referred to Committee on Ways & Means.

March 28, 2019

HB 2052 Prime Sponsor, Representative Stanford: Clarifying marijuana product testing by revising provisions concerning marijuana testing laboratory accreditation and establishing a cannabis science task force. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass as amended. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Saldaña; Walsh and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Braun.

Referred to Committee on Ways & Means.

March 28, 2019

SGA 9151 SKYLEE SAHLSTROM, reappointed on February 16, 2018, for the term ending June 17, 2021, as Member of the Human Rights Commission. Reported by Committee on Law & Justice

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Salomon; Kuderer; Holy; Padden, Ranking Member; Dhingra, Vice Chair Pedersen, Chair.

Referred to Committee on Rules for second reading.

MOTION

On motion of Liias, all measures listed on the Standing Committee report were referred to the committees as designated with the exception of Engrossed Third Substitute House Bill No. 1324 which had been designated to the Committee on Rules and was referred to the Committee on Ways & Means.

MOTION

Pursuant to Rule 46, on motion of Senator Liias, and without objection, the Committee on Health & Long Term Care was granted special leave to meet during the day's session.

MOTION

On motion of Senator Liias, the Senate advanced to the third order of business.

MESSAGE FROM THE GOVERNOR
GUBERNATORIAL APPOINTMENTS

March 27, 2019

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

PATRICK J. OSHIE, appointed April 1, 2019, for the term ending January 15, 2022, as Member of the Northwest Power and Conservation Council.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Environment, Energy & Technology as Senate Gubernatorial Appointment No. 9285.

March 27, 2019

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

ED ZUCKERMAN, appointed March 22, 2019, for the term ending September 30, 2024, as Member of the The Evergreen State College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9286.

MOTION

On motion of Senator Liias, all appointees listed on the Gubernatorial Appointments report were referred to the committees as designated.

MESSAGE FROM OTHER STATE OFFICERS

Children, Youth, and Families, Department of – *“Foster Parent and Adoptive Home Recruitments Report for 2018”*, pursuant to 74.13.031 RCW;

Commerce, Department of – *“Impact Fee Deferral Report”*, pursuant to 43.31.980 RCW; *“Foreclosure Fairness Program Annual Report 2019”*, pursuant to 61.24.163 RCW;

Ecology, Department of – *“Average Time to Complete Environmental Impact Statements (EIS)”*, pursuant to 43.21C.031 RCW;

Health Care Authority – *“Medicaid Transformation Project (MTP) Demonstration, Section 1115 Waiver Quarterly Report for October - December 2018”*, in accordance with Substitute Senate Bill No. 5883.

The reports listed were submitted to the Secretary of the Senate and made available online by the Office of the Secretary.

MOTION

On motion of Senator Liias, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 5996 by Senators Van De Wege, Rolfes, Frockt, Billig, Keiser and Liias

AN ACT Relating to funding fire prevention and suppression activities; amending RCW 48.14.020; adding new sections to chapter 76.04 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Ways & Means.

SB 5997 by Senator Rolfes

AN ACT Relating to eliminating or narrowing certain tax preferences to increase state revenue for essential public services; amending RCW 82.08.0273 and 82.04.260; prescribing penalties; providing an effective date; and declaring an emergency.

Referred to Committee on Ways & Means.

SB 5998 by Senators Nguyen, Lovelett, Hasegawa and Salomon

AN ACT Relating to establishing a graduated real estate excise tax; amending RCW 82.45.060; providing an effective date; and declaring an emergency.

Referred to Committee on Ways & Means.

SB 5999 by Senators Braun and Mullet

AN ACT Relating to making expenditures from the budget stabilization account for public employer unfunded actuarially accrued liabilities; creating a new section; making an appropriation; and declaring an emergency.

Referred to Committee on Ways & Means.

SJM 8013 by Senators Honeyford, Erickson and Bailey

Requesting that Congress ratify the United States-Mexico-Canada Agreement.

Referred to Committee on Financial Institutions, Economic Development & Trade.

MOTION

On motion of Senator Liias, all measures listed on the Introduction and First Reading report were referred to the committees as designated.

MOTION

On motion of Senator Liias, the Senate advanced to the eighth order of business.

MOTION

Senator Warnick moved adoption of the following resolution:

SENATE RESOLUTION 8637

By Senator Warnick

WHEREAS, It is the policy of the Washington State Legislature to recognize excellence in all fields of endeavor; and

WHEREAS, The Kittitas Secondary School boys' basketball team exhibited the highest level of excellence in overcoming the competition and winning the Washington State 2B Championship game on March 2, 2019, by a score of 79 to 51; and

WHEREAS, The Coyotes demonstrated spirited play and exemplary leadership in achieving this outstanding accomplishment; and

WHEREAS, The team surpassed the Saint George's High School Dragons for the second consecutive time at the annual Washington State 2B Championship tournament, and became the third team to achieve a 2B basketball "three-peat"; and

WHEREAS, Guard Brock Ravet was named the 2B tournament's Most Outstanding Player for the third time, and finished his career as a Coyote by becoming the state's first high school player to reach 3,000 career points, and assuming the title of the state's all-time scoring leader; and

WHEREAS, Head Coach Tim Ravet and all the Coyote players, Caleb Harris, Justin Hudson, Treyden Wilson, Jesus Velazquez, Bailey Gibson, Christian Mata, Cody Van Dorn, Beau Bryant, Blake Catlin, Dawson Byers, Martin Arreola, Brock Ravet, Kolten Udager, and Nick Patteson share in the team's success by combining outstanding coaching with outstanding sportsmanship; and

WHEREAS, The inspiring individual and team achievements of the 2019 Kittitas Secondary School Coyotes boys' basketball team will always be remembered as a source of great pride by all the citizens of their community and of the state of Washington;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate honor the 2019 Kittitas Secondary School boys' basketball team; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the Senate to the Kittitas Secondary School boys' basketball team coach Tim Ravet, Assistant Coaches Rocky Gibson and Dusty Hutchinson, Kittitas Secondary School boys' basketball team members, Kittitas Secondary School principal Heather Burfeind, and Kittitas Secondary School athletic director Austin Brothers.

Senators Warnick and Honeyford spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8637.

The motion by Senator Warnick carried and the resolution was adopted by voice vote.

INTRODUCTION OF SPECIAL GUESTS

SEVENTY FIFTH DAY, MARCH 29, 2019

2019 REGULAR SESSION

The President welcomed and introduced the 2019 Kittitas Secondary School boys' basketball team, students and representatives who were seated in the gallery.

traditions, to ask that we get to a better place in our community, in our country and try to stop these senseless acts of gun violence, and violence generally, that hurt so many in our communities? Thank you Mr. President.”

PERSONAL PRIVILEGE

MOMENT OF SILENCE

Senator Honeyford: “Thank you Mr. President. I am very concerned about the apparent lack of respect for the members of this body. This past Wednesday, our session ran until approximately 2:15 p.m. We had no advance notice that the session would run so long. We had no lunch break. I had a school superintendent and a board member in a meeting in my office at 1:00, which I could not attend. I had a hearing in the House at 1:30 which I had to attend and miss votes here in the Senate. Without advance notice I don't know how we can plan. And Mr. President, this is my twenty-fifth year in the Legislature and I have never seen such a total disregard of members. And I ask that in the future the Senate receive advance notification of the approximate length of the session so that we may plan accordingly. Thank you Mr. President and I hope that you will support this request.”

The Senate rose and observed a moment of silence in memory of Mr. Richard Lee and Dr. Robert Hassan, who were killed during a random act of violence in Seattle and in solidarity with Ms. Deborah Judd and Mr. Eric Stark who were recovering from injuries received during the attack.

PERSONAL PRIVILEGE

Senator Frockt: “Briefly, I forgot in my remarks, I just wanted to also commend the Seattle Police Department and the EMTs, but in particular the police department, who took this deranged individual into custody without any further shots fired after these horrible incidents. They did a terrific job. Thank you Mr. President.”

PERSONAL PRIVILEGE

EDITOR'S NOTE: Mr. Richard T. Lee, of Seattle's Lake City neighborhood, was shot and killed during a random act of violence on the afternoon of Wednesday, March 27, 2019, in Seattle. Dr. Robert M. “Bob” Hassan, a retired physician and Air Force colonel died as a result of injuries received during a vehicle collision caused by the suspect in an attempt to flee Seattle Police officers in Mr. Lee's vehicle. Ms. Deborah Judd, second-grade teacher at Laurelhurst Elementary School, was also shot multiple times during the incident but survived her injuries. The attack also injured Mr. Eric Stark, a Metro bus driver, who, despite his wounds, heroically backed the Route 75 bus out of the area, driving his passengers to safety.

Senator Frockt: “Thank you Mr. President. On Wednesday afternoon, while many of us were in the Ways & Means Committee, hearing the capital budget, I received a text from my legislative assistant informing me that there was an active shooter incident occurring in Lake City in the heart of the 46th District, an area that I know very well. And, I wanted to just take a moment, if I could, to ask the Senate to think of the victims of this random act of violence and also briefly commemorate some of the notable people that were involved in it and what they did. A gunman had come out into the street and, apparently in a deranged fashion, had started shooting. Shot at a bus. It is a bus route that I know very well. My nephew and my daughter sometimes ride that route and sometimes her friends have ridden that route. It is on Sandpoint Way, which is an area that is a main thoroughfare that I'm on. You know, anytime that I am not in Olympia, there is a good chance I am on that road, up in that part of north Seattle. My wife is on there. And it just so happens that there were, unfortunately, other people who just happened to be at the wrong place at the wrong time. Dr. Robert Hassan was carjacked and was a retired Air Force Colonel and was shot and killed by the gunman. And then, when he commandeered the vehicle, another individual was killed when the car ran over the line and killed a gentleman who was a long-time Lake City resident, Mr. Lee, Richard Lee, who was apparently on, I think, back on his way home – totally normal thing. It brought back very poor memories because something like this happened to my own grandparents twenty-five years ago and when they were killed in an incident like this. There was a second-grade teacher who was also shot in this incident at Laurelhurst Elementary, Ms. Judd. The story in the paper this morning, in *The Seattle Times*, she indicated she wanted to make sure her story was out so that her second-graders would know that she was okay and that even though bad things can happen that it's, ... Try not to be afraid, I think, was her message. And then of course, there was Eric Stark, the heroic metro bus driver, that drove his passengers out of harms way. And I think Senator Salomon will be offering a resolution soon, I just found out this morning, to more formally honor him and bus drivers for their very great work that they do for our communities in many instances. He was actually shot and backed his bus up and out of the way. So, I was wondering if we could just take a very brief moment to remember those and to think, in any way you feel fit and is consistent with your values and your

MOTIONS

On motion of Senator Rivers, Senators Ericksen and Wilson, L. were excused.

At 10:22 a.m., on motion of Senator Liias, the Senate was declared to be at ease subject to the call of the President for the purposes of caucuses.

Senator McCoy announced a meeting of the Democratic Caucus immediately upon going at ease.

Senator Short announced a meeting of the Republican Caucus immediately upon going at ease.

The Senate was called to order at 11:37 a.m. by President Habib.

MOTION

On motion of Senator Liias, the Senate reverted to the seventh order of business.

THIRD READING
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Billig moved that Lisa Brown, Senate Gubernatorial Appointment No. 9279, be confirmed as a Director of the Department of Commerce - Agency Head.

Senators Billig and Schoesler spoke in favor of passage of the motion.

APPOINTMENT OF LISA BROWN

The President declared the question before the Senate to be the confirmation of Lisa Brown, Senate Gubernatorial Appointment No. 9279, as a Director of the Department of Commerce - Agency Head.

The Secretary called the roll on the confirmation of Lisa Brown, Senate Gubernatorial Appointment No. 9279, as a Director of the Department of Commerce - Agency Head and the appointment was confirmed by the following vote: Yeas, 46; Nays, 0; Absent, 1; Excused, 2.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Darneille, Das, Dhingra, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Absent: Senator Conway

Excused: Senators Ericksen and Wilson, L.

Lisa Brown, Senate Gubernatorial Appointment No. 9279, having received the constitutional majority was declared confirmed as a Director of the Department of Commerce - Agency Head.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced former Senator Lisa Brown and former Senator Brian Hatfield, who were seated in the gallery.

REMARKS BY SENATOR LIAS

Senator Liias: "Thank you Mr. President. I won't purport to recognize him, but I do understand that Director Brown's husband is here as well, and we all appreciate the sacrifices that the families of our public servants make as well."

MOTIONS

On motion of Senator Liias, Senator Conway was excused.

On motion of Senator Liias, the Senate reverted to the sixth order of business.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1919, by House Committee on Public Safety (originally sponsored by Mosbrucker, Appleton, Smith, Ybarra, Dye, Ormsby and Stanford)

Preventing and responding to animal abuse.

The measure was read the second time.

MOTION

Senator Padden moved that the following committee striking amendment by the Committee on Law & Justice be adopted:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 16.52.117 and 2015 c 235 s 3 are each amended to read as follows:

(1) A person commits the crime of animal fighting if the person knowingly does any of the following or causes a minor to do any of the following:

(a) Owns, possesses, keeps, breeds, trains, buys, sells, or advertises or offers for sale any animal with the intent that the animal shall be engaged in an exhibition of fighting with another animal;

(b) Promotes, organizes, conducts, participates in, is a spectator of, advertises, prepares, or performs any service in the furtherance of, an exhibition of animal fighting, transports spectators to an animal fight, or provides or serves as a stakeholder for any money wagered on an animal fight;

(c) Keeps or uses any place for the purpose of animal fighting, or manages or accepts payment of admission to any place kept or used for the purpose of animal fighting;

(d) Suffers or permits any place over which the person has possession or control to be occupied, kept, or used for the purpose of an exhibition of animal fighting; ~~((e))~~

(e) Steals, takes, leads away, possesses, confines, sells, transfers, or receives an animal with the intent of using the animal for animal fighting, or for training or baiting for the purpose of animal fighting; or

(f) Owns, possesses, buys, sells, transfers, or manufactures animal fighting paraphernalia for the purpose of engaging in, promoting, or facilitating animal fighting, or for baiting a live animal for the purpose of animal fighting.

(2)(a) Except as provided in (b) of this subsection, a person who violates this section is guilty of a class C felony punishable under RCW 9A.20.021;

(b) A person who intentionally mutilates an animal in furtherance of an animal fighting offense as described in subsection (1) of this section is guilty of a class B felony punishable under RCW 9A.20.021.

(3) Nothing in this section prohibits the following:

(a) The use of dogs in the management of livestock, as defined by chapter 16.57 RCW, by the owner of the livestock or the owner's employees or agents or other persons in lawful custody of the livestock;

(b) The use of dogs in hunting as permitted by law; or

(c) The training of animals or the use of equipment in the training of animals for any purpose not prohibited by law.

(4) For the purposes of this section, "animal fighting paraphernalia" includes equipment, products, implements, or materials of any kind that are used, intended for use, or designed for use in the training, preparation, conditioning, or furtherance of animal fighting, and includes, but is not limited to: Cat mills; fighting pits; springpoles; unprescribed veterinary medicine; treatment supplies; and gaffs, slashers, heels, and any other sharp implement designed to be attached in place of the natural spur of a cock or game fowl.

Sec. 2. RCW 16.52.207 and 2011 c 172 s 5 are each amended to read as follows:

(1) A person is guilty of animal cruelty in the second degree if, under circumstances not amounting to first degree animal cruelty~~((s))~~:

(a) The person knowingly, recklessly, or with criminal negligence inflicts unnecessary suffering or pain upon an animal; or

(b) The person takes control, custody, or possession of an animal that was involved in animal fighting as described in RCW 16.52.117 and knowingly, recklessly, or with criminal negligence abandons the animal, and (i) as a result of being abandoned, the animal suffers bodily harm; or (ii) abandoning the animal creates an imminent and substantial risk that the animal will suffer substantial bodily harm.

(2) An owner of an animal is guilty of animal cruelty in the second degree if, under circumstances not amounting to first degree animal cruelty, the owner knowingly, recklessly, or with criminal negligence:

(a) Fails to provide the animal with necessary shelter, rest, sanitation, space, or medical attention and the animal suffers unnecessary or unjustifiable physical pain as a result of the failure;

(b) Under circumstances not amounting to animal cruelty in the second degree under (c) of this subsection, abandons the animal; or

(c) Abandons the animal and (i) as a result of being abandoned, the animal suffers bodily harm; or (ii) abandoning the animal creates an imminent and substantial risk that the animal will suffer substantial bodily harm.

(3) Animal cruelty in the second degree is a gross misdemeanor.

(4) In any prosecution of animal cruelty in the second degree under subsection (1)(a) or (2)(a) of this section, it shall be an affirmative defense, if established by the defendant by a preponderance of the evidence, that the defendant's failure was due to economic distress beyond the defendant's control.

Sec. 3. RCW 16.52.011 and 2017 c 65 s 2 are each amended to read as follows:

(1) Principles of liability as defined in chapter 9A.08 RCW apply to this chapter.

(2) The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(a) "Abandons" means the knowing or reckless desertion of an animal by its owner, or by a person who has taken control, custody, or possession of an animal that was involved in animal fighting as described in RCW 16.52.117, or the causing of the animal to be deserted by its owner, in any place, without making provisions for the animal's adequate care.

(b) "Animal" means any nonhuman mammal, bird, reptile, or amphibian.

(c) "Animal care and control agency" means any city or county animal control agency or authority authorized to enforce city or county municipal ordinances regulating the care, control, licensing, or treatment of animals within the city or county, and any corporation organized under RCW 16.52.020 that contracts with a city or county to enforce the city or county ordinances governing animal care and control.

(d) "Animal control officer" means any individual employed, contracted, or appointed pursuant to RCW 16.52.025 by an animal care and control agency or humane society to aid in the enforcement of ordinances or laws regulating the care and control of animals. For purposes of this chapter, the term "animal control officer" shall be interpreted to include "humane officer" as defined in (h) of this subsection and RCW 16.52.025.

(e) "Dog" means an animal of the species *Canis lupus familiaris*.

(f) "Euthanasia" means the humane destruction of an animal accomplished by a method that involves instantaneous unconsciousness and immediate death, or by a method that causes painless loss of consciousness, and death during the loss of consciousness.

(g) "Food" means food or feed appropriate to the species for which it is intended.

(h) "Humane officer" means any individual employed, contracted, or appointed by an animal care and control agency or humane society as authorized under RCW 16.52.025.

(i) "Law enforcement agency" means a general authority Washington law enforcement agency as defined in RCW 10.93.020.

(j) "Livestock" includes, but is not limited to, horses, mules, cattle, sheep, swine, goats, and bison.

(k) "Malice" has the same meaning as provided in RCW 9A.04.110, but applied to acts against animals.

(l) "Necessary food" means the provision at suitable intervals of wholesome foodstuff suitable for the animal's age, species, and condition, and that is sufficient to provide a reasonable level of nutrition for the animal and is easily accessible to the animal or as directed by a veterinarian for medical reasons.

(m) "Necessary shelter" means a structure sufficient to protect a dog from wind, rain, snow, cold, heat, or sun that has bedding to permit a dog to remain dry and reasonably clean and maintain a normal body temperature.

(n) "Necessary water" means water that is in sufficient quantity and of appropriate quality for the species for which it is intended and that is accessible to the animal or as directed by a veterinarian for medical reasons.

(o) "Owner" means a person who has a right, claim, title, legal share, or right of possession to an animal or a person having lawful control, custody, or possession of an animal.

(p) "Person" means individuals, corporations, partnerships, associations, or other legal entities, and agents of those entities.

(q) "Similar animal" means: (i) For a mammal, another animal that is in the same taxonomic order; or (ii) for an animal that is not a mammal, another animal that is in the same taxonomic class.

(r) "Substantial bodily harm" means substantial bodily harm as defined in RCW 9A.04.110.

(s) "Tether" means: (i) To restrain an animal by tying or securing the animal to any object or structure; and (ii) a device including, but not limited to, a chain, rope, cable, cord, tie-out, pulley, or trolley system for restraining an animal."

On page 1, line 1 of the title, after "abuse;" strike the remainder of the title and insert "amending RCW 16.52.117, 16.52.207, and 16.52.011; and prescribing penalties."

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Law & Justice to Substitute House Bill No. 1919.

The motion by Senator Padden carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Padden, the rules were suspended, Substitute House Bill No. 1919 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Padden and Pedersen spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1919 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1919 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 44; Nays, 2; Absent, 0; Excused, 3.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Das, Dhingra, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Voting nay: Senators Darneille and Saldaña

Excused: Senators Conway, Ericksen and Wilson, L.

SUBSTITUTE HOUSE BILL NO. 1919, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 2049, by House Committee on Rural Development, Agriculture, & Natural Resources (originally sponsored by Blake)

Concerning commercial egg layer operations.

The measure was read the second time.

MOTION

Senator Van De Wege moved that the following committee striking amendment by the Committee on Agriculture, Water, Natural Resources & Parks be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature finds that the purpose of this act is to improve the regulation of egg production and sales in order to protect the health and welfare of consumers, promote food safety, advance animal welfare, and protect against the negative fiscal effects on the state associated with the lack of effective regulation of egg production and sales.

Sec. 2. RCW 69.25.010 and 1975 1st ex.s. c 201 s 2 are each amended to read as follows:

Eggs and egg products are an important source of the state's total supply of food, and are used in food in various forms. They are consumed throughout the state and the major portion thereof moves in intrastate commerce. It is essential, in the public interest, that the health and welfare of consumers be protected by the adoption of measures prescribed herein for assuring that eggs and egg products distributed to them and used in products consumed by them are wholesome, otherwise not adulterated, and properly labeled and packaged. Lack of effective regulation for the handling or disposition of unwholesome, otherwise adulterated, or improperly labeled or packaged egg products and certain qualities of eggs is injurious to the public welfare and destroys markets for wholesome, unadulterated, and properly labeled and packaged eggs and egg products and results in sundry losses to producers and processors, as well as injury to consumers. Unwholesome, otherwise adulterated, or improperly labeled or packaged products can be sold at lower prices and compete unfairly with the wholesome, unadulterated, and properly labeled and packaged products, to the detriment of consumers and the public generally. It is also essential to protect the health and

welfare of consumers, promote food safety, advance animal welfare, and protect against the negative fiscal effects on the state associated with the lack of effective regulation of egg production and sales. It is hereby found that all egg products and the qualities of eggs which are regulated under this chapter are either in intrastate commerce, or substantially affect such commerce, and that regulation by the director, as contemplated by this chapter, is appropriate to protect the health and welfare of consumers.

Sec. 3. RCW 69.25.020 and 2013 c 144 s 44 are each reenacted and amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly otherwise requires.

(1) "Adulterated" applies to any egg or egg product under one or more of the following circumstances:

(a) If it bears or contains any poisonous or deleterious substance that may render it injurious to health; but in case the substance is not an added substance, such article is not considered adulterated under this clause if the quantity of such substance in or on such article does not ordinarily render it injurious to health;

(b) If it bears or contains any added poisonous or added deleterious substance (other than one which is: (i) A pesticide chemical in or on a raw agricultural commodity; (ii) a food additive; or (iii) a color additive) which may, in the judgment of the director, make such article unfit for human food;

(c) If it is, in whole or in part, a raw agricultural commodity and such commodity bears or contains a pesticide chemical ~~((which is unsafe within the meaning of RCW 69.04.392, as enacted or hereafter amended))~~ that renders it adulterated within the meaning of RCW 15.130.200(2);

(d) If it bears or contains any food additive ~~((which is unsafe within the meaning of RCW 69.04.394, as enacted or hereafter amended))~~ that renders it adulterated within the meaning of RCW 15.130.200(2);

(e) If it bears or contains any color additive ~~((which is unsafe within the meaning of RCW 69.04.396))~~ that renders it adulterated within the meaning of RCW 15.130.200(2); however, an article which is not otherwise deemed adulterated under (c), (d), or (e) of this subsection are nevertheless deemed adulterated if use of the pesticide chemical, food additive, or color additive, in or on such article, is prohibited by regulations of the director in official plants;

(f) If it consists in whole or in part of any filthy, putrid, or decomposed substance, or if it is otherwise unfit for human food;

(g) If it consists in whole or in part of any damaged egg or eggs to the extent that the egg meat or white is leaking, or it has been contacted by egg meat or white leaking from other eggs;

(h) If it has been prepared, packaged, or held under insanitary conditions whereby it may have become contaminated with filth, or whereby it may have been rendered injurious to health;

(i) If it is an egg which has been subjected to incubation or the product of any egg which has been subjected to incubation;

(j) If its container is composed, in whole or in part, of any poisonous or deleterious substance which may render the contents injurious to health;

(k) If it has been intentionally subjected to radiation, unless the use of the radiation was in conformity with a regulation or exemption in effect ~~((pursuant to RCW 69.04.394))~~ under chapter 15.130 RCW; or

(l) If any valuable constituent has been in whole or in part omitted or abstracted therefrom; or if any substance has been substituted, wholly or in part therefor; or if damage or inferiority has been concealed in any manner; or if any substance has been added thereto or mixed or packed therewith so as to increase its bulk or weight, or reduce its quality or strength, or make it appear better or of greater value than it is.

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(2) "Ambient temperature" means the atmospheric temperature surrounding or encircling shell eggs.

(3) "At retail" means any transaction in intrastate commerce between a retailer and a consumer.

(4) "Business licensing system" means the mechanism established by chapter 19.02 RCW by which business licenses, endorsed for individual state-issued licenses, are issued and renewed utilizing a business license application and a business license expiration date common to each renewable license endorsement.

(5) "Candling" means the examination of the interior of eggs by the use of transmitted light used in a partially dark room or place.

(6) "Capable of use as human food" applies to any egg or egg product unless it is denatured, or otherwise identified, as required by regulations prescribed by the director, to deter its use as human food.

(7) "Check" means an egg that has a broken shell or crack in the shell but has its shell membranes intact and contents not leaking.

(8) "Clean and sound shell egg" means any egg whose shell is free of adhering dirt or foreign material and is not cracked or broken.

(9) "Consumer" means any person who purchases eggs or egg products for his or her own family use or consumption; or any restaurant, hotel, boarding house, bakery, or other institution or concern which purchases eggs or egg products for serving to guests or patrons thereof, or for its own use in cooking or baking.

(10) "Container" or "package" includes any box, can, tin, plastic, or other receptacle, wrapper, or cover.

(11) "Department" means the department of agriculture of the state of Washington.

(12) "Director" means the director of the department or his duly authorized representative.

(13) "Dirty egg" means an egg that has a shell that is unbroken and has adhering dirt or foreign material.

(14) "Egg" means the shell egg of the domesticated chicken, turkey, duck, goose, or guinea, or any other specie of fowl.

(15) "Egg handler" or "dealer" means any person who produces, contracts for or obtains possession or control of any eggs or egg products for the purpose of sale to another dealer or retailer, or for processing and sale to a dealer, retailer or consumer. For the purpose of this chapter, "sell" or "sale" includes the following: Offer for sale, expose for sale, have in possession for sale, exchange, barter, trade, or as an inducement for the sale of another product.

(16)(a) "Egg product" means any dried, frozen, or liquid eggs, with or without added ingredients, excepting products which contain eggs only in a relatively small proportion, or historically have not been, in the judgment of the director, considered by consumers as products of the egg food industry, and which may be exempted by the director under such conditions as the director may prescribe to assure that the egg ingredients are not adulterated and are not represented as egg products.

(b) The following products are not included in the definition of "egg product" if they are prepared from eggs or egg products that have been either inspected by the United States department of agriculture or by the department under a cooperative agreement with the United States department of agriculture: Freeze-dried products, imitation egg products, egg substitutes, dietary foods, dried no-bake custard mixes, eggnog mixes, acidic dressings, noodles, milk and egg dip, cake mixes, French toast, balut and other similar ethnic delicacies, and sandwiches containing eggs or egg products.

(17) "Immediate container" means any consumer package, or any other container in which egg products, not consumer-packaged, are packed.

(18) "Incubator reject" means an egg that has been subjected to incubation and has been removed from incubation during the hatching operations as infertile or otherwise unhatchable.

(19) "Inedible" means eggs of the following descriptions: Black rots, yellow rots, white rots, mixed rots (addled eggs), sour eggs, eggs with green whites, eggs with stuck yolks, moldy eggs, musty eggs, eggs showing blood rings, and eggs containing embryo chicks (at or beyond the blood ring stage).

(20) "Inspection" means the application of such inspection methods and techniques as are deemed necessary by the director to carry out the provisions of this chapter.

(21) "Inspector" means any employee or official of the department authorized to inspect eggs or egg products under the authority of this chapter.

(22) "Intrastate commerce" means any eggs or egg products in intrastate commerce, whether such eggs or egg products are intended for sale, held for sale, offered for sale, sold, stored, transported, or handled in this state in any manner and prepared for eventual distribution in this state, whether at wholesale or retail.

(23) "Leaker" means an egg that has a crack or break in the shell and shell membranes to the extent that the egg contents are exposed or are exuding or free to exude through the shell.

(24) "Loss" means an egg that is unfit for human food because it is smashed or broken so that its contents are leaking; or overheated, frozen, or contaminated; or an incubator reject; or because it contains a bloody white, large meat spots, a large quantity of blood, or other foreign material.

(25) "Misbranded" applies to egg products that are not labeled and packaged in accordance with the requirements prescribed by regulations of the director under RCW 69.25.100.

(26) "Official certificate" means any certificate prescribed by regulations of the director for issuance by an inspector or other person performing official functions under this chapter.

(27) "Official device" means any device prescribed or authorized by the director for use in applying any official mark.

(28) "Official inspection legend" means any symbol prescribed by regulations of the director showing that egg products were inspected in accordance with this chapter.

(29) "Official mark" means the official inspection legend or any other symbol prescribed by regulations of the director to identify the status of any article under this chapter.

(30) "Official plant" means any plant which is licensed under the provisions of this chapter, at which inspection of the processing of egg products is maintained by the United States department of agriculture or by the state under cooperative agreements with the United States department of agriculture or by the state.

(31) "Official standards" means the standards of quality, grades, and weight classes for eggs, adopted under the provisions of this chapter.

(32) "Pasteurize" means the subjecting of each particle of egg products to heat or other treatments to destroy harmful, viable microorganisms by such processes as may be prescribed by regulations of the director.

(33) "Person" means any natural person, firm, partnership, exchange, association, trustee, receiver, corporation, and any member, officer, or employee thereof, or assignee for the benefit of creditors.

(34) "Pesticide chemical," "food additive," "color additive," and "raw agricultural commodity" have the same meaning for

purposes of this chapter as (~~prescribed in chapter 69.04 RCW~~) defined in chapter 15.130 RCW.

(35) "Plant" means any place of business where egg products are processed.

(36) "Processing" means manufacturing egg products, including breaking eggs or filtering, mixing, blending, pasteurizing, stabilizing, cooling, freezing, drying, or packaging egg products.

(37) "Restricted egg" means any check, dirty egg, incubator reject, inedible, leaker, or loss.

(38) "Retailer" means any person in intrastate commerce who sells eggs or egg products to a consumer.

(39) "Shipping container" means any container used in packaging a product packed in an immediate container.

(40) "Cage-free housing system" means an indoor or outdoor controlled environment for egg-laying hens within which:

(a) Hens are free to roam unrestricted except by external walls;

(b) Hens are provided enrichments that allow them to exhibit natural behaviors including, at a minimum, scratch areas, perches, nest boxes, and dust bathing areas; and

(c) Farm employees can provide care while standing somewhere within the hens' usable floor space.

(41) "Egg-laying hen" means any female domesticated chicken, turkey, duck, goose, or guinea fowl kept for the purpose of egg production.

(42) "Usable floor space" means the total square footage of floor space provided to each egg-laying hen, calculated by dividing the total square footage of floor space in an enclosure by the number of hens in that enclosure. "Usable floor space" includes ground space and elevated level or nearly level platforms to accommodate egg flow upon which hens can roost, but does not include perches or ramps.

Sec. 4. RCW 69.25.065 and 2011 c 306 s 3 are each amended to read as follows:

(1) All new and renewal applications submitted under RCW 69.25.050 before January 1, (~~(2026)~~) 2024, must include proof that all eggs and egg products provided in intrastate commerce by the applicant are produced by commercial egg layer operations:

(a) With a current certification under the 2010 version of the united egg producers animal husbandry guidelines for United States egg laying flocks for conventional cage systems or cage-free housing systems or a subsequent version of the guidelines recognized by the department in rule; or

(b) Operated in strict compliance with any standards, adopted by the department in rule, that are equivalent to or more stringent than the standards identified in (a) of this subsection.

(2) All new and renewal applications submitted under RCW 69.25.050 before January 1, 2017, must, in addition to complying with subsection (1) of this section, include proof that all eggs and egg products provided in intrastate commerce by the applicant are produced by commercial egg layer operations whose housing facilities, if built between January 1, 2012, and December 31, 2016, are either:

(a) Approved under, or convertible to, the American humane association facility system plan for enriched colony housing in effect on January 1, 2011, or a subsequent version of the plan recognized by the department in rule and, in addition, are convertible to the standards identified in RCW 69.25.107; or

(b) Operated in strict compliance with any standards, adopted by the department in rule, that are equivalent to or more stringent than the standards identified in (a) of this subsection.

(3) All new and renewal applications submitted under RCW 69.25.050 between January 1, 2017, and December 31, (~~(2025)~~) 2023, must, in addition to complying with subsection (1) of this section, include proof that all eggs and egg products provided in

intrastate commerce by the applicant are produced by commercial egg layer operations whose housing facilities, if built on or after January 1, 2012, are either:

(a) Approved under the American humane association facility system plan and audit protocol for enriched colony housing in effect on January 1, 2011, or a subsequent version of the plan recognized by the department in rule and, in addition, are operated to the standards identified in RCW 69.25.107; or

(b) Operated in strict compliance with any standards, adopted by the department in rule, that are equivalent to or more stringent than the standards identified in (a) of this subsection.

(4) All new and renewal applications submitted under RCW 69.25.050 on or after January 1, (~~(2026)~~) 2024, must include proof that all eggs and egg products provided in intrastate commerce by the applicant are produced by commercial egg layer operations that are either:

(a) (~~(Approved under the American humane association facility system plan and audit protocol for enriched colony housing in effect on January 1, 2011)~~) Housing egg-laying hens with at a minimum the amount of usable floor space per hen required by the 2017 edition of the united egg producers' Animal Husbandry Guidelines for United States Egg-Laying Flocks: Guidelines for Cage-Free Housing, or a subsequent version of the plan recognized by the department in rule as providing equal or more usable floor space per egg-laying hen and, in addition, are operated to the standards identified in RCW 69.25.107; or

(b) Operated in strict compliance with any standards, adopted by the department in rule, that are equivalent to or more stringent than the standards identified in (a) of this subsection.

(5) The following are exempt from the requirements of subsections (2) and (3) of this section:

(a) Applicants with fewer than three thousand laying chickens; and

(b) Commercial egg layer operations when producing eggs or egg products from turkeys, ducks, geese, guineas, or other species of fowl other than domestic chickens.

Sec. 5. RCW 69.25.070 and 1975 1st ex.s. c 201 s 8 are each amended to read as follows:

The department (~~(may)~~) shall deny, suspend, or revoke(~~(or issue)~~) a license or a conditional license if it determines that an applicant or licensee has committed any of the following acts:

(1) That the applicant or licensee is violating or has violated any of the provisions of this chapter or rules and regulations adopted thereunder.

(2) That the application contains any materially false or misleading statement or involves any misrepresentation by any officer, agent, or employee of the applicant.

(3) That the applicant or licensee has concealed or withheld any facts regarding any violation of this chapter by any officer, agent, or employee of the applicant or licensee.

Sec. 6. RCW 69.25.103 and 2011 c 306 s 4 are each amended to read as follows:

Any egg handler or dealer involved with the in-state production of eggs or egg products only intended for sale outside of the state of Washington must ensure that the associated commercial egg layer operation is in compliance with the applicable standards as provided in RCW 69.25.065 and 69.25.107.

Sec. 7. RCW 69.25.107 and 2011 c 306 s 5 are each amended to read as follows:

(1) All commercial egg layer operations required under RCW 69.25.065 to meet the American humane association facility system plan, or an equivalent to the plan, must also ensure that all hens in the operation are provided with:

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(a) No less than one hundred sixteen and three-tenths square inches of space per hen; and

(b) Access to areas for nesting, scratching, and perching.

(2) All commercial egg layer operations required under RCW 69.25.065 to house egg-laying hens with at a minimum the amount of usable floor space per hen required by the 2017 edition of the united egg producers' Animal Husbandry Guidelines for United States Egg-Laying Flocks: Guidelines for Cage-Free Housing, or a subsequent version of the plan recognized by the department in rule as providing equal or more useable floor space per egg-laying hen, must ensure that the hens are housed in a cage-free housing system.

(3) Subsection (2) of this section does not apply:

(a) During medical research;

(b) During examination, testing, individual treatment, or operation for veterinary purposes;

(c) During transportation, or depopulation operations for periods of no more than seven days in any eighteen-month period;

(d) During rodeo exhibitions, state or county fair exhibitions, 4-H programs, and similar exhibitions;

(e) During the slaughter of an egg-laying hen in accordance with applicable laws and regulations; or

(f) During temporary periods for animal husbandry purposes of no more than six hours in any twenty-four-hour period, and no more than twenty-four hours in any thirty-day period.

(4) The requirements of this section apply for any commercial egg layer operation on the same dates that RCW 69.25.065 requires compliance with the American humane association facility system plan or an equivalent to the plan, or requires housing egg-laying hens with at a minimum the amount of usable floor space per hen required by the united egg producers' Animal Husbandry Guidelines for United States Egg-Laying Flocks: Guidelines for Cage-Free Housing or an equivalent to the guidelines.

Sec. 8. RCW 69.25.110 and 2012 c 117 s 348 are each amended to read as follows:

(1) No person shall buy, sell, or transport, or offer to buy or sell, or offer or receive for transportation, in any business in intrastate commerce any restricted eggs, capable of use as human food, except as authorized by regulations of the director under such conditions as he or she may prescribe to assure that only eggs fit for human food are used for such purpose.

(2) No egg handler shall possess with intent to use, or use, any restricted eggs in the preparation of human food for intrastate commerce except that such eggs may be so possessed and used when authorized by regulations of the director under such conditions as he or she may prescribe to assure that only eggs fit for human food are used for such purpose.

(3) No person shall process any egg products for intrastate commerce at any plant except in compliance with the requirements of this chapter.

(4) No person shall buy, sell, or transport, or offer to buy or sell, or offer or receive for transportation, in intrastate commerce any egg or egg product that was not produced in compliance with the standards required by RCW 69.25.065 and 69.25.107. This prohibition shall not apply to any sale undertaken at an official plant at which mandatory inspection is maintained under the federal egg products inspection act, 21 U.S.C. Sec. 1031 et seq. For the purposes of this subsection, a sale is deemed to occur at the location where the buyer takes physical possession of an item.

(5) No person shall buy, sell, or transport, or offer to buy or sell, or offer or receive for transportation, in intrastate commerce any egg products required to be inspected under this chapter unless they have been so inspected and are labeled and packaged in accordance with the requirements of RCW 69.25.100.

~~((5))~~ (6) No operator of any official plant shall allow any egg products to be moved from such plant if they are adulterated or misbranded and capable of use as human food.

~~((6))~~ (7) No person shall:

(a) Manufacture, cast, print, lithograph, or otherwise make any device containing any official mark or simulation thereof, or any label bearing any such mark or simulation, or any form of official certificate or simulation thereof, except as authorized by the director;

(b) Forge or alter any official device, mark, or certificate;

(c) Without authorization from the director, use any official device, mark, or certificate, or simulation thereof, or detach, deface, or destroy any official device or mark; or use any labeling or container ordered to be withheld from use under RCW 69.25.100 after final judicial affirmance of such order or expiration of the time for appeal if no appeal is taken under said section;

(d) Contrary to the regulations prescribed by the director, fail to use, or to detach, deface, or destroy any official device, mark, or certificate;

(e) Knowingly possess, without promptly notifying the director or his or her representative, any official device or any counterfeit, simulated, forged, or improperly altered official certificate or any device or label, or any eggs or egg products bearing any counterfeit, simulated, forged, or improperly altered official mark;

(f) Knowingly make any false statement in any shipper's certificate or other nonofficial or official certificate provided for in the regulations prescribed by the director;

(g) Knowingly represent that any article has been inspected or exempted, under this chapter when in fact it has not been so inspected or exempted; and

(h) Refuse access, at any reasonable time, to any representative of the director, to any plant or other place of business subject to inspection under any provisions of this chapter.

~~((7))~~ (8) No person, while an official or employee of the state or local governmental agency, or thereafter, shall use to his or her own advantage, or reveal other than to the authorized representatives of the United States government or the state in their official capacity, or as ordered by a court in a judicial proceeding, any information acquired under the authority of this chapter concerning any matter which the originator or relator of such information claims to be entitled to protection as a trade secret.

NEW SECTION. Sec. 9. The provisions of this act are in addition to, and not in lieu of, any other laws protecting animal welfare. This act shall not be construed to limit any other state laws or regulations protecting the welfare of animals or to prevent a local governing body from adopting and enforcing its own animal welfare laws and regulations."

On page 1, line 1 of the title, after "operations;" strike the remainder of the title and insert "amending RCW 69.25.010, 69.25.065, 69.25.070, 69.25.103, 69.25.107, and 69.25.110; reenacting and amending RCW 69.25.020; and creating new sections."

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Agriculture, Water, Natural Resources & Parks to Substitute House Bill No. 2049.

The motion by Senator Van De Wege carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Van De Wege, the rules were suspended, Substitute House Bill No. 2049 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Van De Wege and Warnick spoke in favor of passage of the bill.

Senator Honeyford spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 2049.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2049 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 40; Nays, 6; Absent, 0; Excused, 3.

Voting yea: Senators Becker, Billig, Braun, Brown, Carlyle, Cleveland, Darneille, Das, Dhingra, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Sheldon, Takko, Van De Wege, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Voting nay: Senators Bailey, Honeyford, Padden, Schoesler, Short and Wagoner

Excused: Senators Conway, Ericksen and Wilson, L.

SUBSTITUTE HOUSE BILL NO. 2049, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 1001, by Representatives Kirby and Vick

Concerning service contract providers.

The measure was read the second time.

MOTION

On motion of Senator Mullet, the rules were suspended, House Bill No. 1001 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Mullet spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 1001.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1001 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Darneille, Das, Dhingra, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Excused: Senators Conway, Ericksen and Wilson, L.

HOUSE BILL NO. 1001, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 1011, by Representatives Reeves, Barkis, Kilduff, Vick, Ryu, Fitzgibbon, Stanford and Leavitt

Adding proximity to working forests to the residential real estate disclosure statement.

The measure was read the second time.

MOTION

On motion of Senator Mullet, the rules were suspended, House Bill No. 1011 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Mullet spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 1011.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1011 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Darneille, Das, Dhingra, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Excused: Senators Conway, Ericksen and Wilson, L.

HOUSE BILL NO. 1011, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 1055, by Representatives Entenman, Orwall, Mosbrucker, Valdez, Goodman, Slatter, Riccelli, Ryu, Blake, Wylie, Irwin, Appleton, Jinkins, Doglio, Stanford, Leavitt and Walen

Authorizing law enforcement to arrest persons in violation of certain no-contact orders involving victims of trafficking and promoting prostitution offenses.

The measure was read the second time.

MOTION

On motion of Senator Pedersen, the rules were suspended, House Bill No. 1055 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Pedersen and Padden spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 1055.

MOTION

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1055 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Darneille, Das, Dhingra, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Excused: Senators Conway, Ericksen and Wilson, L.

HOUSE BILL NO. 1055, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 2072, by Representatives Volz, Senn, Griffey, McCaslin, Shea and Maycumber

Authorizing county treasurers to contract with other treasurers for services.

The measure was read the second time.

MOTION

On motion of Senator Takko, the rules were suspended, House Bill No. 2072 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Takko and Short spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 2072.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2072 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Darneille, Das, Dhingra, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Excused: Senators Conway, Ericksen and Wilson, L.

HOUSE BILL NO. 2072, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 1247, by Representatives Reeves and Hoff

Concerning the Washington state credit union act.

The measure was read the second time.

On motion of Senator Mullet, the rules were suspended, House Bill No. 1247 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Mullet spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 1247.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1247 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Darneille, Das, Dhingra, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Excused: Senators Conway, Ericksen and Wilson, L.

HOUSE BILL NO. 1247, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SIGNED BY THE PRESIDENT

The President, in open session, signed the following measures:

- ENGROSSED HOUSE BILL NO. 1074,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1099,
- HOUSE BILL NO. 1349,
- SUBSTITUTE HOUSE BILL NO. 1399,
- and SECOND SUBSTITUTE HOUSE BILL NO. 1497.

REMARKS BY SENATOR LIIAS

Senator Liias: "Thank you Mr. President. I know we all join in in wishing Sam [Sean] Hendrickson a happy twenty-first birthday and we hope that his father, our great Secretary, will now use this opportunity to introduce him to our great craft distilleries around the state in the days to come."

Senator Becker announced a meeting of the Republican Caucus immediately upon adjournment.

MOTION

At 12:15 p.m., on motion of Senator Liias, the Senate adjourned until 12:00 o'clock noon Monday, April 1, 2019.

CYRUS HABIB, President of the Senate

BRAD HENDRICKSON, Secretary of the Senate

SEVENTY EIGHTH DAY

NOON SESSION

Senate Chamber, Olympia
Monday, April 1, 2019

The Senate was called to order at 12:05 p.m. by the President Pro Tempore, Senator Keiser presiding. No roll call was taken.

The prayer was offered by the Reverend Alfredo Feregrino, Our Lady of Guadalupe Episcopal Church Seattle, Renton. Reverend Feregrino was a guest of Senator Saldaña.

The President called upon the Secretary to read the journal of the preceding day.

MOTION

On motion of Senator Liias, the reading of the Journal of the previous day was dispensed with and it was approved.

MOTION

On motion of Senator Liias, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

March 28, 2019

SB 5214 Prime Sponsor, Senator Hobbs: Making transportation appropriations for the 2019-2021 fiscal biennium. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5214 be substituted therefor, and the substitute bill do pass. Signed by Senators Hobbs, Chair; King, Ranking Member; Cleveland; Das; Fortunato; Lovelett; Nguyen; Padden; Randall; Takko; Wilson, C.; Zeiger; Saldaña, Vice Chair; Sheldon, Assistant Ranking Member and O'Ban.

Referred to Committee on Rules for second reading.

March 28, 2019

2SHB 1059 Prime Sponsor, Committee on Appropriations: Extending the business and occupation tax return filing due date for annual filers. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Van De Wege; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Bailey; Billig; Conway; Darneille; Frockt, Vice Chair, Operating, Capital Lead; Hasegawa; Keiser; Liias; Palumbo; Pedersen; Rivers; Schoesler; Hunt Rolfes, Chair.

Referred to Committee on Rules for second reading.

March 29, 2019

HB 1061 Prime Sponsor, Representative Blake: Designating the Pacific razor clam as the state clam. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Takko; Hasegawa; Zeiger, Ranking Member; Kuderer, Vice Chair Hunt, Chair.

Referred to Committee on Rules for second reading.

March 29, 2019

2SHB 1065 Prime Sponsor, Committee on Appropriations: Protecting consumers from charges for out-of-network health care services. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: Do pass as amended. Signed by Senators Cleveland, Chair; Randall, Vice Chair; O'Ban, Ranking Member; Bailey; Dhingra; Frockt; Keiser; Rivers and Van De Wege.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Becker.

Referred to Committee on Ways & Means.

March 29, 2019

2SHB 1087 Prime Sponsor, Committee on Appropriations: Concerning long-term services and supports. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: Do pass as amended. Signed by Senators Van De Wege; Keiser; Frockt; Dhingra; Randall, Vice Chair Cleveland, Chair.

MINORITY recommendation: Do not pass. Signed by Senators Rivers; Becker and Bailey.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator O'Ban, Ranking Member.

Referred to Committee on Ways & Means.

March 29, 2019

SHB 1195 Prime Sponsor, Committee on State Government & Tribal Relations: Concerning the efficient administration of campaign finance and public disclosure reporting and enforcement. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: Do pass as amended. Signed by Senators Kuderer, Vice Chair; Hunt, Chair; Hasegawa and Takko.

MINORITY recommendation: Do not pass. Signed by Senator Zeiger, Ranking Member.

Referred to Committee on Rules for second reading.

March 29, 2019

HB 1220 Prime Sponsor, Representative Dolan: Adding a nonvoting representative from the office of the insurance commissioner to the public employees' benefits board. Reported by Committee on State Government, Tribal Relations & Elections

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MAJORITY recommendation: Do pass. Signed by Senators Hunt, Chair; Kuderer, Vice Chair; Zeiger, Ranking Member; Hasegawa and Takko.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Hasegawa.

Referred to Committee on Rules for second reading.

Referred to Committee on Ways & Means.

March 29, 2019

March 29, 2019

E2SHB 1224 Prime Sponsor, Committee on Appropriations: Concerning prescription drug cost transparency. Reported by Committee on Health & Long Term Care

HB 1554 Prime Sponsor, Representative Thai: Concerning dental hygienists. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: Do pass as amended. Signed by Senators Cleveland, Chair; Randall, Vice Chair; O'Ban, Ranking Member; Bailey; Becker; Dhingra; Keiser; Rivers and Van De Wege.

MAJORITY recommendation: Do pass. Signed by Senators Frockt; Dhingra; Becker; Bailey; O'Ban, Ranking Member; Randall, Vice Chair; Cleveland, Chair; Van De Wege and Keiser.

Referred to Committee on Ways & Means.

Referred to Committee on Rules for second reading.

March 29, 2019

March 29, 2019

SHB 1295 Prime Sponsor, Committee on Capital Budget: Concerning public works contracting procedures. Reported by Committee on State Government, Tribal Relations & Elections

HB 1753 Prime Sponsor, Representative Riccelli: Requiring a statement of inquiry for rules affecting fees related to health professions. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: Do pass. Signed by Senators Hunt, Chair; Kuderer, Vice Chair; Zeiger, Ranking Member; Hasegawa and Takko.

MAJORITY recommendation: Do pass. Signed by Senators Cleveland, Chair; Randall, Vice Chair; O'Ban, Ranking Member; Bailey; Becker; Dhingra; Frockt; Keiser; Rivers and Van De Wege.

Referred to Committee on Rules for second reading.

Referred to Committee on Rules for second reading.

March 28, 2019

March 29, 2019

SHB 1403 Prime Sponsor, Committee on Finance: Simplifying the administration of municipal business and occupation tax apportionment. Reported by Committee on Ways & Means

HB 1908 Prime Sponsor, Representative Graham: Repealing the electronic authentication act. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Rivers; Pedersen; Palumbo; Liias; Keiser; Hunt; Schoesler; Hasegawa; Conway; Billig; Bailey; Brown, Assistant Ranking Member, Operating; Braun, Ranking Member; Frockt, Vice Chair, Operating, Capital Lead; Darneille and Van De Wege.

MAJORITY recommendation: Do pass. Signed by Senators Hunt, Chair; Kuderer, Vice Chair; Zeiger, Ranking Member; Hasegawa and Takko.

Referred to Committee on Rules for second reading.

Referred to Committee on Rules for second reading.

March 28, 2019

March 29, 2019

SHB 1430 Prime Sponsor, Committee on Appropriations: Concerning the licensing and enforcement system modernization project account. Reported by Committee on Ways & Means

EHB 2020 Prime Sponsor, Representative Dolan: Exempting the disclosure of names in employment investigation records. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Van De Wege; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Bailey; Billig; Conway; Darneille; Frockt, Vice Chair, Operating, Capital Lead; Hasegawa; Keiser; Liias; Palumbo; Pedersen; Rivers; Schoesler; Hunt Rolfes, Chair.

MAJORITY recommendation: Do pass as amended. Signed by Senators Hunt, Chair; Zeiger, Ranking Member; Kuderer, Vice Chair; Hasegawa and Takko.

Referred to Committee on Rules for second reading.

Referred to Committee on Rules for second reading.

March 29, 2019

March 28, 2019

2SHB 1448 Prime Sponsor, Committee on Appropriations: Creating the veterans service officer program. Reported by Committee on State Government, Tribal Relations & Elections

HB 2035 Prime Sponsor, Representative Lovick: Concerning taxes on in-state broadcasters. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Zeiger, Ranking Member; Takko; Kuderer, Vice Chair Hunt, Chair.

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Rivers; Pedersen; Palumbo; Liias; Keiser; Hunt; Schoesler; Hasegawa; Conway; Billig; Bailey; Brown, Assistant Ranking Member, Operating; Braun, Ranking Member; Frockt, Vice Chair, Operating, Capital Lead; Darneille and Van De Wege.

Referred to Committee on Rules for second reading.

MOTION

On motion of Senator Liias, all measures listed on the Standing Committee report were referred to the committees as designated.

MOTION

On motion of Senator Liias, the Senate advanced to the eighth order of business.

MOTION

Senator Schoesler moved adoption of the following resolution:

SENATE RESOLUTION
8629

By Senators Schoesler, Hunt, Wellman, Das, Takko, Cleveland, Becker, Mullet, Dhingra, Frockt, Wilson, C., Saldaña, Kuderer, Pedersen, Hobbs, Conway, Billig, Liias, Carlyle, McCoy, Brown, Hasegawa, King, Nguyen, Short, Rolfes, Lovelett, Darneille, Van De Wege, Keiser, Sheldon, Fortunato, O'Ban, Rivers, Walsh, Padden, Honeyford, Bailey, Wagoner, Zeiger, Wilson, L., and Warnick

WHEREAS, Edgar Martinez was born in New York City on January 2, 1963, grew up playing baseball with his brother and neighborhood friends in Dorado, Puerto Rico, and attended American College in Puerto Rico; and

WHEREAS, Edgar Martinez was 19 years old when he signed with the Seattle Mariners as an amateur free agent in 1982; and

WHEREAS, Edgar Martinez rose from a graveyard-shift laborer in Puerto Rico to one of the most outstanding hitters in major league history; and

WHEREAS, When Edgar Martinez was a skinny 20-year-old with the Mariners' Class A team in Bellingham in 1983, he hit only .173 and was better known for his glove than his bat; and

WHEREAS, Edgar Martinez endured several more seasons in the minors before he made his major league debut in 1987; and

WHEREAS, Edgar Martinez became Seattle's everyday third baseman in 1990 and responded by hitting .302 that season and .307 in 1991; and

WHEREAS, Edgar Martinez made his American League All-Star debut in 1992, a season in which he was crowned American League batting champion with a .343 average; and

WHEREAS, A badly pulled hamstring in a 1993 preseason exhibition game in Vancouver, B.C., caused Edgar to miss most of that season and forced him to transform himself from an able third baseman into arguably the greatest designated hitter in history; and

WHEREAS, Edgar Martinez helped keep baseball alive in Seattle in 1995 by delivering the biggest hit in Mariners' history, a game-winning double ripped down the left-field line in the bottom of the 11th inning of the fifth and final game of the American League Divisional Series against the New York Yankees, knocking in Joey Cora and Ken Griffey Jr. and resulting in the most famous and enduring moment in Mariners' history, as teammates mobbed Griffey at the plate after he slid home with the series-winning run while a sold-out King Dome crowd roared with joy; and

WHEREAS, Edgar Martinez became a fan favorite throughout the Northwest and a team icon as a result of his loyalty and dedication to the Mariners and the Northwest, his quiet team

leadership, his humble, friendly, and pleasant demeanor, his powerful bat, and his funny TV ads for the Mariners and Eagle Hardware – "It's a light bat"; and

WHEREAS, Mariners' fans often showed their love and respect for Edgar Martinez by serenading him with chants of "Edddd...Grrrrr" before or after one of his at-bats; and

WHEREAS, Edgar Martinez gained even more respect and admiration from fans throughout the region for his willingness to give back to the community through charities and other activities, which is evidenced by his winning the 2004 Roberto Clemente Award for outstanding baseball skills and devotion to the community; and

WHEREAS, Edgar Martinez is revered for his many contributions to the community, including to Seattle Children's Hospital, Parent Project Muscular Dystrophy, Overlake Hospital, Make-A-Wish Foundation, Wishing Star Foundation, United Way, Esperanza, Page Ahead Children's Literacy Program, Big Brothers Big Sisters, Boys & Girls Clubs of America, and Mariners Care; and

WHEREAS, Edgar Martinez defined the position of designated hitter, setting the major league record for home runs and RBIs by a DH, and is the only designated hitter in the history of baseball to win a batting title, hitting .356 in 1995; and

WHEREAS, Major League Baseball Commissioner Allan H. "Bud" Selig paid fitting tribute to Edgar Martinez's remarkable status as the most prolific designated hitter in the history of Major League Baseball when he announced on October 2, 2004, that the American League Designated Hitter of the Year Award had been officially renamed "The Edgar Martinez Award"; and

WHEREAS, Edgar Martinez retired at the end of the 2004 season with the same team with which he began, a rarity among major league ballplayers, ending his 18-year career with a .312 batting average, 309 home runs, 1,261 runs batted in and 2,247 hits, including 514 doubles; and

WHEREAS, Edgar Martinez is one of nine players to retire with a .300+ batting average, 500 doubles, 300 home runs, 1,000 walks, and a .400+ on-base percentage – an on-base percentage better than the great Stan Musial; and

WHEREAS, Edgar had his number 11 retired by the Mariners, and it hangs in left field alongside Jackie Robinson's 42 and Ken Griffey Jr.'s 24; and next to Edgar's Cantina in T-Mobile Park; and

WHEREAS, Edgar Martinez Drive is located next to the stadium; and

WHEREAS, After retiring as a player, Edgar Martinez returned to Mariners' dugout by serving as the team's hitting coach from the middle of the 2015 season until the end of the 2018 season, and is now in a hitting adviser role for the Mariners organization; and

WHEREAS, On January 22, 2019, Edgar Martinez was inducted into the Baseball Hall of Fame, becoming the second player to enter the Hall of Fame as a Seattle Mariner, joining Ken Griffey Jr.; and

WHEREAS, Edgar Martinez and fellow 2019 inductees Mariano Rivera, Roy Halliday, Mike Mussina, Lee Smith, and Harold Baines will be formally added to the Baseball Hall of Fame during a ceremony in Cooperstown, New York, on July 21, 2019; and

WHEREAS, Edgar Martinez batted .652 against 2019 unanimous Hall of Fame reliever Mariano Rivera while all other Hall of Fame hitters batted .236 against him; and

WHEREAS, Rivera said of Martinez, "Thank God he retired. Oh my God, I think every pitcher will say that because this man was tough;"

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate honor and congratulate Edgar Martinez

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2019 REGULAR SESSION

on being elected to the Baseball Hall of Fame and again thank him for his amazing career with the Seattle Mariners and for giving so much back to the team’s fans and to the community.

Senators Schoesler, Hunt, Padden, Billig, Palumbo, Carlyle, Saldaña and Darneille spoke in favor of adoption of the resolution.

The President Pro Tempore declared the question before the Senate to be the adoption of Senate Resolution No. 8629.

The motion by Senator Schoesler carried and the resolution was adopted by voice vote.

INTRODUCTION OF SPECIAL GUESTS

The President Pro Tempore welcomed and introduced Mr. Edgar Martinez and his daughter, Jacqueline, who were seated at the rostrum.

With permission of the Senate, business was suspended to allow Mr. Edgar Martinez to address the Senate.

REMARKS BY MR. EDGAR MARTINEZ

Mr. Martinez: “Thank you. Thank you. Thank you. Thank you for this great honor, for this resolution. For me and my family this is a moment that we will always treasure. And for my daughter Jacqueline to be here and experience this is a nice experience. So, thank you I am very grateful for spending some time with you today and for the resolution. It means a lot and it is a great honor. Thank you.”

Pursuant to Article 2, Section 32 of the State Constitution and Senate Rule 1(5), the President Pro Tempore announced the President had, on Friday, March 29, 2019, signed the following measures in open session:

- ENGROSSED HOUSE BILL NO. 1074,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1099,
- HOUSE BILL NO. 1349,
- SUBSTITUTE HOUSE BILL NO. 1399,
- and SECOND SUBSTITUTE HOUSE BILL NO. 1497.

MOTION

On motion of Senator Liias, the Senate reverted to the fourth order of business.

MESSAGES FROM THE HOUSE

March 29, 2019

MR. PRESIDENT:

The House has passed:

- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1109,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1160,
- ENGROSSED THIRD SUBSTITUTE HOUSE BILL NO. 1257,
- and the same are herewith transmitted.

BERNARD DEAN, Chief Clerk

March 28, 2019

MR. PRESIDENT:

The House has passed:

- ENGROSSED HOUSE BILL NO. 1354,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1997,
- and the same are herewith transmitted.

BERNARD DEAN, Chief Clerk

MOTION

On motion of Senator Liias, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 6000 by Senator Frockt

AN ACT Relating to state general obligation bonds and related accounts.

Referred to Committee on Ways & Means.

SB 6001 by Senator Frockt

AN ACT Relating to the capital budget.

Referred to Committee on Ways & Means.

SB 6002 by Senator Frockt

AN ACT Relating to the capital budget.

Referred to Committee on Ways & Means.

SB 6003 by Senator Rolfes

AN ACT Relating to state government.

Referred to Committee on Ways & Means.

SB 6004 by Senator Rolfes

AN ACT Relating to fiscal matters.

Referred to Committee on Ways & Means.

SB 6005 by Senator Rolfes

AN ACT Relating to revenue.

Referred to Committee on Ways & Means.

SB 6006 by Senator Rolfes

AN ACT Relating to education.

Referred to Committee on Ways & Means.

SB 6007 by Senator Keiser

AN ACT Relating to increasing the tax on cigarettes; and amending RCW 82.24.026.

Referred to Committee on Ways & Means.

EHB 1354 by Representatives Walen, Stokesbary, Wylie, Orcutt, Vick, Frame, Eslick and Ormsby

AN ACT Relating to providing that scan-down allowances on food and beverages intended for human and pet consumption are bona fide discounts for purposes of the business and occupation tax; adding a new section to chapter 82.04 RCW; and creating a new section.

Referred to Committee on Ways & Means.

ESHB 1997 by House Committee on Housing, Community Development & Veterans (originally sponsored by Ryu, Pollet, Dolan, Valdez, Macri, Stanford, Appleton, Santos and Doglio)

AN ACT Relating to manufactured/mobile homes; amending RCW 46.17.155, 59.30.050, and 59.21.050;

reenacting and amending RCW 82.45.010; adding a new section to chapter 59.21 RCW; and creating a new section.

Referred to Committee on Ways & Means.

MOTION

On motion of Senator Liias, all measures listed on the Introduction and First Reading report were referred to the committees as designated with the exception of Engrossed Substitute House Bill No. 1997 which had been designated to the Committee on Housing Stability & Affordability and was referred to the Committee on Ways & Means.

MOTION

At 12:33 p.m., on motion of Senator Liias, the Senate adjourned until 12:00 o'clock p.m. Tuesday, April 2, 2019.

KAREN KEISER, President Pro Tempore of the Senate

BRAD HENDRICKSON, Secretary of the Senate

SEVENTY NINTH DAY

 NOON SESSION

Senate Chamber, Olympia
Tuesday, April 2, 2019

The Senate was called to order at 12:03 p.m. by the President Pro Tempore, Senator Keiser presiding. No roll call was taken.

The President called upon the Secretary to read the journal of the preceding day.

MOTION

On motion of Senator Liias, the reading of the Journal of the previous day was dispensed with and it was approved.

MOTION

There being no objection, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

April 1, 2019

SHB 1095 Prime Sponsor, Committee on Health Care & Wellness: Concerning the administration of marijuana to students for medical purposes. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass as amended. Signed by Senators Salomon; Pedersen; Mullet; McCoy; Hunt; Wilson, C., Vice Chair Wellman, Chair.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Wagoner; Padden; Holy Hawkins, Ranking Member.

Referred to Committee on Rules for second reading.

March 29, 2019

SHB 1100 Prime Sponsor, Committee on Civil Rights & Judiciary: Evaluating competency to stand trial. Reported by Committee on Behavioral Health Subcommittee to Health & Long Term Care

MAJORITY recommendation: Do pass. Signed by Senators Dhingra, Chair; Wagoner, Ranking Member; Frockt and O'Ban.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Darneille.

Referred to Committee on Ways & Means.

April 1, 2019

SHB 1151 Prime Sponsor, Committee on Education: Modifying education reporting requirements. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wagoner; Wellman, Chair; Wilson, C., Vice Chair;

Hawkins, Ranking Member; Holy; Hunt; McCoy; Mullet; Padden; Pedersen and Salomon.

Referred to Committee on Rules for second reading.

April 1, 2019

SHB 1210 Prime Sponsor, Committee on Education: Allowing nonresident children from military families to enroll in Washington's public schools prior to arrival in the state. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wagoner; Wellman, Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Holy; Hunt; McCoy; Mullet; Padden; Pedersen and Salomon.

Referred to Committee on Rules for second reading.

April 1, 2019

SHB 1377 Prime Sponsor, Committee on Housing, Community Development & Veterans: Concerning affordable housing development on religious organization property. Reported by Committee on Housing Stability & Affordability

MAJORITY recommendation: Do pass as amended. Signed by Senators Kuderer, Chair; Das, Vice Chair; Zeiger, Ranking Member; Darneille; Saldaña; Warnick and Fortunato.

Referred to Committee on Rules for second reading.

March 29, 2019

ESHB 1379 Prime Sponsor, Committee on State Government & Tribal Relations: Concerning disclosure of contributions from political committees to other political committees. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: Do pass as amended. Signed by Senators Hunt, Chair; Kuderer, Vice Chair; Hasegawa and Takko.

MINORITY recommendation: Do not pass. Signed by Senators Zeiger, Ranking Member and Bailey.

Referred to Committee on Rules for second reading.

April 1, 2019

HB 1441 Prime Sponsor, Representative Tharinger: Concerning the financing of local infrastructure. Reported by Committee on Housing Stability & Affordability

MAJORITY recommendation: Do pass. Signed by Senators Warnick; Saldaña; Darneille; Zeiger, Ranking Member; Das, Vice Chair; Kuderer, Chair and Fortunato.

Referred to Committee on Rules for second reading.

April 1, 2019

ESHB 1450 Prime Sponsor, Committee on Labor & Workplace Standards: Concerning restraints on persons engaging in lawful

professions, trades, or businesses. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Wellman; Saldaña; King, Ranking Member Keiser, Chair.

MINORITY recommendation: Do not pass. Signed by Senators Walsh and Braun.

Referred to Committee on Rules for second reading.

April 1, 2019

ESHB 1453 Prime Sponsor, Committee on Civil Rights & Judiciary: Concerning residential tenant protections. Reported by Committee on Housing Stability & Affordability

MAJORITY recommendation: Do pass as amended. Signed by Senators Kuderer, Chair; Zeiger, Ranking Member; Das, Vice Chair; Darneille and Saldaña.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Warnick.

MINORITY recommendation: Do not pass. Signed by Senator Fortunato.

Referred to Committee on Ways & Means.

March 29, 2019

2SHB 1528 Prime Sponsor, Committee on Appropriations: Concerning recovery support services. Reported by Committee on Behavioral Health Subcommittee to Health & Long Term Care

MAJORITY recommendation: Do pass as amended. Signed by Senators O'Ban; Frockt; Darneille; Wagoner, Ranking Member Dhingra, Chair.

Referred to Committee on Ways & Means.

March 29, 2019

SHB 1529 Prime Sponsor, Committee on Health Care & Wellness: Removing barriers for agency affiliated counselors practicing as peer counselors. Reported by Committee on Behavioral Health Subcommittee to Health & Long Term Care

MAJORITY recommendation: Do pass as amended. Signed by Senators Dhingra, Chair; Wagoner, Ranking Member; Darneille; Frockt and O'Ban.

Referred to Committee on Rules for second reading.

March 29, 2019

E2SHB 1593 Prime Sponsor, Committee on Appropriations: Establishing a behavioral health innovation and integration campus within the University of Washington school of medicine. Reported by Committee on Behavioral Health Subcommittee to Health & Long Term Care

MAJORITY recommendation: Do pass. Signed by Senators O'Ban; Frockt; Darneille; Wagoner, Ranking Member Dhingra, Chair.

Referred to Committee on Ways & Means.

April 1, 2019

E2SHB 1660 Prime Sponsor, Committee on Appropriations: Concerning the participation of students who are low income in extracurricular activities. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass as amended. Signed by Senators Wagoner; Salomon; Pedersen; Padden; Mullet; McCoy; Hunt; Holy; Hawkins, Ranking Member; Wilson, C., Vice Chair Wellman, Chair.

Referred to Committee on Ways & Means.

March 29, 2019

ESHB 1692 Prime Sponsor, Committee on State Government & Tribal Relations: Protecting information concerning agency employees who have filed a claim of harassment or stalking. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: Do pass as amended. Signed by Senators Hunt, Chair; Kuderer, Vice Chair; Zeiger, Ranking Member; Hasegawa; Takko and Bailey.

Referred to Committee on Ways & Means.

April 1, 2019

EHB 1706 Prime Sponsor, Representative Frame: Eliminating subminimum wage certificates for persons with disabilities. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass as amended. Signed by Senators Keiser, Chair; King, Ranking Member; Saldaña and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun and Walsh.

Referred to Committee on Rules for second reading.

March 29, 2019

2SHB 1767 Prime Sponsor, Committee on Appropriations: Establishing a law enforcement grant program to expand alternatives to arrest and jail processes. Reported by Committee on Behavioral Health Subcommittee to Health & Long Term Care

MAJORITY recommendation: Do pass as amended. Signed by Senators Dhingra, Chair; Wagoner, Ranking Member; Darneille; Frockt and O'Ban.

Referred to Committee on Ways & Means.

March 29, 2019

ESHB 1768 Prime Sponsor, Committee on Health Care & Wellness: Concerning substance use disorder professional practice. Reported by Committee on Behavioral Health Subcommittee to Health & Long Term Care

MAJORITY recommendation: Do pass as amended. Signed by Senators O'Ban; Frockt; Darneille; Wagoner, Ranking Member Dhingra, Chair.

Referred to Committee on Ways & Means.

April 1, 2019

ESHB 1813 Prime Sponsor, Committee on Appropriations: Incorporating the costs of employee health benefits into school

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district contracts for pupil transportation. Reported by Committee on Early Learning & K-12 Education

Referred to Committee on Rules for second reading.

MAJORITY recommendation: Do pass as amended. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hunt; McCoy; Pedersen and Salomon.

March 29, 2019
2SHB 1907 Prime Sponsor, Committee on Appropriations: Concerning the substance use disorder treatment system. Reported by Committee on Behavioral Health Subcommittee to Health & Long Term Care

MINORITY recommendation: Do not pass. Signed by Senators Holy; Padden and Wagoner.

MAJORITY recommendation: Do pass as amended. Signed by Senators O'Ban; Dhingra, Chair; Wagoner, Ranking Member; Darneille and Frockt.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Hawkins, Ranking Member and Mullet.

Referred to Committee on Rules for second reading.

Referred to Committee on Ways & Means.

April 1, 2019

March 29, 2019
SHB 1826 Prime Sponsor, Committee on Civil Rights & Judiciary: Concerning the disclosure of certain information during the discharge planning process. Reported by Committee on Behavioral Health Subcommittee to Health & Long Term Care

E2SHB 1923 Prime Sponsor, Committee on Appropriations: Increasing urban residential building capacity. Reported by Committee on Housing Stability & Affordability

MAJORITY recommendation: Do pass as amended. Signed by Senators Dhingra, Chair; Darneille and Frockt.

MAJORITY recommendation: Do pass as amended. Signed by Senators Saldaña; Darneille; Das, Vice Chair Kuderer, Chair.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators O'Ban Wagoner, Ranking Member.

MINORITY recommendation: Do not pass. Signed by Senators Warnick; Zeiger, Ranking Member and Fortunato.

Referred to Committee on Ways & Means.

Referred to Committee on Ways & Means.

March 29, 2019

April 1, 2019
HB 1866 Prime Sponsor, Representative Dent: Concerning professional development requirements for child day care centers. Reported by Committee on Early Learning & K-12 Education

ESHB 2018 Prime Sponsor, Committee on State Government & Tribal Relations: Concerning harassment and discrimination by legislators and legislative branch employees. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Wagoner; Wellman, Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Holy; Hunt; McCoy; Mullet; Padden; Pedersen and Salomon.

MAJORITY recommendation: Do pass as amended. Signed by Senators Hunt, Chair; Kuderer, Vice Chair; Zeiger, Ranking Member; Hasegawa; Takko and Bailey.

Referred to Committee on Rules for second reading.

Referred to Committee on Ways & Means.

April 1, 2019

March 29, 2019
E2SHB 1874 Prime Sponsor, Committee on Appropriations: Implementing policies related to expanding adolescent behavioral health care access as reviewed and recommended by the children's mental health work group. Reported by Committee on Behavioral Health Subcommittee to Health & Long Term Care

HB 2040 Prime Sponsor, Representative MacEwen: Concerning nonhigh school districts. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass as amended. Signed by Senators O'Ban; Frockt; Darneille; Wagoner, Ranking Member Dhingra, Chair.

MAJORITY recommendation: Do pass. Signed by Senators Wagoner; Salomon; Pedersen; Padden; Mullet; McCoy; Hunt; Holy; Hawkins, Ranking Member; Wilson, C., Vice Chair Wellman, Chair.

Referred to Committee on Ways & Means.

Referred to Committee on Rules for second reading.

MOTION

April 1, 2019
ESHB 1880 Prime Sponsor, Committee on Commerce & Gaming: Creating a joint legislative task force on problem gambling. Reported by Committee on Labor & Commerce

On motion of Liias, all measures listed on the Standing Committee report were referred to the committees as designated with the exceptions of Engrossed Substitute House Bill No. 1768 and Substitute House Bill No. 1826 which had been designated to the Committee on Rules and were referred to the Committee on Ways & Means.

MOTION

MAJORITY recommendation: Do pass as amended. Signed by Senators Keiser, Chair; King, Ranking Member; Braun; Saldaña; Walsh and Wellman.

On motion of Senator Liias, the Senate advanced to the fourth order of business.

MESSAGES FROM THE HOUSE

April 1, 2019

MR. PRESIDENT:

The House concurred in the Senate amendments to the following bills and passed the bills as amended by the Senate:

SUBSTITUTE HOUSE BILL NO. 1870,
and the same are herewith transmitted.

BERNARD DEAN, Chief Clerk

April 1, 2019

MR. PRESIDENT:

The Speaker has signed:

HOUSE BILL NO. 1001,
HOUSE BILL NO. 1011,
HOUSE BILL NO. 1055,
HOUSE BILL NO. 1247,
HOUSE BILL NO. 2072,

and the same are herewith transmitted.

BERNARD DEAN, Chief Clerk

April 1, 2019

MR. PRESIDENT:

The House has passed:

SUBSTITUTE SENATE BILL NO. 5627,
and the same is herewith transmitted.

BERNARD DEAN, Chief Clerk

MOTION

On motion of Senator Liias, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

ESHB 1109 by House Committee on Appropriations (originally sponsored by Ormsby)

AN ACT Relating to fiscal matters; amending RCW 28B.115.070, 28C.04.535, 38.52.105, 41.06.280, 41.26.450, 41.80.010, 43.08.190, 43.09.475, 43.43.839, 43.101.200, 43.101.220, 43.372.070, 43.380.020, 70.105D.070, 74.13.621, 76.04.610, 79.105.150, 79A.25.210, 82.14.310, 82.19.040, 86.26.007, 90.50A.090, and 90.56.500; amending 2018 c 299 ss 109, 112, 113, 115, 118, 119, 121, 123, 124, 125, 127, 129, 130, 135, 138, 142, 147, 201, 203, 204, 205, 206, 207, 209, 210, 211, 212, 213, 215, 216, 217, 218, 219, 220, 223, 302, 303, 306, 307, 308, 309, 310, 311, 401, 402, 501, 502, 503, 504, 505, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 601, 602, 603, 604, 605, 606, 607, 609, 610, 612, 613, 701, 702, 703, 801, and 802 and 2017 3rd sp.s. c 1 ss 146 and 702 (uncodified); reenacting and amending RCW 43.155.050, 43.320.110, 69.50.540, 71.24.580, 79.64.040, and 79.64.110; adding a new section to 2018 c 299 (uncodified); creating new sections; making appropriations; providing an effective date; providing expiration dates; and declaring an emergency.

Referred to Committee on Ways & Means.

ESHB 1160 by House Committee on Transportation (originally sponsored by Fey, Wylie, Slatter and Valdez)

AN ACT Relating to transportation funding and appropriations; amending RCW 43.19.642, 46.20.745, 47.60.322, 46.68.060, 46.68.280, 46.68.290, 46.68.325, 47.56.403, 47.56.876, and 46.68.300; amending 2018 c 297 ss 201, 202, 203, 204, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 301, 303,

304, 305, 306, 307, 308, 309, 310, 311, 401, 403, 404, 405, and 406 (uncodified); adding a new section to 2018 c 297 (uncodified); creating new sections; making appropriations and authorizing expenditures for capital improvements; providing a contingent effective date; and declaring an emergency.

Placed on 2nd Reading Calendar.

E3SHB 1257 by House Committee on Appropriations (originally sponsored by Doglio, Tarleton, Lekanoff, Fitzgibbon, Dolan, Fey, Mead, Peterson, Kloba, Riccelli, Macri, Hudgins, Morris, Stanford, Appleton, Slatter, Tharinger, Jenkins, Pollet and Goodman)

AN ACT Relating to energy efficiency; amending RCW 19.27A.140, 19.27A.170, 19.27A.025, and 19.27.540; adding new sections to chapter 19.27A RCW; adding a new section to chapter 82.16 RCW; adding new sections to chapter 80.28 RCW; creating new sections; prescribing penalties; and providing an expiration date.

Referred to Committee on Ways & Means.

MOTION

On motion of Senator Liias, the rules were suspended and all measures listed on the Introduction and First Reading report were referred to the committees as designated including Engrossed Substitute House Bill No. 1160 which was placed on the 2nd Reading Calendar under suspension of the rules.

MOTION

On motion of Senator Liias, the Senate advanced to the eighth order of business.

MOTION

Senator Zeiger moved adoption of the following resolution:

SENATE RESOLUTION
8632

By Senators Zeiger, O'Ban, Becker, Darneille, Fortunato, Conway, and Wilson, C.

WHEREAS, For eighty-six years the annual Daffodil Festival has been a cherished tradition for the people of Pierce County; and

WHEREAS, The Daffodil Festival has been an anticipated event that continues to bring communities together to celebrate unity within our diverse community; and

WHEREAS, Since its inception in the 1920s as a modest garden party, it has grown into the festival that we all know and love today and this year celebrates its eighty-sixth anniversary; and

WHEREAS, Each year, twenty-three young women pass through a rigorous selection process to represent their schools as well as Pierce County communities through ambassadorship, community service, and civic pride; and

WHEREAS, Members of the Daffodil Festival royal court serve as role models for youth around our region. Their volunteerism, civic responsibility and willingness to be ambassadors for Pierce County serve as a light for youth to look up to.

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WHEREAS, This year's Daffodil Festival royal court includes: Kyla Stout, Puyallup High School; Taychell Lott, Franklin Pierce High School; Haley Beyer, Rogers High School; Katherine Gilbert, White River High School; Megan Van, Henry Foss High School; Linda Tran, Clover Park High School; Chloe Sawyer, Eatonville High School; Sharon Ryu, Curtis High School; Grace Pitts, Wilson High School; Lindsay Hatch, Sumner High School; Yenni Truong, Mt Tahoma High School; Raegan Frasier, Orting High School; Alexis Owen, Graham-Kapowsin High School; Alyssa Black, Bonney Lake High School; Grace Mattson, Fife High School; Tatiana Crichton, Bethel High School; Emily Young, Lakes High School; Osheonna Green, Washington High School; Abegale McDermot, Stadium High School; Jessica Daub, Chief Leschi High School; Kimberly Lengyel, Emerald Ridge High School; Jordyn Warner, Spanaway Lake High School; and Araya Zackery, Lincoln High School;

NOW, THEREFORE, BE IT RESOLVED, That the Washington state Senate recognize and honor the many contributions made to our state by the Daffodil Festival, its organizers, and its royal court for the past eighty-six years; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the Senate to the 2019 Daffodil Festival officers and to the twenty-three members of the 2019 Daffodil Festival royalty.

Senators Zeiger, Pedersen and Becker spoke in favor of adoption of the resolution.

The President Pro Tempore declared the question before the Senate to be the adoption of Senate Resolution No. 8632.

The motion by Senator Zeiger carried and the resolution was adopted by voice vote.

INTRODUCTION OF SPECIAL GUESTS

The President Pro Tempore welcomed the 2019 Daffodil Festival Royal Court, comprised of the twenty-three senior high school students, and their chaperones who were seated in the gallery and recognized by the senate.

MOTION

At 12:17 p.m., on motion of Senator Liias, the Senate adjourned until 10:00 o'clock a.m. Wednesday, April 3, 2019.

KAREN KEISER, President Pro Tempore of the Senate

BRAD HENDRICKSON, Secretary of the Senate

EIGHTIETH DAY

MORNING SESSION

Senate Chamber, Olympia
Wednesday, April 3, 2019

The Senate was called to order at 10:06 a.m. by the President of the Senate, Lt. Governor Habib presiding. The Secretary called the roll and announced to the President that all Senators were present with the exception of Senator Wilson, L.

The U.S. Navy Honor Guard consisting of Hospital Corpsman Second Class Donald Irwin; Logistics Specialist Second Class Shawn Thompson; Hospital Corpsman Third Class Kirsten Steffens; Hospital Corpsman Third Class Keventerence Hill; and Hospitalman Samuel Koontz, presented the Colors.

The Navy Band Northwest Woodwind Quintet consisting of Chief Musician Edgardo Hernandez; Musician First Class Scott Farquhar; Musician First Class Jennifer Goins; Musician First Class Alan Holland; and Musician Second Class Stefan Lang performed the National Anthem.

The prayer was offered by Commander William Holiman, Region Chaplain, Navy Region Northwest whose prayer was accompanied by the Navy Band Northwest Woodwind Quintet performing *Eternal Father*.

The President called upon the Secretary to read the journal of the preceding day.

MOTION

On motion of Senator Liias, the reading of the Journal of the previous day was dispensed with and it was approved.

MOTION

There being no objection, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

April 2, 2019

HB 1014 Prime Sponsor, Representative Jenkin: Concerning financial responsibility of motorcycle operators. Reported by Committee on Financial Institutions, Economic Development & Trade

MAJORITY recommendation: Do pass. Signed by Senators Mullet, Chair; Hasegawa, Vice Chair; Braun; Das; Hobbs and Erickson.

Referred to Committee on Rules for second reading.

April 1, 2019

HB 1016 Prime Sponsor, Representative Caldier: Concerning hospital notification of availability of sexual assault evidence kit collection. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: Do pass as amended. Signed by Senators Cleveland, Chair; Randall, Vice Chair; O'Ban, Ranking Member; Bailey; Becker; Dhingra; Frockt; Keiser; Rivers; Van De Wege and Conway.

Referred to Committee on Rules for second reading.

April 2, 2019

HB 1062 Prime Sponsor, Representative Blake: Expanding access to commercial fishing opportunities. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: Do pass. Signed by Senators Van De Wege, Chair; Warnick, Ranking Member; Honeyford; McCoy and Short.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Salomon, Vice Chair.

MINORITY recommendation: Do not pass. Signed by Senator Rolfes.

Referred to Committee on Rules for second reading.

April 2, 2019

HB 1079 Prime Sponsor, Representative Pollet: Adding a faculty member to the board of regents at the research universities. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: Do pass. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown; Liias and Wellman.

Referred to Committee on Rules for second reading.

April 1, 2019

SHB 1082 Prime Sponsor, Committee on Health Care & Wellness: Concerning the licensure and certification of massage therapists and reflexologists. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: Do pass as amended. Signed by Senators Van De Wege; Rivers; Keiser; Frockt; Dhingra; Becker; Bailey; O'Ban, Ranking Member; Randall, Vice Chair; Cleveland, Chair and Conway.

Referred to Committee on Rules for second reading.

April 2, 2019

ESHB 1109 Prime Sponsor, Committee on Appropriations: Making 2019-2021 biennium operating appropriations and 2017-2019 biennium second supplemental operating appropriations. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Rolfes, Chair; Van De Wege; Pedersen; Palumbo; Liias; Keiser; Hunt; Hasegawa; Darneille; Carlyle; Billig; Mullet, Capital Budget Cabinet Frockt, Vice Chair, Operating, Capital Lead.

MINORITY recommendation: Do not pass. Signed by Senators Warnick; Wagoner; Schoesler; Becker; Bailey; Honeyford, Assistant Ranking Member, Capital Brown, Assistant Ranking Member, Operating.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun, Ranking Member and Rivers.

Referred to Committee on Rules for second reading.

April 1, 2019

HB 1120 Prime Sponsor, Representative Dolan: Updating the term essential academic learning requirements to state learning standards to reflect current terminology. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wagoner; Salomon; Pedersen; Padden; Mullet; McCoy; Hunt; Holy; Hawkins, Ranking Member; Wilson, C., Vice Chair Wellman, Chair.

Referred to Committee on Rules for second reading.

April 1, 2019

E2SHB 1139 Prime Sponsor, Committee on Appropriations: Expanding the current and future educator workforce supply. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass as amended. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Hunt; McCoy; Mullet; Padden; Pedersen and Salomon.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Holy and Wagoner.

Referred to Committee on Ways & Means.

April 2, 2019

HB 1146 Prime Sponsor, Representative MacEwen: Extending the program establishing Christmas tree grower licensure. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: Do pass. Signed by Senators Van De Wege, Chair; Salomon, Vice Chair; Warnick, Ranking Member; McCoy; Rolfes and Short.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Honeyford.

Referred to Committee on Rules for second reading.

April 2, 2019

EHB 1169 Prime Sponsor, Representative Peterson: Clarifying reimbursement for certain clean-up or removal actions by fire protection jurisdictions. Reported by Committee on Financial Institutions, Economic Development & Trade

MAJORITY recommendation: Do pass as amended. Signed by Senators Mullet, Chair; Braun; Das; Hobbs and Ericksen.

MINORITY recommendation: Do not pass. Signed by Senator Hasegawa, Vice Chair.

Referred to Committee on Rules for second reading.

HB 1187 Prime Sponsor, Representative Dent: Revising hydraulic project eligibility standards under RCW 77.55.181 for conservation district-sponsored fish habitat enhancement projects. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: Do pass. Signed by Senators Short; Rolfes; McCoy; Honeyford; Warnick, Ranking Member; Salomon, Vice Chair Van De Wege, Chair.

Referred to Committee on Rules for second reading.

April 2, 2019

SHB 1225 Prime Sponsor, Committee on Civil Rights & Judiciary: Establishing policies and requirements regarding law enforcement response to domestic violence incidents to enhance the safety of domestic violence victims, families, and officers. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass as amended. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Kuderer and Salomon.

MINORITY recommendation: Do not pass. Signed by Senators Padden, Ranking Member and Holy.

Referred to Committee on Rules for second reading.

April 2, 2019

SHB 1231 Prime Sponsor, Committee on Public Safety: Modifying the statute of limitations for certain felony sex offenses. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Salomon; Kuderer; Holy; Padden, Ranking Member; Dhingra, Vice Chair Pedersen, Chair.

Referred to Committee on Rules for second reading.

April 2, 2019

HB 1278 Prime Sponsor, Representative Hudgins: Concerning room and board for college bound scholarship students. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: Do pass. Signed by Senators Wellman; Liias; Randall, Vice Chair Palumbo, Chair.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Brown Holy, Ranking Member.

Referred to Committee on Ways & Means.

April 2, 2019

SHB 1298 Prime Sponsor, Committee on Rural Development, Agriculture, & Natural Resources: Concerning device registration, civil penalties, and service agent registration for the weights and measures program. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: Do pass. Signed by Senators Short; Van De Wege, Chair; Salomon, Vice Chair; Warnick, Ranking Member; Honeyford; McCoy and Rolfes.

Referred to Committee on Rules for second reading.

April 2, 2019

HB 1305 Prime Sponsor, Representative Walen: Concerning notices of disqualification in courts of limited jurisdiction. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; Holy; Kuderer and Salomon.

Referred to Committee on Rules for second reading.

April 2, 2019

HB 1382 Prime Sponsor, Representative Pellicciotti: Increasing access to emergency assistance for victims by providing immunity from prosecution for prostitution offenses in some circumstances. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Salomon; Kuderer; Holy; Padden, Ranking Member; Dhingra, Vice Chair Pedersen, Chair.

Referred to Committee on Rules for second reading.

April 2, 2019

SHB 1383 Prime Sponsor, Committee on Public Safety: Modifying the crime of patronizing a prostitute. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; Holy and Kuderer.

MINORITY recommendation: Do not pass. Signed by Senator Salomon.

Referred to Committee on Rules for second reading.

April 2, 2019

HB 1429 Prime Sponsor, Representative Shewmake: Extending the dairy milk assessment fee to June 30, 2025. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: Do pass. Signed by Senators Short; Rolfes; McCoy; Honeyford; Warnick, Ranking Member; Salomon, Vice Chair Van De Wege, Chair.

Referred to Committee on Rules for second reading.

April 2, 2019

SHB 1476 Prime Sponsor, Committee on Consumer Protection & Business: Concerning contracts for dogs and cats. Reported by Committee on Financial Institutions, Economic Development & Trade

MAJORITY recommendation: Do pass as amended. Signed by Senators Erickson; Hobbs; Das; Braun; Hasegawa, Vice Chair Mullet, Chair.

Referred to Committee on Rules for second reading.

April 2, 2019

HB 1505 Prime Sponsor, Representative Klippert: Concerning confidential information of child victims of sexual assault. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass as amended. Signed by Senators Salomon; Kuderer; Holy; Padden, Ranking Member; Dhingra, Vice Chair Pedersen, Chair.

Referred to Committee on Rules for second reading.

April 2, 2019

HB 1516 Prime Sponsor, Representative Blake: Establishing a department of fish and wildlife directed nonlethal program for the purpose of training dogs. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: Do pass. Signed by Senators Short; Rolfes; McCoy; Honeyford; Warnick, Ranking Member; Salomon, Vice Chair Van De Wege, Chair.

Referred to Committee on Rules for second reading.

April 1, 2019

E2SHB 1523 Prime Sponsor, Committee on Appropriations: Increasing the availability of quality, affordable health coverage in the individual market. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: Do pass as amended. Signed by Senators Cleveland, Chair; Randall, Vice Chair; O'Ban, Ranking Member; Dhingra; Frockt; Keiser; Rivers; Van De Wege and Conway.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Bailey and Becker.

Referred to Committee on Ways & Means.

April 2, 2019

2SHB 1579 Prime Sponsor, Committee on Appropriations: Implementing recommendations of the southern resident killer whale task force related to increasing chinook abundance. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: Do pass as amended. Signed by Senators Van De Wege, Chair; Salomon, Vice Chair; McCoy and Rolfes.

MINORITY recommendation: Do not pass. Signed by Senators Honeyford; Short Warnick, Ranking Member.

Referred to Committee on Ways & Means.

April 2, 2019

HB 1589 Prime Sponsor, Representative Chapman: Concerning requirements for the correctional personnel and community corrections officer exemption from restrictions on carrying firearms. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Salomon; Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; Holy and Kuderer.

Referred to Committee on Rules for second reading.

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ESHB 1622 Prime Sponsor, Committee on Rural Development, Agriculture, & Natural Resources: Concerning drought preparedness and response. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: Do pass as amended. Signed by Senators Short; Rolfes; McCoy; Honeyford; Warnick, Ranking Member; Salomon, Vice Chair Van De Wege, Chair.

Referred to Committee on Ways & Means.

April 1, 2019

EHB 1638 Prime Sponsor, Representative Harris: Promoting immunity against vaccine preventable diseases. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: Do pass as amended. Signed by Senators Van De Wege; Keiser; Frockt; Dhingra; Randall, Vice Chair; Cleveland, Chair and Conway.

MINORITY recommendation: Do not pass. Signed by Senators Rivers; Becker; Bailey O'Ban, Ranking Member.

Referred to Committee on Rules for second reading.

April 1, 2019

SHB 1658 Prime Sponsor, Committee on Education: Concerning paraeducators. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wagoner; Salomon; Pedersen; Padden; Mullet; McCoy; Hunt; Holy; Hawkins, Ranking Member; Wilson, C., Vice Chair Wellman, Chair.

Referred to Committee on Rules for second reading.

April 2, 2019

2SHB 1668 Prime Sponsor, Committee on Appropriations: Creating the Washington health corps to support health care professionals who provide service in underserved communities. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: Do pass. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown; Liias and Wellman.

Referred to Committee on Ways & Means.

April 1, 2019

SHB 1686 Prime Sponsor, Committee on Health Care & Wellness: Concerning hospital access to care policies. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: Do pass. Signed by Senators Cleveland, Chair; Randall, Vice Chair; Bailey; Dhingra; Frockt; Keiser; Rivers; Van De Wege and Conway.

MINORITY recommendation: Do not pass. Signed by Senator Becker.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator O'Ban, Ranking Member.

Referred to Committee on Rules for second reading.

April 2, 2019

HB 1702 Prime Sponsor, Representative Van Werven: Informing students of low-cost course materials for community and technical college courses. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: Do pass. Signed by Senators Liias; Brown; Holy, Ranking Member; Randall, Vice Chair; Palumbo, Chair and Wellman.

Referred to Committee on Rules for second reading.

April 1, 2019

SHB 1715 Prime Sponsor, Committee on Education: Removing school districts' ability to withhold pupils' grades and transcripts. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass as amended. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hunt; McCoy; Mullet; Pedersen and Salomon.

MINORITY recommendation: Do not pass. Signed by Senators Wagoner; Hawkins, Ranking Member; Holy and Padden.

Referred to Committee on Rules for second reading.

April 2, 2019

SHB 1769 Prime Sponsor, Committee on Rural Development, Agriculture, & Natural Resources: Concerning a vessel crewmember license. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: Do pass. Signed by Senators Short; Rolfes; McCoy; Honeyford; Warnick, Ranking Member; Salomon, Vice Chair Van De Wege, Chair.

Referred to Committee on Rules for second reading.

April 2, 2019

2SHB 1784 Prime Sponsor, Committee on Appropriations: Concerning wildfire prevention. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: Do pass. Signed by Senators Van De Wege, Chair; Salomon, Vice Chair; Warnick, Ranking Member; Honeyford; McCoy; Rolfes and Short.

Referred to Committee on Ways & Means.

April 2, 2019

HB 1792 Prime Sponsor, Representative Pettigrew: Concerning criminal penalties applicable to licensed marijuana retailers and employees of marijuana retail outlets. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Salomon; Kuderer; Dhingra, Vice Chair Pedersen, Chair.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Holy Padden, Ranking Member.

Referred to Committee on Rules for second reading.

April 2, 2019

HB 1841 Prime Sponsor, Representative Riccelli: Establishing minimum crew size on certain trains. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass as amended. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña and Wellman.

MINORITY recommendation: Do not pass. Signed by Senator King, Ranking Member.

Referred to Committee on Rules for second reading.

April 2, 2019

ESHB 1849 Prime Sponsor, Committee on Environment & Energy: Revising the lease terms for managing first-class unplatted tidelands and shorelands. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: Do pass. Signed by Senators Short; Rolfes; McCoy; Honeyford; Warnick, Ranking Member; Salomon, Vice Chair Van De Wege, Chair.

Referred to Committee on Rules for second reading.

April 1, 2019

ESHB 1879 Prime Sponsor, Committee on Health Care & Wellness: Regulating and reporting of utilization management in prescription drug benefits. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: Do pass as amended. Signed by Senators Van De Wege; Rivers; Keiser; Frockt; Dhingra; Becker; Bailey; O'Ban, Ranking Member; Randall, Vice Chair; Cleveland, Chair and Conway.

Referred to Committee on Rules for second reading.

April 2, 2019

SHB 1917 Prime Sponsor, Committee on Rural Development, Agriculture, & Natural Resources: Concerning the use of certain animal traps by airport operators. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: Do pass. Signed by Senators Van De Wege, Chair; Salomon, Vice Chair; Warnick, Ranking Member; Honeyford; McCoy; Rolfes and Short.

Referred to Committee on Rules for second reading.

April 2, 2019

HB 1934 Prime Sponsor, Representative Caldier: Renewing a concealed pistol license by members of the armed forces. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; Holy; Kuderer and Salomon.

Referred to Committee on Rules for second reading.

April 2, 2019

SHB 1953 Prime Sponsor, Committee on Housing, Community Development & Veterans: Reducing the amount of permits required for recreation at a sno-park. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: Do pass as amended. Signed by Senators Van De Wege, Chair; Salomon, Vice Chair; Warnick, Ranking Member; Honeyford; McCoy; Rolfes and Short.

Referred to Committee on Rules for second reading.

April 2, 2019

ESHB 1998 Prime Sponsor, Committee on College & Workforce Development: Creating a task force on sexual violence at institutions of higher education. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: Do pass. Signed by Senators Palumbo, Chair; Randall, Vice Chair; Holy, Ranking Member; Brown; Liias and Wellman.

Referred to Committee on Ways & Means.

April 2, 2019

EHB 2066 Prime Sponsor, Representative Davis: Addressing restrictions on driver's licenses associated with certain criminal offenses. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass as amended. Signed by Senators Salomon; Kuderer; Holy; Padden, Ranking Member Pedersen, Chair.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Dhingra, Vice Chair.

Referred to Committee on Transportation.

MOTION

On motion of Liias, all measures listed on the Standing Committee report were referred to the committees as designated with the exception of Engrossed House Bill No. 2066 which had been designated to the Committee on Rules and was referred to the Committee on Transportation.

MOTION

On motion of Senator Liias, the Senate advanced to the eighth order of business.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced Rear Admiral Scott Gray, Commander, Navy Region Northwest, who was seated at the rostrum.

MOTION

EIGHTIETH DAY, APRIL 3, 2019

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Senator Bailey moved adoption of the following resolution:

SENATE RESOLUTION
8640

By Senators Bailey, Rolfes, Wagoner, Hasegawa, Sheldon, Fortunato, Brown, Cleveland, Das, Keiser, King, Kuderer, Liias, Lovelett, Palumbo, Randall, Takko, Wellman, Wilson, C., and McCoy

WHEREAS, The citizens of Washington state have set aside this day to honor, appreciate, and remember our Navy personnel; and

WHEREAS, The Washington State Senate has always acted to honor those who have served and are serving our country as members of the United States military; and

WHEREAS, The Navy is the military service that secures sea lanes, allowing free flow of commerce to and from our state, and the service whose power projection promotes stability for our friends and deters aggression from our foes; and

WHEREAS, Washington state naval bases consistently receive awards for the quality of life they provide to sailors and family members; and

WHEREAS, Washington state is uniquely positioned, politically, economically, and geographically, to deal with the opportunities and challenges presented by Asia and the Pacific Rim countries; and

WHEREAS, Washington state Navy bases support two aircraft carriers, more than five surface ships, thirteen submarines, and 144 aircraft; and

WHEREAS, Washington state Navy installations provide careers and economic stability to tens of thousands of Washington state citizens; and

WHEREAS, Washington state Navy installations have also received environmental stewardship awards from local, state, and federal agencies, and are recognized as models for other military facilities; and

WHEREAS, Washington state-based Navy personnel and assets regularly deploy around the world to deter aggression, relieve the distressed, and aid America's friends and allies;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate celebrate the Navy and bring warm greetings and many thanks to each and every person related to the Navy's work and mission in our state.

Senators Bailey, Rolfes, Becker, Randall, Sheldon, Fortunato, Wagoner, Braun and O'Ban spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8640.

The motion by Senator Bailey carried and the resolution was adopted by voice vote.

The President recognized the service and presence of the U.S. Navy in Washington and noted the commissioning of the *USS Washington* on October 7, 2017 in which the President took part. The *USS Washington* is the fourth U.S. Navy ship, and first submarine, named in honor of the State of Washington and the fourteenth Virginia-class, fast-attack submarine to join the U.S. Navy's operational fleet.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced Rear Admiral Scott Gray, Commander, Navy Region Northwest, who was seated at the rostrum and former Secretary of State Ralph Munro, who was seated in the gallery.

The President further welcomed and introduced: Captain Matthew Army, Commanding Officer, Naval Air Station Whidbey Island; Captain Michael Davis, Commanding Officer, Naval Station Everett; Captain Bernard Knox, Naval Supply Fleet Logistics Center Puget Sound; Captain Kevin Lenox, Commanding Officer, *USS Nimitz* (CVN 68); Captain Thecly Scott, Acting Commanding Officer, Naval Hospital Bremerton; Captain Erin Osborne, Deputy Commodore, Patrol and Reconnaissance Wing 10; Commander William Holiman, Chaplain, Navy Region Northwest; Commander Edward Floyd, Commanding Officer, *USS Jimmy Carter* (SSN 23); Commander Troy Wilcox, Chief of Staff, Navy Region Northwest; Commander Rocky Pulley, Commanding Officer, Naval Magazine Indian Island; Lieutenant John Allen, Flag Aide, Navy Region Northwest; Lieutenant Chris Cornette, Director, Navy Band Northwest; Lieutenant Jisup Choi, Chaplain, Navy Region Northwest; Command Master Chief Ted Calcaterra, Navy Region Northwest; Command Senior Chief Randall Johnson, Naval Supply Fleet Logistics Center Puget Sound; Senior Chief Brian Jacobson, Naval Hospital Bremerton; Divisional Lead Chief Petty Officer James Parrott, Naval Station Everett; Fire Technician Chief Joseph Reck, Senior Enlisted Leader, Unmanned Underwater Vehicle Squadron ONE; Ms. Tina Nepote, Protocol Officer, Navy Region Northwest; Ms. Missy Anderson, Community Relations Manager, Navy Region Northwest; Ms. Rachael Eagerton, Protocol Specialist, Navy Region Northwest; Mass Communication Specialist First Class Eva Marie Ramsaran, Public Affairs, Navy Region Northwest; Ship's Serviceman First Class (Surface Warfare/Aviation Warfare) Mateasha McCoggle-Johnson, Sailor of the Year, Naval Station Everett; Hospital Corpsman First Class Carloconrado Limos, Sailor of the Year, Naval Hospital Bremerton; and Mass Communication Specialist Second Class Wyatt Anthony, Navy Public Affairs Support Element Northwest, who were seated in the gallery and recognized by the senate.

MOTION

At 10:41 a.m., on motion of Senator Liias, the Senate was declared to be at ease for the purposes of caucuses.

Senator Becker announced a meeting of the Republican Caucus immediately upon going at ease.

Senator McCoy announced a meeting of the Democratic Caucus immediately upon going at ease.

The Senate was called to order at 11:47 a.m. by President Habib.

MOTION

On motion of Senator Liias, the Senate reverted to the fourth order of business.

MESSAGE FROM THE HOUSE

April 3, 2019

MR. PRESIDENT:
The House has passed:

SUBSTITUTE HOUSE BILL NO. 1101,
SUBSTITUTE HOUSE BILL NO. 1102,
and the same are herewith transmitted.

NONA SNELL, Deputy Chief Clerk

MOTION

On motion of Senator Liias, the Senate advanced to the seventh order of business.

THIRD READING
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator McCoy moved that Vickie K. Norris, Senate Gubernatorial Appointment No. 9172, be confirmed as a member of the Everett Community College Board of Trustees.

Senator McCoy spoke in favor of the motion.

APPOINTMENT OF VICKIE K. NORRIS

The President declared the question before the Senate to be the confirmation of Vickie K. Norris, Senate Gubernatorial Appointment No. 9172, as a member of the Everett Community College Board of Trustees.

The Secretary called the roll on the confirmation of Vickie K. Norris, Senate Gubernatorial Appointment No. 9172, as a member of the Everett Community College Board of Trustees and the appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 2; Excused, 0.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Erickson, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Absent: Senators Mullet and Wilson, L.

Vickie K. Norris, Senate Gubernatorial Appointment No. 9172, having received the constitutional majority was declared confirmed as a member of the Everett Community College Board of Trustees.

SIGNED BY THE PRESIDENT

Pursuant to Article 2, Section 32 of the State Constitution and Senate Rule 1(5), the President announced the signing of and thereupon did sign in open session:

SUBSTITUTE SENATE BILL NO. 5627,
HOUSE BILL NO. 1001,
HOUSE BILL NO. 1011,
HOUSE BILL NO. 1055,
HOUSE BILL NO. 1247,
and HOUSE BILL NO. 2072.

MOTION

On motion of Senator Liias, the Senate reverted to the sixth order of business.

MOTION

On motion of Senator Rivers, Senator Wilson, L. was excused.

MOTION

On motion of Senator Liias, House Bill No. 1730 was removed from the Consent Calendar and placed on the 2nd Reading Calendar.

SECOND READING

HOUSE BILL NO. 1852, by Representatives Ramos, Pollet, Tarleton, Peterson, Appleton and Tharinger

Concerning property tax refunds more than three years after the due date resulting from certain manifest errors.

The measure was read the second time.

MOTION

On motion of Senator Takko, the rules were suspended, House Bill No. 1852 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Takko spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 1852.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1852 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Erickson, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Excused: Senator Wilson, L.

HOUSE BILL NO. 1852, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 1412, by Representatives Thai, DeBolt, Slatter, Cody, Jinkins and Riccelli

Concerning nonresident pharmacies.

The measure was read the second time.

MOTION

On motion of Senator Cleveland, the rules were suspended, House Bill No. 1412 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Cleveland and O'Ban spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 1412.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1412 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Excused: Senator Wilson, L.

HOUSE BILL NO. 1412, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1764, by House Committee on Local Government (originally sponsored by Chambers, Goodman, Mosbrucker, Corry, Gildon, Klippert, DeBolt, Fey, Van Werven, MacEwen, Riccelli, McCaslin and Young)

Adjusting monetary thresholds for found property.

The measure was read the second time.

MOTION

On motion of Senator Takko, the rules were suspended, Substitute House Bill No. 1764 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Takko and Short spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1764.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1764 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 2; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Voting nay: Senators Hasegawa and Padden

Excused: Senator Wilson, L.

SUBSTITUTE HOUSE BILL NO. 1764, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1577, by House Committee on Education (originally sponsored by Callan, Stonier, Steele, Vick, Bergquist, Senn, Slatter, Jenkin, Goodman, Pettigrew, Ybarra, Dent, Harris, Tarleton, Dolan and Lekanoff)

Concerning K-12 computer science education data.

The measure was read the second time.

MOTION

On motion of Senator Salomon, the rules were suspended, Substitute House Bill No. 1577 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Salomon and Hawkins spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1577.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1577 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Excused: Senator Wilson, L.

SUBSTITUTE HOUSE BILL NO. 1577, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1949, by House Committee on Civil Rights & Judiciary (originally sponsored by Hansen, Irwin, Griffey, Kilduff and Graham)

Conducting a feasibility study to examine and make recommendations regarding the establishment of a single point of contact firearm background check system.

The measure was read the second time.

MOTION

On motion of Senator Pedersen, the rules were suspended, Substitute House Bill No. 1949 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Pedersen and Padden spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1949.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1949 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Excused: Senator Wilson, L.

SUBSTITUTE HOUSE BILL NO. 1949, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 1634, by Representatives Goehner and Eslick

Requiring property sold in tax lien foreclosure proceedings to be sold as is.

The measure was read the second time.

MOTION

On motion of Senator Takko, the rules were suspended, House Bill No. 1634 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Takko and Short spoke in favor of passage of the bill.

MOTION

On motion of Senator Rivers, Senator Fortunato was excused.

Senator Hawkins spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 1634.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1634 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Excused: Senators Fortunato and Wilson, L.

HOUSE BILL NO. 1634, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED HOUSE BILL NO. 1777, by Representatives Cody, Harris, Macri, Schmick, Vick, Appleton and Robinson

Exempting certain existing ambulatory surgical facilities from certificate of need.

The measure was read the second time.

MOTION

On motion of Senator Cleveland, the rules were suspended, Engrossed House Bill No. 1777 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Cleveland spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed House Bill No. 1777.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 1777 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Excused: Senators Fortunato and Wilson, L.

ENGROSSED HOUSE BILL NO. 1777, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1041, by House Committee on Public Safety (originally sponsored by Hansen, Irwin, Ryu, Jinkins, Wylie, Santos and Caldier)

Promoting successful reentry by modifying the process for obtaining certificates of discharge and vacating conviction records.

The measure was read the second time.

MOTION

Senator Pedersen moved that the following committee striking amendment by the Committee on Law & Justice be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** This act may be known and cited as the new hope act.

Sec. 2. RCW 9.94A.637 and 2009 c 325 s 3 and 2009 c 288 s 2 are each reenacted and amended to read as follows:

(1)((~~and~~)) When an offender has completed all requirements of the sentence, including any and all legal financial obligations, and while under the custody (~~and~~) or supervision of the department, the secretary or the secretary's designee shall notify the sentencing court, which shall discharge the offender and provide the offender with a certificate of discharge by issuing the certificate to the offender in person or by mailing the certificate

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to the offender's last known address. A certificate of discharge issued under this subsection (1) is effective on the date the offender completed all conditions of his or her sentence.

~~((b)(i))~~ (2)(a) When an offender has reached the end of his or her supervision with the department and has completed all the requirements of the sentence except his or her legal financial obligations, the secretary's designee shall provide the county clerk with a notice that the offender has completed all nonfinancial requirements of the sentence. The notice must list the specific sentence requirements that have been completed, so that it is clear to the sentencing court that the offender is entitled to discharge upon completion of the legal financial obligations of the sentence.

~~((i))~~ (b) When the department has provided the county clerk with notice under (a) of this subsection showing that an offender has completed all the requirements of the sentence and the offender subsequently satisfies all legal financial obligations under the sentence, the county clerk shall promptly notify the sentencing court (including the notice from the department, which). Upon receipt of the notice under this subsection (2)(b), the court shall discharge the offender and provide the offender with a certificate of discharge (by issuing the certificate to the offender in person or by mailing the certificate to the offender's last known address). A certificate of discharge issued under this subsection (2) is effective on the date the offender completed all conditions of his or her sentence.

~~((e) When an offender who is subject to requirements of the sentence in addition to the payment of legal financial obligations either is not subject to supervision by the department or does not complete the requirements while under supervision of the department, it is the offender's responsibility to provide the court with verification of the completion of the sentence conditions other than the payment of legal financial obligations. When the offender satisfies all legal financial obligations under the sentence, the county clerk shall notify the sentencing court that the legal financial obligations have been satisfied. When the court has received both notification from the clerk and adequate verification from the offender that the sentence requirements have been completed, the court shall discharge the offender and provide the offender with)~~

(3) In the absence of a certificate of discharge issued under subsection (1) or (2) of this section, the offender may file a motion with the sentencing court for a certificate of discharge. The sentencing court shall issue a certificate of discharge upon verification of completion of all sentencing conditions, including any and all legal financial obligations. A certificate of discharge issued under this subsection (3) is effective on the date the offender completed all conditions of his or her sentence.

(4) In the absence of a certificate of discharge issued under subsection (1), (2), or (3) of this section, the offender may file a motion with the sentencing court for a certificate of discharge and shall provide verification of completion of all nonfinancial conditions of his or her sentence, unless the court finds good cause to waive this requirement. A certificate of discharge issued under this subsection (4) is effective on the later of: (a) Five years after completion of community custody, or if the offender was not required to serve community custody, after the completion of full and partial confinement; or (b) the date any and all legal financial obligations were satisfied.

(5) The court shall issue a certificate of discharge by issuing the certificate to the offender in person or by mailing the certificate to the offender's last known address.

~~((2))~~ (6)(a) ((For purposes of this subsection (2),)) A no-contact order is not a requirement of the offender's sentence. An offender who has completed all requirements of the sentence,

including any and all legal financial obligations, is eligible for a certificate of discharge even if the offender has an existing no-contact order that excludes or prohibits the offender from having contact with a specified person or ~~(business))~~ entity or coming within a set distance of any specified location.

~~((b))~~ In the case of an eligible offender who has a no-contact order as part of the judgment and sentence, the offender may petition the sentencing court to issue a certificate of discharge and a separate no-contact order (by filing a petition in the sentencing court and), which must include paying the appropriate filing fee (associated with the petition) for the separate no-contact order. This filing fee does not apply to an offender seeking a certificate of discharge when the offender has a no-contact order separate from the judgment and sentence.

~~((i)(A) The court shall issue a certificate of discharge and a separate no-contact order under this subsection (2) if the court determines that the offender has completed all requirements of the sentence, including all legal financial obligations.)~~ The court shall reissue the no-contact order separately under a new civil cause number for the remaining term and under the same conditions as contained in the judgment and sentence.

~~((B))~~ (b) The clerk of the court shall send a copy of the new no-contact order to the individuals or entities protected by the no-contact order, along with an explanation of the reason for the change, if there is an address available in the court file. If no address is available, the clerk of the court shall forward a copy of the order to the prosecutor, who shall send a copy of the no-contact order with an explanation of the reason for the change to the last known address of the protected individuals or entities.

~~((ii) Whenever an order under this subsection (2) is issued,)~~ (c) The clerk of the court shall forward a copy of the order to the appropriate law enforcement agency specified in the order on or before the next judicial day. The clerk shall also include a cover sheet that indicates the case number of the judgment and sentence that has been discharged. Upon receipt of the copy of the order and cover sheet, the law enforcement agency shall enter the order into any computer-based criminal intelligence information system available in this state used by law enforcement agencies to list outstanding warrants. The order shall remain in this system until it expires. The new order, and case number of the discharged judgment and sentence, shall be linked in the criminal intelligence information system for purposes of enforcing the no-contact order.

~~((iii))~~ (d) A separately issued no-contact order may be enforced under chapter 26.50 RCW.

~~((iv))~~ (e) A separate no-contact order issued under this subsection ((2)) (6) is not a modification of the offender's sentence.

~~((3))~~ (7) Every signed certificate and order of discharge shall be filed with the county clerk of the sentencing county. In addition, the court shall send to the department a copy of every signed certificate and order of discharge for offender sentences under the authority of the department. The county clerk shall enter into a database maintained by the administrator for the courts the names of all felons who have been issued certificates of discharge, the date of discharge, and the date of conviction and offense.

~~((4))~~ (8) An offender who is not convicted of a violent offense or a sex offense and is sentenced to a term involving community supervision may be considered for a discharge of sentence by the sentencing court prior to the completion of community supervision, provided that the offender has completed at least one-half of the term of community supervision and has met all other sentence requirements.

~~((5))~~ (9) The discharge shall have the effect of restoring all civil rights not already restored by RCW 29A.08.520, and the certificate of discharge shall so state. Nothing in this section prohibits the use of an offender's prior record for purposes of determining sentences for later offenses as provided in this chapter. Nothing in this section affects or prevents use of the offender's prior conviction in a later criminal prosecution either as an element of an offense or for impeachment purposes. A certificate of discharge is not based on a finding of rehabilitation.

~~((6))~~ (10) Unless otherwise ordered by the sentencing court, a certificate of discharge shall not terminate the offender's obligation to comply with an order that excludes or prohibits the offender from having contact with a specified person or coming within a set distance of any specified location that was contained in the judgment and sentence. An offender who violates such an order after a certificate of discharge has been issued shall be subject to prosecution according to the chapter under which the order was originally issued.

~~((7))~~ (11) Upon release from custody, the offender may apply to the department for counseling and help in adjusting to the community. This voluntary help may be provided for up to one year following the release from custody.

Sec. 3. RCW 9.94A.640 and 2012 c 183 s 3 are each amended to read as follows:

(1) Every offender who has been discharged under RCW 9.94A.637 may apply to the sentencing court for a vacation of the offender's record of conviction. If the court finds the offender meets the tests prescribed in subsection (2) of this section, the court may clear the record of conviction by: (a) Permitting the offender to withdraw the offender's plea of guilty and to enter a plea of not guilty; or (b) if the offender has been convicted after a plea of not guilty, by the court setting aside the verdict of guilty; and (c) by the court dismissing the information or indictment against the offender.

(2) An offender may not have the record of conviction cleared if:

(a) There are any criminal charges against the offender pending in any court of this state or another state, or in any federal court;

(b) The offense was a violent offense as defined in RCW 9.94A.030;

~~(e) the offense was a~~ or crime against persons as defined in RCW 43.43.830, except the following offenses may be vacated if the conviction did not include a firearm, deadly weapon, or sexual motivation enhancement: (i) Assault in the second degree under RCW 9A.36.021; (ii) assault in the third degree under RCW 9A.36.031 when not committed against a law enforcement officer or peace officer; and (iii) robbery in the second degree under RCW 9A.56.210;

~~((4))~~ (c) The offense is a class B felony and the offender has been convicted of a new crime in this state, another state, or federal court in the ten years prior to the application for vacation;

(d) The offense is a class C felony and the offender has been convicted of a new crime in this state, another state, or federal court ((since the date of the offender's discharge under RCW 9.94A.637)) in the five years prior to the application for vacation;

(e) The offense is a class B felony and less than ten years have passed since the ((date the applicant was discharged under RCW 9.94A.637)) later of: (i) The applicant's release from community custody; (ii) the applicant's release from full and partial confinement; or (iii) the applicant's sentencing date;

(f) The offense was a class C felony, other than a class C felony described in RCW 46.61.502(6) or 46.61.504(6), and less than five years have passed since the ((date the applicant was discharged under RCW 9.94A.637)) later of: (i) The applicant's release from community custody; (ii) the applicant's release from

full and partial confinement; or (iii) the applicant's sentencing date; or

(g) The offense was a ((class C)) felony described in RCW 46.61.502((6)) or 46.61.504((6)).

(3)(a) Except as otherwise provided, once the court vacates a record of conviction under subsection (1) of this section, the fact that the offender has been convicted of the offense shall not be included in the offender's criminal history for purposes of determining a sentence in any subsequent conviction, and the offender shall be released from all penalties and disabilities resulting from the offense. For all purposes, including responding to questions on employment applications, an offender whose conviction has been vacated may state that the offender has never been convicted of that crime. A conviction that has been vacated under this section may not be disseminated or disclosed by the state patrol or local law enforcement agency to any person, except other criminal justice enforcement agencies. Nothing in this section affects or prevents the use of an offender's prior conviction in a later criminal prosecution, and nothing in this section affects the requirements for restoring a right to possess a firearm under RCW 9.41.040.

(b) A conviction vacated on or after the effective date of this section qualifies as a prior conviction for the purpose of charging a present recidivist offense occurring on or after the effective date of this section, and may be used to establish an ongoing pattern of abuse for purposes of RCW 9.94A.535.

Sec. 4. RCW 9.96.060 and 2017 c 336 s 2, 2017 c 272 s 9, and 2017 c 128 s 1 are each reenacted and amended to read as follows:

(1) Every person convicted of a misdemeanor or gross misdemeanor offense who has completed all of the terms of the sentence for the misdemeanor or gross misdemeanor offense may apply to the sentencing court for a vacation of the applicant's record of conviction for the offense. If the court finds the applicant meets the tests prescribed in subsection (2) of this section, the court may in its discretion vacate the record of conviction by: (a)(i) Permitting the applicant to withdraw the applicant's plea of guilty and to enter a plea of not guilty; or (ii) if the applicant has been convicted after a plea of not guilty, the court setting aside the verdict of guilty; and (b) the court dismissing the information, indictment, complaint, or citation against the applicant and vacating the judgment and sentence.

(2) An applicant may not have the record of conviction for a misdemeanor or gross misdemeanor offense vacated if any one of the following is present:

(a) There are any criminal charges against the applicant pending in any court of this state or another state, or in any federal or tribal court, at the time of application;

(b) The offense was a violent offense as defined in RCW 9.94A.030 or an attempt to commit a violent offense;

(c) The offense was a violation of RCW 46.61.502 (driving while under the influence), 46.61.504 (actual physical control while under the influence), 9.91.020 (operating a railroad, etc. while intoxicated), or the offense is considered a "prior offense" under RCW 46.61.5055 and the applicant has had a subsequent alcohol or drug violation within ten years of the date of arrest for the prior offense or less than ten years has elapsed since the date of the arrest for the prior offense;

(d) The offense was any misdemeanor or gross misdemeanor violation, including attempt, of chapter 9.68 RCW (obscenity and pornography), chapter 9.68A RCW (sexual exploitation of children), or chapter 9A.44 RCW (sex offenses), except for failure to register as a sex offender under RCW 9A.44.132;

(e) The applicant was convicted of a misdemeanor or gross misdemeanor offense as defined in RCW 10.99.020, or the court

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determines after a review of the court file that the offense was committed by one family member or household member against another, or the court, after considering the damage to person or property that resulted in the conviction, any prior convictions for crimes defined in RCW 10.99.020, or for comparable offenses in another state or in federal court, and the totality of the records under review by the court regarding the conviction being considered for vacation, determines that the offense involved domestic violence, and any one of the following factors exist:

(i) The applicant has not provided written notification of the vacation petition to the prosecuting attorney's office that prosecuted the offense for which vacation is sought, or has not provided that notification to the court;

(ii) The applicant has ~~((previously had a conviction for domestic violence))~~ two or more domestic violence convictions stemming from different incidents. For purposes of this subsection, however, if the current application is for more than one conviction that arose out of a single incident, none of those convictions counts as a previous conviction;

(iii) The applicant has signed an affidavit under penalty of perjury affirming that the applicant has not previously had a conviction for a domestic violence offense, and a criminal history check reveals that the applicant has had such a conviction; or

(iv) Less than five years have elapsed since the person completed the terms of the original conditions of the sentence, including any financial obligations and successful completion of any treatment ordered as a condition of sentencing;

(f) For any offense other than those described in (e) of this subsection, less than three years have passed since the person completed the terms of the sentence, including any financial obligations;

(g) The offender has been convicted of a new crime in this state, another state, or federal or tribal court ~~((since the date of conviction))~~ in the three years prior to the vacation application; or

(h) ~~((The applicant has ever had the record of another conviction vacated; or~~

~~((i))~~ The applicant is currently restrained~~((, or has been restrained within five years prior to the vacation application.))~~ by a domestic violence protection order, a no-contact order, an antiharassment order, or a civil restraining order which restrains one party from contacting the other party or was previously restrained by such an order and was found to have committed one or more violations of the order in the five years prior to the vacation application.

(3) Subject to RCW 9.96.070, every person convicted of prostitution under RCW 9A.88.030 who committed the offense as a result of being a victim of trafficking, RCW 9A.40.100, promoting prostitution in the first degree, RCW 9A.88.070, promoting commercial sexual abuse of a minor, RCW 9.68A.101, or trafficking in persons under the trafficking victims protection act of 2000, 22 U.S.C. Sec. 7101 et seq. may apply to the sentencing court for vacation of the applicant's record of conviction for the prostitution offense. An applicant may not have the record of conviction for prostitution vacated if any one of the following is present:

(a) There are any criminal charges against the applicant pending in any court of this state or another state, or in any federal court, for any crime other than prostitution; or

(b) The offender has been convicted of another crime, except prostitution, in this state, another state, or federal court since the date of conviction. The limitation in this subsection (3)(b) does not apply to convictions where the offender proves by a preponderance of the evidence that he or she committed the crime as a result of being a victim of trafficking, RCW 9A.40.100, promoting prostitution in the first degree, RCW 9A.88.070,

promoting commercial sexual abuse of a minor, RCW 9.68A.101, or trafficking in persons under the trafficking victims protection act of 2000, 22 U.S.C. Sec. 7101 et seq., according to the requirements provided in RCW 9.96.070 for each respective conviction.

(4) Every person convicted prior to January 1, 1975, of violating any statute or rule regarding the regulation of fishing activities, including, but not limited to, RCW 75.08.260, 75.12.060, 75.12.070, 75.12.160, 77.16.020, 77.16.030, 77.16.040, 77.16.060, and 77.16.240 who claimed to be exercising a treaty Indian fishing right, may apply to the sentencing court for vacation of the applicant's record of the misdemeanor, gross misdemeanor, or felony conviction for the offense. If the person is deceased, a member of the person's family or an official representative of the tribe of which the person was a member may apply to the court on behalf of the deceased person. Notwithstanding the requirements of RCW 9.94A.640, the court shall vacate the record of conviction if:

(a) The applicant is a member of a tribe that may exercise treaty Indian fishing rights at the location where the offense occurred; and

(b) The state has been enjoined from taking enforcement action of the statute or rule to the extent that it interferes with a treaty Indian fishing right as determined under *United States v. Washington*, 384 F. Supp. 312 (W.D. Wash. 1974), or *Sohappy v. Smith*, 302 F. Supp. 899 (D. Oregon 1969), and any posttrial orders of those courts, or any other state supreme court or federal court decision.

(5)(a) Except as provided in (c) of this subsection, once the court vacates a record of conviction under this section, the person shall be released from all penalties and disabilities resulting from the offense and the fact that the person has been convicted of the offense shall not be included in the person's criminal history for purposes of determining a sentence in any subsequent conviction. For all purposes, including responding to questions on employment or housing applications, a person whose conviction has been vacated under this section may state that he or she has never been convicted of that crime. However, nothing in this section affects the requirements for restoring a right to possess a firearm under RCW 9.41.040. Except as provided in (b) of this subsection, nothing in this section affects or prevents the use of an offender's prior conviction in a later criminal prosecution.

(b) When a court vacates a record of domestic violence as defined in RCW 10.99.020 under this section, the state may not use the vacated conviction in a later criminal prosecution unless the conviction was for: (i) Violating the provisions of a restraining order, no-contact order, or protection order restraining or enjoining the person or restraining the person from going on to the grounds of or entering a residence, workplace, school, or day care, or prohibiting the person from knowingly coming within, or knowingly remaining within, a specified distance of a location (RCW 10.99.040, 10.99.050, 26.09.300, 26.10.220, ~~((26.26.138))~~ 26.26B.050, 26.44.063, 26.44.150, 26.50.060, 26.50.070, 26.50.130, 26.52.070, or 74.34.145); or (ii) stalking (RCW 9A.46.110). A vacated conviction under this section is not considered a conviction of such an offense for the purposes of 27 C.F.R. 478.11.

~~((6)) All costs incurred by the court and probation services shall be paid by the person making the motion to vacate the record unless a determination is made pursuant to chapter 10.101 RCW that the person making the motion is indigent, at the time the motion is brought.~~

~~((7))~~ (c) A conviction vacated on or after the effective date of this section qualifies as a prior conviction for the purpose of

charging a present recidivist offense as defined in RCW 9.94A.030 occurring on or after the effective date of this section.

(6) The clerk of the court in which the vacation order is entered shall immediately transmit the order vacating the conviction to the Washington state patrol identification section and to the local police agency, if any, which holds criminal history information for the person who is the subject of the conviction. The Washington state patrol and any such local police agency shall immediately update their records to reflect the vacation of the conviction, and shall transmit the order vacating the conviction to the federal bureau of investigation. A conviction that has been vacated under this section may not be disseminated or disclosed by the state patrol or local law enforcement agency to any person, except other criminal justice enforcement agencies.

Sec. 5. RCW 9.94A.030 and 2018 c 166 s 3 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Board" means the indeterminate sentence review board created under chapter 9.95 RCW.

(2) "Collect," or any derivative thereof, "collect and remit," or "collect and deliver," when used with reference to the department, means that the department, either directly or through a collection agreement authorized by RCW 9.94A.760, is responsible for monitoring and enforcing the offender's sentence with regard to the legal financial obligation, receiving payment thereof from the offender, and, consistent with current law, delivering daily the entire payment to the superior court clerk without depositing it in a departmental account.

(3) "Commission" means the sentencing guidelines commission.

(4) "Community corrections officer" means an employee of the department who is responsible for carrying out specific duties in supervision of sentenced offenders and monitoring of sentence conditions.

(5) "Community custody" means that portion of an offender's sentence of confinement in lieu of earned release time or imposed as part of a sentence under this chapter and served in the community subject to controls placed on the offender's movement and activities by the department.

(6) "Community protection zone" means the area within eight hundred eighty feet of the facilities and grounds of a public or private school.

(7) "Community restitution" means compulsory service, without compensation, performed for the benefit of the community by the offender.

(8) "Confinement" means total or partial confinement.

(9) "Conviction" means an adjudication of guilt pursuant to Title 10 or 13 RCW and includes a verdict of guilty, a finding of guilty, and acceptance of a plea of guilty.

(10) "Crime-related prohibition" means an order of a court prohibiting conduct that directly relates to the circumstances of the crime for which the offender has been convicted, and shall not be construed to mean orders directing an offender affirmatively to participate in rehabilitative programs or to otherwise perform affirmative conduct. However, affirmative acts necessary to monitor compliance with the order of a court may be required by the department.

(11) "Criminal history" means the list of a defendant's prior convictions and juvenile adjudications, whether in this state, in federal court, or elsewhere, and any issued certificates of restoration of opportunity pursuant to RCW 9.97.020.

(a) The history shall include, where known, for each conviction (i) whether the defendant has been placed on probation and the

length and terms thereof; and (ii) whether the defendant has been incarcerated and the length of incarceration.

(b) A conviction may be removed from a defendant's criminal history only if it is vacated pursuant to RCW 9.96.060, 9.94A.640, 9.95.240, or a similar out-of-state statute, or if the conviction has been vacated pursuant to a governor's pardon. However, when a defendant is charged with a recidivist offense, "criminal history" includes a vacated prior conviction for the sole purpose of establishing that such vacated prior conviction constitutes an element of the present recidivist offense as provided in RCW 9.94A.640(3)(b) and 9.96.060(5)(c).

(c) The determination of a defendant's criminal history is distinct from the determination of an offender score. A prior conviction that was not included in an offender score calculated pursuant to a former version of the sentencing reform act remains part of the defendant's criminal history.

(12) "Criminal street gang" means any ongoing organization, association, or group of three or more persons, whether formal or informal, having a common name or common identifying sign or symbol, having as one of its primary activities the commission of criminal acts, and whose members or associates individually or collectively engage in or have engaged in a pattern of criminal street gang activity. This definition does not apply to employees engaged in concerted activities for their mutual aid and protection, or to the activities of labor and bona fide nonprofit organizations or their members or agents.

(13) "Criminal street gang associate or member" means any person who actively participates in any criminal street gang and who intentionally promotes, furthers, or assists in any criminal act by the criminal street gang.

(14) "Criminal street gang-related offense" means any felony or misdemeanor offense, whether in this state or elsewhere, that is committed for the benefit of, at the direction of, or in association with any criminal street gang, or is committed with the intent to promote, further, or assist in any criminal conduct by the gang, or is committed for one or more of the following reasons:

(a) To gain admission, prestige, or promotion within the gang;

(b) To increase or maintain the gang's size, membership, prestige, dominance, or control in any geographical area;

(c) To exact revenge or retribution for the gang or any member of the gang;

(d) To obstruct justice, or intimidate or eliminate any witness against the gang or any member of the gang;

(e) To directly or indirectly cause any benefit, aggrandizement, gain, profit, or other advantage for the gang, its reputation, influence, or membership; or

(f) To provide the gang with any advantage in, or any control or dominance over any criminal market sector, including, but not limited to, manufacturing, delivering, or selling any controlled substance (chapter 69.50 RCW); arson (chapter 9A.48 RCW); trafficking in stolen property (chapter 9A.82 RCW); promoting prostitution (chapter 9A.88 RCW); human trafficking (RCW 9A.40.100); promoting commercial sexual abuse of a minor (RCW 9.68A.101); or promoting pornography (chapter 9.68 RCW).

(15) "Day fine" means a fine imposed by the sentencing court that equals the difference between the offender's net daily income and the reasonable obligations that the offender has for the support of the offender and any dependents.

(16) "Day reporting" means a program of enhanced supervision designed to monitor the offender's daily activities and compliance with sentence conditions, and in which the offender is required to report daily to a specific location designated by the department or the sentencing court.

(17) "Department" means the department of corrections.

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(18) "Determinate sentence" means a sentence that states with exactitude the number of actual years, months, or days of total confinement, of partial confinement, of community custody, the number of actual hours or days of community restitution work, or dollars or terms of a legal financial obligation. The fact that an offender through earned release can reduce the actual period of confinement shall not affect the classification of the sentence as a determinate sentence.

(19) "Disposable earnings" means that part of the earnings of an offender remaining after the deduction from those earnings of any amount required by law to be withheld. For the purposes of this definition, "earnings" means compensation paid or payable for personal services, whether denominated as wages, salary, commission, bonuses, or otherwise, and, notwithstanding any other provision of law making the payments exempt from garnishment, attachment, or other process to satisfy a court-ordered legal financial obligation, specifically includes periodic payments pursuant to pension or retirement programs, or insurance policies of any type, but does not include payments made under Title 50 RCW, except as provided in RCW 50.40.020 and 50.40.050, or Title 74 RCW.

(20) "Domestic violence" has the same meaning as defined in RCW 10.99.020 and 26.50.010.

(21) "Drug offender sentencing alternative" is a sentencing option available to persons convicted of a felony offense other than a violent offense or a sex offense and who are eligible for the option under RCW 9.94A.660.

(22) "Drug offense" means:

(a) Any felony violation of chapter 69.50 RCW except possession of a controlled substance (RCW 69.50.4013) or forged prescription for a controlled substance (RCW 69.50.403);

(b) Any offense defined as a felony under federal law that relates to the possession, manufacture, distribution, or transportation of a controlled substance; or

(c) Any out-of-state conviction for an offense that under the laws of this state would be a felony classified as a drug offense under (a) of this subsection.

(23) "Earned release" means earned release from confinement as provided in RCW 9.94A.728.

(24) "Electronic monitoring" means tracking the location of an individual, whether pretrial or posttrial, through the use of technology that is capable of determining or identifying the monitored individual's presence or absence at a particular location including, but not limited to:

(a) Radio frequency signaling technology, which detects if the monitored individual is or is not at an approved location and notifies the monitoring agency of the time that the monitored individual either leaves the approved location or tampers with or removes the monitoring device; or

(b) Active or passive global positioning system technology, which detects the location of the monitored individual and notifies the monitoring agency of the monitored individual's location.

(25) "Escape" means:

(a) Sexually violent predator escape (RCW 9A.76.115), escape in the first degree (RCW 9A.76.110), escape in the second degree (RCW 9A.76.120), willful failure to return from furlough (RCW 72.66.060), willful failure to return from work release (RCW 72.65.070), or willful failure to be available for supervision by the department while in community custody (RCW 72.09.310); or

(b) Any federal or out-of-state conviction for an offense that under the laws of this state would be a felony classified as an escape under (a) of this subsection.

(26) "Felony traffic offense" means:

(a) Vehicular homicide (RCW 46.61.520), vehicular assault (RCW 46.61.522), eluding a police officer (RCW 46.61.024), felony hit-and-run injury-accident (RCW 46.52.020(4)), felony driving while under the influence of intoxicating liquor or any drug (RCW 46.61.502(6)), or felony physical control of a vehicle while under the influence of intoxicating liquor or any drug (RCW 46.61.504(6)); or

(b) Any federal or out-of-state conviction for an offense that under the laws of this state would be a felony classified as a felony traffic offense under (a) of this subsection.

(27) "Fine" means a specific sum of money ordered by the sentencing court to be paid by the offender to the court over a specific period of time.

(28) "First-time offender" means any person who has no prior convictions for a felony and is eligible for the first-time offender waiver under RCW 9.94A.650.

(29) "Home detention" is a subset of electronic monitoring and means a program of partial confinement available to offenders wherein the offender is confined in a private residence twenty-four hours a day, unless an absence from the residence is approved, authorized, or otherwise permitted in the order by the court or other supervising agency that ordered home detention, and the offender is subject to electronic monitoring.

(30) "Homelessness" or "homeless" means a condition where an individual lacks a fixed, regular, and adequate nighttime residence and who has a primary nighttime residence that is:

(a) A supervised, publicly or privately operated shelter designed to provide temporary living accommodations;

(b) A public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings; or

(c) A private residence where the individual stays as a transient invitee.

(31) "Legal financial obligation" means a sum of money that is ordered by a superior court of the state of Washington for legal financial obligations which may include restitution to the victim, statutorily imposed crime victims' compensation fees as assessed pursuant to RCW 7.68.035, court costs, county or interlocal drug funds, court-appointed attorneys' fees, and costs of defense, fines, and any other financial obligation that is assessed to the offender as a result of a felony conviction. Upon conviction for vehicular assault while under the influence of intoxicating liquor or any drug, RCW 46.61.522(1)(b), or vehicular homicide while under the influence of intoxicating liquor or any drug, RCW 46.61.520(1)(a), legal financial obligations may also include payment to a public agency of the expense of an emergency response to the incident resulting in the conviction, subject to RCW 38.52.430.

(32) "Minor child" means a biological or adopted child of the offender who is under age eighteen at the time of the offender's current offense.

(33) "Most serious offense" means any of the following felonies or a felony attempt to commit any of the following felonies:

(a) Any felony defined under any law as a class A felony or criminal solicitation of or criminal conspiracy to commit a class A felony;

(b) Assault in the second degree;

(c) Assault of a child in the second degree;

(d) Child molestation in the second degree;

(e) Controlled substance homicide;

(f) Extortion in the first degree;

(g) Incest when committed against a child under age fourteen;

(h) Indecent liberties;

(i) Kidnapping in the second degree;

(j) Leading organized crime;

(k) Manslaughter in the first degree;

(l) Manslaughter in the second degree;

(m) Promoting prostitution in the first degree;

(n) Rape in the third degree;

(o) Robbery in the second degree;

(p) Sexual exploitation;

(q) Vehicular assault, when caused by the operation or driving of a vehicle by a person while under the influence of intoxicating liquor or any drug or by the operation or driving of a vehicle in a reckless manner;

(r) Vehicular homicide, when proximately caused by the driving of any vehicle by any person while under the influence of intoxicating liquor or any drug as defined by RCW 46.61.502, or by the operation of any vehicle in a reckless manner;

(s) Any other class B felony offense with a finding of sexual motivation;

(t) Any other felony with a deadly weapon verdict under RCW 9.94A.825;

(u) Any felony offense in effect at any time prior to December 2, 1993, that is comparable to a most serious offense under this subsection, or any federal or out-of-state conviction for an offense that under the laws of this state would be a felony classified as a most serious offense under this subsection;

(v)(i) A prior conviction for indecent liberties under RCW 9A.44.100(1) (a), (b), and (c), chapter 260, Laws of 1975 1st ex. sess. as it existed until July 1, 1979, RCW 9A.44.100(1) (a), (b), and (c) as it existed from July 1, 1979, until June 11, 1986, and RCW 9A.44.100(1) (a), (b), and (d) as it existed from June 11, 1986, until July 1, 1988;

(ii) A prior conviction for indecent liberties under RCW 9A.44.100(1)(c) as it existed from June 11, 1986, until July 1, 1988, if: (A) The crime was committed against a child under the age of fourteen; or (B) the relationship between the victim and perpetrator is included in the definition of indecent liberties under RCW 9A.44.100(1)(c) as it existed from July 1, 1988, through July 27, 1997, or RCW 9A.44.100(1) (d) or (e) as it existed from July 25, 1993, through July 27, 1997;

(w) Any out-of-state conviction for a felony offense with a finding of sexual motivation if the minimum sentence imposed was ten years or more; provided that the out-of-state felony offense must be comparable to a felony offense under this title and Title 9A RCW and the out-of-state definition of sexual motivation must be comparable to the definition of sexual motivation contained in this section.

(34) "Nonviolent offense" means an offense which is not a violent offense.

(35) "Offender" means a person who has committed a felony established by state law and is eighteen years of age or older or is less than eighteen years of age but whose case is under superior court jurisdiction under RCW 13.04.030 or has been transferred by the appropriate juvenile court to a criminal court pursuant to RCW 13.40.110. In addition, for the purpose of community custody requirements under this chapter, "offender" also means a misdemeanor or gross misdemeanor probationer ordered by a superior court to probation pursuant to RCW 9.92.060, 9.95.204, or 9.95.210 and supervised by the department pursuant to RCW 9.94A.501 and 9.94A.5011. Throughout this chapter, the terms "offender" and "defendant" are used interchangeably.

(36) "Partial confinement" means confinement for no more than one year in a facility or institution operated or utilized under contract by the state or any other unit of government, or, if home detention, electronic monitoring, or work crew has been ordered by the court or home detention has been ordered by the department as part of the parenting program or the graduated reentry program, in an approved residence, for a substantial portion of each day with the balance of the day spent in the

community. Partial confinement includes work release, home detention, work crew, electronic monitoring, and a combination of work crew, electronic monitoring, and home detention.

(37) "Pattern of criminal street gang activity" means:

(a) The commission, attempt, conspiracy, or solicitation of, or any prior juvenile adjudication of or adult conviction of, two or more of the following criminal street gang-related offenses:

(i) Any "serious violent" felony offense as defined in this section, excluding Homicide by Abuse (RCW 9A.32.055) and Assault of a Child 1 (RCW 9A.36.120);

(ii) Any "violent" offense as defined by this section, excluding Assault of a Child 2 (RCW 9A.36.130);

(iii) Deliver or Possession with Intent to Deliver a Controlled Substance (chapter 69.50 RCW);

(iv) Any violation of the firearms and dangerous weapon act (chapter 9.41 RCW);

(v) Theft of a Firearm (RCW 9A.56.300);

(vi) Possession of a Stolen Firearm (RCW 9A.56.310);

(vii) Malicious Harassment (RCW 9A.36.080);

(viii) Harassment where a subsequent violation or deadly threat is made (RCW 9A.46.020(2)(b));

(ix) Criminal Gang Intimidation (RCW 9A.46.120);

(x) Any felony conviction by a person eighteen years of age or older with a special finding of involving a juvenile in a felony offense under RCW 9.94A.833;

(xi) Residential Burglary (RCW 9A.52.025);

(xii) Burglary 2 (RCW 9A.52.030);

(xiii) Malicious Mischief 1 (RCW 9A.48.070);

(xiv) Malicious Mischief 2 (RCW 9A.48.080);

(xv) Theft of a Motor Vehicle (RCW 9A.56.065);

(xvi) Possession of a Stolen Motor Vehicle (RCW 9A.56.068);

(xvii) Taking a Motor Vehicle Without Permission 1 (RCW 9A.56.070);

(xviii) Taking a Motor Vehicle Without Permission 2 (RCW 9A.56.075);

(xix) Extortion 1 (RCW 9A.56.120);

(xx) Extortion 2 (RCW 9A.56.130);

(xxi) Intimidating a Witness (RCW 9A.72.110);

(xxii) Tampering with a Witness (RCW 9A.72.120);

(xxiii) Reckless Endangerment (RCW 9A.36.050);

(xxiv) Coercion (RCW 9A.36.070);

(xxv) Harassment (RCW 9A.46.020); or

(xxvi) Malicious Mischief 3 (RCW 9A.48.090);

(b) That at least one of the offenses listed in (a) of this subsection shall have occurred after July 1, 2008;

(c) That the most recent committed offense listed in (a) of this subsection occurred within three years of a prior offense listed in (a) of this subsection; and

(d) Of the offenses that were committed in (a) of this subsection, the offenses occurred on separate occasions or were committed by two or more persons.

(38) "Persistent offender" is an offender who:

(a)(i) Has been convicted in this state of any felony considered a most serious offense; and

(ii) Has, before the commission of the offense under (a) of this subsection, been convicted as an offender on at least two separate occasions, whether in this state or elsewhere, of felonies that under the laws of this state would be considered most serious offenses and would be included in the offender score under RCW 9.94A.525; provided that of the two or more previous convictions, at least one conviction must have occurred before the commission of any of the other most serious offenses for which the offender was previously convicted; or

(b)(i) Has been convicted of: (A) Rape in the first degree, rape of a child in the first degree, child molestation in the first degree, rape in the second degree, rape of a child in the second degree, or

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indecent liberties by forcible compulsion; (B) any of the following offenses with a finding of sexual motivation: Murder in the first degree, murder in the second degree, homicide by abuse, kidnapping in the first degree, kidnapping in the second degree, assault in the first degree, assault in the second degree, assault of a child in the first degree, assault of a child in the second degree, or burglary in the first degree; or (C) an attempt to commit any crime listed in this subsection (38)(b)(i); and

(ii) Has, before the commission of the offense under (b)(i) of this subsection, been convicted as an offender on at least one occasion, whether in this state or elsewhere, of an offense listed in (b)(i) of this subsection or any federal or out-of-state offense or offense under prior Washington law that is comparable to the offenses listed in (b)(i) of this subsection. A conviction for rape of a child in the first degree constitutes a conviction under (b)(i) of this subsection only when the offender was sixteen years of age or older when the offender committed the offense. A conviction for rape of a child in the second degree constitutes a conviction under (b)(i) of this subsection only when the offender was eighteen years of age or older when the offender committed the offense.

(39) "Predatory" means: (a) The perpetrator of the crime was a stranger to the victim, as defined in this section; (b) the perpetrator established or promoted a relationship with the victim prior to the offense and the victimization of the victim was a significant reason the perpetrator established or promoted the relationship; or (c) the perpetrator was: (i) A teacher, counselor, volunteer, or other person in authority in any public or private school and the victim was a student of the school under his or her authority or supervision. For purposes of this subsection, "school" does not include home-based instruction as defined in RCW 28A.225.010; (ii) a coach, trainer, volunteer, or other person in authority in any recreational activity and the victim was a participant in the activity under his or her authority or supervision; (iii) a pastor, elder, volunteer, or other person in authority in any church or religious organization, and the victim was a member or participant of the organization under his or her authority; or (iv) a teacher, counselor, volunteer, or other person in authority providing home-based instruction and the victim was a student receiving home-based instruction while under his or her authority or supervision. For purposes of this subsection: (A) "Home-based instruction" has the same meaning as defined in RCW 28A.225.010; and (B) "teacher, counselor, volunteer, or other person in authority" does not include the parent or legal guardian of the victim.

(40) "Private school" means a school regulated under chapter 28A.195 or 28A.205 RCW.

(41) "Public school" has the same meaning as in RCW 28A.150.010.

(42) "Repetitive domestic violence offense" means any:

(a)(i) Domestic violence assault that is not a felony offense under RCW 9A.36.041;

(ii) Domestic violence violation of a no-contact order under chapter 10.99 RCW that is not a felony offense;

(iii) Domestic violence violation of a protection order under chapter 26.09, 26.10, ~~((26.26))~~ 26.26B, or 26.50 RCW that is not a felony offense;

(iv) Domestic violence harassment offense under RCW 9A.46.020 that is not a felony offense; or

(v) Domestic violence stalking offense under RCW 9A.46.110 that is not a felony offense; or

(b) Any federal, out-of-state, tribal court, military, county, or municipal conviction for an offense that under the laws of this state would be classified as a repetitive domestic violence offense under (a) of this subsection.

(43) "Restitution" means a specific sum of money ordered by the sentencing court to be paid by the offender to the court over a specified period of time as payment of damages. The sum may include both public and private costs.

(44) "Risk assessment" means the application of the risk instrument recommended to the department by the Washington state institute for public policy as having the highest degree of predictive accuracy for assessing an offender's risk of reoffense.

(45) "Serious traffic offense" means:

(a) Nonfelony driving while under the influence of intoxicating liquor or any drug (RCW 46.61.502), nonfelony actual physical control while under the influence of intoxicating liquor or any drug (RCW 46.61.504), reckless driving (RCW 46.61.500), or hit-and-run an attended vehicle (RCW 46.52.020(5)); or

(b) Any federal, out-of-state, county, or municipal conviction for an offense that under the laws of this state would be classified as a serious traffic offense under (a) of this subsection.

(46) "Serious violent offense" is a subcategory of violent offense and means:

(a)(i) Murder in the first degree;

(ii) Homicide by abuse;

(iii) Murder in the second degree;

(iv) Manslaughter in the first degree;

(v) Assault in the first degree;

(vi) Kidnapping in the first degree;

(vii) Rape in the first degree;

(viii) Assault of a child in the first degree; or

(ix) An attempt, criminal solicitation, or criminal conspiracy to commit one of these felonies; or

(b) Any federal or out-of-state conviction for an offense that under the laws of this state would be a felony classified as a serious violent offense under (a) of this subsection.

(47) "Sex offense" means:

(a)(i) A felony that is a violation of chapter 9A.44 RCW other than RCW 9A.44.132;

(ii) A violation of RCW 9A.64.020;

(iii) A felony that is a violation of chapter 9.68A RCW other than RCW 9.68A.080;

(iv) A felony that is, under chapter 9A.28 RCW, a criminal attempt, criminal solicitation, or criminal conspiracy to commit such crimes; or

(v) A felony violation of RCW 9A.44.132(1) (failure to register as a sex offender) if the person has been convicted of violating RCW 9A.44.132(1) (failure to register as a sex offender) or 9A.44.130 prior to June 10, 2010, on at least one prior occasion;

(b) Any conviction for a felony offense in effect at any time prior to July 1, 1976, that is comparable to a felony classified as a sex offense in (a) of this subsection;

(c) A felony with a finding of sexual motivation under RCW 9.94A.835 or 13.40.135; or

(d) Any federal or out-of-state conviction for an offense that under the laws of this state would be a felony classified as a sex offense under (a) of this subsection.

(48) "Sexual motivation" means that one of the purposes for which the defendant committed the crime was for the purpose of his or her sexual gratification.

(49) "Standard sentence range" means the sentencing court's discretionary range in imposing a nonappealable sentence.

(50) "Statutory maximum sentence" means the maximum length of time for which an offender may be confined as punishment for a crime as prescribed in chapter 9A.20 RCW, RCW 9.92.010, the statute defining the crime, or other statute defining the maximum penalty for a crime.

(51) "Stranger" means that the victim did not know the offender twenty-four hours before the offense.

(52) "Total confinement" means confinement inside the physical boundaries of a facility or institution operated or utilized under contract by the state or any other unit of government for twenty-four hours a day, or pursuant to RCW 72.64.050 and 72.64.060.

(53) "Transition training" means written and verbal instructions and assistance provided by the department to the offender during the two weeks prior to the offender's successful completion of the work ethic camp program. The transition training shall include instructions in the offender's requirements and obligations during the offender's period of community custody.

(54) "Victim" means any person who has sustained emotional, psychological, physical, or financial injury to person or property as a direct result of the crime charged.

(55) "Violent offense" means:

(a) Any of the following felonies:

(i) Any felony defined under any law as a class A felony or an attempt to commit a class A felony;

(ii) Criminal solicitation of or criminal conspiracy to commit a class A felony;

(iii) Manslaughter in the first degree;

(iv) Manslaughter in the second degree;

(v) Indecent liberties if committed by forcible compulsion;

(vi) Kidnapping in the second degree;

(vii) Arson in the second degree;

(viii) Assault in the second degree;

(ix) Assault of a child in the second degree;

(x) Extortion in the first degree;

(xi) Robbery in the second degree;

(xii) Drive-by shooting;

(xiii) Vehicular assault, when caused by the operation or driving of a vehicle by a person while under the influence of intoxicating liquor or any drug or by the operation or driving of a vehicle in a reckless manner; and

(xiv) Vehicular homicide, when proximately caused by the driving of any vehicle by any person while under the influence of intoxicating liquor or any drug as defined by RCW 46.61.502, or by the operation of any vehicle in a reckless manner;

(b) Any conviction for a felony offense in effect at any time prior to July 1, 1976, that is comparable to a felony classified as a violent offense in (a) of this subsection; and

(c) Any federal or out-of-state conviction for an offense that under the laws of this state would be a felony classified as a violent offense under (a) or (b) of this subsection.

(56) "Work crew" means a program of partial confinement consisting of civic improvement tasks for the benefit of the community that complies with RCW 9.94A.725.

(57) "Work ethic camp" means an alternative incarceration program as provided in RCW 9.94A.690 designed to reduce recidivism and lower the cost of corrections by requiring offenders to complete a comprehensive array of real-world job and vocational experiences, character-building work ethics training, life management skills development, substance abuse rehabilitation, counseling, literacy training, and basic adult education.

(58) "Work release" means a program of partial confinement available to offenders who are employed or engaged as a student in a regular course of study at school.

(59) "Recidivist offense" means a felony offense where a prior conviction of the same offense or other specified offense is an element of the crime including, but not limited to:

(a) Assault in the fourth degree where domestic violence is pleaded and proven, RCW 9A.36.041(3);

(b) Cyberstalking, RCW 9.61.260(3)(a);

(c) Harassment, RCW 9A.46.020(2)(b)(i);

(d) Indecent exposure, RCW 9A.88.010(2)(c);

(e) Stalking, RCW 9A.46.110(5)(b)(i) and (iii);

(f) Telephone harassment, RCW 9.61.230(2)(a); and

(g) Violation of a no-contact or protection order, RCW 26.50.110(5)."

On page 1, line 3 of the title, after "records;" strike the remainder of the title and insert "amending RCW 9.94A.640 and 9.94A.030; reenacting and amending RCW 9.94A.637 and 9.96.060; and creating a new section."

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Law & Justice to Substitute House Bill No. 1041.

The motion by Senator Pedersen carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Pedersen, the rules were suspended, Substitute House Bill No. 1041 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Pedersen and Padden spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1041, as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1041, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Erickson, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Excused: Senator Wilson, L.

SUBSTITUTE HOUSE BILL NO. 1041, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1909, by House Committee on Labor & Workplace Standards (originally sponsored by Graham, Lovick, Griffey, Davis, MacEwen and Corry)

Concerning the confidentiality of industrial insurance claim records.

The measure was read the second time.

MOTION

On motion of Senator Conway, the rules were suspended, Substitute House Bill No. 1909 was advanced to third reading, the

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second reading considered the third and the bill was placed on final passage.

Senator Conway spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1909.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1909 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Erickson, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Excused: Senator Wilson, L.

SUBSTITUTE HOUSE BILL NO. 1909, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The President recognized Senate Pages Miss Emma Gorrell, the daughter of Mrs. Jeannie Gorrell, Senate Counsel; Mr. Winston Hobbs, the son of Senator Hobbs; and Mr. Jack Pietrusiewicz, the grandson of Senator King.

PERSONAL PRIVILEGE

Senator King: "I just wanted to recognize my grandson, Jack Pietrusiewicz. We call him Jack P., just so you know, but great to have him with us today and this week and we are having a great time. So, thank you Mr. President."

Senator Rivers announced that the Wilson Wednesday photo would be taken at the sundial immediately upon the Senate going at ease.

MOTION

At 12:33 p.m., on motion of Senator Liias, the Senate was declared to be at ease subject to the call of the President for the purposes of reading in committee reports later in the day.

AFTERNOON SESSION

The Senate was called to order at 3:02 p.m. by the Acting President Pro Tempore, Senator Van De Wege presiding.

MOTION

On motion of Senator Liias, the Senate reverted to the first order of business.

SUPPLEMENTAL REPORTS OF STANDING COMMITTEES

April 1, 2019

SB 5133 Prime Sponsor, Senator Frockt: Concerning state general obligation bonds and related accounts. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5133 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Warnick; Van De Wege; Pedersen; Palumbo; Liias; Keiser; Hunt; Darneille; Carlyle; Billig; Bailey; Honeyford, Assistant Ranking Member, Capital; Brown, Assistant Ranking Member, Operating; Mullet, Capital Budget Cabinet; Frockt, Vice Chair, Operating, Capital Lead and Hasegawa.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Becker; Braun, Ranking Member; Schoesler and Wagoner.

Referred to Committee on Rules for second reading.

April 1, 2019

SB 5134 Prime Sponsor, Senator Frockt: Concerning the capital budget. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5134 be substituted therefor, and the substitute bill do pass. Signed by Senators Mullet, Capital Budget Cabinet; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Billig; Darneille; Hasegawa; Hunt; Frockt, Vice Chair, Operating, Capital Lead; Keiser; Palumbo; Pedersen; Van De Wege; Wagoner; Warnick; Carlyle; Liias Rolfes, Chair.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Schoesler; Braun, Ranking Member and Becker.

Referred to Committee on Rules for second reading.

April 2, 2019

E2SHB 1114 Prime Sponsor, Committee on Appropriations: Reducing the wasting of food in order to fight hunger and reduce environmental impacts. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: Do pass as amended. Signed by Senators Short; Van De Wege, Chair; Salomon, Vice Chair; Warnick, Ranking Member; Honeyford; McCoy and Rolfes.

Referred to Committee on Ways & Means.

April 2, 2019

SHB 1197 Prime Sponsor, Committee on Transportation: Concerning gold star license plates. Reported by Committee on Transportation

MAJORITY recommendation: Do pass as amended. Signed by Senators Zeiger; Wilson, C.; Takko; Randall; Padden; Nguyen; Lovelett; Das; Cleveland; Sheldon, Assistant Ranking Member; King, Ranking Member; Saldaña, Vice Chair; Hobbs, Chair and O'Ban.

Referred to Committee on Rules for second reading.

April 2, 2019

HB 1255 Prime Sponsor, Representative Lovick: Creating Patches pal special license plates. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Sheldon, Assistant Ranking Member; Cleveland; Das; Lovelett; Nguyen; Padden; Randall; Takko; Wilson, C.; Zeiger and O'Ban.

Referred to Committee on Rules for second reading.

April 3, 2019

ESHB 1582 Prime Sponsor, Committee on Civil Rights & Judiciary: Addressing manufactured/mobile home tenant protections. Reported by Committee on Housing Stability & Affordability

MAJORITY recommendation: Do pass as amended. Signed by Senators Kuderer, Chair; Das, Vice Chair; Darneille and Saldaña.

MINORITY recommendation: Do not pass. Signed by Senators Zeiger, Ranking Member; Fortunato and Warnick.

Referred to Committee on Ways & Means.

April 2, 2019

ESHB 1772 Prime Sponsor, Committee on Transportation: Concerning motorized foot scooters. Reported by Committee on Transportation

MAJORITY recommendation: Do pass as amended. Signed by Senators Hobbs, Chair; King, Ranking Member; Sheldon, Assistant Ranking Member; Cleveland; Das; Nguyen; Padden; Randall; Takko; Wilson, C.; Zeiger and O'Ban.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Saldaña, Vice Chair and Lovelett.

Referred to Committee on Rules for second reading.

April 2, 2019

EHB 1996 Prime Sponsor, Representative Lekanoff: Creating a San Juan Islands stewardship special license plate. (REVISED FOR ENGROSSED: Creating a San Juan Islands special license plate.) Reported by Committee on Transportation

MAJORITY recommendation: Do pass as amended. Signed by Senators Zeiger; Wilson, C.; Takko; Randall; Padden; Nguyen; Lovelett; Das; Cleveland; Sheldon, Assistant Ranking Member; King, Ranking Member; Saldaña, Vice Chair; Hobbs, Chair and O'Ban.

Referred to Committee on Rules for second reading.

April 2, 2019

HB 2058 Prime Sponsor, Representative Callan: Concerning Purple Heart license plates. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking

Member; Sheldon, Assistant Ranking Member; Cleveland; Das; Lovelett; Nguyen; Padden; Randall; Takko; Wilson, C.; Zeiger and O'Ban.

Referred to Committee on Rules for second reading.

April 2, 2019

HB 2062 Prime Sponsor, Representative Slatter: Creating Seattle Storm special license plates to fund youth leadership and sports programs. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Zeiger; Wilson, C.; Takko; Randall; Padden; Nguyen; Lovelett; Das; Cleveland; Sheldon, Assistant Ranking Member; King, Ranking Member; Saldaña, Vice Chair; Hobbs, Chair and O'Ban.

Referred to Committee on Rules for second reading.

April 2, 2019

ESHB 2097 Prime Sponsor, Committee on Appropriations: Addressing statewide wolf recovery. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: Do pass as amended. Signed by Senators Short; Rolfes; McCoy; Honeyford; Warnick, Ranking Member; Salomon, Vice Chair Van De Wege, Chair.

Referred to Committee on Ways & Means.

MOTION

On motion of Senator Liias, all measures listed on the Standing Committee report were referred to the committees as designated.

MOTION

At 3:09 p.m., on motion of Senator Liias, the Senate adjourned until 9:00 o'clock a.m. Thursday, April 4, 2019.

CYRUS HABIB, President of the Senate

BRAD HENDRICKSON, Secretary of the Senate

EIGHTY FIRST DAY

MORNING SESSION

Senate Chamber, Olympia
Thursday, April 4, 2019

The Senate was called to order at 9:03 a.m. by the President of the Senate, Lt. Governor Habib presiding. The Secretary called the roll and announced to the President that all Senators were present with the exception of Senator Wilson, L.

The Sergeant at Arms Color Guard consisting of Pages Mr. Winston Hobbs and Mr. Jack Pietrusiewicz, presented the Colors.

Page Ms. Blu Warner led the Senate in the Pledge of Allegiance.

The prayer was offered by Reverend Eldwin M. "Ed" Lovelady, Vicar, St. Benedict Episcopal Church, Lacey.

The President called upon the Secretary to read the journal of the preceding day.

MOTION

On motion of Senator Liias, the reading of the Journal of the previous day was dispensed with and it was approved.

MOTION

There being no objection, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

April 2, 2019

SB 5313 Prime Sponsor, Senator Wellman: Concerning school levies. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5313 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Van De Wege; Pedersen; Palumbo; Liias; Keiser; Hunt; Darneille; Carlyle; Billig; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet and Conway.

MINORITY recommendation: Do not pass. Signed by Senators Schoesler; Hasegawa; Becker; Bailey; Honeyford, Assistant Ranking Member, Capital; Brown, Assistant Ranking Member, Operating; Braun, Ranking Member; Wagoner and Warnick.

Referred to Committee on Rules for second reading.

MOTION

On motion of Senator Liias, the measure listed on the Standing Committee report was referred to the committee as designated.

MOTION

On motion of Senator Liias, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SHB 1101 by House Committee on Capital Budget (originally sponsored by Tharinger)

AN ACT Relating to state general obligation bonds and related accounts; adding new sections to chapter 43.100A RCW; and declaring an emergency.

Referred to Committee on Ways & Means.

SHB 1102 by House Committee on Capital Budget (originally sponsored by Tharinger)

AN ACT Relating to the capital budget; making appropriations and authorizing expenditures for capital improvements; amending RCW 28B.15.210, 28B.15.310, 28B.20.725, 28B.30.750, 28B.35.370, 28B.50.360, 28B.77.070, 43.63A.125, and 43.88D.010; amending 2018 c 2 ss 1010, 1019, 1013, 1014, 2019, 3024, 3093, 4002, and 5014; 2018 c 298 ss 1004, 1007, 1002, 1013, 1008, 2004, 2005, 2008, 2018, and 5040; and 2017 3rd sp.s. c 4 ss 1052, 3056, 3127, and 5058 (uncodified); reenacting and amending RCW 43.155.050; creating new sections; making appropriations; providing a contingent effective date; and declaring an emergency.

Referred to Committee on Ways & Means.

MOTION

On motion of Senator Liias, all measures listed on the Introduction and First Reading report were referred to the committees as designated.

MOTION

On motion of Senator Liias, the Senate advanced to the eighth order of business.

MOTION

Senator Rivers moved adoption of the following resolution:

SENATE RESOLUTION
8641

By Senators Rivers and Kuderer

WHEREAS, Many Washington citizens have literally given the gift of life by donating organs, eyes, and tissue; and

WHEREAS, It is essential that all citizens are aware of the opportunity to save and heal the lives of others through organ, eye, and tissue donation and transplantation; and

WHEREAS, There are more than one hundred fourteen thousand courageous Americans awaiting a lifesaving organ transplant, with twenty individuals losing their lives every day because of the shortage of organs for transplant; and

WHEREAS, Every ten minutes, a person is added to the national organ transplant waiting list; and

WHEREAS, One organ donor can save the lives of up to eight people and heal many more through cornea and tissue donation; and

WHEREAS, Families receive comfort through the grieving process with the knowledge that through organ, eye, and tissue donation, another person's life has been saved or healed; and

WHEREAS, Organ donation offers transplant recipients a second chance at life, enabling them to be with their families and maintain a higher quality of life; and

WHEREAS, The families of organ, eye, and tissue donors receive gratitude from grateful recipients whose lives have been saved by transplantation; and

WHEREAS, The example set by those who choose to donate reflects the character and compassion of these individuals, whose voluntary choice saves the lives of others; and

WHEREAS, Donate Life America has designated April as National Donate Life Month; and celebrated in our state with LifeCenter Northwest;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate honor April as National Donate Life Month to encourage Washington residents to register to be a donor, remember those who have donated, and celebrate the lives of the recipients.

Senators Rivers and Liias spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8641.

The motion by Senator Rivers carried and the resolution was adopted by voice vote.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced Ms. Sarah Perez, a double lung recipient, and her son, Jacob, and daughter Araya, who were seated in the gallery and recognized by the senate.

MOTION

At 9:20 a.m., on motion of Senator Liias, the Senate was declared to be at ease for the purposes of caucuses.

Senator Becker announced a meeting of the Republican Caucus immediately upon going at ease.

The Senate was called to order at 10:02 a.m. by President Habib.

MOTION

On motion of Senator Liias, the Senate reverted to the seventh order of business.

THIRD READING CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Hawkins moved that Martha V. Flores, Senate Gubernatorial Appointment No. 9008, be confirmed as a member of the Wenatchee Valley College Board of Trustees. Senator Hawkins spoke in favor of the motion.

MOTION

On motion of Senator Rivers, Senators Sheldon and Wilson, L. were excused.

APPOINTMENT OF MARTHA V. FLORES

The President declared the question before the Senate to be the confirmation of Martha V. Flores, Senate Gubernatorial Appointment No. 9008, as a member of the Wenatchee Valley College Board of Trustees.

The Secretary called the roll on the confirmation of Martha V. Flores, Senate Gubernatorial Appointment No. 9008, as a member of the Wenatchee Valley College Board of Trustees and the appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Excused: Senators Sheldon and Wilson, L.

Martha V. Flores, Senate Gubernatorial Appointment No. 9008, having received the constitutional majority was declared confirmed as a member of the Wenatchee Valley College Board of Trustees.

MOTION

On motion of Senator Liias, the Senate reverted to the sixth order of business.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1160, by House Committee on Transportation (originally sponsored by Fey, Wylie, Slatter and Valdez)

Making transportation appropriations for the 2019-2021 fiscal biennium.

The measure was read the second time.

MOTION

Senator Hobbs moved that the following striking amendment no. 428 by Senator Hobbs be adopted:

Strike everything after the enacting clause and insert the following:

"2019-2021 FISCAL BIENNIUM

NEW SECTION. **Sec. 1.** (1) The transportation budget of the state is hereby adopted and, subject to the provisions set forth, the several amounts specified, or as much thereof as may be necessary to accomplish the purposes designated, are hereby appropriated from the several accounts and funds named to the designated state agencies and offices for employee compensation and other expenses, for capital projects, and for other specified purposes, including the payment of any final judgments arising out of such activities, for the period ending June 30, 2021.

(2) Unless the context clearly requires otherwise, the definitions in this subsection apply throughout this act.

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(a) "Fiscal year 2020" or "FY 2020" means the fiscal year ending June 30, 2020.

(b) "Fiscal year 2021" or "FY 2021" means the fiscal year ending June 30, 2021.

(c) "FTE" means full-time equivalent.

(d) "Lapse" or "revert" means the amount shall return to an unappropriated status.

(e) "Provided solely" means the specified amount may be spent only for the specified purpose. Unless otherwise specifically authorized in this act, any portion of an amount provided solely for a specified purpose that is not expended subject to the specified conditions and limitations to fulfill the specified purpose shall lapse.

(f) "Reappropriation" means appropriation and, unless the context clearly provides otherwise, is subject to the relevant conditions and limitations applicable to appropriations.

(g) "LEAP" means the legislative evaluation and accountability program committee.

GENERAL GOVERNMENT AGENCIES—OPERATING

NEW SECTION. Sec. 101. FOR THE DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION

Motor Vehicle Account—State Appropriation \$526,000

NEW SECTION. Sec. 102. FOR THE UTILITIES AND TRANSPORTATION COMMISSION

Grade Crossing Protective Account—State Appropriation	\$504,000
Pilotage Account—State Appropriation	\$150,000
TOTAL APPROPRIATION	\$654,000

NEW SECTION. Sec. 103. FOR THE OFFICE OF FINANCIAL MANAGEMENT

Motor Vehicle Account—State Appropriation	\$1,358,000
Multimodal Transportation Account—State Appropriation	\$300,000
Puget Sound Ferry Operations Account—State Appropriation	\$116,000
TOTAL APPROPRIATION	\$1,774,000

The appropriations in this section are subject to the following conditions and limitations: \$300,000 of the multimodal transportation account—state appropriation is provided solely for the office of financial management to evaluate, coordinate, and assist in efforts by state agencies in developing cost recovery mechanisms for credit card and other financial transaction fees currently paid from state funds. This may include disbursing interagency reimbursements for the implementation costs incurred by the affected agencies. As part of the first phase of this effort, the office of financial management, with the assistance of relevant agencies, must develop implementation plans and take all necessary steps to ensure that the actual cost-recovery mechanisms will be in place by January 1, 2020, for the vehicles and drivers programs of the department of licensing and the ferry division of the department of transportation. By November 1, 2019, the office of financial management must provide a report to the joint transportation committee on the phase 1 implementation plan and options to expand similar cost recovery mechanisms to other state agencies and programs.

NEW SECTION. Sec. 104. FOR THE STATE PARKS AND RECREATION COMMISSION

Motor Vehicle Account—State Appropriation \$1,186,000

The appropriation in this section is subject to the following conditions and limitations: The entire appropriation in this section is provided solely for road maintenance purposes.

NEW SECTION. Sec. 105. FOR THE DEPARTMENT OF AGRICULTURE

Motor Vehicle Account—State Appropriation \$1,333,000

NEW SECTION. Sec. 106. FOR THE LEGISLATIVE EVALUATION AND ACCOUNTABILITY PROGRAM COMMITTEE

Motor Vehicle Account—State Appropriation \$627,000

NEW SECTION. Sec. 107. FOR THE BOARD OF PILOTAGE COMMISSIONERS

Pilotage Account—State Appropriation \$4,261,000

The appropriation in this section is subject to the following conditions and limitations:

(1) \$3,354,000 of the pilotage account—state appropriation is provided solely for self-insurance liability premium expenditures; however, this appropriation is contingent upon the board:

(a) Annually depositing the first one hundred fifty thousand dollars collected through Puget Sound pilotage district pilotage tariffs into the pilotage account; and

(b) Assessing a self-insurance premium surcharge of sixteen dollars per pilotage assignment on vessels requiring pilotage in the Puget Sound pilotage district.

(2) The board must complete the report required under RCW 88.16.035(1)(f) by September 1st annually. The report must continue to include policies and procedures necessary to increase the diversity of pilots, trainees, and applicants, including a diversity action plan. The diversity action plan must articulate a comprehensive vision of the board’s diversity goals and the steps it will take to reach those goals.

NEW SECTION. Sec. 108. FOR THE HOUSE OF REPRESENTATIVES

Motor Vehicle Account—State Appropriation \$2,771,000

NEW SECTION. Sec. 109. FOR THE SENATE

Motor Vehicle Account—State Appropriation \$2,915,000

NEW SECTION. Sec. 110. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Motor Vehicle Account—State Appropriation \$350,000

The appropriation in this section is subject to the following conditions and limitations: \$350,000 of the motor vehicle account—state appropriation, from the cities’ statewide fuel tax distributions under RCW 46.68.110(2), is provided solely to the department of fish and wildlife to inventory and assess fish passage barriers associated with city roads in the water resource inventory areas one through twenty-three. This study is a continuation of previous inventories, with priority given to the assessment of sites that have not yet been inventoried and a goal of finalizing the inventory of all city-owned barriers within the case area. Spending authority is also provided to perform downstream access checks on city inventory sites and to reassess existing city inventories that have not been assessed since June 2012, provided funds are available and after consultation with the association of Washington cities. The inventories and assessments will be conducted utilizing the methods described in the WDFW Fish Passage, Inventory, Assessment, and Prioritization manual (WDFW 2019).

TRANSPORTATION AGENCIES—OPERATING

NEW SECTION. Sec. 201. FOR THE WASHINGTON TRAFFIC SAFETY COMMISSION

Highway Safety Account—State Appropriation	\$4,511,000
Highway Safety Account—Federal Appropriation	\$26,824,000

Highway Safety Account—Private/Local Appropriation	\$118,000
School Zone Safety Account—State Appropriation	\$850,000
TOTAL APPROPRIATION	\$32,303,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$150,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter . . . (Substitute Senate Bill No. 5710), Laws of 2019 (Cooper Jones Active Transportation Safety Council). If chapter . . . (Substitute Senate Bill No. 5710), Laws of 2019 is not enacted by June 30, 2019, the amount provided in this subsection lapses.

(2) The Washington traffic safety commission may oversee a pilot program in up to three cities implementing the use of automated vehicle noise enforcement cameras in zones that have been designated by ordinance as "Stay Out of Areas of Racing."

(a) Any programs authorized by the commission must be authorized by December 31, 2019.

(b) If a city has established an authorized automated vehicle noise enforcement camera pilot program under this section, the compensation paid to the manufacturer or vendor of the equipment used must be based upon the value of the equipment and services provided or rendered in support of the system, and may not be based upon a portion of the fine or civil penalty imposed or the revenue generated by the equipment.

(c) Any city administering a pilot program overseen by the traffic safety commission shall use the following guidelines to administer the program:

(i) Automated vehicle noise enforcement camera devices may take pictures of the vehicle and vehicle license plate only;

(ii) The law enforcement agency of the city or county government shall plainly mark the locations where the automated vehicle noise enforcement camera is used by placing signs on street locations that clearly indicate to a driver that he or she is entering a zone where traffic laws are enforced by automated vehicle noise enforcement cameras;

(iii) Cities using automated vehicle noise enforcement cameras must provide periodic notice by mail to its citizens indicating the zones in which the automated vehicle noise enforcement cameras will be used;

(iv) Notices of infractions must be mailed to the registered owner of a vehicle within fourteen days of the infraction occurring;

(v) Infractions detected through the use of automated vehicle noise enforcement cameras are not part of the registered owner's driving record under RCW 46.52.101 and 46.52.120. Additionally, infractions generated by the use of automated vehicle noise enforcement cameras under this section shall be processed in the same manner as parking infractions, including for the purposes of RCW 3.50.100, 35.20.220, 46.16A.120, and 46.20.270(2). The amount of the fine issued for an infraction generated through the use of automated vehicle noise enforcement cameras shall not exceed the amount of a fine issued for other parking infractions within the jurisdiction. However, the amount of the fine issued for a vehicular noise violation detected through the use of automated vehicle noise enforcement cameras shall not exceed the monetary penalty for a violation of RCW 46.61.050 as provided under RCW 46.63.110, including all applicable statutory assessments; and

(vi) By June 30, 2021, the participating cities shall provide a report to the commission and appropriate committees of the legislature regarding the use, public acceptance, outcomes, and other relevant issues regarding automated vehicle noise enforcement cameras demonstrated by the pilot projects.

NEW SECTION. Sec. 202. FOR THE COUNTY ROAD ADMINISTRATION BOARD

Rural Arterial Trust Account—State Appropriation	\$1,084,000
Motor Vehicle Account—State Appropriation	\$2,659,000
County Arterial Preservation Account—State Appropriation	\$1,624,000
TOTAL APPROPRIATION	\$5,367,000

NEW SECTION. Sec. 203. FOR THE TRANSPORTATION IMPROVEMENT BOARD

Transportation Improvement Account—State Appropriation	\$4,395,000
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NEW SECTION. Sec. 204. FOR THE JOINT TRANSPORTATION COMMITTEE

Motor Vehicle Account—State Appropriation	\$1,491,000
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The appropriations in this section are subject to the following conditions and limitations: Within existing resources, the committee shall conduct a comprehensive assessment of statewide transportation needs and priorities, and existing and potential transportation funding mechanisms to address those needs and priorities. The assessment must include: (a) Recommendations on the critical state and local transportation projects, programs, and services needed to achieve an efficient, effective, statewide transportation system over the next ten years; (b) a comprehensive menu of funding options for the legislature to consider to address the identified transportation system investments; and (c) an analysis of the economic impacts of a range of future transportation investments. The assessment must be submitted to the transportation committees of the legislature by June 30, 2020. Starting July 1, 2020, and concluding by December 31, 2020, a committee-appointed commission or panel shall review the assessment and make final recommendations to the legislature for consideration during the 2021 legislative session on a realistic, achievable plan for funding transportation programs, projects, and services over the next ten years including a timeline for legislative action on funding the identified transportation system needs shortfall.

NEW SECTION. Sec. 205. FOR THE TRANSPORTATION COMMISSION

Motor Vehicle Account—State Appropriation	\$2,580,000
Multimodal Transportation Account—State Appropriation	\$112,000
TOTAL APPROPRIATION	\$2,692,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The commission may reconvene the road usage charge steering committee, with the same membership described in chapter 297, Laws of 2018, solely to administer the conclusion of the road usage charge pilot project, including the completion of a final assessment of the project. Additionally, the commission is encouraged to coordinate with the department of transportation to jointly pursue any funds, federal or otherwise, that are, or might become, available to continue an examination of a road usage charge.

(2) In developing ferry fare rates beginning January 1, 2020, the commission shall adjust the rates to ensure that credit card and related financial transaction costs of the ferry division are fully cost-recovered.

NEW SECTION. Sec. 206. FOR THE FREIGHT MOBILITY STRATEGIC INVESTMENT BOARD

Motor Vehicle Account—State Appropriation	\$848,000
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The appropriation in this section is subject to the following conditions and limitations: \$59,000 of the motor vehicle account—state appropriation is provided solely to implement a staff transition plan based on the potential turnover of existing staff. If the board determines that these funds are going to be needed, the board shall notify the director of the office of financial management and the transportation committees of the legislature.

NEW SECTION. Sec. 207. FOR THE WASHINGTON STATE PATROL

State Patrol Highway Account—State	Appropriation	\$501,872,000
State Patrol Highway Account—Federal	Appropriation	\$15,941,000
State Patrol Highway Account—Private/Local	Appropriation	\$4,256,000
Highway Safety Account—State	Appropriation	\$1,173,000
Ignition Interlock Device Revolving Account—State	Appropriation	\$7,010,000
Multimodal Transportation Account—State	Appropriation	\$274,000
TOTAL APPROPRIATION		\$530,526,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Washington state patrol officers engaged in off-duty uniformed employment providing traffic control services to the department of transportation or other state agencies may use state patrol vehicles for the purpose of that employment, subject to guidelines adopted by the chief of the Washington state patrol. The Washington state patrol must be reimbursed for the use of the vehicle at the prevailing state employee rate for mileage and hours of usage, subject to guidelines developed by the chief of the Washington state patrol.

(2) \$510,000 of the ignition interlock device revolving account—state appropriation is provided solely for the ignition interlock program at the Washington state patrol to provide funding for two staff to work and provide support for the program in working with manufacturers, service centers, technicians, and participants in the program.

(3) \$1,431,000 of the state patrol highway account—state appropriation is provided solely to enter into an agreement for upgraded land mobile software, hardware, and equipment.

(4) \$2,582,000 of the state patrol highway account—state appropriation is provided solely for the replacement of radios and other related equipment.

(5) \$343,000 of the state patrol highway account—state appropriation is provided solely for aerial criminal investigation tools, including software licensing and maintenance, and annual certification.

(6) \$722,000 of the state patrol highway account—state appropriation is provided solely for additional staff to address the increase in the number of toxicology cases from impaired driving and death investigations.

(7) \$580,000 of the state patrol highway account—state appropriation is provided solely for the operation of and administrative support to the license investigation unit to enforce vehicle registration laws in southwestern Washington. The Washington state patrol, in consultation with the department of revenue, shall maintain a running estimate of the additional vehicle registration fees, sales and use taxes, and local vehicle fees remitted to the state pursuant to activity conducted by the license investigation unit. Beginning October 1, 2019, and quarterly thereafter, the Washington state patrol shall submit a report detailing the additional revenue amounts generated since July 1, 2017, to the director of the office of financial management

and the transportation committees of the legislature. At the end of the calendar quarter in which it is estimated that more than \$625,000 in state sales and use taxes have been remitted to the state since July 1, 2017, the Washington state patrol shall notify the state treasurer and the state treasurer shall transfer funds pursuant to section 406 of this act.

(8) \$18,000 of the state patrol highway account—state appropriation is provided solely for the license investigation unit to procure an additional license plate reader and related costs.

(9) The Washington state patrol and the office of financial management must be consulted by the department of transportation during the design phase of any improvement or preservation project that could impact Washington state patrol weigh station operations. During the design phase of any such project, the department of transportation must estimate the cost of designing around the affected weigh station’s current operations, as well as the cost of moving the affected weigh station.

(10) \$4,210,000 of the state patrol highway account—state appropriation is provided solely for a third arming and a third trooper basic training class. The cadet class is expected to graduate in June 2021.

(11) \$65,000 of the state patrol highway account—state appropriation is provided solely for the implementation of chapter . . . (Second Substitute Senate Bill No. 5497), Laws of 2019 (immigrants in the workplace). If chapter . . . (Second Substitute Senate Bill No. 5497), Laws of 2019 is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.

(12) \$645,000 of the state patrol highway account—state appropriation is provided solely for the coordination of a comprehensive recruitment and retention effort aimed at achieving authorized staffing levels in the field force and nonfield force areas of the Washington state patrol. By October 1, 2019, the Washington state patrol must report to the joint transportation committee on its planned activities for recruitment and retention with a specific timeline and targets for reaching authorized staffing levels, and specific outcome and workforce composition goals. The report may also include recommendations or options for additional efforts aimed at reaching authorized staffing levels and related outcomes. Beginning October 1, 2019, the Washington state patrol must report on a quarterly basis on the use of these recruitment and retention funds, the number of transportation funded staff vacancies by major category, the number of applicants for each of the positions by these categories, the composition of workforce, and other relevant outcome measures. This information should include comparative information with recent comparable months in prior years.

NEW SECTION. Sec. 208. FOR THE DEPARTMENT OF LICENSING

Marine Fuel Tax Refund Account—State	Appropriation	\$34,000
Motorcycle Safety Education Account—State	Appropriation	\$4,951,000
State Wildlife Account—State	Appropriation	\$530,000
Highway Safety Account—State	Appropriation	\$233,292,000
Highway Safety Account—Federal	Appropriation	\$1,294,000
Motor Vehicle Account—State	Appropriation	\$75,128,000
Motor Vehicle Account—Private/Local	Appropriation	\$2,858,000
Ignition Interlock Device Revolving Account—State	Appropriation	\$5,875,000
Department of Licensing Services Account—State	Appropriation	\$8,068,000
License Plate Technology Account—State	Appropriation	\$4,250,000

Abandoned Recreational Vehicle Account—State Appropriation	\$2,910,000
Limousine Carriers Account—State Appropriation	\$113,000
DOL Technology Improvement & Data Management Account—State Appropriation	\$2,250,000
Agency Financial Transaction Account—State Appropriation	\$11,903,000
TOTAL APPROPRIATION	\$353,456,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$139,000 of the motorcycle safety account—state appropriation is provided solely for the implementation of chapter . . . (Substitute Senate Bill No. 5303), Laws of 2019 (motorcycle safety). If chapter . . . (Substitute Senate Bill No. 5303), Laws of 2019 is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.

(2) \$404,000 of the highway safety account—state appropriation is provided solely for a new driver testing system at the department. Pursuant to RCW 43.135.055 and 46.82.310, the department is authorized to increase driver training school license application and renewal fees in fiscal years 2020 and 2021, as necessary to fully support the cost of activities related to administration of the driver training school program, including the cost of the new driver testing system described in this subsection.

(3) Appropriations provided for the data stewardship and privacy project in this section are subject to the conditions, limitations, and review provided in section 701 of this act.

(4) Appropriations provided for the cloud continuity of operations project in this section are subject to the conditions, limitations, and review provided in section 701 of this act.

(5) The department shall continue to encourage the use of online vehicle registration renewal reminders and minimize the number of letters mailed by the department. Beginning January 1, 2020, and semiannually thereafter, the department must report on the percentage of different types of transactions performed online by region and the estimated printing and postage costs saved from a fiscal year 2017 baseline from these efforts.

(6) \$24,028,000 of the highway safety account—state appropriation is provided solely for costs necessary to accommodate increased demand for enhanced drivers' licenses and enhanced identicards. The department shall report on a quarterly basis on the use of these funds, associated workload, and information with comparative information with recent comparable months in prior years. The report must include detailed statewide and by licensing service office information on staffing levels, average monthly wait times, the number of enhanced drivers' licenses and enhanced identicards issued/renewed, and the number of primary drivers' licenses and identicards issued/renewed. Within the amounts provided in this subsection, the department shall implement efficiency measures to reduce the time for licensing transactions and wait times including, but not limited to, the installation of additional cameras at licensing service offices that reduce bottlenecks and align with the "keep your customer" initiative.

(7) Within amounts provided in this section, the department shall take immediate steps to ensure that all statutorily allowed transactions that can be performed by subagents are logistically allowed and supported, including potentially allowing vessel reports of sale to be processed in subagent offices. By December 1, 2019, the department of licensing shall report to director of the office of financial management and the transportation committees of the legislature on the actions taken pursuant to this subsection.

(8) \$100,000 of department of licensing service account—state appropriation is provided solely for the department to convene a

work group to assess the current licensing services system and the potential expansion of services that can be performed by subagents.

(a) The work group must consist of, but is not limited to, a representative from the department, the department of transportation, a county auditor, a county licensing manager, a subagent representative who is a small office manager, a subagent representative from eastern Washington, and a subagent representative from western Washington.

(b) The work group must consider and make recommendations on expanding services offered by subagents including, but not limited to: Accepting payments for parking violations; accepting payments for good to go tolls; providing for some driver's license renewals; providing driver's license replacements and address changes; providing drivers abstracts; and allowing vehicle and vessel reports of sales that are typically processed online to be routed through a subagent office.

(c) The work group must submit a report with its findings and recommendations to the director of the office of financial management and the transportation committees of the legislature by December 1, 2020.

(9) \$507,000 of the motor vehicle account—state appropriation is provided solely for the implementation of chapter . . . (Substitute Senate Bill No. 5419), Laws of 2019 (vehicle service fees). If chapter . . . (Substitute Senate Bill No. 5419), Laws of 2019 is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.

(10) \$62,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter . . . (Substitute Senate Bill No. 5694), Laws of 2019 (commercial beekeeper drivers). If chapter . . . (Substitute Senate Bill No. 5694), Laws of 2019 is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.

(11) \$25,000 of the motor vehicle account—state appropriation is provided solely for the implementation of chapter . . . (Substitute Senate Bill No. 5919), Laws of 2019 (San Juan license plate). If chapter . . . (Substitute Senate Bill No. 5919), Laws of 2019 is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.

(12) \$24,000 of the motor vehicle account—state appropriation is provided solely for the implementation of chapter . . . (Senate Bill No. 5930), Laws of 2019 (Seattle Storm license plate). If chapter . . . (Senate Bill No. 5930), Laws of 2019 is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.

(13) \$14,000 of the motor vehicle account—state appropriation is provided solely for the implementation of chapter . . . (Substitute Senate Bill No. 5591), Laws of 2019 (stolen vehicle check fee). If chapter . . . (Substitute Senate Bill No. 5591), Laws of 2019 is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.

(14) \$65,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter . . . (Second Substitute Senate Bill No. 5497), Laws of 2019 (immigrants in the workplace). If chapter . . . (Second Substitute Senate Bill No. 5497), Laws of 2019 is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.

(15) The appropriations in this section assume implementation of additional cost recovery mechanisms to recoup at least \$11,903,000 in credit card and other financial transaction costs as part of charges imposed for driver and vehicle fee transactions beginning January 1, 2020. At the direction of the office of financial management, the department must develop a method of tracking the additional amount of credit card and other financial cost-recovery revenues. In consultation with the office of financial management, the department must notify the state

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treasurer of these amounts and the state treasurer must deposit these revenues in the agency financial transaction account created in section 718 of this act on a quarterly basis.

(16) Within amounts provided in this section, the department, shall convene a work group of relevant stakeholders, to make recommendations on methods to assist former military members with demonstrated comparable recent military experience transition into civilian employment in commercial trucking and the construction trades. The issues explored by the work group may include, but are not limited to, expanding the allowed waivers under the federal motor carrier safety administration regulations, the specific training documents and military license information needed to demonstrate comparable military experience, the options to ensure that the former military drivers have the requisite knowledge and skills to safely operate commercial motor vehicles, and options to expand the transition and employment opportunities of former military drivers. The work group shall submit a report with its findings and recommendations to the transportation committees of the legislature by December 1, 2019.

(17) Within amounts provided in this section, the department, in consultation with the department of ecology and the Washington state patrol, shall convene a work group that includes representation from the vehicle recycling community, local law enforcement, environmental interests, and other appropriate parties to review enforcement of and compliance with the state’s vehicle wrecking laws.

(a) The work group shall review the current problems relating to illegal vehicle wrecking operations and efforts underway in other west coast states to address the problems of illegal vehicle wrecking operations, including tax evasion, environmental impacts, health impacts, and facilitation of vehicle theft, and other related issues.

(b) The work group shall consider strategies for bringing illegal vehicle wreckers into compliance through compliance assistance, education and training, or other methods, including coordinated enforcement and compliance activities, and recommendations for statutory and administrative changes needed to better allow for enforcement against illegal wrecking operations.

(c) By December 1, 2019, the department must submit a preliminary progress report on the work group activities to the transportation committees of the legislature. By August 1, 2020, the department must submit a final report with potential legislation to the transportation committees of the legislature.

NEW SECTION. Sec. 209. FOR THE DEPARTMENT OF TRANSPORTATION—TOLL OPERATIONS AND MAINTENANCE—PROGRAM B

High Occupancy Toll Lanes Operations Account—State	
Appropriation	\$4,034,000
Motor Vehicle Account—State Appropriation	\$513,000
State Route Number 520 Corridor Account—State	
Appropriation	\$47,020,000
State Route Number 520 Civil Penalties Account—State	
Appropriation	\$4,145,000
Tacoma Narrows Toll Bridge Account—State	
Appropriation	\$30,032,000
Alaskan Way Viaduct Replacement Project Account—State	
Appropriation	\$19,999,000
Interstate 405 Express Toll Lanes Operations	
Account—State Appropriation	\$20,135,000
TOTAL APPROPRIATION	\$125,878,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,300,000 of the Tacoma Narrows toll bridge account—state appropriation and \$9,048,000 of the state route number 520 corridor account—state appropriation are provided solely for the purposes of addressing unforeseen operations and maintenance costs on the Tacoma Narrows bridge and the state route number 520 bridge, respectively. The office of financial management shall place the amounts provided in this subsection, which represent a portion of the required minimum fund balance under the policy of the state treasurer, in unallotted status. The office may release the funds only when it determines that all other funds designated for operations and maintenance purposes have been exhausted.

(2) As long as the facility is tolled, the department must provide quarterly reports to the transportation committees of the legislature on the Interstate 405 express toll lane project performance measures listed in RCW 47.56.880(4). These reports must include:

(a) Information on the travel times and travel time reliability (at a minimum, average and 90th percentile travel times) maintained during peak and nonpeak periods in the express toll lanes and general purpose lanes for both the entire corridor and commonly made trips in the corridor including, but not limited to, northbound from Bellevue to Rose Hill, state route number 520 at NE 148th to Interstate 405 at state route number 522, Bellevue to Bothell (both NE 8th to state route number 522 and NE 8th to state route number 527), and a trip internal to the corridor (such as NE 85th to NE 160th) and similar southbound trips;

(b) A month-to-month comparison of travel times and travel time reliability for the entire corridor and commonly made trips in the corridor as specified in (a) of this subsection since implementation of the express toll lanes and, to the extent available, a comparison to the travel times and travel time reliability prior to implementation of the express toll lanes;

(c) Total express toll lane and total general purpose lane traffic volumes, as well as per lane traffic volumes for each type of lane (i) compared to total express toll lane and total general purpose lane traffic volumes, as well as per lane traffic volumes for each type of lane, on this segment of Interstate 405 prior to implementation of the express toll lanes and (ii) compared to total express toll lane and total general purpose lane traffic volumes, as well as per lane traffic volumes for each type of lane, from month to month since implementation of the express toll lanes; and

(d) Underlying congestion measurements, that is, speeds, that are being used to generate the summary graphs provided, to be made available in a digital file format.

(3)(a) \$71,000 of the high occupancy toll lanes operations account—state appropriation, \$1,238,000 of the state route number 520 corridor account—state appropriation, \$532,000 of the Tacoma Narrows toll bridge account—state appropriation, \$460,000 of the Interstate 405 express toll lanes operations account—state appropriation, and \$699,000 of the Alaskan Way viaduct replacement project account—state appropriation are provided solely for the department to finish implementing a new tolling customer service toll collection system, and are subject to the conditions, limitations, and review provided in section 701 of this act.

(b) The department shall continue to work with the office of financial management, office of the chief information officer, and the transportation committees of the legislature on the project management plan that includes a provision for independent verification and validation of contract deliverables from the successful bidder and a provision for quality assurance that includes reporting independently to the office of the chief

information officer on an ongoing basis during system implementation.

(4) The department shall make detailed quarterly reports to the transportation committees of the legislature and the public on the department's web site on the following:

(a) The use of consultants in the tolling program, including the name of the contractor, the scope of work, the type of contract, timelines, deliverables, any new task orders, and any extensions to existing consultant contracts;

(b) The nonvendor costs of administering toll operations, including the costs of staffing the division, consultants and other personal service contracts required for technical oversight and management assistance, insurance, payments related to credit card processing, transponder purchases and inventory management, facility operations and maintenance, and other miscellaneous nonvendor costs; and

(c) The vendor-related costs of operating tolled facilities, including the costs of the customer service center, cash collections on the Tacoma Narrows bridge, electronic payment processing, and toll collection equipment maintenance, renewal, and replacement.

(d) The toll adjudication process, including a summary table for each toll facility that includes:

(i) The number of notices of civil penalty issued;

(ii) The number of recipients who pay before the notice becomes a penalty;

(iii) The number of recipients who request a hearing and the number who do not respond;

(iv) Workload costs related to hearings;

(v) The cost and effectiveness of debt collection activities; and

(vi) Revenues generated from notices of civil penalty; and

(e) A summary of toll revenue by facility on all operating toll facilities and high occupancy toll lane systems, and an itemized depiction of the use of that revenue.

(5) \$15,384,000 of the Interstate 405 express toll lanes operations account—state appropriation is provided solely for operational costs related to the express toll lane facility.

(6) In calendar year 2021, toll equipment on the Tacoma Narrows Bridge will have reached the end of its operational life. During the 2019-2021 fiscal biennium, the department plans to issue a request for proposals as the first stage of a competitive procurement process that will replace the toll equipment and select a new tolling operator for the Tacoma Narrows Bridge. The request for proposals and subsequent competitive procurement must incorporate elements that prioritize the overall goal of lowering costs per transaction for the facility, such as incentives for innovative approaches which result in lower transactional costs, requests for efficiencies on the part of the bidder that lower operational costs, and incorporation of technologies such as self-serve credit card machines or other point-of-payment technologies that lower costs or improve operational efficiencies.

(7) \$19,300,000 of the Alaskan Way viaduct replacement project account—state appropriation is provided solely for the new state route number 99 tunnel toll facility's expected share of collecting toll revenues, operating customer services, and maintaining toll collection systems. Due to the uncertainty of the new state route number 99 tunnel toll facility actual toll transactions and revenue, the legislature is holding the other tolled facilities' administrative cost shares constant for this biennium. The legislature expects to see appropriate reductions to the other toll facility accounts once tolling on the new state route number 99 tunnel toll facility commences and any previously incurred costs for start-up of the new facility are charged back to the Alaskan Way viaduct replacement project account. The office of financial management shall closely monitor the application of the cost allocation model and ensure that the new state route number

99 tunnel toll facility is adequately sharing costs and the other toll facility accounts are not being overspent or subsidizing the new state route number 99 tunnel toll facility.

NEW SECTION. Sec. 210. FOR THE DEPARTMENT OF TRANSPORTATION—INFORMATION TECHNOLOGY—PROGRAM C

Transportation Partnership Account—State	Appropriation	\$1,460,000
Motor Vehicle Account—State	Appropriation	\$93,832,000
Puget Sound Ferry Operations Account—State	Appropriation	\$263,000
Multimodal Transportation Account—State	Appropriation	\$2,878,000
Transportation 2003 Account (Nickel Account)—State	Appropriation	\$1,460,000
TOTAL APPROPRIATION		\$99,893,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$11,717,000 of the motor vehicle account—state appropriation is provided solely for the development of the labor system replacement project and is subject to the conditions, limitations, and review provided in section 701 of this act. It is the intent of the legislature that if any portion of the labor system replacement project is leveraged in the future for the time, leave, and labor distribution of any other agencies, the motor vehicle account will be reimbursed proportionally for the development of the system since amounts expended from the motor vehicle account must be used exclusively for highway purposes in conformance with Article II, section 40 of the state Constitution. This must be accomplished through a loan arrangement with the current interest rate under the terms set by the office of the state treasurer at the time the system is deployed to additional agencies. If the motor vehicle account is not reimbursed for future use of the system, it is further the intent of the legislature that reductions will be made to central service agency charges accordingly.

(2) \$198,000 of the motor vehicle account—state appropriation is provided solely for the department's cost related to the one Washington project.

(3) \$21,500,000 of the motor vehicle account—state appropriation is provided solely for the activities of the information technology program in developing and maintaining information systems that support the operations and program delivery of the department, ensuring compliance with section 701 of this act, and the requirements of the office of the chief information officer under RCW 43.88.092 to evaluate and prioritize any new financial and capital systems replacement or modernization project and any other information technology project. During the 2019-2021 biennium, the department is prohibited from using the distributed direct program support or any other cost allocation method to fund any new financial and capital systems replacement or modernization project without having the project evaluated and prioritized by the office of the chief information officer and submitting a decision package to the governor and the transportation committees of the legislature as part of the normal budget process.

NEW SECTION. Sec. 211. FOR THE DEPARTMENT OF TRANSPORTATION—FACILITY MAINTENANCE, OPERATIONS, AND CONSTRUCTION—PROGRAM D—OPERATING

Motor Vehicle Account—State	Appropriation	\$32,569,000
State Route Number 520 Corridor Account—State	Appropriation	\$34,000
TOTAL APPROPRIATION		\$32,603,000

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NEW SECTION. Sec. 212. FOR THE DEPARTMENT OF TRANSPORTATION—AVIATION—PROGRAM F

Aeronautics Account—State Appropriation	\$7,203,000
Aeronautics Account—Federal Appropriation	\$2,542,000
Aeronautics Account—Private/Local Appropriation	\$60,000
TOTAL APPROPRIATION	\$9,805,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$2,751,000 of the aeronautics account—state appropriation is provided solely for the airport aid grant program, which provides competitive grants to public airports for pavement, safety, planning, and security.

(2) \$134,000 of the aeronautics account—state appropriation is provided solely for a 0.5 FTE planning position to support emerging technologies. If chapter . . . (Substitute Senate Bill No. 5137) (aircraft excise taxes), Laws of 2019 is not enacted by June 30, 2019, the amount provided in this subsection lapses.

NEW SECTION. Sec. 213. FOR THE DEPARTMENT OF TRANSPORTATION—PROGRAM DELIVERY MANAGEMENT AND SUPPORT—PROGRAM H

Motor Vehicle Account—State Appropriation	\$57,399,000
Motor Vehicle Account—Federal Appropriation	\$500,000
Multimodal Transportation Account—State Appropriation	\$258,000
TOTAL APPROPRIATION	\$58,157,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The legislature recognizes that the trail known as the Rocky Reach Trail, and its extensions, serve to separate motor vehicle traffic from pedestrians and bicyclists, increasing motor vehicle safety on state route number 2 and the coincident section of state route number 97. Consistent with chapter 47.30 RCW and pursuant to RCW 47.12.080, the legislature declares that transferring portions of WSDOT Inventory Control (IC) No. 2-09-04686 containing the trail and associated buffer areas to the Washington state parks and recreation commission is consistent with the public interest. The legislature directs the department to transfer the property to the Washington state parks and recreation commission.

(a) The department must be paid fair market value for any portions of the transferred real property that is later abandoned, vacated, or ceases to be publicly maintained for trail purposes.

(b) Prior to completing the transfer in this subsection (2), the department must ensure that provisions are made to accommodate private and public utilities and any facilities that predate the department’s acquisition of the property, at no cost to those entities. Prior to completing the transfer, the department shall also ensure that provisions, by fair market assessment, are made to accommodate other private and public utilities and any facilities that have been legally allowed by permit or other instrument.

(c) The department may sell any adjoining property that is not necessary to support the Rocky Reach Trail and adjacent buffer areas only after the transfer of trail-related property to the Washington state parks and recreation commission is complete. Adjoining property owners must be given the first opportunity to acquire such property that abuts their property, and applicable boundary line or other adjustments must be made to the legal descriptions for recording purposes.

(2) With respect to Parcel 12 of the real property conveyed by the state of Washington to the city of Mercer Island under that certain quitclaim deed, dated April 19, 2000, recorded in King county under recording no. 20000425001234, the requirement in the deed that the property be used for road/street purposes only will be deemed satisfied by the department of transportation so

long as commuter parking, as part of the vertical development of the property, is one of the significant uses of the property.

(3) \$1,600,000 of the motor vehicle account—state appropriation is provided solely for real estate services activities. Consistent with RCW 47.12.120 and during the 2019-2021 biennium, when initiating, extending, or renewing any rent or lease agreements with a regional transit authority, consideration of value must be equivalent to one hundred percent of economic or market rent.

NEW SECTION. Sec. 214. FOR THE DEPARTMENT OF TRANSPORTATION—PUBLIC-PRIVATE PARTNERSHIPS—PROGRAM K

Motor Vehicle Account—State Appropriation	\$646,000
TOTAL APPROPRIATION	\$646,000

The appropriation in this section is subject to the following conditions and limitations:

(1) The economic partnerships program must continue to explore retail partnerships at state-owned park and ride facilities, as authorized in RCW 47.04.295.

(2) The department is authorized to execute a transit oriented development pilot project at Kingsgate park and ride in Kirkland intended to be completed by December 31, 2023. The purpose of the pilot project is to demonstrate how appropriate department properties may be used to provide multiple public benefits such as affordable and market rate housing, commercial development and institutional facilities in addition to transportation purposes. To accomplish the pilot project, the department is authorized to exercise all legal and administrative powers authorized in statute which may include, but is not limited to, the transfer, lease, or sale of some or all of the property to another governmental agency or private developer approved by the department and partner agencies. The department may also partner with sound transit, King county, the city of Kirkland, and any other federal, regional, or local jurisdiction on any policy changes necessary from those jurisdictions to facilitate the pilot project. By December 1, 2019, the department must report to the legislature on any legislative actions necessary to facilitate the pilot project and future transit oriented development projects.

NEW SECTION. Sec. 215. FOR THE DEPARTMENT OF TRANSPORTATION—HIGHWAY MAINTENANCE—PROGRAM M

Motor Vehicle Account—State Appropriation	\$474,558,000
Motor Vehicle Account—Federal Appropriation	\$7,000,000
State Route Number 520 Corridor Account—State Appropriation	\$4,447,000
Tacoma Narrows Toll Bridge Account—State Appropriation	\$1,549,000
Alaskan Way Viaduct Replacement Project Account—State Appropriation	\$8,998,000
Interstate 405 Express Toll Lanes Operations Account—State Appropriation	\$1,370,000
TOTAL APPROPRIATION	\$497,922,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$6,170,000 of the motor vehicle account—state appropriation is provided solely for utility fees assessed by local governments as authorized under RCW 90.03.525 for the mitigation of stormwater runoff from state highways. Plan and reporting requirements as required in chapter . . . (Senate Bill No. 5505), Laws of 2019 (Local Stormwater Charges) shall be consistent with the January 2012 findings of the Joint Transportation Committee Report for Effective Cost Recovery

Structure for WSDOT, Jurisdictions, and Efficiencies in Stormwater Management.

(2) \$4,447,000 of the state route number 520 corridor account—state appropriation is provided solely to maintain the state route number 520 floating bridge. These funds must be used in accordance with RCW 47.56.830(3).

(3) \$1,549,000 of the Tacoma Narrows toll bridge account—state appropriation is provided solely to maintain the new Tacoma Narrows bridge. These funds must be used in accordance with RCW 47.56.830(3).

(4) \$1,370,000 of the Interstate 405 express toll lanes operations account—state appropriation is provided solely to maintain the express toll lane portion of Interstate 405 between Lynnwood and Bellevue. These funds must be used in accordance with RCW 47.56.830(3).

(5) \$5,000,000 of the motor vehicle account—state appropriation is provided solely for a contingency pool for snow and ice removal. The department will notify the office of financial management and the transportation committees of the legislature when they have spent the base budget for snow and ice removal and will begin using the contingency pool funding.

(6) \$1,025,000 of the motor vehicle account—state appropriation is provided solely for the department to implement safety improvements and debris clean up on department-owned rights-of-way in the city of Seattle at levels above that being implemented as of January 1, 2019. The department must contract out or hire a crew dedicated solely to collecting and disposing of garbage, clearing debris or hazardous material, and implementing safety improvements where hazards exist to the traveling public, department employees, or people encamped upon department-owned rights-of-way. The department may request assistance from the Washington state patrol as necessary in order for both agencies to provide enhanced safety-related activities regarding the emergency hazards along state highway rights-of-way in the Seattle area.

(7) The department must commence a pilot program for the 2019-2021 biennium at the four highest demand safety rest areas to create and maintain an online calendar for volunteer groups to check availability of weekends for the free coffee program. The calendar must be updated at least weekly and show dates and times that are, or are not, available to participate in the free coffee program. The department must submit a report to the legislature on the ongoing pilot by December 1, 2020, outlining the costs and benefits of the online calendar pilot, and including surveys from the volunteer groups and agency staff to determine its effectiveness.

NEW SECTION. Sec. 216. FOR THE DEPARTMENT OF TRANSPORTATION—TRAFFIC OPERATIONS—PROGRAM Q—OPERATING

Motor Vehicle Account—State Appropriation	\$68,302,000
Motor Vehicle Account—Federal Appropriation	\$2,050,000
Motor Vehicle Account—Private/Local Appropriation	\$250,000
TOTAL APPROPRIATION	\$70,602,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$6,000,000 of the motor vehicle account—state appropriation is provided solely for low-cost enhancements. The department shall give priority to low-cost enhancement projects that improve safety or provide congestion relief. By December 15th of each odd-numbered year, the department shall provide a report to the legislature listing all low-cost enhancement projects completed in the prior fiscal biennium.

(2)(a) During the 2019-2021 fiscal biennium, the department shall continue a pilot program that expands private transportation providers' access to high occupancy vehicle lanes. Under the pilot program, when the department reserves a portion of a highway based on the number of passengers in a vehicle, the following vehicles must be authorized to use the reserved portion of the highway if the vehicle has the capacity to carry eight or more passengers, regardless of the number of passengers in the vehicle: (i) Auto transportation company vehicles regulated under chapter 81.68 RCW; (ii) passenger charter carrier vehicles regulated under chapter 81.70 RCW, except marked or unmarked stretch limousines and stretch sport utility vehicles as defined under department of licensing rules; (iii) private nonprofit transportation provider vehicles regulated under chapter 81.66 RCW; and (iv) private employer transportation service vehicles. For purposes of this subsection, "private employer transportation service" means regularly scheduled, fixed-route transportation service that is offered by an employer for the benefit of its employees. Nothing in this subsection is intended to authorize the conversion of public infrastructure to private, for-profit purposes or to otherwise create an entitlement or other claim by private users to public infrastructure.

(b) The department shall expand the high occupancy vehicle lane access pilot program to vehicles that deliver or collect blood, tissue, or blood components for a blood-collecting or distributing establishment regulated under chapter 70.335 RCW. Under the pilot program, when the department reserves a portion of a highway based on the number of passengers in a vehicle, blood-collecting or distributing establishment vehicles that are clearly and identifiably marked as such on all sides of the vehicle are considered emergency vehicles and must be authorized to use the reserved portion of the highway.

(c) The department shall expand the high occupancy vehicle lane access pilot program to private, for hire vehicles regulated under chapter 81.72 RCW that have been specially manufactured, designed, or modified for the transportation of a person who has a mobility disability and uses a wheelchair or other assistive device. Under the pilot program, when the department reserves a portion of a highway based on the number of passengers in a vehicle, wheelchair-accessible taxicabs that are clearly and identifiably marked as such on all sides of the vehicle are considered public transportation vehicles and must be authorized to use the reserved portion of the highway.

(d) Nothing in this subsection (2) is intended to exempt these vehicles from paying tolls when they do not meet the occupancy requirements established by the department for high occupancy toll lanes.

NEW SECTION. Sec. 217. FOR THE DEPARTMENT OF TRANSPORTATION—TRANSPORTATION MANAGEMENT AND SUPPORT—PROGRAM S

Motor Vehicle Account—State Appropriation	\$37,040,000
Motor Vehicle Account—Federal Appropriation	\$1,380,000
Motor Vehicle Account—Local Appropriation	\$500,000
Multimodal Transportation Account—State Appropriation	\$1,129,000
TOTAL APPROPRIATION	\$40,049,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$2,000,000 of the motor vehicle account—state appropriation is provided solely for a grant program that makes awards for the following: (a) Support for nonprofit agencies, churches, and other entities to help provide outreach to populations underrepresented in the current apprenticeship programs; (b) preapprenticeship training; and (c) child care,

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transportation, and other supports that are needed to help women, veterans, and minorities enter and succeed in apprenticeship. The department must report on grants that have been awarded and the amount of funds disbursed by December 1st each year.

(2) \$150,000 of the motor vehicle account—state appropriation is provided solely for a user-centered and mobile-compatible web site redesign using estimated web site ad revenues.

NEW SECTION. Sec. 218. FOR THE DEPARTMENT OF TRANSPORTATION—TRANSPORTATION PLANNING, DATA, AND RESEARCH—PROGRAM T

Motor Vehicle Account—State Appropriation	\$30,409,000
Motor Vehicle Account—Federal Appropriation	\$29,485,000
Motor Vehicle Account—Local Appropriation	\$800,000
Multimodal Transportation Account—State Appropriation	\$710,000
Multimodal Transportation Account—Federal Appropriation	\$2,809,000
Multimodal Transportation Account—Private/Local Appropriation	\$100,000
TOTAL APPROPRIATION	\$64,313,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$130,000 of the motor vehicle account—state appropriation is provided solely for completion of a corridor study to identify potential improvements between exit 116 and exit 99 of Interstate 5. The study should further develop mid- and long-term strategies from the corridor sketch, and identify potential US 101/I-5 interchange improvements, a strategic plan for the Nisqually River bridges, regional congestion relief options, and ecosystem benefits to the Nisqually River estuary for salmon productivity and flood control.

(2) The study on state route number 518 referenced in section 218(5), chapter 297, Laws of 2018 must be submitted to the transportation committees of the legislature by November 30, 2019.

NEW SECTION. Sec. 219. FOR THE DEPARTMENT OF TRANSPORTATION—CHARGES FROM OTHER AGENCIES—PROGRAM U

Motor Vehicle Account—State Appropriation	\$62,275,000
Multimodal Transportation Account—State Appropriation	\$1,165,000
TOTAL APPROPRIATION	\$63,440,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Prior to entering into any negotiated settlement of a claim against the state for the department that exceeds five million dollars, the department, in conjunction with the attorney general and the department of enterprise services, shall notify the director of the office of financial management and the transportation committees of the legislature.

(2) Beginning October 1, 2019, and quarterly thereafter, the department, in conjunction with the attorney general and the department of enterprise services, shall provide a report with judgments and settlements dealing with the Washington state ferry system to the director of the office of financial management and the transportation committees of the legislature. The report must include information on: (a) The number of claims and settlements by type; (b) the average claim and settlement by type; (c) defense costs associated with those claims and settlements; and (d) information on the impacts of moving legal costs associated with the Washington state ferry system into the statewide self-insurance pool.

(3) Beginning October 1, 2019, and quarterly thereafter, the department, in conjunction with the attorney general and the department of enterprise services, shall provide a report with judgments and settlements dealing with the nonferry operations of the department to the director of the office of financial management and the transportation committees of the legislature. The report must include information on: (a) The number of claims and settlements by type; (b) the average claim and settlement by type; and (c) defense costs associated with those claims and settlements.

NEW SECTION. Sec. 220. FOR THE DEPARTMENT OF TRANSPORTATION—PUBLIC TRANSPORTATION—PROGRAM V

State Vehicle Parking Account—State Appropriation	\$784,000
Regional Mobility Grant Program Account—State Appropriation	\$96,630,000
Rural Mobility Grant Program Account—State Appropriation	\$32,223,000
Multimodal Transportation Account—State Appropriation	\$103,341,000
Multimodal Transportation Account—Federal Appropriation	\$3,574,000
Multimodal Transportation Account—Local Appropriation	\$100,000
TOTAL APPROPRIATION	\$236,652,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$52,679,000 of the multimodal transportation account—state appropriation is provided solely for a grant program for special needs transportation provided by transit agencies and nonprofit providers of transportation. Of this amount:

(a) \$12,000,000 of the multimodal transportation account—state appropriation is provided solely for grants to nonprofit providers of special needs transportation. Grants for nonprofit providers must be based on need, including the availability of other providers of service in the area, efforts to coordinate trips among providers and riders, and the cost effectiveness of trips provided.

(b) \$40,679,000 of the multimodal transportation account—state appropriation is provided solely for grants to transit agencies to transport persons with special transportation needs. To receive a grant, the transit agency must, to the greatest extent practicable, have a maintenance of effort for special needs transportation that is no less than the previous year’s maintenance of effort for special needs transportation. Grants for transit agencies must be prorated based on the amount expended for demand response service and route deviated service in calendar year 2017 as reported in the "Summary of Public Transportation - 2017" published by the department of transportation. No transit agency may receive more than thirty percent of these distributions.

(2) \$32,223,000 of the rural mobility grant program account—state appropriation is provided solely for grants to aid small cities in rural areas as prescribed in RCW 47.66.100.

(3)(a) \$10,290,000 of the multimodal transportation account—state appropriation is provided solely for a vanpool grant program for: (i) Public transit agencies to add vanpools or replace vans; and (ii) incentives for employers to increase employee vanpool use. The grant program for public transit agencies will cover capital costs only; operating costs for public transit agencies are not eligible for funding under this grant program. Additional employees may not be hired from the funds provided in this section for the vanpool grant program, and supplanting of transit funds currently funding vanpools is not allowed. The department

shall encourage grant applicants and recipients to leverage funds other than state funds.

(b) At least \$1,600,000 of the amount provided in this subsection must be used for vanpool grants in congested corridors.

(4) \$18,951,000 of the regional mobility grant program account—state appropriation is reappropriated and provided solely for the regional mobility grant projects identified in LEAP Transportation Document 2019-2 ALL PROJECTS as developed March 26, 2019, Program - Public Transportation Program (V).

(5)(a) \$77,679,000 of the regional mobility grant program account—state appropriation is provided solely for the regional mobility grant projects identified in LEAP Transportation Document 2019-2 ALL PROJECTS as developed March 26, 2019, Program - Public Transportation Program (V). The department shall review all projects receiving grant awards under this program at least semiannually to determine whether the projects are making satisfactory progress. Any project that has been awarded funds, but does not report activity on the project within one year of the grant award, must be reviewed by the department to determine whether the grant should be terminated. The department shall promptly close out grants when projects have been completed, and any remaining funds must be used only to fund projects identified in the LEAP transportation document referenced in this subsection. The department shall provide annual status reports on December 15, 2019, and December 15, 2020, to the office of financial management and the transportation committees of the legislature regarding the projects receiving the grants. It is the intent of the legislature to appropriate funds through the regional mobility grant program only for projects that will be completed on schedule. A grantee may not receive more than twenty-five percent of the amount appropriated in this subsection. Additionally, when allocating funding for the 2021-2023 biennium, no more than thirty percent of the total grant program may be awarded within one county. The department shall not approve any increases or changes to the scope of a project for the purpose of a grantee expending remaining funds on an awarded grant.

(b) In order to be eligible to receive a grant under (a) of this subsection during the 2019-2021 fiscal biennium, a transit agency must establish a process for private transportation providers to apply for the use of park and ride facilities. For purposes of this subsection, (i) "private transportation provider" means: An auto transportation company regulated under chapter 81.68 RCW; a passenger charter carrier regulated under chapter 81.70 RCW, except marked or unmarked stretch limousines and stretch sport utility vehicles as defined under department of licensing rules; a private nonprofit transportation provider regulated under chapter 81.66 RCW; or a private employer transportation service provider; and (ii) "private employer transportation service" means regularly scheduled, fixed-route transportation service that is offered by an employer for the benefit of its employees.

(6) Funds provided for the commute trip reduction (CTR) program may also be used for the growth and transportation efficiency center program.

(7) \$7,670,000 of the multimodal transportation account—state appropriation and \$784,000 of the state vehicle parking account—state appropriation are provided solely for CTR grants and activities. Of this amount:

(a) \$1,000,000 of the multimodal transportation account—state appropriation is provided solely for the department to continue a pilot transit pass incentive program. Businesses and nonprofit organizations located in a county adjacent to Puget Sound with a population of more than seven hundred thousand that have never offered transit subsidies to employees are eligible to apply to the program for a fifty percent rebate on the cost of employee transit

subsidies provided through the regional ORCA fare collection system. No single business or nonprofit organization may receive more than ten thousand dollars from the program.

(i) Businesses and nonprofit organizations may apply and be awarded funds prior to purchasing a transit subsidy, but the department may not provide reimbursement until proof of purchase or a contract has been provided to the department.

(ii) The department shall update the transportation committees of the legislature on the impact of the program by January 31, 2020, and may adopt rules to administer the program.

(b) \$30,000 of the state vehicle parking account—state appropriation is provided solely for the STAR pass program for state employees residing in Mason and Grays Harbor Counties. Use of the pass is for public transportation between Mason County and Thurston County, and Grays Harbor and Thurston County. The pass may also be used within Grays Harbor County.

(c) \$1,000,000 of the multimodal transportation account—state appropriation is provided solely for a first mile/last mile connections grant program. Eligible grant recipients include cities, businesses, nonprofits, and transportation network companies with first mile/last mile solution proposals. Transit agencies are not eligible. The commute trip reduction board shall develop grant parameters, evaluation criteria, and evaluate grant proposals. The commute trip reduction board shall provide the transportation committees of the legislature a report on the effectiveness of this grant program and best practices for continuing the program.

(8) \$27,048,000 of the multimodal transportation account—state appropriation is provided solely for connecting Washington transit projects identified in LEAP Transportation Document 2019-2 ALL PROJECTS as developed March 26, 2019. It is the intent of the legislature that entities identified to receive funding in the LEAP document referenced in this subsection receive the amounts specified in the time frame specified in that LEAP document. If an entity has already completed a project in the LEAP document referenced in this subsection before the time frame identified, the entity may substitute another transit project or projects that cost a similar or lesser amount.

(9) \$2,000,000 of the multimodal transportation account—state appropriation is provided solely for transit coordination grants.

(10) The department shall not require more than a ten percent match from nonprofit transportation providers for state grants.

(11)(a) For projects funded as part of the 2015 connecting Washington transportation package listed on the LEAP transportation document identified in subsection (4) of this section, if the department expects to have substantial reappropriations for the 2021-2023 fiscal biennium, the department may, on a pilot basis, apply funding from a project with an appropriation that cannot be used for the current fiscal biennium to advance one or more of the following projects:

(i) King County Metro - RapidRide Expansion, Burien-Delridge (G2000031);

(ii) King County Metro - Route 40 Northgate to Downtown (G2000032);

(iii) Spokane Transit - Spokane Central City Line (G2000034);

(iv) Mason Transit Park & Ride Development (G2000042); or

(v) Pierce Transit - SR 7 Express Service (G2000046).

(b) At least ten business days before advancing a project pursuant to this subsection, the department must notify the office of financial management and the transportation committees of the legislature. The advancement of a project may not hinder the delivery of the projects for which the reappropriations are necessary for the 2021-2023 fiscal biennium.

(c) To the extent practicable, the department shall use the flexibility and authority granted in this section to minimize the amount of reappropriations needed each biennium.

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NEW SECTION. Sec. 221. FOR THE DEPARTMENT OF TRANSPORTATION—MARINE—PROGRAM X

Puget Sound Ferry Operations Account—State	
Appropriation	\$537,896,000
Puget Sound Ferry Operations Account—Federal	
Appropriation	\$7,932,000
Puget Sound Ferry Operations Account—Private/Local	
Appropriation	\$121,000
Agency Financial Transaction Account—State	
Appropriation	\$4,733,000
TOTAL APPROPRIATION	\$550,682,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The office of financial management budget instructions require agencies to recast enacted budgets into activities. The Washington state ferries shall include a greater level of detail in its 2019-2021 supplemental and 2021-2023 omnibus transportation appropriations act requests, as determined jointly by the office of financial management, the Washington state ferries, and the transportation committees of the legislature. This level of detail must include the administrative functions in the operating as well as capital programs.

(2) For the 2019-2021 fiscal biennium, the department may enter into a distributor controlled fuel hedging program and other methods of hedging approved by the fuel hedging committee.

(3) \$76,261,000 of the Puget Sound ferry operations account—state appropriation is provided solely for auto ferry vessel operating fuel in the 2019-2021 fiscal biennium, which reflect cost savings from a reduced biodiesel fuel requirement and, therefore, is contingent upon the enactment of section 703 of this act. The amount provided in this subsection represents the fuel budget for the purposes of calculating any ferry fare fuel surcharge. The department shall review future use of alternative fuels and dual fuel configurations, including hydrogen.

(4) The appropriations in this section assume implementation of additional cost recovery mechanisms to recoup at least \$4,733,000 in credit card and other financial transaction costs as part of ferry fares beginning January 1, 2020. At the direction of the office of financial management, the department must develop a method of tracking the additional amount of credit card and other financial cost-recovery revenues. In consultation with the office of financial management, the department must notify the state treasurer of these amounts and the state treasurer must deposit these revenues in the agency financial transaction account created in section 718 of this act on a quarterly basis.

(5) \$897,000 of the Puget sound ferry operations account—state appropriation is provided solely for increased staffing at Washington ferry terminals to meet increased workload and customer expectations. Within the amount provided in this subsection, the department shall contract with the Washington state patrol for additional traffic control assistance at the Kingston ferry terminal during peak ferry travel times, with a particular focus on Sundays and holiday weekends. Traffic control methods should include, but not be limited to, holding traffic on the shoulder at Lindvog Road until space opens for cars at the tollbooths and dock, and management of traffic on Highway 104 in order to ensure Kingston residents and business owners have access to businesses, roads, and driveways.

NEW SECTION. Sec. 222. FOR THE DEPARTMENT OF TRANSPORTATION—RAIL—PROGRAM Y—OPERATING

Multimodal Transportation Account—State	
Appropriation	\$81,839,000
Multimodal Transportation Account—Private/Local	

Appropriation	\$1,671,000
Multimodal Transportation Account—Federal	
Appropriation	\$500,000
TOTAL APPROPRIATION	\$84,010,000

The appropriations in this section are subject to the following conditions and limitations:

(1)(a) \$1,625,000 of the multimodal transportation account—state appropriation and \$1,625,000 of the multimodal transportation account—private/local appropriation are provided solely for the development of a new ultra high-speed ground transportation corridor authority with participation from Washington, Oregon, and British Columbia. The office of financial management shall place the entire multimodal transportation account—state appropriation provided in this subsection in unallotted status. The office of financial management may release portions of the state appropriation only when it determines that an equal amount of private/local funding has been secured for the purposes of this subsection. "Ultra high-speed" means a maximum testing speed of at least two hundred fifty miles per hour.

(b) The corridor authority development must abide by the memorandum of understanding signed by the governor of Washington and the premier of the province of British Columbia in October of 2018. The corridor authority development shall strengthen regional collaboration and analyze and develop a bistate and binational structure that addresses, but is not limited to: Ultra high-speed corridor governance, general powers, operating structure, legal instruments, and contracting requirements. It must also build on the results of the 2018 Washington state ultra high-speed ground transportation business case analysis. The corridor authority development must conduct outreach and preliminary environmental review. It must include a robust community engagement process to refine the alignment for communities and businesses relevant to the ultra high-speed corridor between Portland, Oregon and Vancouver, British Columbia. It must also develop recommendations towards establishing the appropriate level of authorization to advance the development, including environmental analysis of an ultra high-speed ground transportation corridor.

(c) By June 30, 2020, the department shall provide to the governor and the transportation committees of the legislature an assessment of current laws in Washington, Oregon, and British Columbia related to an ultra high-speed ground transportation corridor, identify any laws, regulations, or agreements that need to be modified or passed in order to proceed with developing an ultra high-speed corridor, and summarize the results from the community engagement process. As applicable, the assessment should also be sent to the executive and legislative branches of government in the state of Oregon and appropriate government bodies in the province of British Columbia.

(2) The department is directed to continue to pursue efforts to reduce costs, increase ridership, and review Amtrak Cascades fares and fare schedules. Within thirty days of each annual cost/revenue reconciliation under the Amtrak service contract, the department shall report annual credits to the office of financial management and the legislative transportation committees. Annual credits from Amtrak to the department including, but not limited to, credits due to higher ridership, reduced level of service, and fare or fare schedule adjustments, must be used to offset corresponding amounts of the multimodal transportation account—state appropriation, which must be placed in reserve.

NEW SECTION. Sec. 223. FOR THE DEPARTMENT OF TRANSPORTATION—LOCAL PROGRAMS—PROGRAM Z—OPERATING

Motor Vehicle Account—State Appropriation	\$11,713,000
Motor Vehicle Account—Federal Appropriation	\$2,567,000
Multiuse Roadway Safety Account—State Appropriation	\$132,000
Multimodal Transportation Account—State Appropriation	\$350,000
TOTAL APPROPRIATION	\$14,762,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$350,000 of the multimodal transportation account—state appropriation is provided solely to allow the Puget Sound regional council to study new passenger ferry service to better connect communities throughout the twelve county Puget Sound region. The study shall assess potential governance and funding structures, new routes, identify future terminal locations, and provide recommendations to accelerate the use of alternative fuels in the passenger ferry fleet. Analysis of potential new routes shall include Seattle to Olympia. The study shall identify future passenger only demand throughout Western Washington, analyze potential routes and terminal locations on Puget Sound, Lake Washington, and Lake Union with an emphasis on preserving waterfront opportunities in public ownership and opportunities for partnership. The study shall estimate capital and operating costs for routes and terminals. The study shall include early and continuous outreach with all interested stakeholders and a report to the legislature and all interested parties by January 31, 2021.

(2) \$1,142,000 of the motor vehicle account—state appropriation is provided solely for the department, from amounts set aside out of statewide fuel taxes distributed to counties according to RCW 46.68.120(3), to contract with the Washington state association of counties to identify county-owned fish passage barriers, with priority given to barriers that share the same stream system as state-owned fish passage barriers. The study must identify, map, and provide a preliminary assessment of county-owned barriers that need correction, and provide, where possible, preliminary costs estimates for each barrier correction. The study must provide recommendations on how to prioritize county-owned barriers within the same stream system of state-owned barriers in the current six-year construction plan to maximize state investment and make recommendations on how future state six-year construction plans should incorporate county-owned barriers. The work may also include updating local agency guidelines manual, including exploring alternatives within the local agency guidelines manual on county priorities and study the current state of county transportation funding, identify emerging issues, and identify potential future alternative transportation fuel funding sources to meet current and future needs.

TRANSPORTATION AGENCIES—CAPITAL

NEW SECTION. **Sec. 301. FOR THE FREIGHT MOBILITY STRATEGIC INVESTMENT BOARD**

Freight Mobility Investment Account—State Appropriation	\$20,314,000
Freight Mobility Multimodal Account—State Appropriation	\$23,160,000
Motor Vehicle Account—Federal Appropriation	\$2,250,000
Freight Mobility Multimodal Account—Private/Local Appropriation	\$1,320,000
TOTAL APPROPRIATION	\$47,044,000

NEW SECTION. **Sec. 302. FOR THE WASHINGTON STATE PATROL**

State Patrol Highway Account—State Appropriation	\$3,277,000
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The appropriation in this section is subject to the following conditions and limitations:

The entire appropriation in this section is provided solely for the following projects:

- (1) \$250,000 for emergency repairs;
- (2) \$469,000 for roof replacements;
- (3) \$350,000 for fuel tank decommissioning;
- (4) \$759,000 for generator and electrical replacement;
- (5) \$750,000 for water and fire suppression systems; and
- (6) \$700,000 for academy training tank preservation reappropriation.

The Washington state patrol may transfer funds between projects specified in this section to address cash flow requirements. If a project specified in this section is completed for less than the amount provided, the remainder may be transferred to another project specified in this section not to exceed the total appropriation provided in this section.

NEW SECTION. **Sec. 303. FOR THE COUNTY ROAD ADMINISTRATION BOARD**

Rural Arterial Trust Account—State Appropriation	\$65,996,000
Motor Vehicle Account—State Appropriation	\$1,456,000
County Arterial Preservation Account—State Appropriation	\$39,590,000
TOTAL APPROPRIATION	\$107,042,000

The appropriations in this section are subject to the following conditions and limitations: \$500,000 of the rural arterial trust account—state appropriation and \$500,000 of the county arterial preservation account—state appropriation are provided solely for deposit into the county road administration board emergency loan revolving account created in chapter . . . (Senate Bill No. 5923) (emergency loans), Laws of 2019. If chapter . . . (Senate Bill No. 5923), Laws of 2019 is not enacted by June 30, 2019, the amounts provided in this section lapse.

NEW SECTION. **Sec. 304. FOR THE TRANSPORTATION IMPROVEMENT BOARD**

Small City Pavement and Sidewalk Account—State Appropriation	\$5,900,000
Transportation Improvement Account—State Appropriation	\$225,500,000
Multimodal Transportation Account—State Appropriation	\$14,670,000
TOTAL APPROPRIATION	\$246,070,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The entire multimodal transportation account—state appropriation is provided solely for the complete streets program.

(2) \$9,687,000 of the transportation improvement account—state appropriation is provided solely for:

- (a) The arterial preservation program to help low tax-based, medium-sized cities preserve arterial pavements;
- (b) The small city pavement program to help cities meet urgent preservation needs; and
- (c) The small city low-energy street light retrofit program.

(3) To maximize the efficiency of the state funds provided in this section and the safety of the bike and pedestrian users of the U District Gateway Bridge (G2000005) and the Sprague Avenue improvements (8-3-165(089)-1) projects funded in this act, any new approval for grants or allocations for projects during the 2019-2021 biennium for the city of Spokane is contingent upon the city developing an infrastructure plan to provide an east-west safe connection for the increased bike traffic volume on Sprague Avenue and identifying funding for these connection

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improvements. The connection improvements may include a bike only path reasonably adjacent to Sprague Avenue. Funds provided in this section may not be released to the city of Spokane unless the board has made a determination that the city has met this requirement and provided notification to the transportation committees of the legislature.

(4) Consistent with RCW 47.26.086, during the 2019-2021 biennium, projects funded by the transportation improvement account may include projects that provide emergency vehicle access to ferry terminals in response to street-level railroad crossing conflicts.

NEW SECTION. Sec. 305. FOR THE DEPARTMENT OF TRANSPORTATION—FACILITIES—PROGRAM D—(DEPARTMENT OF TRANSPORTATION-ONLY PROJECTS)—CAPITAL

Motor Vehicle Account—State Appropriation	\$52,200,000
Connecting Washington Account—State Appropriation	\$42,497,000
TOTAL APPROPRIATION	\$94,697,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$42,497,000 of the connecting Washington account—state appropriation is provided solely for a new Olympic region maintenance and administration facility to be located on the department-owned site at the intersection of Marvin Road and 32nd Avenue in Lacey, Washington.

(2)(a) \$43,662,000 of the motor vehicle account—state appropriation is provided solely for the department facility located at 15700 Dayton Ave N in Shoreline. This appropriation is contingent upon the department of ecology signing a not less than twenty-year agreement to pay a share of any financing contract issued pursuant to chapter 39.94 RCW.

(b) Payments from the department of ecology as described in this subsection shall be deposited into the motor vehicle account.

(c) Total project costs are not to exceed \$46,500,000.

NEW SECTION. Sec. 306. FOR THE DEPARTMENT OF TRANSPORTATION—IMPROVEMENTS—PROGRAM I

Transportation Partnership Account—State Appropriation	\$304,736,000
Motor Vehicle Account—State Appropriation	\$53,427,000
Motor Vehicle Account—Federal Appropriation	\$174,337,000
Motor Vehicle Account—Private/Local Appropriation	\$28,739,000
Connecting Washington Account—State Appropriation	\$2,137,381,000
Special Category C Account—State Appropriation	\$74,000,000
Multimodal Transportation Account—State Appropriation	\$5,408,000
Alaskan Way Viaduct Replacement Project Account—State Appropriation	\$77,951,000
Transportation 2003 Account (Nickel Account)—State Appropriation	\$21,819,000
Interstate 405 Express Toll Lanes Operations Account—State Appropriation	\$27,036,000
Forward Washington Account—State Appropriation	\$185,716,000
TOTAL APPROPRIATION	\$3,090,550,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as provided otherwise in this section, the entire connecting Washington account—state appropriation and the entire transportation partnership account—state appropriation are provided solely for the projects and activities as listed by fund, project, and amount in LEAP Transportation Document 2019-1 as developed March 26, 2019, Program - Highway Improvements Program (I). However, limited transfers of specific line-item project appropriations may occur between projects for those amounts listed subject to the conditions and limitations in section 601 of this act.

(2) Except as provided otherwise in this section, the entire motor vehicle account—state appropriation and motor vehicle account—federal appropriation are provided solely for the projects and activities listed in LEAP Transportation Document 2019-2 ALL PROJECTS as developed March 26, 2019, Program - Highway Improvements Program (I). Any federal funds gained through efficiencies, adjustments to the federal funds forecast, additional congressional action not related to a specific project or purpose, or the federal funds redistribution process must then be applied to highway and bridge preservation activities.

(3) Within the motor vehicle account—state appropriation and motor vehicle account—federal appropriation, the department may transfer funds between programs I and P, except for funds that are otherwise restricted in this act. The department shall submit a report on fiscal year funds transferred in the prior fiscal year using this subsection as part of the department’s annual budget submittal.

(4) The connecting Washington account—state appropriation includes up to \$1,515,533,000 in proceeds from the sale of bonds authorized in RCW 47.10.889.

(5) The special category C account—state appropriation includes up to \$67,916,000 in proceeds from the sale of bonds authorized in RCW 47.10.861.

(6) The transportation partnership account—state appropriation includes up to \$158,203,000 in proceeds from the sale of bonds authorized in RCW 47.10.812.

(7) The Alaskan Way viaduct replacement project account—state appropriation includes up to \$77,951,000 in proceeds from the sale of bonds authorized in RCW 47.10.873.

(8) \$90,464,000 of the transportation partnership account—state appropriation, \$7,006,000 of the motor vehicle account—private/local appropriation, \$3,383,000 of the transportation 2003 account (nickel account)—state appropriation, \$77,951,000 of the Alaskan Way viaduct replacement project account—state appropriation, and \$1,838,000 of the multimodal transportation account—state appropriation are provided solely for the SR 99/Alaskan Way Viaduct Replacement project (809936Z).

(9) \$3,000,000 of the multimodal transportation account—state appropriation is provided solely for transit mitigation for the SR 99/Viaduct Project - Construction Mitigation project (809940B).

(10) \$164,000,000 of the connecting Washington account—state appropriation is provided solely for the US 395 North Spokane Corridor project (M00800R).

(11) \$22,195,000 of the transportation partnership account—state appropriation, \$12,805,000 of the transportation 2003 account (nickel account)—state appropriation, and \$27,000,000 of the Interstate 405 express toll lanes operations account—state appropriation are provided solely for the I-405/SR 522 to I-5 Capacity Improvements project (L2000234) for activities related to adding capacity on Interstate 405 between state route number 522 and Interstate 5, with the goals of increasing vehicle throughput and aligning project completion with the implementation of bus rapid transit in the vicinity of the project. The transportation partnership account—state appropriation and transportation 2003 account (nickel account)—state

appropriation are a transfer or a reappropriation of a transfer from the I-405/Kirkland Vicinity Stage 2 - Widening project (8BI1002) due to savings.

(12)(a) \$395,822,000 of the connecting Washington account—state appropriation and \$342,000 of the motor vehicle account—local appropriation are provided solely for the SR 520 Seattle Corridor Improvements - West End project (M00400R).

(b) Recognizing that the department of transportation requires full possession of parcel number 1-23190 to complete the Montlake Phase of the West End project, the department is directed to:

(i) Work with the operator of the Montlake boulevard market located on parcel number 1-23190 to negotiate a lease allowing continued operations up to January 1, 2020. After that time, the department shall identify an area in the vicinity of the Montlake property for a temporary market or other food service to be provided during the period of project construction. Should the current operator elect not to participate in providing that temporary service, the department shall then develop an outreach plan with the city to solicit community input on the food services provided, and then advertise the opportunity to other potential vendors. Further, the department shall work with the city of Seattle and existing permit processes to facilitate vendor access to and use of the area in the vicinity of the Montlake property.

(ii) Upon completion of the Montlake Phase of the West End project (current anticipated contract completion of 2023), WSDOT shall sell that portion of the property not used for permanent transportation improvements and initiate a process to convey that surplus property to a subsequent owner.

(13) It is the intent of the legislature that for the I-5 JBLM Corridor Improvements project (M00100R), the department shall actively pursue \$50,000,000 in federal funds to pay for this project to supplant state funds in the future. \$50,000,000 in connecting Washington account funding must be held in unallotted status during the 2021-2023 fiscal biennium. These funds may only be used after the department has provided notice to the office of financial management that it has exhausted all efforts to secure federal funds from the federal highway administration and the department of defense.

(14) \$265,100,000 of the connecting Washington account—state appropriation is provided solely for the SR 167/SR 509 Puget Sound Gateway project (M00600R).

(a) Any savings on the project must stay on the Puget Sound Gateway corridor until the project is complete.

(b) Proceeds from the sale of any surplus real property acquired for the purpose of building the SR 167/SR 509 Puget Sound Gateway (M00600R) project must be deposited into the motor vehicle account for the purpose of constructing the project.

(c) In making budget allocations to the Puget Sound Gateway project, the department shall implement the project's construction as a single corridor investment. The department shall develop a coordinated corridor construction and implementation plan for state route number 167 and state route number 509 in collaboration with affected stakeholders. Specific funding allocations must be based on where and when specific project segments are ready for construction to move forward and investments can be best optimized for timely project completion. Emphasis must be placed on avoiding gaps in fund expenditures for either project.

(d) It is the legislature's intent that the department shall construct a full single-point urban interchange at the junction of state route number 161 (Meridian avenue) and state route number 167 and a full single-point urban interchange at the junction of state route number 509 and 188th Street. If the department receives additional funds from an outside source for this project after the funding gap on the base project is closed, the funds must

first be applied toward the completion of these two full single-point urban interchanges.

(15) It is the intent of the legislature that, for the I-5/North Lewis County Interchange project (L2000204), the department develop and design the project with the objective of significantly improving access to the industrially zoned properties in north Lewis county. The design must consider the county's process of investigating alternatives to improve such access from Interstate 5 that began in March 2015.

(16) \$950,000 of the transportation partnership account—state appropriation is provided solely for the U.S. 2 Trestle IJR project (L1000158).

(17) The legislature finds that there are sixteen companies involved in wood preserving in the state that employ four hundred workers and have an annual payroll of fifteen million dollars. Before the department's switch to steel guardrails, ninety percent of the twenty-five hundred mile guardrail system was constructed of preserved wood and one hundred ten thousand wood guardrail posts were produced annually for state use. Moreover, the policy of using steel posts requires the state to use imported steel. Given these findings, where practicable, and until June 30, 2021, the department shall include the design option to use wood guardrail posts, in addition to steel posts, in new guardrail installations. The selection of posts must be consistent with the agency design manual policy that existed before December 2009.

(18)(a) For projects funded as part of the 2015 connecting Washington transportation package listed on the LEAP transportation document identified in subsection (1) of this section, if the department expects to have substantial reappropriations for the 2021-2023 fiscal biennium, the department may, on a pilot basis, apply funding from a project in this section with an appropriation that cannot be used for the current fiscal biennium to advance one or more of the following projects:

(i) I-82 Yakima - Union Gap Economic Development Improvements (T21100R);

(ii) I-5 Federal Way - Triangle Vicinity Improvements (T20400R); or

(iii) SR 522/Paradise Lk Rd Interchange & Widening on SR 522 (Design/Engineering) (NPARADI).

(b) At least ten business days before advancing a project pursuant to this subsection, the department must notify the office of financial management and the transportation committees of the legislature. The advancement of a project may not hinder the delivery of the projects for which the reappropriations are necessary for the 2021-2023 fiscal biennium.

(c) For connecting Washington projects that have already begun and are eligible for the authority granted in section 601 of this act, the department shall prioritize advancing the following projects if expected reappropriations become available:

(i) SR 14/I-205 to SE 164th Ave - Auxiliary Lanes (L2000102);

(ii) SR 305 Construction - Safety Improvements (N30500R);

(iii) SR 14/Bingen Overpass (L2220062);

(iv) I-405/NE 132nd Interchange - Totem Lake (L1000110);

(v) US Hwy 2 Safety (N00200R); or

(vi) US-12/Walla Walla Corridor Improvements (T20900R).

(d) To the extent practicable, the department shall use the flexibility and authority granted in this section and in section 601 of this act to minimize the amount of reappropriations needed each biennium.

(19) The legislature continues to prioritize the replacement of the state's aging infrastructure and recognizes the importance of reusing and recycling construction aggregate and recycled concrete materials in our transportation system. To accomplish Washington state's sustainability goals in transportation and in accordance with RCW 70.95.805, the legislature reaffirms its

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determination that recycled concrete aggregate and other transportation building materials are natural resource construction materials that are too valuable to be wasted and landfilled, and are a commodity as defined in WAC 173-350-100.

Further, the legislature determines construction aggregate and recycled concrete materials substantially meet widely recognized international, national, and local standards and specifications referenced in American society for testing and materials, American concrete institute, Washington state department of transportation, Seattle department of transportation, American public works association, federal aviation administration, and federal highway administration specifications, and are described as necessary and desirable products for recycling and reuse by state and federal agencies.

As these recyclable materials have well established markets, are substantially a primary or secondary product of necessary construction processes and production, and are managed as an item of commercial value, construction aggregate and recycled concrete materials are exempt from chapter 173-350 WAC.

(20) \$8,500,000 of the motor vehicle account—state appropriation is provided solely for staffing of a project office to replace the Interstate 5 bridge across the Columbia river (G2000088). The work of this project office should include, but is not limited to, the reevaluation of the purpose and need identified for the project previously known as the Columbia river crossing, the reevaluation of permits and development of a finance plan, the reengagement of key stakeholders, and the reevaluation of scope, schedule, and budget for a reinvigorated bistate effort for replacement of the Interstate 5 Columbia river bridge. When reevaluating the finance plan for the project, the department shall assume that some costs of the new facility may be covered by tolls. Within the amount provided in this subsection, the department must implement chapter . . . (Engrossed Substitute House Bill No. 1994) (projects of statewide significance), Laws of 2019. The project office must also study the possible different governance structures for a bridge authority that would provide for the joint administration of the bridges over the Columbia river between Oregon and Washington. As part of this study, the project office must examine the feasibility and necessity of an interstate compact in conjunction with the national center for interstate compacts. The department shall reengage project stakeholders, and reevaluate the purpose and need and environmental permits by July 1, 2020. The department must have developed a finance plan by December 1, 2020, and have made significant progress towards beginning the supplemental environmental impact statement process by June 30, 2021. The department shall provide a progress report on these activities to the governor and the transportation committees of the legislature by December 1, 2019, and a final report to the governor and the transportation committees of the legislature by December 1, 2020.

(21) \$6,823,000 of the motor vehicle account—state appropriation, \$36,500,000 of the connecting Washington account—state appropriation, \$44,961,000 of the motor vehicle account—federal appropriation, and \$185,716,000 of the forward Washington account—state appropriation are provided solely for the Fish Passage Barrier project (OBI4001) with the intent of fully complying with the court injunction by 2030. The department shall coordinate with the Brian Abbott fish passage barrier removal board to use a watershed approach to maximize habitat gain by replacing both state and local culverts.

(22) \$14,750,000 of the connecting Washington account—state appropriation and \$8,900,000 of the motor vehicle account—local appropriation are provided solely for the I-90/Barker to Harvard – Improve Interchanges & Local Roads project (L2000122). The connecting Washington appropriation

may only be expended if the city of Liberty Lake agrees to cover any project costs above the \$18,000,000 of state appropriation provided for the total project in LEAP Transportation Document 2019-1 as developed March 26, 2019, Program – Highway Improvements (I).

NEW SECTION. Sec. 307. FOR THE DEPARTMENT OF TRANSPORTATION—PRESERVATION—PROGRAM P

Recreational Vehicle Account—State	Appropriation	\$1,744,000
Transportation Partnership Account—State	Appropriation	\$23,706,000
Motor Vehicle Account—State	Appropriation	\$74,885,000
Motor Vehicle Account—Federal	Appropriation	\$454,758,000
Motor Vehicle Account—Private/Local	Appropriation	\$5,159,000
State Route Number 520 Corridor Account—State	Appropriation	\$544,000
Connecting Washington Account—State	Appropriation	\$189,771,000
Tacoma Narrows Toll Bridge Account—State	Appropriation	\$7,906,000
Transportation 2003 Account (Nickel Account)—State	Appropriation	\$9,617,000
Alaskan Way Viaduct Replacement Project Account—State	Appropriation	\$10,000
Interstate 405 Express Toll Lanes Operations Account—State	Appropriation	\$2,393,000
TOTAL APPROPRIATION		\$770,493,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as provided otherwise in this section, the entire connecting Washington account—state appropriation and the entire transportation partnership account—state appropriation are provided solely for the projects and activities as listed by fund, project, and amount in LEAP Transportation Document 2019-1 as developed March 26, 2019, Program - Highway Preservation Program (P). However, limited transfers of specific line-item project appropriations may occur between projects for those amounts listed subject to the conditions and limitations in section 601 of this act.

(2) Except as provided otherwise in this section, the entire motor vehicle account—state appropriation and motor vehicle account—federal appropriation are provided solely for the projects and activities listed in LEAP Transportation Document 2019-2 ALL PROJECTS as developed March 26, 2019, Program - Highway Preservation Program (P). Any federal funds gained through efficiencies, adjustments to the federal funds forecast, additional congressional action not related to a specific project or purpose, or the federal funds redistribution process must then be applied to highway and bridge preservation activities.

(3) Within the motor vehicle account—state appropriation and motor vehicle account—federal appropriation, the department may transfer funds between programs I and P, except for funds that are otherwise restricted in this act. The department shall submit a report on fiscal year funds transferred in the prior fiscal year using this subsection as part of the department’s annual budget submittal.

(4) \$25,036,000 of the connecting Washington account—state appropriation is provided solely for the land mobile radio upgrade (G2000055) and is subject to the conditions, limitations, and review provided in section 701 of this act. The land mobile radio project is subject to technical oversight by the office of the chief

information officer. The department, in collaboration with the office of the chief information officer, shall identify where existing or proposed mobile radio technology investments should be consolidated, identify when existing or proposed mobile radio technology investments can be reused or leveraged to meet multiagency needs, increase mobile radio interoperability between agencies, and identify how redundant investments can be reduced over time. The department shall also provide quarterly reports to the technology services board on project progress.

(5) \$2,500,000 of the motor vehicle account—state appropriation is provided solely for extraordinary costs incurred from litigation awards, settlements, or dispute mitigation activities not eligible for funding from the self-insurance fund. The amount provided in this subsection must be held in unallotted status until the department submits a request to the office of financial management that includes documentation detailing litigation-related expenses. The office of financial management may release the funds only when it determines that all other funds designated for litigation awards, settlements, and dispute mitigation activities have been exhausted. No funds provided in this subsection may be expended on any legal fees related to the SR 99/Alaskan Way viaduct replacement project (809936Z).

(6) \$22,729,000 of the motor vehicle account—federal appropriation and \$553,000 of the motor vehicle account—state appropriation are provided solely for the preservation of structurally deficient bridges or bridges that are at risk of becoming structurally deficient (L1000068). These funds must be used widely around the state of Washington. When practicable, the department shall pursue design-build contracts for these bridge projects to expedite delivery. The department shall provide a report that identifies the progress of each project funded in this subsection as part of its annual agency budget request.

(7) The department must consult with the Washington state patrol and the office of financial management during the design phase of any improvement or preservation project that could impact Washington state patrol weigh station operations. During the design phase of any such project, the department must estimate the cost of designing around the affected weigh station's current operations, as well as the cost of moving the affected weigh station.

(8) During the course of any planned resurfacing or other preservation activity on state route number 26 between Colfax and Othello in the 2019-2021 fiscal biennium, the department must add dug-in reflectors.

(9)(a) For projects funded as part of the 2015 connecting Washington transportation package listed on the LEAP transportation document identified in subsection (1) of this section, if the department expects to have substantial reappropriations for the 2021-2023 fiscal biennium, the department may, on a pilot basis, apply funding from a project in this section with an appropriation that cannot be used for the current fiscal biennium to advance the SR 4/Abernathy Creek Br - Replace Bridge project (400411A).

(b) At least ten business days before advancing the project pursuant to this subsection, the department must notify the office of financial management and the transportation committees of the legislature. The advancement of the project may not hinder the delivery of the projects for which the reappropriations are necessary for the 2021-2023 fiscal biennium.

(c) To the extent practicable, the department shall use the flexibility and authority granted in this section and in section 601 of this act to minimize the amount of reappropriations needed each biennium.

NEW SECTION. Sec. 308. FOR THE DEPARTMENT OF TRANSPORTATION—TRAFFIC OPERATIONS—PROGRAM Q—CAPITAL

Motor Vehicle Account—State Appropriation	\$6,611,000
Motor Vehicle Account—Federal Appropriation	\$5,331,000
Motor Vehicle Account—Private/Local Appropriation	\$500,000
TOTAL APPROPRIATION	\$12,442,000

The appropriations in this section are subject to the following conditions and limitations: The department shall set aside a sufficient portion of the motor vehicle account—state appropriation for federally selected competitive grants or congressional earmark projects that require matching state funds. State funds set aside as matching funds for federal projects must be accounted for in project 000005Q and remain in unallotted status until needed for those federal projects.

NEW SECTION. Sec. 309. FOR THE DEPARTMENT OF TRANSPORTATION—WASHINGTON STATE FERRIES CONSTRUCTION—PROGRAM W

Puget Sound Capital Construction Account—State Appropriation	\$115,475,000
Puget Sound Capital Construction Account—Federal Appropriation	\$141,750,000
Puget Sound Capital Construction Account—Private/Local Appropriation	\$350,000
Transportation Partnership Account—State Appropriation	\$4,936,000
Connecting Washington Account—State Appropriation	\$206,466,000
TOTAL APPROPRIATION	\$468,977,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as provided otherwise in this section, the entire appropriations in this section are provided solely for the projects and activities as listed in LEAP Transportation Document 2019-2 ALL PROJECTS as developed March 26, 2019, Program - Washington State Ferries Capital Program (W).

(2) \$1,461,000 of the Puget Sound capital construction account—state appropriation, \$67,850,000 of the connecting Washington account—state appropriation, are provided solely for the Mukilteo ferry terminal (952515P). The office of financial management shall place \$8,200,000 of the connecting Washington account—state appropriation, provided solely for a risk reserve, in unallotted status. The office of financial management may only release funds from the risk reserve to the department upon sufficient evidence that risk has materialized. To the extent practicable, the department shall avoid the closure of, or disruption to, any existing public access walkways in the vicinity of the terminal project during construction.

(3) \$73,089,000 of the Puget Sound capital construction account—federal appropriation, \$39,589,000 of the connecting Washington account—state appropriation, and \$8,778,000 of the Puget Sound capital construction account—state appropriation are provided solely for the Seattle Terminal Replacement project (900010L). The office of financial management shall place \$6,500,000 of the connecting Washington account—state appropriation, provided solely for a risk reserve, in unallotted status. The office of financial management may only release funds from the risk reserve to the department upon sufficient evidence that risk has materialized.

(4) \$5,000,000 of the Puget Sound capital construction account—state appropriation is provided solely for emergency capital repair costs (999910K). Funds may only be spent after approval by the office of financial management.

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(5) \$2,300,000 of the Puget Sound capital construction account—state appropriation is provided solely for the ORCA acceptance project (L2000300). The ferry system shall work with Washington technology solutions and the tolling division on the development of a new, interoperable ticketing system.

(6) \$990,000 of the Puget Sound capital construction account—state appropriation is provided solely for an electric ferry planning team (G2000087) to develop a ten year implementation plan to efficiently deploy hybrid-electric vessel charging at ferry terminals. The plan includes, but is not limited to, vessel technology and feasibility, vessel and terminal deployment schedules, and project financing. Activities may also include preliminary engineering to advance implementation as needed to have vessels and terminals operational in conjunction with each other. The plan shall be submitted to the office of financial management and the transportation committees of the legislature by June 30, 2020.

(7) \$35,000,000 of the Puget Sound capital construction account—state appropriation and \$6,500,000 of the Puget Sound capital construction account—federal appropriation are provided solely for the conversion of up to two Jumbo Mark II vessels to electric hybrid propulsion (G2000084). The department shall seek additional funds for the purposes of this subsection. The department may spend from the Puget Sound capital construction account—state appropriation in this section only as much as the department receives in Volkswagen settlement funds for the purposes of this subsection.

(8) \$600,000 of the Puget Sound capital construction account—state appropriation is provided solely for a request for proposals for a new maintenance management system (project L2000301) and is subject to the conditions, limitations, and review provided in section 701 of this act.

(9) \$99,000,000 of the connecting Washington account—state appropriation is provided solely for the acquisition of a 144-car hybrid-electric vessel. It is the intent of the legislature to provide an additional \$88,000,000 in funding in the 2021-23 biennium. If chapter . . . (Substitute Senate Bill No. 5992), Laws of 2019 (ferry funding) is not enacted by June 30, 2019, the amount provided in this subsection lapses.

NEW SECTION. Sec. 310. FOR THE DEPARTMENT OF TRANSPORTATION—RAIL—PROGRAM Y—CAPITAL

Essential Rail Assistance Account—State	Appropriation	\$500,000
Transportation Infrastructure Account—State	Appropriation	\$7,554,000
Multimodal Transportation Account—State	Appropriation	\$83,191,000
Multimodal Transportation Account—Federal	Appropriation	\$8,302,000
Multimodal Transportation Account—Local	Appropriation	\$336,000
TOTAL APPROPRIATION		\$99,883,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as provided otherwise in this section, the entire appropriations in this section are provided solely for the projects and activities as listed by project and amount in LEAP Transportation Document 2019-2 ALL PROJECTS as developed March 26, 2019, Program - Rail Program (Y).

(2) \$7,136,000 of the transportation infrastructure account—state appropriation is provided solely for new low-interest loans approved by the department through the freight rail investment bank (FRIB) program. The department shall issue FRIB program

loans with a repayment period of no more than ten years, and charge only so much interest as is necessary to recoup the department’s costs to administer the loans. The department shall report annually to the transportation committees of the legislature and the office of financial management on all FRIB loans issued.

(3) \$8,112,000 of the multimodal transportation account—state appropriation, \$51,000 of the transportation infrastructure account—state appropriation, and \$135,000 of the essential rail assistance account—state appropriation are provided solely for new statewide emergent freight rail assistance projects identified in the LEAP transportation document referenced in subsection (1) of this section.

(4) \$367,000 of the transportation infrastructure account—state appropriation and \$1,100,000 of the multimodal transportation account—state appropriation are provided solely to reimburse Highline Grain, LLC for approved work completed on Palouse River and Coulee City (PCC) railroad track in Spokane county between the BNSF Railway Interchange at Cheney and Geiger Junction and must be administered in a manner consistent with freight rail assistance program projects. The value of the public benefit of this project is expected to meet or exceed the cost of this project in: Shipper savings on transportation costs; jobs saved in rail-dependent industries; and/or reduced future costs to repair wear and tear on state and local highways due to fewer annual truck trips (reduced vehicle miles traveled). The amounts provided in this subsection are not a commitment for future legislatures, but it is the legislature’s intent that future legislatures will work to approve biennial appropriations until the full \$7,337,000 cost of this project is reimbursed.

(5)(a) \$365,000 of the essential rail assistance account—state appropriation is provided solely for the purpose of the rehabilitation and maintenance of the Palouse river and Coulee City railroad line (F01111B).

(b) Expenditures from the essential rail assistance account—state in this subsection may not exceed the combined total of:

(i) Revenues and transfers deposited into the essential rail assistance account from leases and sale of property relating to the Palouse river and Coulee City railroad; and

(ii) Revenues transferred from the miscellaneous program account to the essential rail assistance account, pursuant to RCW 47.76.360, for the purpose of sustaining the grain train program by maintaining the Palouse river and Coulee City railroad.

(6) The department shall issue a call for projects for the freight rail assistance program, and shall evaluate the applications in a manner consistent with past practices as specified in section 309, chapter 367, Laws of 2011. By November 15, 2020, the department shall submit a prioritized list of recommended projects to the office of financial management and the transportation committees of the legislature.

(7) \$10,000,000 of the multimodal transportation account—state appropriation is provided solely as expenditure authority for any insurance proceeds received by the state for Passenger Rail Equipment Replacement (project 700010C.) The department must use this expenditure authority only to purchase new train sets that have been competitively procured.

(8) \$600,000 of the multimodal transportation account—federal appropriation and \$6,000 of the multimodal transportation account—state appropriation are provided solely for the Ridgefield Rail Overpass (project 725910A). Total costs for this project may not exceed \$909,000 across fiscal biennia.

(9)(a) For projects funded as part of the 2015 connecting Washington transportation package listed on the LEAP transportation document identified in subsection (1) of this section, if the department expects to have substantial reappropriations for the 2021-2023 fiscal biennium, the

department may, on a pilot basis, apply funding from a project in this section with an appropriation that cannot be used for the current fiscal biennium to advance the South Kelso Railroad Crossing project (L1000147).

(b) At least ten business days before advancing the project pursuant to this subsection, the department must notify the office of financial management and the transportation committees of the legislature. The advancement of the project may not hinder the delivery of the projects for which the reappropriations are necessary for the 2021-2023 fiscal biennium.

(c) To the extent practicable, the department shall use the flexibility and authority granted in this section to minimize the amount of reappropriations needed each biennium.

(10) The multimodal transportation account—state appropriation includes up to \$8,000,000 in proceeds from the sale of bonds authorized in RCW 47.10.867.

NEW SECTION. Sec. 311. FOR THE DEPARTMENT OF TRANSPORTATION—LOCAL PROGRAMS—PROGRAM Z—CAPITAL

Highway Infrastructure Account—State	Appropriation	\$793,000
Highway Infrastructure Account—Federal	Appropriation	\$981,000
Transportation Partnership Account—State	Appropriation	\$750,000
Highway Safety Account—State	Appropriation	\$800,000
Motor Vehicle Account—State	Appropriation	\$17,420,000
Motor Vehicle Account—Federal	Appropriation	\$64,000,000
Motor Vehicle Account—Private/Local	Appropriation	\$21,500,000
Connecting Washington Account—State	Appropriation	\$172,454,000
Multimodal Transportation Account—State	Appropriation	\$70,049,000
TOTAL APPROPRIATION		\$348,747,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as provided otherwise in this section, the entire appropriations in this section are provided solely for the projects and activities as listed by project and amount in LEAP Transportation Document 2019-2 ALL PROJECTS as developed March 26, 2019, Program - Local Programs Program (Z).

(2) The amounts identified in the LEAP transportation document referenced under subsection (1) of this section for pedestrian safety/safe routes to school are as follows:

(a) \$18,380,000 of the multimodal transportation account—state appropriation is provided solely for newly selected pedestrian and bicycle safety program projects. \$5,940,000 of the multimodal transportation account—state appropriation and \$750,000 of the transportation partnership account—state appropriation are reappropriated for pedestrian and bicycle safety program projects selected in the previous biennia (L2000188).

(b) \$11,400,000 of the motor vehicle account—federal appropriation and \$7,750,000 of the multimodal transportation account—state appropriation are provided solely for newly selected safe routes to school projects. \$6,690,000 of the motor vehicle account—federal appropriation, \$2,320,000 of the multimodal transportation account—state appropriation, and \$800,000 of the highway safety account—state appropriation are reappropriated for safe routes to school projects selected in the previous biennia (L2000189). The department may consider the special situations facing high-need areas, as defined by schools or project areas in which the percentage of the children eligible to receive free and reduced-price meals under the national school

lunch program is equal to, or greater than, the state average as determined by the department, when evaluating project proposals against established funding criteria while ensuring continued compliance with federal eligibility requirements.

(3) The department shall submit a report to the transportation committees of the legislature by December 1, 2019, and December 1, 2020, on the status of projects funded as part of the pedestrian safety/safe routes to school grant program. The report must include, but is not limited to, a list of projects selected and a brief description of each project's status.

(4) \$28,319,000 of the multimodal transportation account—state appropriation is provided solely for bicycle and pedestrian projects listed in the LEAP transportation document referenced in subsection (1) of this section.

(5) \$19,160,000 of the connecting Washington account—state appropriation is provided solely for the Covington Connector (L2000104). The amounts described in the LEAP transportation document referenced in subsection (1) of this section are not a commitment by future legislatures, but it is the legislature's intent that future legislatures will work to approve appropriations in the 2019-2021 fiscal biennium to reimburse the city of Covington for approved work completed on the project up to the full \$24,000,000 cost of this project.

(6)(a) For projects funded as part of the 2015 connecting Washington transportation package listed on the LEAP transportation document identified in subsection (1) of this section, if the department expects to have substantial reappropriations for the 2021-2023 fiscal biennium, the department may, on a pilot basis, apply funding from a project in this section with an appropriation that cannot be used for the current fiscal biennium to advance one or more of the following projects:

- (i) East-West Corridor Overpass and Bridge (L2000067);
- (ii) 41st Street Rucker Avenue Freight Corridor Phase 2 (L2000134);
- (iii) Mottman Rd Pedestrian & Street Improvements (L1000089);
- (iv) I-5/Port of Tacoma Road Interchange (L1000087);
- (v) Complete SR 522 Improvements-Kenmore (T10600R);
- (vi) SR 99 Revitalization in Edmonds (NEDMOND); or
- (vii) SR 523 145th Street (L1000148);

(b) At least ten business days before advancing a project pursuant to this subsection, the department must notify the office of financial management and the transportation committees of the legislature. The advancement of a project may not hinder the delivery of the projects for which the reappropriations are necessary for the 2021-2023 fiscal biennium.

(c) To the extent practicable, the department shall use the flexibility and authority granted in this section to minimize the amount of reappropriations needed each biennium.

(7) To maximize the efficiency of the state funds provided in this section and the safety of the bike and pedestrian users of the U District Gateway Bridge (G2000005) and the Sprague Avenue improvements (8-3-165(089)-1) projects funded in this act, any new approval for grants or allocations for projects during the 2019-2021 biennium for the city of Spokane is contingent upon the city developing an infrastructure plan to provide an east-west safe connection for the increased bike traffic volume on Sprague Avenue and identifying funding for these connection improvements. The connection improvements may include a bike only path reasonably adjacent to Sprague Avenue. Funds provided in this section may not be released to the city of Spokane unless the secretary has made a determination that the city has met this requirement and provided notification to the transportation committees of the legislature.

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NEW SECTION. Sec. 312. ANNUAL REPORTING REQUIREMENTS FOR CAPITAL PROGRAM

(1) As part of its annual budget submittal, the department of transportation shall provide an update to the report provided to the legislature in the prior fiscal year that: (a) Compares the original project cost estimates approved in the 2003, 2005, and 2015 revenue package project lists to the completed cost of the project, or the most recent legislatively approved budget and total project costs for projects not yet completed; (b) identifies highway projects that may be reduced in scope and still achieve a functional benefit; (c) identifies highway projects that have experienced scope increases and that can be reduced in scope; (d) identifies highway projects that have lost significant local or regional contributions that were essential to completing the project; and (e) identifies contingency amounts allocated to projects.

(2) As part of its annual budget submittal, the department of transportation shall provide: (a) An annual report on the number of toll credits the department has accumulated and how the department has used the toll credits, and (b) a status report on the projects funded using federal national highway freight program funds.

NEW SECTION. Sec. 313. QUARTERLY REPORTING REQUIREMENTS FOR CAPITAL PROGRAM

On a quarterly basis, the department of transportation shall provide to the office of financial management and the legislative transportation committees the following reports for all capital programs:

(1) For active projects, the report must include:

(a) A TEIS version containing actual capital expenditures for all projects consistent with the structure of the most recently enacted budget;

(b) Anticipated cost savings, cost increases, reappropriations, and schedule adjustments for all projects consistent with the structure of the most recently enacted budget;

(c) The award amount, the engineer’s estimate, and the number of bidders for all active projects consistent with the structure of the most recently enacted budget;

(d) Projected costs and schedule for individual projects that are funded at a programmatic level for projects relating to bridge rail, guard rail, fish passage barrier removal, roadside safety projects, and seismic bridges. Projects within this programmatic level funding must be completed on a priority basis and scoped to be completed within the current programmatic budget;

(e) Highway projects that may be reduced in scope and still achieve a functional benefit;

(f) Highway projects that have experienced scope increases and that can be reduced in scope;

(g) Highway projects that have lost significant local or regional contributions that were essential to completing the project; and

(h) Contingency amounts for all projects consistent with the structure of the most recently enacted budget.

(2) For completed projects, the report must:

(a) Compare the costs and operationally complete date for projects with budgets of twenty million dollars or more that are funded with preexisting funds to the original project cost estimates and schedule; and

(b) Provide a list of nickel and TPA projects charging to the nickel/TPA environmental mitigation reserve (OBI4ENV) and the amount each project is charging.

(3) For prospective projects, the report must:

(a) Identify the estimated advertisement date for all projects consistent with the structure of the most recently enacted

transportation budget that are going to advertisement during the current fiscal biennium;

(b) Identify the anticipated operationally complete date for all projects consistent with the structure of the most recently enacted transportation budget that are going to advertisement during the current fiscal biennium; and

(c) Identify the estimated cost of completion for all projects consistent with the structure of the most recently enacted transportation budget that are going to advertisement during the current fiscal biennium.

NEW SECTION. Sec. 314. FEDERAL FUNDS RECEIVED FOR CAPITAL PROJECT EXPENDITURES

To the greatest extent practicable, the department of transportation shall expend federal funds received for capital project expenditures before state funds.

TRANSFERS AND DISTRIBUTIONS

NEW SECTION. Sec. 401. FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALES DISCOUNTS AND DEBT TO BE PAID BY MOTOR VEHICLE ACCOUNT AND TRANSPORTATION FUND REVENUE

Special Category C Account—State Appropriation	\$340,000
Multimodal Transportation Account—State Appropriation	\$40,000
Transportation Partnership Account—State Appropriation	\$1,181,000
Motor Vehicle Account—State Appropriation	\$736,000
Connecting Washington Account—State Appropriation	\$7,578,000
Highway Bond Retirement Account—State Appropriation	\$1,291,628,000
Ferry Bond Retirement Account—State Appropriation	\$28,873,000
Transportation Improvement Board Bond Retirement Account—State Appropriation	\$13,254,000
Nondebt-Limit Reimbursable Bond Retirement Account—State Appropriation	\$25,967,000
Toll Facility Bond Retirement Account—State Appropriation	\$86,493,000
Transportation 2003 Account (Nickel Account)—State Appropriation	\$
TOTAL APPROPRIATION	\$1,456,090,000

NEW SECTION. Sec. 402. FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALE EXPENSES AND FISCAL AGENT CHARGES

Multimodal Transportation Account—State Appropriation	\$8,000
Transportation Partnership Account—State Appropriation	\$236,000
Motor Vehicle Account—State Appropriation	\$147,000
Connecting Washington Account—State Appropriation	\$1,516,000
Special Category C Account—State Appropriation	\$68,000
TOTAL APPROPRIATION	\$1,975,000

NEW SECTION. Sec. 403. FOR THE STATE TREASURER—STATE REVENUES FOR DISTRIBUTION

Motor Vehicle Account—State Appropriation:
For motor vehicle fuel tax distributions to
cities and counties \$518,198,000

**NEW SECTION. Sec. 404. FOR THE STATE
TREASURER—TRANSFERS**

Motor Vehicle Account—State Appropriation: For motor
vehicle fuel tax refunds and statutory transfers \$2,188,945,000

**NEW SECTION. Sec. 405. FOR THE DEPARTMENT
OF LICENSING—TRANSFERS**

Motor Vehicle Account—State Appropriation:
For motor vehicle fuel tax refunds and
transfers \$220,426,000

**NEW SECTION. Sec. 406. FOR THE STATE
TREASURER—ADMINISTRATIVE TRANSFERS**

- (1) Highway Safety Account—State Appropriation:
For transfer to the Multimodal Transportation Account—State
\$5,000,000
- (2) Transportation Partnership Account—State Appropriation:
For transfer to the Motor Vehicle Account—State \$80,000,000
- (3) Motor Vehicle Account—State Appropriation:
For transfer to the State Patrol Highway Account—State
\$6,000,000
- (4) Motor Vehicle Account—State Appropriation:
For transfer to the Freight Mobility Investment Account—State
\$8,511,000
- (5) Motor Vehicle Account—State Appropriation:
For transfer to the Puget Sound Capital Construction
Account—State \$44,000,000
- (6) Motor Vehicle Account—State Appropriation:
For transfer to the Rural Arterial Trust Account—State
\$4,844,000
- (7) Motor Vehicle Account—State Appropriation:
For transfer to the Transportation Improvement Account—
State \$9,688,000
- (8) Highway Safety Account—State Appropriation:
For transfer to the State Patrol Highway Account—State
\$44,000,000
- (9) Rural Mobility Grant Program Account—State
Appropriation: For transfer to the Multimodal Transportation
Account—State \$3,000,000
- (10) State Route Number 520 Civil Penalties Account—State
Appropriation: For transfer to the State Route Number 520
Corridor Account—State \$1,434,000
- (11) Capital Vessel Replacement Account—State
Appropriation: For transfer to the Connecting Washington
Account—State \$60,000,000
- (12) Multimodal Transportation Account—State
Appropriation: For transfer to the Freight Mobility Multimodal
Account—State \$8,511,000
- (13) Multimodal Transportation Account—State
Appropriation: For transfer to the Puget Sound Capital
Construction Account—State \$5,000,000
- (14) Multimodal Transportation Account—State
Appropriation: For transfer to the Puget Sound Ferry Operations
Account—State \$43,000,000
- (15) Multimodal Transportation Account—State
Appropriation: For transfer to the Regional Mobility Grant
Program Account—State \$27,679,000
- (16) Multimodal Transportation Account—State
Appropriation: For transfer to the Rural Mobility Grant Program
Account—State \$15,223,000

(17) Transportation 2003 Account (Nickel Account)— State
Appropriation: For transfer to the Motor Vehicle Account—State
\$30,000,000

(18)(a) Alaskan Way Viaduct Replacement Project Account—
State Appropriation: For transfer to the Motor Vehicle Account—
State \$10,018,000

(b) The transfer identified in this subsection is provided solely
to repay in full the motor vehicle account—state appropriation
loan from section 1005(21) of this act.

(19)(a) Transportation Partnership Account—State
Appropriation: For transfer to the Alaskan Way Viaduct
Replacement Project Account—State \$77,951,000

(b) The amount transferred in this subsection represents that
portion of the up to \$200,000,000 in proceeds from the sale of
bonds authorized in RCW 47.10.873, intended to be sold through
the 2021-2023 fiscal biennium, used only for construction of the
SR 99/Alaskan Way Viaduct Replacement project (809936Z),
and that must be repaid from the Alaskan Way viaduct
replacement project account consistent with RCW 47.56.864.

(20) Transportation 2003 Account (Nickel Account)—State
Appropriation: For transfer to the Puget Sound Capital
Construction Account—State \$5,000,000

(21) Motor Vehicle Account—State Appropriation:
For transfer to the County Arterial Preservation Account—
State \$4,844,000

(22)(a) General Fund Account—State Appropriation:
For transfer to the State Patrol Highway Account—State
\$625,000

(b) The state treasurer shall transfer the funds only after
receiving notification from the Washington state patrol under
section 207(7) of this act.

(23) Capital Vessel Replacement Account—State
Appropriation: For transfer to the Puget Sound Capital
Construction Account—State \$13,000,000

(24)(a) Alaskan Way Viaduct Replacement Project Account—
State Appropriation: For transfer to the Transportation
Partnership Account—State \$19,262,000

(b) The amount transferred in this subsection represents
repayment of debt service incurred for the construction of the SR
99/Alaskan Way Viaduct Replacement Project (809936Z).

(25)(a) Motor Vehicle Account—State Appropriation: For
transfer to the Tacoma Narrows Toll Bridge Account—State
\$8,953,000

(b) It is the intent of the legislature that this transfer constitutes
a loan under chapter 195, Laws of 2018, for the purpose of
minimizing the impact of toll increases. The legislature further
intends that initiation of repayment of all previous loans provided
to the Tacoma Narrows toll bridge account be deferred until fiscal
year 2031.

(26) Transportation Infrastructure Account—State
Appropriation: For transfer to the multimodal Transportation
Account—State \$9,000,000

(27) Multimodal Transportation Account—State
Appropriation: For transfer to the Pilotage Account—State
Appropriation \$2,000,000

**NEW SECTION. Sec. 407. FOR THE STATE
TREASURER—STATE REVENUES FOR DISTRIBUTION**

Multimodal Transportation Account—State Appropriation:
For distribution to cities and counties \$26,786,000

Motor Vehicle Account—State Appropriation: For distribution
to cities and counties \$23,438,000

TOTAL APPROPRIATION \$50,224,000

**NEW SECTION. Sec. 408. FOR THE STATE
TREASURER—BOND RETIREMENT AND INTEREST,**

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AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR DEBT TO BE PAID BY STATUTORILY PRESCRIBED REVENUE

Toll Facility Bond Retirement Account—Federal Appropriation	\$199,901,000
Toll Facility Bond Retirement Account—State Appropriation	\$25,372,000
TOTAL APPROPRIATION	\$225,273,000

COMPENSATION

NEW SECTION. Sec. 501. GENERAL STATE EMPLOYEE COMPENSATION ADJUSTMENTS

Except as otherwise provided in sections 502 through 518 of this act, state employee compensation adjustments will be provided in accordance with funding adjustments provided in the 2019-2021 omnibus appropriations act.

NEW SECTION. Sec. 502. COLLECTIVE BARGAINING AGREEMENTS NOT IMPAIRED

Nothing in this act prohibits the expenditure of any funds by an agency or institution of the state for benefits guaranteed by any collective bargaining agreement in effect on the effective date of this section.

NEW SECTION. Sec. 503. COLLECTIVE BARGAINING AGREEMENTS

Sections 504 through 518 of this act represent the results of the 2019-2021 collective bargaining process required under chapters 41.80, 47.64, and 41.56 RCW. Provisions of the collective bargaining agreements contained in sections 504 through 518 of this act are described in general terms. Only major economic terms are included in the descriptions. These descriptions do not contain the complete contents of the agreements. The collective bargaining agreements contained in sections 504 through 518 of this act may also be funded by expenditures from nonappropriated accounts. If positions are funded with lidded grants or dedicated fund sources with insufficient revenue, additional funding from other sources is not provided.

NEW SECTION. Sec. 504. DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING AGREEMENTS—OPEIU

An agreement has been reached between the governor and the office and professional employees international union local eight (OPEIU) pursuant to chapter 47.64 RCW for the 2019-2021 fiscal biennium. Funding is provided for a four percent general wage increase effective July 1, 2019, and a four percent general wage increase effective July 1, 2020. The agreement also includes and funding is provided for salary adjustments for targeted job classifications, a restructure of the pay schedule and increased vacation leave.

NEW SECTION. Sec. 505. DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING AGREEMENTS—FASPAA

An agreement has been reached between the governor and the ferry agents, supervisors, and project administrators association pursuant to chapter 47.64 RCW for the 2019-2021 fiscal biennium. Funding is provided for a three percent general wage increase effective July 1, 2019, and a three percent general wage increase effective July 1, 2020. The agreement also includes and funding is provided for an increase in the drug and alcohol sampling certification and a new scheduling committee with two employee representatives.

NEW SECTION. Sec. 506. DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING AGREEMENTS—SEIU LOCAL 6

An agreement has been reached between the governor and the service employees international union local 6 pursuant to chapter 47.64 RCW for the 2019-2021 fiscal biennium. Funding is provided for a nine percent general wage increase effective July 1, 2019, and a three percent general wage increase effective July 1, 2020. The agreement also includes and funding is provided for an increase in the shift premium rate.

NEW SECTION. Sec. 507. DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING AGREEMENTS—CARPENTERS

An agreement has been reached between the governor and the Pacific Northwest regional council of carpenters through an interest arbitration award pursuant to chapter 47.64 RCW for the 2019-2021 fiscal biennium. Funding is provided for the awarded four percent general wage increase effective July 1, 2019, and a four percent general wage increase effective July 1, 2020.

NEW SECTION. Sec. 508. DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING AGREEMENTS—METAL TRADES

An agreement has been reached between the governor and the Puget Sound metal trades council pursuant to chapter 47.64 RCW for the 2019-2021 fiscal biennium. Funding is provided for a four percent general wage increase effective July 1, 2019, and a four percent general wage increase effective July 1, 2020.

NEW SECTION. Sec. 509. DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING AGREEMENTS—MEBA-UL

An agreement has been reached between the governor and the marine engineers' beneficial association unlicensed engine room employees through an interest arbitration award pursuant to chapter 47.64 RCW for the 2019-2021 fiscal biennium. Funding is provided for the awarded three and one-half percent general wage increase effective July 1, 2019, and a three and one-half percent general wage increase effective July 1, 2020. The agreement also includes and funding is provided for related watch turnover rate increases tied to salary increases and reimbursement for safety-toed work boots.

NEW SECTION. Sec. 510. DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING AGREEMENTS—MEBA-L

An agreement has been reached between the governor and the marine engineers' beneficial association licensed engineer officers through an interest arbitration award pursuant to chapter 47.64 RCW for the 2019-2021 fiscal biennium. Funding is provided for the awarded three and one-half percent general wage increase effective July 1, 2019, and a three and one-half percent general wage increase effective July 1, 2020. The agreement also includes and funding is provided for related watch turnover rate increases tied to salary increases and reimbursement for safety-toed work boots.

NEW SECTION. Sec. 511. DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING AGREEMENTS—MEBA—PORT ENGINEERS

An agreement has been reached between the governor and the marine engineers' beneficial association port engineers pursuant to chapter 47.64 RCW for the 2019-2021 fiscal biennium. Funding is provided for an initial salary structure and for a one percent general wage increase effective July 1, 2019, and a three

percent general wage increase effective July 1, 2020. The agreement also includes and funding is provided for payment of a daily rate when required to be on duty outside normal working hours, a minimum pay for call outs, and reimbursement for safety shoes.

NEW SECTION. Sec. 512. DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING AGREEMENTS—MM&P MATES

An agreement has been reached between the governor and the masters, mates, and pilots - mates pursuant to chapter 47.64 RCW for the 2019-2021 fiscal biennium. Funding is provided for a three percent general wage increase effective July 1, 2019, and three percent general wage increase effective July 1, 2020.

NEW SECTION. Sec. 513. DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING AGREEMENTS—MM&P MASTERS

An agreement has been reached between the governor and the masters, mates, and pilots - masters pursuant to chapter 47.64 RCW for the 2019-2021 fiscal biennium. Funding is provided for a three percent general wage increase effective July 1, 2019, and three percent general wage increase effective July 1, 2020.

NEW SECTION. Sec. 514. DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING AGREEMENTS—MM&P WATCH CENTER SUPERVISORS

An agreement has been reached between the governor and the masters, mates, and pilots - watch center supervisors pursuant to chapter 47.64 RCW for the 2019-2021 fiscal biennium. Funding is provided for a three percent general wage increase effective July 1, 2019, and two percent general wage increase effective July 1, 2020. The agreement also includes and funding is provided for call back and an increase in relief pay.

NEW SECTION. Sec. 515. DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING AGREEMENTS—IBU

An agreement has been reached between the governor and the inlandboatmen's union of the Pacific pursuant to chapter 47.64 RCW through an interest arbitration award for the 2019-2021 fiscal biennium. Funding is provided for the awarded three percent general wage increase effective July 1, 2019, a three percent general wage increase effective July 1, 2020, and a two percent general wage increase effective January 1, 2021. The agreement also includes and funding is provided for salary adjustments for targeted job classifications in the shoregang series, increased holiday pay and increased premium pay for use of selected power tools.

NEW SECTION. Sec. 516. COLLECTIVE BARGAINING AGREEMENT—PTE LOCAL 17

An agreement has been reached between the governor and the professional and technical employees local 17 under the provisions of chapter 41.80 RCW for the 2019-2021 fiscal biennium. Funding is provided for a three percent general wage increase effective July 1, 2019, and a three percent general wage increase effective July 1, 2020. The agreement also includes and funding is provided for salary adjustments for targeted job classifications and premium pay for employees who work in King county.

NEW SECTION. Sec. 517. COLLECTIVE BARGAINING AGREEMENT—WSP TROOPERS ASSOCIATION

An agreement has been reached between the governor and the Washington state patrol troopers association under the provisions

of chapter 41.56 RCW for the 2019-2021 fiscal biennium. Funding is provided for a two percent general wage increase effective July 1, 2019, and a two and one-half of one percent general wage increase effective July 1, 2020.

NEW SECTION. Sec. 518. COLLECTIVE BARGAINING AGREEMENT—WSP LIEUTENANTS AND CAPTAINS ASSOCIATION

An agreement has been reached between the governor and the Washington state patrol lieutenants and captains association under the provisions of chapter 41.56 RCW for the 2019-2021 fiscal biennium. Funding is provided for a two percent general wage increase effective July 1, 2019, and a two and one-half of one percent general wage increase effective July 1, 2020.

IMPLEMENTING PROVISIONS

NEW SECTION. Sec. 601. FUND TRANSFERS

(1) The 2005 transportation partnership projects or improvements and 2015 connecting Washington projects or improvements are listed in the LEAP Transportation Document 2019-1 as developed March 26, 2019, which consists of a list of specific projects by fund source and amount over a sixteen-year period. Current fiscal biennium funding for each project is a line-item appropriation, while the outer year funding allocations represent a sixteen-year plan. The department of transportation is expected to use the flexibility provided in this section to assist in the delivery and completion of all transportation partnership account and connecting Washington account projects on the LEAP transportation document referenced in this subsection. For the 2019-2021 project appropriations, unless otherwise provided in this act, the director of the office of financial management may provide written authorization for a transfer of appropriation authority between projects funded with transportation partnership account appropriations or connecting Washington account appropriations to manage project spending and efficiently deliver all projects in the respective program under the following conditions and limitations:

(a) Transfers may only be made within each specific fund source referenced on the respective project list;

(b) Transfers from a project may not be made as a result of the reduction of the scope of a project or be made to support increases in the scope of a project;

(c) Transfers from a project may be made if the funds appropriated to the project are in excess of the amount needed in the current fiscal biennium;

(d) Transfers may not occur for projects not identified on the applicable project list;

(e) Transfers may not be made while the legislature is in session;

(f) Transfers to a project may not be made with funds designated as attributable to practical design savings as described in RCW 47.01.480;

(g) Each transfer between projects may only occur if the director of the office of financial management finds that any resulting change will not hinder the completion of the projects as approved by the legislature. Until the legislature reconvenes to consider the 2020 supplemental omnibus transportation appropriations act, any unexpended 2017-2019 appropriation balance as approved by the office of financial management, in consultation with the legislative staff of the house of representatives and senate transportation committees, may be considered when transferring funds between projects; and

(h) Transfers between projects may be made by the department of transportation without the formal written approval provided under this subsection (1), provided that the transfer amount does not exceed two hundred fifty thousand dollars or ten percent of

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the total project, whichever is less. These transfers must be reported quarterly to the director of the office of financial management and the chairs of the house of representatives and senate transportation committees.

(2) The department of transportation must submit quarterly all transfers authorized under this section in the transportation executive information system. The office of financial management must maintain a legislative baseline project list identified in the LEAP transportation documents referenced in this act, and update that project list with all authorized transfers under this section.

(3) At the time the department submits a request to transfer funds under this section, a copy of the request must be submitted to the transportation committees of the legislature.

(4) Before approval, the office of financial management shall work with legislative staff of the house of representatives and senate transportation committees to review the requested transfers in a timely manner.

(5) No fewer than ten days after the receipt of a project transfer request, the director of the office of financial management must provide written notification to the department of any decision regarding project transfers, with copies submitted to the transportation committees of the legislature.

(6) The department must submit annually as part of its budget submittal a report detailing all transfers made pursuant to this section.

NEW SECTION. Sec. 602. BOND REIMBURSEMENT

To the extent that any appropriation authorizes expenditures of state funds from the motor vehicle account, special category C account, Tacoma Narrows toll bridge account, transportation 2003 account (nickel account), transportation partnership account, transportation improvement account, Puget Sound capital construction account, multimodal transportation account, state route number 520 corridor account, connecting Washington account, or other transportation capital project account in the state treasury for a state transportation program that is specified to be funded with proceeds from the sale of bonds authorized in chapter 47.10 RCW, the legislature declares that any such expenditures made before the issue date of the applicable transportation bonds for that state transportation program are intended to be reimbursed from proceeds of those transportation bonds in a maximum amount equal to the amount of such appropriation.

NEW SECTION. Sec. 603. BELATED CLAIMS

The agencies and institutions of the state may expend moneys appropriated in this act, upon approval of the office of financial management, for the payment of supplies and services furnished to the agency or institution in prior fiscal biennia.

NEW SECTION. Sec. 604. REAPPROPRIATIONS REPORTING

(1) As part of its 2020 supplemental budget submittal, the department of transportation shall provide a report to the legislature and the office of financial management that:

(a) Identifies, by capital project, the amount of state funding that has been reappropriated from the 2017-2019 fiscal biennium into the 2019-2021 fiscal biennium; and

(b) Identifies, for each project, the amount of cost savings or increases in funding that have been identified as compared to the 2017 enacted omnibus transportation appropriations act.

(2) As part of the agency request for capital programs, the department shall load reappropriations separately from funds that were assumed to be required for the 2019-2021 fiscal biennium into budgeting systems.

NEW SECTION. Sec. 605. WEB SITE REPORTING REQUIREMENTS

(1) The department of transportation shall post on its web site every report that is due from the department to the legislature during the 2019-2021 fiscal biennium on one web page. The department must post both completed reports and planned reports on a single web page.

(2) The department shall provide a web link for each change order that is more than five hundred thousand dollars on the affected project web page.

NEW SECTION. Sec. 606. TRANSIT, BICYCLE, AND PEDESTRIAN ELEMENTS REPORTING

(1) By November 15th of each year, the department of transportation must report on amounts expended to benefit transit, bicycle, or pedestrian elements within all connecting Washington projects in programs I, P, and Z identified in LEAP Transportation Document 2019-2 ALL PROJECTS as developed March 26, 2019. The report must address each modal category separately and identify if eighteenth amendment protected funds have been used and, if not, the source of funding.

(2) To facilitate the report in subsection (1) of this section, the department of transportation must require that all bids on connecting Washington projects include an estimate on the cost to implement any transit, bicycle, or pedestrian project elements.

NEW SECTION. Sec. 607. PROJECT SCOPE CHANGES

(1) The legislature finds that in the course of efficiently delivering connecting Washington projects, it is necessary to create a process for the department of transportation to request and receive approval of practical design-related project scope changes while the legislature is not in session. During the 2019-2021 fiscal biennium, the director of the office of financial management may approve project scope change requests to connecting Washington projects in the highway improvements program, provided that the requests meet the criteria outlined in RCW 47.01.480 and are subject to the limitations in this section.

(2) At the time the department of transportation submits a request for a project scope change under this section, a copy of the request must be submitted to the transportation committees of the legislature.

(3) Before approval, the office of financial management shall work with legislative staff of the house of representatives and senate transportation committees to review the requested project scope changes.

(4) No fewer than ten days after the receipt of a scope change request, the director of the office of financial management must provide written notification to the department of any decision regarding project scope changes, with copies submitted to the transportation committees of the legislature.

(5) As part of its annual budget submittal, the department of transportation must report on all approved scope change requests from the prior year, including a comparison of the scope before and after the requested change.

NEW SECTION. Sec. 608. TOLL CREDITS

The department of transportation may provide up to three million dollars in toll credits to Kitsap transit for its role in passenger-only ferry service and ferry corridor-related projects. The number of toll credits provided must be equal to, but no more than, the number sufficient to meet federal match requirements for grant funding for passenger-only ferry service, but must not exceed the amount authorized in this section.

NEW SECTION. Sec. 609. FOR THE OFFICE OF FINANCIAL MANAGEMENT—CENTRAL SERVICE ITEMS—RATE ADJUSTMENT

Highway Safety Account—State Appropriation	\$378,000
Highway Safety Account—Federal Appropriation	\$8,000
Motorcycle Safety Education Account—State Appropriation	\$5,000
Pilotage Account—State Appropriation	\$1,122,000
Motor Vehicle Account—State Appropriation	\$10,474,000
Multimodal Transportation Account—State Appropriation	\$1,404,000
State Patrol Highway Account—State Appropriation	\$3,936,000
Transportation Improvement Account—State Appropriation	\$13,000
Department of Licensing Services Account—State Appropriation	\$5,000
TOTAL APPROPRIATION	\$17,345,000

The appropriations in this section are subject to the following conditions and limitations: The office of financial management shall adjust allotments and appropriation schedules in the amounts specified, for the state agencies and central service items identified in LEAP Transportation Document CS - 2019, dated March 26, 2019.

MISCELLANEOUS 2019-2021 FISCAL BIENNIUM

NEW SECTION. Sec. 701. INFORMATION TECHNOLOGY OVERSIGHT

(1) Agencies must apply to the office of the state chief information officer for approval before beginning a project or proceeding with each discreet stage of a project subject to this section. At each stage, the office of the state chief information officer must certify that the project has an approved technology budget and investment plan, complies with state information technology and security requirements, and other policies defined by the office of the state chief information officer.

(2)(a) Each project must have a technology budget. The technology budget must use a method similar to the state capital budget, identifying project costs, each fund source, and anticipated deliverables through each stage of the entire project investment and across fiscal periods and biennia from project onset through implementation and close out.

(b) As part of the development of a technology budget and at each request for funding, the agency shall submit detailed financial information to the office of financial management and the office of the state chief information officer. The technology budget must describe the total cost of the project by fiscal month to include and identify:

- (i) Fund sources;
- (ii) Full-time equivalent staffing level to include job classification assumptions;
- (iii) A discreet appropriation index and program index;
- (iv) Object and subobject codes of expenditures; and
- (v) Anticipated deliverables.

(3)(a) Each project must have an investment plan that includes:

- (i) An organizational chart of the project management team that identifies team members and their roles and responsibilities;
- (ii) The office of the state chief information officer staff assigned to the project;
- (iii) An implementation schedule covering activities, critical milestones, and deliverables at each stage of the project for the life of the project at each agency affected by the project;
- (iv) Performance measures used to determine that the project is on time, within budget, and meeting expectations for quality of work product;

(v) Ongoing maintenance and operations cost of the project post implementation and close out delineated by agency staffing, contracted staffing, and service level agreements; and

(vi) Financial budget coding to include at least discrete program index and subobject codes.

(4) Projects with estimated costs greater than one hundred million dollars from initiation to completion and implementation may be divided into discrete subprojects as determined by the office of the state chief information officer. Each subproject must have a technology budget and investment plan as provided in this section.

(5)(a) The office of the state chief information officer shall maintain an information technology project dashboard that provides updated information each fiscal month on projects subject to this section:

- (i) Project changes each fiscal month;
- (ii) Noting if the project has a completed market requirements document;
- (iii) Financial status of information technology projects under oversight; and
- (iv) Coordination with agencies.

(b) The dashboard must retain a roll up of the entire project cost, including all subprojects, that can be displayed the subproject detail.

(6) If the project affects more than one agency:

(a) A separate technology budget and investment plan must be prepared for each agency; and

(b) The dashboard must contain a statewide project technology budget roll up that includes each affected agency at the subproject level.

(7) For any project that exceeds two million dollars in total funds to complete, requires more than one biennium to complete, or is financed through financial contracts, bonds, or other indebtedness:

(a) Quality assurance for the project must report independently the office of the chief information officer;

(b) The office of the chief information officer must review, and, if necessary, revise the proposed project to ensure it is flexible and adaptable to advances in technology;

(c) The technology budget must specifically identify the uses of any financing proceeds. No more than thirty percent of the financing proceeds may be used for payroll-related costs for state employees assigned to project management, installation, testing, or training;

(d) The agency must consult with the office of the state treasurer during the competitive procurement process to evaluate early in the process whether products and services to be solicited and the responsive bids from a solicitation may be financed; and

(e) The agency must consult with the contracting division of the department of enterprise services for a review of all contracts and agreements related to the project's information technology procurements.

(8) The office of the state chief information officer must evaluate the project at each stage and certify whether the project is planned, managed, and meeting deliverable targets as defined in the project's approved technology budget and investment plan.

(9) The office of the state chief information officer may suspend or terminate a project at any time if it determines that the project is not meeting or not expected to meet anticipated performance and technology outcomes. Once suspension or termination occurs, the agency shall unallot any unused funding and shall not make any expenditure for the project without the approval of the office of financial management.

(10) The office of the state chief information officer, in consultation with the office of financial management, may identify additional projects to be subject to this section, including

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projects that are not separately identified within an agency budget.

(11) The following department of transportation projects are subject to the conditions, limitations, and review provided in this section: Labor System Replacement, New Ferry Division Dispatch System, Maintenance Management System, Land Mobile Radio System Replacement, and New CSC System and Operator.

NEW SECTION. Sec. 702. ACQUISITION OF PROPERTIES AND FACILITIES THROUGH FINANCIAL CONTRACTS

(1) The department of transportation is authorized, subject to the conditions in section 305(2) of this act, to enter into a financing contract pursuant to chapter 39.94 RCW through the state treasurer's lease-purchase program for the purposes indicated. The department may use any funds, appropriated or nonappropriated, in not more than the principal amounts indicated, plus financing expenses and required reserves, if any. Expenditures made by the department of transportation for the indicated purposes before the issue date of the authorized financing contract and any certificates of participation therein may be reimbursed from proceeds of the financing contract and any certificates of participation therein to the extent provided in the agency's financing plan approved by the state finance committee.

(2) Department of transportation: Enter into a financing contract for up to \$32,500,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to renovate the existing office building at 15700 Dayton Ave N, Shoreline.

Sec. 703. RCW 43.19.642 and 2017 c 313 s 703 are each amended to read as follows:

(1) Effective June 1, 2006, for agencies complying with the ultra-low sulfur diesel mandate of the United States environmental protection agency for on-highway diesel fuel, agencies shall use biodiesel as an additive to ultra-low sulfur diesel for lubricity, provided that the use of a lubricity additive is warranted and that the use of biodiesel is comparable in performance and cost with other available lubricity additives. The amount of biodiesel added to the ultra-low sulfur diesel fuel shall be not less than two percent.

(2) Except as provided in subsection (5) of this section, effective June 1, 2009, state agencies are required to use a minimum of twenty percent biodiesel as compared to total volume of all diesel purchases made by the agencies for the operation of the agencies' diesel-powered vessels, vehicles, and construction equipment.

(3) All state agencies using biodiesel fuel shall, beginning on July 1, 2016, file annual reports with the department of enterprise services documenting the use of the fuel and a description of how any problems encountered were resolved.

(4) By December 1, 2009, the department of enterprise services shall:

(a) Report to the legislature on the average true price differential for biodiesel by blend and location; and

(b) Examine alternative fuel procurement methods that work to address potential market barriers for in-state biodiesel producers and report these findings to the legislature.

(5) During the ~~((2015-2017 and))~~ 2017-2019 and 2019-2021 fiscal biennia, the Washington state ferries is required to use a minimum of five percent biodiesel as compared to total volume of all diesel purchases made by the Washington state ferries for the operation of the Washington state ferries diesel-powered vessels, as long as the price of a B5 or B10 biodiesel blend does

not exceed the price of conventional diesel fuel by five percent or more.

Sec. 704. RCW 46.20.745 and 2017 c 313 s 704 are each amended to read as follows:

(1) The ignition interlock device revolving account program is created within the department to assist in covering the monetary costs of installing, removing, and leasing an ignition interlock device, and applicable licensing, for indigent persons who are required under RCW 46.20.385, 46.20.720, and 46.61.5055 to install an ignition interlock device in all vehicles owned or operated by the person. For purposes of this subsection, "indigent" has the same meaning as in RCW 10.101.010, as determined by the department. During the ~~((2017-2019))~~ 2019-2021 fiscal biennium, the ignition interlock device revolving account program also includes ignition interlock enforcement work conducted by the Washington state patrol.

(2) A pilot program is created within the ignition interlock device revolving account program for the purpose of monitoring compliance by persons required to use ignition interlock devices and by ignition interlock companies and vendors.

(3) The department, the state patrol, and the Washington traffic safety commission shall coordinate to establish a compliance pilot program that will target at least one county from eastern Washington and one county from western Washington, as determined by the department, state patrol, and Washington traffic safety commission.

(4) At a minimum, the compliance pilot program shall:

(a) Review the number of ignition interlock devices that are required to be installed in the targeted county and the number of ignition interlock devices actually installed;

(b) Work to identify those persons who are not complying with ignition interlock requirements or are repeatedly violating ignition interlock requirements; and

(c) Identify ways to track compliance and reduce noncompliance.

(5) As part of monitoring compliance, the Washington traffic safety commission shall also track recidivism for violations of RCW 46.61.502 and 46.61.504 by persons required to have an ignition interlock driver's license under RCW 46.20.385 and 46.20.720.

Sec. 705. RCW 46.68.030 and 2017 c 313 s 706 are each amended to read as follows:

(1) The director shall forward all fees for vehicle registrations under chapters 46.16A and 46.17 RCW, unless otherwise specified by law, to the state treasurer with a proper identifying detailed report. The state treasurer shall credit these moneys to the motor vehicle fund created in RCW 46.68.070.

(2) Proceeds from vehicle license fees and renewal vehicle license fees must be deposited by the state treasurer as follows:

(a) \$23.60 of each initial or renewal vehicle license fee must be deposited in the state patrol highway account in the motor vehicle fund, hereby created. Vehicle license fees, renewal vehicle license fees, and all other funds in the state patrol highway account must be for the sole use of the Washington state patrol for highway activities of the Washington state patrol, subject to proper appropriations and reappropriations.

(b) \$2.02 of each initial vehicle license fee and \$0.93 of each renewal vehicle license fee must be deposited each biennium in the Puget Sound ferry operations account.

(c) Any remaining amounts of vehicle license fees and renewal vehicle license fees that are not distributed otherwise under this section must be deposited in the motor vehicle fund.

(3) During the 2015-2017 fiscal biennium, the legislature may transfer from the state patrol highway account to the connecting

Washington account such amounts as reflect the excess fund balance of the state patrol highway account.

(4) During the 2017-2019 and the 2019-2021 fiscal ((~~biennium~~) biennia), the legislature may direct the state treasurer to make transfers of moneys in the state patrol highway account to the connecting Washington account.

Sec. 706. RCW 46.68.060 and 2017 c 313 s 707 are each amended to read as follows:

There is hereby created in the state treasury a fund to be known as the highway safety fund to the credit of which must be deposited all moneys directed by law to be deposited therein. This fund must be used for carrying out the provisions of law relating to driver licensing, driver improvement, financial responsibility, cost of furnishing abstracts of driving records and maintaining such case records, and to carry out the purposes set forth in RCW 43.59.010, and chapters 46.72 and 46.72A RCW. During the 2013-2015 and 2015-2017 fiscal biennia, the legislature may transfer from the highway safety fund to the Puget Sound ferry operations account, the motor vehicle fund, and the multimodal transportation account such amounts as reflect the excess fund balance of the highway safety fund. During the 2017-2019 and the 2019-2021 fiscal ((~~biennium~~) biennia), the legislature may direct the state treasurer to make transfers of moneys in the highway safety fund to the multimodal transportation account.

Sec. 707. RCW 46.68.280 and 2017 c 313 s 708 are each amended to read as follows:

(1) The transportation 2003 account (nickel account) is hereby created in the motor vehicle fund. Money in the account may be spent only after appropriation. Expenditures from the account must be used only for projects or improvements identified as transportation 2003 projects or improvements in the omnibus transportation budget and to pay the principal and interest on the bonds authorized for transportation 2003 projects or improvements. Upon completion of the projects or improvements identified as transportation 2003 projects or improvements, moneys deposited in this account must only be used to pay the principal and interest on the bonds authorized for transportation 2003 projects or improvements, and any funds in the account in excess of the amount necessary to make the principal and interest payments may be used for maintenance on the completed projects or improvements.

(2) During the 2015-2017 fiscal biennium, the legislature may transfer from the transportation 2003 account (nickel account) to the connecting Washington account such amounts as reflect the excess fund balance of the transportation 2003 account (nickel account).

(3) During the 2017-2019 and the 2019-2021 fiscal ((~~biennium~~) biennia), the legislature may direct the state treasurer to make transfers of moneys in the transportation 2003 account (nickel account) to the connecting Washington account.

(4) The "nickel account" means the transportation 2003 account.

Sec. 708. RCW 46.68.290 and 2017 c 313 s 709 are each amended to read as follows:

(1) The transportation partnership account is hereby created in the state treasury. All distributions to the account from RCW 46.68.090 must be deposited into the account. Money in the account may be spent only after appropriation. Expenditures from the account must be used only for projects or improvements identified as 2005 transportation partnership projects or improvements in the omnibus transportation appropriations act, including any principal and interest on bonds authorized for the projects or improvements.

(2) The legislature finds that:

(a) Citizens demand and deserve accountability of transportation-related programs and expenditures. Transportation-related programs must continuously improve in quality, efficiency, and effectiveness in order to increase public trust;

(b) Transportation-related agencies that receive tax dollars must continuously improve the way they operate and deliver services so citizens receive maximum value for their tax dollars; and

(c) Fair, independent, comprehensive performance audits of transportation-related agencies overseen by the elected state auditor are essential to improving the efficiency, economy, and effectiveness of the state's transportation system.

(3) For purposes of chapter 314, Laws of 2005:

(a) "Performance audit" means an objective and systematic assessment of a state agency or agencies or any of their programs, functions, or activities by the state auditor or designee in order to help improve agency efficiency, effectiveness, and accountability. Performance audits include economy and efficiency audits and program audits.

(b) "Transportation-related agency" means any state agency, board, or commission that receives funding primarily for transportation-related purposes. At a minimum, the department of transportation, the transportation improvement board or its successor entity, the county road administration board or its successor entity, and the traffic safety commission are considered transportation-related agencies. The Washington state patrol and the department of licensing shall not be considered transportation-related agencies under chapter 314, Laws of 2005.

(4) Within the authorities and duties under chapter 43.09 RCW, the state auditor shall establish criteria and protocols for performance audits. Transportation-related agencies shall be audited using criteria that include generally accepted government auditing standards as well as legislative mandates and performance objectives established by state agencies. Mandates include, but are not limited to, agency strategies, timelines, program objectives, and mission and goals as required in RCW 43.88.090.

(5) Within the authorities and duties under chapter 43.09 RCW, the state auditor may conduct performance audits for transportation-related agencies. The state auditor shall contract with private firms to conduct the performance audits.

(6) The audits may include:

(a) Identification of programs and services that can be eliminated, reduced, consolidated, or enhanced;

(b) Identification of funding sources to the transportation-related agency, to programs, and to services that can be eliminated, reduced, consolidated, or enhanced;

(c) Analysis of gaps and overlaps in programs and services and recommendations for improving, dropping, blending, or separating functions to correct gaps or overlaps;

(d) Analysis and recommendations for pooling information technology systems used within the transportation-related agency, and evaluation of information processing and telecommunications policy, organization, and management;

(e) Analysis of the roles and functions of the transportation-related agency, its programs, and its services and their compliance with statutory authority and recommendations for eliminating or changing those roles and functions and ensuring compliance with statutory authority;

(f) Recommendations for eliminating or changing statutes, rules, and policy directives as may be necessary to ensure that the transportation-related agency carry out reasonably and properly those functions vested in the agency by statute;

(g) Verification of the reliability and validity of transportation-related agency performance data, self-assessments, and

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performance measurement systems as required under RCW 43.88.090;

(h) Identification of potential cost savings in the transportation-related agency, its programs, and its services;

(i) Identification and recognition of best practices;

(j) Evaluation of planning, budgeting, and program evaluation policies and practices;

(k) Evaluation of personnel systems operation and management;

(l) Evaluation of purchasing operations and management policies and practices;

(m) Evaluation of organizational structure and staffing levels, particularly in terms of the ratio of managers and supervisors to nonmanagement personnel; and

(n) Evaluation of transportation-related project costs, including but not limited to environmental mitigation, competitive bidding practices, permitting processes, and capital project management.

(7) Within the authorities and duties under chapter 43.09 RCW, the state auditor must provide the preliminary performance audit reports to the audited state agency for comment. The auditor also may seek input on the preliminary report from other appropriate officials. Comments must be received within thirty days after receipt of the preliminary performance audit report unless a different time period is approved by the state auditor. The final performance audit report shall include the objectives, scope, and methodology; the audit results, including findings and recommendations; the agency's response and conclusions; and identification of best practices.

(8) The state auditor shall provide final performance audit reports to the citizens of Washington, the governor, the joint legislative audit and review committee, the appropriate legislative committees, and other appropriate officials. Final performance audit reports shall be posted on the internet.

(9) The audited transportation-related agency is responsible for follow-up and corrective action on all performance audit findings and recommendations. The audited agency's plan for addressing each audit finding and recommendation shall be included in the final audit report. The plan shall provide the name of the contact person responsible for each action, the action planned, and the anticipated completion date. If the audited agency does not agree with the audit findings and recommendations or believes action is not required, then the action plan shall include an explanation and specific reasons.

The office of financial management shall require periodic progress reports from the audited agency until all resolution has occurred. The office of financial management is responsible for achieving audit resolution. The office of financial management shall annually report by December 31st the status of performance audit resolution to the appropriate legislative committees and the state auditor. The legislature shall consider the performance audit results in connection with the state budget process.

The auditor may request status reports on specific audits or findings.

(10) For the period from July 1, 2005, until June 30, 2007, the amount of \$4,000,000 is appropriated from the transportation partnership account to the state auditors office for the purposes of subsections (2) through (9) of this section.

(11) During the 2015-2017 fiscal biennium, the legislature may transfer from the transportation partnership account to the connecting Washington account such amounts as reflect the excess fund balance of the transportation partnership account.

(12) During the 2017-2019 and the 2019-2021 fiscal (~~biennium~~) biennia, the legislature may direct the state treasurer to make transfers of moneys in the transportation partnership account to the connecting Washington account.

Sec. 709. RCW 46.68.325 and 2017 c 313 s 710 are each amended to read as follows:

(1) The rural mobility grant program account is created in the state treasury. Moneys in the account may be spent only after appropriation. Expenditures from the account may be used only for the grants provided under RCW 47.66.100.

(2) Beginning September 2011, by the last day of September, December, March, and June of each year, the state treasurer shall transfer from the multimodal transportation account to the rural mobility grant program account two million five hundred thousand dollars.

(3) During the 2015-2017 fiscal biennium, the legislature may transfer from the rural mobility grant program account to the multimodal transportation account such amounts as reflect the excess fund balance of the rural mobility grant program account.

(4) During the 2017-2019 and the 2019-2021 fiscal (~~biennium~~) biennia, the legislature may direct the state treasurer to make transfers of moneys in the rural mobility grant program account to the multimodal transportation account.

Sec. 710. RCW 47.56.403 and 2017 c 313 s 712 are each amended to read as follows:

(1) The department may provide for the establishment, construction, and operation of a pilot project of high occupancy toll lanes on state route 167 high occupancy vehicle lanes within King county. The department may issue, buy, and redeem bonds, and deposit and expend them; secure and remit financial and other assistance in the construction of high occupancy toll lanes, carry insurance, and handle any other matters pertaining to the high occupancy toll lane pilot project.

(2) Tolls for high occupancy toll lanes will be established as follows:

(a) The schedule of toll charges for high occupancy toll lanes must be established by the transportation commission and collected in a manner determined by the commission.

(b) Toll charges shall not be assessed on transit buses and vanpool vehicles owned or operated by any public agency.

(c) The department shall establish performance standards for the state route 167 high occupancy toll lane pilot project. The department must automatically adjust the toll charge, using dynamic tolling, to ensure that toll-paying single-occupant vehicle users are only permitted to enter the lane to the extent that average vehicle speeds in the lane remain above forty-five miles per hour at least ninety percent of the time during peak hours. The toll charge may vary in amount by time of day, level of traffic congestion within the highway facility, vehicle occupancy, or other criteria, as the commission may deem appropriate. The commission may also vary toll charges for single-occupant inherently low-emission vehicles such as those powered by electric batteries, natural gas, propane, or other clean burning fuels.

(d) The commission shall periodically review the toll charges to determine if the toll charges are effectively maintaining travel time, speed, and reliability on the highway facilities.

(3) The department shall monitor the state route 167 high occupancy toll lane pilot project and shall annually report to the transportation commission and the legislature on operations and findings. At a minimum, the department shall provide facility use data and review the impacts on:

(a) Freeway efficiency and safety;

(b) Effectiveness for transit;

(c) Person and vehicle movements by mode;

(d) Ability to finance improvements and transportation services through tolls; and

(e) The impacts on all highway users. The department shall analyze aggregate use data and conduct, as needed, separate

surveys to assess usage of the facility in relation to geographic, socioeconomic, and demographic information within the corridor in order to ascertain actual and perceived questions of equitable use of the facility.

(4) The department shall modify the pilot project to address identified safety issues and mitigate negative impacts to high occupancy vehicle lane users.

(5) Authorization to impose high occupancy vehicle tolls for the state route 167 high occupancy toll pilot project expires if either of the following two conditions apply:

(a) If no contracts have been let by the department to begin construction of the toll facilities associated with this pilot project within four years of July 24, 2005; or

(b) If high occupancy vehicle tolls are being collected on June 30, ~~((2019))~~ 2021.

(6) The department of transportation shall adopt rules that allow automatic vehicle identification transponders used for electronic toll collection to be compatible with other electronic payment devices or transponders from the Washington state ferry system, other public transportation systems, or other toll collection systems to the extent that technology permits.

(7) The conversion of a single existing high occupancy vehicle lane to a high occupancy toll lane as proposed for SR-167 must be taken as the exception for this pilot project.

(8) A violation of the lane restrictions applicable to the high occupancy toll lanes established under this section is a traffic infraction.

(9) Procurement activity associated with this pilot project shall be open and competitive in accordance with chapter 39.29 RCW.

Sec. 711. RCW 47.56.876 and 2017 c 313 s 713 are each amended to read as follows:

A special account to be known as the state route number 520 civil penalties account is created in the state treasury. All state route number 520 bridge replacement and HOV program civil penalties generated from the nonpayment of tolls on the state route number 520 corridor must be deposited into the account, as provided under RCW 47.56.870(4)(b)(vii). Moneys in the account may be spent only after appropriation. Expenditures from the account may be used to fund any project within the state route number 520 bridge replacement and HOV program, including mitigation. During the 2013-2015 and 2015-2017 fiscal biennia, the legislature may transfer from the state route number 520 civil penalties account to the state route number 520 corridor account such amounts as reflect the excess fund balance of the state route number 520 civil penalties account. Funds transferred must be used solely for capital expenditures for the state route number 520 bridge replacement and HOV project. During the 2017-2019 and the 2019-2021 fiscal ~~((biennium))~~ biennia, the legislature may direct the state treasurer to make transfers of moneys in the state route number 520 civil penalties account to the state route number 520 corridor account.

Sec. 712. RCW 47.60.530 and 2017 c 313 s 714 are each amended to read as follows:

(1) The Puget Sound ferry operations account is created in the motor vehicle fund.

(2) The following funds must be deposited into the account:

(a) All moneys directed by law;

(b) All revenues generated from ferry fares; and

(c) All revenues generated from commercial advertising, concessions, parking, and leases as allowed under RCW 47.60.140.

(3) Moneys in the account may be spent only after appropriation.

(4) Expenditures from the account may be used only for the maintenance, administration, and operation of the Washington state ferry system.

(5) During the 2015-2017 fiscal biennium, the legislature may transfer from the Puget Sound ferry operations account to the connecting Washington account such amounts as reflect the excess fund balance of the Puget Sound ferry operations account.

(6) During the 2017-2019 and the 2019-2021 fiscal ~~((biennium))~~ biennia, the legislature may direct the state treasurer to make transfers of moneys in the Puget Sound ferry operations account to the connecting Washington account.

Sec. 713. RCW 41.45.0631 and 2009 c 561 s 7 are each amended to read as follows:

(1) The allocation of costs between the employer and members of the Washington state patrol retirement system shall be made only after the application of any minimum total contribution rate that may be in effect for the system under subsection (4) of this section. For benefit improvements effective on or after July 1, 2007, costs shall be shared equally by members and the employer, and any cap on member contributions shall be adjusted accordingly. The member contribution rate shall be based on the adjusted total contribution rate described in subsection (2) of this section. Beginning July 1, 2007, the required member contribution rate for members of the Washington state patrol retirement system shall be the lesser of the following: (a) One-half of the adjusted total contribution rate for the system; or (b) seven percent, plus fifty percent of the contribution rate increase caused by any benefit improvements effective on or after July 1, 2007.

(2) The employer shall continue to pay for all costs attributable to distributions under RCW 43.43.270(2) for survivors of members who became disabled under RCW 43.43.040(2) prior to July 1, 2006, until such costs are fully paid. In order to avoid charging members for these costs, the total required contribution rate shall be adjusted to exclude these costs. The result of the adjustment shall be the adjusted total contribution rate that is to be used to calculate the required member contribution rate.

(3) The employer rate shall be the contribution rate required to cover all total system costs that are not covered by the member contribution rate.

(4) Beginning July 1, 2009, a minimum total contribution rate is established for the Washington state patrol retirement system. The total Washington state patrol retirement system contribution rate may exceed, but may not drop below, the established minimum total contribution rate. From July 1, 2009, through June 30, 2011, the minimum total contribution rate shall equal the total contribution rate required to fund fifty percent of the Washington state patrol retirement system's normal cost as calculated under the entry age normal cost method. Beginning July 1, 2011, the minimum total contribution rate shall equal the total contribution rate required to fund seventy percent of the Washington state patrol retirement system's normal cost as calculated under the entry age normal cost method. This minimum rate, when applicable, shall be collected in addition to any contribution rate required to amortize any unfunded costs attributable to distributions under RCW 43.43.270(2) for survivors of members who became disabled under RCW 43.43.040(2) prior to July 1, 2006.

(5) Upon completion of each biennial actuarial valuation, the state actuary shall review the appropriateness of this minimum total contribution rate and recommend to the council any adjustments as may be needed. Any changes adopted by the council shall be subject to revision by the legislature.

(6) The legislature recognizes the short-term volatility of projected employer contribution rates for the Washington state

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patrol retirement system and intends to phase-in the increase in contribution rates from the 2017-2019 biennium to the 2019-2021 biennium over three successive biennia. The phase-in shall be calculated by the state actuary and shall not result in an expected funding shortfall when measured over the entire phase-in period. Consistent with this intent, the legislature revises the basic employer contribution rate for the Washington state patrol retirement system from 22.13 percent to 17.5 percent during the 2019-2021 biennium. By June 30, 2020, the state actuary shall calculate and report to the council the expected change to the basic employer contribution rates for the 2021-2023 and 2023-2025 biennia that continue this phase-in.

Sec. 714. RCW 46.68.063 and 2014 c 79 s 2 are each amended to read as follows:

The department of licensing technology improvement and data management account is created in the highway safety fund. All receipts from fees collected under RCW 46.12.630(5) must be deposited into the account. Expenditures from the account may be used only for investments in technology and data management at the department. During the 2019-2021 biennium, the account may also be used for responding to public records requests. Moneys in the account may be spent only after appropriation.

Sec. 715. RCW 46.68.370 and 2013 c 306 s 713 are each amended to read as follows:

The license plate technology account is created in the state treasury. All receipts collected under RCW 46.17.015 must be deposited into this account. Expenditures from this account must support current and future license plate technology and systems integration upgrades for both the department and correctional industries. Moneys in the account may be spent only after appropriation. Additionally, the moneys in this account may be used to reimburse the motor vehicle account for any appropriation made to implement the digital license plate system. During the 2011-2013 and 2013-2015 fiscal biennia, the legislature may transfer from the license plate technology account to the highway safety account [fund] such amounts as reflect the excess fund balance of the license plate technology account. During the 2019-2021 biennium, the account may also be used for the maintenance of recently modernized information technology systems for vehicle registrations.

Sec. 716. RCW 46.68.220 and 2011 c 367 s 719 are each amended to read as follows:

The department of licensing services account is created in the motor vehicle fund. All receipts from service fees received under RCW 46.17.025 must be deposited into the account. Moneys in the account may be spent only after appropriation. Expenditures from the account may be used only for:

- (1) Information and service delivery systems for the department;
- (2) Reimbursement of county licensing activities; and
- (3) County auditor or other agent and subagent support including, but not limited to, the replacement of department-owned equipment in the possession of county auditors or other agents and subagents appointed by the director. During the 2011-2013 fiscal biennium, the legislature may transfer from the department of licensing services account such amounts as reflect the excess fund balance of the account. During the 2019-2021 biennium, the account may also be used for supporting the operations of licensing service offices.

Sec. 717. RCW 46.63.030 and 2013 2nd sp.s. c 23 s 23 are each amended to read as follows:

- (1) A law enforcement officer has the authority to issue a notice of traffic infraction:

- (a) When the infraction is committed in the officer's presence, except as provided in RCW 46.09.485;
- (b) When the officer is acting upon the request of a law enforcement officer in whose presence the traffic infraction was committed;

(c) If an officer investigating at the scene of a motor vehicle accident has reasonable cause to believe that the driver of a motor vehicle involved in the accident has committed a traffic infraction;

(d) When the infraction is detected through the use of an automated traffic safety camera under RCW 46.63.170; ~~((or))~~

(e) When the infraction is detected through the use of an automated school bus safety camera under RCW 46.63.180; or

(f) When the infraction is detected through the use of an automated vehicle noise enforcement camera as part of a pilot program authorized by this act during the 2019-2021 biennium.

(2) A court may issue a notice of traffic infraction upon receipt of a written statement of the officer that there is reasonable cause to believe that an infraction was committed.

(3) If any motor vehicle without a driver is found parked, standing, or stopped in violation of this title or an equivalent administrative regulation or local law, ordinance, regulation, or resolution, the officer finding the vehicle shall take its registration number and may take any other information displayed on the vehicle which may identify its user, and shall conspicuously affix to the vehicle a notice of traffic infraction.

(4) In the case of failure to redeem an abandoned vehicle under RCW 46.55.120, upon receiving a complaint by a registered tow truck operator that has incurred costs in removing, storing, and disposing of an abandoned vehicle, an officer of the law enforcement agency responsible for directing the removal of the vehicle shall send a notice of infraction by certified mail to the last known address of the person responsible under RCW 46.55.105. The notice must be entitled "Littering—Abandoned Vehicle" and give notice of the monetary penalty. The officer shall append to the notice of infraction, on a form prescribed by the department of licensing, a notice indicating the amount of costs incurred as a result of removing, storing, and disposing of the abandoned vehicle, less any amount realized at auction, and a statement that monetary penalties for the infraction will not be considered as having been paid until the monetary penalty payable under this chapter has been paid and the court is satisfied that the person has made restitution in the amount of the deficiency remaining after disposal of the vehicle.

NEW SECTION. **Sec. 1.** (1) The agency financial transaction account is created in the state treasury. Designated receipts from cost-recovery charges for credit card and other financial transaction fees pursuant to this act must be deposited into the account. Moneys in the account may be spent only after appropriation. Expenditures from the account may be used only for paying credit card and financial transaction fees, and other related costs incurred by state agencies.

(2) This section expires June 30, 2021.

NEW SECTION. **Sec. 2.** Section 710 of this act takes effect only if chapter . . . (House Bill No. 2132) (authorization of certain tolled facilities), Laws of 2019 is not enacted by June 30, 2019.

2017-2019 FISCAL BIENNIUM

TRANSPORTATION AGENCIES—OPERATING

Sec. 801. 2018 c 297 s 201 (uncodified) is amended to read as follows:

FOR THE WASHINGTON TRAFFIC SAFETY COMMISSION

Highway Safety Account—State Appropriation	\$4,329,000
Highway Safety Account—Federal Appropriation	(\$22,205,000)
	<u>\$25,005,000</u>
Highway Safety Account—Private/Local Appropriation	\$118,000
School Zone Safety Account—State Appropriation	\$850,000
TOTAL APPROPRIATION	<u>\$27,502,000</u>
	<u>\$30,302,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$100,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter 324, Laws of 2017 (bicyclist safety advisory council).

(2) \$1,000,000 of the highway safety account—state appropriation is provided solely for the implementation of section 13(4), chapter 336, Laws of 2017 (impaired driving). The funding is provided for grants to organizations that seek to reduce driving under the influence of drugs and alcohol and for administering the program. \$108,806 of the amount provided in this subsection is for the commission to cover the costs associated with administering the grant program. The funding provided in this subsection is contingent on the availability of funds raised by the fee, described in section 13(4), chapter 336, Laws of 2017 (impaired driving), sufficient to cover the costs of administering the program.

Sec. 802. 2018 c 297 s 202 (uncodified) is amended to read as follows:

FOR THE COUNTY ROAD ADMINISTRATION BOARD

Rural Arterial Trust Account—State Appropriation	\$1,056,000
Motor Vehicle Account—State Appropriation	(\$2,720,000)
	<u>\$2,791,000</u>
County Arterial Preservation Account—State Appropriation	\$1,592,000
TOTAL APPROPRIATION	<u>\$5,368,000</u>
	<u>\$5,439,000</u>

Sec. 803. 2018 c 297 s 204 (uncodified) is amended to read as follows:

FOR THE JOINT TRANSPORTATION COMMITTEE

(Highway Safety Account—State Appropriation	\$150,000)
Motor Vehicle Account—State Appropriation	\$2,030,000
Multimodal Transportation Account—State Appropriation	\$1,570,000
TOTAL APPROPRIATION	<u>\$3,750,000</u>
	<u>\$3,600,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1)(a) \$200,000 of the multimodal transportation account—state appropriation is for a consultant study of marine pilotage in Washington state, with a goal of recommending best practices for: An analytically-driven pilotage tariff and fee setting process; determination of the total number of pilots and pilot workload; pilot recruitment, training, review, and selection, with a focus on increasing pilot diversity; and selection of governance structures for the oversight and management of pilotage activities. The study must include the following:

(i)(A) An examination of current practices of the board of pilotage related to: Pilotage tariff and fee setting, including a review of the development and composition of fees, their

relationship to tariffs and pilotage district expenditures, and an analysis of pilot benefits; the setting of the total number of pilots and pilot workload distribution; pilot candidate recruitment and training; pilot review and selection processes; and reporting to comply with statutory requirements;

(B) An examination of the current oversight, administrative practices, and governance of the board of pilotage commissioners and the two pilotage districts, including board composition analysis, the possible role of the legislative appropriations process, and options for insurance liability coverage for the board of pilotage commissioners;

(ii) A comparison of current practices identified under this subsection (1)(a) to best practices in marine pilotage elsewhere in the United States, including both state licensed pilotage and federal pilotage systems with independent contractor, public employee, or private employee pilots; and a comparison to marine pilotage activities outside of the United States, to the extent these marine pilotage activities can inform the evaluation process and identify additional best practices that could be implemented in Washington state;

(iii) A comparison of the results of the examination of current practices to best practices in the United States in areas other than marine pilotage for which similar activities are conducted;

(iv) An evaluation of the extent to which the best practices examined can be implemented and would be effective in Washington state; and

(v) A recommendation for the best practices that should be adopted by Washington state for each of the areas examined.

(b) The joint transportation committee must issue a report of its findings and recommendations to the house of representatives and senate transportation committees by January 8, 2018.

(2) \$160,000 of the motor vehicle account—state appropriation is for the joint transportation committee to contract with the University of Minnesota to independently analyze and assess traffic data for the express toll lanes and general purpose lanes of the Interstate 405 tolled corridor, including in terms of the performance measures described in RCW 47.56.880, and to develop and recommend near-term and longer-term strategies for the improvement of traffic performance in this corridor. A report summarizing the results of the traffic data assessment and providing recommended strategies is due to the transportation committees of the legislature by January 8, 2018.

(3)(a) \$500,000 of the multimodal transportation account—state appropriation is for a consultant study of air cargo movement at Washington airports. The study must:

(i) Describe the state's air cargo system, and identify the facilities that comprise the system;

(ii) Evaluate the current and projected future capacity of the air cargo system;

(iii) Identify underutilized capacity;

(iv) Identify and describe what market forces may determine demand for cargo service at different facilities and what role the shippers and cargo service providers play in determining how cargo is moved in the state;

(v) Develop a definition of congestion in the state's air cargo system, including metrics by which to measure congestion and the cost of congestion to shippers; and

(vi) Evaluate what would be needed to more effectively use existing capacity at airports across the state. As part of this evaluation, the study must:

(A) Evaluate air, land, and surface transportation constraints, including intermodal constraints, to accommodate current demand and future growth;

(B) Evaluate impediments to addressing those constraints;

(C) Evaluate options to address those constraints; and

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(D) Evaluate the impacts to air cargo-related industries that would result from shifting cargo service to Washington airports that currently have available capacity.

(b) The study must also identify the state's interest in reducing air cargo congestion and evaluate ways to address this interest on a statewide basis.

(c) The study must provide recommendations regarding:

(i) Options to reduce air cargo congestion and more efficiently use available capacity at Washington airports;

(ii) Options to address the state's interest in reducing air cargo congestion on a statewide basis;

(iii) Strategies to accomplish the recommendations under this subsection (3)(c); and

(iv) Statutory changes needed to implement the recommendations under this subsection (3)(c).

(d) The department of transportation shall provide technical support for the study, including providing guidance regarding information that may already be available due to the department's ongoing work on the Washington aviation system plan.

(e) The joint transportation committee shall issue a report of its findings and recommendations to the house of representatives and senate transportation committees by December 14, 2018.

(4) \$100,000 of the motor vehicle account—state appropriation is for the joint transportation committee to conduct an assessment of the current roles and responsibilities of the transportation commission. The purpose of the assessment is to review the current membership, functions, powers, and duties of the transportation commission beyond those granted to the transportation commission as the tolling authority under RCW 47.56.850, for the adoption of ferry fares and pricing policies under RCW 47.60.315, or for work related to the road usage charge pilot project as directed by the legislature. When conducting the assessment, the joint transportation committee must consult with the transportation commission and the office of financial management.

(a) The assessment must consist of a review of the following:

(i) The primary enabling statutes of the transportation commission contained in RCW 47.01.051 through 47.01.075;

(ii) The transportation commission's functions relating to ferries under chapters 47.60 and 47.64 RCW beyond those granted by the legislature for adoption of fares and pricing policies;

(iii) The existing budget of the transportation commission to ensure it is appropriate for the roles and responsibilities it is directed to do by the governor and the legislature;

(iv) The transportation commission's current roles and responsibilities relating to transportation planning, transportation policy development, and other functions; and

(v) Other issues related to the transportation commission as determined by the joint transportation committee.

(b) A report of the assessment findings and recommendations is due to the transportation committees of the legislature by December 31, 2017.

(5)(a) \$360,000 of the motor vehicle account—state appropriation, from the cities' statewide fuel tax distributions under RCW 46.68.110(2), is for the joint transportation committee to conduct a study to assess the current state of city transportation funding, identify emerging issues, and recommend funding sources to meet current and future needs. As part of the study, the joint transportation committee shall:

(i) Identify current city transportation funding responsibilities, sources, and gaps;

(ii) Identify emerging issues that may add additional strain on city costs and funding capacity;

(iii) Identify future city funding needs;

(iv) Evaluate alternative sources of funding; and

(v) Recommend sources of funding to address those needs and gaps.

(b) In considering alternative sources of funding, the study shall evaluate sources available outside of the state of Washington that currently are not available in Washington.

(c) In conducting the study, the joint transportation committee must consult with:

(i) City representatives;

(ii) A representative from the department of transportation local programs division;

(iii) A representative from the transportation improvement board;

(iv) A representative from the department of transportation/metropolitan planning organization/regional transportation planning organization coordinating committee; and

(v) Others as appropriate.

(d) The association of Washington cities and the department of transportation shall provide technical support to the study.

(e) The joint transportation committee must issue a report of its findings and recommendations to the transportation committees of the legislature by June 30, 2019.

(6)(a) \$315,000 of the multimodal transportation account—state appropriation is for a consultant study of the capital needs of public transportation systems operated by public transportation benefit areas, metropolitan municipal corporations, cities, counties, and county transportation authorities. The study must include:

(i) An inventory of each agency's vehicle fleet;

(ii) An inventory of each agency's facilities, including the state of repair;

(iii) The replacement and expansion needs of each agency's vehicle fleet, as well as the associated costs, over the next ten years;

(iv) The replacement and expansion needs for each agency's facilities including, but not limited to, such facilities as park and rides, transit centers, and maintenance buildings;

(v) The source of funding, if known, planned to cover the cost of the bus and facilities replacement and expansion needs including, but not limited to, local revenue, state grants, and federal grants;

(vi) The amount of service that could be provided with the local funds that are currently required for each agency's total capital needs; and

(vii) A list of potential state, federal, or local revenue sources that public transportation agencies could access or implement in order to meet agencies' capital needs. These revenue sources may be either currently available sources or sources that would need legislative authorization.

(b) The Washington state transit association and the Washington state department of transportation shall provide technical support to the study.

(c) The joint transportation committee shall issue a report of its findings and recommendations to the transportation committees of the legislature by ~~(March 1)~~ June 30, 2019.

(7) \$255,000 of the multimodal transportation account—state appropriation is for the joint transportation committee to conduct a study regarding the regulation of transportation network companies within the state of Washington. In conducting the study, the joint transportation committee must consult with relevant representatives of the department of licensing, the utilities and transportation commission, the Washington state patrol, local governments involved in the regulation of transportation network companies, entities providing transportation network services, and other relevant stakeholders.

The study must include a review of the regulatory framework used by local jurisdictions within Washington state and in other states, an evaluation of the most effective public safety aspects of a regulatory framework, including among other aspects, the type of required background checks, and an assessment of the most effective and efficient state and local regulatory structure for regulation of transportation network companies. The joint transportation committee must issue a report of its findings and recommendations to the house and senate transportation committees by January 14, 2019.

(8) \$300,000 of the multimodal transportation account—state appropriation is for the joint transportation committee to conduct a study regarding the regulation of taxi and for hire services regulated by state, local governments, and port districts. The study must compare state and local regulations in the state of Washington that govern these private passenger transportation services and may include recommendations for improving the consistency or overall effectiveness and competitive fairness of the current regulatory frameworks. In conducting the study, the joint transportation committee shall consult with the department of licensing, the utilities and transportation commission, the Washington state patrol, appropriate local entities engaged in the regulation of commercial passenger transportation services, and other relevant stakeholders. The joint transportation committee must issue a report of its findings and recommendations to the house and senate transportation committees by January 14, 2019.

(9)(a) (~~(\$150,000 of the highway safety account state appropriation is for)~~) Within existing resources, the joint transportation committee ~~((~~to~~))~~ shall assess and recommend methods for setting state medical standards in the areas listed in (b) of this subsection for commercial driver’s license holders and applicants, when these standards are not governed by specific criteria under federal law, to help reduce the current shortage of licensed commercial motor vehicle drivers in the state.

(b) This review must consist of an assessment of possible approaches for developing a method by which to set state standards for:

(i) Medical certification requirements for excepted interstate commercial driver’s license holders and applicants, as this class is defined under 49 C.F.R. 383.71, who are not required to obtain medical certification under federal law; and

(ii) Medical waiver requirements for intrastate nonexcepted commercial driver’s license holders and applicants, which must be set in a manner consistent with the requirements of 49 C.F.R. Sec. 350.341(h)(2).

(c) The review must include consideration and evaluation of the relevant practices, laws, and regulations of other states. The review must also ensure that recommendations made are consistent with federal law and do not jeopardize federal funding, and that they incorporate relevant safety considerations.

(d) The joint transportation committee must consult with the department of licensing, the Washington state patrol, the traffic safety commission, the state department of health, and stakeholders who rely on the state’s commercial driver’s license medical certification process.

(e) The joint transportation committee must issue a report of its findings and recommendations, including an indication of statutory changes needed to implement the recommendations, to the transportation committees of the legislature and the governor by January 14, 2019.

Sec. 804. 2018 c 297 s 207 (uncodified) is amended to read as follows:

FOR THE WASHINGTON STATE PATROL

State Patrol Highway Account—State Appropriation
~~(\$490,359,000)~~

	<u>\$472,475,000</u>
State Patrol Highway Account—Federal Appropriation	\$14,571,000
State Patrol Highway Account—Private/Local Appropriation	\$4,011,000
Highway Safety Account—State Appropriation	\$1,074,000
Ignition Interlock Device Revolving Account—State Appropriation	\$510,000
Multimodal Transportation Account—State Appropriation	\$276,000
TOTAL APPROPRIATION	<u>\$510,801,000</u>
	<u>\$492,917,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) Washington state patrol officers engaged in off-duty uniformed employment providing traffic control services to the department of transportation or other state agencies may use state patrol vehicles for the purpose of that employment, subject to guidelines adopted by the chief of the Washington state patrol. The Washington state patrol must be reimbursed for the use of the vehicle at the prevailing state employee rate for mileage and hours of usage, subject to guidelines developed by the chief of the Washington state patrol.

(2) \$510,000 of the ignition interlock device revolving account—state appropriation is provided solely for the ignition interlock program at the Washington state patrol to provide funding for two staff to work and provide support for the program in working with manufacturers, service centers, technicians, and participants in the program.

(3) \$1,000,000 of the state patrol highway account—state appropriation is provided solely for ongoing support, system updates, maintenance, and an independent assessment of the P25 digital land mobile radio system. Of the amount provided in this subsection, \$400,000 must be used for the independent assessment of the P25 digital land mobile radio system. The independent assessment must identify implementation issues and coverage gaps and recommend strategies to address these issues and gaps. The assessment must be submitted to the governor and the transportation committees of the legislature by September 1, 2018. To the extent practicable, the Washington state patrol shall begin implementing recommendations before the completion of the independent assessment.

(4) The Washington state patrol and the department of transportation shall jointly submit a prioritized list of weigh station projects to the office of financial management by October 1, 2017. Projects submitted must include estimated costs for preliminary engineering, rights-of-way, and construction and must also consider the timing of any available funding for weigh station projects.

(5) The Washington state patrol and the office of financial management must be consulted by the department of transportation during the design phase of any improvement or preservation project that could impact Washington state patrol weigh station operations. During the design phase of any such project, the department of transportation must estimate the cost of designing around the affected weigh station’s current operations, as well as the cost of moving the affected weigh station.

(6) \$580,000 of the state patrol highway account—state appropriation is provided solely for the operation of and administrative support to the license investigation unit to enforce vehicle registration laws in southwestern Washington. The Washington state patrol, in consultation with the department of revenue, shall maintain a running estimate of sales and use taxes remitted to the state pursuant to activity conducted by the license investigation unit. At the end of the calendar quarter in which it

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is estimated that more than \$625,000 in taxes have been remitted to the state since the effective date of this section, the Washington state patrol shall notify the state treasurer and the state treasurer shall transfer funds pursuant to section 408(25), chapter 313, Laws of 2017.

(7) \$600,000 of the state patrol highway account—state appropriation is provided solely for the implementation of chapter 181, Laws of 2017 (WSPRS salary definition).

(8) \$4,354,000 of the state patrol highway account—state appropriation is provided solely for an additional cadet class, consisting of the 35th arming class and 111th trooper basic training class, in the 2017-2019 fiscal biennium.

Sec. 805. 2018 c 297 s 208 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF LICENSING

Marine Fuel Tax Refund Account—State	Appropriation	\$34,000
Motorcycle Safety Education Account—State	Appropriation	(\$4,607,000) \$4,773,000
State Wildlife Account—State	Appropriation	(\$888,000) \$538,000
Highway Safety Account—State	Appropriation	(\$254,301,000) \$250,800,000
Highway Safety Account—Federal	Appropriation	\$3,215,000
Motor Vehicle Account—State	Appropriation	(\$83,871,000) \$82,456,000
Motor Vehicle Account—Federal	Appropriation	\$329,000
Motor Vehicle Account—Private/Local	Appropriation	(\$5,224,000) \$5,709,000
Ignition Interlock Device Revolving Account—State	Appropriation	(\$5,261,000) \$5,932,000
Department of Licensing Services Account—State	Appropriation	\$6,903,000
License Plate Technology Account—State	Appropriation	\$3,000,000
Abandoned Recreational Vehicle Account—State	Appropriation	(\$172,000) \$312,000
(Driver Licensing Technology Support Account—State	Appropriation	\$150,000)
TOTAL APPROPRIATION		\$367,955,000 \$364,001,000

The appropriations in this section are subject to the following conditions and limitations:

((2)) (1) \$20,810,000 of the highway safety account—state appropriation and \$3,000,000 of the license plate technology account—state appropriation are provided solely for business and technology modernization. The department and the state chief information officer or his or her designee must provide a joint project status report to the transportation committees of the legislature on at least a calendar quarter basis. The report must include, but is not limited to: Detailed information about the planned and actual scope, schedule, and budget; status of key vendor and other project deliverables; and a description of significant changes to planned deliverables or system functions over the life of the project. Project staff will periodically brief the committees or the committees’ staff on system security and data protection measures.

((3)) (2) The department when modernizing its computer systems must place personal and company data elements in separate data fields to allow the department to select discrete data elements when providing information or data to persons or entities outside the department. This requirement must be included as part of the systems design in the department’s business and technology modernization. Pursuant to the restrictions in federal and state law, a person’s photo, social security number, or medical information must not be made available through public disclosure or data being provided under RCW 46.12.630 or 46.12.635.

((4)) (3) \$4,471,000 of the highway safety account—state appropriation is provided solely for costs necessary to accommodate increased demand for enhanced drivers’ licenses and enhanced identicards. The office of financial management shall place the entire amount provided in this subsection in unallotted status. The office of financial management may release portions of the funds when it determines that average wait times have increased by more than two minutes based on wait time and volume data provided by the department compared to average wait times and volume during the month of December 2016. The department and the office of financial management shall evaluate the use of these funds on a monthly basis and periodically report to the transportation committees of the legislature on average wait times and volume data for enhanced drivers’ licenses and enhanced identicards.

((5)) (4) The department shall continue to encourage the use of online vehicle registration renewal reminders and minimize the number of letters mailed by the department. To further this goal, the department shall develop a pilot program to replace first-class mail, letter-form renewal reminders with postcard renewal reminders. The goal of the pilot program is to realize substantial savings on printing and postage costs. The pilot program must include customers who performed their last renewal online and still receive a paper renewal notice. The appropriations in this section reflect savings in postage and printing costs of at least \$250,000 in the 2017-2019 fiscal biennium.

((6)) (5) \$550,000 of the highway safety account—state appropriation is provided solely for communication and outreach activities necessary to inform the public of federally acceptable identification options including, but not limited to, enhanced drivers’ licenses and enhanced identicards. The department shall develop and implement an outreach plan that includes informational material that can be effectively communicated to all communities and populations in Washington. At least thirty-five percent of this appropriation must be used by the department for outreach efforts to communities that would not otherwise be served by traditional media outlets.

((7)) (6) \$19,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter 334, Laws of 2017 (distracted driving).

((8)) (7) \$57,000 of the motor vehicle account—state appropriation is provided solely for the implementation of chapter 11, Laws of 2017 (aviation license plate).

((9)) (8) \$572,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter 197, Laws of 2017 (driver education uniformity).

((10)) (9) \$39,000 of the motor vehicle account—state appropriation is provided solely for the implementation of chapter 25, Laws of 2017 (Fred Hutch license plate).

((11)) (10) \$104,000 of the ignition interlock device revolving account—state appropriation is provided solely for the implementation of chapter 336, Laws of 2017 (impaired driving).

~~((42))~~ (11) \$500,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter 206, Laws of 2017 (foster youth/driving).

~~((43))~~ (12) \$61,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter 310, Laws of 2017 (REAL ID compliance).

~~((44))~~ (13)(a) Within existing funds, the department, in consultation with the department of ecology, shall convene a work group comprised of registered tow truck operators, hulk haulers, representatives from county solid waste facilities, and the recycling community to develop a sustainable plan for the collection and disposal of abandoned recreational vehicles.

(b) The work group shall report on the current problems relating to abandoned recreational vehicles and develop policy options for procedures relating to the transportation, recycling, and disposal of abandoned recreational vehicles, as well as other potentially related issues. As a result of its discussions, the work group shall also produce draft legislation. The final report and draft legislation are due to the standing transportation committees of the legislature on December 1, 2017.

~~((45))~~ (14) \$30,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter 122, Laws of 2017 (reduced-cost identicards).

~~((46))~~ (15) \$112,000 of the motor vehicle account—state appropriation is provided solely for the implementation of chapter 218, Laws of 2017 (registration enforcement).

~~((47))~~ (16) \$30,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter 43, Laws of 2017 (tow truck notices).

~~((48))~~ (17) \$230,000 of the highway safety account—state appropriation is provided solely for developing an application program interface service. This work must result in a mobile browser based application for use on tablet devices at licensing services offices.

(a) The application must be able to be used by licensing services offices staff for:

(i) Prescreening customers and directing them to the most efficient service line;

(ii) Performing any transaction within the department's online services;

(iii) Answering customer questions regarding license status and reinstatement; and

(iv) Providing a queue ticket to customers waiting for service inside and outside the office.

(b) Additionally, the application must be:

(i) Able to add a feature allowing customers to get in line via an online application and receive a mobile text message when their turn is approaching; and

(ii) Scalable to add other features to mobile devices to expedite customer service.

~~((20) \$27,796,000)~~ (18) \$23,596,000 of the highway safety account—state appropriation is provided solely for costs necessary to accommodate increased demand for enhanced drivers' licenses and enhanced identicards. The department shall report on a quarterly basis on the use of these funds, associated workload, and information with comparative information with recent comparable months in prior years. The report will include detailed statewide and by licensing service office information on staffing levels, average monthly wait times, the number of enhanced drivers' licenses and enhanced identicards issued/renewed, and the number of primary drivers' licenses and identicards issued/renewed. Within the amounts provided in this subsection, the department shall implement efficiency measures to reduce the time for licensing transactions and wait times, including, but not limited to, the installation of additional cameras

at licensing service offices that reduce bottlenecks and align with the keep your customer initiative.

~~((24))~~ (19) \$45,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter ~~((--- (Second Substitute House Bill No. 1513)))~~ 109, Laws of 2018 (enhancing youth voter registration). If chapter ~~((--- (Second Substitute House Bill No. 1513)))~~ 109, Laws of 2018 is not enacted by June 30, 2018, the amount provided in this subsection lapses.

~~((23))~~ (20) \$70,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter ~~((--- (Engrossed Second Substitute House Bill No. 2595)))~~ 110, Laws of 2018 (procedures in order to automatically register citizens to vote). If chapter ~~((--- (Engrossed Second Substitute House Bill No. 2595)))~~ 110, Laws of 2018 is not enacted by June 30, 2018, the amount provided in this subsection lapses.

~~((24))~~ (21) \$26,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter ~~((--- (Substitute House Bill No. 2612)))~~ 135, Laws of 2018 (tow truck operators). If chapter ~~((--- (Substitute House Bill No. 2612)))~~ 135, Laws of 2018 is not enacted by June 30, 2018, the amount provided in this subsection lapses.

~~((27))~~ (22) \$34,000 of the motor vehicle account—state appropriation is provided solely for the implementation of chapter ~~((--- (Substitute Senate Bill No. 5746)))~~ 67, Laws of 2018 (concerning the association of Washington generals). If chapter ~~((--- (Substitute Senate Bill No. 5746)))~~ 67, Laws of 2018 is not enacted by June 30, 2018, the amount provided in this subsection lapses.

~~((31))~~ (23) \$17,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter ~~((--- (Substitute Senate Bill No. 6155)))~~ 192, Laws of 2018 (bone marrow donation information). If chapter ~~((--- (Substitute Senate Bill No. 6155)))~~ 192, Laws of 2018 is not enacted by June 30, 2018, the amount provided in this subsection lapses.

~~((32))~~ (24) \$172,000 of the abandoned recreational vehicle disposal account—state appropriation is provided solely for the implementation of chapter ~~((--- (Substitute Senate Bill No. 6437)))~~ 287, Laws of 2018 (disposal of recreational vehicles abandoned on public property). If chapter ~~((--- (Substitute Senate Bill No. 6437)))~~ 287, Laws of 2018 is not enacted by June 30, 2018, the amount provided in this subsection lapses.

~~((33))~~ (25) \$13,000 of the motor vehicle account—state appropriation is provided solely for the implementation of chapter ~~((--- (Substitute Senate Bill No. 6438)))~~ 79, Laws of 2018 (clarifying the collection process for existing vehicle service transactions). If chapter ~~((--- (Substitute Senate Bill No. 6438)))~~ 79, Laws of 2018 is not enacted by June 30, 2018, the amount provided in this subsection lapses.

~~((34))~~ (26) The department shall within the department's appropriations, conduct a study to evaluate options and potential methods for allowing digital license plates. The report must include information on the durability and legibility of digital license plates in different weather conditions, costs, data security, tolling and vehicle fees, protection of personal and vehicle information, and other implementation issues. This will include an evaluation of how the digital license plates can contain tamper-resistant and antitheft features, but can continue to display the unique license plate number assigned to the vehicle at all times. The department of licensing must consult with the Washington state patrol, the department of transportation, and other appropriate entities in conducting the study. The department of licensing must present a report to the standing transportation committees of the legislature by January 1, 2019.

~~((35))~~ (27) \$200,000 of the highway safety account—state appropriation is provided solely for the department to implement

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employee training and other activities related to improving the protection of private information and increasing racial and cultural awareness by employees in administering licensing responsibilities.

Sec. 806. 2018 c 297 s 209 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—
TOLL OPERATIONS AND MAINTENANCE—
PROGRAM B**

High Occupancy Toll Lanes Operations Account—State	
Appropriation	(\$4,462,000)
	<u>\$4,391,000</u>
Motor Vehicle Account—State Appropriation	\$513,000
State Route Number 520 Corridor Account—State	
Appropriation	(\$57,123,000)
	<u>\$55,885,000</u>
State Route Number 520 Civil Penalties Account—State	
Appropriation	\$4,129,000
Tacoma Narrows Toll Bridge Account—State	
Appropriation	(\$33,618,000)
	<u>\$33,086,000</u>
Interstate 405 Express Toll Lanes Operations	
Account—State Appropriation	(\$21,757,000)
	<u>\$21,297,000</u>
Alaskan Way Viaduct Replacement Project Account—State	
Appropriation	(\$13,938,000)
	<u>\$6,656,000</u>
TOTAL APPROPRIATION	<u>\$135,540,000</u>
	<u>\$125,957,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,300,000 of the Tacoma Narrows toll bridge account—state appropriation and \$9,048,000 of the state route number 520 corridor account—state appropriation are provided solely for the purposes of addressing unforeseen operations and maintenance costs on the Tacoma Narrows bridge and the state route number 520 bridge, respectively. The office of financial management shall place the amounts provided in this subsection, which represent a portion of the required minimum fund balance under the policy of the state treasurer, in unallotted status. The office may release the funds only when it determines that all other funds designated for operations and maintenance purposes have been exhausted.

(2) \$3,100,000 of the Interstate 405 express toll lanes operations account—state appropriation, \$1,498,000 of the state route number 520 corridor account—state appropriation, and \$1,802,000 of the high occupancy toll lanes operations account—state appropriation are provided solely for the operation and maintenance of roadside toll collection systems.

(3) ~~(\$4,131,000)~~ \$4,129,000 of the state route number 520 civil penalties account—state appropriation, \$2,192,000 of the Tacoma Narrows toll bridge account—state appropriation, and \$1,191,000 of the Interstate 405 express toll lanes operations account—state appropriation are provided solely for expenditures related to the toll adjudication process.

(4) The department shall make detailed quarterly expenditure reports available to the Washington state transportation commission and to the public on the department’s web site using current resources. The reports must include a summary of toll revenue by facility on all operating toll facilities and high occupancy toll lane systems, and an itemized depiction of the use of that revenue.

(5) As long as the facility is tolled, the department must provide quarterly reports to the transportation committees of the

legislature on the Interstate 405 express toll lane project performance measures listed in RCW 47.56.880(4). These reports must include:

(a) Information on the travel times and travel time reliability (at a minimum, average and 90th percentile travel times) maintained during peak and nonpeak periods in the express toll lanes and general purpose lanes for both the entire corridor and commonly made trips in the corridor including, but not limited to, northbound from Bellevue to Rose Hill, state route number 520 at NE 148th to Interstate 405 at state route number 522, Bellevue to Bothell (both NE 8th to state route number 522 and NE 8th to state route number 527), and a trip internal to the corridor (such as NE 85th to NE 160th) and similar southbound trips;

(b) A month-to-month comparison of travel times and travel time reliability for the entire corridor and commonly made trips in the corridor as specified in (a) of this subsection since implementation of the express toll lanes and, to the extent available, a comparison to the travel times and travel time reliability prior to implementation of the express toll lanes;

(c) Total express toll lane and total general purpose lane traffic volumes, as well as per lane traffic volumes for each type of lane (i) compared to total express toll lane and total general purpose lane traffic volumes, as well as per lane traffic volumes for each type of lane, on this segment of Interstate 405 prior to implementation of the express toll lanes and (ii) compared to total express toll lane and total general purpose lane traffic volumes, as well as per lane traffic volumes for each type of lane, from month to month since implementation of the express toll lanes; and

(d) Underlying congestion measurements, that is, speeds, that are being used to generate the summary graphs provided, to be made available in a digital file format.

(6) ~~(\$666,000)~~ \$595,000 of the high occupancy toll lanes operations account—state appropriation, ~~(\$11,527,000)~~ \$10,289,000 of the state route number 520 corridor account—state appropriation, ~~(\$4,955,000)~~ \$4,423,000 of the Tacoma Narrows toll bridge account—state appropriation, ~~(\$4,286,000)~~ \$3,826,000 of the Interstate 405 express toll lanes operations account—state appropriation, and ~~(\$6,506,000)~~ \$5,807,000 of the Alaskan Way viaduct replacement project account—state appropriation are provided solely for the department to implement a new tolling customer service toll collection system, and are subject to the conditions, limitations, and review provided in section 701, chapter 313, Laws of 2017.

(a) The office of financial management shall place \$2,000,000 of the amounts provided in this subsection in unallotted status, to be distributed between the facilities using the account proportions in this subsection. If the vendors selected as the successful bidders for the new tolling customer service toll collection system or the operator of the new system are different than the vendor as of January 1, 2017, the office of financial management may release portions of this amount as transition costs.

(b) The funds provided in this subsection from the Alaskan Way viaduct replacement project account—state appropriation are provided through a transfer from the motor vehicle account—state in section 408(26), chapter 313, Laws of 2017. These funds are a loan to the Alaskan Way viaduct replacement project account—state, and the legislature assumes that these funds will be reimbursed to the motor vehicle account—state at a later date when the portion of state route number 99 that is the deep bore tunnel is operational.

(c) The department must provide a project status report to the office of financial management and the transportation committees of the legislature on at least a calendar quarterly basis. The report must include, but is not limited to:

(i) Detailed information about the planned and actual scope, schedule, and budget;

(ii) Status of key vendor and other project deliverables; and

(iii) A description of significant changes to planned deliverables or system functions over the life of the project.

(d) The department shall continue to work with the office of financial management, office of the chief information officer, and the transportation committees of the legislature on the project management plan that includes a provision for independent verification and validation of contract deliverables from the successful bidder and a provision for quality assurance that includes reporting independently to the office of the chief information officer on an ongoing basis during system implementation.

(7) The department shall make detailed quarterly reports to the governor and the transportation committees of the legislature on the following:

(a) The use of consultants in the tolling program, including the name of the contractor, the scope of work, the type of contract, timelines, deliverables, any new task orders, and any extensions to existing consultant contracts;

(b) The nonvendor costs of administering toll operations, including the costs of staffing the division, consultants and other personal service contracts required for technical oversight and management assistance, insurance, payments related to credit card processing, transponder purchases and inventory management, facility operations and maintenance, and other miscellaneous nonvendor costs; and

(c) The vendor-related costs of operating tolled facilities, including the costs of the customer service center, cash collections on the Tacoma Narrows bridge, electronic payment processing, and toll collection equipment maintenance, renewal, and replacement.

(d) The toll adjudication process, including a summary table for each toll facility that includes:

(i) The number of notices of civil penalty issued;

(ii) The number of recipients who pay before the notice becomes a penalty;

(iii) The number of recipients who request a hearing and the number who do not respond;

(iv) Workload costs related to hearings;

(v) The cost and effectiveness of debt collection activities; and

(vi) Revenues generated from notices of civil penalty.

(8) (~~(\$13,179,000)~~) \$13,180,000 of the Interstate 405 express toll lanes operations account—state appropriation is provided solely for operational costs related to the express toll lane facility. The office of financial management shall place \$6,808,000 of the amount provided in this subsection in unallotted status. The office of financial management may only release the funds to the department upon the passage of a 2018 supplemental transportation budget.

(9) In 2021, toll equipment on the Tacoma Narrows Bridge will have reached the end of its operational life. During the 2017-2019 fiscal biennium, the department plans to issue a request for proposals as the first stage of a competitive procurement process that will replace the toll equipment and select a new tolling operator for the Tacoma Narrows Bridge. The request for proposals and subsequent competitive procurement must incorporate elements that prioritize the overall goal of lowering costs per transaction for the facility, such as incentives for innovative approaches which result in lower transactional costs, requests for efficiencies on the part of the bidder that lower operational costs, and incorporation of technologies such as self-serve credit card machines or other point-of-payment technologies that lower costs or improve operational efficiencies.

(10) (~~(\$5,583,000 of the Alaskan Way viaduct replacement project account—state appropriation is provided solely for the new state route number 99 tunnel toll facility's expected proportional share of collecting toll revenues, operating customer services, and maintaining toll collection systems for the last seven months of the biennium. Due to the uncertainty of the new state route number 99 tunnel toll facility timeline, the legislature is holding the other tolled facilities' administrative cost shares constant for this biennium. The legislature expects to see appropriate reductions to the other toll facility accounts once tolling on the new state route number 99 tunnel toll facility commences and any previously incurred costs for start-up of the new facility are charged back to the Alaskan Way viaduct replacement project account. The office of financial management shall closely monitor the application of the cost allocation model and ensure that the new state route number 99 tunnel toll facility is adequately sharing costs and the other toll facility accounts are not being overspent or subsidizing the new state route number 99 tunnel toll facility.~~)

(~~(\$1,849,000)~~) \$849,000 of the Alaskan Way viaduct replacement project account—state appropriation is provided solely for the costs associated with the sale of transponders for the opening of the new state route number 99 tunnel toll facility in Seattle. (~~The office of financial management shall place \$510,000 of the amount provided in this subsection in unallotted status. The office of financial management may only release the funds to the department if it determines the transponder inventory will otherwise not be sufficient for facility ramp up.~~)

Sec. 807. 2018 c 297 s 210 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—
INFORMATION TECHNOLOGY—PROGRAM C**

Transportation Partnership Account—State	Appropriation	\$1,460,000
Motor Vehicle Account—State	Appropriation	(\$87,865,000)
		<u>\$87,880,000</u>
Puget Sound Ferry Operations Account—State	Appropriation	\$263,000
Multimodal Transportation Account—State	Appropriation	\$2,878,000
Transportation 2003 Account (Nickel Account)—State	Appropriation	\$1,460,000
TOTAL APPROPRIATION		<u>\$93,926,000</u>
		<u>\$93,941,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$9,588,000 of the motor vehicle account—state appropriation is provided solely for the development of the labor system replacement project and is subject to the conditions, limitations, and review provided in section 701, chapter 313, Laws of 2017. It is the intent of the legislature that if any portion of the labor system replacement project is leveraged in the future for the time, leave, and labor distribution of any other agencies, the motor vehicle account will be reimbursed proportionally for the development of the system since amounts expended from the motor vehicle account must be used exclusively for highway purposes in conformance with Article II, section 40 of the state Constitution. This must be accomplished through a loan arrangement with the current interest rate under the terms set by the office of the state treasurer at the time the system is deployed to additional agencies. If the motor vehicle account is not reimbursed for future use of the system, it is further the intent of

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the legislature that reductions will be made to central service agency charges accordingly.

(2) \$2,296,000 of the motor vehicle account—state appropriation is provided solely for the development of ferries network systems support.

(3) \$365,000 of the motor vehicle account—state appropriation is provided solely for the department to contract with a consultant to develop a plan, in consultation with the office of financial management, and cost estimate to modernize and migrate the department’s business applications from an agency-based data center to the state data center or a cloud-based environment.

Sec. 808. 2018 c 297 s 211 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—
FACILITY MAINTENANCE, OPERATIONS, AND
CONSTRUCTION—PROGRAM D—OPERATING**

Motor Vehicle Account—State	Appropriation
	(\$29,368,000)
	<u>\$29,325,000</u>
State Route Number 520 Corridor Account—State	
Appropriation	\$34,000
TOTAL APPROPRIATION	<u>\$29,402,000</u>
	<u>\$29,359,000</u>

Sec. 809. 2018 c 297 s 212 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—
AVIATION—PROGRAM F**

Aeronautics Account—State	Appropriation
	(\$7,326,000)
	<u>\$7,247,000</u>
Aeronautics Account—Federal	Appropriation
	(\$6,855,000)
	<u>\$7,722,000</u>
Aeronautics Account—Private/Local	Appropriation
	\$171,000
Public Use General Aviation Airport Loan Revolving	
Account—State	Appropriation
	\$35,000
TOTAL APPROPRIATION	<u>\$14,387,000</u>
	<u>\$15,175,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$3,122,000 of the aeronautics account—state appropriation is provided solely for the airport aid grant program, which provides competitive grants to public airports for pavement, safety, planning, and security.

(2) The entire public use general aviation airport loan revolving account—state appropriation is provided solely for the department to support and implement the public use general aviation airport loan program prior to the creation of the community aviation revitalization board.

~~((4))~~ (3) Within amounts appropriated in this section, the department shall convene an electric aircraft work group to analyze the state of the electrically powered aircraft industry and assess infrastructure needs related to the deployment of electric or hybrid-electric aircraft for commercial air travel in Washington state.

(a) The work group must include, but is not limited to, representation from the electric aircraft industry, the aircraft manufacturing industry, electric utility districts, the battery industry, the department of commerce, the department of transportation aviation division, the airline pilots association, a primary airport representing an airport association, and the airline industry.

(b) The work group must consider, at a minimum, and make recommendations on the feasibility of electric or hybrid-electric flight given: Federal certification requirements; current and

anticipated advancements to battery technology; infrastructure requirements and capacity impacts at primary airports; the need for and feasibility of industry incentives; the potential for public-private partnerships; impacts to revenues generated from aviation fuel sales; educational requirements for maintaining electric or hybrid-electric powered aircraft; homeland security checkpoint requirements; public acceptance of the technology; a cost comparison of fossil fuel and electric or hybrid-electric aircraft engines; emission reduction potential; and policy changes needed to facilitate electric or hybrid-electric powered aircraft use for commercial air travel in Washington state.

(c) The work group must report its findings and recommendations to the transportation committees of the legislature by June 30, 2019.

Sec. 810. 2018 c 297 s 213 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—
PROGRAM DELIVERY MANAGEMENT AND
SUPPORT—PROGRAM H**

Motor Vehicle Account—State	Appropriation
	(\$56,408,000)
	<u>\$56,407,000</u>
Motor Vehicle Account—Federal	Appropriation
	\$500,000
Multimodal Transportation Account—State	Appropriation
	\$256,000
TOTAL APPROPRIATION	<u>\$57,164,000</u>
	<u>\$57,163,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$300,000 of the motor vehicle account—state appropriation is provided solely for the completion of property value determinations for surplus properties to be sold. The value determinations must be completed by agency staff if available; otherwise, the agency may contract out for these services. The real estate services division of the department must recover the cost of its efforts from the sale of surplus property. Proceeds for surplus property sales must fund additional future sales, and the real estate services division shall prioritize staff resources to meet revenue assumptions for surplus property sales.

(2) The legislature recognizes that the trail known as the Rocky Reach Trail, and its extensions, serve to separate motor vehicle traffic from pedestrians and bicyclists, increasing motor vehicle safety on state route number 2 and the coincident section of state route number 97. Consistent with chapter 47.30 RCW and pursuant to RCW 47.12.080, the legislature declares that transferring portions of WSDOT Inventory Control (IC) No. 2-09-04686 containing the trail and associated buffer areas to the Washington state parks and recreation commission is consistent with the public interest. The legislature directs the department to transfer the property to the Washington state parks and recreation commission.

(a) The department must be paid fair market value for any portions of the transferred real property that is later abandoned, vacated, or ceases to be publicly maintained for trail purposes.

(b) Prior to completing the transfer in this subsection (2), the department must ensure that provisions are made to accommodate private and public utilities and any facilities that predate the department’s acquisition of the property, at no cost to those entities. Prior to completing the transfer, the department shall also ensure that provisions, by fair market assessment, are made to accommodate other private and public utilities and any facilities that have been legally allowed by permit or other instrument.

(c) The department may sell any adjoining property that is not necessary to support the Rocky Reach Trail and adjacent buffer

areas only after the transfer of trail-related property to the Washington state parks and recreation commission is complete. Adjoining property owners must be given the first opportunity to acquire such property that abuts their property, and applicable boundary line or other adjustments must be made to the legal descriptions for recording purposes.

(3) With respect to Parcel 12 of the real property conveyed by the state of Washington to the city of Mercer Island under that certain quitclaim deed, dated April 19, 2000, recorded in King county under recording no. 20000425001234, the requirement in the deed that the property be used for road/street purposes only will be deemed satisfied by the department of transportation so long as commuter parking, as part of the vertical development of the property, is one of the significant uses of the property.

Sec. 811. 2018 c 297 s 214 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—
PUBLIC-PRIVATE PARTNERSHIPS—PROGRAM K**

Motor Vehicle Account—State Appropriation	((\$639,000)) <u>\$636,000</u>
Electric Vehicle Charging Infrastructure Account—State Appropriation	\$1,000,000
Multimodal Transportation Account—State Appropriation	\$610,000
TOTAL APPROPRIATION	<u>\$2,249,000</u> <u>\$2,246,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$35,000 of the multimodal transportation account—state appropriation is provided solely for the public-private partnerships program to conduct an outreach effort to assess interest in a public-private partnership to rebuild the Anacortes ferry terminal. The public-private partnerships program shall issue a request for letters of interest, similar to the request issued in 2009, in a public-private partnership to rebuild the Anacortes ferry terminal by combining the ferry terminal functions and structure with one or more commercial ventures, including, but not limited to, ventures to provide lodging, conference and meeting facilities, food service, shopping, or other retail operations. The public-private partnerships program shall notify the transportation committees of the legislature upon release of the request for letters of interest and shall provide the transportation committees of the legislature with a summary of the information collected once the letters of interest have been received.

(2) \$1,000,000 of the electric vehicle charging infrastructure account—state appropriation is provided solely for the purpose of capitalizing the Washington electric vehicle infrastructure bank as provided in chapter 44, Laws of 2015 3rd sp. sess. (transportation revenue). The department may spend no more than one million dollars from the electric vehicle charging infrastructure account during the four-year period of the 2015-2017 and 2017-2019 fiscal biennia.

(3) The economic partnerships program must continue to explore retail partnerships at state-owned park and ride facilities, as authorized in RCW 47.04.295.

(4) \$500,000 of the multimodal transportation account—state appropriation is provided solely to study public-private partnership alternatives for the financing and construction of an entry building located at Colman Dock.

(a) As part of the study, the public-private partnerships program must work with the city of Seattle, Native American tribes, and local community groups to evaluate the efficacy of

contracting with a private entity to participate in the construction of the Colman Dock entry building. The study must:

(i) Identify and discuss options to construct the facility as currently scoped;

(ii) Identify and discuss options, including rescoping the current design of the facility for purposes of providing a project that has the potential to increase economic development activities along the Seattle waterfront area, such as through the inclusion of office space and restaurants;

(iii) Consider concepts and options found in the design development described in the 2013-2015 capital budget (chapter 19, Laws of 2013 2nd sp. sess.), including connections to Pier 48 as a future public park;

(iv) Consider rooftop public access for panoramic views of the Puget Sound and Olympic mountains; and

(v) Consider exhibits of the history and heritage of the vicinity.

(b) By November 15, 2017, the public-private partnerships program must provide a report to the governor and the transportation committees of the legislature on the program’s findings and recommendations.

(5) \$75,000 of the multimodal transportation account—state appropriation is provided solely for the department to contract with the Puget Sound Clean Air Agency to conduct a study that identifies and evaluates opportunities to facilitate low-income utilization of electric vehicles. The study must include, but is not limited to, development and evaluation of an electric vehicle car-sharing program for low-income housing sites that is designed to maximize the use of electric vehicles by residents of these sites, and that must consider any infrastructure needs that will need to be met to support the use of electric vehicles at these sites. The department must provide a report detailing the findings of this study to the transportation committees of the legislature by December 1, 2018.

Sec. 812. 2018 c 297 s 215 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—
HIGHWAY MAINTENANCE—PROGRAM M**

Motor Vehicle Account—State Appropriation	((\$451,660,000)) <u>\$469,820,000</u>
Motor Vehicle Account—Federal Appropriation	\$7,000,000
State Route Number 520 Corridor Account—State Appropriation	\$4,447,000
Tacoma Narrows Toll Bridge Account—State Appropriation	\$1,233,000
Alaskan Way Viaduct Replacement Project Account—State Appropriation	((\$2,982,000)) <u>\$1,865,000</u>
TOTAL APPROPRIATION	<u>\$467,322,000</u> <u>\$484,365,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) ((~~\$8,000,000~~)) \$8,242,000 of the motor vehicle account—state appropriation is provided solely for utility fees assessed by local governments as authorized under RCW 90.03.525 for the mitigation of stormwater runoff from state highways.

(2) \$4,447,000 of the state route number 520 corridor account—state appropriation is provided solely to maintain the state route number 520 floating bridge. These funds must be used in accordance with RCW 47.56.830(3).

(3) \$1,233,000 of the Tacoma Narrows toll bridge account—state appropriation is provided solely to maintain the new Tacoma Narrows bridge. These funds must be used in accordance with RCW 47.56.830(3).

(4) \$35,000 of the motor vehicle account—state appropriation is provided solely for the department to submit a request for proposals as part of a pilot project that explores the use of rotary auger ditch cleaning and reshaping service technology in maintaining roadside ditches for state highways. The pilot project must consist of at least one technology test on each side of the Cascade mountain range.

(5) \$631,000 of the motor vehicle account—state appropriation is provided solely for the department to implement safety improvements and debris clean up on department-owned rights-of-way in the city of Seattle. Direct or contracted activities must include collecting and disposing of garbage, clearing debris or hazardous material, and implementing safety improvements. Funds may also be used to contract with the city of Seattle to provide mutual services in rights-of-way similar to contract agreements in the 2015-2017 fiscal biennium. \$381,000 of the amount provided in this subsection is provided solely for one-time equipment procurement needed to implement this subsection.

(6) \$15,000,000 of the motor vehicle account—state appropriation is provided solely for extraordinary snow and ice removal expenses and related road repair expenses incurred during the winter of 2018-2019.

Sec. 813. 2018 c 297 s 216 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—TRAFFIC OPERATIONS—PROGRAM Q—OPERATING

Motor Vehicle Account—State	Appropriation
	(\$65,743,000)
	<u>\$65,711,000</u>
Motor Vehicle Account—Federal Appropriation	\$2,050,000
Motor Vehicle Account—Private/Local	Appropriation
	(\$250,000)
	<u>\$350,000</u>
TOTAL APPROPRIATION	<u>\$68,043,000</u>
	<u>\$68,111,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$6,000,000 of the motor vehicle account—state appropriation is provided solely for low-cost enhancements. The department shall give priority to low-cost enhancement projects that improve safety or provide congestion relief. By December 15th of each odd-numbered year, the department shall provide a report to the legislature listing all low-cost enhancement projects completed in the prior fiscal biennium.

(2) When regional transit authority construction activities are visible from a state highway, the department shall allow the regional transit authority to place safe and appropriate signage informing the public of the purpose of the construction activity.

(3) The department must make signage for low-height bridges a high priority.

(4) \$50,000 of the motor vehicle account—state appropriation is provided solely for the department to coordinate with the appropriate local jurisdictions for development and implementation of a historic route 10 signage program on Interstate 90 from the Columbia River to the Idaho state border.

(5)(a) During the 2017-2019 fiscal biennium, the department shall continue a pilot program that expands private transportation providers' access to high occupancy vehicle lanes. Under the pilot program, when the department reserves a portion of a highway based on the number of passengers in a vehicle, the following vehicles must be authorized to use the reserved portion of the highway if the vehicle has the capacity to carry eight or more passengers, regardless of the number of passengers in the vehicle:

(i) Auto transportation company vehicles regulated under chapter 81.68 RCW; (ii) passenger charter carrier vehicles regulated under chapter 81.70 RCW, except marked or unmarked stretch limousines and stretch sport utility vehicles as defined under department of licensing rules; (iii) private nonprofit transportation provider vehicles regulated under chapter 81.66 RCW; and (iv) private employer transportation service vehicles. For purposes of this subsection, "private employer transportation service" means regularly scheduled, fixed-route transportation service that is offered by an employer for the benefit of its employees. Nothing in this subsection is intended to authorize the conversion of public infrastructure to private, for-profit purposes or to otherwise create an entitlement or other claim by private users to public infrastructure.

(b) The department shall expand the high occupancy vehicle lane access pilot program to vehicles that deliver or collect blood, tissue, or blood components for a blood-collecting or distributing establishment regulated under chapter 70.335 RCW. Under the pilot program, when the department reserves a portion of a highway based on the number of passengers in a vehicle, blood-collecting or distributing establishment vehicles that are clearly and identifiably marked as such on all sides of the vehicle are considered emergency vehicles and must be authorized to use the reserved portion of the highway.

(c) The department shall expand the high occupancy vehicle lane access pilot program to private, for hire vehicles regulated under chapter 81.72 RCW that have been specially manufactured, designed, or modified for the transportation of a person who has a mobility disability and uses a wheelchair or other assistive device. Under the pilot program, when the department reserves a portion of a highway based on the number of passengers in a vehicle, wheelchair-accessible taxicabs that are clearly and identifiably marked as such on all sides of the vehicle are considered public transportation vehicles and must be authorized to use the reserved portion of the highway.

(d) Nothing in this subsection (5) is intended to exempt these vehicles from paying tolls when they do not meet the occupancy requirements established by the department for high occupancy toll lanes.

Sec. 814. 2018 c 297 s 217 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—TRANSPORTATION MANAGEMENT AND SUPPORT—PROGRAM S

Motor Vehicle Account—State	Appropriation
	(\$34,198,000)
	<u>\$34,207,000</u>
Motor Vehicle Account—Federal Appropriation	\$1,656,000
Multimodal Transportation Account—State	Appropriation
	\$1,129,000
TOTAL APPROPRIATION	<u>\$36,983,000</u>
	<u>\$36,992,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,500,000 of the motor vehicle account—state appropriation is provided solely for a grant program that makes awards for the following: (a) Support for nonprofit agencies, churches, and other entities to help provide outreach to populations underrepresented in the current apprenticeship programs; (b) preapprenticeship training; and (c) child care, transportation, and other supports that are needed to help women, veterans, and minorities enter and succeed in apprenticeship. The department must report on grants that have been awarded and the

amount of funds disbursed by December 1, 2017, and annually thereafter.

(2) \$300,000 of the motor vehicle account—state appropriation is provided solely for succession planning and leadership training. The department shall report on the implementation of these activities to the transportation committees of the legislature by December 31, 2018.

(3) From the revenues generated by the five dollar per studded tire fee under RCW 46.37.427, \$150,000 of the motor vehicle account—state appropriation is provided solely for the department, in consultation with the appropriate local jurisdictions and relevant stakeholder groups, to establish a pilot media-based public information campaign regarding the damage of studded tire use on state and local roadways in Spokane county. The reason for the geographic selection of Spokane county for the pilot is based on the high utilization of studded tires in this jurisdiction. The public information campaign must primarily focus on making the consumer aware of the road deterioration, financial impact for taxpayers, the safety implications for other drivers, and, secondarily, the alternatives to studded tires. The pilot must begin by September 1, 2018. By January 14, 2019, the department shall provide the transportation committees of the legislature an update on the pilot public information program. It is the intent of the legislature that the public information campaign will be a two-year pilot program with a report to the legislature upon completion of the pilot program.

Sec. 815. 2018 c 297 s 218 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—
TRANSPORTATION PLANNING, DATA, AND
RESEARCH—PROGRAM T**

Motor Vehicle Account—State	Appropriation
	(\$28,073,000)
	<u>\$27,604,000</u>
Motor Vehicle Account—Federal Appropriation	\$39,782,000
Motor Vehicle Account—Local Appropriation	\$100,000
Multimodal Transportation Account—State Appropriation	\$711,000
Multimodal Transportation Account—Federal Appropriation	\$2,809,000
Multimodal Transportation Account—Private/Local Appropriation	\$100,000
TOTAL APPROPRIATION	<u>\$71,575,000</u>
	<u>\$71,106,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) The department shall investigate opportunities for a transit-oriented development pilot project at the existing Kingsgate park and ride at Interstate 405 and 132nd. The department must coordinate with the city of Kirkland and other key stakeholders to determine the feasibility and cost of transit-oriented development at Kingsgate. A report on the process and outcomes is due to the transportation committees of the legislature no later than December 1, 2017.

(2) \$100,000 of the motor vehicle account—state appropriation and \$250,000 of the motor vehicle account—federal appropriation are provided solely for a study that details a cost estimate for replacing the westbound U.S. 2 trestle and recommends a series of financing options to address that cost and to satisfy debt service requirements.

In conducting the study, the department shall work in close collaboration with a stakeholder group that includes, but is not limited to, Snohomish county, the port of Everett, economic alliance Snohomish county, the cities of Everett, Lake Stevens,

Marysville, Snohomish, and Monroe, and affected transit agencies.

The department shall quantify both the cost of replacing the westbound trestle structure and making mobility and capacity improvements to maximize the use of the structure in the years leading up to full replacement. Financing options that should be examined and quantified include public-private partnerships, public-public partnerships, a transportation benefit district tailored to the specific incorporated and unincorporated area, loans and grants, and other alternative financing measures available at the state or federal level.

The department shall also evaluate ways in which the costs of alternative financing can be debt financed.

The department shall complete the study and submit a final report and recommendations to the transportation committees of the legislature, including recommendations on statutory changes needed to implement available financing options, by January 8, 2018.

(3) \$181,000 of the motor vehicle account—state appropriation is provided solely for the department, in coordination with the University of Washington department of mechanical engineering, to study measures to reduce noise impacts from bridge expansion joints. The study must examine testing methodologies and project timelines and costs. A final report must be submitted to the transportation committees of the legislature by October 15, 2018.

(4) \$200,000 of the motor vehicle account—state appropriation is provided solely for implementation of a practical solutions study for the state route number 162 and state route number 410 interchange, based on the recommendations of the SR-162 Study/Design project (L2000107). The study must include short, medium, and long-term phase recommendations and must be submitted to the transportation committees of the legislature by January 1, 2019.

(5) \$500,000 of the motor vehicle account—state appropriation is provided solely for implementation of a state route number 518 corridor study to be conducted in partnership with the Port of Seattle, Sound Transit and other regional entities. The department must study practical solutions to address high vehicle volumes and delays in the corridor including evaluation of solutions to the rapid growth of traffic in the corridor and how that growth impacts access to the Seattle-Tacoma international airport and the surrounding communities. ~~(The study must be submitted to the transportation committees of the legislature by June 30, 2019.)~~

(6) ~~(\$500,000)~~ \$370,000 of the motor vehicle account—state appropriation and \$50,000 of the motor vehicle account—local appropriation are provided solely for implementation of a corridor study to identify potential improvements between exit 116 and exit 99 of Interstate 5. The study should further develop mid- and long-term strategies from the corridor sketch, and identify potential US 101/I-5 interchange improvements, a strategic plan for the Nisqually River bridges, regional congestion relief options, and ecosystem benefits to the Nisqually River estuary for salmon productivity and flood control.

(7) Among the options studied as part of the SR 410 Corridor Study, the department shall examine the mobility and safety benefits of replacing or expanding the White River bridge between Enumclaw and Buckley to four lanes and removing the trestle.

(8) Within existing resources, the department shall meet with local stakeholders in south Pierce county and North Thurston county to discuss potential solutions to traffic congestion; emergency management concerns regarding routes away from natural disasters and around incidents similar to the train derailment that occurred on December 18, 2017; and what state transportation investments would benefit the economic

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development of the area. The department shall provide regular updates on its progress to the joint transportation committee.

Sec. 816. 2018 c 297 s 219 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—
CHARGES FROM OTHER AGENCIES—PROGRAM U**

Motor	Vehicle	Account—State	Appropriation
			(\$75,058,000)
			<u>\$81,004,000</u>
Multimodal Transportation Account—State			
Appropriation			\$1,982,000
TOTAL APPROPRIATION			<u>\$77,040,000</u>
			<u>\$82,986,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$2,500,000 of the motor vehicle account—state appropriation is provided solely for the difference between the state liability coverage amounts and actual lawsuit award for recently settled traffic accident claims.

(2) \$3,200,000 of the motor vehicle account—state appropriation is provided solely for increased legal and lawsuit claims for the Washington state ferry system.

Sec. 817. 2018 c 297 s 220 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—
PUBLIC TRANSPORTATION—PROGRAM V**

State	Vehicle	Parking	Account—State	Appropriation
				\$784,000
Regional Mobility Grant Program Account—State				
Appropriation				(\$101,786,000)
				<u>\$81,869,000</u>
Rural Mobility Grant Program Account—State				
Appropriation				\$32,223,000
Multimodal Transportation Account—State				
Appropriation				(\$98,381,000)
				<u>\$90,723,000</u>
Multimodal Transportation Account—Federal				
Appropriation				\$3,574,000
TOTAL APPROPRIATION				<u>\$236,748,000</u>
				<u>\$209,173,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$52,679,000 of the multimodal transportation account—state appropriation is provided solely for a grant program for special needs transportation provided by transit agencies and nonprofit providers of transportation. Of this amount:

(a) \$12,000,000 of the multimodal transportation account—state appropriation is provided solely for grants to nonprofit providers of special needs transportation. Grants for nonprofit providers must be based on need, including the availability of other providers of service in the area, efforts to coordinate trips among providers and riders, and the cost effectiveness of trips provided. Of the amount provided in this subsection (1)(a), \$25,000 of the multimodal transportation account—state appropriation is provided solely for the ecumenical christian helping hands organization for special needs transportation services.

(b) \$40,679,000 of the multimodal transportation account—state appropriation is provided solely for grants to transit agencies to transport persons with special transportation needs. To receive a grant, the transit agency must, to the greatest extent practicable, have a maintenance of effort for special needs transportation that is no less than the previous year’s maintenance of effort for

special needs transportation. Grants for transit agencies must be prorated based on the amount expended for demand response service and route deviated service in calendar year 2015 as reported in the "Summary of Public Transportation - 2015" published by the department of transportation. No transit agency may receive more than thirty percent of these distributions.

(2) \$32,223,000 of the rural mobility grant program account—state appropriation is provided solely for grants to aid small cities in rural areas as prescribed in RCW 47.66.100.

(3)(a) \$10,702,000 of the multimodal transportation account—state appropriation is provided solely for a vanpool grant program for: (i) Public transit agencies to add vanpools or replace vans; and (ii) incentives for employers to increase employee vanpool use. The grant program for public transit agencies will cover capital costs only; operating costs for public transit agencies are not eligible for funding under this grant program. Additional employees may not be hired from the funds provided in this section for the vanpool grant program, and supplanting of transit funds currently funding vanpools is not allowed. The department shall encourage grant applicants and recipients to leverage funds other than state funds.

(b) At least \$1,600,000 of the amount provided in this subsection must be used for vanpool grants in congested corridors.

(4) \$24,107,000 of the regional mobility grant program account—state appropriation is reappropriated and provided solely for the regional mobility grant projects identified in LEAP Transportation Document (~~(2018)~~) 2019-2 ALL PROJECTS as developed March (~~(5)~~) 26, ((2018)) 2019, Program - Public Transportation Program (V). Of the amounts provided in this subsection, \$757,000 of the regional mobility grant program account—state appropriation is reappropriated for the Kitsap Transit, SR 305 Interchange Improvements at Suquamish Way Park and Ride (Project 20130101).

(5)(a) (~~(\$77,679,000)~~) \$57,762,000 of the regional mobility grant program account—state appropriation is provided solely for the regional mobility grant projects identified in LEAP Transportation Document (~~(2018)~~) 2019-2 ALL PROJECTS as developed March (~~(5)~~) 26, ((2018)) 2019, Program - Public Transportation Program (V). The department shall review all projects receiving grant awards under this program at least semiannually to determine whether the projects are making satisfactory progress. Any project that has been awarded funds, but does not report activity on the project within one year of the grant award, must be reviewed by the department to determine whether the grant should be terminated. The department shall promptly close out grants when projects have been completed, and any remaining funds must be used only to fund projects identified in the LEAP transportation document referenced in this subsection. The department shall provide annual status reports on December 15, 2017, and December 15, 2018, to the office of financial management and the transportation committees of the legislature regarding the projects receiving the grants. It is the intent of the legislature to appropriate funds through the regional mobility grant program only for projects that will be completed on schedule. A grantee may not receive more than twenty-five percent of the amount appropriated in this subsection. The department shall not approve any increases or changes to the scope of a project for the purpose of a grantee expending remaining funds on an awarded grant.

(b) In order to be eligible to receive a grant under (a) of this subsection during the 2017-2019 fiscal biennium, a transit agency must establish a process for private transportation providers to apply for the use of park and ride facilities. For purposes of this subsection, (i) "private transportation provider" means: An auto

transportation company regulated under chapter 81.68 RCW; a passenger charter carrier regulated under chapter 81.70 RCW, except marked or unmarked stretch limousines and stretch sport utility vehicles as defined under department of licensing rules; a private nonprofit transportation provider regulated under chapter 81.66 RCW; or a private employer transportation service provider; and (ii) "private employer transportation service" means regularly scheduled, fixed-route transportation service that is offered by an employer for the benefit of its employees.

(6) Funds provided for the commute trip reduction (CTR) program may also be used for the growth and transportation efficiency center program.

(7) \$7,170,000 of the multimodal transportation account—state appropriation and \$784,000 of the state vehicle parking account—state appropriation are provided solely for CTR grants and activities. Of this amount:

(a) \$500,000 of the multimodal transportation account—state appropriation is provided solely for a voluntary pilot program to expand public-private partnership CTR incentives to make measurable reductions in off-peak, weekend, and nonwork trips. Ridesharing may be integrated into grant proposals. The department shall prioritize grant proposals that focus on the Interstate 90, Interstate 5, state route number 167, or Interstate 405 corridor. The department shall offer competitive trip-reduction grants. The department shall report to the transportation committees of the legislature by December 1, 2018, on the pilot program's impacts to the transportation system and potential improvements to the CTR grant program.

(b) \$1,000,000 of the multimodal transportation account—state appropriation is provided solely for the department to direct a pilot transit pass incentive program. Businesses and nonprofit organizations located in a county adjacent to Puget Sound with a population of more than seven hundred thousand that have never offered transit subsidies to employees are eligible to apply to the program for a fifty percent rebate on the cost of employee transit subsidies provided through the regional ORCA fare collection system. No single business or nonprofit organization may receive more than ten thousand dollars from the program.

(i) Businesses and nonprofit organizations may apply and be awarded funds prior to purchasing a transit subsidy, but the department may not provide reimbursement until proof of purchase or a contract has been provided to the department.

(ii) The department shall report to the transportation committees of the legislature on the impact of the program by June 30, 2019, and may adopt rules to administer the program; and

(c) \$30,000 of the state vehicle parking account—state appropriation is provided solely for the STAR pass program for state employees residing in Mason and Grays Harbor Counties. Use of the pass is for public transportation between Mason County and Thurston County, and Grays Harbor and Thurston County. The pass may also be used within Grays Harbor County.

(8) (~~(\$20,891,000)~~) \$13,233,000 of the multimodal transportation account—state appropriation is provided solely for connecting Washington transit projects identified in LEAP Transportation Document (~~(2018)~~) 2019-2 ALL PROJECTS as developed March (~~(5)~~) 26, (~~(2018)~~) 2019. It is the intent of the legislature that entities identified to receive funding in the LEAP document referenced in this subsection receive the amounts specified in the time frame specified in that LEAP document. If an entity has already completed a project in the LEAP document referenced in this subsection before the time frame identified, the entity may substitute another transit project or projects that cost a similar or lesser amount.

(9) \$2,000,000 of the multimodal transportation account—state appropriation is provided solely for transit coordination grants.

(10) \$250,000 of the multimodal transportation account—state appropriation is provided solely for King county for a pilot program to provide certain students in the Highline and Lake Washington school districts with an ORCA card during the summer. To be eligible for an ORCA card under this program, a student must also be in high school, be eligible for free and reduced-price lunches, and have a job or other responsibility during the summer. King county must provide a report to the department and the transportation committees of legislature by December 15, 2018, regarding: The annual student usage of the pilot program, available ridership data, the cost to expand the program to other King county school districts, the cost to expand the program to student populations other than high school or eligible for free and reduced-price lunches, opportunities for subsidized ORCA cards or local grant or matching funds, and any additional information that would help determine if the pilot program should be extended or expanded.

(11) The department shall not require more than a ten percent match from nonprofit transportation providers for state grants.

(12)(a) For projects funded as part of the 2015 connecting Washington transportation package listed on the LEAP transportation document identified in subsection (4) of this section, if the department expects to have substantial reappropriations for the 2019-2021 fiscal biennium, the department may, on a pilot basis, apply funding from a project with an appropriation that cannot be used for the current fiscal biennium to advance one or more of the following projects:

(i) King County Metro - RapidRide Expansion, Burien-Delridge (G2000031);

(ii) King County Metro - Route 40 Northgate to Downtown (G2000032);

(iii) Spokane Transit - Spokane Central City Line (G2000034);

(iv) Kitsap Transit - East Bremerton Transfer Center (G2000039); or

(v) City of Seattle - Northgate Transit Center Pedestrian Bridge (G2000041).

(b) At least ten business days before advancing a project pursuant to this subsection, the department must notify the office of financial management and the transportation committees of the legislature. The advancement of a project may not hinder the delivery of the projects for which the reappropriations are necessary for the 2019-2021 fiscal biennium.

(13) \$300,000 of the multimodal transportation account—state appropriation is provided solely for Pierce Transit to procure and install digital transit information technology at various transit centers, in order to provide transit riders with real-time arrival and departure information.

(14) \$750,000 of the multimodal transportation account—state appropriation is provided solely for the Intercity Transit Dash shuttle program.

Sec. 818. 2018 c 297 s 221 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—MARINE—PROGRAM X

Puget Sound Ferry Operations Account—State	
Appropriation	(\$509,954,000)
	<u>\$516,503,000</u>
Puget Sound Ferry Operations Account—Federal	
Appropriation	\$8,743,000
Puget Sound Ferry Operations Account—Private/Local	
Appropriation	\$121,000
TOTAL APPROPRIATION	<u>\$518,818,000</u>
	<u>\$525,367,000</u>

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The appropriations in this section are subject to the following conditions and limitations:

(1) The office of financial management budget instructions require agencies to recast enacted budgets into activities. The Washington state ferries shall include a greater level of detail in its 2017-2019 supplemental and 2019-2021 omnibus transportation appropriations act requests, as determined jointly by the office of financial management, the Washington state ferries, and the transportation committees of the legislature. This level of detail must include the administrative functions in the operating as well as capital programs.

(2) For the 2017-2019 fiscal biennium, the department may enter into a distributor controlled fuel hedging program and other methods of hedging approved by the fuel hedging committee.

(3) ~~((\\$71,004,000))~~ \$73,587,000 of the Puget Sound ferry operations account—state appropriation is provided solely for auto ferry vessel operating fuel in the 2017-2019 fiscal biennium, which reflect cost savings from a reduced biodiesel fuel requirement and, therefore, is contingent upon the enactment of section 703 chapter 313, Laws of 2017. The amount provided in this subsection represents the fuel budget for the purposes of calculating any ferry fare fuel surcharge.

(4) \$30,000 of the Puget Sound ferry operations account—state appropriation is provided solely for the marine division assistant secretary’s designee to the board of pilotage commissioners, who serves as the board chair. As the agency chairing the board, the department shall direct the board chair, in his or her capacity as chair, to require that the report to the governor and chairs of the transportation committees required under RCW 88.16.035(1)(f) be filed by September 1, 2017, and annually thereafter, and that the report include the continuation of policies and procedures necessary to increase the diversity of pilots, trainees, and applicants, including a diversity action plan. The diversity action plan must articulate a comprehensive vision of the board’s diversity goals and the steps it will take to reach those goals.

(5) ~~((\\$500,000))~~ \$1,000,000 of the Puget Sound ferry operations account—state appropriation is provided solely for operating costs related to moving vessels for emergency capital repairs. Funds may only be spent after approval by the office of financial management.

(6) \$25,000 of the Puget Sound ferry operations account—state appropriation is provided solely for additional hours of traffic control assistance by a uniformed officer at the Fauntleroy ferry terminal.

(7) \$75,000 of the Puget Sound ferry operations account—state appropriation is provided solely for the department to contract with the University of Washington to conduct an analysis of loading procedures at the Fauntleroy ferry terminal. The department must share the results of the analysis with the governor’s office and the transportation committees of the legislature by December 31, 2018.

(8) \$3,612,000 of the Puget Sound ferry operations account—state appropriation is provided solely for additional overtime costs. Within the amount provided in this subsection, the department shall contract with the Washington state patrol for additional traffic control assistance at the Kingston ferry terminal during peak ferry travel times, with a particular focus on Sundays and holiday weekends. Traffic control methods should include, but not be limited to, holding traffic on the shoulder at Lindvog Road until space opens for cars at the tollbooths and dock, and management of traffic on Highway 104 in order to ensure Kingston residents and business owners have access to businesses, roads, and driveways.

Sec. 819. 2018 c 297 s 222 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—RAIL—PROGRAM Y—OPERATING

Multimodal Transportation Account—State	
Appropriation	((\$81,013,000))
	<u>\$66,015,000</u>
Multimodal Transportation Account—Private/Local	
Appropriation	\$496,000
TOTAL APPROPRIATION	\$81,509,000
	<u>\$66,511,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$300,000 of the multimodal transportation account—state appropriation is provided solely for a consultant study of ultra high-speed ground transportation. "Ultra high-speed" means two hundred fifty miles per hour or more. The study must identify the costs and benefits of ultra high-speed ground transportation along a north-south alignment in Washington state. The study must provide:

(a) An update to the high speed ground transportation study commissioned pursuant to chapter 231, Laws of 1991 and delivered to the governor and legislature on October 15, 1992;

(b) An analysis of an ultra high-speed ground transportation alignment between Vancouver, British Columbia and Portland, Oregon with stations in: Vancouver, British Columbia; Bellingham, Everett, Seattle, SeaTac, Tacoma, Olympia, and Vancouver, Washington; and Portland, Oregon, with an option to connect with an east-west alignment in Washington state and with a similar system in the state of California; and

(c) An analysis of the following key elements:

(i) Economic feasibility;

(ii) Forecasted demand;

(iii) Corridor identification;

(iv) Land use and economic development and environmental implications;

(v) Compatibility with other regional transportation plans, including interfaces and impacts on other travel modes such as air transportation;

(vi) Technological options for ultra high-speed ground transportation, both foreign and domestic;

(vii) Required specifications for speed, safety, access, and frequency;

(viii) Identification of existing highway or railroad rights-of-way that are suitable for ultra high-speed travel, including identification of additional rights-of-way that may be needed and the process for acquiring those rights-of-way;

(ix) Institutional arrangements for carrying out detailed system planning, construction, and operations; and

(x) An analysis of potential financing mechanisms for an ultra high-speed travel system.

The department shall provide a report of its study findings to the governor and transportation committees of the legislature by December 15, 2017.

(2)(a) \$450,000 of the multimodal transportation account—private/local appropriation and \$750,000 of the multimodal transportation account—state appropriation is provided solely for a consultant business case analysis of ultra high-speed ground transportation. The business case analysis must build on the results of the 2017 Washington state ultra high-speed ground transportation feasibility study.

(b) The business case analysis must include an advisory group with members as provided in this subsection. The president of the senate shall appoint one member from each of the two largest caucuses of the senate; the speaker of the house of representatives shall appoint one member from each of the two largest caucuses of the house of representatives; the governor or his or her

designee; the secretary of transportation or his or her designee; the director of the department of commerce or his or her designee; the rail director of the department of transportation or his or her designee; and representatives from communities and stakeholders from public and private sectors relevant to the analysis, including from the province of British Columbia and the state of Oregon.

(c) The department shall provide a report of its findings to the governor and transportation committees of the legislature by June 30, 2019.

Sec. 820. 2018 c 297 s 223 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—LOCAL PROGRAMS—PROGRAM Z—OPERATING

Motor Vehicle Account—State	Appropriation
	(\$11,347,000)
	<u>\$11,346,000</u>
Motor Vehicle Account—Federal	\$2,567,000
Multiuse Roadway Safety Account—State	Appropriation
	\$132,000
TOTAL APPROPRIATION	<u>\$14,046,000</u>
	<u>\$14,045,000</u>

The appropriations in this section are subject to the following conditions and limitations: \$1,100,000 of the motor vehicle account—state appropriation is provided solely for the department, from amounts set aside out of statewide fuel taxes distributed to counties according to RCW 46.68.120(3), to contract with the Washington state association of counties to: Provide statewide updates to transportation metrics and financial reporting; develop and implement an inventory of county culvert and short-span bridge infrastructure; and develop and implement enhanced road safety data in support of county road systemic safety programs. The Washington state association of counties must develop and implement data collection, management, and reporting in cooperation with state agencies involved with the collection and maintenance of related inventory systems.

TRANSPORTATION AGENCIES—CAPITAL

Sec. 901. 2018 c 297 s 301 (uncodified) is amended to read as follows:

FOR THE FREIGHT MOBILITY STRATEGIC INVESTMENT BOARD

Freight Mobility Investment Account—State	Appropriation
	(\$22,507,000)
	<u>\$17,321,000</u>
Highway Safety Account—State	\$2,000,000
Motor Vehicle Account—Federal	Appropriation
	(\$3,250,000)
	<u>\$1,000,000</u>
Freight Mobility Multimodal Account—State	Appropriation
	(\$22,283,000)
	<u>\$11,680,000</u>
(Freight Mobility Multimodal Account—Private/Local	Appropriation—
	\$1,320,000)
TOTAL APPROPRIATION	<u>\$32,001,000</u>

Sec. 902. 2018 c 297 s 303 (uncodified) is amended to read as follows:

FOR THE COUNTY ROAD ADMINISTRATION BOARD

Rural Arterial Trust Account—State	Appropriation
	(\$63,186,000)
	<u>\$45,186,000</u>
Motor Vehicle Account—State	\$706,000
County Arterial Preservation Account—State	

Appropriation	\$38,434,000
TOTAL APPROPRIATION	<u>\$102,326,000</u>
	<u>\$84,326,000</u>

Sec. 903. 2018 c 297 s 304 (uncodified) is amended to read as follows:

FOR THE TRANSPORTATION IMPROVEMENT BOARD

Small City Pavement and Sidewalk Account—State	Appropriation
	(\$5,780,000)
	<u>\$3,880,000</u>
Transportation Improvement Account—State	Appropriation
	(\$279,300,000)
	<u>\$268,100,000</u>
Multimodal Transportation Account—State	Appropriation
	\$14,670,000
TOTAL APPROPRIATION	<u>\$299,750,000</u>
	<u>\$286,650,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) The entire multimodal transportation account—state appropriation is provided solely for the complete streets program.

(2) \$9,687,000 of the transportation improvement account—state appropriation is provided solely for:

(a) The arterial preservation program to help low tax-based, medium-sized cities preserve arterial pavements;

(b) The small city pavement program to help cities meet urgent preservation needs; and

(c) The small city low-energy street light retrofit program.

Sec. 904. 2018 c 297 s 305 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—FACILITIES—PROGRAM D—(DEPARTMENT OF TRANSPORTATION-ONLY PROJECTS)—CAPITAL

Motor Vehicle Account—State	Appropriation
	(\$10,070,000)
	<u>\$8,434,000</u>
Connecting Washington Account—State	Appropriation
	(\$26,537,000)
	<u>\$24,466,000</u>
Transportation Partnership Account—State	Appropriation
	\$17,000
TOTAL APPROPRIATION	<u>\$36,624,000</u>
	<u>\$32,917,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) ~~(\$17,237,000)~~ \$15,166,000 of the connecting Washington account—state appropriation is provided solely for a new Olympic region maintenance and administration facility to be located on the department-owned site at the intersection of Marvin Road and 32nd Avenue in Lacey, Washington.

(2) \$9,300,000 of the connecting Washington account—state appropriation is provided solely for a new administration facility on Euclid Avenue in Wenatchee, Washington.

(3)(a) ~~(\$3,400,000)~~ \$1,764,000 of the motor vehicle account—state appropriation is provided solely for the department facility located at 15700 Dayton Ave N in Shoreline. This appropriation is contingent upon the department of ecology ~~(and department of licensing)~~ signing a not less than twenty-year agreement to pay ~~((proportional))~~ a share(s) of ~~((an annual amount equal to))~~ any financing contract issued pursuant to chapter 39.94 RCW.

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(b) Payments from the ~~((department of licensing and))~~ department of ecology as described in this subsection shall be deposited into the motor vehicle account.

(c) Total project costs are not to exceed \$46,500,000.

Sec. 905. 2018 c 297 s 306 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—IMPROVEMENTS—PROGRAM I

Transportation Partnership Account—State			
Appropriation			
			((\$689,745,000))
			<u>\$617,572,000</u>
Motor	Vehicle	Account—State	Appropriation
			((\$72,967,000))
			<u>\$65,459,000</u>
Motor	Vehicle	Account—Federal	Appropriation
			((\$253,410,000))
			<u>\$246,018,000</u>
Motor	Vehicle	Account—Private/Local	Appropriation
			((\$49,330,000))
			<u>\$48,821,000</u>
Connecting Washington Account—State			
Appropriation			
			((\$1,215,013,000))
			<u>\$1,067,841,000</u>
Special	Category	C	Account—State
			Appropriation
			((\$11,000,000))
			<u>\$11,100,000</u>
Multimodal Transportation Account—State			
Appropriation			
			((\$16,299,000))
			<u>\$13,562,000</u>
Alaskan Way Viaduct Replacement Project Account—State			
Appropriation			
			((\$122,047,000))
			<u>\$122,051,000</u>
Transportation 2003 Account (Nickel Account)—State			
Appropriation			
			((\$52,457,000))
			<u>\$39,625,000</u>
Interstate 405 Express Toll Lanes Operations Account—State			
Appropriation			
			((\$6,258,000))
			<u>\$6,222,000</u>
TOTAL APPROPRIATION			<u>\$2,488,526,000</u>
			<u>\$2,238,271,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as provided otherwise in this section, the entire connecting Washington account—state appropriation and the entire transportation partnership account—state appropriation are provided solely for the projects and activities as listed by fund, project, and amount in LEAP Transportation Document ~~((2018))~~ 2019-1 as developed March ~~((5))~~ 26, ~~((2018))~~ 2019, Program - Highway Improvements Program (I). However, limited transfers of specific line-item project appropriations may occur between projects for those amounts listed subject to the conditions and limitations in section ~~((601 of this act))~~ 601 of this act, chapter . . . Laws of 2019 (this act).

(2) Except as otherwise provided in this section, the entire transportation 2003 account (nickel account)—state appropriation is provided solely for the projects and activities as listed in LEAP Transportation Document ~~((2018))~~ 2019-1 as developed March ~~((5))~~ 26, ~~((2018))~~ 2019, Program - Highway Improvements Program (I).

(3) Except as provided otherwise in this section, the entire motor vehicle account—state appropriation and motor vehicle account—federal appropriation are provided solely for the projects and activities listed in LEAP Transportation Document ~~((2018))~~ 2019-2 ALL PROJECTS as developed March ~~((5))~~ 26,

~~((2018))~~ 2019, Program - Highway Improvements Program (I). Any federal funds gained through efficiencies, adjustments to the federal funds forecast, additional congressional action not related to a specific project or purpose, or the federal funds redistribution process must then be applied to highway and bridge preservation activities.

(4) Within the motor vehicle account—state appropriation and motor vehicle account—federal appropriation, the department may transfer funds between programs I and P, except for funds that are otherwise restricted in this act. The department shall submit a report on fiscal year funds transferred in the prior fiscal year using this subsection as part of the department’s annual budget submittal.

(5) The connecting Washington account—state appropriation includes up to \$323,175,000 in proceeds from the sale of bonds authorized in RCW 47.10.889.

(6) The transportation 2003 account (nickel account)—state appropriation includes up to \$25,000,000 in proceeds from the sale of bonds authorized in RCW 47.10.861.

(7) The transportation partnership account—state appropriation includes up to \$367,622,000 in proceeds from the sale of bonds authorized in RCW 47.10.873.

(8) The Alaskan Way viaduct replacement project account—state appropriation includes up to ~~((~~\$122,047,000~~))~~ \$122,051,000 in proceeds from the sale of bonds authorized in RCW 47.10.873.

(9) The motor vehicle account—state appropriation includes up to \$43,448,000 in proceeds from the sale of bonds authorized in RCW 47.10.843.

(10) ~~((~~\$194,258,000~~))~~ \$194,263,000 of the transportation partnership account—state appropriation, \$7,000 of the motor vehicle account—federal appropriation, ~~((~~\$27,903,000~~))~~ \$27,904,000 of the motor vehicle account—private/local appropriation, ~~((~~\$30,097,000~~))~~ \$30,098,000 of the transportation 2003 account (nickel account)—state appropriation, ~~((~~\$122,047,000~~))~~ \$122,051,000 of the Alaskan Way viaduct replacement project account—state appropriation, and ~~((~~\$2,663,000~~))~~ \$827,000 of the multimodal transportation account—state appropriation are provided solely for the SR 99/Alaskan Way Viaduct Replacement project (809936Z).

(11) \$12,500,000 of the multimodal transportation account—state appropriation is provided solely for transit mitigation for the SR 99/Viaduct Project - Construction Mitigation project (809940B).

(12) Within existing resources, during the regular sessions of the legislature, the department of transportation shall participate in work sessions, before the transportation committees of the house of representatives and senate, on the Alaskan Way viaduct replacement project. These work sessions must include a report on current progress of the project, timelines for completion, outstanding claims, the financial status of the project, and any other information necessary for the legislature to maintain appropriate oversight of the project. The parties invited to present may include the department of transportation, the Seattle tunnel partners, and other appropriate stakeholders.

(13) \$7,769,000 of the transportation partnership account—state appropriation, \$6,744,000 of the transportation 2003 account (nickel account)—state appropriation, \$215,000 of the motor vehicle account—federal appropriation, and \$5,000,000 of the special category C account—state appropriation are provided solely for the US 395/North Spokane Corridor project (600010A). Any future savings on the project must stay on the US 395/Interstate 90 corridor and be made available to the current phase of the North Spokane corridor project or any future phase of the project in 2017-2019.

(14) (~~(\$27,415,000)~~) \$4,220,000 of the transportation partnership account—state appropriation, \$16,000 of the motor vehicle account—local appropriation, and (~~(\$13,158,000)~~) \$353,000 of the transportation 2003 account (nickel account)—state appropriation are provided solely for the I-405/Kirkland Vicinity Stage 2 - Widening project (8B11002). This project must be completed as soon as practicable as a design-build project. Any future savings on this project or other Interstate 405 corridor projects must stay on the Interstate 405 corridor and be made available to either the I-405/SR 167 Interchange - Direct Connector project (140504C), the I-405 Renton to Bellevue project (M00900R), or the I-405/SR 522 to I-5 Capacity Improvements project (L2000234) in the 2017-2019 fiscal biennium.

(15) \$4,960,000 of the transportation partnership account—state appropriation and \$3,000,000 of the Interstate 405 express toll lanes operations account—state appropriation are provided solely for the I-405/SR 522 to I-5 Capacity Improvements project (L2000234) for activities related to adding capacity on Interstate 405 between state route number 522 and Interstate 5, with the goals of increasing vehicle throughput and aligning project completion with the implementation of bus rapid transit in the vicinity of the project. The transportation partnership account—state appropriation funding is a transfer or a reappropriation of a transfer from the I-405/Kirkland Vicinity Stage 2 - Widening project due to savings, and will start an additional phase of this I-405 project.

(16)(a) The SR 520 Bridge Replacement and HOV project (8B11003) is supported over time from multiple sources, including a \$300,000,000 TIFIA loan, \$924,615,000 in Garvee bonds, toll revenues, state bonds, interest earnings, and other miscellaneous sources.

(b) (~~(\$78,958,000)~~) \$49,353,000 of the transportation partnership account—state appropriation, \$12,296,000 of the motor vehicle account—federal appropriation, and (~~(\$232,000)~~) \$50,000 of the motor vehicle account—local appropriation are provided solely for the SR 520 Bridge Replacement and HOV project (8B11003).

(c) When developing the financial plan for the project, the department shall assume that all maintenance and operation costs for the new facility are to be covered by tolls collected on the toll facility and not by the motor vehicle account.

(17) The department shall itemize all future requests for the construction of buildings on a project list and submit them through the transportation executive information system as part of the department's annual budget submittal. It is the intent of the legislature that new facility construction must be transparent and not appropriated within larger highway construction projects.

(18) Any advisory group that the department convenes during the 2017-2019 fiscal biennium must consider the interests of the entire state of Washington.

(19) It is the intent of the legislature that for the I-5 JBLM Corridor Improvements project (M00100R), the department shall actively pursue \$50,000,000 in federal funds to pay for this project to supplant state funds in the future. \$50,000,000 in connecting Washington account funding must be held in unallotted status during the 2021-2023 fiscal biennium. These funds may only be used after the department has provided notice to the office of financial management that it has exhausted all efforts to secure federal funds from the federal highway administration and the department of defense.

(20) (~~(\$93,651,000)~~) \$133,651,000 of the connecting Washington account—state appropriation is provided solely for the SR 167/SR 509 Puget Sound Gateway project (M00600R).

(a) Any savings on the project must stay on the Puget Sound Gateway corridor until the project is complete.

(b) Proceeds from the sale of any surplus real property acquired for the purpose of building the SR 167/SR 509 Puget Sound Gateway (M00600R) project must be deposited into the motor vehicle account for the purpose of constructing the project.

(21)(a) In making budget allocations to the Puget Sound Gateway project, the department shall implement the project's construction as a single corridor investment. The department shall develop a coordinated corridor construction and implementation plan for state route number 167 and state route number 509 in collaboration with affected stakeholders. Specific funding allocations must be based on where and when specific project segments are ready for construction to move forward and investments can be best optimized for timely project completion. Emphasis must be placed on avoiding gaps in fund expenditures for either project.

(b) The secretary of transportation must develop a memorandum of understanding with local project stakeholders that identifies a schedule for stakeholders to provide local matching funds for the Puget Sound Gateway project. Criteria for eligibility of local match includes matching funds and equivalent in-kind contributions including, but not limited to, land donations. The memorandum of understanding must be finalized by July 1, 2018. The department must submit a copy of the memorandum of understanding to the transportation committees of the legislature and report regularly on the status of the requirements outlined in this subsection (21)(b) and (c) of this subsection.

(c) During the course of developing the memorandum of understanding, the department must evaluate the project schedules to determine if there are any benefits to be gained by moving the project schedule forward. It is the legislature's intent that if the department identifies any savings after the funding gap on the base project is closed as part of the proposal to expedite the project, that these cost savings shall go toward construction of a full single-point urban interchange at the junction of state route number 161 (Meridian avenue) and state route number 167 and a full single-point urban interchange at the junction of state route number 509 and 188th Street. If the department receives additional funds from an outside source for this project after the funding gap on the base project is closed, the funds must be applied toward the completion of these two full single-point urban interchanges.

(d) For the SR 167/SR 509 Puget Sound Gateway project (M00600R) the department is strongly encouraged to work to relocate any significant businesses currently located within the planned path of the state route number 509/Interstate 5 undercrossing to a location within the Kent city limits. The department shall provide regular updates on its progress to the joint transportation committee and affected stakeholders.

(e) In designing the state route number 509/state route number 516 interchange component of the SR 167/SR 509 Puget Sound Gateway project (M00600R), the department shall make every effort to utilize the preferred "4B" design.

(22) It is the intent of the legislature that, for the I-5/North Lewis County Interchange project (L2000204), the department develop and design the project with the objective of significantly improving access to the industrially zoned properties in north Lewis county. The design must consider the county's process of investigating alternatives to improve such access from Interstate 5 that began in March 2015.

(23)(a) (~~(\$2,000,000)~~) \$1,050,000 of the transportation partnership account—state appropriation and \$942,000 of the motor vehicle account—state appropriation are provided solely for the U.S. 2 Trestle IJR project (L1000158).

(b) Of the amounts provided in this subsection, \$942,000 of the motor vehicle account—state appropriation is provided solely for the department to complete an interchange justification report

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(IJR) for the U.S. 2 trestle, covering the state route number 204 and 20th Street interchanges at the end of the westbound structure.

((~~(c)~~)) (c) The department shall develop the IJR in close collaboration with affected local jurisdictions, including Snohomish county and the cities of Everett, Lake Stevens, Marysville, Snohomish, and Monroe.

((~~(d)~~)) (d) Within the amount provided for the IJR, the department must address public outreach and the overall operational approval of the IJR.

((~~(e)~~)) (e) The department shall complete the IJR and submit the final report to the governor and the transportation committees of the legislature by July 1, 2018.

(24)(a) The legislature recognizes that the city of Mercer Island has unique access issues that require the use of Interstate 90 to leave the island and that this access may be affected by the I-90/Two-Way Transit and HOV Improvements project. One of the most heavily traveled on-ramps from Mercer Island to the westbound Interstate 90 general purpose lanes is from Island Crest Way. The department must continue to consult with the city of Mercer Island and the other signatories to the 1976 memorandum of agreement to preserve access provided to Mercer Island by the Island Crest Way on-ramp, and thus grandfather in the current use of the on-ramp for both high occupancy vehicles as well as vehicles seeking to access the general purpose lanes of Interstate 90. The department must consider all reasonable access solutions, including allowing all vehicles to use the Island Crest Way on-ramp to access the new high occupancy vehicle lane with a reasonable and safe distance provided for single-occupancy vehicles to merge into the general purpose lanes.

(b) A final access solution for Mercer Island must consider the following criteria: Safety; operational effects on all users, including maintaining historic access to Interstate 90 provided from Mercer Island by Island Crest Way; enforcement requirements; and compliance with state and federal law.

(c) The department may not restrict by occupancy the westbound on-ramp from Island Crest Way until a final access solution that meets the criteria in (b) of this subsection has been reached.

(25) (~~(\$3,258,000)~~) \$3,222,000 of the Interstate 405 express toll lanes operations account—state appropriation is provided solely for the I-405 NB Hard Shoulder Running – SR 527 to I-5 project (L1000163).

(26) The legislature finds that there are sixteen companies involved in wood preserving in the state that employ four hundred workers and have an annual payroll of fifteen million dollars. Before the department’s switch to steel guardrails, ninety percent of the twenty-five hundred mile guardrail system was constructed of preserved wood and one hundred ten thousand wood guardrail posts were produced annually for state use. Moreover, the policy of using steel posts requires the state to use imported steel. Given these findings, where practicable, and until June 30, 2019, the department shall include the design option to use wood guardrail posts, in addition to steel posts, in new guardrail installations. The selection of posts must be consistent with the agency design manual policy that existed before December 2009.

(27) For the SR 526 Corridor Improvements project (N52600R), the department shall look holistically at the state route number 526 corridor from the state route number 526/Interstate 5 interchange at the east end to the southwest Everett industrial area and Boeing’s west access road on the west end. The department, working with affected jurisdictions and stakeholders, shall select project elements that best maximize mobility and congestion relief in the corridor and draw from project elements identified in a practical solutions process.

(28)(a) For projects funded as part of the 2015 connecting Washington transportation package listed on the LEAP transportation document identified in subsection (1) of this section, if the department expects to have substantial reappropriations for the 2019-2021 fiscal biennium, the department may, on a pilot basis, apply funding from a project with an appropriation that cannot be used for the current fiscal biennium to advance one or more of the following projects:

- (i) SR 20/Sharpes Corner Vicinity Intersection (L1000112);
- (ii) I-5/Marvin Road/SR 510 Interchange (L1100110);
- (iii) I-5/Northbound On-ramp at Bakerview (L2000119);
- (iv) US 395/Ridgeline Intersection (L2000127);
- (v) I-90/Eastside Restripe Shoulders (L2000201);
- (vi) SR 240/Richland Corridor Improvements (L2000202);
- (vii) SR 14/Bingen Overpass (L2220062);
- (viii) US Hwy 2 Safety (N00200R);
- (ix) SR 520/148th Ave NE Overlake Access Ramp (L1100101);
- (x) SR 28/SR 285 North Wenatchee Area Improvements (L2000061);
- (xi) I-5/Rebuild Chamber Way Interchange Improvements (L2000223);
- (xii) SR 28 East Wenatchee Corridor Improvements (T10300R);
- (xiii) SR 3 Freight Corridor (T30400R); or
- (xiv) SR 510/Yelm Loop Phase 2 (T32700R).

(b) At least ten business days before advancing a project pursuant to this subsection, the department must notify the office of financial management and the transportation committees of the legislature. The advancement of a project may not hinder the delivery of the projects for which the reappropriations are necessary for the 2019-2021 fiscal biennium.

(29) Within existing resources and in consultation with local communities, the department shall begin planning efforts, including traffic data collection, analysis and evaluation, scoping, and environmental review, for roundabouts at the intersection of state route number 900 and SE May Valley Road and at the intersection of state route number 169 and Cedar Grove Road SE.

(30) The legislature continues to prioritize the replacement of the state’s aging infrastructure and recognizes the importance of reusing and recycling construction aggregate and recycled concrete materials in our transportation system.

To accomplish Washington state’s sustainability goals in transportation and in accordance with RCW 70.95.805, the legislature reaffirms its direction to the department to lead the way in advancing the reuse and recycling of construction aggregate and recycled concrete materials whenever readily available, to use these recycled products when cost competitive, and to work with industry implementation partners to remove obstacles that unnecessarily preclude or inhibit their use and implement strategies for the reuse and recycling of construction aggregate and recycled concrete materials.

Specific steps and efforts made to achieve these objectives and accomplishments shall be included in the annual report to the legislature as required by RCW 70.95.807.

(31) Within existing resources, the department shall implement a safety solution after evaluating barrier and mitigation options on state route number 167 between the intersections with 50th Ave E and E 40th Street in Pierce county to prevent vehicles from leaving the roadway and entering private property below the grade of the highway.

(32) \$350,000 of the motor vehicle account—state appropriation is provided solely for implementation of chapter 288 (Substitute Senate Bill No. 5806), Laws of 2017 (I-5 Columbia river bridge), listed as Replacement Bridge on

Interstate 5 across the Columbia River project number (L2000259).

(33) For the SR 520 Seattle Corridor Improvements – West End project (M00400R), the legislature recognizes the department must acquire the entirety of parcel number 1-23190 for construction of the project. The department shall work with its design-build contractor to ensure to the maximum extent practicable that the building housing any grocery store or market currently located on parcel number 1-23190 will be preserved. The legislature recognizes the city of Seattle has requirements in the project area that the department must address and that those requirements may affect the use of parcel number 1-23190 and may affect the ability of the department to preserve any grocery store or market currently located on the property. The department shall meet and confer regularly with residents in the vicinity of the parcel regarding the status of the project and its effects on any grocery store or market currently located on the property. The legislature strongly encourages the city to utilize maximum flexibility in how the department meets the city's requirements and to be an equal partner in efforts to preserve any grocery store or market on parcel number 1-23190.

Sec. 906. 2018 c 297 s 307 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—
PRESERVATION—PROGRAM P**

Recreational Vehicle Account—State	Appropriation	\$3,584,000
High-Occupancy Toll Lanes Operations Account—State	Appropriation	(\$161,000)
		<u>\$1,000</u>
Transportation Partnership Account—State	Appropriation	\$12,785,000
<u>Highway Safety Account—State Appropriation</u>		<u>\$1,000</u>
Motor Vehicle Account—State	Appropriation	(\$63,246,000)
		<u>\$65,250,000</u>
Motor Vehicle Account—Federal	Appropriation	(\$579,624,000)
		<u>\$579,810,000</u>
Motor Vehicle Account—Private/Local	Appropriation	\$11,739,000
State Route Number 520 Corridor Account—State	Appropriation	\$1,747,000
Connecting Washington Account—State	Appropriation	(\$204,242,000)
		<u>\$193,867,000</u>
Tacoma Narrows Toll Bridge Account—State	Appropriation	(\$856,000)
		<u>\$918,000</u>
Transportation 2003 Account (Nickel Account)—State	Appropriation	\$57,849,000
TOTAL APPROPRIATION		<u>\$935,833,000</u>
		<u>\$927,551,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as provided otherwise in this section, the entire connecting Washington account—state appropriation and the entire transportation partnership account—state appropriation are provided solely for the projects and activities as listed by fund, project, and amount in LEAP Transportation Document ((2018)) 2019-1 as developed March ((5)) 26, ((2018)) 2019, Program - Highway Preservation Program (P). However, limited transfers of specific line-item project appropriations may occur between projects for those amounts listed subject to the conditions and

limitations in section ((601 of this act)) 601 of this act, chapter . . . , Laws of 2019 (this act).

(2) Except as otherwise provided in this section, the entire transportation 2003 account (nickel account)—state appropriation is provided solely for the projects and activities as listed in LEAP Transportation Document ((2018)) 2019-1 as developed March ((5)) 26, ((2018)) 2019, Program – Highway Preservation Program (P).

(3) Except as provided otherwise in this section, the entire motor vehicle account—state appropriation and motor vehicle account—federal appropriation are provided solely for the projects and activities listed in LEAP Transportation Document ((2018-2)) 2019-1 ALL PROJECTS as developed March ((5)) 26, ((2018)) 2019, Program - Highway Preservation Program (P). Any federal funds gained through efficiencies, adjustments to the federal funds forecast, additional congressional action not related to a specific project or purpose, or the federal funds redistribution process must then be applied to highway and bridge preservation activities.

(4) Within the motor vehicle account—state appropriation and motor vehicle account—federal appropriation, the department may transfer funds between programs I and P, except for funds that are otherwise restricted in this act. The department shall submit a report on fiscal year funds transferred in the prior fiscal year using this subsection as part of the department's annual budget submittal.

(5) The transportation 2003 account (nickel account)—state appropriation includes up to \$29,553,000 in proceeds from the sale of bonds authorized in RCW 47.10.861.

(6) The motor vehicle account—state appropriation includes up to \$29,985,000 in proceeds from the sale of bonds authorized in RCW 47.10.843.

(7) \$11,553,000 of the connecting Washington account—state appropriation is provided solely for the land mobile radio upgrade (G2000055) and is subject to the conditions, limitations, and review provided in section 701, chapter 313, Laws of 2017. The land mobile radio project is subject to technical oversight by the office of the chief information officer. The department, in collaboration with the office of the chief information officer, shall identify where existing or proposed mobile radio technology investments should be consolidated, identify when existing or proposed mobile radio technology investments can be reused or leveraged to meet multiagency needs, increase mobile radio interoperability between agencies, and identify how redundant investments can be reduced over time. The department shall also provide quarterly reports to the technology services board on project progress.

(8) (~~(\$3,000,000)~~) \$5,000,000 of the motor vehicle account—state appropriation is provided solely for extraordinary costs incurred from litigation awards, settlements, or dispute mitigation activities not eligible for funding from the self-insurance fund. The amount provided in this subsection must be held in unallotted status until the department submits a request to the office of financial management that includes documentation detailing litigation-related expenses. The office of financial management may release the funds only when it determines that all other funds designated for litigation awards, settlements, and dispute mitigation activities have been exhausted. No funds provided in this subsection may be expended on any legal fees related to the SR 99/Alaskan Way viaduct replacement project.

(9) \$20,755,000 of the motor vehicle account—federal appropriation and \$844,000 of the motor vehicle account—state appropriation are provided solely for the preservation of structurally deficient bridges or bridges that are at risk of becoming structurally deficient. These funds must be used widely around the state of Washington. When practicable, the department

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shall pursue design-build contracts for these bridge projects to expedite delivery. The department shall provide a report that identifies the progress of each project funded in this subsection as part of its annual agency budget request.

(10) The appropriation in this section includes funding for starting planning, engineering, and construction of the Elwha River bridge replacement. To the greatest extent practicable, the department shall maintain public access on the existing route.

(11)(a) \$9,014,000 of the motor vehicle account—federal appropriation and \$217,000 of the motor vehicle account—state appropriation are provided solely for weigh station preservation (OBP3006). These amounts must be held in unallotted status, except that the director of the office of financial management may approve allotment of the funds upon fulfillment of the conditions of (b) of this subsection.

(b) The department and the Washington state patrol shall jointly submit a prioritized list of weigh station projects to the office of financial management by October 1, 2017. Projects submitted must include estimated costs for preliminary engineering, rights-of-way, and construction and must also consider the timing of any available funding for weigh station projects.

(12) The department must consult with the Washington state patrol and the office of financial management during the design phase of any improvement or preservation project that could impact Washington state patrol weigh station operations. During the design phase of any such project, the department must estimate the cost of designing around the affected weigh station’s current operations, as well as the cost of moving the affected weigh station.

(13) During the course of any planned resurfacing or other preservation activity on state route number 26 between Colfax and Othello in the 2017-2019 fiscal biennium, the department must add dug-in reflectors.

(14) The department shall continue to monitor the test patch of pavement that used electric arc furnace slag as an aggregate and report back to the legislature by December 1, 2018, on its comparative wear resistance, skid resistance, and feasibility for use throughout the state in new pavement construction.

(15) For projects funded as part of the 2015 connecting Washington transportation package listed on the LEAP transportation document identified in subsection (1) of this section, if the department expects to have substantial reappropriations for the 2019-2021 fiscal biennium, the department may, on a pilot basis, apply funding from a project with an appropriation that cannot be used for the current fiscal biennium to advance the US 12/Wildcat Bridge Replacement project (L2000075). At least ten business days before advancing the project pursuant to this subsection, the department must notify the office of financial management and the transportation committees of the legislature. The advancement of the project may not hinder the delivery of the projects for which the reappropriations are necessary for the 2019-2021 fiscal biennium.

(16) Within the connecting Washington account—state appropriation, the department may transfer funds from Highway System Preservation (L1100071) to other preservation projects listed in the LEAP transportation document identified in subsection (1) of this section, if it is determined necessary for completion of these high priority preservation projects. The department’s next budget submittal after using this subsection must appropriately reflect the transfer.

Sec. 907. 2018 c 297 s 308 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—TRAFFIC OPERATIONS—PROGRAM Q—CAPITAL

Motor Vehicle Account—State Appropriation	(\$6,636,000)
	<u>\$5,753,000</u>
Motor Vehicle Account—Federal Appropriation	(\$5,566,000)
	<u>\$5,578,000</u>
Motor Vehicle Account—Private/Local Appropriation	(\$649,000)
	<u>\$650,000</u>
TOTAL APPROPRIATION	<u>\$12,981,000</u>

The appropriations in this section are subject to the following conditions and limitations: The department shall set aside a sufficient portion of the motor vehicle account—state appropriation for federally selected competitive grants or congressional earmark projects that require matching state funds. State funds set aside as matching funds for federal projects must be accounted for in project 000005Q and remain in unallotted status until needed for those federal projects.

Sec. 908. 2018 c 297 s 309 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—WASHINGTON STATE FERRIES CONSTRUCTION—PROGRAM W

Puget Sound Capital Construction Account—State Appropriation	(\$72,024,000)
	<u>\$66,477,000</u>
Puget Sound Capital Construction Account—Federal Appropriation	(\$205,032,000)
	<u>\$199,623,000</u>
Puget Sound Capital Construction Account—Private/Local Appropriation	(\$27,196,000)
	<u>\$27,197,000</u>
Transportation Partnership Account—State Appropriation	(\$2,923,000)
	<u>\$1,892,000</u>
Connecting Washington Account—State Appropriation	(\$136,918,000)
	<u>\$121,996,000</u>
Multimodal Transportation Account—State Appropriation	\$2,734,000
Transportation 2003 Account (Nickel Account)—State Appropriation	\$4,169,000
TOTAL APPROPRIATION	<u>\$450,996,000</u>
	<u>\$424,088,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as provided otherwise in this section, the entire appropriations in this section are provided solely for the projects and activities as listed in LEAP Transportation Document ~~((2018))~~ 2019-2 ALL PROJECTS as developed March ~~((5))~~ 26, ~~((2018))~~ 2019, Program - Washington State Ferries Capital Program (W) and is contingent upon the enactment of subsection (6) of this section.

(2) \$27,825,000 of the Puget Sound capital construction account—federal appropriation, ~~(\$44,485,000)~~ \$29,485,000 of the connecting Washington account—state appropriation, and \$1,483,000 of the Puget Sound capital construction account—state appropriation are provided solely for the Mukilteo ferry terminal (952515P). To the greatest extent practicable and within available resources, the department shall design the new terminal to be a net-zero energy building. To achieve this goal, the department shall evaluate using highly energy efficient equipment and systems, and the most appropriate renewable energy systems for the needs and location of the terminal. To the

extent practicable, the department shall avoid the closure of, or disruption to, any existing public access walkways in the vicinity of the terminal project during construction. Of the amounts provided in this subsection, \$750,000 of the Puget Sound capital construction account—state appropriation is provided solely for additional photovoltaic panels for this project.

(3) \$94,671,000 of the Puget Sound capital construction account—federal appropriation, \$46,919,000 of the connecting Washington account—state appropriation, \$26,949,000 of the Puget Sound capital construction account—private/local appropriation, \$2,734,000 of the multimodal transportation account—state appropriation, \$511,000 of the Puget Sound capital construction account—state appropriation, and \$679,000 of the transportation 2003 (nickel account)—state appropriation are provided solely for the Seattle Terminal Replacement project (900010L).

(4) (~~(\$5,000,000)~~) \$7,100,000 of the Puget Sound capital construction account—state appropriation is provided solely for emergency capital repair costs (999910K). Funds may only be spent after approval by the office of financial management.

(5) \$950,000 of the Puget Sound capital construction account—state appropriation is provided solely for life extension of the existing ticketing system and ORCA acceptance (998521A and 998521B). The ferry system shall work with Washington technology solutions and the tolling division on the development of a new, interoperable ticketing system.

(6)(a) The department shall, in consultation with the office of financial management, hire an independent planning consultant to assist with overall scope development of a new ferry system long-range plan, including incorporating the items listed in (b) of this subsection. The independent planning consultant must have experience in planning for other ferry systems.

(b) The department shall update the ferries division long-range plan by January 1, 2019. In reviewing the changing needs of the users of the ferry system and the associated funding opportunities and challenges, the department must include, but is not limited to, the following elements in the new long-range plan:

- (i) Identify changes in the demographics of users of the system;
- (ii) Review route timetables and propose adjustments that take into consideration ridership volume, vessel load times, proposed and current passenger-only ferry system ridership, and other operational needs;
- (iii) Review vessel needs by route and propose a vessel replacement schedule, vessel retirement schedule, and estimated number of vessels needed. This analysis should also articulate a reserve vessel strategy;
- (iv) Identify the characteristics most appropriate for replacement vessels, such as passenger and car-carrying capacity, while taking into consideration other cost-driving factors. These factors should include:
 - (A) Anticipated crewing requirements;
 - (B) Fuel type;
 - (C) Other operating and maintenance costs;
- (v) Review vessel dry dock needs, consider potential impacts of the United States navy, and propose strategies to meet these needs;
- (vi) Address the seismic vulnerability of the system and articulate emergency preparedness plans;
- (vii) Evaluate leased and state-owned property locations for the ferry headquarters, to include an analysis of properties outside the downtown area of Seattle;
- (viii) Evaluate strategies that may help spread peak ridership, such as time-of-day ticket pricing and expanding the reservation system; and
- (ix) Identify operational changes that may reduce costs, such as nighttime tie-up locations.

(c) The department shall submit a status report on the long-range plan update to the governor and the transportation committees of the legislature by June 30, 2018, and a final report by January 1, 2019.

(7) \$600,000 of the Puget Sound capital construction account—state appropriation is provided solely for development of a request for proposal to convert the three ferry vessels in the Jumbo Mark II class to hybrid electric propulsion and make associated necessary modifications to the Seattle, Bainbridge, Edmonds, and Kingston terminals. The department is directed to explore capital project financing options to include, but not be limited to, federal funding opportunities, private or local contributions, application for Volkswagen settlement funds, and energy-savings performance contracting to be repaid in whole or in part by fuel-cost savings. The department will report total capital cost estimates, optimal construction schedule, annual capital and operating savings or costs, and a recommended funding option to the governor and to the transportation committees of the legislature by June 30, 2019.

Sec. 909. 2018 c 297 s 310 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—
RAIL—PROGRAM Y—CAPITAL**

Essential Rail Assistance Account—State	Appropriation	(\$845,000)
		<u>\$710,000</u>
Transportation Infrastructure Account—State	Appropriation	(\$7,575,000)
		<u>\$5,388,000</u>
Multimodal Transportation Account—State	Appropriation	(\$79,357,000)
		<u>\$74,965,000</u>
Multimodal Transportation Account—Federal	Appropriation	(\$59,814,000)
		<u>\$43,175,000</u>
TOTAL APPROPRIATION		<u>\$147,591,000</u>
		<u>\$124,238,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as provided otherwise in this section, the entire appropriations in this section are provided solely for the projects and activities as listed by project and amount in LEAP Transportation Document (~~(2018)~~) 2019-2 ALL PROJECTS as developed March (~~(5)~~) 26, (~~(2018)~~) 2019, Program - Rail Program (Y).

(2) (~~(\$7,009,000)~~) \$5,000,000 of the transportation infrastructure account—state appropriation is provided solely for new low-interest loans approved by the department through the freight rail investment bank (FRIB) program. The department shall issue FRIB program loans with a repayment period of no more than ten years, and charge only so much interest as is necessary to recoup the department's costs to administer the loans. The department shall report annually to the transportation committees of the legislature and the office of financial management on all FRIB loans issued.

(3) \$7,017,000 of the multimodal transportation account—state appropriation and \$24,000 of the essential rail assistance account—state appropriation are provided solely for new statewide emergent freight rail assistance projects identified in the LEAP transportation document referenced in subsection (1) of this section.

(4) \$367,000 of the transportation infrastructure account—state appropriation and \$1,100,000 of the multimodal transportation account—state appropriation are provided solely to reimburse

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Highline Grain, LLC for approved work completed on Palouse River and Coulee City (PCC) railroad track in Spokane county between the BNSF Railway Interchange at Cheney and Geiger Junction and must be administered in a manner consistent with freight rail assistance program projects. The value of the public benefit of this project is expected to meet or exceed the cost of this project in: Shipper savings on transportation costs; jobs saved in rail-dependent industries; and/or reduced future costs to repair wear and tear on state and local highways due to fewer annual truck trips (reduced vehicle miles traveled). The amounts provided in this subsection are not a commitment for future legislatures, but it is the legislature’s intent that future legislatures will work to approve biennial appropriations until the full \$7,337,000 cost of this project is reimbursed.

(5)(a) \$686,000 of the essential rail assistance account—state appropriation, \$422,000 of the multimodal transportation account—state appropriation, and \$21,000 of the transportation infrastructure account—state appropriation are provided solely for the purpose of the rehabilitation and maintenance of the Palouse river and Coulee City railroad line (F01111B).

(b) Expenditures from the essential rail assistance account—state in this subsection may not exceed the combined total of:

(i) Revenues and transfers deposited into the essential rail assistance account from leases and sale of property relating to the Palouse river and Coulee City railroad; and

(ii) Revenues transferred from the miscellaneous program account to the essential rail assistance account, pursuant to RCW 47.76.360, for the purpose of sustaining the grain train program by maintaining the Palouse river and Coulee City railroad.

(6) The department shall issue a call for projects for the freight rail assistance program, and shall evaluate the applications in a manner consistent with past practices as specified in section 309, chapter 367, Laws of 2011. By November 15, 2018, the department shall submit a prioritized list of recommended projects to the office of financial management and the transportation committees of the legislature.

(7) For projects funded as part of the 2015 connecting Washington transportation package identified on the LEAP transportation document identified in subsection (1) of this section, if the department expects to have substantial reappropriations for the 2019-2021 fiscal biennium, the department may, on a pilot basis, apply funding from a project with an appropriation that cannot be used for the current fiscal biennium to advance the South Kelso Railroad Crossing project (L1000147). At least ten business days before advancing a project pursuant to this subsection, the department must notify the office of financial management and the transportation committees of the legislature. The advancement of a project may not hinder the delivery of the projects for which the reappropriations are necessary for the 2019-2021 fiscal biennium.

(8) It is the intent of the legislature to encourage the department to pursue federal grant opportunities leveraging up to \$6,696,000 in connecting Washington programmed funds to be used as a state match to improve the state-owned Palouse river and Coulee City system. The amount listed in this subsection is not a commitment for future legislatures, but is the legislature’s intent that future legislatures will work to approve biennial appropriations up to a state match share not to exceed \$6,696,000 of a grant award.

(9) \$5,606,000 of the multimodal transportation account—state appropriation is provided solely as expenditure authority for any insurance proceeds received by the state for Passenger Rail Equipment Replacement (project 700010C). The department must use this expenditure authority only to purchase passenger rail equipment that has been competitively procured.

Sec. 910. 2018 c 297 s 311 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—LOCAL PROGRAMS—PROGRAM Z—CAPITAL

Highway	Infrastructure	Account—State	Appropriation	
				(\$1,083,000)
				<u>\$583,000</u>
Highway	Infrastructure	Account—Federal	Appropriation	
				\$488,000
Transportation	Partnership	Account—State	Appropriation	
				(\$2,321,000)
				<u>\$1,571,000</u>
Highway	Safety	Account—State	Appropriation	
				(\$4,287,000)
				<u>\$3,487,000</u>
Motor	Vehicle	Account—State	Appropriation	
				(\$28,659,000)
				<u>\$17,239,000</u>
Motor	Vehicle	Account—Federal	Appropriation	
				(\$71,614,000)
				<u>\$64,414,000</u>
Motor	Vehicle	Account—Private/Local	Appropriation	
				(\$18,000,000)
				<u>\$7,500,000</u>
Connecting	Washington	Account—State	Appropriation	
				(\$137,387,000)
				<u>\$66,400,000</u>
Multimodal	Transportation	Account—State	Appropriation	
				(\$82,382,000)
				<u>\$59,999,000</u>
TOTAL APPROPRIATION				
				<u>\$346,221,000</u>
				<u>\$221,681,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as provided otherwise in this section, the entire appropriations in this section are provided solely for the projects and activities as listed by project and amount in LEAP Transportation Document ~~((2018))~~ 2019-2 ALL PROJECTS as developed March ~~((5))~~ 26, ~~((2018))~~ 2019, Program - Local Programs Program (Z).

(2) The amounts identified in the LEAP transportation document referenced under subsection (1) of this section for pedestrian safety/safe routes to school are as follows:

(a) \$18,380,000 of the multimodal transportation account—state appropriation is provided solely for newly selected pedestrian and bicycle safety program projects. ~~(\$14,219,000)~~ \$11,949,000 of the multimodal transportation account—state appropriation and ~~(\$1,846,000)~~ \$1,096,000 of the transportation partnership account—state appropriation are reappropriated for pedestrian and bicycle safety program projects selected in the previous biennia (L2000188).

(b) \$11,400,000 of the motor vehicle account—federal appropriation and \$7,750,000 of the multimodal transportation account—state appropriation are provided solely for newly selected safe routes to school projects. ~~(\$11,181,000)~~ \$10,281,000 of the motor vehicle account—federal appropriation, ~~(\$1,394,000)~~ \$894,000 of the multimodal transportation account—state appropriation, and ~~(\$4,287,000)~~ \$3,487,000 of the highway safety account—state appropriation are reappropriated for safe routes to school projects selected in the previous biennia (L2000189). The department may consider the special situations facing high-need areas, as defined by schools or project areas in which the percentage of the children eligible to receive free and reduced-price meals under the national school lunch program is equal to, or greater than, the state average as

determined by the department, when evaluating project proposals against established funding criteria while ensuring continued compliance with federal eligibility requirements.

(3) The department shall submit a report to the transportation committees of the legislature by December 1, 2017, and December 1, 2018, on the status of projects funded as part of the pedestrian safety/safe routes to school grant program. The report must include, but is not limited to, a list of projects selected and a brief description of each project's status.

(4) (~~(\$32,984,000)~~) \$23,701,000 of the multimodal transportation account—state appropriation is provided solely for bicycle and pedestrian projects listed in the LEAP transportation document referenced in subsection (1) of this section.

(5) \$43,800,000 of the motor vehicle account—federal appropriation is provided solely for national highway freight network projects identified on the project list submitted in accordance with section 218(4)(b), chapter 14, Laws of 2016 on October 31, 2016. The department shall validate the projects on the list. Only tier one projects on the prioritized freight project list that are validated by the department may receive funding under this subsection. The department shall continue to work with the Washington state freight advisory committee to improve project screening and validation to support project prioritization and selection, including during the freight mobility plan update in 2017. The department may compete for funding under this program and shall provide an updated prioritized freight project list when submitting its 2019-2021 budget request. To the greatest extent practicable, the department shall follow the Washington state freight advisory committee recommendation to allocate ten percent of the funds in this subsection to multimodal projects as permitted under the fixing America's surface transportation (FAST) act.

(6) It is the expectation of the legislature that the department will be administering a local railroad crossing safety grant program for \$7,400,000 in federal funds during the 2017-2019 fiscal biennium. Of the amounts identified in this subsection, a minimum of \$500,000 must be for railroad grade-crossing safety grants at locations where multiple pedestrian or bicyclist fatalities have occurred in the vicinity of a grade-crossing in the last five years.

(7) (~~(\$8,000,000)~~) \$4,840,000 of the connecting Washington account—state appropriation is provided solely for the Covington Connector (L2000104). The amounts described in the LEAP transportation document referenced in subsection (1) of this section are not a commitment by future legislatures, but it is the legislature's intent that future legislatures will work to approve appropriations in the 2019-2021 fiscal biennium to reimburse the city of Covington for approved work completed on the project up to the full \$24,000,000 cost of this project.

(8)(a) For projects funded as part of the 2015 connecting Washington transportation package listed on the LEAP transportation document identified in subsection (1) of this section, if the department expects to have substantial reappropriations for the 2019-2021 fiscal biennium, the department may, on a pilot basis, apply funding from a project with an appropriation that cannot be used for the current fiscal biennium to advance one or more of the following projects:

- (i) SR 502 Main Street Project/Widening (L2000065);
- (ii) Complete SR 522 Improvements-Kenmore (T10600R);
- (iii) Issaquah-Fall City Road (L1000094);
- (iv) Lewis Street Bridge (L2000066);
- (v) Covington Connector (L2000104);
- (vi) Orchard Street Connector (L2000120);
- (vii) Harbour Reach Extension (L2000136);
- (viii) Sammamish Bridge Corridor (L2000137);
- (ix) Brady Road (L2000164);

- (x) Thornton Road Overpass (L2000228);
- (xi) I-5/Port of Tacoma Road Interchange (L1000087);
- (xii) Wilburton Reconnection Project (G2000006);
- (xiii) SR 520 Trail Grade Separation at 40th Street (G2000013);
- (xiv) Bay Street Pedestrian Project (G2000015); or
- (xv) Cowiche Canyon Trail (G2000010).

(b) At least ten business days before advancing a project pursuant to this subsection, the department must notify the office of financial management and the transportation committees of the legislature. The advancement of a project may not hinder the delivery of the projects for which the reappropriations are necessary for the 2019-2021 fiscal biennium.

TRANSFERS AND DISTRIBUTIONS

Sec. 1001. 2018 c 297 s 401 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALES DISCOUNTS AND DEBT TO BE PAID BY MOTOR VEHICLE ACCOUNT AND TRANSPORTATION FUND REVENUE

Transportation Partnership Account—State Appropriation	((\$4,646,000)) <u>\$2,046,000</u>
Motor Vehicle Account—State Appropriation	((\$736,000)) <u>\$396,000</u>
Connecting Washington Account—State Appropriation	((\$3,199,000)) <u>\$1,699,000</u>
Highway Bond Retirement Account—State Appropriation	((\$1,229,874,000)) <u>\$1,279,604,000</u>
Ferry Bond Retirement Account—State Appropriation	((\$28,873,000)) <u>\$28,223,000</u>
Transportation Improvement Board Bond Retirement Account—State Appropriation	\$13,254,000
Nondebt-Limit Reimbursable Bond Retirement Account—State Appropriation	((\$26,391,000)) <u>\$25,991,000</u>
Toll Facility Bond Retirement Account—State Appropriation	\$86,493,000
Transportation 2003 Account (Nickel Account)—State Appropriation	((\$450,000)) <u>\$250,000</u>
TOTAL APPROPRIATION	<u>\$1,393,916,000</u> <u>\$1,437,956,000</u>

Sec. 1002. 2018 c 297 s 403 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—STATE REVENUES FOR DISTRIBUTION

Motor Vehicle Account—State Appropriation: For motor vehicle fuel tax distributions to cities and counties	((\$508,182,000)) <u>\$508,105,000</u>
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Sec. 1003. 2018 c 297 s 404 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—TRANSFERS

Motor Vehicle Account—State Appropriation: For motor vehicle fuel tax refunds and statutory transfers	((\$2,145,972,000))
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\$2,142,063.000

Sec. 1004. 2018 c 297 s 405 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF LICENSING—TRANSFERS

Motor Vehicle Account—State Appropriation:
For motor vehicle fuel tax refunds and transfers ~~(\$203,535,000)~~
\$221,282,000

Sec. 1005. 2018 c 297 s 406 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—ADMINISTRATIVE TRANSFERS

- ~~(1) (Highway Safety Account—State Appropriation: For transfer to the Motor Vehicle Account—State \$30,000,000)~~
- ~~(2) Transportation Partnership Account—State Appropriation: For transfer to the Connecting Washington Account—State \$10,946,000~~
- ~~(3) Motor Vehicle Account—State Appropriation: For transfer to the Connecting Washington Account—State \$56,464,000~~
- (4) Motor Vehicle Account—State Appropriation: For transfer to the Freight Mobility Investment Account—State \$8,511,000
- ~~((5)) (2) Motor Vehicle Account—State Appropriation: For transfer to the Puget Sound Capital Construction Account—State ((20,000,000)) \$15,000,000~~
- ~~((6)) (3) Motor Vehicle Account—State Appropriation: For transfer to the Rural Arterial Trust Account—State \$4,844,000~~
- ~~((7)) (4) Motor Vehicle Account—State Appropriation: For transfer to the Transportation Improvement Account—State \$9,688,000~~
- ~~((8)) (5) Highway Safety Account—State Appropriation: For transfer to the State Patrol Highway Account—State ((33,000,000)) \$3,000,000~~
- ~~((9) Puget Sound Ferry Operations Account—State Appropriation: For transfer to the Connecting Washington Account—State \$1,305,000~~
- ~~(40) (6) Rural Mobility Grant Program Account—State Appropriation: For transfer to the Multimodal Transportation Account—State \$3,000,000~~
- ~~((41)) (7) State Route Number 520 Civil Penalties Account—State Appropriation: For transfer to the State Route Number 520 Corridor Account—State \$2,000,000~~
- ~~((42)) (8) Capital Vessel Replacement Account—State Appropriation: For transfer to the Connecting Washington Account—State \$36,500,000~~
- ~~((43)) (9) Multimodal Transportation Account—State Appropriation: For transfer to the Freight Mobility Multimodal Account—State \$8,511,000~~
- ~~((44)) (10) Multimodal Transportation Account—State Appropriation: For transfer to the Puget Sound Capital Construction Account—State \$34,000,000~~
- ~~((45)) (11) Multimodal Transportation Account—State Appropriation: For transfer to the Puget Sound Ferry Operations Account—State ((20,000,000)) \$25,000,000~~
- ~~((46)) (12) Multimodal Transportation Account—State Appropriation: For transfer to the Regional Mobility Grant Program Account—State \$27,679,000~~
- ~~((47)) (13) Multimodal Transportation Account—State~~

- Appropriation: For transfer to the Rural Mobility Grant Program Account—State \$15,223,000
- ~~((48)) (14) Tacoma Narrows Toll Bridge Account—State Appropriation: For transfer to the Motor Vehicle Account—State \$950,000~~
- ~~((49)) (15) Transportation 2003 Account (Nickel Account)—State Appropriation: For transfer to the Connecting Washington Account—State \$22,970,000~~
- ~~((20)) (16)(a) Interstate 405 Express Toll Lanes Operations Account—State Appropriation: For transfer to the Motor Vehicle Account—State \$2,019,000~~
- (b) The transfer identified in this subsection is provided solely to repay in full the motor vehicle account—state appropriation loan from section 407(19), chapter 222, Laws of 2014.
- ~~((21)) (17)(a) Transportation Partnership Account—State Appropriation: For transfer to the Alaskan Way Viaduct Replacement Project Account—State ((122,047,000)) \$122,051,000~~
- (b) The amount transferred in this subsection represents that portion of the up to \$200,000,000 in proceeds from the sale of bonds authorized in RCW 47.10.873, intended to be sold through the 2021-2023 fiscal biennium, used only for construction of the SR 99/Alaskan Way Viaduct Replacement project (809936Z), and that must be repaid from the Alaskan Way viaduct replacement project account consistent with RCW 47.56.864.
- ~~((22)(a)) (18)(a) Motor Vehicle Account—State Appropriation: For transfer to the Tacoma Narrows Toll Bridge Account—State \$5,000,000~~
- (b) The transfer in this subsection must be made in April 2019, and is a loan to be repaid in a future biennium. ~~((It is the intent of the legislature that this transfer is temporary, for the purpose of minimizing the impact of toll increases, and an equivalent reimbursing transfer is to occur in November 2019.))~~
- ~~(23) (19) Motor Vehicle Account—State Appropriation: For transfer to the County Arterial Preservation Account—State \$4,844,000~~
- ~~((24)(a) General Fund Account—State Appropriation: For transfer to the State Patrol Highway Account—State \$625,000~~
- ~~(b) (20) The state treasurer shall transfer the funds only after receiving notification from the Washington state patrol under section 207(6) ((of this act)), chapter 297, Laws of 2018.~~
- ~~((25)) (21)(a) Motor Vehicle Account—State Appropriation: For transfer to the Alaskan Way Viaduct Replacement Project Account—State ((11,337,000)) \$10,018,000~~
- (b) The funds provided in (a) of this subsection are a loan to the Alaskan Way viaduct replacement project account—state, and the legislature assumes that these funds will be reimbursed to the motor vehicle account—state at a later date when the portion of state route number 99 that is a deep bore tunnel is operational.
- ~~((26) Multimodal Transportation Account—State Appropriation: For transfer to the Highway Safety Account—State \$7,000,000~~
- ~~(27) (22)(a) Alaskan Way Viaduct Replacement Project Account—State Appropriation: For transfer to the Transportation Partnership Account—State ((2,400,000)) \$1,497,000~~
- (b) The amount transferred in this subsection represents repayment of debt service incurred for the construction of the SR 99/Alaskan Way Viaduct Replacement Project (809936Z).
- ~~(23) Transportation 2003 Account (Nickel Account)—State Appropriation: For transfer to the Motor Vehicle Account—State \$5,000,000~~

MISCELLANEOUS 2017-2019 FISCAL BIENNIUM

Sec. 1101. 2018 c 297 s 701 (uncodified) is amended to read as follows:

ACQUISITION OF PROPERTIES AND FACILITIES THROUGH FINANCIAL CONTRACTS

(1) The department of transportation is authorized, subject to the conditions in (~~section 305(3) of this act~~) section 305(3), chapter 297, Laws of 2018, to enter into a financing contract pursuant to chapter 39.94 RCW through the state treasurer's lease-purchase program for the purposes indicated. The department may use any funds, appropriated or nonappropriated, in not more than the principal amounts indicated, plus financing expenses and required reserves, if any. Expenditures made by the department of transportation for the indicated purposes before the issue date of the authorized financing contract and any certificates of participation therein may be reimbursed from proceeds of the financing contract and any certificates of participation therein to the extent provided in the agency's financing plan approved by the state finance committee.

(2) Department of transportation: Enter into a financing contract for up to \$32,500,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to renovate the existing office building at 15700 Dayton Ave N, Shoreline.

NEW SECTION. Sec. 1102. A new section is added to 2018 c 297 (uncodified) to read as follows:

The appropriations to the department of transportation in chapter 297, Laws of 2018 and this act must be expended for the programs and in the amounts specified in this act. However, after May 1, 2019, unless specifically prohibited, the department may transfer state appropriations for the 2017-2019 fiscal biennium among operating programs after approval by the director of the office of financial management. However, the department shall not transfer state moneys that are provided solely for a specific purpose. The department shall not transfer funds, and the director of the office of financial management shall not approve the transfer, unless the transfer is consistent with the objective of conserving, to the maximum extent possible, the expenditure of state funds and not federal funds. The director of the office of financial management shall notify the appropriate transportation committees of the legislature prior to approving any allotment modifications or transfers under this section.

MISCELLANEOUS

NEW SECTION. Sec. 1201. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 1202. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

On page 1, line 1 of the title, after "appropriations;" strike the remainder of the title and insert "amending RCW 43.19.642, 46.20.745, 46.68.030, 46.68.060, 46.68.280, 46.68.290, 46.68.325, 47.56.403, 47.56.876, 47.60.530, 41.45.0631, 46.68.063, 46.68.370, 46.68.220, and 46.63.030; amending 2018 c 297 ss 201, 202, 204, 207-223, 301, 303-311, 401, 403-406, and 701 (uncodified); adding a new section to 2018 c 297 (uncodified); creating new sections; making appropriations and authorizing expenditures for capital improvements; providing a contingent effective date; providing an expiration date; and declaring an emergency."

MOTION

Senator Randall moved that the following amendment no. 452 by Senators Randall, Lovelett and Nguyen be adopted:

On page 2, beginning on line 29, after "licensing" strike all material through "transportation" on line 30

On page 7, at the beginning of line 12, strike "(1)"

On page 7, beginning on line 20, strike all of subsection (2)

Correct any internal references accordingly.

On page 33, line 4, strike "\$537,896,000" and insert "\$542,629,000"

On page 33, at the beginning of line 9, strike all material through "\$4,733,000" on line 10

On page 33, beginning on line 35, strike all of subsection (4)

Renumber the remaining subsection consecutively and correct any internal references accordingly.

Senators Randall, Hobbs and King spoke in favor of adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 452 by Senators Randall, Lovelett and Nguyen on page 2, line 29 to striking amendment no. 428.

The motion by Senator Randall carried and amendment no. 452 was adopted by voice vote.

MOTION

Senator Fortunato moved that the following amendment no. 446 by Senators Fortunato and Hobbs be adopted:

On page 15, after line 7, insert the following:

"(18)(a) To ensure the most accurate and cost-effective method of determining whether an abandoned vehicle owner is an active duty service member, the department shall convene a work group comprised of registered tow truck operators from different regions of the state, a representative of the military department, and representatives from the military branches of service by invitation as appropriate, to develop options for a financially viable and sustainable plan for the verification of a registered vehicle owner's active duty military status for both in state and out-of-state registered vehicles. The work group must examine:

(i) How other states and their respective towing and recovery industries have addressed the workload, liability, and costs of verification of a registered vehicle owner's active duty military status; and

(ii) Appropriate sources of funding to support the implementation of the policy options developed by the work group.

(b) A final report and draft legislation are due to the standing transportation committees of the legislature on December 1, 2019."

Senators Fortunato and Hobbs spoke in favor of adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 446 by Senators Fortunato and Hobbs on page 15, after line 7 to striking amendment no. 428.

The motion by Senator Fortunato carried and amendment no. 446 was adopted by voice vote.

MOTION

Senator Billig moved that the following amendment no. 455 by Senators Billig and Holy be adopted:

On page 28, line 22, strike "\$103,341,000" and insert "\$104,341,000"

On page 28, line 27, strike "\$236,652,000" and insert "\$237,652,000"

On page 29, line 36, after "(a)" insert "Except as provided otherwise in this subsection,"

On page 30, line 22, after "grant." insert the following:

"It is the intent of the legislature that the list referenced in this subsection be updated to reflect a decrease of \$1,000,000 in the regional mobility grant program account—state appropriation in 2019-2021 and an increase of \$1,000,000 in the regional mobility grant program account—state appropriation in 2021-2023 for Spokane Transit Cheney HP Transit Corridor Improvements and Vehicle Acquisition project (20190010)."

On page 31, line 38, after "(8)" strike "\$27,048,000" and insert "Except as provided otherwise in this subsection, \$28,048,000"

On page 32, line 9, after "amount." insert the following:

"It is the intent of the legislature that the list referenced in this subsection be updated to reflect an increase of \$1,000,000 in the multimodal transportation account—state appropriation in 2019-2021 and a reduction of \$1,000,000 in the multimodal transportation account—state appropriation in 2021-2023 for the Spokane Transit Central City line project (G2000034)."

Senators Billig, Hobbs and King spoke in favor of adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 455 by Senators Billig and Holy on page 28, line 22 to striking amendment no. 428.

The motion by Senator Billig carried and amendment no. 455 was adopted by voice vote.

MOTION

Senator O'Ban moved that the following amendment no. 462 by Senator O'Ban be adopted:

On page 55, line 28, strike "\$17,420,000", and insert "\$21,420,000"

On page 55, line 34, strike "\$348,747,000", and insert "\$352,747,000"

On page 58, after line 8, insert the following:

"(8) \$4,000,000 of the motor vehicle account—state appropriation is provided solely for the Dupont-Steilacoom road improvement project (L1000224)."

Senators O'Ban and Becker spoke in favor of adoption of the amendment to the striking amendment.

Senators Hobbs and King spoke against adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 462 by Senator O'Ban on page 55, line 28 to striking amendment no. 428.

The motion by Senator O'Ban did not carry and amendment no. 462 was not adopted by voice vote.

MOTION

Senator Short moved that the following amendment no. 447 by Senator Short be adopted:

On page 55, line 33, strike "\$70,049,000" and insert "\$70,109,000"

On page 55, line 34, strike "\$348,747,000" and insert "\$348,807,000"

On page 58, after line 8, insert the following:

"(8) \$60,000 of the multimodal transportation account—state appropriation is provided solely for the installation of an updated meteorological station at the Colville airport."

Senator Short spoke in favor of adoption of the amendment to the striking amendment.

Senator Hobbs spoke against adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 447 by Senator Short on page 55, line 33 to striking amendment no. 428.

The motion by Senator Short did not carry and amendment no. 447 was not adopted by voice vote.

The President declared the question before the Senate to be the adoption of striking amendment no. 428 by Senator Hobbs as amended to Engrossed Substitute House Bill No. 1160.

The motion by Senator Hobbs carried and striking amendment no. 428 as amended was adopted by voice vote.

MOTION

On motion of Senator Hobbs, the rules were suspended, Engrossed Substitute House Bill No. 1160 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Hobbs, King, Saldaña and Fortunato spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 1160 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 1160 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Lias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Excused: Senators Sheldon and Wilson, L.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1160, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

PERSONAL PRIVILEGE

Senator Hobbs: "With this momentous vote I do want to take the time and, to thank the nonpartisan and partisan staff that was with us every step the way. I would ask them to come here and step on the floor, but they hate doing that so I did not ask them do that but, if, Mr. President, if it would be okay, if the Senate here could applaud their efforts? I know they're watching on TV right now. That's, if that's OK? All right. If we could all give them a round of applause for the good work that they did. [Applause.] I appreciate that."

The senate rose and recognized the work of the staff of the Committee on Transportation and the caucus policy staff.

MOTION

At 10:35 a.m., on motion of Senator Liias, the Senate was declared to be at ease subject to the call of the President for the purposes of caucus.

 AFTERNOON SESSION

The Senate was called to order at 12:31 p.m. by President Habib.

MOTION

On motion of Senator Liias, the Senate advanced to the seventh order of business.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Salomon moved that Clara R. Pellham, Senate Gubernatorial Appointment No. 9036, be confirmed as a member of the Shoreline Community College Board of Trustees.

Senator Salomon spoke in favor of the motion.

APPOINTMENT OF CLARA R. PELLHAM

The President declared the question before the Senate to be the confirmation of Clara R. Pellham, Senate Gubernatorial Appointment No. 9036, as a member of the Shoreline Community College Board of Trustees.

The Secretary called the roll on the confirmation of Clara R. Pellham, Senate Gubernatorial Appointment No. 9036, as a member of the Shoreline Community College Board of Trustees and the appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Erickson, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Excused: Senators Sheldon and Wilson, L.

Clara R. Pellham, Senate Gubernatorial Appointment No. 9036, having received the constitutional majority was declared confirmed as a member of the Shoreline Community College Board of Trustees.

MOTION

On motion of Senator Liias, the Senate reverted to the sixth order of business.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1109, by House Committee on Appropriations (originally sponsored by Ormsby)

Making 2019-2021 biennium operating appropriations and 2017-2019 biennium second supplemental operating appropriations.

The measure was read the second time.

MOTION

Senator Rolfes moved that the following committee striking amendment by the Committee on Ways & Means be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) A budget is hereby adopted and, subject to the provisions set forth in the following sections, the several amounts specified in parts I through IX of this act, or so much thereof as shall be sufficient to accomplish the purposes designated, are hereby appropriated and authorized to be incurred for salaries, wages, and other expenses of the agencies and offices of the state and for other specified purposes for the fiscal biennium beginning July 1, 2019, and ending June 30, 2021, except as otherwise provided, out of the several funds of the state hereinafter named.

(2) Unless the context clearly requires otherwise, the definitions in this section apply throughout this act.

(a) "Fiscal year 2020" or "FY 2020" means the fiscal year ending June 30, 2020.

(b) "Fiscal year 2021" or "FY 2021" means the fiscal year ending June 30, 2021.

(c) "FTE" means full time equivalent.

(d) "Lapse" or "revert" means the amount shall return to an unappropriated status.

(e) "Provided solely" means the specified amount may be spent only for the specified purpose. Unless otherwise specifically authorized in this act, any portion of an amount provided solely for a specified purpose which is not expended subject to the specified conditions and limitations to fulfill the specified purpose shall lapse.

PART I

GENERAL GOVERNMENT

NEW SECTION. Sec. 101. FOR THE HOUSE OF REPRESENTATIVES

General Fund—State Appropriation (FY 2020)	\$38,989,000
General Fund—State Appropriation (FY 2021)	\$40,774,000
Pension Funding Stabilization Account—State Appropriation	\$4,266,000
TOTAL APPROPRIATION	\$84,029,000

NEW SECTION. Sec. 102. FOR THE SENATE

General Fund—State Appropriation (FY 2020)	\$27,929,000
General Fund—State Appropriation (FY 2021)	\$30,944,000
Pension Funding Stabilization Account—State Appropriation	\$2,932,000
TOTAL APPROPRIATION	\$61,805,000

The appropriations in this section are subject to the following conditions and limitations: \$175,000 of the general fund—state appropriation for fiscal year 2020 and \$175,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for a human resource officer consistent with the implementation of the senate's appropriate workplace conduct policy.

NEW SECTION. Sec. 103. FOR THE JOINT LEGISLATIVE AUDIT AND REVIEW COMMITTEE

Performance Audits of Government Account—State
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EIGHTY FIRST DAY, APRIL 4, 2019

2019 REGULAR SESSION

Appropriation	\$9,508,000
TOTAL APPROPRIATION	\$9,508,000

Account—State Appropriation	\$5,496,000
TOTAL APPROPRIATION	\$6,663,000

The appropriation in this section is subject to the following conditions and limitations:

(1) Notwithstanding the provisions of this section, the joint legislative audit and review committee may adjust the due dates for projects included on the committee’s 2019-2021 work plan as necessary to efficiently manage workload.

(2) \$17,000 of the performance audits of government account—state appropriation is provided solely for the implementation of Substitute Senate Bill No. 5025 (self-help housing development and taxes). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

(3) \$14,000 of the performance audits of government account—state appropriation is provided solely for the implementation of Substitute Senate Bill No. 5739 (housing and urban growth areas). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

(4) \$206,000 of the performance audits of government account—state appropriation is provided solely for the implementation of Second Substitute Senate Bill No. 5308 (energy service contractors). If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.

(5)(a) \$342,000 of the performance audits of government account—state appropriation is provided solely for the joint legislative audit and review committee to conduct a performance audit of the department of health’s ambulatory surgical facility regulatory program. The study must explore:

(i) A comparison of state survey requirements and process and the centers for medicare and medicaid services survey requirements and process;

(ii) The licensing fees required of ambulatory surgical facilities as they relate to actual department of health costs for regulating the facilities;

(iii) Payments received by the department of health from the centers for medicare and medicaid services for surveys conducted on behalf of the centers for medicare and medicaid services; and

(iv) Staffing for the survey program, including any need for an increase or reduction of staff.

(b) The audit must be completed and provided to the legislature by January 1, 2021.

NEW SECTION. Sec. 104. FOR THE LEGISLATIVE EVALUATION AND ACCOUNTABILITY PROGRAM COMMITTEE

Performance Audits of Government Account—State	
Appropriation	\$4,422,000
TOTAL APPROPRIATION	\$4,422,000

NEW SECTION. Sec. 105. FOR THE JOINT LEGISLATIVE SYSTEMS COMMITTEE

General Fund—State Appropriation (FY 2020)	\$11,815,000
General Fund—State Appropriation (FY 2021)	\$11,722,000
Pension Funding Stabilization Account—State	
Appropriation	\$822,000
TOTAL APPROPRIATION	\$24,359,000

NEW SECTION. Sec. 106. FOR THE OFFICE OF THE STATE ACTUARY

General Fund—State Appropriation (FY 2020)	\$331,000
General Fund—State Appropriation (FY 2021)	\$342,000
State Health Care Authority Administrative Account—	
State Appropriation	\$466,000
Pension Funding Stabilization Account—State	
Appropriation	\$28,000
Department of Retirement Systems Expense	

NEW SECTION. Sec. 107. FOR THE STATUTE LAW COMMITTEE

General Fund—State Appropriation (FY 2020)	\$4,886,000
General Fund—State Appropriation (FY 2021)	\$5,237,000
Pension Funding Stabilization Account—State	
Appropriation	\$566,000
TOTAL APPROPRIATION	\$10,689,000

NEW SECTION. Sec. 108. FOR THE OFFICE OF LEGISLATIVE SUPPORT SERVICES

General Fund—State Appropriation (FY 2020)	\$4,120,000
General Fund—State Appropriation (FY 2021)	\$4,456,000
Pension Funding Stabilization Account—State	
Appropriation	\$436,000
TOTAL APPROPRIATION	\$9,012,000

NEW SECTION. Sec. 109. FOR THE REDISTRICTING COMMISSION

General Fund—State Appropriation (FY 2021)	\$1,000,000
TOTAL APPROPRIATION	\$1,000,000

The appropriation in this section is subject to the following conditions and limitations: Prior to the appointment of the redistricting commission, the secretary of the senate and chief clerk of the house of representatives may jointly authorize the expenditure of these funds to facilitate preparations for the 2022 redistricting effort. Following the appointment of the commission, the house of representatives and senate shall enter into an interagency agreement with the commission authorizing the continued expenditure of these funds for legislative redistricting support.

NEW SECTION. Sec. 110. LEGISLATIVE AGENCIES

In order to achieve operating efficiencies within the financial resources available to the legislative branch, the executive rules committee of the house of representatives and the facilities and operations committee of the senate by joint action may transfer funds among the house of representatives, senate, joint legislative audit and review committee, legislative evaluation and accountability program committee, joint transportation committee, office of the state actuary, joint legislative systems committee, statute law committee, and office of legislative support services.

NEW SECTION. Sec. 111. FOR THE SUPREME COURT

General Fund—State Appropriation (FY 2020)	\$8,930,000
General Fund—State Appropriation (FY 2021)	\$9,089,000
Pension Funding Stabilization Account—State	
Appropriation	\$674,000
TOTAL APPROPRIATION	\$18,693,000

The appropriations in this section are subject to the following conditions and limitations: \$326,000 of the general fund—state appropriation for fiscal year 2020 and \$334,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for salary increases for staff attorneys and law clerks based on a 2014 salary survey.

NEW SECTION. Sec. 112. FOR THE LAW LIBRARY

General Fund—State Appropriation (FY 2020)	\$1,682,000
General Fund—State Appropriation (FY 2021)	\$1,669,000
Pension Funding Stabilization Account—State	
Appropriation	\$128,000
TOTAL APPROPRIATION	\$3,479,000

NEW SECTION. Sec. 113. FOR THE COMMISSION ON JUDICIAL CONDUCT

General Fund—State Appropriation (FY 2020)	\$1,221,000
General Fund—State Appropriation (FY 2021)	\$1,194,000
Pension Funding Stabilization Account—State Appropriation	\$130,000
TOTAL APPROPRIATION	\$2,545,000

The appropriations in this section are subject to the following conditions and limitations: \$13,000 of the general fund—state appropriation for fiscal year 2020 and \$2,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for a new telephone system and updated office equipment.

NEW SECTION. Sec. 114. FOR THE COURT OF APPEALS

General Fund—State Appropriation (FY 2020)	\$19,749,000
General Fund—State Appropriation (FY 2021)	\$20,100,000
Pension Funding Stabilization Account—State Appropriation	\$1,492,000
TOTAL APPROPRIATION	\$41,341,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$100,000 of the general fund—state appropriation for fiscal year 2020 and \$136,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for salary step increases for eligible employees.

(2) \$812,000 of the general fund—state appropriation for fiscal year 2020 and \$812,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for salary increases for court of appeals law clerks based on a 2014 salary survey.

NEW SECTION. Sec. 115. FOR THE ADMINISTRATOR FOR THE COURTS

General Fund—State Appropriation (FY 2020)	\$61,726,000
General Fund—State Appropriation (FY 2021)	\$64,576,000
General Fund—Federal Appropriation	\$2,185,000
General Fund—Private/Local Appropriation	\$681,000
Judicial Stabilization Trust Account—State Appropriation	\$6,692,000
Pension Funding Stabilization Account—State Appropriation	\$4,572,000
Judicial Information Systems Account—State Appropriation	\$60,583,000
TOTAL APPROPRIATION	\$201,015,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The distributions made under this section and distributions from the county criminal justice assistance account made pursuant to section 801 of this act constitute appropriate reimbursement for costs for any new programs or increased level of service for purposes of RCW 43.135.060.

(2) \$1,399,000 of the general fund—state appropriation for fiscal year 2020 and \$1,399,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for school districts for petitions to juvenile court for truant students as provided in RCW 28A.225.030 and 28A.225.035. The administrator for the courts shall develop an interagency agreement with the superintendent of public instruction to allocate the funding provided in this subsection. Allocation of this money to school districts shall be based on the number of petitions filed. This funding includes amounts school districts may expend on the cost of serving petitions filed under RCW 28A.225.030 by certified mail or by personal service or for the performance of service of process for any hearing associated with RCW 28A.225.030. School districts may use the funding in this

section to contract for services related to community truancy boards.

(3)(a) \$7,000,000 of the general fund—state appropriation for fiscal year 2020 and \$7,000,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for distribution to county juvenile court administrators to fund the costs of processing truancy, children in need of services, and at-risk youth petitions. The administrator for the courts, in conjunction with the juvenile court administrators, shall develop an equitable funding distribution formula. The formula must neither reward counties with higher than average per-petition processing costs nor penalize counties with lower than average per-petition processing costs.

(b) Each fiscal year during the 2019-2021 fiscal biennium, each county shall report the number of petitions processed and the total actual costs of processing truancy, children in need of services, and at-risk youth petitions. Counties shall submit the reports to the administrator for the courts no later than forty-five days after the end of the fiscal year. The administrator for the courts shall electronically transmit this information to the chairs and ranking minority members of the house of representatives and senate fiscal committees no later than sixty days after a fiscal year ends. These reports are deemed informational in nature and are not for the purpose of distributing funds.

(4) \$750,000 of the general fund—state appropriation for fiscal year 2020 and \$750,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the statewide fiscal impact on Thurston county courts.

(5) \$1,913,000 of the judicial information systems account—state appropriation is provided solely for replacement of computer equipment, including servers, routers, and storage system upgrades.

(6) \$1,646,000 of the judicial information systems account—state appropriation funding is provided solely for replacement of computer equipment, including servers, routers, and storage system upgrades at the trial and appellate courts and county clerk offices.

(7) \$237,000 of the general fund—state appropriation for fiscal year 2020 and \$1,923,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for expansion of the state interpreter reimbursement program and to provide testing and training for qualified interpreters.

(8) \$202,000 of the general fund—state appropriation for fiscal year 2020 and \$294,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for development of a statewide online delivery system for training judicial officers and court staff.

(9) \$14,486,000 of the judicial information systems account—state appropriation is provided solely for a new case management system for the courts of limited jurisdiction to replace the current system (DISCIS).

(10) \$2,207,000 of the judicial information systems account—state appropriation is provided solely for the transition from an internal appellate court document management system to electronic court records in the appellate courts which includes public access.

(11) \$574,000 of the judicial information systems account—state appropriation is provided solely for modifications to the superior court case management system, Odyssey, to support superior court and county clerk staff.

(12) \$1,027,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for implementation of Second Substitute Senate Bill No. 5604 (uniform guardianship, etc.). If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.

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(13) \$1,440,000 of the judicial information systems account—state appropriation is provided solely for staff to perform maintenance, operations, and support of the superior court case management system (SC-CMS).

(14) \$250,000 of the general fund—state appropriation for fiscal year 2020 and \$300,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for statewide training, technical assistance, and volunteer recruitment for court-appointed special advocates.

(15) \$1,881,000 of the judicial information systems account—state appropriation is provided solely for the maintenance, operations, and support of the information networking hub - enterprise data repository and other activities related to the expedited data exchange project.

(16) \$500,000 of the judicial information systems account—state appropriation is provided solely for integrating additional case management systems with the information networking hub - enterprise data repository.

NEW SECTION. Sec. 116. FOR THE OFFICE OF PUBLIC DEFENSE

General Fund—State Appropriation (FY 2020)	\$44,954,000
General Fund—State Appropriation (FY 2021)	\$44,848,000
Judicial Stabilization Trust Account—State Appropriation	\$3,793,000
Pension Funding Stabilization Account—State Appropriation	\$278,000
TOTAL APPROPRIATION	\$93,873,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$4,000,000 of the general fund—state appropriation for fiscal year 2020 and \$4,000,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for salary increases for state-contracted public defense attorneys representing indigent persons on appeal and indigent parents involved in dependency and termination cases.

(2) \$283,000 of the general fund—state appropriation for fiscal year 2020 and \$283,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of supreme court order no. 25700-B-582 to increase the per-page payment for court reporter preparation of verbatim reports of proceedings for indigent cases on appeal to the Washington court of appeals and the Washington supreme court.

(3) The office of public defense shall enter into an interagency agreement with the department of children, youth, and families to facilitate the use of federal title IV-E reimbursement for parent representation services.

(4) \$778,000 of the general fund—state appropriation for fiscal year 2020 and \$734,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the parents for parents program. Funds must be used to continue the program at existing sites and to provide for further expansion.

(5) \$900,000 of the general fund—state appropriation for fiscal year 2020 and \$900,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the purpose of improving the quality of trial court public defense services. The department must allocate these amounts so that \$450,000 per fiscal year is distributed to counties, and \$450,000 per fiscal year is distributed to cities, for grants under chapter 10.101 RCW.

(6) The amounts appropriated include funding for expert and investigative services in death penalty personal restraint petitions.

(7) \$305,000 of the general fund—state appropriation for fiscal year 2020 and \$305,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for a pass-through grant to the Washington defender association to provide public

defenders with relevant and affordable continuing legal education and access to experienced felony and misdemeanor consulting attorneys who are on-call to assist in individual cases.

NEW SECTION. Sec. 117. FOR THE OFFICE OF CIVIL LEGAL AID

General Fund—State Appropriation (FY 2020)	\$21,704,000
General Fund—State Appropriation (FY 2021)	\$21,972,000
Judicial Stabilization Trust Account—State Appropriation	\$1,464,000
Pension Funding Stabilization Account—State Appropriation	\$44,000
TOTAL APPROPRIATION	\$45,184,000

The appropriations in this section are subject to the following conditions and limitations:

(1) An amount not to exceed \$40,000 of the general fund—state appropriation for fiscal year 2020 and an amount not to exceed \$40,000 of the general fund—state appropriation for fiscal year 2021 may be used to provide telephonic legal advice and assistance to otherwise eligible persons who are sixty years of age or older on matters authorized by RCW 2.53.030(2) (a) through (k) regardless of household income or asset level.

(2) \$105,000 of the general fund—state appropriation for fiscal year 2020 and \$109,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Senate Bill No. 5651 (kinship care legal aid). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

(3) \$300,000 of the general fund—state appropriation for fiscal year 2020 and \$300,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for closing compensation differentials between volunteer legal aid programs and the northwest justice project.

(4) \$400,000 of the general fund—state appropriation for fiscal year 2020 and \$105,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the children’s representation study authorized in chapter 20, Laws of 2017 3rd sp. sess. The report of initial findings to the legislature must be submitted by December 31, 2020.

(5) \$1,205,000 of the general fund—state appropriation for fiscal year 2020 and \$1,881,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for a vendor rate increase resulting from a collective bargaining agreement between the northwest justice project and its staff union.

(6) \$2,000,000 of the general fund—state appropriation for fiscal year 2020 and \$2,000,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for additional attorneys in furtherance of the civil justice reinvestment plan.

(7) The office of civil legal aid shall enter into an interagency agreement with the department of children, youth, and families to facilitate the use of federal title IV-E reimbursement for child representation services.

(8) \$150,000 of the general fund—state appropriation for fiscal year 2020 and \$150,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for a contract with the international families justice coalition to expand private capacity to provide legal services for indigent foreign nationals in contested domestic relations and family law cases. Moneys may not be expended from this appropriation for private legal representation of clients in domestic relations and family law cases.

(9) \$300,000 of the general fund—state appropriation for fiscal year 2020 and \$300,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for a comparative study

of the impact of legal representation for tenants facing eviction in unlawful detainer cases filed under the residential landlord tenant act. From July 1, 2019, until December 31, 2020, the office of civil legal aid must conduct a comparative study of the impact of attorney representation for tenants in unlawful detainer proceedings. The office of civil legal aid must contract with a Washington state-based research institution to study differences in outcomes in residential landlord-tenant unlawful detainer cases as described in this section.

(a) The office of civil legal aid, in collaboration with the contracted research institution, shall work with the superior courts in counties with a total population between five hundred thousand and eight hundred fifty thousand to secure the appointment of and payment for attorney representation and track relevant data and outcomes in seven hundred fifty residential unlawful detainer cases in each county during the study period. The office of civil legal aid, in collaboration with the contracted research institution, shall work with the superior courts in counties with a total population between four hundred thousand and five hundred thousand and between eight hundred fifty thousand and nine hundred thousand to track relevant data and outcomes in seven hundred fifty residential unlawful detainer cases in which no attorney appeared of record on behalf of the tenant in each county during the study period.

(b) Study data must be disaggregated by gender, race, age, and other relevant demographic characteristics. The research must track, among other relevant data, the grounds claimed for eviction, the amount of rent claimed unpaid in cases where nonpayment of rent is the basis for the unlawful detainer action, whether the tenant received a governmental rent subsidy, the amount of costs and fees claimed due in the initial complaint, whether a writ of restitution was issued, and the amount of any money judgment and award of costs and fees, including attorneys' fees, entered in the case.

(c) The office of civil legal aid must contract with nonprofit legal aid providers for legal representation in cases where attorneys are appointed to represent defendants in unlawful detainer cases involved in the study. The superior courts in each of the counties are respectfully requested to work with the office of civil legal aid and the research institution engaged in the study to (i) facilitate the appointment of contracted attorneys in unlawful detainer cases that will be included in the study and (ii) establish systems to track data required to be collected. The office of civil legal aid may reimburse the participating counties for the actual costs of establishing data collection and tracking systems and the appointment of counsel in an amount not to exceed fifteen thousand dollars per county during the study period.

(d) A preliminary report must be submitted to the appropriate committees of the legislature by January 31, 2021, and a final report on the study must be submitted to the appropriate committees of the legislature by March 31, 2021.

NEW SECTION. Sec. 118. FOR THE OFFICE OF THE GOVERNOR

General Fund—State Appropriation (FY 2020)	\$10,522,000
General Fund—State Appropriation (FY 2021)	\$8,366,000
Economic Development Strategic Reserve Account—State Appropriation	\$4,000,000
Pension Funding Stabilization Account—State Appropriation	\$674,000
TOTAL APPROPRIATION	\$23,562,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$703,000 of the general fund—state appropriation for fiscal year 2020 and \$703,000 of the general fund—state appropriation

for fiscal year 2021 are provided solely for the office of the education ombuds.

(2) \$311,000 of the general fund—state appropriation for fiscal year 2020 and \$301,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5356 (LGBTQ commission). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

(3) \$375,000 of the general fund state—appropriation for fiscal year 2020 and \$375,000 of the general fund state—appropriation for fiscal year 2021 are provided solely for the office to contract with a neutral third party to establish a process for local, state, tribal, and federal leaders and stakeholders to address issues associated with the possible breaching or removal of the four lower Snake river dams in order to recover the Chinook salmon populations that serve as a vital food source for southern resident orcas. The contract is exempt from the competitive procurement requirements in chapter 39.26 RCW.

(4) \$110,000 of the general fund—state appropriation in fiscal year 2020 is provided solely for the office of regulatory innovations and assistance to convene agencies and stakeholders to develop a small business bill of rights. Of this amount, a report must be submitted to appropriate legislative policy and fiscal committees by November 1, 2019, to include:

(a) Recommendations of rights and protections for small business owners when interacting with state agencies, boards, commissions, or other entities with regulatory authority over small businesses; and

(b) Recommendations on communication plans that state regulators should consider when communicating these rights and protections to small business owners in advance or at the time of any audit, inspection, interview, site visit, or similar oversight or enforcement activity.

(5) \$145,000 of the general fund—state appropriation for fiscal year 2020 and \$145,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for continued climate change efforts with pacific coast collaborative and the United States climate alliance.

(6) \$175,000 of the general fund—state appropriation for fiscal year 2020 and \$175,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for immigration and naturalization related matters impacting state government and Washington residents.

(7) \$2,003,000 of the general fund—state appropriation in fiscal year 2020 is provided solely for executive protection unit costs.

(8) \$15,000 of the general fund—state appropriation for fiscal year 2020 is provided solely for the clemency and pardons board to expedite the review of applications where the petitioner indicates an urgent need for the pardon or commutation, including, but not limited to, a pending deportation order or deportation proceeding.

NEW SECTION. Sec. 119. FOR THE LIEUTENANT GOVERNOR

General Fund—State Appropriation (FY 2020)	\$1,249,000
General Fund—State Appropriation (FY 2021)	\$1,256,000
General Fund—Private/Local Appropriation	\$90,000
Pension Funding Stabilization Account—State Appropriation	\$54,000
TOTAL APPROPRIATION	\$2,649,000

The appropriations in this section are subject to the following conditions and limitations: \$180,000 of the general fund—state appropriation for fiscal year 2020 and \$179,000 of the general fund—state appropriation for fiscal year 2021 are provided solely

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for the continuation of the complete Washington program and to add new pathways, such as the healthcare industry, to the program.

NEW SECTION. Sec. 120. FOR THE PUBLIC DISCLOSURE COMMISSION

General Fund—State Appropriation (FY 2020)	\$4,836,000
General Fund—State Appropriation (FY 2021)	\$4,584,000
Public Disclosure Transparency Account—State Appropriation	\$154,000
Pension Funding Stabilization Account—State Appropriation	\$260,000
TOTAL APPROPRIATION	\$9,834,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$24,000 of the public disclosure transparency account—state appropriation is provided solely for implementation of Senate Bill No. 5221 (political committee disclosures). If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.

(2) \$85,000 of the general fund—state appropriation for fiscal year 2020 and \$83,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Substitute Senate Bill No. 5388 (campaign treasurers training). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

(3) \$45,000 of the public disclosure transparency account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5861 (legislature/code of conduct). If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.

NEW SECTION. Sec. 121. FOR THE SECRETARY OF STATE

General Fund—State Appropriation (FY 2020)	\$31,880,000
General Fund—State Appropriation (FY 2021)	\$16,165,000
General Fund—Federal Appropriation	\$7,885,000
Public Records Efficiency, Preservation, and Access Account—State Appropriation	\$9,120,000
Charitable Organization Education Account—State Appropriation	\$900,000
Washington State Heritage Center Account—State Appropriation	\$11,202,000
Local Government Archives Account—State Appropriation	\$9,545,000
Pension Funding Stabilization Account—State Appropriation	\$960,000
Election Account—Federal Appropriation	\$4,887,000
TOTAL APPROPRIATION	\$92,544,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$3,801,000 of the general fund—state appropriation for fiscal year 2020 is provided solely for reimbursement to counties for the state’s share of primary and general election costs and the costs of conducting mandatory recounts on state measures. Counties shall be reimbursed only for those odd-year election costs that the secretary of state validates as eligible for reimbursement.

(2)(a) \$2,932,000 of the general fund—state appropriation for fiscal year 2020 and \$3,011,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for contracting with a nonprofit organization to produce gavel-to-gavel television coverage of state government deliberations and other events of statewide significance during the 2019-2021 fiscal biennium. The funding level for each year of the contract shall be

based on the amount provided in this subsection. The nonprofit organization shall be required to raise contributions or commitments to make contributions, in cash or in kind, in an amount equal to forty percent of the state contribution. The office of the secretary of state may make full or partial payment once all criteria in this subsection have been satisfactorily documented.

(b) The legislature finds that the commitment of on-going funding is necessary to ensure continuous, autonomous, and independent coverage of public affairs. For that purpose, the secretary of state shall enter into a contract with the nonprofit organization to provide public affairs coverage.

(c) The nonprofit organization shall prepare an annual independent audit, an annual financial statement, and an annual report, including benchmarks that measure the success of the nonprofit organization in meeting the intent of the program.

(d) No portion of any amounts disbursed pursuant to this subsection may be used, directly or indirectly, for any of the following purposes:

(i) Attempting to influence the passage or defeat of any legislation by the legislature of the state of Washington, by any county, city, town, or other political subdivision of the state of Washington, or by the congress, or the adoption or rejection of any rule, standard, rate, or other legislative enactment of any state agency;

(ii) Making contributions reportable under chapter 42.17 RCW; or

(iii) Providing any: (A) Gift; (B) honoraria; or (C) travel, lodging, meals, or entertainment to a public officer or employee.

(3) Any reductions to funding for the Washington talking book and Braille library may not exceed in proportion any reductions taken to the funding for the library as a whole.

(4) \$13,600,000 of the general fund—state appropriation for fiscal year 2020 is provided solely for reimbursement to counties for the state’s share of presidential primary election costs.

(5) \$2,295,000 of the general fund—state appropriation for fiscal year 2020 and \$2,526,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Substitute Senate Bill No. 5063 (ballots, prepaid postage). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

(6) \$25,000 of the general fund—state appropriation for fiscal year 2020 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5079 (Native Americans/voting). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

(7) \$50,000 of the general fund—state appropriation for fiscal year 2020 and \$50,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for humanities Washington speaker’s bureau civic engagement program to provide community conversations to underserved areas of the state.

(8) \$198,000 of the general fund—state appropriation for fiscal year 2020 and \$198,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for election security improvements.

(9) \$82,000 of the general fund—state appropriation for fiscal year 2020 and \$77,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for election reconciliation reporting. Funding provides for one staff to compile county reconciliation reports, analyze the data, and to complete an annual statewide election reconciliation report for every state primary and general election. The report must be submitted annually on July 31, beginning July 31, 2020, to legislative policy and fiscal committees. The annual report must include reasons for ballot rejection and an analysis of the ways ballots are received,

counted, and rejected that can be used by policymakers to better understand election administration.

(10) \$500,000 of the general fund—state appropriation for fiscal year 2020 is provided solely for civic engagement. The secretary of state and county auditors will collaborate to increase voter participation and educate voters about improvements to state election laws that will impact the 2019 and 2020 elections.

NEW SECTION. Sec. 122. FOR THE GOVERNOR'S OFFICE OF INDIAN AFFAIRS

General Fund—State Appropriation (FY 2020)	\$316,000
General Fund—State Appropriation (FY 2021)	\$306,000
Pension Funding Stabilization Account—State Appropriation	\$28,000
TOTAL APPROPRIATION	\$650,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The office shall assist the department of enterprise services on providing the government-to-government training sessions for federal, state, local, and tribal government employees. The training sessions shall cover tribal historical perspectives, legal issues, tribal sovereignty, and tribal governments. Costs of the training sessions shall be recouped through a fee charged to the participants of each session. The department of enterprise services shall be responsible for all of the administrative aspects of the training, including the billing and collection of the fees for the training.

(2) \$6,000 of the general fund—state appropriation for fiscal year 2020 and \$6,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Substitute Senate Bill No. 5023 (ethnic studies). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

(3) \$5,000 of the general fund—state appropriation for fiscal year 2020 and \$5,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for a compensation increase to the director.

NEW SECTION. Sec. 123. FOR THE COMMISSION ON ASIAN PACIFIC AMERICAN AFFAIRS

General Fund—State Appropriation (FY 2020)	\$298,000
General Fund—State Appropriation (FY 2021)	\$302,000
Pension Funding Stabilization Account—State Appropriation	\$26,000
TOTAL APPROPRIATION	\$626,000

The appropriation in this section is subject to the following conditions and limitations:

(1) \$3,000 of the general fund—state appropriation for fiscal year 2020 and \$2,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Substitute Senate Bill No. 5023 (ethnic studies). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

(2) \$5,000 of the general fund—state appropriation for fiscal year 2020 and \$5,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for a compensation increase to the director.

(3) \$17,000 of the general fund—state appropriation for fiscal year 2020 and \$17,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the commission to expand access to interpreter and translation services and support additional commissioner travel to engage with people with limited English-language proficiency.

NEW SECTION. Sec. 124. FOR THE STATE TREASURER

State Treasurer's Service Account—State Appropriation	\$18,914,000
TOTAL APPROPRIATION	\$18,914,000

NEW SECTION. Sec. 125. FOR THE STATE AUDITOR

General Fund—State Appropriation (FY 2020)	\$28,000
General Fund—State Appropriation (FY 2021)	\$32,000
State Auditing Services Revolving Account—State Appropriation	\$11,948,000
Performance Audits of Government Account—State Appropriation	\$2,897,000
TOTAL APPROPRIATION	\$14,905,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,585,000 of the performance audit of government account—state appropriation is provided solely for staff and related costs to verify the accuracy of reported school district data submitted for state funding purposes; conduct school district program audits of state-funded public school programs; establish the specific amount of state funding adjustments whenever audit exceptions occur and the amount is not firmly established in the course of regular public school audits; and to assist the state special education safety net committee when requested.

(2) \$1,290,000 of the performance audits of government account—state appropriation is provided solely for the purpose of cyber security performance audits. The office shall conduct cyber security audits for state agencies and local governments to assess security controls within agencies and identify weaknesses in their security posture.

(3) Within existing resources of the performance audits of government account, the state auditor's office shall conduct a performance audit or accountability audit of Washington charter public schools to satisfy the requirement to contract for an independent performance audit pursuant to RCW 28A.710.030(2).

NEW SECTION. Sec. 126. FOR THE CITIZENS' COMMISSION ON SALARIES FOR ELECTED OFFICIALS

General Fund—State Appropriation (FY 2020)	\$209,000
General Fund—State Appropriation (FY 2021)	\$217,000
Pension Funding Stabilization Account—State Appropriation	\$30,000
TOTAL APPROPRIATION	\$456,000

NEW SECTION. Sec. 127. FOR THE ATTORNEY GENERAL

General Fund—State Appropriation (FY 2020)	\$13,603,000
General Fund—State Appropriation (FY 2021)	\$12,989,000
General Fund—Federal Appropriation	\$15,992,000
Public Service Revolving Account—State Appropriation	\$4,071,000
New Motor Vehicle Arbitration Account—State Appropriation	\$1,649,000
Medicaid Fraud Penalty Account—State Appropriation	\$5,178,000
Child Rescue Fund—State Appropriation	\$500,000
Legal Services Revolving Account—State Appropriation	\$260,707,000
Local Government Archives Account—State Appropriation	\$324,000
Pension Funding Stabilization Account—State Appropriation	\$1,602,000
Tobacco Prevention and Control Account—State Appropriation	\$273,000

TOTAL APPROPRIATION \$316,888,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The attorney general shall report each fiscal year on actual legal services expenditures and actual attorney staffing levels for each agency receiving legal services. The report shall be submitted to the office of financial management and the fiscal committees of the senate and house of representatives no later than ninety days after the end of each fiscal year. As part of its by agency report to the legislative fiscal committees and the office of financial management, the office of the attorney general shall include information detailing the agency's expenditures for its agency-wide overhead and a breakdown by division of division administration expenses.

(2) Prior to entering into any negotiated settlement of a claim against the state that exceeds five million dollars, the attorney general shall notify the director of financial management and the chairs of the senate committee on ways and means and the house of representatives committee on appropriations.

(3) The attorney general shall annually report to the fiscal committees of the legislature all new cy pres awards and settlements and all new accounts, disclosing their intended uses, balances, the nature of the claim or account, proposals, and intended timeframes for the expenditure of each amount. The report shall be distributed electronically and posted on the attorney general's web site. The report shall not be printed on paper or distributed physically.

(4) \$647,000 of the legal services revolving account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5163 (wrongful injury or death). If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.

(5) \$88,000 of the general fund—state appropriation for fiscal year 2020, \$85,000 of the general fund—state appropriation for fiscal year 2021, and \$344,000 of the legal services revolving account—state appropriation are provided solely for implementation of Substitute Senate Bill No. 5297 (assistant AG bargaining). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

(6) \$700,000 of the legal services revolving account—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5497 (immigrants in the workplace). If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.

(7) \$592,000 of the public service revolving account—state appropriation and \$47,000 of the legal services revolving account—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5116 (clean energy). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

(8) \$108,000 of the legal services revolving account—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5740 (retirement savings program). If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.

(9) To ensure that all state entities that participate in authorizing and issuing bonds have access to consistent, objective, and experienced legal advice on matters relating to bonds and debt, and to reduce reliance on special assistant attorneys general, the attorney general must employ an attorney to advise the legislature, governor, and other state agencies on these topics. In addition to providing legal advice, this attorney must manage and oversee contracts for legal services relating to bonds and debt to the great extent possible. Costs associated with

this attorney must be incorporated into the agency's overhead charges.

(10) \$200,000 of the general fund—state appropriation for fiscal year 2020 is provided solely for a workgroup to study and institute a statewide program for receiving reports and other information for the public regarding potential self-harm, potential harm, or criminal acts including but not limited to sexual abuse, assault, or rape. Out of this amount:

(a) The workgroup must review the aspects of similar programs in Arizona, Michigan, Colorado, Idaho, Nevada, Oregon, Utah, Wisconsin, and Wyoming; and must incorporate the most applicable aspects of those programs to the program proposal;

(b) The program proposal must include a plan to implement a twenty-four hour hotline or app for receiving such reports and information; and

(c) The program proposal and recommendations must be submitted to legislative fiscal committees by July 31, 2020.

(11) \$75,000 of the general fund—state appropriation for fiscal year 2020 is provided solely for the attorney general to develop an implementation plan to collect and disseminate data on the use of force by public law enforcement agencies and private security services.

(a) The plan must identify how to effectively collect data on the occasions of justifiable homicide or uses of deadly force by a public officer, peace officer, or person aiding under RCW 9A.16.040 by all general authority Washington law enforcement agencies and the department of corrections. The plan must address any necessary statutory changes, possible methods of collection, and any other needs that must be addressed to collect the following information:

(i) The number of tort claims filed and moneys paid in use of force cases;

(ii) The number of incidents in which peace officers discharged firearms at citizens;

(iii) The demographic characteristics of the officers and citizens involved in each incident, including sex, age, race, and ethnicity;

(iv) The agency or agencies employing the involved officers and location of each incident;

(v) The particular weapon or weapons used by peace officers and citizens; and

(vi) The injuries, if any, suffered by officers and citizens.

(b) The implementation plan must also identify how to effectively collect data on the occasions of the use of force requiring the discharge of a firearm by any private security guard employed by any private security company licensed under chapter 18.170 RCW. The plan must address any necessary statutory changes, possible methods of collection, and any other needs that must be addressed to collect the following information:

(i) The number of incidents in which security guards discharged firearms at citizens;

(ii) The demographic characteristics of the security guards and citizens involved in each incident, including sex, age, race, and ethnicity;

(iii) The company employing the involved security guards and the location of each incident;

(iv) The particular weapon or weapons used by security guards and citizens; and

(v) The injuries, if any, suffered by security guards and citizens.

(c) The attorney general must compile reports received pursuant to this subsection and make public the data collected.

(d) The department of licensing, department of corrections, Washington state patrol, and criminal justice training commission

must assist the attorney general as necessary to complete the implementation plan.

(12) \$4,220,000 of the general fund—federal appropriation and \$1,407,000 of the medicaid fraud penalty account—state appropriation are provided solely for additional staffing and program operations in the medicaid fraud control division.

(13) \$4,292,000 of the legal services revolving account—state appropriation is provided solely for child welfare and permanency staff.

NEW SECTION. Sec. 128. FOR THE CASELOAD FORECAST COUNCIL

General Fund—State Appropriation (FY 2020)	\$1,737,000
General Fund—State Appropriation (FY 2021)	\$1,723,000
Pension Funding Stabilization Account—State Appropriation	\$168,000
TOTAL APPROPRIATION	\$3,628,000

NEW SECTION. Sec. 129. FOR THE DEPARTMENT OF COMMERCE

General Fund—State Appropriation (FY 2020)	\$88,436,000
General Fund—State Appropriation (FY 2021)	\$91,868,000
General Fund—Federal Appropriation	\$327,078,000
General Fund—Private/Local Appropriation	\$8,719,000
Real Estate Commission Account—State Appropriation	\$1,500,000
Public Works Assistance Account—State Appropriation	\$7,956,000
Lead Paint Account—State Appropriation	\$246,000
Building Code Council Account—State Appropriation	\$16,000
Economic Development Strategic Reserve Account—State Appropriation	\$1,006,000
Liquor Excise Tax Account—State Appropriation	\$679,000
Home Security Fund Account—State Appropriation	\$59,803,000
Energy Freedom Account—State Appropriation	\$5,000
Affordable Housing for All Account—State Appropriation	\$13,877,000
Financial Fraud and Identity Theft Crimes Investigation and Prosecution Account—State Appropriation	\$1,974,000
Low-Income Weatherization and Structural Rehabilitation Assistance Account—State Appropriation	\$1,399,000
Statewide Tourism Marketing Account—State Appropriation	\$3,005,000
Community and Economic Development Fee Account—State Appropriation	\$4,178,000
Pension Funding Stabilization Account—State Appropriation	\$1,616,000
Liquor Revolving Account—State Appropriation	\$5,918,000
Washington Housing Trust Account—State Appropriation	\$12,769,000
Prostitution Prevention and Intervention Account—State Appropriation	\$26,000
Public Facility Construction Loan Revolving Account—State Appropriation	\$878,000
TOTAL APPROPRIATION	\$632,952,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Repayments of outstanding mortgage and rental assistance program loans administered by the department under RCW 43.63A.640 shall be remitted to the department, including any current revolving account balances. The department shall collect payments on outstanding loans, and deposit them into the state general fund. Repayments of funds owed under the program shall

be remitted to the department according to the terms included in the original loan agreements.

(2) \$1,000,000 of the general fund—state appropriation for fiscal year 2020 and \$1,000,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for a grant to resolution Washington to build statewide capacity for alternative dispute resolution centers and dispute resolution programs that guarantee that citizens have access to low-cost resolution as an alternative to litigation.

(3) \$375,000 of the general fund—state appropriation for fiscal year 2020 and \$375,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for a grant to the retired senior volunteer program.

(4) The department shall administer its growth management act technical assistance and pass-through grants so that smaller cities and counties receive proportionately more assistance than larger cities or counties.

(5) \$375,000 of the general fund—state appropriation for fiscal year 2020 and \$375,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for pass-through funding to Walla Walla Community College for its water and environmental center.

(6) \$2,801,000 of the general fund—state appropriation for fiscal year 2020 and \$2,801,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for associate development organizations. During the 2019-2021 biennium, the department shall consider an associate development organization's total resources when making contracting and fund allocation decisions, in addition to the schedule provided in RCW 43.330.086.

(7) \$5,907,000 of the liquor revolving account—state appropriation is provided solely for the department to contract with the municipal research and services center of Washington.

(8) The department is authorized to require an applicant to pay an application fee to cover the cost of reviewing the project and preparing an advisory opinion on whether a proposed electric generation project or conservation resource qualifies to meet mandatory conservation targets.

(9) Within existing resources, the department shall provide administrative and other indirect support to the developmental disabilities council.

(10) \$300,000 of the general fund—state appropriation for fiscal year 2020 and \$300,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the northwest agriculture business center.

(11) \$150,000 of the general fund—state appropriation for fiscal year 2020 and \$150,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the regulatory roadmap program for the construction industry and to identify and coordinate with businesses in key industry sectors to develop additional regulatory roadmap tools.

(12) \$1,000,000 of the general fund—state appropriation for fiscal year 2020 and \$1,000,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the Washington new Americans program. The department may require a cash match or in-kind contributions to be eligible for state funding.

(13) \$643,000 of the general fund—state appropriation for fiscal year 2020 and \$643,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the department to contract with a private, nonprofit organization to provide developmental disability ombuds services.

(14) \$1,000,000 of the home security fund—state appropriation, \$2,000,000 of the Washington housing trust account—state appropriation, and \$1,000,000 of the affordable housing for all account—state appropriation are provided solely

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for the department of commerce for services to homeless families and youth through the Washington youth and families fund.

(15) \$2,000,000 of the home security fund—state appropriation is provided solely for administration of the grant program required in chapter 43.185C RCW, linking homeless students and their families with stable housing.

(16) \$1,980,000 of the general fund—state appropriation for fiscal year 2020 and \$1,980,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for community beds for individuals with a history of mental illness. Currently, there is little to no housing specific to populations with these co-occurring disorders; therefore, the department must consider how best to develop new bed capacity in combination with individualized support services, such as intensive case management and care coordination, clinical supervision, mental health, substance abuse treatment, and vocational and employment services. Case-management and care coordination services must be provided. Increased case-managed housing will help to reduce the use of jails and emergency services and will help to reduce admissions to the state psychiatric hospitals. The department must coordinate with the health care authority and the department of social and health services in establishing conditions for the awarding of these funds. The department must contract with local entities to provide a mix of (a) shared permanent supportive housing; (b) independent permanent supportive housing; and (c) low and no-barrier housing beds for people with a criminal history, substance abuse disorder, and/or mental illness.

Priority for permanent supportive housing must be given to individuals on the discharge list at the state psychiatric hospitals or in community psychiatric inpatient beds whose conditions present significant barriers to timely discharge.

(17) \$557,000 of the general fund—state appropriation for fiscal year 2020 and \$557,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the department to design and administer the achieving a better life experience program.

(18) The department is authorized to suspend issuing any nonstatutorily required grants or contracts of an amount less than \$1,000,000 per year.

(19) \$1,070,000 of the general fund—state appropriation for fiscal year 2020 and \$1,070,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the small business export assistance program. The department must ensure that at least one employee is located outside the city of Seattle for purposes of assisting rural businesses with export strategies.

(20) \$60,000 of the general fund—state appropriation for fiscal year 2020 and \$60,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the department to submit the necessary Washington state membership dues for the Pacific Northwest economic region.

(21) \$1,350,000 of the general fund—state appropriation for fiscal year 2020 and \$1,350,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the department to contract with organizations and attorneys to provide either legal representation or referral services for legal representation, or both, to indigent persons who are in need of legal services for matters related to their immigration status. Persons eligible for assistance under any contract entered into pursuant to this subsection must be determined to be indigent under standards developed under chapter 10.101 RCW.

(22) \$500,000 of the general fund—state appropriation for fiscal year 2020, \$5,700,000 of the general fund—state appropriation for fiscal year 2021, \$28,734,000 of the home

security fund—state appropriation, and \$8,860,000 of the affordable housing for all account—state appropriation are provided solely for the consolidated homeless grant program. Of the amounts provided in this subsection, \$5,200,000 of the general fund—state appropriation for fiscal year 2021 and \$4,000,000 of the home security fund—state appropriation are provided solely for permanent supportive housing targeted at those families who are chronically homeless and where at least one member of the family has a disability. The department will also connect these families to medicaid supportive services.

(23)(a) \$2,500,000 of the general fund—state appropriation for fiscal year 2020, \$2,500,000 of the general fund—state appropriation for fiscal year 2021, and \$2,500,000 of the home security fund—state appropriation are provided solely for the office of homeless youth prevention and protection programs to:

(i) Contract with other public agency partners to test innovative program models that prevent youth from exiting public systems into homelessness; and

(ii) Support the development of an integrated services model, increase performance outcomes, and enable providers to have the necessary skills and expertise to effectively operate youth programs.

(b) Of the amounts provided in this subsection:

(i) \$2,000,000 of the general fund—state appropriation for fiscal year 2020 and \$2,000,000 of the general fund—state appropriation for fiscal year 2021 are provided solely to build infrastructure and services to support a continuum of interventions including, but not limited to, prevention, crisis response, and long-term housing to reduce youth homelessness in four identified communities as part of the anchor community initiative; and

(ii) \$1,750,000 of the home security fund—state appropriation is provided solely for the department to decrease homelessness of youth under eighteen years of age through increasing shelter capacity statewide with preference given to increasing the number of contracted HOPE beds and crisis residential center beds.

(24) \$750,000 of the general fund—state appropriation for fiscal year 2020 is provided solely for the department to contract with the Washington State University energy program for work that supports the state efficiency and environmental performance program. Currently, major greenhouse gas-emitting state cabinet agencies are required, under executive order 18-01, to reduce energy use in state-owned facilities and to develop a portfolio of cost-effective investments in greenhouse gas reductions. The Washington State University energy program will work under the guidance of the state efficiency and environmental performance program director to provide assistance to state cabinet agencies in compiling information from various data and information sources. Data will be used to assist cabinet agencies in developing a portfolio of cost-effective projects that increase energy efficiency, contribute to greenhouse gas reductions, and result in supporting agency facility preservation or improvement goals. Resulting data may be housed in the facilities portfolio management tool system and be used to generate reports on project-level opportunities to achieve energy and greenhouse gas savings, synthesize cross-agency data, generate capital project priorities, provide data analysis and reporting capabilities, and track implementation of the executive order across agencies.

(25) \$1,436,000 of the general fund—state appropriation for fiscal year 2020 and \$1,436,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the department to identify and invest in strategic growth areas, support key sectors, and align existing economic development programs and priorities. The department must consider Washington's position as the most trade-dependent state when

identifying priority investments. The department must engage states and provinces in the northwest as well as associate development organizations, small business development centers, chambers of commerce, ports, and other partners to leverage the funds provided. Sector leads established by the department must include the industries of: (a) Aerospace; (b) clean technology and renewable and nonrenewable energy; (c) wood products and other natural resource industries; (d) information and communication technology; (e) life sciences and global health; (f) maritime; and (g) military and defense. The department may establish these sector leads by hiring new staff, expanding the duties of current staff, or working with partner organizations and or other agencies to serve in the role of sector lead.

(26) \$643,000 of the liquor excise tax account—state appropriation is provided solely for the department to provide fiscal note assistance to local governments.

(27) The department must develop a model ordinance for cities and counties to utilize for siting community based behavioral health facilities.

(28) \$1,275,000 of the general fund—state appropriation for fiscal year 2020 and \$1,227,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5116 (clean energy). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

(29) \$47,000 of the general fund—state appropriation for fiscal year 2020 and \$47,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5223 (electrical net metering). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

(30) \$81,000 of the general fund—state appropriation for fiscal year 2020 and \$76,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Substitute Senate Bill No. 5324 (homeless student support). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

(31) \$100,000 of the general fund—state appropriation for fiscal year 2020 and \$100,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5497 (immigrants in the workplace). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

(32) \$264,000 of the general fund—state appropriation for fiscal year 2020 and \$264,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Second Substitute Senate Bill No. 5511 (broadband service). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

(33) \$100,000 of the general fund—state appropriation for fiscal year 2020 is provided solely for implementation of Substitute Senate Bill No. 5936 (industrial symbioses). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

(34) \$4,500,000 of the home security fund—state appropriation is provided solely for crisis residential centers and hope center beds for youth ages twelve to seventeen to provide temporary residence, assessment, referrals, and permanency planning services. Funding is provided from a transfer to the home security fund from the criminal justice treatment account through fiscal year 2023.

(35) \$272,000 of the general fund—state appropriation for fiscal year 2020 and \$272,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the lead based paint enforcement activities within the department.

(36) \$1,403,000 of the general fund—state appropriation for fiscal year 2020, \$1,402,000 of the general fund—state appropriation for fiscal year 2021, and \$1,500,000 of the real estate commission account—state appropriation is provided solely for buildable lands counties (Whatcom, Pierce, King, Snohomish, Kitsap, Thurston, and Clark counties) to meet the requirements of chapter 16, Laws of 2017 3rd sp. sess.

(37) \$250,000 of the general fund—state appropriation for fiscal year 2020 and \$250,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for a grant to the native action network to promote leadership skills for native women of all ages, promote community development and building, and civic engagement and capacity building.

(38) \$125,000 of the general fund—state appropriation for fiscal year 2020 and \$125,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for a grant to the smart buildings center education program to educate building owners and operators on smart building practices and technologies, including the development of onsite and digital trainings that detail how to operate residential and commercial facilities in an energy efficient manner.

(39) \$250,000 of the general fund—state appropriation for fiscal year 2020 is provided solely for a one-time grant to the port of Port Angeles for a stormwater management project to protect ancient tribal burial sites and to maintain water quality.

(40) \$100,000 of the general fund—state appropriation for fiscal year 2020 and \$100,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for a grant to municipalities using a labor program model designed for providing jobs to individuals experiencing homelessness to lead to full-time employment and stable housing.

(41) \$250,000 of the general fund—state appropriation for fiscal year 2020 and \$250,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for a grant to divine alternatives for dads services to assist fathers transitioning from incarceration to family reunification.

(42) \$100,000 of the general fund—state appropriation for fiscal year 2020 and \$100,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for a one-time grant to the wildfire project that promotes public education around wildfires to public school students of all ages.

(43) \$125,000 of the general fund—state appropriation for fiscal year 2020 and \$125,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for a grant to the safe streets of Tacoma to help reduce crime and violence in neighborhoods and school communities.

(44) \$125,000 of the general fund—state appropriation for fiscal year 2020 and \$125,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for a grant to support the Washington asset building coalition to increase financial stability of low income Washingtonians through participation in children's education savings accounts, earned income tax credits, and the Washington retirement marketplace.

(45) \$75,000 of the general fund—state appropriation for fiscal year 2020 and \$75,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of the recommendations by the joint transportation committee's Washington state air cargo movement study to support an air cargo marketing program and assistance program. The department must coordinate promotion activities at domestic and international trade shows, air cargo events, and other activities that support the promotion, marketing, and sales efforts of the air cargo industry.

(46) \$100,000 of the general fund—state appropriation for fiscal year 2020 and \$100,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for a grant

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to the mass timber coalition to support education through mass timber summits, updates to the building code, and forest health and workforce development.

(47) \$109,000 of the general fund—state appropriation for fiscal year 2020 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5139 (daylight saving). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

(48) \$993,000 of the general fund—state appropriation for fiscal year 2020 and \$1,007,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Second Substitute House Bill No. 1257 (energy efficiency). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

(49) \$1,000,000 of the economic development strategic reserve account—state appropriation is provided solely for associate development organizations.

(50) \$250,000 of the general fund—state appropriation for fiscal year 2020 and \$250,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for a grant to the Washington microenterprise association to assist people with limited incomes in nonmetro areas of the state start and sustain small businesses.

(51) \$7,500,000 of the general fund—state appropriation for fiscal year 2020 and \$7,500,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for expansion of the housing and essential needs program.

(52) \$270,000 of the general fund—state appropriation for fiscal year 2020 is provided solely for a grant to centro latino in Tacoma for the enhancement, infrastructure, and general operations of the nonprofit organization.

(53) \$172,000 of the general fund—state appropriation for fiscal year 2020 and \$165,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the Washington statewide reentry council for operational staff support, travel, and administrative costs.

NEW SECTION. Sec. 130. FOR THE ECONOMIC AND REVENUE FORECAST COUNCIL

General Fund—State Appropriation (FY 2020)	\$828,000
General Fund—State Appropriation (FY 2021)	\$836,000
Pension Funding Stabilization Account—State Appropriation	\$102,000
Lottery Administrative Account—State Appropriation	\$50,000
TOTAL APPROPRIATION	\$1,816,000

NEW SECTION. Sec. 131. FOR THE OFFICE OF FINANCIAL MANAGEMENT

General Fund—State Appropriation (FY 2020)	\$33,147,000
General Fund—State Appropriation (FY 2021)	\$11,645,000
General Fund—Federal Appropriation	\$32,456,000
General Fund—Private/Local Appropriation	\$5,501,000
Economic Development Strategic Reserve Account—State Appropriation	\$317,000
Personnel Service Account—State Appropriation	\$22,296,000
Higher Education Personnel Services Account—State Appropriation	\$1,497,000
Statewide Information Technology System Development Revolving Account—State Appropriation	\$6,232,000
Office of Financial Management Central Service Account—State Appropriation	\$20,652,000
Pension Funding Stabilization Account—State Appropriation	\$2,446,000
Performance Audits of Government Account—State Appropriation	\$942,000
TOTAL APPROPRIATION	\$137,131,000

The appropriations in this section are subject to the following conditions and limitations:

(1)(a) The student achievement council and all institutions of higher education as defined in RCW 28B.92.030 and eligible for state financial aid programs under chapters 28B.92 and 28B.118 RCW shall ensure that data needed to analyze and evaluate the effectiveness of state financial aid programs are promptly transmitted to the education data center so that it is available and easily accessible. The data to be reported must include but not be limited to:

- (i) The number of state need grant and college bound recipients;
- (ii) The number of students on the unserved waiting list of the state need grant;
- (iii) Persistence and completion rates of state need grant recipients and college bound recipients as well as students on the state need grant unserved waiting list, disaggregated by institution of higher education;
- (iv) College bound recipient grade point averages;
- (v) State need grant recipients and students on the state need grant unserved waiting list grade point averages; and
- (vi) State need grant and college bound scholarship program costs.

(b) The student achievement council shall submit student unit record data for state financial aid program applicants and recipients to the education data center.

(c) The education data center shall enter data sharing agreements with the joint legislative audit and review committee and the Washington state institute for public policy to ensure that legislatively directed research assignments regarding state financial aid programs may be completed in a timely manner.

(2) Within existing resources, the labor relations section shall produce a report annually on workforce data and trends for the previous fiscal year. At a minimum, the report must include a workforce profile; information on employee compensation, including salaries and cost of overtime; and information on retention, including average length of service and workforce turnover.

(3) \$2,934,000 of the statewide information technology system development revolving account—state appropriation is provided solely for continuation of readiness activities for the one Washington program. The office of financial management will provide quarterly reports to the legislative fiscal committees and the legislative evaluation and accountability program committee. This subsection is subject to the conditions, limitations, and review requirements of section 735 of this act.

(4) \$1,200,000 of the office of financial management central services—state appropriation is provided solely for the education research and data center to set up a data enclave and to work on complex data sets. This is subject to the conditions, limitations and review requirements of section 735 of this act. The data enclave for customer access must include twenty-five users, to include one user from each of the following entities:

- (a) The house;
- (b) The senate;
- (c) The legislative evaluation and accountability program committee;
- (d) The joint legislative audit and review committee; and
- (e) The Washington state institute for public policy.

(5) \$345,000 of the statewide information technology system development revolving account—state appropriation is provided solely for modifications to the facilities portfolio management tool to expand the ability to track leases of land, buildings, equipment, and vehicles. This is subject to the conditions, limitations, and review requirements of section 735 of this act.

(6) \$2,000 of the general fund—state appropriation for fiscal year 2020 and \$2,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the state agency facility oversight program. Of these amounts, effective December 31, 2019, the state agency facility oversight program must provide a report to fiscal committees of the legislature by December 31st of each calendar year that reflects expenditure data for the prior fiscal year period. The report must include:

- (a) The total expenditure amounts by fund source for each lease facility contractual obligation;
- (b) The total expenditure amounts for each lease facility contractual obligation;
- (c) The total expenditure amounts by state agency; and
- (d) The total expenditure amounts statewide by fund and in total.

(7) \$1,536,000 of the general fund—state appropriation for fiscal year 2020 and \$80,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Engrossed Substitute Senate Bill No. 5741 (all payer claims database). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

(8) \$300,000 of the general fund—state appropriation for fiscal year 2020 is provided solely for the office of financial management to contract with a consultant to evaluate the Washington state patrol crime and toxicology labs. The purpose of the study is to review the systems for testing toxicology cases and DNA cases, including tandem repeat, sexual assault kits—2 and sexual assault kits—3 cases. The study must be submitted to the office of financial management and fiscal committees of the legislature by September 1, 2020. The study of the crime lab and toxicology lab must include, but is not limited to, analyses and recommendations, to include cost estimates, regarding the following:

(a) Processes, procedures, and systems for receiving, processing, prioritizing, testing, and reviewing DNA cases with a focus on reducing the overall wait time and backlogs for all sexual assault kit testing. This analysis should include a review of other state processes and procedures for testing of sexual assault kits. The analysis should also include recommendations on how to maximize efficiency and effectiveness of the high throughput lab if implemented in the crime lab;

(b) Resources, equipment, and facilities to improve receiving, processing and testing procedures on all sexual kits. This review should include an analysis of the current locations of the facilities and hiring and retention issues if feasible within the scope of the study;

(c) Training procedures and policies for new employees to reduce wait times and backlog of cases; and

(d) Processes, procedures, and systems for receiving, processing, prioritizing, testing, and reviewing toxicology cases with a focus on reducing the overall wait time.

(9) \$12,741,000 of the personnel service account—state appropriation in this section is provided solely for administration of orca pass benefits included in the 2019-2021 collective bargaining agreements and provided to nonrepresented employees as identified in section 949 of this act. The office of financial management must bill each agency for that agency's proportionate share of the cost of orca passes. The payment from each agency must be deposited in to the personnel service account and used to purchase orca passes. The office of financial management may consult with the Washington state department of transportation in the administration of these benefits.

(10) The office, in collaboration with the institutions of higher education, shall create appropriate standards and procedures to allow the institutions of higher education to report additional revenue, spending and allotment information to the state's

accounting system. The office shall notify the fiscal committees of the legislature of the updated standards and procedures by June 1, 2020. The standards and procedures must enable, at a minimum, institutions of higher education to report detail in the following areas:

(a) Spending and staffing levels for different types of faculty, including part-time and adjunct faculty;

(b) Spending by campus or community and technical college district and department;

(c) Spending by degree program as defined by the classification of instructional programs;

(d) Tuition revenue by campus or community and technical college district, student residency status, and tuition type;

(e) Revenue and spending for auxiliary activities such as housing, dining, and intercollegiate athletics;

(f) Spending and forgone revenue for financial aid and tuition waivers by award type;

(g) Spending on information technology consistent with the office of the chief information officer policies on technology business management; and

(h) Revenue and spending of student fees by type.

(11) \$250,000 of the office of financial management central service—state appropriation is provided solely for a dedicated budget staff for the work associated with the information technology cost pool projects. The staff will be responsible for providing a monthly financial report after each fiscal month close to fiscal staff of the senate ways and means and house appropriations committees to reflect at least:

(a) Fund balance of the information technology pool account;

(b) Amount by project of funding approved to date and for the last fiscal month;

(c) Amount by agency of funding approved to date and for the last fiscal month;

(d) Total amount approved to date and for the last fiscal month; and

(e) Amount of expenditure on each project by the agency to date and for the last fiscal month.

(12) \$20,000,000 of the general fund—state appropriation for fiscal year 2020, \$159,000 of the general fund—state appropriation for fiscal year 2021, and \$5,000,000 of the general fund—private/local appropriation are provided solely for the office of financial management to prepare for the 2020 census. No funds provided under this subsection may be used for political purposes. The office must:

(a) Complete outreach and a communication campaign that reaches the state's hardest to count residents;

(b) Perform frequent outreach to the hard-to-count population both in person through community messengers and through various media avenues;

(c) Establish deliverable-based outreach contracts with nonprofit organizations and local and tribal contracts;

(d) Consider the recommendations of the statewide complete count committee;

(e) Prepare documents in multiple languages to promote census participation;

(f) Provide technical assistance with the electronic census forms; and

(g) Hold in reserve \$5,000,000 of the general fund—state appropriation for fiscal year 2020 and \$5,000,000 of the general fund—private/local appropriation, until January 1, 2020, for contracting with community based organizations with historical access to and credibility with hard-to-count people to support outreach to the hardest to count and last-mile efforts.

NEW SECTION. Sec. 132. FOR THE OFFICE OF ADMINISTRATIVE HEARINGS

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Administrative Hearings Revolving Account—State	
Appropriation	\$42,915,000
TOTAL APPROPRIATION	\$42,915,000

NEW SECTION. Sec. 133. FOR THE WASHINGTON STATE LOTTERY

Lottery Administrative Account—State	Appropriation
	\$28,505,000
TOTAL APPROPRIATION	\$28,505,000

The appropriation in this section is subject to the following conditions and limitations:

- (1) No portion of this appropriation may be used for acquisition of gaming system capabilities that violate state law.
- (2) Pursuant to RCW 67.70.040, the commission shall take such action necessary to reduce retail commissions to an average of 5.1 percent of sales.

NEW SECTION. Sec. 134. FOR THE COMMISSION ON HISPANIC AFFAIRS

General Fund—State Appropriation (FY 2020)	\$380,000
General Fund—State Appropriation (FY 2021)	\$382,000
Pension Funding Stabilization Account—State	Appropriation
	\$26,000
TOTAL APPROPRIATION	\$788,000

The appropriations in this section are subject to the following conditions and limitations:

- (1) \$3,000 of the general fund—state appropriation for fiscal year 2020 and \$2,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Substitute Senate Bill No. 5023 (ethnic studies). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.
- (2) \$5,000 of the general fund—state appropriation for fiscal year 2020 and \$5,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for a compensation increase to the director.
- (3) \$96,000 of the general fund—state appropriation for fiscal year 2020 and \$94,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the agency to hire a communications manager to be the primary liaison for the commission and the Latino/Latina/Hispanic community for issues and communications related to the 2020 census. This position will also assist with providing current, accurate, and reliable data that will be used for advocating on behalf of the Latino/Latina/Hispanic community.

NEW SECTION. Sec. 135. FOR THE COMMISSION ON AFRICAN-AMERICAN AFFAIRS

General Fund—State Appropriation (FY 2020)	\$297,000
General Fund—State Appropriation (FY 2021)	\$271,000
Pension Funding Stabilization Account—State	Appropriation
	\$26,000
TOTAL APPROPRIATION	\$594,000

The appropriations in this section are subject to the following conditions and limitations: \$5,000 of the general fund—state appropriation for fiscal year 2020 and \$5,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for a compensation increase to the director.

NEW SECTION. Sec. 136. FOR THE DEPARTMENT OF RETIREMENT SYSTEMS—OPERATIONS

Department of Retirement Systems Expense	
Account—State Appropriation	\$57,718,000
TOTAL APPROPRIATION	\$57,718,000

The appropriation in this section is subject to the following conditions and limitations:

- (1) \$106,000 of the appropriation in this section is provided solely for implementation of Senate Bill No. 5350 (optional life annuity). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.
- (2) \$139,000 of the appropriation in this section is provided solely for implementation of Senate Bill No. 5360 (retirement systems default). If the bill is not enacted by June 30, 2019, the amounts in this subsection shall lapse.
- (3) \$287,000 of the appropriation in this section is provided solely for implementation of substitute Senate Bill No. 5687 (retirement system opt-out). If the bill is not enacted by June 30, 2019, the amounts in this subsection shall lapse.

NEW SECTION. Sec. 137. FOR THE DEPARTMENT OF REVENUE

General Fund—State Appropriation (FY 2020)	\$142,522,000
General Fund—State Appropriation (FY 2021)	\$134,075,000
Timber Tax Distribution Account—State	Appropriation
	\$6,993,000
Business License Account—State	Appropriation
Waste Reduction, Recycling, and Litter Control	Account—State Appropriation
	\$162,000
Model Toxics Control Operating Account—State	Appropriation
	\$115,000
Financial Services Regulation Account—State	Appropriation
	\$5,000,000
Pension Funding Stabilization Account—State	Appropriation
	\$13,486,000
TOTAL APPROPRIATION	\$322,373,000

The appropriations in this section are subject to the following conditions and limitations:

- (1) \$307,000 of the general fund—state appropriation for fiscal year 2020 and \$290,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the implementation of Engrossed Substitute Senate Bill No. 5160 (senior citizen, disabled persons, and veterans property tax exemption). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.
- (2) \$63,000 of the general fund—state appropriation for fiscal year 2020 and \$7,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the implementation of Engrossed Second Substitute Senate Bill No. 5497 (immigrants in the workplace). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.
- (3) \$594,000 of the general fund—state appropriation for fiscal year 2020 and \$146,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the implementation of chapter 8, Laws of 2019 (SSB 5581) (wayfair). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.
- (4) \$70,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the implementation of Senate Bill No. 5002 (limited cooperation associations). If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.
- (5) \$111,000 of the general fund—state appropriation for fiscal year 2020 is provided solely for the implementation of Engrossed Second Substitute Senate Bill No. 5116 (clean energy). If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.
- (6) \$76,000 of the general fund—state appropriation for fiscal year 2020 and \$8,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the implementation of

Engrossed Substitute Senate Bill No. 5228 (lodging special excise taxes). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

(7) \$145,000 of the general fund—state appropriation for fiscal year 2020 and \$29,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the implementation of Engrossed Substitute Senate Bill No. 5323 (plastic bags). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

(8) Within existing resources, the department must compile a report on the annual amount of state retail sales tax collected under chapter 82.08 RCW on sales occurring at area fairs and county fairs as described in RCW 15.76.120. The report must be submitted to the appropriate committees of the legislature by December 1, 2019.

NEW SECTION. Sec. 138. FOR THE BOARD OF TAX APPEALS

General Fund—State Appropriation (FY 2020)	\$2,219,000
General Fund—State Appropriation (FY 2021)	\$2,196,000
Pension Funding Stabilization Account—State Appropriation	\$162,000
TOTAL APPROPRIATION	\$4,577,000

The appropriations in this section are subject to the following conditions and limitations: \$30,000 of the general fund—state appropriation for fiscal year 2020 and \$9,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the board to continue maintaining its legacy case management software and conduct a feasibility study to determine how best to update or replace the case management software.

NEW SECTION. Sec. 139. FOR THE OFFICE OF MINORITY AND WOMEN’S BUSINESS ENTERPRISES

Minority and Women’s Business Enterprises Account—State Appropriation	\$4,904,000
TOTAL APPROPRIATION	\$4,904,000

NEW SECTION. Sec. 140. FOR THE INSURANCE COMMISSIONER

General Fund—Federal Appropriation	\$4,634,000
Insurance Commissioner’s Regulatory Account—State Appropriation	\$65,346,000
TOTAL APPROPRIATION	\$69,980,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$60,000 of the insurance commissioners regulatory account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5030 (service contract providers). If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.

(2) \$84,000 of the insurance commissioners regulatory account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5889 (insurance communications confidentiality). If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.

(3) \$536,000 of the insurance commissioners regulatory account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5526 (individual health insurance market). If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.

(4) \$477,000 of the insurance commissioners regulatory account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5385 (telemedicine payment parity). If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.

(5) \$125,000 of the insurance commissioners regulatory account—state appropriation is provided solely for implementation of Second Substitute Senate Bill No. 5602 (reproductive health care). If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.

(6) \$125,000 of the insurance commissioner’s regulatory account—state appropriation is provided solely for staffing and supporting the work of the natural disaster and resiliency workgroup for Substitute Senate Bill No. 5106 (natural disaster mitigation). If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.

NEW SECTION. Sec. 141. FOR THE STATE INVESTMENT BOARD

State Investment Board Expense Account—State Appropriation	\$54,474,000
TOTAL APPROPRIATION	\$54,474,000

NEW SECTION. Sec. 142. FOR THE LIQUOR AND CANNABIS BOARD

General Fund—State Appropriation (FY 2020)	\$338,000
General Fund—State Appropriation (FY 2021)	\$360,000
General Fund—Federal Appropriation	\$2,959,000
General Fund—Private/Local Appropriation	\$75,000
Dedicated Marijuana Account—State Appropriation (FY 2020)	\$11,292,000
Dedicated Marijuana Account—State Appropriation (FY 2021)	\$10,978,000
Pension Funding Stabilization Account—State Appropriation	\$80,000
Liquor Revolving Account—State Appropriation	\$70,860,000
TOTAL APPROPRIATION	\$96,942,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The liquor and cannabis board may require electronic payment of the marijuana excise tax levied by RCW 69.50.535. The liquor and cannabis board may allow a waiver to the electronic payment requirement for good cause as provided by rule.

(2) The traceability system is subject to the conditions, limitations, and review provided in section 735 of this act.

(3) \$722,000 of the dedicated marijuana account—state appropriation for fiscal year 2020 and \$591,000 of the dedicated marijuana account—state appropriation for fiscal year 2021 are provided solely for the implementation of Engrossed Substitute Senate Bill No. 5318 (marijuana license compliance). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

(4) \$350,000 of the dedicated marijuana account—state appropriation for fiscal year 2020 and \$350,000 of the dedicated marijuana account—state appropriation for fiscal year 2021 are provided solely for the board to hire additional staff for cannabis enforcement and licensing activities.

(5) \$100,000 of the dedicated marijuana account—state appropriation for fiscal year 2020 is provided solely for the board to convene a workgroup to determine the feasibility of and make recommendations for varying the marijuana excise tax rate based on product potency. The workgroup must submit a report of its findings to the appropriate committees of the legislature by December 1, 2019.

NEW SECTION. Sec. 143. FOR THE UTILITIES AND TRANSPORTATION COMMISSION

General Fund—Private/Local Appropriation	\$16,739,000
Public Service Revolving Account—State Appropriation	\$43,161,000

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Pipeline Safety Account—State Appropriation	\$3,421,000
Pipeline Safety Account—Federal Appropriation	\$3,121,000
TOTAL APPROPRIATION	\$66,442,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Up to \$800,000 of the public service revolving account—state appropriation in this section is for the utilities and transportation commission to supplement funds committed by a telecommunications company to expand rural broadband service on behalf of an eligible governmental entity. The amount in this subsection represents payments collected by the utilities and transportation commission pursuant to the Qwest performance assurance plan.

(2) \$968,000 of the public services revolving account—state appropriation is provided solely for the implementation of Engrossed Second Substitute Senate Bill No. 5116 (clean energy). If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.

(3) \$3,948,000 of the public services revolving account—state appropriation is provided solely for the implementation of Second Substitute Senate Bill No. 5511 (broadband service). If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.

(4) \$14,000 of the public service revolving account—state appropriation is provided solely for the implementation of Engrossed Second Substitute House Bill No. 1112 (hydrofluorocarbons emissions). If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.

NEW SECTION. Sec. 144. FOR THE MILITARY DEPARTMENT

General Fund—State Appropriation (FY 2020)	\$11,202,000
General Fund—State Appropriation (FY 2021)	\$11,092,000
General Fund—Federal Appropriation	\$116,766,000
Enhanced 911 Account—State Appropriation	\$43,483,000
Disaster Response Account—State Appropriation	\$19,143,000
Disaster Response Account—Federal Appropriation	\$97,021,000
Military Department Rent and Lease Account—State Appropriation	\$615,000
Military Department Active State Service Account—State Appropriation	\$400,000
Worker and Community Right to Know Fund—State Appropriation	\$2,367,000
Pension Funding Stabilization Account—State Appropriation	\$1,244,000
Model Toxics Control Operating Account—State Appropriation	\$1,040,000
Wildfire Prevention and Suppression Account—State Appropriation	\$8,683,000
TOTAL APPROPRIATION	\$313,056,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The military department shall submit a report to the office of financial management and the legislative fiscal committees on February 1st and October 31st of each year detailing information on the disaster response account, including: (a) The amount and type of deposits into the account; (b) the current available fund balance as of the reporting date; and (c) the projected fund balance at the end of the 2019-2021 biennium based on current revenue and expenditure patterns.

(2) \$40,000,000 of the general fund—federal appropriation is provided solely for homeland security, subject to the following conditions: Any communications equipment purchased by local

jurisdictions or state agencies shall be consistent with standards set by the Washington state interoperability executive committee.

(3) \$11,000,000 of the enhanced 911 account—state appropriation is provided solely for financial assistance to counties.

(4) \$784,000 of the disaster response account—state appropriation is provided solely for fire suppression training, equipment, and supporting costs to national guard soldiers and airmen.

(5) \$520,000 of the general fund—state appropriation for fiscal year 2020 and \$520,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the department to collaborate with schools and school districts in the development, planning, and exercise of emergency management and catastrophic preparedness plans in schools. Initial work shall be prioritized based on the risk level of known natural and other hazards.

(6) \$464,000 of the general fund—state appropriation for fiscal year 2020 and \$464,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the procurement and installation of tsunami sirens for coastal cities at risk.

(7) \$118,000 of the general fund—state appropriation for fiscal year 2020 and \$118,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the implementation of Substitute Senate Bill No. 5012 (governmental continuity). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

(8) \$464,000 of the general fund—state appropriation for fiscal year 2020 and \$464,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the department to procure and install sixteen all-hazard alert broadcast sirens to increase inundation zone coverage to alert individuals of an impending tsunami or other disaster.

(9) \$2,500,000 of the general fund—state appropriation for fiscal year 2020 and \$2,500,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the department to procure and install seismic monitoring stations and global navigation satellite systems that integrate with the early warning system known as ShakeAlert.

(10) \$120,000 of the general fund—state appropriation for fiscal year 2020 and \$120,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the department to support an education and public outreach program in advance of the new early earthquake warning system known as ShakeAlert.

NEW SECTION. Sec. 145. FOR THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

General Fund—State Appropriation (FY 2020)	\$2,126,000
General Fund—State Appropriation (FY 2021)	\$2,109,000
Personnel Service Account—State Appropriation	\$4,087,000
Higher Education Personnel Services Account—State Appropriation	\$1,347,000
Pension Funding Stabilization Account—State Appropriation	\$228,000
TOTAL APPROPRIATION	\$9,897,000

The appropriations in this section are subject to the following conditions and limitations: \$48,000 of the general fund—state appropriation for fiscal year 2020 and \$38,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Substitute Senate Bill No. 5297 (assistant attorney general bargaining). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

NEW SECTION. Sec. 146. FOR THE BOARD FOR VOLUNTEER FIREFIGHTERS

Volunteer Firefighters' and Reserve Officers' Administrative Account—State Appropriation	\$963,000
TOTAL APPROPRIATION	\$963,000

NEW SECTION. Sec. 147. FOR THE BOARD OF ACCOUNTANCY

Certified Public Accountants' Account—State Appropriation	\$3,323,000
TOTAL APPROPRIATION	\$3,323,000

NEW SECTION. Sec. 148. FOR THE FORENSIC INVESTIGATION COUNCIL

Death Investigations Account—State Appropriation	\$691,000
TOTAL APPROPRIATION	\$691,000

The appropriation in this section is subject to the following conditions and limitations:

(1) \$250,000 of the death investigations account—state appropriation is provided solely for providing financial assistance to local jurisdictions in multiple death investigations. The forensic investigation council shall develop criteria for awarding these funds for multiple death investigations involving an unanticipated, extraordinary, and catastrophic event or those involving multiple jurisdictions.

(2) \$210,000 of the death investigations account—state appropriation is provided solely for providing financial assistance to local jurisdictions in identifying human remains.

NEW SECTION. Sec. 149. FOR THE DEPARTMENT OF ENTERPRISE SERVICES

General Fund—State Appropriation (FY 2020)	\$4,555,000
General Fund—State Appropriation (FY 2021)	\$4,531,000
General Fund—Private/Local Appropriation	\$102,000
Building Code Council Account—State Appropriation	\$1,486,000
TOTAL APPROPRIATION	\$10,674,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$4,154,000 of the general fund—state appropriation for fiscal year 2020 and \$4,155,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the payment of facilities and services charges to include campus rent, utilities, parking, and contracts, public and historic facilities charges, and capital projects surcharges allocable to the senate, house of representatives, statute law committee, legislative support services, and joint legislative systems committee. The department shall allocate charges attributable to these agencies among the affected revolving funds. The department shall maintain an interagency agreement with these agencies to establish performance standards, prioritization of preservation and capital improvement projects, and quality assurance provisions for the delivery of services under this subsection. The legislative agencies named in this subsection shall continue to enjoy all of the same rights of occupancy and space use on the capitol campus as historically established.

(2) In accordance with RCW 46.08.172 and 43.135.055, the department is authorized to increase parking fees in fiscal years 2020 and 2021 as necessary to meet the actual costs of conducting business.

(3) Before any agency may purchase a passenger motor vehicle as defined in RCW 43.19.560, the agency must have written approval from the director of the department of enterprise services. Agencies that are exempted from the requirement are the Washington state patrol, Washington state department of transportation, and the department of natural resources.

(4) From the fee charged to master contract vendors, the department shall transfer to the office of minority and women's

business enterprises in equal monthly installments \$1,500,000 in fiscal year 2020 and \$1,300,000 in fiscal year 2021.

(5) \$10,000 of the general fund—state appropriation for fiscal year 2020 is provided solely for the department to query and inventory all state agency use and amounts of glyphosate. Within amounts provided, the department must offer to pay to state agencies the difference in costs for using alternatives for vegetation control. A report to the appropriate committees of the legislature on the findings of the query and inventory must be made by December 31, 2019.

(6) \$100,000 of the general fund—state appropriation in fiscal year 2020 and \$100,000 of the general fund—state appropriation in fiscal year 2021 are provided solely for the agency to procure cyber incident insurance on behalf of forty-three small to medium sized agencies that are currently without this coverage.

(7) Within the amounts appropriated within this section, the department's risk management division shall conduct a review of state tort liability costs and processes and provide a report to the governor and appropriate committees of the legislature by December 15, 2019, outlining its findings and providing recommendations on ways to reform the current tort liability process and reduce expenditures and risk.

(8)(a) A legislative workgroup is established to study and make recommendations on a monument on the capitol campus to honor residents who died in the global war in terror. The department of enterprise services must staff the work group, which shall be composed of:

(i) One member from each of the four major caucuses of the legislature;

(ii) The director of the department of veterans affairs or his or her designee;

(iii) The director of the Washington state parks and recreation commission or his or her designee;

(iv) The director of the department of enterprise services or his or her designee;

(v) The director of the Washington state military department or his or her designee;

(vi) The secretary of state or his or her designee;

(vii) The state archivist or his or her designee;

(viii) A representative of the capitol campus design advisory committee that is not the secretary of state or a legislative member already designated to be part of the work group; and

(ix) Two representatives from veterans organizations appointed by the governor.

(b) The work group shall choose two cochairs from among its legislative membership. The legislative membership shall convene the initial meeting of the work group before November 1, 2019.

(c) The work group shall:

(i) Conduct a study of the feasibility of establishing a new memorial on the capitol campus to honor fallen service members from the global war on terrorism;

(ii) Provide the names of the recommended individuals to be honored at the memorial;

(iii) Recommend locations where the memorial could be constructed on the capitol campus and provide any permit requirements or other restrictions that may exist for each location;

(iv) Provide potential draft designs that could be used for the memorial;

(v) Provide information regarding the anticipated funding needed for:

(A) The design, construction, and placement of the memorial;

(B) Any permits that may be required;

(C) Anticipated ongoing maintenance cost for the memorial based on potential materials used and historical maintenance of other memorials on campus; and

(D) An unveiling ceremony or other expenses that may be necessary for the memorial;

(vi) Make recommendations regarding the funding sources that may be available, which may include solicitation of private funds or a method for obtaining the necessary funds; and

(vii) Make recommendations regarding an agency, committee, or commission to coordinate the design, construction, and placement of a memorial on the capitol campus.

(d) Legislative members of the work group shall be reimbursed for travel expenses in accordance with RCW 44.04.120. Nonlegislative members shall be reimbursed for travel expenses in accordance with chapter 43.03 RCW.

(e) The work group shall submit a report of its recommendations to the appropriate committees of the legislature in accordance with RCW 43.01.036 by November 1, 2020.

NEW SECTION. Sec. 150. FOR THE DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION

General Fund—State Appropriation (FY 2020)	\$1,762,000
General Fund—State Appropriation (FY 2021)	\$1,771,000
General Fund—Federal Appropriation	\$2,108,000
General Fund—Private/Local Appropriation	\$14,000
Pension Funding Stabilization Account—State Appropriation	\$136,000
TOTAL APPROPRIATION	\$5,791,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$103,000 of the general fund—state appropriation for fiscal year 2020 and \$103,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for archaeological determinations and excavations of inadvertently discovered skeletal human remains, and removal and reinterment of such remains when necessary.

(2) \$42,000 of the general fund—state appropriation for fiscal year 2020 and \$43,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the agency to repair the geographic information system (GIS) and to pay increased lease costs.

(3) \$120,000 of the general fund—state appropriation for fiscal year 2020 and \$120,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for one additional staff person to assist with managing the Washington state main street program, which helps rural communities develop strategies for economic growth.

NEW SECTION. Sec. 151. FOR THE CONSOLIDATED TECHNOLOGY SERVICES AGENCY

General Fund—State Appropriation (FY 2020)	\$5,955,000
General Fund—State Appropriation (FY 2021)	\$2,955,000
Consolidated Technology Services Revolving Account—State Appropriation	\$22,940,000
TOTAL APPROPRIATION	\$31,850,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$12,361,000 of the consolidated technology services revolving account—state appropriation is for the office of the chief information officer. Of this amount:

(a) \$2,000,000 of the consolidated technology services revolving account—state appropriation is provided solely for experienced information technology project managers to provide critical support to agency IT projects that are subject to the provisions of section 735 of this act. The staff will:

(i) Provide master level project management guidance to agency IT stakeholders;

(ii) Consider statewide best practices from the public and private sectors, independent review and analysis, vendor management, budget and timing quality assurance and other support of current or past IT projects in at least Washington state and share these with agency IT stakeholders; and

(iii) Beginning December 31, 2019, provide independent recommendations to legislative fiscal committees by December of each calendar year on oversight of IT projects.

(b)(i) \$250,000 of the consolidated technology services revolving account—state appropriation is provided solely to ensure that the state has a more nimble, extensible information technology dashboard. Dashboard elements must include at the minimum:

(A) Start date of the project;

(B) End date of the project when the project will close out and implementation will occur;

(C) Term of the project in fiscal years across all biennia to reflect the start of the project through the end of the project;

(D) Total project cost from start date through end date in total dollars, and a subtotal of near general fund outlook;

(E) Estimated annual fiscal year cost for maintenance and operations after implementation and close out;

(F) Actual spend by fiscal year and in total for fiscal years that are closed; and

(G) Date a feasibility study was completed.

(ii) The office of the chief information officer may recommend additional elements be included but must have agreement with legislative fiscal committees and the office of financial management prior to including the additional elements.

(2) \$12,730,000 of the consolidated technology services revolving account—state appropriation is for the office of cyber security. Of this amount:

(a) \$800,000 of the consolidated technology services revolving account—state appropriation is provided solely for the computer emergency readiness to review security designs of computer systems and to complete security evaluations of state agency systems and applications to identify vulnerabilities and opportunities for system hardening.

(b) \$768,000 of the consolidated technology services revolving account—state appropriation is provided solely for the office of cyber security to decrypt network traffic to identify and evaluate network traffic for malicious activity and threats.

(c) \$608,000 of the consolidated technology services revolving account—state appropriation is provided solely for the office of cyber security to complete cyber security designs for new platforms, databases, and applications.

(3) The consolidated technology services agency shall work with customer agencies using the Washington state electronic records vault (WASERV) to identify opportunities to:

(a) Reduce storage volumes and costs associated with vault records stored beyond the agencies' record retention schedules; and

(b) Assess a customized service charge as defined in chapter 304, Laws of 2017 for costs of using WASERV to prepare data compilations in response to public records requests.

(4)(a) In conjunction with the office of the chief information officer's prioritization of proposed information technology expenditures, agency budget requests for proposed information technology expenditures must include the following:

(i) The agency's priority ranking of each information technology request;

(ii) The estimated cost by fiscal year and by fund for the current biennium;

(iii) The estimated cost by fiscal year and by fund for the ensuing biennium;

(iv) The estimated total cost for the current and ensuing biennium;

(v) The total cost by fiscal year, by fund, and in total, of the information technology project since it began;

(vi) The estimated cost by fiscal year and by fund over all biennia through implementation and close out and into maintenance and operations;

(vii) The estimated cost by fiscal year and by fund for service level agreements once the project is implemented;

(viii) The estimated cost by fiscal year and by fund for agency staffing for maintenance and operations once the project is implemented; and

(ix) The expected fiscal year when the agency expects to complete the request.

(b) The office of the chief information officer and the office of financial management may request agencies to include additional information on proposed information technology expenditure requests.

(5) The consolidated technology services agency must not increase fees charged for existing services without prior approval by the office of financial management. The agency may develop fees to recover the actual cost of new infrastructure to support increased use of cloud technologies.

(6) Within existing resources, the agency must provide oversight of state procurement and contracting for information technology goods and services by the department of enterprise services.

(7) Within existing resources, the agency must host, administer, and support the state employee directory in an online format to provide public employee contact information.

(8) \$750,000 of the consolidated technology services revolving account—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5662 (cloud computing). If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.

(9) The health care authority, the health benefit exchange, the department of social and health services, the department of health, and the department of children, youth, and families shall work together within existing resources to establish the health and human services enterprise coalition (the coalition). The coalition, led by the health care authority, must be a multi-organization collaborative that provides strategic direction and federal funding guidance for projects that have cross-organizational or enterprise impact, including information technology projects that affect organizations within the coalition. By October 31, 2019, the coalition must submit a report to the governor and the legislature that describes the coalition's plan for projects affecting the coalition organizations. The report must include any information technology projects impacting coalition organizations and, in collaboration with the office of the chief information officer, provide: (a) The status of any information technology projects currently being developed or implemented that affect the coalition; (b) funding needs of these current and future information technology projects; and (c) next steps for the coalition's information technology projects. The office of the chief information officer shall maintain a statewide perspective when collaborating with the coalition to ensure that the development of projects identified in this report are planned for in a manner that ensures the efficient use of state resources and maximizes federal financial participation. The work of the coalition is subject to the conditions, limitations, and review provided in section 735 of this act.

NEW SECTION. Sec. 152. FOR THE BOARD OF REGISTRATION OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS

Professional Engineers' Account—State	Appropriation
	\$3,992,000
TOTAL APPROPRIATION	\$3,992,000

The appropriation in this section is subject to the following conditions and limitations: \$3,992,000 of the professional engineers' account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5443 (engineers and land surveyors). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

**PART II
HUMAN SERVICES**

NEW SECTION. Sec. 201. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

(1) The appropriations to the department of social and health services in this act shall be expended for the programs and in the amounts specified in this act. Appropriations made in this act to the department of social and health services shall initially be allotted as required by this act. Subsequent allotment modifications shall not include transfers of moneys between sections of this act except as expressly provided in this act, nor shall allotment modifications permit moneys that are provided solely for a specified purpose to be used for other than that purpose.

(2) The department of social and health services shall not initiate any services that require expenditure of state general fund moneys unless expressly authorized in this act or other law. The department may seek, receive, and spend, under RCW 43.79.260 through 43.79.282, federal moneys not anticipated in this act as long as the federal funding does not require expenditure of state moneys for the program in excess of amounts anticipated in this act. If the department receives unanticipated unrestricted federal moneys, those moneys shall be spent for services authorized in this act or in any other legislation providing appropriation authority, and an equal amount of appropriated state general fund moneys shall lapse. Upon the lapsing of any moneys under this subsection, the office of financial management shall notify the legislative fiscal committees. As used in this subsection, "unrestricted federal moneys" includes block grants and other funds that federal law does not require to be spent on specifically defined projects or matched on a formula basis by state funds.

(3) The legislature finds that medicaid payment rates, as calculated by the department pursuant to the appropriations in this act, bear a reasonable relationship to the costs incurred by efficiently and economically operated facilities for providing quality services and will be sufficient to enlist enough providers so that care and services are available to the extent that such care and services are available to the general population in the geographic area. The legislature finds that cost reports, payment data from the federal government, historical utilization, economic data, and clinical input constitute reliable data upon which to determine the payment rates.

(4) The department shall to the maximum extent practicable use the same system for delivery of spoken-language interpreter services for social services appointments as the one established for medical appointments in the health care authority. When contracting directly with an individual to deliver spoken language interpreter services, the department shall only contract with language access providers who are working at a location in the state and who are state-certified or state-authorized, except that when such a provider is not available, the department may use a language access provider who meets other certifications or standards deemed to meet state standards, including interpreters in other states.

(5) Information technology projects or investments and proposed projects or investments impacting time capture, payroll and payment processes and systems, eligibility, case management, and authorization systems within the department of social and health services are subject to technical oversight by the office of the chief information officer.

(6)(a) The department shall facilitate enrollment under the medicaid expansion for clients applying for or receiving state funded services from the department and its contractors. Prior to open enrollment, the department shall coordinate with the health care authority to provide referrals to the Washington health benefit exchange for clients that will be ineligible for medicaid.

(b) To facilitate a single point of entry across public and medical assistance programs, and to maximize the use of federal funding, the health care authority, the department of social and health services, and the health benefit exchange will coordinate efforts to expand HealthPlanfinder access to public assistance and medical eligibility staff. The department shall complete medicaid applications in the HealthPlanfinder for households receiving or applying for public assistance benefits.

(7) The health care authority, the health benefit exchange, the department of social and health services, the department of health, and the department of children, youth, and families shall work together within existing resources to establish the health and human services enterprise coalition (the coalition). The coalition, led by the health care authority, must be a multi-organization collaborative that provides strategic direction and federal funding guidance for projects that have cross-organizational or enterprise impact, including information technology projects that affect organizations within the coalition. By October 31, 2019, the coalition must submit a report to the governor and the legislature that describes the coalition’s plan for projects affecting the coalition organizations. The report must include any information technology projects impacting coalition organizations and, in collaboration with the office of the chief information officer, provide: (a) The status of any information technology projects currently being developed or implemented that affect the coalition; (b) funding needs of these current and future information technology projects; and (c) next steps for the coalition’s information technology projects. The office of the chief information officer shall maintain a statewide perspective when collaborating with the coalition to ensure that the development of projects identified in this report are planned for in a manner that ensures the efficient use of state resources and maximizes federal financial participation. The work of the coalition is subject to the conditions, limitations, and review provided in section 735 of this act.

NEW SECTION. Sec. 202. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—MENTAL HEALTH PROGRAM—INSTITUTIONAL SERVICES

(1) INSTITUTIONAL SERVICES

General Fund—State Appropriation (FY 2020)	\$386,395,000
General Fund—State Appropriation (FY 2021)	\$374,987,000
General Fund—Private/Local Appropriation	\$28,325,000
Pension Funding Stabilization Account—State Appropriation	\$33,300,000
General Fund—Federal Appropriation	\$119,404,000
TOTAL APPROPRIATION	\$942,411,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) For the purposes of this section, "behavioral health entities" means managed care organizations and administrative services organizations in regions where the authority is purchasing medical and behavioral health services through fully integrated

contracts pursuant to RCW 71.24.380 and behavioral health organizations in regions that have not yet transitioned to fully integrated managed care.

(b) The state psychiatric hospitals may use funds appropriated in this subsection to purchase goods and supplies through hospital group purchasing organizations when it is cost-effective to do so.

(c) \$320,000 of the general fund—state appropriation for fiscal year 2020 and \$330,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for a community partnership between western state hospital and the city of Lakewood to support community policing efforts in the Lakewood community surrounding western state hospital. The amounts provided in this subsection (1)(c) are for the salaries, benefits, supplies, and equipment for one full-time investigator, one full-time police officer, and one full-time community service officer at the city of Lakewood. The department must collect data from the city of Lakewood on the use of the funds and the number of calls responded to by the community policing program and submit a report with this information to the office of financial management and the appropriate fiscal committees of the legislature each December of the fiscal biennium.

(d) \$45,000 of the general fund—state appropriation for fiscal year 2020 and \$45,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for payment to the city of Lakewood for police services provided by the city at western state hospital and adjacent areas.

(e) \$19,000 of the general fund—state appropriation for fiscal year 2020 and \$19,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for payment to the city of Medical Lake for police services provided by the city at eastern state hospital and adjacent areas. The city must submit a proposal to the department for a community policing program for eastern state hospital and adjacent areas by September 30, 2019.

(f) \$100,000 of the general fund—state appropriation for fiscal year 2020 and \$100,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the department to track compliance with RCW 71.05.365 requirements for transition of state hospital patients into community settings within fourteen days of the determination that they no longer require active psychiatric treatment at an inpatient level of care. The department must use these funds to track the following elements related to this requirement: (i) The date on which an individual is determined to no longer require active psychiatric treatment at an inpatient level of care; (ii) the date on which the behavioral health entities and other organizations responsible for resource management services for the person is notified of this determination; and (iii) the date on which either the individual is transitioned to the community or has been re-evaluated and determined to again require active psychiatric treatment at an inpatient level of care. The department must provide this information in regular intervals to behavioral health entities and other organizations responsible for resource management services. The department must summarize the information and provide a report to the office of financial management and the appropriate committees of the legislature on progress toward meeting the fourteen day standard by December 1, 2019 and December 1, 2020.

(g) \$100,000 of the general fund—state appropriation for fiscal year 2020 and \$100,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the department, in collaboration with the health care authority, to develop and implement a predictive modeling tool which identifies clients who are at high risk of future involvement with the criminal justice system and for developing a model to estimate demand for

civil and forensic state hospital bed needs pursuant to the following requirements.

(i) The predictive modeling tool must be developed to leverage data from a variety of sources and identify factors that are strongly associated with future criminal justice involvement. The department must submit a report to the office of financial management and the appropriate committees of the legislature which describes the following: (A) The proposed data sources to be used in the predictive model and how privacy issues will be addressed; (B) modeling results including a description of measurable factors most strongly predictive of risk of future criminal justice involvement; (C) an assessment of the accuracy, timeliness, and potential effectiveness of the tool; (D) identification of interventions and strategies that can be effective in reducing future criminal justice involvement of high risk patients; and (E) the timeline for implementing processes to provide monthly lists of high-risk client to contracted managed care organizations and behavioral health entities.

(ii) The model for civil and forensic state hospital bed need must be developed and updated in consultation with staff from the office of financial management and the appropriate fiscal committees of the state legislature. The model shall incorporate factors for capacity in state hospitals as well as contracted facilities, which provide similar levels of care, referral patterns, wait lists, lengths of stay, and other factors identified as appropriate for predicting the number of beds needed to meet the demand for civil and forensic state hospital services. Factors should include identification of need for the services and analysis of the effect of community investments in behavioral health services and other types of beds that may reduce the need for long-term civil commitment needs. The department must submit a report to the legislature by October 1, 2019, with an update of the model and the estimated civil and forensic state hospital bed need through the end of fiscal year 2023. The department must continue to update the model on a calendar quarterly basis and provide updates to the office of financial management and the appropriate committees of the legislature accordingly.

(h) \$6,186,000 of the general fund—state appropriation for fiscal year 2020 and \$6,184,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the phase-in of the settlement agreement under *Trueblood, et. al. v. Department of Social and Health Services, et. al.*, U.S. District Court-Western District, Cause No. 14-cv-01178-MJP. The department, in collaboration with the health care authority and the criminal justice training commission, must implement the provisions of the settlement agreement which impact competency evaluations, competency restoration, crisis diversion and supports, education and training, and workforce development.

(i) \$35,000,000 of the general fund—state appropriation for fiscal year 2020 and \$20,000,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for increased costs of operations at the state hospitals only if the department submits a detailed expenditure plan to the office of financial management pursuant to RCW 43.88.110 that allots the appropriations provided in this section at the object and subobject level for employee salaries, wages, and benefits. If the department fails to submit an expenditure plan as required under this section or if the plan is not approved, the office of financial management must reduce the department’s allotments by the amount provided in this subsection and place the amount in reserve status to remain unexpended until such expenditure plan is submitted and approved. In addition, the department must also continue to develop, in collaboration with the office of financial management’s labor relations office, the staffing committees, and state labor unions, an overall state hospital staffing plan that looks at all positions and functions of the facilities and is informed by a

review of the Oregon state hospital staffing model and report to the legislature in a format that compares its base funding and FTE levels with current staffing levels and the recommended staffing model level of staffing by September 12, 2019.

(j) \$11,285,000 of the general fund—state appropriation for fiscal year 2020 and \$10,581,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the department to implement safety measures at western state hospital to include enclosing nursing stations, increased security guards, enhanced training, and reconfiguring a ward for patients with high level behavioral issues.

(k) \$4,262,000 of the general fund—state appropriation for fiscal year 2021 and \$2,144,000 of the general fund—federal appropriation are provided solely to open a new cottage within the child study treatment center for inpatient care of youth with high acuity behavioral health needs.

(l) \$3,088,000 of the general fund—state appropriation for fiscal year 2020 and \$3,100,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the department to increase services to patients found not guilty by reason of insanity under the *Ross v. Laswhay* settlement agreement.

(m) Within existing resources, the department shall implement Engrossed Second Substitute Senate Bill No. 5720 (involuntary treatment act).

(n) \$135,000 of the general fund—state appropriation for fiscal year 2020 and \$135,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the department to hire an on-site safety compliance officer, stationed at western state hospital, to provide oversight and accountability of the hospital’s response to safety concerns regarding the hospital’s work environment.

(2) PROGRAM SUPPORT

General Fund—Federal Appropriation	\$284,000
General Fund—State Appropriation (FY 2020)	\$6,120,000
General Fund—State Appropriation (FY 2021)	\$5,835,000
TOTAL APPROPRIATION	\$12,239,000

NEW SECTION. Sec. 203. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—DEVELOPMENTAL DISABILITIES PROGRAM

(1) COMMUNITY SERVICES

Pension Funding Stabilization Account—State	
Appropriation	\$6,364,000
General Fund—Private/Local Appropriation	\$4,024,000
General Fund—Federal Appropriation	\$1,583,158,000
General Fund—State Appropriation (FY 2020)	\$720,589,000
General Fund—State Appropriation (FY 2021)	\$768,719,000
Developmental Disabilities Community Residential	
Investment Account—State Appropriation	\$40,600,000
TOTAL APPROPRIATION	\$3,123,454,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) Individuals receiving services as supplemental security income (SSI) state supplemental payments shall not become eligible for medical assistance under RCW 74.09.510 due solely to the receipt of SSI state supplemental payments.

(b) In accordance with RCW 18.51.050, 18.20.050, 70.128.060, and 43.135.055, the department is authorized to increase nursing facility, assisted living facility, and adult family home fees as necessary to fully support the actual costs of conducting the licensure, inspection, and regulatory programs. The license fees may not exceed the department’s annual licensing and oversight activity costs and shall include the

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department's cost of paying providers for the amount of the license fee attributed to medicaid clients.

(i) The current annual renewal license fee for adult family homes shall be \$225 per bed beginning in fiscal year 2020 and \$225 per bed beginning in fiscal year 2021. A processing fee of \$2,750 shall be charged to each adult family home when the home is initially licensed. This fee is nonrefundable. A processing fee of \$700 shall be charged when adult family home providers file a change of ownership application.

(ii) The current annual renewal license fee for assisted living facilities shall be \$116 per bed beginning in fiscal year 2020 and \$116 per bed beginning in fiscal year 2021.

(iii) The current annual renewal license fee for nursing facilities shall be \$359 per bed beginning in fiscal year 2020 and \$359 per bed beginning in fiscal year 2021.

(c) \$7,527,000 of the general fund—state appropriation for fiscal year 2020, \$16,092,000 of the general fund—state appropriation for fiscal year 2021, and \$29,989,000 of the general fund—federal appropriation are provided solely for the implementation of the agreement reached between the governor and the service employees international union healthcare 775nw under the provisions of chapters 74.39A and 41.56 RCW for the 2019-2021 fiscal biennium.

(d) \$1,058,000 of the general fund—state appropriation for fiscal year 2020, \$2,245,000 of the general fund—state appropriation for fiscal year 2021, and \$4,203,000 of the general fund—federal appropriation are provided solely for the homecare agency parity impacts of the agreement between the governor and the service employees international union healthcare 775nw.

(e) The department may authorize a one-time waiver of all or any portion of the licensing and processing fees required under RCW 70.128.060 in any case in which the department determines that an adult family home is being relicensed because of exceptional circumstances, such as death or incapacity of a provider, and that to require the full payment of the licensing and processing fees would present a hardship to the applicant. In these situations the department is also granted the authority to waive the required residential administrator training for a period of 120 days if necessary to ensure continuity of care during the relicensing process.

(f) Community residential cost reports that are submitted by or on behalf of contracted agency providers are required to include information about agency staffing including health insurance, wages, number of positions, and turnover.

(g) \$3,626,000 of the general fund—state appropriation for fiscal year 2020, \$4,757,000 of the general fund—state appropriation for fiscal year 2021, and \$10,444,000 of the general fund—federal appropriation are provided solely for the implementation of an agreement reached between the governor and the adult family home council under the provisions of chapter 41.56 RCW for the 2019-2021 fiscal biennium.

(h) \$3,490,000 of the general fund—private/local appropriation and \$3,490,000 of the general fund—federal appropriation are provided solely for implementation of Senate Bill No. 5359 (supported living investigators). The annual certification renewal fee for residential services and supports businesses shall be \$846.50 per bed beginning in fiscal year 2020 and \$859.00 per bed beginning in fiscal year 2021. The annual certification renewal fee may not exceed the department's annual cost for conducting complaint investigations and must include the department's cost of paying providers for the amount of the certification fee attributed to medicaid clients. If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

(i) \$2,252,000 of the general fund—state appropriation for fiscal year 2020, \$4,064,000 of the general fund—state appropriation for fiscal year 2021, and \$6,088,000 of the general fund—federal appropriation are provided solely for the implementation of Engrossed Second Substitute Senate Bill No. 5483 (developmental disability services). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

(j) \$20,300,000 of the general fund—federal appropriation and \$20,300,000 of the developmental disabilities community residential investment account—state appropriation are provided solely for implementation of Senate Bill No. 5990 (safety net assessment). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

(k) \$50,000 of the general fund—state appropriation for fiscal year 2020 and \$50,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the parent to parent program in Ferry, Pend Oreille, Stevens, San Juan, and Wahkiakum counties.

(l) \$100,000 of the general fund—state appropriation for fiscal year 2020, \$95,000 of the general fund—state appropriation for fiscal year 2021, and \$195,000 of the general fund—federal appropriation are provided solely for discharge case managers stationed at the state psychiatric hospitals. Discharge case managers will transition clients ready for hospital discharge into less restrictive alternative community placements. The transition of clients ready for discharge will free up bed capacity at the state psychiatric hospitals.

(m) \$1,239,000 of the general fund—state appropriation for fiscal year 2020, \$2,055,000 of the general fund—state appropriation for fiscal year 2021, and \$3,218,000 of the general fund—federal appropriation are provided solely to continue community alternative placement beds that prioritize the transition of clients who are ready for discharge from the state psychiatric hospitals, but who have additional long-term care or developmental disability needs.

(i) Community alternative placement beds include enhanced service facility beds, adult family home beds, skilled nursing facility beds, shared supportive housing beds, state operated living alternative beds, and assisted living facility beds.

(ii) Each client must receive an individualized assessment prior to leaving one of the state psychiatric hospitals. The individualized assessment must identify and authorize personal care, nursing care, behavioral health stabilization, physical therapy, or other necessary services to meet the unique needs of each client. It is the expectation that, in most cases, staffing ratios in all community alternative placement options described in (m)(i) of this subsection will need to increase to meet the needs of clients leaving the state psychiatric hospitals. If specialized training is necessary to meet the needs of a client before he or she enters a community placement, then the person centered service plan must also identify and authorize this training.

(iii) When reviewing placement options, the department must consider the safety of other residents, as well as the safety of staff, in a facility. An initial evaluation of each placement, including any documented safety concerns, must occur within thirty days of a client leaving one of the state psychiatric hospitals and entering one of the community placement options described in (n)(i) of this subsection. At a minimum, the department must perform two additional evaluations of each placement during the first year that a client has lived in the facility.

(iv) During fiscal year 2020, in a presentation to the select committee on quality improvement in state hospitals, the department must describe the process of fielding and subsequently investigating complaints of abuse, neglect, and

exploitation within the community alternative placement options described in (m)(i) of this subsection. At a minimum, the presentation must include data about the number of complaints, and the nature of complaints, over the preceding five fiscal years.

(v) During fiscal year 2021, in a presentation to the select committee on quality improvement in state hospitals, the department must provide an update about clients placed out of the state psychiatric hospitals into the community alternative placement options described in (m)(i) of this subsection. At a minimum, for each setting, the presentation must include data about the number of placements, average daily rate, complaints fielded, and complaints investigated. The presentation must also include information about modifications, including the placement of clients into alternate settings, that occurred due to the evaluations required under (m)(iii) of this subsection.

(vi) In developing bed capacity, the department shall consider the complex needs of individuals waiting for discharge from the state psychiatric hospitals.

(n) \$2,062,000 of the general fund—state appropriation for fiscal year 2020, \$4,326,000 of the general fund—state appropriation for fiscal year 2021, and \$6,246,000 of the general fund—federal appropriation are provided solely to complete the three-year phase in of forty-seven clients from residential habilitation centers to state operated living alternatives.

(o) \$3,473,000 of the general fund—state appropriation for fiscal year 2020, \$3,183,000 of the general fund—state appropriation for fiscal year 2021, and \$6,489,000 of the general fund—federal appropriation are provided solely for the transition of residents from Rainier school PAT A intermediate care facility to state operated living alternatives due to the decertification of Rainier PAT A by the centers for medicaid and medicare services in calendar year 2019.

(p) \$1,709,000 of the general fund—state appropriation for fiscal year 2020, \$1,140,000 of the general fund—state appropriation for fiscal year 2021, and \$2,849,000 of the general fund—federal appropriation are provided solely for additional staffing resources for the transition of clients living in the intermediate care facilities at Rainier school, Fircrest school, and Lakeland village to state operated living alternatives to address deficiencies identified by the centers for medicare and medicaid services.

(q) \$4,118,000 of the general fund—state appropriation for fiscal year 2020, \$13,606,000 of the general fund—state appropriation for fiscal year 2021, \$37,213,000 of the general fund—federal appropriation, and \$20,300,000 of the developmental disabilities community residential investment account—state appropriation are provided solely to increase vendor rates for community residential services providers offering supported living, group home, and licenses staff residential services to individuals with developmental disabilities in the 2019-2021 fiscal biennium up to the statewide minimum wage established in Initiative Measure No. 1433.

(r) \$605,000 of the general fund—state appropriation for fiscal year 2018, \$1,627,000 of the general fund—state appropriation for fiscal year 2019, and \$1,797,000 of the general fund—federal appropriation are provided solely for expanding the number of clients receiving services under the basic plus medicaid waiver. Approximately three hundred and fifty additional clients are anticipated to graduate from high school during the 2019-2021 fiscal biennium and will receive employment services under this expansion.

(s) \$453,000 of the general fund—state appropriation for fiscal year 2020, \$479,000 of the general fund—state appropriation for fiscal year 2021, and \$1,177,000 of the general fund—federal appropriation are provided solely to assist home care agencies to implement the electronic visit verification system in compliance

with the 21st century cures act. The act requires the system be in effect no later than January 1, 2020.

(t) \$2,040,000 of the general fund—state appropriation for fiscal year 2020 and \$2,019,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the development and implementation of fourteen community respite beds across the state for adults. These services are intended to provide families and caregivers with a break in caregiving and the opportunity for stabilization of the individual in a community-based setting as an alternative to using a residential habilitation center to provide planned or emergent respite. The department must provide the legislature with a respite utilization report by January of each year that provides information about the number of individuals who have used community respite in the preceding year, as well as the location and number of days per month that each respite bed was occupied.

(u) \$1,582,000 of the general fund—state appropriation for fiscal year 2020, \$1,561,000 of the general fund—state appropriation for fiscal year 2021, and \$1,383,000 of the general fund—federal appropriation are provided solely for the development and implementation of fourteen enhanced respite beds across the state for children. These services are intended to provide families and caregivers with a break in caregiving, the opportunity for behavioral stabilization of the child, and the ability to partner with the state in the development of an individualized service plan that allows the child to remain in his or her family home. The department must provide the legislature with a respite utilization report in January of each year that provides information about the number of children who have used enhanced respite in the preceding year, as well as the location and number of days per month that each respite bed was occupied.

(v) \$175,000 of the general fund—state appropriation for fiscal year 2020, and \$174,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for a base rate increase for overnight planned respite services for adults.

(w) \$277,000 of the general fund—state appropriation for fiscal year 2020, \$277,000 of the general fund—state appropriation for fiscal year 2021, and \$178,000 of the general fund—federal appropriation are provided solely for a base rate increase for enhanced respite services for children.

(x) \$251,000 of the general fund—state appropriation for fiscal year 2020, \$251,000 of the general fund—state appropriation for fiscal year 2021, and \$640,000 of the general fund—federal appropriation are provided solely for a targeted vendor rate increase for adult residential care and enhanced adult residential care.

(y) \$103,000 of the general fund—state appropriation for fiscal year 2020, \$108,000 of the general fund—state appropriation for fiscal year 2021, and \$268,000 of the general fund—federal appropriation are provided solely to increase the administrative rate for home care agencies by ten cents per hour effective July 1, 2019.

(2) INSTITUTIONAL SERVICES

General Fund—State Appropriation (FY 2020)	\$111,186,000
General Fund—State Appropriation (FY 2021)	\$107,930,000
General Fund—Federal Appropriation	\$213,492,000
General Fund—Private/Local Appropriation	\$27,041,000
Pension Funding Stabilization Account—State Appropriation	\$11,396,000
TOTAL APPROPRIATION	\$471,045,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) Individuals receiving services as supplemental security income (SSI) state supplemental payments shall not become

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eligible for medical assistance under RCW 74.09.510 due solely to the receipt of SSI state supplemental payments.

(b) \$495,000 of the general fund—state appropriation for fiscal year 2020 and \$495,000 of the general fund—state appropriation for fiscal year 2021 are for the department to fulfill its contracts with the school districts under chapter 28A.190 RCW to provide transportation, building space, and other support services as are reasonably necessary to support the educational programs of students living in residential habilitation centers.

(c) The residential habilitation centers may use funds appropriated in this subsection to purchase goods, supplies, and services through hospital group purchasing organizations when it is cost-effective to do so.

(d) The appropriations in this subsection include sufficient funding for the implementation of Engrossed Substitute Senate Bill No. 5536 (intellectual disability care).

(e) \$1,391,000 of the general fund—state appropriation for fiscal year 2020 is provided solely for the loss of federal revenue and the transition of residents due to the decertification of Rainier school PAT A intermediate care facility by the centers for medicaid and medicare services in calendar year 2019.

(f) \$5,835,000 of the general fund—state appropriation for fiscal year 2020, \$3,890,000 of the general fund—state appropriation for fiscal year 2021, and \$9,725,000 of the general fund—federal appropriation are provided solely for additional staffing resources for clients living in the intermediate care facilities at Rainier school, Fircrest school, and Lakeland village to state operated living alternatives to address deficiencies identified by the centers for medicare and medicaid services and to gather information for the 2020 legislative session that will support appropriate levels of care for residential habilitation center clients.

(i) The department of social and health services must contract with the William D. Ruckelshaus center or other neutral third party to continue the facilitation of meetings and discussions about how to support appropriate levels of care for residential habilitation center clients based on the clients' needs and ages. The options explored in the meetings and discussions must include, but are not limited to, the longer-term issues identified in the January 2019 report to the legislature, including shifting care and staffing needs, crisis stabilization, alternative uses of residential habilitation center campus, and transforming adult family homes. An agreed-upon preferred longer term vision must be included within a report to the office of financial management and appropriate fiscal and policy committees of the legislature before December 1, 2019. The report must describe the policy rationale, implementation plan, timeline, and recommended statutory changes for the preferred long-term vision.

(ii) The parties invited to participate in the meetings and discussions must include:

(A) One member from each of the two largest caucuses in the senate, who shall be appointed by the majority leader and minority leader of the senate;

(B) One member from each of the two largest caucuses in the house of representatives, who shall be appointed by the speaker and minority leader of the house of representatives;

(C) One member from the office of the governor, appointed by the governor;

(D) One member from the developmental disabilities council;

(E) One member from the ARC of Washington;

(F) One member from the Washington federation of state employees;

(G) One member from the service employees international union 1199;

(H) One member from the developmental disabilities administration within the department of social and health services;

(I) One member from the aging and long term support administration within the department of social and health services; and

(J) Two members who are family members or guardians of current residential habilitation center residents.

(3) PROGRAM SUPPORT

General Fund—State Appropriation (FY 2020)	\$2,464,000
General Fund—State Appropriation (FY 2021)	\$2,465,000
General Fund—Federal Appropriation	\$3,004,000
Pension Funding Stabilization Account—State Appropriation	\$270,000
TOTAL APPROPRIATION	\$8,203,000

(4) SPECIAL PROJECTS

Pension Funding Stabilization Account—State Appropriation	\$4,000
General Fund—Federal Appropriation	\$1,092,000
General Fund—State Appropriation (FY 2020)	\$62,000
General Fund—State Appropriation (FY 2021)	\$62,000
TOTAL APPROPRIATION	\$1,220,000

NEW SECTION. Sec. 204. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—AGING AND ADULT SERVICES PROGRAM

General Fund—State Appropriation (FY 2020)	\$1,305,093,000
General Fund—State Appropriation (FY 2021)	\$1,437,272,000
General Fund—Federal Appropriation	\$3,412,263,000
General Fund—Private/Local Appropriation	\$37,687,000
Traumatic Brain Injury Account—State Appropriation	\$8,113,000
Pension Funding Stabilization Account—State Appropriation	\$12,392,000
Skilled Nursing Facility Safety Net Trust Account—State Appropriation	\$133,360,000
TOTAL APPROPRIATION	\$6,346,180,000

The appropriations in this section are subject to the following conditions and limitations:

(1)(a) For purposes of implementing chapter 74.46 RCW, the weighted average nursing facility payment rate shall not exceed \$219.02 for fiscal year 2020 and shall not exceed \$250.14 for fiscal year 2021.

(b) The department shall provide a medicaid rate add-on to reimburse the medicaid share of the skilled nursing facility safety net assessment as a medicaid allowable cost. The nursing facility safety net rate add-on may not be included in the calculation of the annual statewide weighted average nursing facility payment rate.

(2) In accordance with RCW 18.51.050, 18.20.050, 70.128.060, and 43.135.055, the department is authorized to increase nursing facility, assisted living facility, and adult family home fees as necessary to fully support the actual costs of conducting the licensure, inspection, and regulatory programs. The license fees may not exceed the department's annual licensing and oversight activity costs and shall include the department's cost of paying providers for the amount of the license fee attributed to medicaid clients.

(a) The current annual renewal license fee for adult family homes shall be \$225 per bed beginning in fiscal year 2020 and \$225 per bed beginning in fiscal year 2021. A processing fee of \$2,750 shall be charged to each adult family home when the home

is initially licensed. This fee is nonrefundable. A processing fee of \$700 shall be charged when adult family home providers file a change of ownership application.

(b) The current annual renewal license fee for assisted living facilities shall be \$116 per bed beginning in fiscal year 2020 and \$116 per bed beginning in fiscal year 2021.

(c) The current annual renewal license fee for nursing facilities shall be \$359 per bed beginning in fiscal year 2020 and \$359 per bed beginning in fiscal year 2021.

(3) The department is authorized to place long-term care clients residing in nursing homes and paid for with state only funds into less restrictive community care settings while continuing to meet the client's care needs.

(4) \$15,748,000 of the general fund—state appropriation for fiscal year 2020, \$33,024,000 of the general fund—state appropriation for fiscal year 2021, and \$62,298,000 of the general fund—federal appropriation are provided solely for the implementation of the agreement reached between the governor and the service employees international union healthcare 775nw under the provisions of chapters 74.39A and 41.56 RCW for the 2019-2021 fiscal biennium.

(5) \$6,320,000 of the general fund—state appropriation for fiscal year 2020, \$13,142,000 of the general fund—state appropriation for fiscal year 2021, and \$24,768,000 of the general fund—federal appropriation are provided solely for the homecare agency parity impacts of the agreement between the governor and the service employees international union healthcare 775nw.

(6) The department may authorize a one-time waiver of all or any portion of the licensing and processing fees required under RCW 70.128.060 in any case in which the department determines that an adult family home is being relicensed because of exceptional circumstances, such as death or incapacity of a provider, and that to require the full payment of the licensing and processing fees would present a hardship to the applicant. In these situations the department is also granted the authority to waive the required residential administrator training for a period of 120 days if necessary to ensure continuity of care during the relicensing process.

(7) In accordance with RCW 18.390.030, the biennial registration fee for continuing care retirement communities shall be \$900 for each facility.

(8) Within amounts appropriated in this subsection, the department shall assist the legislature to continue the work of the joint legislative executive committee on planning for aging and disability issues.

(a) A joint legislative executive committee on aging and disability is continued, with members as provided in this subsection.

(i) Four members of the senate, with the leaders of the two largest caucuses each appointing two members, and four members of the house of representatives, with the leaders of the two largest caucuses each appointing two members;

(ii) A member from the office of the governor, appointed by the governor;

(iii) The secretary of the department of social and health services or his or her designee;

(iv) The director of the health care authority or his or her designee;

(v) A member from disability rights Washington and a member from the office of long-term care ombuds;

(vi) The insurance commissioner or his or her designee, who shall serve as an ex officio member; and

(vii) Other agency directors or designees as necessary.

(b) The committee must make recommendations and continue to identify key strategic actions to prepare for the aging of the population in Washington, including state budget and policy

options, by conducting at least, but not limited to, the following tasks:

(i) Identify strategies to better serve the health care needs of an aging population and people with disabilities to promote healthy living and palliative care planning;

(ii) Identify strategies and policy options to create financing mechanisms for long-term service and supports that allow individuals and families to meet their needs for service;

(iii) Identify policies to promote financial security in retirement, support people who wish to stay in the workplace longer, and expand the availability of workplace retirement savings plans;

(iv) Identify ways to promote advance planning and advance care directives and implementation strategies for the Bree collaborative palliative care and related guidelines;

(v) Identify ways to meet the needs of the aging demographic impacted by reduced federal support;

(vi) Identify ways to protect the rights of vulnerable adults through assisted decision-making and guardianship and other relevant vulnerable adult protections;

(vii) Identify options for promoting client safety through residential care services and consider methods of protecting older people and people with disabilities from physical abuse and financial exploitation;

(viii) Identify other policy options and recommendations to help communities adapt to the aging demographic in planning for housing, land use, and transportation; and

(ix) Identify ways to support individuals with developmental disabilities with long-term care needs who are enrolled members of a federally recognized Indian tribe, or residing in the household of an enrolled member of a federally recognized Indian tribe, and are receiving care from a family member.

(d) Staff support for the committee shall be provided by the office of program research, senate committee services, the office of financial management, and the department of social and health services.

(e) Within existing appropriations, the cost of meetings must be paid jointly by the senate, house of representatives, and the office of financial management. Joint committee expenditures are subject to approval by the senate facilities and operations committee and the house of representatives executive rules committee, or their successor committees. The joint committee members may be reimbursed for travel expenses as authorized under RCW 43.03.050 and 43.03.060, and chapter 44.04 RCW as appropriate. Advisory committee members may not receive compensation or reimbursement for travel and expenses.

(10)(a) No more than \$41,388,000 of the general fund—federal appropriation may be expended for tailored support for older adults and medicaid alternative care described in initiative 2 of the medicaid transformation demonstration waiver under healthier Washington. The department shall not increase general fund—state expenditures on this initiative. The secretary in collaboration with the director of the health care authority shall report to the joint select committee on health care oversight no less than quarterly on financial and health outcomes. The secretary in cooperation with the director shall also report to the fiscal committees of the legislature all of the expenditures of this subsection and shall provide such fiscal data in the time, manner, and form requested by the legislative fiscal committees. Beginning May 1, 2019, the department shall freeze participation in initiative 2 at the current level of enrollment. No new participants may be added without further federal approval.

(b) No more than \$2,200,000 of the general fund—federal appropriation may be expended for supported housing and employment services described in initiative 3a and 3b of the medicaid transformation demonstration waiver under healthier

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Washington. Under this initiative, the department and the health care authority shall ensure that allowable and necessary services are provided to eligible clients as identified by the department or its providers third party administrator. The department and the authority in consultation with the medicaid forecast work group shall ensure that reasonable reimbursements are established for services deemed necessary within an identified limit per individual. The department shall not increase general fund—state expenditures under this initiative. The secretary in cooperation with the director shall report to the joint select committee on health care oversight no less than quarterly on financial and health outcomes. The secretary in cooperation with the director shall also report to the fiscal committees of the legislature all of the expenditures of this subsection and shall provide such fiscal data in the time, manner, and form requested by the legislative fiscal committees. Beginning May 1, 2019, the department shall freeze participation in initiatives 3a and 3b at the current level of enrollment. No new participants may be added without further federal approval.

(11) \$13,303,000 of the general fund—state appropriation for fiscal year 2020, \$15,891,000 of the general fund—state appropriation for fiscal year 2021, and \$36,390,000 of the general fund—federal appropriation are provided solely for the implementation of an agreement reached between the governor and the adult family home council under the provisions of chapter 41.56 RCW for the 2019-2021 fiscal biennium.

(12) \$3,573,000 of the traumatic brain injury account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5127 (brain injury fee increase). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

(13) \$303,000 of the general fund—state appropriation for fiscal year 2020, \$270,000 of the general fund—state appropriation for fiscal year 2021, and \$573,000 of the general fund—federal appropriation are provided solely for a rate increase for the adult day health program.

(14) \$3,353,000 of the general fund—private/local appropriation and \$1,055,000 of the general fund—federal appropriation are provided solely to implement Senate Bill No. 5359 (supported living investigators). The annual certification renewal fee for residential services and supports businesses shall be \$846.50 per bed beginning in fiscal year 2020 and \$859.00 per bed beginning in fiscal year 2021. The annual certification renewal fee may not exceed the department's annual cost for conducting complaint investigations and must include the department's cost of paying providers for the amount of the certification fee attributed to medicaid clients. If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

(15) \$2,677,000 of the general fund—state appropriation for fiscal year 2020, \$2,774,000 of the general fund—state appropriation for fiscal year 2021, and \$7,012,000 of the general fund—federal appropriation are provided solely to assist home care agencies to implement the electronic visit verification system in compliance with the 21st century cures act. The act requires the system be in effect no later than January 1, 2020.

(16) \$4,725,000 of the general fund—state appropriation for fiscal year 2020, \$4,725,000 of the general fund—state appropriation for fiscal year 2021, and \$12,030,000 of the general fund—federal appropriation are provided solely for a targeted vendor rate increase for assisted living facilities including adult residential care and enhanced adult residential care.

(17) \$250,000 of the general fund—state appropriation for fiscal year 2020 and \$250,000 of the general fund—state

appropriation for fiscal year 2021 are provided solely for the kinship care support program.

(18) \$1,858,000 of the general fund—state appropriation for fiscal year 2020 and \$1,857,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for operation of the volunteer services program. Funding shall be prioritized towards serving populations traditionally served by long-term care services and include senior citizens and persons with disabilities.

(19) \$5,094,000 of the general fund—state appropriation for fiscal year 2020 and \$5,094,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for services and support to individuals who are deaf, hard of hearing, or deaf-blind.

(20) Within available funds, the aging and long term support administration must maintain a unit within adult protective services that specializes in the investigation of financial abuse allegations and self-neglect allegations.

(21) \$234,000 of the general fund—state appropriation for fiscal year 2020 and \$234,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the kinship navigator program in the Colville Indian reservation, Yakama Nation, and other tribal areas.

(22) Within amounts appropriated in this section, the department must pay medicaid nursing facility payment rates for public hospital district providers in rural communities as defined under chapter 70.44 RCW that are no less than June 30, 2016, reimbursement levels. This action is intended to assure continued access to essential services in rural communities.

(23) \$4,815,000 of the general fund—state appropriation for fiscal year 2020, \$8,527,000 of the general fund—state appropriation for fiscal year 2021, and \$12,277,000 of the general fund—federal appropriation are provided solely to continue community alternative placement beds that prioritize the transition of clients who are ready for discharge from the state psychiatric hospitals, but who have additional long-term care or developmental disability needs.

(a) Community alternative placement beds include enhanced service facility beds, adult family home beds, skilled nursing facility beds, shared supportive housing beds, state operated living alternative beds, and assisted living facility beds.

(b) Each client must receive an individualized assessment prior to leaving one of the state psychiatric hospitals. The individualized assessment must identify and authorize personal care, nursing care, behavioral health stabilization, physical therapy, or other necessary services to meet the unique needs of each client. It is the expectation that, in most cases, staffing ratios in all community alternative placement options described in (a) of this subsection will need to increase to meet the needs of clients leaving the state psychiatric hospitals. If specialized training is necessary to meet the needs of a client before he or she enters a community placement, then the person centered service plan must also identify and authorize this training.

(c) When reviewing placement options, the department must consider the safety of other residents, as well as the safety of staff, in a facility. An initial evaluation of each placement, including any documented safety concerns, must occur within thirty days of a client leaving one of the state psychiatric hospitals and entering one of the community placement options described in (a) of this subsection. At a minimum, the department must perform two additional evaluations of each placement during the first year that a client has lived in the facility.

(d) During fiscal year 2020, in a presentation to the select committee on quality improvement in state hospitals, the department must describe the process of fielding and

subsequently investigating complaints of abuse, neglect, and exploitation within the community alternative placement options described in (a) of this subsection. At a minimum, the presentation must include data about the number of complaints, and the nature of complaints, over the preceding five fiscal years.

(e) During fiscal year 2021, in a presentation to the select committee on quality improvement in state hospitals, the department must provide an update about clients placed out of the state psychiatric hospitals into the community alternative placement options described in (a) of this subsection. At a minimum, for each setting, the presentation must include data about the number of placements, average daily rate, complaints fielded, and complaints investigated. The presentation must also include information about modifications, including the placement of clients into alternate settings, that occurred due to the evaluations required under (c) of this subsection.

(f) In developing bed capacity, the department shall consider the complex needs of individuals waiting for discharge from the state psychiatric hospitals.

(24) \$315,000 of the general fund—state appropriation for fiscal year 2020, \$315,000 of the general fund—state appropriation for fiscal year 2021, and \$630,000 of the general fund—federal appropriation are provided solely for discharge case managers stationed at the state psychiatric hospitals. Discharge case managers will transition clients ready for hospital discharge into less restrictive alternative community placements. The transition of clients ready for discharge will free up bed capacity at the state psychiatric hospitals.

(25) \$135,000 of the general fund—state appropriation for fiscal year 2020, \$135,000 of the general fund—state appropriation for fiscal year 2021, and \$270,000 of the general fund—federal appropriation are provided solely for financial service specialists stationed at the state psychiatric hospitals. Financial service specialists will help to transition clients ready for hospital discharge into alternative community placements. The transition of clients ready for discharge will free up bed capacity at the state hospitals.

(26) \$1,500,000 of the general fund—state appropriation for fiscal year 2020 and \$1,500,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for local dementia care direct services that address the early stage needs of individuals with dementia.

(27) \$612,000 of the general fund—state appropriation for fiscal year 2020, \$635,000 of the general fund—state appropriation for fiscal year 2021, and \$1,586,000 of the general fund—federal appropriation are provided solely to increase the administrative rate for home care agencies by ten cents per hour effective July 1, 2019.

(28) \$94,000 of the general fund—state appropriation for fiscal year 2020 and \$94,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the department to establish a pilot project to provide personal care services to homeless seniors and persons with disabilities from the time the person presents at a shelter to the time the person becomes eligible for medicaid personal care services.

(a) The department shall contract with a single nonprofit organization that provides personal care services to homeless persons and operates a twenty-four hour homeless shelter, and that is currently partnering with the department to bring medicaid personal care services to homeless seniors and persons with disabilities.

(b) The department shall submit a report by December 1, 2020, to the governor and appropriate legislative committees. The report shall address findings and outcomes of the pilot and recommendations.

(29) \$50,000 of the general fund—state appropriation for fiscal year 2020 and \$50,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the department to convene a skilled nursing facility improved staffing and rates work group.

(a) The work group must be comprised of one representative from each of the four largest caucuses of the legislature, a representative of the governor, a representative of the department of social and health services, the long-term care ombudsman or designee, four members chosen by the service employees international union 775, and four members chosen and agreed to by the Washington health care association and leading age Washington.

(b) The work group shall:

(i) Assess the staffing and funding mechanism for skilled nursing facilities in the state and the impact of differences in acuity on staffing needs;

(ii) Compare and assess the state’s current system with the staffing and funding mechanisms of other states;

(iii) Consider the impact of minimum per shift staffing ratios and other staffing models; and

(iv) Evaluate whether the current statutory staffing requirements are based on accurate data and whether the requirements have had a measurable impact on quality of care.

(c) The work group shall report its findings and recommendation to the governor and the appropriate committees of the legislature by August 1, 2020.

(30) Within existing resources, the department shall convene a work group to establish the requirements and regulations for a pediatric skilled nursing facility for temporary admittance of medically fragile children with complex medical conditions. The work group members must include a representative from the department of social and health services, the department of health, the department of children, youth, and families, and the health care authority. The work group may include community experts knowledgeable about children with complex and acute medical conditions and their families. The work group shall submit a report of its findings and recommendations to the governor and appropriate committees of the legislature by December 15, 2019.

NEW SECTION. Sec. 205. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—ECONOMIC SERVICES PROGRAM

General Fund—State Appropriation (FY 2020)	\$346,497,000
General Fund—State Appropriation (FY 2021)	\$343,467,000
General Fund—Federal Appropriation	\$1,431,317,000
General Fund—Private/Local Appropriation	\$5,416,000
Pension Funding Stabilization Account—State Appropriation	\$26,754,000
Domestic Violence Prevention Account—State Appropriation	\$2,004,000
Administrative Contingency Account—State Appropriation	\$4,000,000
Traumatic Brain Injury Account—State Appropriation	\$18,000
TOTAL APPROPRIATION	\$2,159,473,000

The appropriations in this section are subject to the following conditions and limitations:

(1)(a) \$77,602,000 of the general fund—state appropriation for fiscal year 2020, \$75,022,000 of the general fund—state appropriation for fiscal year 2021, \$817,448,000 of the general fund—federal appropriation, \$4,000,000 of the administrative contingency account—state appropriation and \$5,662,000 of the pension funding stabilization account—state appropriation are provided solely for all components of the WorkFirst program.

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Within the amounts provided for the WorkFirst program, the department may provide assistance using state-only funds for families eligible for temporary assistance for needy families. The department must create a WorkFirst budget structure that allows for transparent tracking of budget units and subunits of expenditures where these units and subunits are mutually exclusive from other department budget units. The budget structure must include budget units for the following: Cash assistance, child care, WorkFirst activities, and administration of the program. Within these budget units, the department must develop program index codes for specific activities and develop allotments and track expenditures using these codes. The department shall report to the office of financial management and the relevant fiscal and policy committees of the legislature prior to adopting a structure change.

(b) \$269,387,000 of the amounts in (a) of this subsection are provided solely for assistance to clients, including grants, diversion cash assistance, and additional diversion emergency assistance including but not limited to assistance authorized under RCW 74.08A.210. The department may use state funds to provide support to working families that are eligible for temporary assistance for needy families but otherwise not receiving cash assistance.

(c) \$156,760,000 of the amounts in (a) of this subsection are provided solely for WorkFirst job search, education and training activities, barrier removal services, limited English proficiency services, and tribal assistance under RCW 74.08A.040. The department must allocate this funding based on client outcomes and cost effectiveness measures. Amounts provided in this subsection (1)(c) include funding for implementation of chapter 156, Laws of 2017 (2SSB 5347) (WorkFirst "work activity"). Within amounts provided in this subsection (1)(c), the department shall implement the working family support program. \$2,386,000 of the funds provided in this subsection (1)(c) are provided solely for enhanced transportation assistance provided that the department prioritize the use of these funds for the recipients most in need of financial assistance to facilitate their return to work. The department must not utilize these funds to supplant repayment arrangements that are currently in place to facilitate the reinstatement of drivers' licenses.

(d) \$353,402,000 of the general fund—federal appropriation is provided solely for the working connections child care program under RCW 43.216.020 and child welfare services within the department of children, youth, and families. The department shall work in collaboration with the department of children, youth, and families to track the average monthly child care subsidy caseload and expenditures by fund type including the child care development fund, general fund—state, and the temporary assistance for needy families grant for the purpose of estimating the monthly temporary assistance for needy families reimbursement.

(e) \$68,496,000 of the general fund—federal appropriation is provided solely for child welfare services within the department of children, youth, and families.

(f) \$124,382,000 of the amounts in subsection (1)(a) of this section are provided solely for WorkFirst administration and overhead.

(g) The amounts in subsections (1) (b) through (e) of this section shall be expended for the programs and in the amounts specified. However, the department may transfer up to ten percent of funding between subsections (1) (b) through (f) of this section. The department shall provide notification prior to any transfer to the office of financial management and to the appropriate legislative committees and the legislative-executive WorkFirst oversight task force. The approval of the director of financial

management is required prior to any transfer under this subsection.

(h) In the 2019-2021 fiscal biennium, it is the intent of the legislature to provide appropriations from the state general fund for the purposes of (b) through (f) of this subsection if the department does not receive additional federal temporary assistance for needy families contingency funds in each fiscal year as assumed in the budget outlook.

(i) The department shall submit quarterly expenditure reports to the fiscal committees of the legislature and the legislative-executive WorkFirst poverty reduction oversight task force under RCW 74.08A.341. In addition to these requirements, the department must detail any new program expenditures and any funds shifted across budget units identified in subsection (a) of this section.

(j) The department is the lead agency for and recipient of the federal temporary assistance for needy families. A portion of this grant must be used to fund child care subsidies expenditures at the department of children, youth, and families.

(k) Beginning July 1, 2020, and annually thereafter, the department shall assist the department of children, youth, and families to report to the governor and the appropriate fiscal and policy committees of the legislature on the status of overpayments in the working connections child care program. The report must include the following information for the previous fiscal year:

- (i) A summary of the number of overpayments that occurred;
- (ii) The reason for each overpayment;
- (iii) The total cost of overpayments;
- (iv) A comparison to overpayments that occurred in the past two preceding fiscal years; and
- (v) Any planned modifications to internal processes that will take place in the coming fiscal year to further reduce the occurrence of overpayments.

(l) Each calendar quarter, the department shall provide a maintenance of effort and participation rate tracking report for temporary assistance for needy families to the office of financial management, the appropriate policy and fiscal committees of the legislature, and the legislative-executive WorkFirst poverty reduction oversight task force. The report must detail the following information for temporary assistance for needy families:

- (i) An overview of federal rules related to maintenance of effort, excess maintenance of effort, participation rates for temporary assistance for needy families, and the child care development fund as it pertains to maintenance of effort and participation rates;
- (ii) Countable maintenance of effort and excess maintenance of effort, by source, provided for the previous federal fiscal year;
- (iii) Countable maintenance of effort and excess maintenance of effort, by source, for the current fiscal year, including changes in countable maintenance of effort from the previous year;
- (iv) The status of reportable federal participation rate requirements, including any impact of excess maintenance of effort on participation targets;
- (v) Potential new sources of maintenance of effort and progress to obtain additional maintenance of effort;
- (vi) A two-year projection for meeting federal block grant and contingency fund maintenance of effort, participation targets, and future reportable federal participation rate requirements; and
- (vii) Proposed and enacted federal law changes affecting maintenance of effort or the participation rate, what impact these changes have on Washington's temporary assistance for needy families program, and the department's plan to comply with these changes.

(2) \$2,545,000 of the general fund—state appropriation for fiscal year 2020 and \$2,546,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for naturalization services.

(3) \$2,366,000 of the general fund—state appropriation for fiscal year 2020 is provided solely for employment services for refugees and immigrants, of which \$1,774,000 is provided solely for the department to pass through to statewide refugee and immigrant assistance organizations for limited English proficiency pathway services; and \$2,366,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for employment services for refugees and immigrants, of which \$1,774,000 is provided solely for the department to pass through to statewide refugee and immigrant assistance organizations for limited English proficiency pathway services.

(4) On January 1, 2020, and annually thereafter, the department must report to the governor and the legislature on all sources of funding available for both refugee and immigrant services and naturalization services during the current fiscal year and the amounts expended to date by service type and funding source. The report must also include the number of clients served and outcome data for the clients.

(5) To ensure expenditures remain within available funds appropriated in this section, the legislature establishes the benefit under the state food assistance program, pursuant to RCW 74.08A.120, to be one hundred percent of the federal supplemental nutrition assistance program benefit amount.

(6) The department shall review clients receiving services through the aged, blind, or disabled assistance program, to determine whether they would benefit from assistance in becoming naturalized citizens, and thus be eligible to receive federal supplemental security income benefits. Those cases shall be given high priority for naturalization funding through the department.

(7) \$3,682,000 of the general fund—state appropriation for fiscal year 2020, \$1,344,000 of the general fund—state appropriation for fiscal year 2021, and \$10,333,000 of the general fund—federal appropriation are provided solely for the continuation of the ESAR project and are subject to the conditions, limitations, and review provided in section 735 of this act.

(8) The department shall continue the interagency agreement with the department of veterans' affairs to establish a process for referral of veterans who may be eligible for veterans' services. This agreement must include out-stationing department of veterans' affairs staff in selected community service office locations in King and Pierce counties to facilitate applications for veterans' services.

(9) \$750,000 of the general fund—state appropriation for fiscal year 2020 and \$750,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for operational support of the Washington information network 211 organization.

(10) \$200,000 of the general fund—state appropriation for fiscal year 2020 and \$26,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Substitute Senate Bill No. 5164 (trafficking victims assistance). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

(11) \$18,000 of the traumatic brain injury account—state appropriation is provided solely for implementation of Engrossed Senate Bill No. 5573 (domestic violence TBIs). If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.

NEW SECTION. Sec. 206. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—VOCATIONAL REHABILITATION PROGRAM

General Fund—State Appropriation (FY 2020)	\$16,020,000
General Fund—State Appropriation (FY 2021)	\$16,069,000
General Fund—Federal Appropriation	\$109,571,000
Pension Funding Stabilization Account—State Appropriation	\$2,024,000
TOTAL APPROPRIATION	\$143,684,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The department of social and health services vocational rehabilitation program shall participate in the development of an implementation plan to build statewide capacity among school districts to improve transition planning for students in special education who meet criteria for services from the developmental disabilities administration, pursuant to section 501(49) of this act.

(2) \$1,000,000 of the general fund—state appropriation for fiscal year 2020 and \$1,000,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for supported employment services for additional eligible clients with the most significant disabilities who would otherwise be placed on the federally required order of selection waiting list.

NEW SECTION. Sec. 207. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—SPECIAL COMMITMENT PROGRAM

General Fund—State Appropriation (FY 2020)	\$50,975,000
General Fund—State Appropriation (FY 2021)	\$50,943,000
Pension Funding Stabilization Account—State Appropriation	\$4,580,000
TOTAL APPROPRIATION	\$106,498,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The special commitment center may use funds appropriated in this subsection to purchase goods and supplies through hospital group purchasing organizations when it is cost-effective to do so.

(2) \$575,000 of the general fund—state appropriation for fiscal year 2020 and \$784,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the department to expand its King county secure transition facility from six beds to twelve beds beginning January 1, 2020.

(3) \$225,000 of the general fund—state appropriation for fiscal year 2020 and \$210,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the department to hire staff to provide medical transportation and hospital watch services for individuals in need of medical care outside the main facility.

(4) \$155,000 of the general fund—state appropriation for fiscal year 2020 and \$155,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the department to hire an administrator to coordinate siting efforts for new secure community transition facilities to house individuals transitioning to the community from the main facility.

NEW SECTION. Sec. 208. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—ADMINISTRATION AND SUPPORTING SERVICES PROGRAM

General Fund—State Appropriation (FY 2020)	\$29,840,000
General Fund—State Appropriation (FY 2021)	\$29,367,000
General Fund—Federal Appropriation	\$43,335,000
Pension Funding Stabilization Account—State Appropriation	\$6,044,000
TOTAL APPROPRIATION	\$108,586,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Within amounts appropriated in this section, the department shall provide to the department of health, where available, the following data for all nutrition assistance programs funded by the United States department of agriculture and administered by the department. The department must provide the report for the preceding federal fiscal year by February 1, 2020, and February 1, 2021. The report must provide:

(a) The number of people in Washington who are eligible for the program;

(b) The number of people in Washington who participated in the program;

(c) The average annual participation rate in the program;

(d) Participation rates by geographic distribution; and

(e) The annual federal funding of the program in Washington.

(2) \$47,000 of the general fund—state appropriation for fiscal year 2020, \$47,000 of the general fund—state appropriation for fiscal year 2021, and \$142,000 of the general fund—federal appropriation are provided solely for the implementation of an agreement reached between the governor and the Washington federation of state employees for the language access providers under the provisions of chapter 41.56 RCW for the 2019-2021 fiscal biennium.

NEW SECTION. Sec. 209. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—PAYMENTS TO OTHER AGENCIES PROGRAM

General Fund—State Appropriation (FY 2020)	\$31,393,000
General Fund—State Appropriation (FY 2021)	\$32,710,000
General Fund—Federal Appropriation	\$37,461,000
TOTAL APPROPRIATION	\$101,564,000

The appropriations in this section are subject to the following conditions and limitations: \$63,000 of the general fund—state appropriation for fiscal year 2020 and \$7,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5497 (immigrants in the workplace). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

NEW SECTION. Sec. 210 FOR THE STATE HEALTH CARE AUTHORITY

During the 2019-2021 fiscal biennium, the health care authority shall provide support and data as required by the office of the state actuary in providing the legislature with health care actuarial analysis, including providing any information in the possession of the health care authority or available to the health care authority through contracts with providers, plans, insurers, consultants, or any other entities contracting with the health care authority.

Information technology projects or investments and proposed projects or investments impacting time capture, payroll and payment processes and systems, eligibility, case management, and authorization systems within the health care authority are subject to technical oversight by the office of the chief information officer.

The health care authority shall not initiate any services that require expenditure of state general fund moneys unless expressly authorized in this act or other law. The health care authority may seek, receive, and spend, under RCW 43.79.260 through 43.79.282, federal moneys not anticipated in this act as long as the federal funding does not require expenditure of state moneys for the program in excess of amounts anticipated in this act. If the health care authority receives unanticipated unrestricted federal moneys, those moneys shall be spent for services authorized in

this act or in any other legislation providing appropriation authority, and an equal amount of appropriated state general fund moneys shall lapse. Upon the lapsing of any moneys under this section, the office of financial management shall notify the legislative fiscal committees. As used in this section, "unrestricted federal moneys" includes block grants and other funds that federal law does not require to be spent on specifically defined projects or matched on a formula basis by state funds.

The health care authority, the health benefit exchange, the department of social and health services, the department of health, and the department of financial management, youth, and families shall work together within existing resources to establish the health and human services enterprise coalition (the coalition). The coalition, led by the health care authority, must be a multi-organization collaborative that provides strategic direction and federal funding guidance for projects that have cross-organizational or enterprise impact, including information technology projects that affect organizations within the coalition. By October 31, 2019, the coalition must submit a report to the governor and the legislature that describes the coalition's plan for projects affecting the coalition organizations. The report must include any information technology projects impacting coalition organizations and, in collaboration with the office of the chief information officer, provide: (1) The status of any information technology projects currently being developed or implemented that affect the coalition; (2) funding needs of these current and future information technology projects; and (3) next steps for the coalition's information technology projects. The office of the chief information officer shall maintain a statewide perspective when collaborating with the coalition to ensure that the development of projects identified in this report are planned for in a manner that ensures the efficient use of state resources and maximizes federal financial participation. The work of the coalition is subject to the conditions, limitations, and review provided in section 950 of this act.

NEW SECTION. Sec. 211. FOR THE STATE HEALTH CARE AUTHORITY—MEDICAL ASSISTANCE

General Fund—State Appropriation (FY 2020)	\$2,216,993,000
General Fund—State Appropriation (FY 2021)	\$2,286,023,000
General Fund—Federal Appropriation	\$11,410,037,000
General Fund—Private/Local Appropriation	\$285,918,000
Emergency Medical Services and Trauma Care Systems Trust Account—State Appropriation	\$15,086,000
Hospital Safety Net Assessment Account—State Appropriation	\$721,718,000
Medicaid Fraud Penalty Account—State Appropriation	\$3,887,000
Dedicated Marijuana Account—State Appropriation (FY 2020)	\$19,031,000
Dedicated Marijuana Account—State Appropriation (FY 2021)	\$19,401,000
Pension Funding Stabilization Account—State Appropriation	\$4,544,000
Medical Aid Account—State Appropriation	\$528,000
TOTAL APPROPRIATION	\$16,983,166,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$306,355,000 of the general fund—state appropriation for fiscal year 2020 and \$291,321,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the medicaid services and the medicaid program. However, the authority shall not accept or expend any federal funds received

under a medicaid transformation waiver under healthier Washington except as described in subsections (2) and (3) of this section until specifically approved and appropriated by the legislature. To ensure compliance with legislative directive budget requirements and terms and conditions of the waiver, the authority shall implement the waiver and reporting requirements with oversight from the office of financial management. The legislature finds that appropriate management of the innovation waiver requires better analytic capability, transparency, consistency, timeliness, accuracy, and lack of redundancy with other established measures and that the patient must be considered first and foremost in the implementation and execution of the demonstration waiver. In order to effectuate these goals, the authority shall: (a) Require the Dr. Robert Bree collaborative and the health technology assessment program to reduce the administrative burden upon providers by only requiring performance measures that are nonduplicative of other nationally established measures. The joint select committee on health care oversight will evaluate the measures chosen by the collaborative and the health technology assessment program for effectiveness and appropriateness; (b) develop a patient satisfaction survey with the goal to gather information about whether it was beneficial for the patient to use the center of excellence location in exchange for additional out-of-pocket savings; (c) ensure patients and health care providers have significant input into the implementation of the demonstration waiver, in order to ensure improved patient health outcomes; and (d) in cooperation with the department of social and health services, consult with and provide notification of work on applications for federal waivers, including details on waiver duration, financial implications, and potential future impacts on the state budget, to the joint select committee on health care oversight prior to submitting waivers for federal approval. By federal standard, the medicaid transformation demonstration waiver shall not exceed the duration originally granted by the centers for medicare and medicaid services and any programs created or funded by this waiver do not create an entitlement.

(2) No more than \$305,659,000 of the general fund—federal appropriation and no more than \$157,284,000 of the general fund—local appropriation may be expended for transformation through accountable communities of health described in initiative 1 of the medicaid transformation demonstration wavier under healthier Washington, including preventing youth drug use, opioid prevention and treatment, and physical and behavioral health integration. Under this initiative, the authority shall take into account local input regarding community needs. In order to ensure transparency to the appropriate fiscal committees of the legislature, the authority shall provide fiscal staff of the legislature query ability into any database of the fiscal intermediary that authority staff would be authorized to access. The authority shall not increase general fund—state expenditures under this initiative. The director shall also report to the fiscal committees of the legislature all of the expenditures under this subsection and shall provide such fiscal data in the time, manner, and form requested by the legislative fiscal committees. By December 15, 2019, the authority in collaboration with each accountable community of health shall demonstrate how it will be self-sustaining by the end of the demonstration waiver period, including sources of outside funding, and provide this reporting to the joint select committee on health care oversight. If by the third year of the demonstration waiver there are not measurable, improved patient outcomes and financial returns, the Washington state institute for public policy will conduct an audit of the accountable communities of health, in addition to the process set in place through the independent evaluation required by the agreement with centers for medicare and medicaid services.

Beginning May 1, 2019, participation in all initiatives under the medicaid transformation demonstration waiver is frozen at current participation levels. No new participants may be added to any initiative under this demonstration waiver without further federal approval.

(3) No more than \$79,829,000 of the general fund—federal appropriation may be expended for supported housing and employment services described in initiative 3a and 3b of the medicaid transformation demonstration waiver under healthier Washington. Under this initiative, the authority and the department of social and health services shall ensure that allowable and necessary services are provided to eligible clients as identified by the department or its third party administrator. The authority and the department in consultation with the medicaid forecast work group, shall ensure that reasonable reimbursements are established for services deemed necessary within an identified limit per individual. The authority shall not increase general fund—state expenditures under this initiative. The director shall report to the joint select committee on health care oversight no less than quarterly on financial and health outcomes. The director shall also report to the fiscal committees of the legislature all of the expenditures of this subsection and shall provide such fiscal data in the time, manner, and form requested by the legislative fiscal committees. Beginning May 1, 2019, the authority shall freeze participation in initiatives 3a and 3b at the current level of enrollment. No new participants may be added without further federal approval.

(4) Annually, no later than November 1st, the authority shall report to the governor and appropriate committees of the legislature: (a) Savings attributed to behavioral and physical integration in areas that are scheduled to integrate in the following calendar year, and (b) savings attributed to behavioral and physical health integration and the level of savings achieved in areas that have integrated behavioral and physical health.

(5) \$95,236,000 of the general fund—state appropriation for fiscal year 2020 and \$99,302,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the authority to award the contracts from the recently completed competitive procurement process as directed under the 2017-2019 omnibus appropriations act to licensed dental health plans or managed health care plans on a prepaid or fixed-sum risk basis to provide carved-out managed dental care services on a statewide basis that will result in greater efficiency and will facilitate better access and oral health outcomes for medicaid enrollees. Except in areas where only a single plan is available, the authority must contract with at least two plans at a single rate not to exceed the average cost of the two lowest cost apparently successful bidders in order to ensure overall cost savings are achieved in 2019-2021 under this section. The authority shall include in the awarded contracts from the recently completed competitive procurement process directed in the 2017-2019 omnibus appropriations act:

(a) Quarterly reporting requirements to include medicaid utilization and encounter data by current dental technology (CDT) code;

(b) A direction to increase the dental provider network;

(c) A commitment to retain innovative programs that improve access and care such as the access to baby and child dentistry program;

(d) A program to reduce emergency room use for dental purposes;

(e) A requirement to ensure that dental care is being coordinated with the primary care provider of the patient to ensure integrated care;

(f) A provision that no less than eighty-five percent of the contracting fee be used to directly offset the cost of providing direct patient care as opposed to administrative costs; and

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(g) A provision to ensure the contracting fee shall be sufficient to compensate county health departments and federally qualified health centers for dental patient care.

The plan or plans awarded this contract must absorb all start-up costs associated with moving the program from fee-for-service to managed care and shall commit to achieving an overall savings to the program based on 2016 fee-for-service experience. In order to comply with state insurance underwriting standards, the authority shall ensure that savings offered by dental plans are actuarially sound. In order to ensure compliance with the provisions of this subsection, any contracts awarded must be reviewed and signed by the director of the office of financial management or their designee. Starting January 31, 2020, and every year thereafter through December 2025, the authority shall submit an annual report to the governor and the appropriate committees of the legislature detailing how the contracted entities have met the requirements of the contract. The report shall include specific information to include utilization, how the contracted entities have increased their dental provider networks, how the emergency room use for dental purposes has been reduced, and how dental care has been integrated with patients' primary care providers. If after the end of five years the data reported does not demonstrate sufficient progress to address the stated contracted goals, the legislature will reevaluate whether carved-out dental managed care needs to be replaced with a different delivery model. The authority is authorized to seek any necessary state plan amendments or federal waivers to implement this subsection. Additional dental program savings achieved by the plans beyond those assumed in the 2019-2021 omnibus appropriations act will be used to increase dental provider reimbursement rates.

(6) \$1,805,727,000 of the general fund—state appropriation for fiscal year 2020 and \$1,876,135,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the authority to implement the recommendations of the centers for medicare and medicaid services center for program integrity as provided to the authority in the January 2019 Washington focused program integrity review final report. The authority is directed to:

(a) Organize all program integrity activities into a centralized unit or under a common protocol addressing provider enrollment, fraud and abuse detection, investigations, and law enforcement referrals that is more reflective of industry standards;

(b) Ensure appropriate resources are dedicated to prevention, detection, investigation, and suspected provider fraud at both the authority and at contracted managed care organizations;

(c) Ensure all required federal regulations are being followed and are incorporated into managed care contracts;

(d) Directly audit managed care encounter data to identify fraud, waste, and abuse issues with managed care organization providers;

(e) Initiate data mining activities in order to identify fraud, waste, and abuse issues with managed care organization providers;

(f) Implement proactive data mining and routine audits of validated managed care encounter data;

(g) Assess liquidated damages to managed care organizations when fraud, waste, or abuse with managed care organization providers is identified;

(h) Require managed care organizations submit accurate reports on overpayments, including the prompt reporting of overpayments identified or recovered, specifying overpayments due to fraud, waste, or abuse;

(i) Implement processes to ensure integrity of data used for rate setting purposes;

(j) Refine payment suspension policies; and

(k) Ensure all federal database exclusion checks are performed at the appropriate intervals. The authority shall update managed care contracts as appropriate to reflect these requirements.

(7) Sufficient amounts are appropriated in this subsection to implement the medicaid expansion as defined in the social security act, section 1902(a)(10)(A)(i)(VIII).

(8) The legislature finds that medicaid payment rates, as calculated by the health care authority pursuant to the appropriations in this act, bear a reasonable relationship to the costs incurred by efficiently and economically operated facilities for providing quality services and will be sufficient to enlist enough providers so that care and services are available to the extent that such care and services are available to the general population in the geographic area. The legislature finds that the cost reports, payment data from the federal government, historical utilization, economic data, and clinical input constitute reliable data upon which to determine the payment rates.

(9) Based on quarterly expenditure reports and caseload forecasts, if the health care authority estimates that expenditures for the medical assistance program will exceed the appropriations, the health care authority shall take steps including but not limited to reduction of rates or elimination of optional services to reduce expenditures so that total program costs do not exceed the annual appropriation authority.

(10) In determining financial eligibility for medicaid-funded services, the health care authority is authorized to disregard recoveries by Holocaust survivors of insurance proceeds or other assets, as defined in RCW 48.104.030.

(11) The legislature affirms that it is in the state's interest for Harborview medical center to remain an economically viable component of the state's health care system.

(12) When a person is ineligible for medicaid solely by reason of residence in an institution for mental diseases, the health care authority shall provide the person with the same benefits as he or she would receive if eligible for medicaid, using state-only funds to the extent necessary.

(13) \$4,261,000 of the general fund—state appropriation for fiscal year 2020, \$4,261,000 of the general fund—state appropriation for fiscal year 2021, and \$8,522,000 of the general fund—federal appropriation are provided solely for low-income disproportionate share hospital payments.

(14) Within the amounts appropriated in this section, the health care authority shall provide disproportionate share hospital payments to hospitals that provide services to children in the children's health program who are not eligible for services under Title XIX or XXI of the federal social security act due to their citizenship status.

(15) \$6,000,000 of the general fund—federal appropriation is provided solely for supplemental payments to nursing homes operated by public hospital districts. The public hospital district shall be responsible for providing the required nonfederal match for the supplemental payment, and the payments shall not exceed the maximum allowable under federal rules. It is the legislature's intent that the payments shall be supplemental to and shall not in any way offset or reduce the payments calculated and provided in accordance with part E of chapter 74.46 RCW. It is the legislature's further intent that costs otherwise allowable for rate-setting and settlement against payments under chapter 74.46 RCW shall not be disallowed solely because such costs have been paid by revenues retained by the nursing home from these supplemental payments. The supplemental payments are subject to retrospective interim and final cost settlements based on the nursing homes' as-filed and final medicare cost reports. The timing of the interim and final cost settlements shall be at the health care authority's discretion. During either the interim cost

settlement or the final cost settlement, the health care authority shall recoup from the public hospital districts the supplemental payments that exceed the medicaid cost limit and/or the medicare upper payment limit. The health care authority shall apply federal rules for identifying the eligible incurred medicaid costs and the medicare upper payment limit.

(16) The health care authority shall continue the inpatient hospital certified public expenditures program for the 2019-2021 fiscal biennium. The program shall apply to all public hospitals, including those owned or operated by the state, except those classified as critical access hospitals or state psychiatric institutions. The health care authority shall submit reports to the governor and legislature by November 1, 2020, and by November 1, 2021, that evaluate whether savings continue to exceed costs for this program. If the certified public expenditures (CPE) program in its current form is no longer cost-effective to maintain, the health care authority shall submit a report to the governor and legislature detailing cost-effective alternative uses of local, state, and federal resources as a replacement for this program. During fiscal year 2020 and fiscal year 2021, hospitals in the program shall be paid and shall retain one hundred percent of the federal portion of the allowable hospital cost for each medicaid inpatient fee-for-service claim payable by medical assistance and one hundred percent of the federal portion of the maximum disproportionate share hospital payment allowable under federal regulations. Inpatient medicaid payments shall be established using an allowable methodology that approximates the cost of claims submitted by the hospitals. Payments made to each hospital in the program in each fiscal year of the biennium shall be compared to a baseline amount. The baseline amount will be determined by the total of (a) the inpatient claim payment amounts that would have been paid during the fiscal year had the hospital not been in the CPE program based on the reimbursement rates developed, implemented, and consistent with policies approved in the 2019-2021 biennial operating appropriations act and in effect on July 1, 2015, (b) one-half of the indigent assistance disproportionate share hospital payment amounts paid to and retained by each hospital during fiscal year 2005, and (c) all of the other disproportionate share hospital payment amounts paid to and retained by each hospital during fiscal year 2005 to the extent the same disproportionate share hospital programs exist in the 2019-2021 fiscal biennium. If payments during the fiscal year exceed the hospital's baseline amount, no additional payments will be made to the hospital except the federal portion of allowable disproportionate share hospital payments for which the hospital can certify allowable match. If payments during the fiscal year are less than the baseline amount, the hospital will be paid a state grant equal to the difference between payments during the fiscal year and the applicable baseline amount. Payment of the state grant shall be made in the applicable fiscal year and distributed in monthly payments. The grants will be recalculated and redistributed as the baseline is updated during the fiscal year. The grant payments are subject to an interim settlement within eleven months after the end of the fiscal year. A final settlement shall be performed. To the extent that either settlement determines that a hospital has received funds in excess of what it would have received as described in this subsection, the hospital must repay the excess amounts to the state when requested. \$537,000 of the general fund—state appropriation for fiscal year 2020 and \$522,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for state grants for the participating hospitals.

(17) The health care authority shall seek public-private partnerships and federal funds that are or may become available to provide on-going support for outreach and education efforts

under the federal children's health insurance program reauthorization act of 2009.

(18) The health care authority shall target funding for maternity support services towards pregnant women with factors that lead to higher rates of poor birth outcomes, including hypertension, a preterm or low birth weight birth in the most recent previous birth, a cognitive deficit or developmental disability, substance abuse, severe mental illness, unhealthy weight or failure to gain weight, tobacco use, or African American or Native American race. The health care authority shall prioritize evidence-based practices for delivery of maternity support services. To the extent practicable, the health care authority shall develop a mechanism to increase federal funding for maternity support services by leveraging local public funding for those services.

(19) The authority shall submit reports to the governor and the legislature by September 15, 2020, and no later than September 15, 2021, that delineate the number of individuals in medicaid managed care, by carrier, age, gender, and eligibility category, receiving preventative services and vaccinations. The reports should include baseline and benchmark information from the previous two fiscal years and should be inclusive of, but not limited to, services recommended under the United States preventative services task force, advisory committee on immunization practices, early and periodic screening, diagnostic, and treatment (EPSDT) guidelines, and other relevant preventative and vaccination medicaid guidelines and requirements.

(20) Managed care contracts must incorporate accountability measures that monitor patient health and improved health outcomes, and shall include an expectation that each patient receive a wellness examination that documents the baseline health status and allows for monitoring of health improvements and outcome measures.

(21) Sufficient amounts are appropriated in this section for the authority to provide an adult dental benefit.

(22) The health care authority shall coordinate with the department of social and health services to provide referrals to the Washington health benefit exchange for clients that will be ineligible for medicaid.

(23) To facilitate a single point of entry across public and medical assistance programs, and to maximize the use of federal funding, the health care authority, the department of social and health services, and the health benefit exchange will coordinate efforts to expand HealthPlanfinder access to public assistance and medical eligibility staff. The health care authority shall complete medicaid applications in the HealthPlanfinder for households receiving or applying for medical assistance benefits.

(24) \$90,000 of the general fund—state appropriation for fiscal year 2020, \$90,000 of the general fund—state appropriation for fiscal year 2021, and \$180,000 of the general fund—federal appropriation are provided solely to continue operation by a nonprofit organization of a toll-free hotline that assists families to learn about and enroll in the apple health for kids program.

(25) Within the amounts appropriated in this section, the authority shall reimburse for primary care services provided by naturopathic physicians.

(26) Within the amounts appropriated in this section, the authority shall continue to provide coverage for pregnant teens that qualify under existing pregnancy medical programs, but whose eligibility for pregnancy related services would otherwise end due to the application of the new modified adjusted gross income eligibility standard.

(27) Sufficient amounts are appropriated in this section to remove the mental health visit limit and to provide the shingles vaccine and screening, brief intervention, and referral to treatment

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benefits that are available in the medicaid alternative benefit plan in the classic medicaid benefit plan.

(28) The authority shall use revenue appropriated from the dedicated marijuana fund for contracts with community health centers under RCW 69.50.540 in lieu of general fund—state payments to community health centers for services provided to medical assistance clients, and it is the intent of the legislature that this policy will be continued in subsequent fiscal biennia.

(29) Beginning no later than January 1, 2018, for any service eligible under the medicaid state plan for encounter payments, managed care organizations at the request of a rural health clinic shall pay the full published encounter rate directly to the clinic. At no time will a managed care organization be at risk for or have any right to the supplemental portion of the claim. Payments will be reconciled on at least an annual basis between the managed care organization and the authority, with final review and approval by the authority.

(30) Sufficient funds are provided for chiropractic care for adults with spinal pain diagnoses effective January 1, 2020. By September 15, 2021, the authority shall report to the governor and relevant committees of the legislature the cost of chiropractic care for adults with spinal pain diagnoses and avoided costs of other spinal pain treatments. The report must also include recommendations for other treatments for spinal pain, including cost and potential avoided cost associated with recommended treatments.

(31) By October 15, 2019, the authority shall report to the governor and relevant committees of the legislature the status of rural health clinic reconciliations for calendar years 2011-2013, including any use of available unliquidated prior period accrual balances to refund the federal government for those calendar years. Additionally, the report shall include the status of rural health clinic reconciliations for calendar years 2014-2017, including anticipated amounts owed to or from rural health clinics from the reconciliation process for those calendar years. The authority shall not recover the state portion of rural health reconciliations for calendar years 2011-2013 for which no general fund state accrual was made. The authority shall not pursue recoveries for calendar years 2014-2017 until after the legislature has an opportunity to take action during the 2020 legislative session. If the legislature does not take any action on rural health clinic reconciliations for calendar years 2014-2017, recoveries shall commence per administrative rule.

(32) Within the amounts appropriated in this section, the authority shall reimburse for maternity support services provided by doulas.

(33) \$72,000 of the general fund—state appropriation for fiscal year 2020 is provided solely for implementation of Substitute Senate Bill No. 5164 (trafficking victims assistance). If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.

(34) \$290,000 of the general fund—state appropriation for fiscal year 2020 and \$165,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Second Substitute Senate Bill No. 5292 (prescription drug cost transparency). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

(35) \$456,000 of the general fund—state appropriation for fiscal year 2020 and \$1,132,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Second Substitute Senate Bill No. 5602 (reproductive health care). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

(36) \$24,000 of the general fund—state appropriation for fiscal year 2020, \$3,000 of the general fund—state appropriation for fiscal year 2021, and \$23,000 of the general fund—federal appropriation are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5497 (immigrants in the workplace). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

(37) \$500,000 of the general fund—state appropriation for fiscal year 2020 is provided solely for contracting with one or more consultants to perform actuarial and financial analyses for implementation of Second Substitute Senate Bill No. 5822 (universal health care system). If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.

(38) \$1,187,000 of the general fund—state appropriation for fiscal year 2020 and \$2,351,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Engrossed Substitute Senate Bill No. 5741 (all payer claims database). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

(39) Within the amounts appropriated in this section, the authority must increase the home health reimbursement rate for medical assistance clients at a rate not less than one hundred percent of the medicare home health payment and provide reimbursement for a social worker and telemedicine when ordered by a physician or authorized health care provider, effective January 1, 2020.

(40) \$708,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for expenditure into the nonappropriated indian health reinvestment account for the implementation of Senate Bill No. 5415 (indian health improvement). If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.

(41) Sufficient amounts are appropriated in this section for the authority to provide a medicaid equivalent adult dental benefit to clients enrolled in the medical care service program.

(42) \$50,000 of the general fund—state appropriation for fiscal year 2020 and \$533,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Engrossed Senate Bill No. 5274 (pacific islanders dental). If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.

(43) \$350,000 of the general fund—state appropriation for fiscal year 2020 and \$350,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the implementation of Engrossed Second Substitute Senate Bill No. 5483 (developmental disability services). Within these amounts, the authority shall contract for the following: (a) \$150,000 to the University of Washington autism center to provide telecommunication consultation with local physicians to discuss medications appropriate to patients who have developmental disability and behavioral issues; (b) \$50,000 to contract for training to both behavioral health and developmental disabilities professionals to support individuals with both developmental disability and behavioral health needs; and (c) \$500,000 to hire specialists in developmental disabilities to participate in the behavioral health crisis teams. Prior to December 1, 2021, the authority shall report to the governor and appropriate committees of the legislature the results of this contracting, the outcomes achieved, and any recommendations related to this subsection. If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

(44) \$458,000 of the general fund—state appropriation for fiscal year 2020 and \$458,000 of the general fund—state appropriation for fiscal year 2021 are provided solely to increase reimbursement rates for reproductive services ineligible for

federal matching funds and these are the maximum amounts in each fiscal year the authority may expend for this purpose.

(45) \$1,400,000 of the general fund—state appropriation for fiscal year 2020, \$1,400,000 of the general fund—state appropriation for fiscal year 2021, and \$7,000,000 of the general fund—federal appropriation are provided solely to increase the rates paid to rural hospitals that meet the criteria in (a) through (d) of this subsection. Payments for state and federal medical assistance programs for services provided by such a hospital, regardless of the beneficiary’s managed care enrollment status, must be increased to one hundred fifty percent of the hospital’s fee-for-service rates. The authority must discontinue this rate increase after June 30, 2021, and return to the payment levels and methodology for these hospitals that were in place as of January 1, 2018. Hospitals participating in the certified public expenditures program may not receive increased reimbursement for inpatient services. Hospitals qualifying for this rate increase must:

- (a) Be certified by the centers for medicare and medicaid services as sole community hospitals as of January 1, 2013;
- (b) Have had less than one hundred fifty acute care licensed beds in fiscal year 2011;
- (c) Have a level III adult trauma service designation from the department of health as of January 1, 2014; and
- (d) Be owned and operated by the state or a political subdivision.

NEW SECTION. Sec. 212. FOR THE STATE HEALTH CARE AUTHORITY—PUBLIC EMPLOYEES’ BENEFITS BOARD AND EMPLOYEE BENEFITS PROGRAM

State Health Care Authority Administrative Account—State	
Appropriation	\$34,400,000
TOTAL APPROPRIATION	\$34,400,000

The appropriation in this section is subject to the following conditions and limitations:

(1) Any savings resulting from reduced claims costs or other factors must be reserved for funding employee benefits. The health care authority shall deposit any moneys received on behalf of the uniform medical plan resulting from rebates on prescription drugs, audits of hospitals, subrogation payments, or any other moneys received as a result of prior uniform medical plan claims payments, in the public employees’ and retirees’ insurance account to be used for insurance benefits.

(2) Any changes to benefits must be approved by the public employees’ benefits board. The board shall not make any changes to benefits without considering a comprehensive analysis of the cost of those changes, and shall not increase benefits unless savings achieved under subsection (3) of this section or offsetting cost reductions from other benefit revisions are sufficient to fund the changes. However, the funding provided anticipates that the public employees’ benefits board may increase the availability of nutritional counseling in the uniform medical plan by allowing a lifetime limit of up to twelve nutritional counseling visits. The board may also, within the amounts provided, use cost savings to enhance the basic long-term disability benefit.

(3) Except as may be provided in a health care bargaining agreement, to provide benefits within the level of funding provided in part IX of this bill, the public employees’ benefits board shall require or make any or all of the following: Employee premium copayments, increases increase in point-of-service cost sharing, the implementation of managed competition, or make other changes to benefits consistent with RCW 41.05.065.

(4) The board shall collect a surcharge payment of not less than twenty-five dollars per month from members who use tobacco products, and a surcharge payment of not less than fifty dollars

per month from members who cover a spouse or domestic partner where the spouse or domestic partner has chosen not to enroll in another employer-based group health insurance that has benefits and premiums with an actuarial value of not less than ninety-five percent of the actuarial value of the public employees’ benefits board plan with the largest enrollment. The surcharge payments shall be collected in addition to the member premium payment.

(5) \$69,000 of the state health care authority administrative account—state appropriation in this section is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5497 (immigrants in the workplace). If the bill is not enacted by June 30, 2019, the amount in this subsection shall lapse.

(6) Within the amounts appropriated in this section, the health care authority shall evaluate benefit options available to medicare-eligible retirees to address the rising cost of prescription drugs and member premiums. By November 1, 2019, the authority must submit a report to the governor and the appropriate fiscal committees of the legislature that outlines the options considered, the long-term fiscal impact to employers and to the state, including the impact on federal subsidies, and the change in cost and benefit levels for retirees. The report may include recommendations and a plan to transition to more affordable options.

NEW SECTION. Sec. 213. FOR THE STATE HEALTH CARE AUTHORITY—SCHOOL EMPLOYEES’ BENEFITS BOARD

School Employees’ Insurance Administrative Account—State	
Appropriation	\$25,002,000
TOTAL APPROPRIATION	\$25,002,000

The appropriation in this section is subject to the following conditions and limitations: Beginning January 1, 2020, the health care authority must provide each district and charter school with a monthly informational statement that shows the total amount of the expenditure into the school employees’ insurance account in part IV of this act that is attributable to that district or charter school. The statement must include the number of employees covered under the state’s allocation and the remaining balance due. The health care authority must coordinate with the superintendent of public instruction to determine the amount of funding that is attributable to each district and charter school.

NEW SECTION. Sec. 214. FOR THE STATE HEALTH CARE AUTHORITY—HEALTH BENEFIT EXCHANGE

General Fund—State Appropriation (FY 2020)	\$5,723,000
General Fund—State Appropriation (FY 2021)	\$5,918,000
General Fund—Federal Appropriation	\$49,276,000
Health Benefit Exchange Account—State Appropriation	\$56,326,000
TOTAL APPROPRIATION	\$117,243,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The receipt and use of medicaid funds provided to the health benefit exchange from the health care authority are subject to compliance with state and federal regulations and policies governing the Washington apple health programs, including timely and proper application, eligibility, and enrollment procedures.

(2)(a) By July 15th and January 15th of each year, the authority shall make a payment of one-half the general fund—state appropriation and one-half the health benefit exchange account—state appropriation to the exchange.

(b) The exchange shall monitor actual to projected revenues and make necessary adjustments in expenditures or carrier

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assessments to ensure expenditures do not exceed actual revenues.

(c) Payments made from general fund—state appropriation and health benefit exchange account—state appropriation shall be available for expenditure for no longer than the period of the appropriation from which it was made. When the actual cost of materials and services have been fully determined, and in no event later than the lapsing of the appropriation, any unexpended balance of the payment shall be returned to the authority for credit to the fund or account from which it was made, and under no condition shall expenditures exceed actual revenue.

(3) \$50,000 of the general fund—state appropriation for fiscal year 2020, \$50,000 of the general fund—state appropriation for fiscal year 2021, and \$1,048,000 of the health benefit exchange account—state appropriation are provided solely for implementation of Engrossed Substitute Senate Bill No. 5526 (individual health insurance market). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

(4) \$489,000 of the general fund—state appropriation for fiscal year 2020 and \$684,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Engrossed Senate Bill No. 5274 (pacific islanders dental). If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.

NEW SECTION. Sec. 215. FOR THE STATE HEALTH CARE AUTHORITY—COMMUNITY BEHAVIORAL HEALTH PROGRAM

General Fund—State Appropriation (FY 2020)	\$554,864,000
General Fund—State Appropriation (FY 2021)	\$606,639,000
General Fund—Federal Appropriation	\$1,941,775,000
General Fund—Private/Local Appropriation	\$36,513,000
Criminal Justice Treatment Account—State Appropriation	\$12,980,000
Problem Gambling Account—State Appropriation	\$1,455,000
Medicaid Fraud Penalty Account—State Appropriation	\$6,000
Dedicated Marijuana Account—State Appropriation (FY 2020)	\$28,487,000
Dedicated Marijuana Account—State Appropriation (FY 2021)	\$28,487,000
Pension Funding Stabilization Account—State Appropriation	\$1,714,000
TOTAL APPROPRIATION	\$3,212,920,000

The appropriations in this section are subject to the following conditions and limitations:

(1) For the purposes of this section, "behavioral health entities" means managed care organizations and administrative services organizations in regions where the authority is purchasing medical and behavioral health services through fully integrated contracts pursuant to RCW 71.24.380 and behavioral health organizations in regions that have not yet transitioned to fully integrated managed care.

(2) \$8,777,000 of the general fund—state appropriation for fiscal year 2020, \$10,424,000 of the general fund—state appropriation for fiscal year 2021, and \$20,197,000 of the general fund—federal appropriation are provided solely for the authority and behavioral health entities to continue to contract for implementation of high-intensity programs for assertive community treatment (PACT) teams. In determining the proportion of medicaid and nonmedicaid funding provided to behavioral health entities with PACT teams, the authority shall consider the differences between behavioral health entities in the percentages of services and other costs associated with the teams that are not reimbursable under medicaid. The authority may

allow behavioral health entities which have nonmedicaid reimbursable costs that are higher than the nonmedicaid allocation they receive under this section to supplement these funds with local dollars or funds received under subsection (4) of this section. The authority and behavioral health entities shall maintain consistency with all essential elements of the PACT evidence-based practice model in programs funded under this section.

(3) From the general fund—state appropriations in this section, the authority shall assure that behavioral health entities reimburse the department of social and health services aging and long term support administration for the general fund—state cost of medicaid personal care services that enrolled behavioral health entity consumers use because of their psychiatric disability.

(4) \$81,930,000 of the general fund—state appropriation for fiscal year 2020 and \$81,930,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for persons and services not covered by the medicaid program. To the extent possible, levels of behavioral health entity spending must be maintained in the following priority order: Crisis and commitment services; community inpatient services; and residential care services, including personal care and emergency housing assistance. These amounts must be distributed to behavioral health entities proportionate to the fiscal year 2017 allocation of flexible nonmedicaid funds. The authority must include the following language in medicaid contracts with behavioral health entities unless they are provided formal notification from the center for medicaid and medicare services that the language will result in the loss of federal medicaid participation: "The contractor may voluntarily provide services that are in addition to those covered under the state plan, although the cost of these services cannot be included when determining payment rates unless including these costs are specifically allowed under federal law or an approved waiver."

(5) The authority is authorized to continue to contract directly, rather than through contracts with behavioral health entities for children's long-term inpatient facility services.

(6) \$1,204,000 of the general fund—state appropriation for fiscal year 2020 and \$1,204,000 of the general fund—state appropriation for fiscal year 2021 are provided solely to reimburse Pierce and Spokane counties for the cost of conducting one hundred eighty-day commitment hearings at the state psychiatric hospitals.

(7) Behavioral health entities may use local funds to earn additional federal medicaid match, provided the locally matched rate does not exceed the upper-bound of their federally allowable rate range, and provided that the enhanced funding is used only to provide medicaid state plan or waiver services to medicaid clients. Additionally, behavioral health entities may use a portion of the state funds allocated in accordance with subsection (4) of this section to earn additional medicaid match, but only to the extent that the application of such funds to medicaid services does not diminish the level of crisis and commitment, community inpatient, residential care, and outpatient services presently available to persons not eligible for medicaid.

(8) \$2,291,000 of the general fund—state appropriation for fiscal year 2020 and \$2,291,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for mental health services for mentally ill offenders while confined in a county or city jail and for facilitating access to programs that offer mental health services upon release from confinement. The authority must collect information from the behavioral health entities on their plan for using these funds, the numbers of individuals served, and the types of services provided and submit a report to the office of financial management and the appropriate

fiscal committees of the legislature by December 1st of each year of the biennium.

(9) Within the amounts appropriated in this section, funding is provided for the authority to develop and phase in intensive mental health services for high needs youth consistent with the settlement agreement in *T.R. v. Dreyfus and Porter*.

(10) The authority must establish minimum and maximum funding levels for all reserves allowed under behavioral health entity contracts and insert contract language that clearly states the requirements and limitations. The authority must monitor and ensure that behavioral health entity reserves do not exceed maximum levels. The authority must monitor behavioral health entity revenue and expenditure reports and must require a behavioral health entity to submit a corrective action plan on how it will spend its excess reserves within a reasonable period of time, when its reported reserves exceed maximum levels established under the contract. The authority must review and approve such plans and monitor to ensure compliance. If the authority determines that a behavioral health entity has failed to provide an adequate excess reserve corrective action plan or is not complying with an approved plan, the authority must reduce payments to the behavioral health entity in accordance with remedial actions provisions included in the contract. These reductions in payments must continue until the authority determines that the behavioral health entity has come into substantial compliance with an approved excess reserve corrective action plan.

(11) The number of beds allocated for use by behavioral health entities at eastern state hospital shall be one hundred ninety two per day. The number of nonforensic beds allocated for use by behavioral health entities at western state hospital shall be updated to reflect the actual beds available no less than at the beginning of each quarter, beginning July 1, 2019. In fiscal year 2020, the authority must reduce the number of beds allocated for use by behavioral health entities at western state hospital by any beds being repurposed from civil ward at western state hospital to provide forensic services. The bed allocation must also account for any beds contracted in community settings for the purpose of providing care in lieu of beds at the state hospitals and be incorporated in their allocation of state hospital patient days of care for the purposes of calculating reimbursements pursuant to RCW 71.24.310. It is the intent of the legislature to continue the policy of expanding community based alternatives for long-term civil commitment services that allow for state hospital beds to be prioritized for forensic patients.

(12) \$3,278,000 of the dedicated marijuana account—state appropriation for fiscal year 2020 and \$3,278,000 of the dedicated marijuana account—state appropriation for fiscal year 2021 are provided solely for a memorandum of understanding with the department of children, youth, and families juvenile rehabilitation administration to provide substance abuse treatment programs for juvenile offenders. Of the amounts provided in this subsection:

(a) \$1,130,000 of the dedicated marijuana account—state appropriation for fiscal year 2020 and \$1,130,000 of the dedicated marijuana account—state appropriation for fiscal year 2021 are provided solely for alcohol and substance abuse treatment programs for locally committed offenders. The juvenile rehabilitation administration shall award these funds as described in section 220(2)(d)(i) of this act.

(b) \$282,000 of the dedicated marijuana account—state appropriation for fiscal year 2020 and \$282,000 of the dedicated marijuana account—state appropriation for fiscal year 2021 are provided solely for the expansion of evidence-based treatments and therapies as described in section 225(2) of this act.

(13) During the 2019-2021 fiscal biennium, any amounts provided in this section that are used for case management

services for pregnant and parenting women must be contracted directly between the authority and providers rather than through contracts with behavioral health entities.

(14) Within the amounts appropriated in this section, the authority may contract with the University of Washington and community-based providers for the provision of the parent-child assistance program or other specialized chemical dependency case management providers for pregnant, post-partum, and parenting women. For all contractors: (a) Service and other outcome data must be provided to the authority by request; and (b) indirect charges for administering the program must not exceed ten percent of the total contract amount.

(15) \$3,500,000 of the general fund—federal appropriation (from the substance abuse prevention and treatment federal block grant) is provided solely for the continued funding of existing county drug and alcohol use prevention programs.

(16) \$200,000 of the dedicated marijuana account—state appropriation for fiscal year 2020 and \$200,000 of the dedicated marijuana account—state appropriation for fiscal year 2021 are provided solely for a contract with the Washington state institute for public policy to conduct cost-benefit evaluations of the implementation of chapter 3, Laws of 2013 (Initiative Measure No. 502).

(17) \$500,000 of the dedicated marijuana account—state appropriation for fiscal year 2020 and \$500,000 of the dedicated marijuana account—state appropriation for fiscal year 2021 are provided solely to design and administer the Washington state healthy youth survey and the Washington state young adult behavioral health survey.

(18) \$396,000 of the dedicated marijuana account—state appropriation for fiscal year 2020 and \$396,000 of the dedicated marijuana account—state appropriation for fiscal year 2021 are provided solely for maintaining increased services to pregnant and parenting women provided through the parent child assistance program.

(19) \$250,000 of the dedicated marijuana account—state appropriation for fiscal year 2020 and \$250,000 of the dedicated marijuana account—state appropriation for fiscal year 2021 are provided solely for a grant to the office of the superintendent of public instruction to provide life skills training to children and youth in schools that are in high needs communities.

(20) \$386,000 of the dedicated marijuana account—state appropriation for fiscal year 2020 and \$386,000 of the dedicated marijuana account—state appropriation for fiscal year 2021 are provided solely to maintain increased prevention and treatment services provided by tribes and federally recognized American Indian organizations to children and youth.

(21) \$2,684,000 of the dedicated marijuana account—state appropriation for fiscal year 2020, \$2,684,000 of the dedicated marijuana account—state appropriation for fiscal year 2021, and \$1,900,000 of the general fund—federal appropriation are provided solely to maintain increased residential treatment services for children and youth.

(22) \$250,000 of the dedicated marijuana account—state appropriation for fiscal year 2020 and \$250,000 of the dedicated marijuana account—state appropriation for fiscal year 2021 are provided solely for training and technical assistance for the implementation of evidence-based, research-based, and promising programs which prevent or reduce substance use disorders.

(23) \$2,434,000 of the dedicated marijuana account—state appropriation for fiscal year 2020 and \$2,434,000 of the dedicated marijuana account—state appropriation for fiscal year 2021 are provided solely for expenditure into the home visiting services account.

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(24) \$2,500,000 of the dedicated marijuana account—state appropriation for fiscal year 2020 and \$2,500,000 of the dedicated marijuana account—state appropriation for fiscal year 2021 are provided solely for grants to community-based programs that provide prevention services or activities to youth, including programs for school-based resource officers. These funds must be utilized in accordance with RCW 69.50.540.

(25) Within the amounts provided in this section, behavioral health entities must provide outpatient chemical dependency treatment for offenders enrolled in the medicaid program who are supervised by the department of corrections pursuant to a term of community supervision. Contracts with behavioral health entities must require that behavioral health entities include in their provider network specialized expertise in the provision of manualized, evidence-based chemical dependency treatment services for offenders. The department of corrections and the authority must develop a memorandum of understanding for department of corrections offenders on active supervision who are medicaid eligible and meet medical necessity for outpatient substance use disorder treatment. The agreement will ensure that treatment services provided are coordinated, do not result in duplication of services, and maintain access and quality of care for the individuals being served. The authority must provide all necessary data, access, and reports to the department of corrections for all department of corrections offenders that receive medicaid paid services.

(26) Within existing appropriations, the authority shall prioritize the prevention and treatment of intravenous opiate-based drug use.

(27) The criminal justice treatment account—state appropriation is provided solely for treatment and treatment support services for offenders with a substance use disorder pursuant to RCW 71.24.580. The authority must offer counties the option to administer their share of the distributions provided for under RCW 71.24.580(5)(a). If a county is not interested in administering the funds, the authority shall contract with a behavioral health entity to administer these funds consistent with the plans approved by local panels pursuant to RCW 71.24.580(5)(b). The authority must provide a report to the office of financial management and the appropriate committees of the legislature which identifies the distribution of criminal justice treatment account funds by September 30, 2018.

(28) \$446,000 of the general fund—state appropriation for fiscal year 2020, \$446,000 of the general fund—state appropriation for fiscal year 2021, and \$178,000 of the general fund—federal appropriation are provided solely for the University of Washington's evidence-based practice institute which supports the identification, evaluation, and implementation of evidence-based or promising practices. The institute must work with the authority to develop a plan to seek private, federal, or other grant funding in order to reduce the need for state general funds. The authority must collect information from the institute on the use of these funds and submit a report to the office of financial management and the appropriate fiscal committees of the legislature by December 1st of each year of the biennium.

(29) No more than \$13,098,000 of the general fund—federal appropriation may be expended for supported housing and employment services described in initiative 3a and 3b of the medicaid transformation demonstration waiver under healthier Washington. Under this initiative, the department and the health care authority shall ensure that allowable and necessary services are provided to eligible clients as identified by the department or its providers or third party administrator. The department and the authority in consultation with the medicaid forecast work group, shall ensure that reasonable reimbursements are established for

services deemed necessary within an identified limit per individual. The department shall not increase general fund—state expenditures under this initiative. The secretary in collaboration with the director of the authority shall report to the joint select committee on health care oversight no less than quarterly on financial and health outcomes. The secretary in cooperation with the director shall also report to the fiscal committees of the legislature all of the expenditures of this subsection and shall provide such fiscal data in the time, manner, and form requested by the legislative fiscal committees. Beginning May 1, 2019, the authority shall freeze participation in initiatives 3a and 3b at the current level of enrollment. No new participants may be added without further federal approval.

(30) \$13,121,000 of the general fund—state appropriation for fiscal year 2020, \$12,875,000 of the general fund—state appropriation for fiscal year 2021, and \$3,702,000 of the general fund—federal appropriation are provided solely for the phase-in of the settlement agreement under *Trueblood, et. al. v. Department of Social and Health Services, et. al.*, U.S. District Court-Western District, Cause No. 14-cv-01178-MJP. The authority, in collaboration with the department of social and health services and the criminal justice training commission, must implement the provisions of the settlement agreement which impact competency evaluations, competency restoration, crisis diversion and supports, education and training, and workforce development.

(31) \$23,997,000 of the general fund—state appropriation for fiscal year 2020, \$33,981,000 of the general fund—state appropriation for fiscal year 2021, and \$28,359,000 of the general fund—federal appropriation are provided solely for the authority to contract with community hospitals and freestanding evaluation and treatment centers to provide long-term inpatient care beds as defined in RCW 71.24.025.

(32) \$1,455,000 of the general fund—state appropriation for fiscal year 2020, \$1,401,000 of the general fund—state appropriation for fiscal year 2021, and \$2,856,000 of the general fund—federal appropriation are provided solely for the implementation of intensive behavioral health treatment facilities within the community behavioral health service system.

(33) \$854,000 of the general fund—state appropriation for fiscal year 2020, \$2,804,000 of the general fund—state appropriation for fiscal year 2021, and \$3,685,000 of the general fund—federal appropriation are provided solely for the implementation of clubhouses statewide.

(34) \$708,000 of the general fund—state appropriation for fiscal year 2021 and \$799,000 of the general fund—federal appropriation are provided solely for the implementation of mental health peer service centers.

(35) \$4,473,000 of the general fund—state appropriation for fiscal year 2021 and \$7,616,000 of the general fund—federal appropriation are provided solely for intensive outpatient treatment services within the community behavioral health service system. The authority must develop a service model and submit a state plan amendment or a medicaid waiver to implement these services beginning July 1, 2020.

(36) \$1,231,000 of the general fund—state appropriation for fiscal year 2020, \$3,212,000 of the general fund—state appropriation for fiscal year 2021, and \$5,637,000 of the general fund—federal appropriation are provided solely for the authority to increase the daily rate for secure detoxification facilities beginning July 1, 2019, and to establish one new facility beginning July 1, 2020.

(37) \$814,000 of the general fund—state appropriation for fiscal year 2020, \$800,000 of the general fund—state appropriation for fiscal year 2021, and \$1,466,000 of the general

fund—federal appropriation are provided solely for the authority to implement the recommendations of the state action alliance for suicide prevention, to include suicide assessments, treatment, and grant management.

(38) Within existing resources, the authority shall implement Engrossed Second Substitute Senate Bill No. 5720 (involuntary treatment act).

(39) Within existing resources, the authority shall implement Engrossed Second Substitute Senate Bill No. 5432 (behavioral integration).

(40) \$509,000 of the general fund—state appropriation for fiscal year 2020, \$494,000 of the general fund—state appropriation for fiscal year 2021, and \$4,288,000 of the general fund—federal appropriation are provided solely for the implementation of Substitute Senate Bill No. 5380 (opioid use disorder). If the bill is not enacted by June 30, 2019, the amounts in this subsection shall lapse.

(41) \$18,000 of the general fund—state appropriation for fiscal year 2020, \$18,000 of the general fund—state appropriation for fiscal year 2021, and \$36,000 of the general fund—federal appropriation are provided solely for the implementation of Substitute Senate Bill No. 5181 (involuntary treatment procedures). If the bill is not enacted by June 30, 2019, the amounts in this subsection shall lapse.

(42) \$150,000 of the general fund—state appropriation for fiscal year 2020 and \$150,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the implementation of Second Substitute Senate Bill No. 5903 (children’s mental health). If the bill is not enacted by June 30, 2019, the amounts in this subsection shall lapse.

(43) The authority shall submit an application to the centers for medicare and medicaid services to allow for the full cost of stays in an institution for mental disease for individuals suffering from mental illness. In order to consolidate and align behavioral health services under a single topic waiver that aligns with behavioral health integration, the authority shall remove the current waiver to allow for chemical dependency treatment services in an institution for mental disease from the transformation demonstration waiver under healthier Washington and add it to the application for a mental illness waiver.

(44) The authority must require all behavioral health organizations transitioning to full integration to either spend down or return all reserves in accordance with contract requirements and federal and state law. Behavioral health entity reserves may not be used to pay for services to be provided beyond the end of a behavioral health entity’s contract or for start-up costs in full integration regions. The authority must ensure that any increases in expenditures in behavioral health reserve spend-down plans are required for the operation of services during the contract period and do not result in overpayment to providers.

(45) \$1,256,000 of the general fund—state appropriation for fiscal year 2021 and \$1,686,000 of the general fund—federal appropriation is provided solely for the authority to include two new sixteen bed facilities for pregnant and parenting women services within the state beginning July 1, 2020.

(46) The authority must compile all previous reports and collaborate with any work groups created during the 2019-2021 fiscal biennium for the purpose of establishing the implementation plan for transferring the full risk of long-term inpatient care for mental illness into the behavioral health entity contracts by January 1, 2020.

(47) \$225,000 of the general fund—state appropriation for fiscal year 2020 and \$225,000 of the general fund—state appropriation for fiscal year 2021 are provided solely to continue funding one pilot project in Pierce county to promote increased utilization of assisted outpatient treatment programs. The

authority shall provide a report to the legislature by October 15, 2020, which must include the number of individuals served, outcomes to include changes in use of inpatient treatment and hospital stays, and recommendations for further implementation based on lessons learned from the pilot project.

NEW SECTION. Sec. 216. FOR THE HUMAN RIGHTS COMMISSION

General Fund—State Appropriation (FY 2020)	\$2,385,000
General Fund—State Appropriation (FY 2021)	\$2,379,000
General Fund—Federal Appropriation	\$2,482,000
Pension Funding Stabilization Account—State Appropriation	\$190,000
TOTAL APPROPRIATION	\$7,436,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$103,000 of the general fund—state appropriation for fiscal year 2020 and \$97,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Second Substitute Senate Bill No. 5602 (reproductive health care). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

(2) \$87,000 of the general fund—state appropriation for fiscal year 2020 and \$82,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for administrative support at the human rights commission.

NEW SECTION. Sec. 217. FOR THE BOARD OF INDUSTRIAL INSURANCE APPEALS

Worker and Community Right to Know Fund—State Appropriation	\$10,000
Accident Account—State Appropriation	\$23,318,000
Medical Aid Account—State Appropriation	\$23,320,000
TOTAL APPROPRIATION	\$46,648,000

NEW SECTION. Sec. 218. FOR THE CRIMINAL JUSTICE TRAINING COMMISSION

General Fund—State Appropriation (FY 2020)	\$24,995,000
General Fund—State Appropriation (FY 2021)	\$24,935,000
General Fund—Private/Local Appropriation	\$6,536,000
Death Investigations Account—State Appropriation	\$682,000
Municipal Criminal Justice Assistance Account—State Appropriation	\$460,000
Washington Auto Theft Prevention Authority Account—State Appropriation	\$8,167,000
24/7 Sobriety Account—State Appropriation	\$20,000
Pension Funding Stabilization Account—State Appropriation	\$460,000
TOTAL APPROPRIATION	\$66,255,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$5,000,000 of the general fund—state appropriation for fiscal year 2020 and \$5,000,000 of the general fund—state appropriation for fiscal year 2021, are provided to the Washington association of sheriffs and police chiefs solely to verify the address and residency of registered sex offenders and kidnapping offenders under RCW 9A.44.130.

(2) \$2,248,000 of the general fund—state appropriation for fiscal year 2020 and \$2,269,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for seventy-five percent of the costs of providing nine additional statewide basic law enforcement trainings in each fiscal year. The criminal justice training commission must schedule its funded classes to minimize wait times throughout each fiscal year and meet statutory wait time requirements. The criminal justice training commission must track and report the average wait time for

students at the beginning of each class and provide the findings in an annual report to the legislature due in December of each year. At least two classes must be held in Spokane each year.

(3) The criminal justice training commission may not run a basic law enforcement academy class of fewer than 30 students.

(4) \$429,000 of the general fund—state appropriation for fiscal year 2020 and \$429,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for expenditure into the nonappropriated Washington internet crimes against children account for the implementation of chapter 84, Laws of 2015.

(5) \$2,000,000 of the general fund—state appropriation for fiscal year 2020 and \$2,000,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the mental health field response team program administered by the Washington association of sheriffs and police chiefs. The association must distribute \$3,000,000 in grants to the phase one regions as outlined in the settlement agreement under *Trueblood, et. al. v. Department of Social and Health Services, et. al.*, U.S. District Court-Western District, Cause No. 14-cv-01178-MJP. The association must submit an annual report to the Governor and appropriate committees of the legislature by September 1st of each year of the biennium. The report shall include best practice recommendations on law enforcement and behavioral health field response and include outcome measures on all grants awarded.

(6) \$450,000 of the general fund—state appropriation for fiscal year 2020 and \$449,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for crisis intervention training for the phase one regions as outlined in the settlement agreement under *Trueblood, et. al. v. Department of Social and Health Services, et. al.*, U.S. District Court-Western District, Cause No. 14-cv-01178-MJP.

(7) \$534,000 of the death investigations account—state appropriation is provided solely for the commission to update and expand the medicolegal forensic investigation training currently provided to coroners and medical examiners from eighty hours to two-hundred forty hours to meet the recommendations of the national commission on forensic science for certification and accreditation. Funding is contingent on the death investigation account receiving three dollars of the five dollar increase in vital records fees from the passage of Engrossed Substitute Senate Bill No. 5332 (vital statistics). If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.

(8) \$10,000 of the general fund—state appropriation for fiscal year 2020 and \$22,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for an increase in vendor rates on the daily meals provided to basic law enforcement academy recruits during their training.

NEW SECTION. Sec. 219. FOR THE DEPARTMENT OF LABOR AND INDUSTRIES

General Fund—State Appropriation (FY 2020)	\$13,017,000
General Fund—State Appropriation (FY 2021)	\$11,506,000
General Fund—Federal Appropriation	\$11,876,000
Asbestos Account—State Appropriation	\$575,000
Electrical License Account—State Appropriation	\$56,123,000
Farm Labor Contractor Account—State Appropriation	\$28,000
Worker and Community Right to Know Fund—State Appropriation	\$990,000
Construction Registration Inspection Account—State Appropriation	\$22,365,000
Public Works Administration Account—State Appropriation	\$11,531,000
Manufactured Home Installation Training Account—State Appropriation	\$393,000

Pension Funding Stabilization Account—State Appropriation	\$1,434,000
Accident Account—State Appropriation	\$376,106,000
Accident Account—Federal Appropriation	\$15,674,000
Medical Aid Account—State Appropriation	\$382,100,000
Medical Aid Account—Federal Appropriation	\$3,515,000
Plumbing Certificate Account—State Appropriation	\$1,932,000
Pressure Systems Safety Account—State Appropriation	\$4,515,000
TOTAL APPROPRIATION	\$913,680,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$40,988,000 of the accident account—state appropriation and \$40,986,000 of the medical aid account—state appropriation are provided solely for the labor and industries workers’ compensation information replacement system project and are subject to the conditions, limitations, and review provided in section 735 of this act.

(2) \$250,000 of the medical aid account—state appropriation and \$250,000 of the accident account—state appropriation are provided solely for the department of labor and industries safety and health assessment and research for prevention program to conduct research to address the high injury rates of the janitorial workforce. The research must quantify the physical demands of common janitorial work tasks and assess the safety and health needs of janitorial workers. The research must also identify potential risk factors associated with increased risk of injury in the janitorial workforce and measure workload based on the strain janitorial work tasks place on janitors’ bodies. The department must conduct interviews with janitors and their employers to collect information on risk factors, identify the tools, technologies, and methodologies used to complete work, and understand the safety culture and climate of the industry. The department must issue an initial report to the legislature, by June 30, 2020, assessing the physical capacity of workers in the context of the industry’s economic environment and ascertain usable support tools for employers and workers to decrease risk of injury. After the initial report, the department must produce annual progress reports, beginning in 2021 through the year 2022 or until the tools are fully developed and deployed. The annual progress reports must be submitted to the legislature by December 1st of each year such reports are due.

(3) \$1,700,000 of the accident account—state appropriation and \$300,000 of the medical aid account—state appropriation are provided solely for a contract with a permanently registered Washington sector intermediary to provide supplemental instruction for information technology apprentices. Funds spent for this purpose must be matched by an equal amount of funding from the information technology industry members, except small and mid-sized employers. Up to \$1,000,000 may be spent to provide supplemental instruction for apprentices at small and mid-sized businesses. "Small and mid-sized businesses" means those that have fewer than one hundred employees or have less than five percent annual net profitability. The sector intermediary will collaborate with the state board for community and technical colleges to integrate and offer related supplemental instruction through one or more Washington state community or technical colleges by the 2020-21 academic year.

(4) \$1,360,000 of the accident account—state appropriation and \$240,000 of the medical aid account—state appropriation are provided solely for the department of labor and industries to establish a health care apprenticeship.

(5) \$273,000 of the accident account—state appropriation and \$273,000 of the medical aid account—state appropriation are

provided solely for the department of labor and industries safety and health assessment research for prevention program to conduct research to prevent the types of work-related injuries that require immediate hospitalization. The department will develop and maintain a tracking system to identify and respond to all immediate in-patient hospitalizations and will examine incidents in defined high-priority areas, as determined from historical data and public priorities. The research must identify and characterize hazardous situations and contributing factors using epidemiological, safety-engineering, and human factors/ergonomics methods. The research must also identify common factors in certain types of workplace injuries that lead to hospitalization. The department must submit an initial report to the governor and appropriate legislative committees by August 30, 2020, and annually thereafter, summarizing work-related immediate hospitalizations and prevention opportunities, actions that employers and workers can take to make workplaces safer, and ways to avoid severe injuries.

(6) \$666,000 of the accident account—state appropriation and \$243,000 of the medical aid account—state appropriation are provided solely for implementation of Engrossed Senate Bill No. 5175 (firefighter safety). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

(7) \$2,497,000 of the public works administration account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5035 (prevailing wage laws). If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.

(8) \$202,000 of the accident account—state appropriation and \$35,000 of the medical aid account—state appropriation are provided solely for implementation of Second Substitute Senate Bill No. 5236 (apprenticeships). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

(9) \$37,000 of the accident account—state appropriation and \$33,000 of the medical aid account—state appropriation are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5497 (immigrants in the workplace). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

(10) \$1,071,000 of the accident account—state appropriation and \$189,000 of the medical aid account—state appropriation are provided solely for the additional staffing, training, contractor outreach, and information technology costs for company-wide wage investigations and a new complaint type to the complaint activity tracking system. This subsection is subject to the conditions, limitations, and review requirements of section 735 of this act.

(11) \$1,672,000 of the public works administration account—state appropriation is provided solely for the additional staffing, training, contractor outreach, and information technology costs for the prevailing wage program. This subsection is subject to the conditions, limitations, and review requirements of section 735 of this act.

(12) \$850,000 of the accident account—state appropriation and \$850,000 of the medical aid account—state appropriation are provided solely for issuing and managing contracts with customer-trusted groups to develop and deliver information to small businesses and their workers about workplace rights, regulations and services administered by the agency.

(13) \$4,676,000 of the general fund—state appropriation for fiscal year 2020 and \$2,092,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for increasing rates for medical and health care service providers treating persons in the crime victim compensation program.

(14) \$744,000 of the accident account—state appropriation and \$744,000 of the medical aid account—state appropriation are

provided solely for customer service staffing at field offices. The additional staffing will work with customers to at least answer questions, schedule inspections, issue permits, and accept payments.

(15) \$3,432,000 of the accident account—state appropriation and \$606,000 of the medical aid account—state appropriation are provided solely for the division of occupational safety and health to add workplace safety and health consultants, inspectors, and investigators. The additional compliance and consultation staff will investigate workplace accidents by increasing preventative inspections and consultations aimed at preventing and reducing workplace injuries and fatalities.

(16) \$788,000 of the accident account—state appropriation and \$140,000 of the medical aid account—state appropriation are provided solely for apprenticeship staffing to respond to inquiries and process registrations.

(17) \$2,608,000 of the accident account—state appropriation and \$3,541,000 of the medical aid account—state appropriation are provided solely for claims management staffing to reduce caseloads.

NEW SECTION. Sec. 220. FOR THE DEPARTMENT OF VETERANS AFFAIRS

(1) The appropriations in this section are subject to the following conditions and limitations:

(a) The department of veterans affairs shall not initiate any services that will require expenditure of state general fund moneys unless expressly authorized in this act or other law. The department may seek, receive, and spend, under RCW 43.79.260 through 43.79.282, federal moneys not anticipated in this act as long as the federal funding does not require expenditure of state moneys for the program in excess of amounts anticipated in this act. If the department receives unanticipated unrestricted federal moneys, those moneys must be spent for services authorized in this act or in any other legislation that provides appropriation authority, and an equal amount of appropriated state moneys shall lapse. Upon the lapsing of any moneys under this subsection, the office of financial management shall notify the legislative fiscal committees. As used in this subsection, "unrestricted federal moneys" includes block grants and other funds that federal law does not require to be spent on specifically defined projects or matched on a formula basis by state funds.

(b) Each year, there is fluctuation in the revenue collected to support the operation of the state veteran homes. When the department has foreknowledge that revenue will decrease, such as from a loss of census or from the elimination of a program, the legislature expects the department to make reasonable efforts to reduce expenditures in a commensurate manner and to demonstrate that it has made such efforts. In response to any request by the department for general fund—state appropriation to backfill a loss of revenue, the legislature shall consider the department's efforts in reducing its expenditures in light of known or anticipated decreases to revenues.

(2) HEADQUARTERS

General Fund—State Appropriation (FY 2020)	\$3,637,000
General Fund—State Appropriation (FY 2021)	\$3,605,000
Charitable, Educational, Penal, and Reformatory Institutions Account—State Appropriation	\$10,000
Pension Funding Stabilization Account—State Appropriation	\$185,000
TOTAL APPROPRIATION	\$7,437,000

(3) FIELD SERVICES

General Fund—State Appropriation (FY 2020)	\$6,143,000
General Fund—State Appropriation (FY 2021)	\$6,141,000
General Fund—Federal Appropriation	\$4,453,000

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General Fund—Private/Local Appropriation	\$4,976,000
Veteran Estate Management Account—Private/Local Appropriation	\$681,000
Pension Funding Stabilization Account—State Appropriation	\$444,000
Veterans Stewardship Nonappropriated Account—State Appropriation	\$2,000,000
Veterans Innovation Program Account—State Appropriation	\$100,000
TOTAL APPROPRIATION	\$24,938,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) \$1,338,000 of the general fund—federal appropriation and \$120,000 of the general fund—local appropriation are provided solely for the expansion of the transitional housing program at the Washington soldiers home.

(b) \$100,000 of the veterans innovation program account—state appropriation is provided solely for the expansion of veterans innovation program grants.

(c) \$150,000 of the general fund—state appropriation for fiscal year 2020 and \$150,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the department's traumatic brain injury program.

(d) \$2,000,000 of the veterans stewardship nonappropriated account—state appropriation is provided solely for grants for homeless veterans.

(4) INSTITUTIONAL SERVICES

General Fund—State Appropriation (FY 2020)	\$8,156,000
General Fund—State Appropriation (FY 2021)	\$7,357,000
General Fund—Federal Appropriation	\$89,783,000
General Fund—Private/Local Appropriation	\$29,898,000
Pension Funding Stabilization Account—State Appropriation	\$1,464,000
TOTAL APPROPRIATION	\$136,658,000

The appropriations in this subsection are subject to the following conditions and limitations: The amounts provided in this subsection include a general fund—state backfill for a revenue shortfall at the Washington soldiers home in Orting and the Walla Walla veterans home.

(5) CEMETERY SERVICES

General Fund—State Appropriation (FY 2020)	\$100,000
General Fund—State Appropriation (FY 2021)	\$100,000
General Fund—Federal Appropriation	\$688,000
TOTAL APPROPRIATION	\$888,000

NEW SECTION. Sec. 221. FOR THE DEPARTMENT OF HEALTH

General Fund—State Appropriation (FY 2020)	\$73,820,000
General Fund—State Appropriation (FY 2021)	\$73,277,000
General Fund—Federal Appropriation	\$572,145,000
General Fund—Private/Local Appropriation	\$180,511,000
Hospital Data Collection Account—State Appropriation	\$354,000
Health Professions Account—State Appropriation	\$141,549,000
Aquatic Lands Enhancement Account—State Appropriation	\$627,000
Emergency Medical Services and Trauma Care Systems Trust Account—State Appropriation	\$10,071,000
Safe Drinking Water Account—State Appropriation	\$5,783,000
Drinking Water Assistance Account—Federal Appropriation	\$16,257,000

Waterworks Operator Certification Account—State Appropriation	\$1,954,000
Drinking Water Assistance Administrative Account—State Appropriation	\$1,213,000
Site Closure Account—State Appropriation	\$174,000
Biotoxin Account—State Appropriation	\$1,612,000
Model Toxics Control Operating Account—State Appropriation	\$4,354,000
Medicaid Fraud Penalty Account—State Appropriation	\$969,000
Medical Test Site Licensure Account—State Appropriation	\$2,620,000
Youth Tobacco and Vapor Products Prevention Account—State Appropriation	\$4,365,000
Dedicated Marijuana Account—State Appropriation (FY 2020)	\$9,070,000
Dedicated Marijuana Account—State Appropriation (FY 2021)	\$9,771,000
Public Health Supplemental Account—Private/Local Appropriation	\$3,609,000
Pension Funding Stabilization Account—State Appropriation	\$3,816,000
Accident Account—State Appropriation	\$703,000
Medical Aid Account—State Appropriation	\$115,000
Foundational Public Health Services Account—State Appropriation	\$3,058,000
TOTAL APPROPRIATION	\$1,121,797,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The department of health shall not initiate any services that will require expenditure of state general fund moneys unless expressly authorized in this act or other law. The department of health and the state board of health shall not implement any new or amended rules pertaining to primary and secondary school facilities until the rules and a final cost estimate have been presented to the legislature, and the legislature has formally funded implementation of the rules through the omnibus appropriations act or by statute. The department may seek, receive, and spend, under RCW 43.79.260 through 43.79.282, federal moneys not anticipated in this act as long as the federal funding does not require expenditure of state moneys for the program in excess of amounts anticipated in this act. If the department receives unanticipated unrestricted federal moneys, those moneys shall be spent for services authorized in this act or in any other legislation that provides appropriation authority, and an equal amount of appropriated state moneys shall lapse. Upon the lapsing of any moneys under this subsection, the office of financial management shall notify the legislative fiscal committees. As used in this subsection, "unrestricted federal moneys" includes block grants and other funds that federal law does not require to be spent on specifically defined projects or matched on a formula basis by state funds.

(2) During the 2019-2021 fiscal biennium, each person subject to RCW 43.70.110(3)(c) is required to pay only one surcharge of up to twenty-five dollars annually for the purposes of RCW 43.70.112, regardless of how many professional licenses the person holds.

(3) In accordance with RCW 43.20B.110, 43.135.055, and 71.24.035, the department is authorized to adopt license and certification fees in fiscal years 2020 and 2021 to support the costs of the regulatory program. The department's fee schedule shall have differential rates for providers with proof of accreditation from organizations that the department has determined to have substantially equivalent standards to those of the department, including but not limited to the joint commission on accreditation

of health care organizations, the commission on accreditation of rehabilitation facilities, and the council on accreditation. To reflect the reduced costs associated with regulation of accredited programs, the department's fees for organizations with such proof of accreditation must reflect the lower costs of licensing for these programs than for other organizations which are not accredited.

(4) Within the amounts appropriated in this section, and in accordance with RCW 43.20B.110 and 70.41.100, the department shall set fees to include the full costs of the performance of inspections pursuant to RCW 70.41.080.

(5) In accordance with RCW 70.96A.090, 71.24.035, 43.20B.110, and 43.135.055, the department is authorized to adopt fees for the review and approval of mental health and substance use disorder treatment programs in fiscal years 2020 and 2021 as necessary to support the costs of the regulatory program. The department's fee schedule must have differential rates for providers with proof of accreditation from organizations that the department has determined to have substantially equivalent standards to those of the department, including but not limited to the joint commission on accreditation of health care organizations, the commission on accreditation of rehabilitation facilities, and the council on accreditation. To reflect the reduced costs associated with regulation of accredited programs, the department's fees for organizations with such proof of accreditation must reflect the lower cost of licensing for these programs than for other organizations which are not accredited.

(6) The health care authority, the health benefit exchange, the department of social and health services, the department of health, and the department of children, youth, and families shall work together within existing resources to establish the health and human services enterprise coalition (the coalition). The coalition, led by the health care authority, must be a multi-organization collaborative that provides strategic direction and federal funding guidance for projects that have cross-organizational or enterprise impact, including information technology projects that affect organizations within the coalition. By October 31, 2019, the coalition must submit a report to the governor and the legislature that describes the coalition's plan for projects affecting the coalition organizations. The report must include any information technology projects impacting coalition organizations and, in collaboration with the office of the chief information officer, provide: (a) The status of any information technology projects currently being developed or implemented that affect the coalition; (b) funding needs of these current and future information technology projects; and (c) next steps for the coalition's information technology projects. The office of the chief information officer shall maintain a statewide perspective when collaborating with the coalition to ensure that the development of projects identified in this report are planned for in a manner that ensures the efficient use of state resources and maximizes federal financial participation. The work of the coalition is subject to the conditions, limitations, and review provided in section 950 of this act.

(7) \$172,000 of the general fund—state appropriation for fiscal year 2020 and \$172,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Substitute Senate Bill No. 5425 (maternal mortality reviews). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

(8) \$399,000 of the general fund—local appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5332 (vital statistics). If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.

(9) \$52,000 of the general fund—state appropriation for fiscal year 2020, \$22,000 of the general fund—state appropriation for fiscal year 2021, \$11,000 of the general fund—local

appropriation, and \$107,000 of the health professions account—state appropriation are provided solely for implementation of Substitute Senate Bill No. 5380 (opioid use disorder). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

(10) \$346,000 of the general fund—state appropriation for fiscal year 2020 and \$154,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Second Substitute Senate Bill No. 5489 (environmental health disparities). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

(11) \$80,000 of the general fund—state appropriation for fiscal year 2020, \$7,000 of the general fund—state appropriation for fiscal year 2021, and \$32,000 of the health professions account—state appropriation are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5497 (immigrants in the workplace). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

(12) \$352,000 of the accident account—state appropriation and \$62,000 of the medical aid account—state appropriation are provided solely for implementation of Substitute Senate Bill No. 5550 (pesticide application safety). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

(13) Within existing resources, the department of health shall consult with the department of labor and industries and health professional associations to do outreach and assist in establishing apprenticeship and training programs where they do not exist in the existing health care industry pursuant to Second Substitute Senate Bill No. 5236 (apprenticeships).

(14) \$14,000 of the general fund—state appropriation for fiscal year 2020 is provided solely for implementation of Second Substitute Senate Bill No. 5846 (international medical graduates). If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.

(15) \$150,000 of the general fund—state appropriation for fiscal year 2020 and \$150,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the midwifery licensure and regulatory program to supplement revenue from fees. The department shall charge no more than five hundred twenty-five dollars annually for new or renewed licenses for the midwifery program.

(16)(a) \$62,000 of the general fund—state appropriation for fiscal year 2020 and \$63,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the King county local health jurisdiction, as part of the foundational public health services, to conduct a study on the population health impact of the SeaTac airport communities.

(b) By December 1, 2020, the King county local health jurisdiction shall submit a report to the appropriate committees of the legislature that must include:

(i) An analysis of existing data sources and an oversample of the best start for kids child health survey to produce airport community health profiles within a one mile, five mile, and ten mile radius of the airport;

(ii) A comprehensive literature review concerning the community health effects of airport operations, including a strength of evidence analysis;

(iii) The findings of the University of Washington school of public health study on ultrafine particulate matter at the airport and surrounding areas; and

(iv) Any recommendations to address health issues related to the impact of the airport on the community.

(17) \$1,000,000 of the youth tobacco and vapor products prevention account—state appropriation is provided solely, as

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part of foundational public health services, for the department to support local health jurisdictions to provide youth tobacco and vapor prevention programs, including the necessary outreach and education for Engrossed House Bill No. 1074 (tobacco and vapor/age).

(18) \$94,000 of the general fund—state appropriation for fiscal year 2020 is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5116 (clean energy). If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.

(19) The department shall report to the fiscal committees of the legislature by December 1, 2019, and December 1, 2020, if it anticipates that the amounts raised by ambulatory surgical facility licensing fees will not be sufficient to defray the cost of regulating ambulatory surgical facilities. The report shall identify the amount of state general fund money necessary to compensate for the insufficiency.

(20) \$250,000 of the general fund—state appropriation for fiscal year 2020 and \$250,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the expansion of the safer homes, suicide aware program. The program shall expand to support industries and professions with the highest suicide rates. The program shall provide online resources, trainings for industries with the highest suicide rates who are unable to pay for trainings, and a workplace suicide prevention summit.

(21) \$2,433,000 of the health professions account—state appropriation is provided solely for the Washington medical commission for increased litigation and clinical health care investigators.

(22) \$3,210,000 of the health professions account—state appropriation is provided solely for the nursing care quality assurance commission to address increased complaints.

(23) \$500,000 of the health professions account—state appropriation is provided solely for the chiropractic care quality assurance commission for increased legal services.

(24) Within the amounts appropriated in this section, and in accordance with RCW 43.70.110 and 71.12.470, the department shall set fees to include the full costs of the performance of inspections pursuant to RCW 71.12.485.

(25) \$3,058,000 of the foundational public health services account—state appropriation is provided solely for implementation of Senate Bill No. 5986 (vapor and heated tobacco/tax). If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.

(26) \$506,000 of the general fund—state appropriation for fiscal year 2020 and \$560,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the department to coordinate with local health jurisdictions to establish and maintain comprehensive group B programs to ensure safe and reliable drinking water. These amounts shall be used to support the costs of the development and adoption of rules, policies and procedures, and for technical assistance, training, and other program-related costs.

(27) \$18,000,000 of the general fund—local appropriation is provided solely for the department to provide core medical services, case management, and support services for individuals living with human immunodeficiency virus.

(28) \$1,606,000 of the general fund—local appropriation is provided solely for staff, equipment, testing supplies, and materials necessary to add Pompe disease and MPS-I to the mandatory newborn screening panel. The department is authorized to increase the newborn screening fee by \$10.50.

(29) \$332,000 of the general fund—local appropriation is provided solely for testing supplies necessary to perform x-linked

adrenoleukodystrophy newborn screening panel testing. The department is authorized to increase the newborn screening fee by \$1.90.

(30) \$150,000 of the general fund—state appropriation for fiscal year 2020 and \$150,000 of the general fund—state appropriation for fiscal year 2021 are provided solely to expand dementia public health education for racial and ethnic groups at an increased risk of dementia.

(31) \$125,000 of the general fund—state appropriation for fiscal year 2020 and \$125,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the department to contract with a nonprofit organization that provides support and education for adults, children, and families impacted by cancer. The nonprofit must provide programs and services that include, but are not limited to, adult support groups, camps for children impacted by cancer, education programs for teens to reduce future risk of cancer, and emotional and social support to families dealing with cancer.

(32) \$20,000 of the general fund—state appropriation for fiscal year 2020 is provided solely for the department to conduct a study on the state producing generic prescription drugs, with a priority on insulin. By December 1, 2019, the department shall submit a report of its findings and recommendations to the legislature.

(33) \$21,000 of the general fund—state appropriation for fiscal year 2020 and \$4,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the development of a palliative care road map to provide information and guidance to providers, patients, families, and caregivers of individuals living with a serious or life-threatening illness. The department must work in consultation with appropriate stakeholders, including, but not limited to, the health care authority, the department of social and health services, and hospital-based, outpatient, and community-based palliative care providers. The department must complete the document and make hard copies available for distribution no later than September 30, 2020.

(34) \$88,000 of the general fund—state appropriation for fiscal year 2020 and \$87,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for an online tutorial and link to web-based, continuing education funded by the centers for disease control for training for the primary care health workforce regarding the protocols for perinatal monitoring, birth-dose immunization, early diagnosis, linkage to care, and treatment for persons diagnosed with chronic hepatitis B or hepatitis using the project ECHO telehealth model operated by the University of Washington. Training shall focus on increased provider proficiency and increased number of trained providers in areas with high rates of reported cases of hepatitis B or hepatitis, including regions with high incidence of drug use or upward trend of children who have not received hepatitis B virus vaccinations according to centers for disease control recommendations. All digital and hardcopy training, educational, and outreach materials for this program must be culturally relevant and linguistically diverse.

NEW SECTION. Sec. 222. FOR THE DEPARTMENT OF CORRECTIONS

The appropriations to the department of corrections in this act shall be expended for the programs and in the amounts specified in this act.

(1) ADMINISTRATION AND SUPPORT SERVICES

General Fund—State Appropriation (FY 2020)	\$65,666,000
General Fund—State Appropriation (FY 2021)	\$64,277,000
General Fund—Federal Appropriation	\$400,000
Pension Funding Stabilization Account—State Appropriation	\$7,616,000

TOTAL APPROPRIATION \$137,959,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) \$250,000 of the general fund—state appropriation for fiscal year 2020 and \$210,000 of the general fund—state appropriation for fiscal year 2021 are provided on a one-time basis solely for the implementation of Substitute Senate Bill No. 5876 (DOC gender, trauma work grp). If the bill is not enacted by June 30, 2019, the amounts in this subsection shall lapse.

(b) \$22,000 of the general fund—state appropriation for fiscal year 2020 and \$97,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the department to implement Substitute Senate Bill No. 5299 (impaired driving). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

(c) Within the funds appropriated in the subsection the department shall review and update the necessary business requirements for implementation of a comprehensive electronic health records system. The department will utilize its feasibility study from 2013 and the health informatics roadmap completed in 2017 to update its business requirements and complete a request for information process by May 31, 2021. The department shall submit a report to the governor and the legislature outlining the system specifications and a cost model for implementation no later than June 30, 2021. This subsection is subject to the conditions, limitations, and review requirements of section 735 of this act.

(2) CORRECTIONAL OPERATIONS

General Fund—State Appropriation (FY 2020)	\$545,307,000
General Fund—State Appropriation (FY 2021)	\$548,673,000
General Fund—Federal Appropriation	\$818,000
Washington Auto Theft Prevention Authority Account—	
State Appropriation	\$4,680,000
Pension Funding Stabilization Account—State	
Appropriation	\$62,920,000
TOTAL APPROPRIATION	\$1,162,398,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) The department may contract for local jail beds statewide to the extent that it is at no net cost to the department. The department shall calculate and report the average cost per offender per day, inclusive of all services, on an annual basis for a facility that is representative of average medium or lower offender costs. The department shall not pay a rate greater than \$85 per day per offender excluding the costs of department of corrections provided services, including evidence-based substance abuse programming, dedicated department of corrections classification staff on-site for individualized case management, transportation of offenders to and from department of corrections facilities, and gender responsive training for Yakima jail staff assigned to the unit. The capacity provided at local correctional facilities must be for offenders whom the department of corrections defines as close medium or lower security offenders. Programming provided for offenders held in local jurisdictions is included in the rate, and details regarding the type and amount of programming, and any conditions regarding transferring offenders must be negotiated with the department as part of any contract. Local jurisdictions must provide health care to offenders that meet standards set by the department. The local jail must provide all medical care including unexpected emergent care. The department must utilize a screening process to ensure that offenders with existing extraordinary medical/mental health needs are not transferred to local jail facilities. If extraordinary medical conditions develop for an inmate while at a jail facility,

the jail may transfer the offender back to the department, subject to terms of the negotiated agreement. Health care costs incurred prior to transfer are the responsibility of the jail.

(b) \$501,000 of the general fund—state appropriation for fiscal year 2020 and \$501,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the department to maintain the facility, property, and assets at the institution formerly known as the maple lane school in Rochester.

(c) The appropriations in this subsection include sufficient funding for the implementation of Substitute Senate Bill No. 5492 (motor vehicle felonies).

(d) \$1,861,000 of the general fund—state appropriation for fiscal year 2020 and \$1,861,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the department to contract for the costs associated with use of offender bed capacity in lieu of prison beds for a therapeutic community program in Yakima county. The department shall provide a report to the legislature by December 15, 2019, outlining the program, its outcomes, and any improvements made over the previous contracted beds.

(e) \$3,977,000 of the general fund—state appropriation for fiscal year 2020 and \$3,617,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the department to increase custody staffing in its prison facilities to provide watch staff for hospital stays, mental health needs, and suicide watches to reduce overtime hours. The department shall track and report to the legislature on the changes in working conditions and overtime usage for nursing services by November 15, 2019.

(f) \$1,774,000 of the general fund—state appropriation for fiscal year 2020 and \$1,567,000 of the general fund—state appropriation for fiscal year 2021 are provided solely to implement the settlement agreement in *Disability Rights Washington v. Inslee, et al.*, U.S. District Court for the Western District of Washington, cause No. 18-5071, for the portions of the agreement that require additional staff necessary to supervise individuals with greater out-of-cell time and to facilitate access to programming, treatment, and other required activities. If the settlement agreement is not fully executed and approved by the court before September 1, 2019, this appropriation shall lapse.

(g) \$764,000 of the general fund—state appropriation for fiscal year 2020 and \$663,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the department for payment of debt service associated with a certificate of participation for the equipment at the coyote ridge corrections center and its security electronics network project.

(h) \$274,000 of the general fund—state appropriation for fiscal year 2020 and \$1,013,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the department to implement Substitute Senate Bill No. 5299 (impaired driving). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

(3) COMMUNITY SUPERVISION

General Fund—State Appropriation (FY 2020)	\$214,030,000
General Fund—State Appropriation (FY 2021)	\$226,769,000
General Fund—Federal Appropriation	\$3,632,000
Pension Funding Stabilization Account—State	
Appropriation	\$12,800,000
TOTAL APPROPRIATION	\$457,231,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) \$2,677,000 of the general fund—state appropriation for fiscal year 2020 and \$5,192,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the

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department of corrections to negotiate annual contract rate increases with local and tribal governments for jail capacity to house offenders who violate the terms of their community supervision and must include increases for a regional jail serving the south King county area for providing enhanced medical services. A contract rate increase may not exceed five percent each year. The department may negotiate to include medical care of offenders in the contract rate if medical payments conform to the department’s offender health plan and pharmacy formulary, and all off-site medical expenses are preapproved by department utilization management staff. If medical care of offender is included in the contract rate, the contract rate may exceed five percent to include the cost of that service.

(b) The department shall engage in ongoing mitigation strategies to reduce the costs associated with community supervision violators, including improvements in data collection and reporting and alternatives to short-term confinement for low-level violators.

(c) Within existing resources, the department shall implement Engrossed Second Substitute Senate Bill No. 5291 (confinement alts./children).

(d) \$984,000 of the general fund—state appropriation for fiscal year 2020 and \$5,709,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the department to create one hundred fifty work release beds in the community by the end of fiscal year 2021. The department shall create an implementation plan and provide a report to the legislature by September 1, 2019, that outlines when and where the work release facilities will be implemented.

(e) \$245,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the department to implement Substitute Senate Bill No. 5299 (impaired driving). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

(4) CORRECTIONAL INDUSTRIES

General Fund—State Appropriation (FY 2020)	\$6,253,000
General Fund—State Appropriation (FY 2021)	\$6,229,000
Pension Funding Stabilization Account—State Appropriation	\$510,000
TOTAL APPROPRIATION	\$12,992,000

(5) INTERAGENCY PAYMENTS

General Fund—State Appropriation (FY 2020)	\$40,387,000
General Fund—State Appropriation (FY 2021)	\$38,747,000
TOTAL APPROPRIATION	\$79,134,000

The appropriations in this subsection are subject to the following conditions and limitations: \$3,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the department to implement Substitute Senate Bill No. 5299 (impaired driving). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

(6) OFFENDER CHANGE

General Fund—State Appropriation (FY 2020)	\$57,828,000
General Fund—State Appropriation (FY 2021)	\$58,074,000
Pension Funding Stabilization Account—State Appropriation	\$4,430,000
TOTAL APPROPRIATION	\$120,332,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) The department of corrections shall use funds appropriated in this subsection (6) for offender programming. The department shall develop and implement a written comprehensive plan for offender programming that prioritizes programs which follow the

risk-needs-responsivity model, are evidence-based, and have measurable outcomes. The department is authorized to discontinue ineffective programs and to repurpose underspent funds according to the priorities in the written plan.

(b) \$500,000 of the general fund—state appropriation for fiscal year 2020 and \$500,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the implementation of Substitute Senate Bill No. 5441 (rental vouchers/offenders). If the bill is not enacted by June 30, 2019, the amounts in this subsection shall lapse.

(c) \$9,000 of the general fund—state appropriation for fiscal year 2020 is provided solely for the implementation of Second Substitute Senate Bill No. 5433 (DOC/post secondary education). If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.

(7) HEALTH CARE SERVICES

General Fund—State Appropriation (FY 2020)	\$156,218,000
General Fund—State Appropriation (FY 2021)	\$156,207,000
TOTAL APPROPRIATION	\$312,425,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) The state prison medical facilities may use funds appropriated in this subsection to purchase goods, supplies, and services through hospital or other group purchasing organizations when it is cost effective to do so.

(b) \$1,224,000 of the general fund—state appropriation for fiscal year 2020 and \$1,223,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the department to increase on call nursing and overtime staff in order to cover required nursing posts in its prison facilities. The department shall track and report to the legislature on the changes in working conditions and overtime usage for nursing services by December 21, 2019.

(c) \$174,000 of the general fund—state appropriation for fiscal year 2020 and \$164,000 of the general fund—state appropriation for fiscal year 2021 are provided solely to implement the settlement agreement in *Disability Rights Washington v. Inslee, et. al.*, United States District Court for the Western District of Washington, Cause No. 18-5071, for the portions of the agreement that require additional staff necessary to supervise individuals with greater out-of-cell time and to facilitate access to programming, treatment and other required activities. If the settlement agreement is not fully executed and approved by the court before September 1, 2019, the amounts provided in this subsection shall lapse.

(d) \$83,000 of the general fund—state appropriation for fiscal year 2020 and \$307,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the department to implement Substitute Senate Bill No. 5299 (impaired driving). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

NEW SECTION. Sec. 223. FOR THE DEPARTMENT OF SERVICES FOR THE BLIND

General Fund—State Appropriation (FY 2020)	\$3,473,000
General Fund—State Appropriation (FY 2021)	\$3,492,000
General Fund—Federal Appropriation	\$25,492,000
General Fund—Private/Local Appropriation	\$60,000
Pension Funding Stabilization Account—State Appropriation	\$172,000
TOTAL APPROPRIATION	\$32,689,000

The appropriations in this subsection are subject to the following conditions and limitations:

(1) \$550,000 of the general fund—state appropriation for fiscal year 2020 and \$550,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for vocational rehabilitation supported employment services for additional eligible clients with visual disabilities who would otherwise be placed on the federally required order of selection waiting list.

(2) \$230,000 of the general fund—state appropriation for fiscal year 2020 and \$230,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the independent living program.

NEW SECTION. Sec. 224. FOR THE EMPLOYMENT SECURITY DEPARTMENT

General Fund—State Appropriation (FY 2020)	\$35,000
General Fund—State Appropriation (FY 2021)	\$35,000
General Fund—Federal Appropriation	\$223,088,000
General Fund—Private/Local Appropriation	\$35,797,000
Unemployment Compensation Administration Account—Federal Appropriation	\$287,027,000
Administrative Contingency Account—State Appropriation	\$26,133,000
Employment Service Administrative Account—State Appropriation	\$53,719,000
Family and Medical Leave Insurance Account—State Appropriation	\$76,095,000
TOTAL APPROPRIATION	\$701,929,000

The appropriations in this subsection are subject to the following conditions and limitations:

(1) The department is directed to maximize the use of federal funds. The department must update its budget annually to align expenditures with anticipated changes in projected revenues.

(2) \$70,000 of the employment service administrative account—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5497 (immigrants in the workplace). If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.

(3) \$4,116,000 of the employment service administrative account—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5438 (ag & seasonal workforce srv). If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.

(4) \$4,636,000 of the employment service administrative account—state appropriation is provided solely for the statewide reentry initiative to connect incarcerated individuals to employment resources prior to and after release.

NEW SECTION. Sec. 225. FOR THE DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES

(1) CHILDREN AND FAMILIES SERVICES PROGRAM

General Fund—State Appropriation (FY 2020)	\$399,127,000
General Fund—State Appropriation (FY 2021)	\$403,406,000
General Fund—Federal Appropriation	\$548,046,000
General Fund—Private/Local Appropriation	\$2,824,000
Pension Funding Stabilization Account—State Appropriation	\$27,892,000
TOTAL APPROPRIATION	\$1,381,295,000

The appropriations in this section are subject to the following conditions and limitations:

(a) \$748,000 of the general fund—state appropriation for fiscal year 2020 and \$748,000 of the general fund—state appropriation for fiscal year 2021 is provided solely to contract for the operation of one pediatric interim care center. The center shall provide residential care for up to thirteen children through two years of age. Seventy-five percent of the children served by the center must be in need of special care as a result of substance abuse by

their mothers. The center shall also provide on-site training to biological, adoptive, or foster parents. The center shall provide at least three months of consultation and support to the parents accepting placement of children from the center. The center may recruit new and current foster and adoptive parents for infants served by the center. The department shall not require case management as a condition of the contract.

(b) \$253,000 of the general fund—state appropriation for fiscal year 2020 and \$253,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the costs of hub home foster families that provide a foster care delivery model that includes a licensed hub home. Use of the hub home model is intended to support foster parent retention, improve child outcomes, and encourage the least restrictive community placements for children in out-of-home care.

(c) \$579,000 of the general fund—state appropriation for fiscal year 2020 and \$579,000 of the general fund—state appropriation for fiscal year 2021 and \$110,000 of the general fund—federal appropriation are provided solely for a receiving care center east of the Cascade mountains.

(d) \$1,245,000 of the general fund—state appropriation for fiscal year 2020 and \$1,245,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for services provided through children's advocacy centers. Of the amounts provided in this subsection, \$255,000 of the general fund—state appropriation for fiscal year 2020 and \$255,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for an expansion to child advocacy center services.

(e) \$1,884,000 of the general fund—state appropriation for fiscal year 2020 and \$1,884,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for implementation of performance-based contracts for family support and related services pursuant to RCW 74.13B.020. Of the amounts provided in this subsection, \$533,000 of the general fund—state appropriation for fiscal year 2020 and \$533,000 of the general fund—state appropriation for fiscal year 2021 are provided solely to expand performance-based contracts through network administrators.

(f) \$3,291,000 of the general fund—state appropriation for fiscal year 2020, \$5,998,000 of the general fund—state appropriation for fiscal year 2021, and \$5,876,000 of the general fund—federal appropriation are provided solely for social worker and related staff to receive, refer, and respond to screened-in reports of child abuse and neglect pursuant to chapter 208, Laws of 2018.

(g) Beginning October 1, 2019, and each calendar quarter thereafter, the department shall provide a tracking report for social service specialists and corresponding social services support staff to the office of financial management, and the appropriate policy and fiscal committees of the legislature. The report shall include the following information identified separately for social service specialists doing case management work, supervisory work, and administrative support staff, and identified separately by job duty or program, including but not limited to intake, child protective services investigations, child protective services family assessment response, and child and family welfare services:

(i) Total full time equivalent employee authority, allotments and expenditures by region, office, classification and band, and job duty or program;

(ii) Vacancy rates by region, office, and classification and band; and

(iii) Average length of employment with the department, and when applicable, the date of exit for staff exiting employment with the department by region, office, classification and band, and job duty or program.

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(h) \$94,000 of the general fund—state appropriation for fiscal year 2020 and \$94,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for a contract with a child advocacy center in Spokane to provide continuum of care services for children who have experienced abuse or neglect and their families.

(i) \$3,910,000 of the general fund—state appropriation for fiscal year 2020 and \$3,910,000 of the general fund—state appropriation for fiscal year 2021 and \$2,238,000 of the general fund—federal appropriation are provided solely for the department to reduce the caseload ratios of social workers serving children in foster care, to promote decreased lengths of stay and to make progress towards achievement of the Braam settlement caseload outcomes.

(j)(A) \$2,039,000 of the general fund—state appropriation for fiscal year 2020 and \$2,540,000 of the general fund—state appropriation for fiscal year 2021, \$656,000 of the general fund private/local appropriation, and \$252,000 of the general fund—federal appropriation are provided solely for a contract with an educational advocacy provider with expertise in foster care educational outreach. The amounts in this subsection are provided solely for contracted education coordinators to assist foster children in succeeding in K-12 and higher education systems and to assure a focus on education during the department's transition to performance-based contracts. Funding must be prioritized to regions with high numbers of foster care youth, or regions where backlogs of youth that have formerly requested educational outreach services exist. The department is encouraged to use private matching funds to maintain educational advocacy services.

(B) The department shall contract with the office of the superintendent of public instruction, which in turn shall contract with a nongovernmental entity or entities to provide educational advocacy services pursuant to RCW 28A.300.590.

(k) The department shall continue to implement policies to reduce the percentage of parents requiring supervised visitation, including clarification of the threshold for transition from supervised to unsupervised visitation prior to reunification.

(l) \$375,000 of the general fund—state appropriation for fiscal year 2020 and \$375,000 of the general fund—state appropriation for fiscal year 2021 and \$112,000 of the general fund—federal appropriation are provided solely for the department to develop, implement, and expand strategies to improve the capacity, reliability, and effectiveness of contracted visitation services for children in temporary out-of-home care and their parents and siblings. Strategies may include, but are not limited to, increasing mileage reimbursement for providers, offering transportation-only contract options, and mechanisms to reduce the level of parent-child supervision when doing so is in the best interest of the child.

(m) For purposes of meeting the state's maintenance of effort for the state supplemental payment program, the department of children, youth, and families shall track and report to the department of social and health services the monthly state supplemental payment amounts attributable to foster care children who meet eligibility requirements specified in the state supplemental payment state plan. Such expenditures must equal at least \$3,100,000 annually and may not be claimed toward any other federal maintenance of effort requirement. Annual state supplemental payment expenditure targets must continue to be established by the department of social and health services. Attributable amounts must be communicated by the department of children, youth, and families to the department of social and health services on a monthly basis.

(n) \$1,230,000 of the general fund—state appropriation for fiscal year 2020 and \$1,230,000 of the general fund—state appropriation for fiscal year 2021 and \$156,000 of the general fund—federal appropriation are provided solely to increase the travel reimbursement for in-home service providers.

(o) The department is encouraged to control exceptional reimbursement decisions so that the child's needs are met without excessive costs.

(p) \$197,000 of the general fund—state appropriation for fiscal year 2020 and \$197,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the department to conduct biennial inspections and certifications of facilities, both overnight and day shelters, that serve those who are under 18 years old and are homeless.

(q) \$848,000 of the general fund—state appropriation for fiscal year 2020 and \$848,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the department to operate emergent placement contracts. The department shall not include the costs to operate emergent placement contracts in the calculations for family foster home maintenance payments and shall submit as part of the budget submittal documentation required by RCW 43.88.030 any costs associated with increases in the number of emergent placement contract beds after the effective date of this section that cannot be sustained within existing appropriations.

(r) The appropriations in this section include sufficient funding for continued implementation of Chapter 80, Laws of 2018 (2SSB 6453) (kinship caregiver legal support).

(s) \$9,855,000 of the general fund—state appropriation for fiscal year 2020, \$9,985,000 of the general fund—state appropriation for fiscal year 2021, and \$13,126,000 of the general fund—federal appropriation are provided solely for rate increases for behavioral rehabilitation services providers. The department shall modify the rate structure to one that is based on placement setting rather than acuity level pursuant to the rate study submitted in December 2018.

(t) Within existing resources, the department shall implement Engrossed Second Substitute Senate Bill No. 5291 (confinement alts./children).

(u) \$767,000 of the general fund—state appropriation for fiscal year 2020 and \$766,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Second Substitute Senate Bill No. 5718 (child welfare housing assistance). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

(v) \$413,000 of the general fund—state appropriation for fiscal year 2020, \$413,000 of the general fund—state appropriation for fiscal year 2021, and \$826,000 of the general fund—federal appropriation are provided solely to increase family reconciliation services.

(w) \$500,000 of the general fund—state appropriation for fiscal year 2020 and \$500,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementing the supportive visitation model that utilizes trained visit navigators to provide a structured and positive visitation experience for children and their parents.

(x) The department of children, youth, and families shall enter into interagency agreements with the office of public defense and office of civil legal aid to facilitate the use of federal Title IV-E reimbursement for parent representation and child representation services.

(y)(i) \$125,000 of the general fund—state appropriation for fiscal year 2020 is provided solely for the department of children, youth, and families to establish a work group to review and make recommendations regarding the needs of foster youth to ensure a

successful transition to adulthood. No later than July 1, 2020, the work group shall submit to the governor and the appropriate committees of the legislature recommendations on the following:

(A) Development of a developmentally appropriate curriculum and staffing model to address the needs of foster youth transitioning to adulthood, including opportunities to leverage innovative approaches through technology and the use of peer mentors;

(B) The specific needs of children and youth of color and those who identify as lesbian, gay, bisexual, transgender, queer, and questioning who have special education and disability related needs; and

(C) Development of an optimal continuum of independent living and transition support services for foster youth aged fourteen to twenty-three using research-based program strategies.

(ii) In developing these recommendations, the work group shall:

(A) Develop an overview of current independent living and transition support services, including eligibility requirements, service levels, service providers, available outcomes, service coordination, and data sharing;

(B) Review and, whenever possible, report data on the well-being outcomes of children and youth in foster care, including school stability, mental and physical health, disabilities, adult connections, financial literacy, education, and employment. To the maximum extent possible, this data must be disaggregated by race and ethnicity;

(C) Review recommendations of project education impact to identify areas of overlap in efforts to achieve educational success for Washington's children, youth, and young adults in foster care or experiencing homelessness; and

(D) Develop a plan to:

(I) Align indicators and outcomes across agencies, organizations, and programs;

(II) Address existing systemic barriers, including identification of where opportunities exist to align policy, practices, and supports for foster youth;

(III) Improve racial and ethnic equity in adult outcomes to the age of twenty-five; and

(IV) Ensure robust and ongoing participation of youth and young adult alumni of foster care in the review and implementation of the continuum of independent living and transition support services.

(iii) The department shall convene this work group in collaboration with:

(A) Current foster youth and alumni;

(B) The office of the superintendent of public instruction;

(C) The department of social and health services developmental disabilities administration;

(D) The health care authority;

(E) The state board for community and technical colleges;

(F) The state workforce training and education coordinating board;

(G) The office of homeless youth;

(H) The student achievement council; and

(I) Other nongovernmental agencies that work with foster youth on successful transitions to adulthood, including contracted independent living skills providers.

(iv) In developing recommendations required in (y)(i) of this subsection, the work group must engage tribes and stakeholders, including foster parents and relative caregivers, birth parents, caseworkers, school districts and educators, and post-secondary education advocates.

(2) JUVENILE REHABILITATION PROGRAM

General Fund—State Appropriation (FY 2020) \$95,686,000

General Fund—State Appropriation (FY 2021)	\$94,959,000
General Fund—Federal Appropriation	\$3,464,000
General Fund—Private/Local Appropriation	\$1,985,000
Pension Funding Stabilization Account—State Appropriation	\$8,362,000
TOTAL APPROPRIATION	\$204,456,000

The appropriations in this section are subject to the following conditions and limitations:

(a) \$331,000 of the general fund—state appropriation for fiscal year 2020 and \$331,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for deposit in the county criminal justice assistance account for costs to the criminal justice system associated with the implementation of chapter 338, Laws of 1997 (juvenile code revisions). The amounts provided in this subsection are intended to provide funding for county adult court costs associated with the implementation of chapter 338, Laws of 1997 and shall be distributed in accordance with RCW 82.14.310.

(b) \$2,841,000 of the general fund—state appropriation for fiscal year 2020 and \$2,841,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for grants to county juvenile courts for the juvenile justice programs identified by the Washington state institute for public policy in its report: "Inventory of Evidence-based, Research-based, and Promising Practices for Prevention and Intervention Services for Children and Juveniles in the Child Welfare, Juvenile Justice, and Mental Health Systems." Additional funding for this purpose is provided through an interagency agreement with the health care authority. County juvenile courts shall apply to the department of children, youth, and families for funding for program-specific participation and the department shall provide grants to the courts consistent with the per-participant treatment costs identified by the institute.

(c) \$1,537,000 of the general fund—state appropriation for fiscal year 2020 and \$1,537,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for expansion of the juvenile justice treatments and therapies in department of children, youth, and families programs identified by the Washington state institute for public policy in its report: "Inventory of Evidence-based, Research-based, and Promising Practices for Prevention and Intervention Services for Children and Juveniles in the Child Welfare, Juvenile Justice, and Mental Health Systems." The department may concentrate delivery of these treatments and therapies at a limited number of programs to deliver the treatments in a cost-effective manner.

(d)(i) \$6,198,000 of the general fund—state appropriation for fiscal year 2020 and \$6,198,000 of the general fund—state appropriation for fiscal year 2021 are provided solely to implement evidence- and research-based programs through community juvenile accountability grants, administration of the grants, and evaluations of programs funded by the grants. In addition to funding provided in this subsection, funding to implement alcohol and substance abuse treatment programs for locally committed offenders is provided through an interagency agreement with the health care authority.

(ii) The department of children, youth, and families shall administer a block grant to county juvenile courts for the purpose of serving youth as defined in RCW 13.40.510(4)(a) in the county juvenile justice system. Funds dedicated to the block grant include: Consolidated juvenile service (CJS) funds, community juvenile accountability act (CJAA) grants, chemical dependency/mental health disposition alternative (CDDA), and suspended disposition alternative (SDA). The department of children, youth, and families shall follow the following formula and must prioritize evidence-based programs and disposition alternatives and take into account juvenile courts program-

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eligible youth in conjunction with the number of youth served in each approved evidence-based program or disposition alternative: (A) Thirty-seven and one-half percent for the at-risk population of youth ten to seventeen years old; (B) fifteen percent for the assessment of low, moderate, and high-risk youth; (C) twenty-five percent for evidence-based program participation; (D) seventeen and one-half percent for minority populations; (E) three percent for the chemical dependency and mental health disposition alternative; and (F) two percent for the suspended dispositional alternatives. Funding for the special sex offender disposition alternative (SSODA) shall not be included in the block grant, but allocated on the average daily population in juvenile courts. Funding for the evidence-based expansion grants shall be excluded from the block grant formula. Funds may be used for promising practices when approved by the department of children, youth, and families and juvenile courts, through the community juvenile accountability act committee, based on the criteria established in consultation with Washington state institute for public policy and the juvenile courts.

(iii) The department of children, youth, and families and the juvenile courts shall establish a block grant funding formula oversight committee with equal representation from the department of children, youth, and families and the juvenile courts. The purpose of this committee is to assess the ongoing implementation of the block grant funding formula, utilizing data-driven decision making and the most current available information. The committee will be co-chaired by the department of children, youth, and families and the juvenile courts, who will also have the ability to change members of the committee as needed to achieve its purpose. The committee may make changes to the formula categories in (d)(ii) of this subsection if it determines the changes will increase statewide service delivery or effectiveness of evidence-based program or disposition alternative resulting in increased cost/benefit savings to the state, including long-term cost/benefit savings. The committee must also consider these outcomes in determining when evidence-based expansion or special sex offender disposition alternative funds should be included in the block grant or left separate.

(iv) The juvenile courts and administrative office of the courts must collect and distribute information and provide access to the data systems to the department of children, youth, and families and the Washington state institute for public policy related to program and outcome data. The department of children, youth, and families and the juvenile courts must work collaboratively to develop program outcomes that reinforce the greatest cost/benefit to the state in the implementation of evidence-based practices and disposition alternatives.

(e) \$557,000 of the general fund—state appropriation for fiscal year 2020 and \$557,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for funding of the teamchild project.

(f) \$283,000 of the general fund—state appropriation for fiscal year 2020 and \$283,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the juvenile detention alternatives initiative.

(g) \$500,000 of the general fund—state appropriation for fiscal year 2020 and \$500,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for a grant program focused on criminal street gang prevention and intervention. The department of children, youth, and families may award grants under this subsection. The department of children, youth, and families shall give priority to applicants who have demonstrated the greatest problems with criminal street gangs. Applicants composed of, at a minimum, one or more local governmental entities and one or more nonprofit, nongovernmental

organizations that have a documented history of creating and administering effective criminal street gang prevention and intervention programs may apply for funding under this subsection. Each entity receiving funds must report to the department of children, youth, and families on the number and types of youth served, the services provided, and the impact of those services on the youth and the community.

(h) The juvenile rehabilitation institutions may use funding appropriated in this subsection to purchase goods, supplies, and services through hospital group purchasing organizations when it is cost-effective to do so.

(i) \$50,000 of the general fund—state appropriation for fiscal year 2020 and \$50,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for grants to county juvenile courts to establish alternative detention facilities similar to the proctor house model in Jefferson county, Washington, that will provide less restrictive confinement alternatives to youth in their local communities. County juvenile courts shall apply to the department of children, youth, and families for funding and each entity receiving funds must report to the department on the number and types of youth serviced, the services provided, and the impact of those services on the youth and the community.

(j) \$432,000 of the general fund—state appropriation for fiscal year 2020 and \$432,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the department to provide housing services to clients releasing from incarceration into the community.

(3) EARLY LEARNING PROGRAM

General Fund—State Appropriation (FY 2020)	\$225,556,000
General Fund—State Appropriation (FY 2021)	\$245,123,000
General Fund—Federal Appropriation	\$449,633,000
General Fund—Private/Local Appropriation	\$100,000
Education Legacy Trust Account—State	\$28,301,000
Home Visiting Services Account—State	\$15,965,000
Home Visiting Services Account—Federal	\$23,833,000
Washington Opportunity Pathways Account—	
State Appropriation	\$80,000,000
Pension Funding Stabilization Account—State	\$3,900,000
TOTAL APPROPRIATION	\$1,072,411,000

The appropriations in this section are subject to the following conditions and limitations:

(a)(i) \$68,648,000 of the general fund—state appropriation for fiscal year 2020, \$82,887,000 of the general fund—state appropriation for fiscal year 2021, \$24,250,000 of the education legacy trust account—state appropriation, and \$80,000,000 of the opportunity pathways account appropriation are provided solely for the early childhood education and assistance program. These amounts shall support at least 13,871 slots in fiscal year 2020 and 14,251 slots in fiscal year 2021.

(ii) The department of children, youth, and families must develop a methodology to identify, at the school district level, the geographic locations of where early childhood education and assistance program slots are needed to meet the entitlement specified in RCW 43.216.556. This methodology must be linked to the caseload forecast produced by the caseload forecast council and must include estimates of the number of slots needed at each school district and the corresponding facility needs required to meet the entitlement in accordance with RCW 43.216.556. This methodology must be included as part of the budget submittal documentation required by RCW 43.88.030.

(b) \$200,000 of the general fund—state appropriation for fiscal year 2020 and \$200,000 of the general fund—state appropriation for fiscal year 2021 is provided solely to develop and provide culturally relevant supports for parents, family, and other caregivers.

(c) The department is the lead agency for and recipient of the federal child care and development fund grant. Amounts within this grant shall be used to fund child care licensing, quality initiatives, agency administration, and other costs associated with child care subsidies.

(d) \$69,035,000 of the general fund—state appropriation in fiscal year 2020, \$97,724,000 of the general fund—state appropriation in fiscal year 2021, and \$284,420,000 of the general fund—federal appropriation are provided solely for the working connections child care program under RCW 43.215.135. Of the amounts provided in this subsection:

(i) \$141,401,000 of the general fund—state appropriation is to claim toward the state’s temporary assistance for needy families federal maintenance of effort requirement. The department shall work in collaboration with the department of social and health services to track the average monthly child care subsidy caseload and expenditures by fund type, including child care development fund, general fund—state appropriation, and temporary assistance for needy families for the purpose of estimating the monthly temporary assistance for needy families reimbursement.

(ii) \$44,103,000 is for the compensation components of the 2019-2021 collective bargaining agreement covering family child care providers as provided in section 941 of this act.

(iii) \$3,033,000 is for subsidy base rate increases for licensed family home child care providers to achieve the 60th percentile of market at a level 3 standard of quality in fiscal year 2020. Rate increases in this subsection must be additive to those funded in subsection (ii) of this section. A memorandum of understanding may be adopted, which supplements the collective bargaining agreement as funded in (d)(ii) of this subsection that is consistent with the terms and conditions identified in this subsection (3)(d)(iii).

(iv) \$106,757,000 is for subsidy base rate increases for child care center providers. Funding in this subsection is sufficient to achieve the 55th percentile of market at a level 3 standard of quality in fiscal year 2020 and the 60th percentile of market at a level 3 standard of quality in fiscal year 2021.

(v) \$2,052,000 of the general fund—state appropriation for fiscal year 2020 and \$2,052,000 of the general fund—state appropriation for fiscal year 2021 are for implementation of Second Substitute Bill No. 5820 (vulnerable children/care). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection (3)(d)(v) shall lapse.

(vi) In order to not exceed the appropriated amount, the department shall manage the program so that the average monthly caseload does not exceed 33,000 households and the department shall give prioritized access into the program according to the following order:

(A) Families applying for or receiving temporary assistance for needy families (TANF);

(B) TANF families curing sanction;

(C) Foster children;

(D) Families that include a child with special needs;

(E) Families in which a parent of a child in care is a minor who is not living with a parent or guardian and who is a full-time student in a high school that has a school-sponsored on-site child care center;

(F) Families with a child residing with a biological parent or guardian who have received child protective services, child welfare services, or a family assessment response from the

department in the past six months, and has received a referral for child care as part of the family’s case management;

(G) Families that received subsidies within the last thirty days and:

(I) Have reapplied for subsidies; and

(II) Have household income of two hundred percent federal poverty level or below; and

(H) All other eligible families.

(vii) The department, in collaboration with the department of social and health services, must submit a follow-up report by December 1, 2019, to the governor and the appropriate fiscal and policy committees of the legislature on quality control measures for the working connections child care program. The report must include:

(A) An updated narrative of the procurement and implementation of an improved time and attendance system, including an updated and detailed accounting of the final costs of procurement and implementation;

(B) An updated and comprehensive description of all processes, including computer algorithms and additional rule development, that the department and the department of social and health services have implemented and that are planned to be implemented to avoid overpayments. The updated report must include an itemized description of the processes implemented or planned to be implemented to address each of the following:

(I) Ensure the department’s auditing efforts are informed by regular and continuous alerts of the potential for overpayments;

(II) Avoid overpayments to the maximum extent possible and expediently recover overpayments that have occurred;

(III) Withhold payment from providers when necessary to incentivize receipt of the necessary documentation to complete an audit;

(IV) Establish methods for reducing future payments or establishing repayment plans in order to recover any overpayments; and

(V) Sanction providers, including termination of eligibility, who commit intentional program violations or fail to comply with program requirements, including compliance with any established repayment plans.

(viii) Beginning July 1, 2019, and annually thereafter, the department, in collaboration with the department of social and health services, must report to the governor and the appropriate fiscal and policy committees of the legislature on the status of overpayments in the working connections child care program. The report must include the following information for the previous fiscal year:

(A) A summary of the number of overpayments that occurred;

(B) The reason for each overpayment;

(C) The total cost of overpayments;

(D) A comparison to overpayments that occurred in the past two preceding fiscal years; and

(E) Any planned modifications to internal processes that will take place in the coming fiscal year to further reduce the occurrence of overpayments.

(e) Within available amounts, the department in consultation with the office of financial management shall report enrollments and active caseload for the working connections child care program to the legislative fiscal committees and the legislative-executive WorkFirst oversight task force on an agreed upon schedule. The report shall also identify the number of cases participating in both temporary assistance for needy families and working connections child care. The department must also report on the number of children served through contracted slots.

(f) \$1,560,000 of the general fund—state appropriation for fiscal year 2020 and \$1,560,000 of the general fund—state appropriation for fiscal year 2021 and \$13,424,000 of the general

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fund—federal appropriation are provided solely for the seasonal child care program. If federal sequestration cuts are realized, cuts to the seasonal child care program must be proportional to other federal reductions made within the department.

(g) \$2,152,000 of the general fund—state appropriation for fiscal year 2020, \$1,076,000 of the general fund—state appropriation for fiscal year 2021, and \$1,076,000 of the general fund—federal appropriation are provided solely for the early childhood intervention prevention services (ECLIPSE) program. The department shall contract for ECLIPSE services to provide therapeutic child care and other specialized treatment services to abused, neglected, at-risk, and/or drug-affected children. The department shall ensure that contracted providers pursue receipt of federal funding associated with the early support for infants and toddlers program. Priority for services shall be given to children referred from the department.

(h) \$35,811,000 of the general fund—state appropriation for fiscal year 2020, \$36,806,000 of the general fund—state appropriation for fiscal year 2021 and \$33,603,000 of the general fund—federal appropriation are provided solely to maintain the requirements set forth in chapter 7, Laws of 2015, 3rd sp. sess. The department shall place a ten percent administrative overhead cap on any contract entered into with the University of Washington. In a bi-annual report to the governor and the legislature, the department shall report the total amount of funds spent on the quality rating and improvements system and the total amount of funds spent on degree incentives, scholarships, and tuition reimbursements. Of the amounts provided in this subsection:

(i) \$1,728,000 of the general fund—state appropriation for fiscal year 2020 and \$1,728,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for reducing barriers for low-income providers to participate in the early achievers program.

(ii) \$17,955,000 is for quality improvement awards, of which \$1,650,000 is to provide a \$500 increase for awards for select providers rated level three to five in accordance with the 2019-2021 collective bargaining agreement covering family child care providers as set forth in section 941 of this act.

(iii) \$5,695,000 of the general fund—federal appropriation is provided solely to increase the number of coaches and to increase the funding available for needs-based grants.

(i) \$150,000 of the general fund—state appropriation for fiscal year 2020 and \$150,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for a contract with a nonprofit entity experienced in the provision of promoting early literacy for children through pediatric office visits.

(j) \$4,000,000 of the education legacy trust account—state appropriation is provided solely for early intervention assessment and services.

(k) Information technology projects or investments and proposed projects or investments impacting time capture, payroll and payment processes and systems, eligibility, case management and authorization systems within the department are subject to technical oversight by the office of the chief information officer.

(l)(i)(A) The department is required to provide to the education research and data center, housed at the office of financial management, data on all state-funded early childhood programs. These programs include the early support for infants and toddlers, early childhood education and assistance program (ECEAP), and the working connections and seasonal subsidized childcare programs including license exempt facilities or family, friend, and neighbor care. The data provided by the department to the education research data center must include information on children who participate in these programs, including their name

and date of birth, and dates the child received services at a particular facility.

(B) ECEAP early learning professionals must enter any new qualifications into the department's professional development registry starting in the 2015-16 school year, and every school year thereafter. By October 2017, and every October thereafter, the department must provide updated ECEAP early learning professional data to the education research data center.

(C) The department must request federally funded head start programs to voluntarily provide data to the department and the education research data center that is equivalent to what is being provided for state-funded programs.

(D) The education research and data center must provide an updated report on early childhood program participation and K-12 outcomes to the house of representatives appropriations committee and the senate ways and means committee using available data every March for the previous school year.

(ii) The department, in consultation with the department of social and health services, must withhold payment for services to early childhood programs that do not report on the name, date of birth, and the dates a child received services at a particular facility.

(m) The department shall work with state and local law enforcement, federally recognized tribal governments, and tribal law enforcement to develop a process for expediting fingerprinting and data collection necessary to conduct background checks for tribal early learning and child care providers.

(n) \$5,157,000 of the general fund—state appropriation for fiscal year 2020 and \$4,938,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for components of the 2019-2021 collective bargaining agreement covering family child care providers as set forth in section 941 of this act. Of the amounts provided in this subsection:

(i) \$1,302,000 is for the family child care provider 501(c)(3) organization for board-approved training;

(ii) \$230,000 is for increasing training reimbursement up to \$250 per person;

(iii) \$115,000 is for training on the electronic child care time and attendance system;

(iv) \$3,000,000 is to maintain the career development fund;

(v) \$5,223,000 is for up to five days of substitute coverage per provider per year through the state-administered substitute pool.

(vi) \$226,000 is to provide a three percent increase to monthly health care premiums.

(o) \$219,000 of the general fund—state appropriation for fiscal year 2020 and \$219,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of chapter 236, Laws of 2017 (SHB 1445) (dual language in early learning & K-12).

(p) \$100,000 of the general fund—state appropriation for fiscal year 2020 and \$100,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of chapter 202, Laws of 2017 (E2SHB 1713) (children's mental health).

(q) \$317,000 of the general fund—state appropriation for fiscal year 2020 and \$317,000 of the general fund—state appropriation for fiscal year 2021 are provided solely to continue a four year pilot for implementation of chapter 162, Laws of 2017 (SSB 5357) (outdoor early learning programs).

(r) Within existing resources, the department shall implement Substitute Senate Bill No. 5089 (early learning access).

(s) \$500,000 of the general fund—state appropriation for fiscal year 2020 and \$500,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for additional facilitated

play groups offered statewide to family, friend, and neighbor child care providers.

(t)(i) The department of children, youth, and families, in consultation with the office of the superintendent of public instruction, the office of financial management, and the caseload forecast council must develop a proposal to transfer the annual allocations appropriated in the omnibus appropriations act for early intervention services for children with disabilities from birth through two years of age, from the superintendent of public instruction to the department of children, youth, and families beginning July 1, 2020. The department must submit a model detailing how allocations for this program will be determined and identifying the necessary statutory changes to the office of financial management and the fiscal committees of the legislature no later than September 1, 2019.

(ii) Beginning July 1, 2019, there shall be an administrative limit of five percent on all state funds allocated to school districts for early intervention services for children with disabilities from birth through two years of age.

(u) By December 1, 2019, the department must report to the governor and the appropriate committees of the legislature on the processes they will put in place to eliminate overpayments in the working connections child care program.

(4) PROGRAM SUPPORT

General Fund—State Appropriation (FY 2020)	\$53,940,000
General Fund—State Appropriation (FY 2021)	\$54,103,000
General Fund—Federal Appropriation	\$32,698,000
Pension Funding Stabilization Account—State Appropriation	\$14,000
TOTAL APPROPRIATION	\$140,755,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) The health care authority, the health benefit exchange, the department of social and health services, the department of health, and the department of children, youth, and families shall work together within existing resources to establish the health and human services enterprise coalition (the coalition). The coalition, led by the health care authority, must be a multi-organization collaborative that provides strategic direction and federal funding guidance for projects that have cross-organizational or enterprise impact, including information technology projects that affect organizations within the coalition. By October 31, 2019, the coalition must submit a report to the governor and the legislature that describes the coalition’s plan for projects affecting the coalition organizations. The report must include any information technology projects impacting coalition organizations and, in collaboration with the office of the chief information officer, provide: (i) The status of any information technology projects currently being developed or implemented that affect the coalition; (ii) funding needs of these current and future information technology projects; and (iii) next steps for the coalition’s information technology projects. The office of the chief information officer shall maintain a statewide perspective when collaborating with the coalition to ensure that the development of projects identified in this report are planned for in a manner that ensures the efficient use of state resources and maximizes federal financial participation. The work of the coalition is subject to the conditions, limitations, and review provided in section 950 of this act.

(b) \$300,000 of the general fund—state appropriation for fiscal year 2020 and \$300,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for a Washington state mentoring organization to continue its public-private partnerships

providing technical assistance and training to mentoring programs that serve at-risk youth.

(c) \$5,000 of the general fund—state appropriation for fiscal year 2020, \$5,000 of the general fund—state appropriation for fiscal year 2021, and \$16,000 of the general fund—federal appropriation are provided solely for the implementation of an agreement reached between the governor and the Washington federation of state employees for the language access providers under the provisions of chapter 41.56 RCW for the 2019-2021 fiscal biennium.

(d) \$63,000 of the general fund—state appropriation for fiscal year 2020 and \$7,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5497 (immigrants in the workplace). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

(e) \$100,000 of the general fund—state appropriation for fiscal year 2020 and \$100,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for a full-time employee to coordinate policies and programs to support pregnant and parenting individuals receiving chemical dependency or substance use disorder treatment.

**PART III
NATURAL RESOURCES**

NEW SECTION. Sec. 301. FOR THE COLUMBIA RIVER GORGE COMMISSION

General Fund—State Appropriation (FY 2020)	\$531,000
General Fund—State Appropriation (FY 2021)	\$545,000
General Fund—Federal Appropriation	\$32,000
General Fund—Private/Local Appropriation	\$1,101,000
Pension Funding Stabilization Account—State Appropriation	\$46,000
TOTAL APPROPRIATION	\$2,255,000

The appropriations in this section are subject to the following conditions and limitations: \$45,000 of the general fund—state appropriation for fiscal year 2020 and \$45,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for a land use planner to conduct compliance monitoring on approved development projects and develop and track measures on the commission’s effectiveness in implementing the national scenic area management plan.

NEW SECTION. Sec. 302. FOR THE DEPARTMENT OF ECOLOGY

General Fund—State Appropriation (FY 2020)	\$28,663,000
General Fund—State Appropriation (FY 2021)	\$28,293,000
General Fund—Federal Appropriation	\$107,713,000
General Fund—Private/Local Appropriation	\$23,204,000
Reclamation Account—State Appropriation	\$4,751,000
Flood Control Assistance Account—State Appropriation	\$4,060,000
State Emergency Water Projects Revolving Account—State Appropriation	\$40,000
Waste Reduction, Recycling, and Litter Control Account—State Appropriation	\$26,456,000
State Drought Preparedness Account—State Appropriation	\$204,000
State and Local Improvements Revolving Account—Water Supply Facilities—State Appropriation	\$170,000
Aquatic Algae Control Account—State Appropriation	\$523,000
Water Rights Tracking System Account—State Appropriation	\$48,000
Site Closure Account—State Appropriation	\$582,000

Wood Stove Education and Enforcement Account—State	
Appropriation	\$757,000
Worker and Community Right to Know Fund—State	
Appropriation	\$1,909,000
Water Rights Processing Account—State	
Appropriation	\$39,000
Model Toxics Control Operating Account—State	
Appropriation	\$245,715,000
Model Toxics Control Operating Account—Local	
Appropriation	\$999,000
Water Quality Permit Account—State	
Appropriation	\$45,608,000
Underground Storage Tank Account—State	
Appropriation	\$3,728,000
Biosolids Permit Account—State	
Appropriation	\$2,588,000
Hazardous Waste Assistance Account—State	
Appropriation	\$6,749,000
Radioactive Mixed Waste Account—State	
Appropriation	\$18,857,000
Air Pollution Control Account—State	
Appropriation	\$4,248,000
Oil Spill Prevention Account—State	
Appropriation	\$10,749,000
Air Operating Permit Account—State	
Appropriation	\$4,530,000
Freshwater Aquatic Weeds Account—State	
Appropriation	\$1,471,000
Oil Spill Response Account—State	
Appropriation	\$7,076,000
Pension Funding Stabilization Account—State	
Appropriation	\$2,920,000
Water Pollution Control Revolving Administration	
Account—State	
Appropriation	\$3,669,000
TOTAL APPROPRIATION	\$586,319,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$170,000 of the oil spill prevention account—state appropriation is provided solely for a contract with the University of Washington’s sea grant program to continue an educational program targeted to small spills from commercial fishing vessels, ferries, cruise ships, ports, and marinas.

(2) \$102,000 of the general fund—state appropriation for fiscal year 2020 and \$102,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Executive Order No. 12-07, Washington’s response to ocean acidification.

(3) \$726,000 of the general fund—state appropriation for fiscal year 2020, \$1,432,000 of the general fund—state appropriation for fiscal year 2021, and \$1,600,000 of the flood control assistance account—state appropriation are provided solely for the continued implementation of the streamflow restoration program provided in chapter 90.94 RCW. Funding must be used to develop watershed plans, oversee consultants, adopt rules, and develop or oversee capital grant-funded projects that will improve instream flows statewide.

(4) \$1,259,000 of the model toxics control operating account—state appropriation is provided solely for the increased costs for Washington conservation corp member living allowances, vehicles used to transport crews to worksites, and costs unsupported by static federal AmeriCorps grant reimbursement.

(5) \$4,482,000 of the model toxics control operating account—state appropriation is provided solely for the department to implement recommendations that come from chemical action plans (CAP), such as the interim recommendations addressing PFAS (per- and polyfluorinated alkyl substances) contamination in drinking water and sources of that contamination.

(6) \$592,000 of the reclamation account—state appropriation is provided solely for the department to assess and explore opportunities to resolve water rights uncertainties and disputes through adjudications in selected basins where tribal senior water rights, unquantified claims, and similar uncertainties about the seniority, quantity, and validity of water rights exist.

(7) \$4,056,000 of the waste reduction, recycling, and litter control account—state appropriation is provided solely for the department to address litter prevention and recycling programs, and in response to new China-imposed restrictions on the import of recyclable materials. Activities funded from this increased appropriation include litter pickup by ecology youth crews, local governments, and other state agencies, and litter prevention public education campaigns.

(8) \$120,000 of the general fund—state appropriation for fiscal year 2020 and \$67,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the implementation of Engrossed Second Substitute Senate Bill No. 5116 (clean energy). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

(9) \$807,000 of the model toxics control operating account—state appropriation is provided solely for the implementation of Substitute Senate Bill No. 5135 (toxic pollution). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

(10) \$540,000 of the waste reduction, recycling, and litter control account—state appropriation is provided solely for the implementation of Engrossed Substitute Senate Bill No. 5323 (plastic bags). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

(11) \$392,000 of the waste reduction, recycling, and litter control account—state appropriation is provided solely for the implementation of Engrossed Second Substitute Senate Bill No. 5397 (plastic packaging). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

(12) \$192,000 of the wood stove education and enforcement account—state appropriation is provided solely for the implementation of Substitute Senate Bill No. 5697 (solid fuel burning devices). If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.

(13) \$1,944,000 of the waste reduction, recycling, and litter control account—state appropriation is provided solely for the implementation of Engrossed Second Substitute House Bill No. 1543 (concerning sustainable recycling). If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.

(14) \$342,000 of the air pollution control account—state appropriation and \$619,000 of the model toxics control operating account—state appropriation are provided solely for the implementation of Engrossed Second Substitute House Bill No. 1112 (hydrofluorocarbons emissions). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

(15) \$1,374,000 of the model toxics control operating account—state appropriation is provided solely for the implementation of Engrossed Substitute House Bill No. 1578 (oil transportation safety). If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.

(16) \$264,000 of the general fund—state appropriation for fiscal year 2020 and \$250,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the implementation of Second Substitute Senate Bill No. 5352 (Walla Walla watershed pilot). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

(17) \$254,000 of the model toxic control operating account—state appropriation is provided solely for the implementation of Senate Bill No. 5811 (clean car standards and program). If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.

(18) \$977,000 of the general fund—state appropriation for fiscal year 2020 and \$850,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the implementation of Engrossed Second Substitute House Bill No. 1110 (greenhouse gas/transportation fuels). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

(19) \$455,000 of the general fund—state appropriation for fiscal year 2020 and \$455,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the department to grant to the northwest straits commission to distribute equally among the seven Puget Sound marine resource committees.

(20) \$290,000 of the general fund—state appropriation for fiscal year 2020 and \$290,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for rule making to change standards to allow for a higher volume of water to be spilled over Columbia river and Snake river dams to increase total dissolved gas for the benefit of Chinook salmon and other salmonids.

(21) \$118,000 of the general fund—state appropriation for fiscal year 2020 and \$118,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the agency to convene a stakeholder work group to identify actions to decrease loading of priority pharmaceuticals into Puget Sound, contract for technical experts to provide literature review, conduct an analysis and determine best practices for addressing pharmaceutical discharges, and carry out laboratory testing and analysis.

(22) \$319,000 of the general fund—state appropriation for fiscal year 2020 and \$319,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the department to increase coordination in reviewing shoreline armoring proposals to better protect forage fish.

(23) \$247,000 of the general fund—state appropriation for fiscal year 2020 and \$435,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for monitoring nutrient cycling and ocean acidification parameters at twenty marine stations in Puget Sound and Hood canal.

(24) \$2,094,000 of the model toxic control operating account—state appropriation is provided solely for six additional toxic cleanup managers to help address a backlog of 5,900 contaminated sites.

(25) \$732,000 of the general fund—state appropriation for fiscal year 2020 and \$732,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the operating costs of the office of the Chehalis basin. The office is charged with the implementation of an integrated strategy to reduce long-term damage from floods and restore aquatic species habitat in the basin.

(26) \$250,000 of the flood control assistance account—state appropriation is provided solely for the Washington conservation corps to carry out emergency activities to respond to flooding by repairing levees, preventing or mitigating an impending flood hazard, or filling and stacking sandbags. This appropriation is also for grants to local governments for emergency response needs, including the removal of structures and repair of small-scale levees and tidegates.

(27) \$250,000 of the model toxics control operating account—local appropriation is provided solely for the Spokane river

regional toxics task force to address elevated levels of polychlorinated biphenyls in the Spokane river.

(28) \$244,000 of the model toxics control operating—state appropriation is provided solely for the implementation of Engrossed Substitute Senate Bill No. 5579 (crude oil volatility/rail). If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.

(29) \$7,000 of the general fund—state appropriation for fiscal year 2020 and \$7,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the implementation of Second Substitute Senate Bill No. 5947 (sustainable farms and fields). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

(30) \$432,000 of the model toxics control operating—state appropriation is provided solely for the implementation of Substitute House Bill No. 1290 (voluntary cleanups/has waste). If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.

(31) \$250,000 of the general fund—state appropriation for fiscal year 2020 is provided solely for the port of Bellingham dredging project.

(32) \$28,400,000 of the model toxics control operating account—state appropriation is provided solely for the department to provide grants to local governments for the purpose of supporting local solid waste and financial assistance programs.

NEW SECTION. Sec. 303. FOR THE STATE PARKS AND RECREATION COMMISSION

General Fund—State Appropriation (FY 2020)	\$14,804,000
General Fund—State Appropriation (FY 2021)	\$14,450,000
General Fund—Federal Appropriation	\$7,014,000
Winter Recreation Program Account—State Appropriation	\$3,298,000
ORV and Nonhighway Vehicle Account—State Appropriation	\$397,000
Snowmobile Account—State Appropriation	\$5,640,000
Aquatic Lands Enhancement Account—State Appropriation	\$367,000
State Parks Education and Enhancement Account—State Appropriation	\$250,000
Parks Renewal and Stewardship Account—State Appropriation	\$123,988,000
Parks Renewal and Stewardship Account—Private/Local Appropriation	\$420,000
Pension Funding Stabilization Account—State Appropriation	\$1,496,000
Wildfire Prevention and Suppression Account—State Appropriation	\$949,000
TOTAL APPROPRIATION	\$173,073,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$129,000 of the general fund—state appropriation for fiscal year 2020 and \$129,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for a grant for the operation of the Northwest weather and avalanche center.

(2) \$100,000 of the general fund—state appropriation for fiscal year 2020 and \$100,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the commission to pay assessments charged by local improvement districts.

(3) \$250,000 of the state parks education and enhancement account—state appropriation is provided solely for the implementation of Senate Bill No. 5918 (whale watching guidelines). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

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(4) \$916,000 of the general fund—state appropriation for fiscal year 2020, \$915,000 of the general fund—state appropriation for fiscal year 2021, and \$169,000 of the parks renewal and stewardship account—state appropriation are provided solely for the commission to replace major equipment with an emphasis on fire response equipment and law enforcement vehicles that have over fifteen years of useful life.

(5) \$252,000 of the general fund—state appropriation for fiscal year 2020, \$216,000 of the general fund—state appropriation for fiscal year 2021, and \$322,000 of the parks renewal and stewardship account—state appropriation are provided solely for operating budget impacts from capital budget projects funded in the 2017-2019 fiscal biennium.

(6) \$307,000 of the general fund—state appropriation for fiscal year 2020 and \$291,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for hiring new park rangers and park aides.

(7) \$2,500,000 of the general fund—state appropriation for fiscal year 2020, \$2,500,000 of the general fund—state appropriation for fiscal year 2021, and \$5,000,000 of the parks renewal and stewardship account—state appropriation are provided solely for maintaining current service levels for core functions such as customer service, facility maintenance, and law enforcement.

(8) \$949,000 of the wildfire prevention and suppression account—state appropriation is provided solely for the commission to conduct forest health treatments on 500 acres of forestland each year, add stewardship staff capacity in the northwest region, and conduct vegetation surveys to identify rare and sensitive plants. One-time funding is also provided to replace a fire truck in the eastern region.

(9) \$1,401,000 of the general fund—state appropriation for fiscal year 2020 and \$1,099,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the commission to hire construction and maintenance staff to address the backlog of preventive maintenance at state parks.

(10) \$428,000 of the parks renewal and stewardship account—state appropriation is provided solely for increased technology costs associated with providing field staff with access to the state government network, providing law enforcement personnel remote access to law enforcement records, and providing public wi-fi services at dry falls, pacific beach, and potholes state parks.

(11) \$204,000 of the parks renewal and stewardship account—state appropriation is provided solely for maintaining the state parks’ central reservation system, the law enforcement records management system, and discover pass automated pay stations.

NEW SECTION. Sec. 304. FOR THE RECREATION AND CONSERVATION OFFICE

General Fund—State Appropriation (FY 2020)	\$2,305,000
General Fund—State Appropriation (FY 2021)	\$2,264,000
General Fund—Federal Appropriation	\$3,696,000
General Fund—Private/Local Appropriation	\$24,000
Aquatic Lands Enhancement Account—State Appropriation	\$320,000
Firearms Range Account—State Appropriation	\$37,000
Recreation Resources Account—State Appropriation	\$3,803,000
NOVA Program Account—State Appropriation	\$1,068,000
Pension Funding Stabilization Account—State Appropriation	\$80,000
TOTAL APPROPRIATION	\$13,597,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$109,000 of the aquatic lands enhancement account—state appropriation is provided solely to the recreation and conservation funding board for administration of the aquatics lands enhancement account grant program as described in RCW 79.105.150.

(2) \$37,000 of the firearms range account—state appropriation is provided solely to the recreation and conservation funding board for administration of the firearms range grant program as described in RCW 79A.25.210.

(3) \$4,150,000 of the recreation resources account—state appropriation is provided solely to the recreation and conservation funding board for administrative and coordinating costs of the recreation and conservation office and the board as described in RCW 79A.25.080(1).

(4) \$1,107,000 of the NOVA program account—state appropriation is provided solely to the recreation and conservation funding board for administration of the nonhighway and off-road vehicle activities program as described in chapter 46.09 RCW.

(5) \$1,201,000 of the general fund—state appropriation for fiscal year 2020 and \$1,199,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for maintaining the lead entity program as described in chapter 77.85 RCW. Funding previously supported in the capital budget is shifted to the operating budget.

(6) \$209,000 of the general fund—state appropriation for fiscal year 2020 and \$209,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the Nisqually river foundation for implementation of the Nisqually watershed stewardship plan.

NEW SECTION. Sec. 305. FOR THE ENVIRONMENTAL AND LAND USE HEARINGS OFFICE

General Fund—State Appropriation (FY 2020)	\$2,284,000
General Fund—State Appropriation (FY 2021)	\$2,296,000
Pension Funding Stabilization Account—State Appropriation	\$254,000
TOTAL APPROPRIATION	\$4,834,000

The appropriations in this section are subject to the following conditions and limitations: \$85,000 of the general fund—state appropriation for fiscal year 2020 and \$85,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the office to post and index rulings of their boards on the web.

NEW SECTION. Sec. 306. FOR THE CONSERVATION COMMISSION

General Fund—State Appropriation (FY 2020)	\$7,689,000
General Fund—State Appropriation (FY 2021)	\$7,670,000
General Fund—Federal Appropriation	\$2,301,000
Public Works Assistance Account—State Appropriation	\$8,427,000
Model Toxics Control Operating Account—State Appropriation	\$1,000,000
Pension Funding Stabilization Account—State Appropriation	\$254,000
TOTAL APPROPRIATION	\$27,341,000

The appropriations in this section are subject to the following conditions and limitations: \$500,000 of the general fund—state appropriation for fiscal year 2020 and \$500,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the commission and conservation districts to increase landowner participation in voluntary actions that protect habitat to benefit salmon and southern resident orcas.

NEW SECTION. Sec. 307. FOR THE DEPARTMENT OF FISH AND WILDLIFE

General Fund—State Appropriation (FY 2020)	\$61,658,000
General Fund—State Appropriation (FY 2021)	\$58,142,000
General Fund—Federal Appropriation	\$135,577,000
General Fund—Private/Local Appropriation	\$65,433,000
ORV and Nonhighway Vehicle Account—State Appropriation	\$701,000
Aquatic Lands Enhancement Account—State Appropriation	\$11,509,000
Recreational Fisheries Enhancement Account—State Appropriation	\$3,183,000
Warm Water Game Fish Account—State Appropriation	\$2,740,000
Eastern Washington Pheasant Enhancement Account—State Appropriation	\$675,000
State Wildlife Account—State Appropriation	\$110,128,000
Special Wildlife Account—State Appropriation	\$2,904,000
Special Wildlife Account—Federal Appropriation	\$508,000
Special Wildlife Account—Private/Local Appropriation	\$3,606,000
Wildlife Rehabilitation Account—State Appropriation	\$361,000
Ballast Water and Biofouling Management Account—State Appropriation	\$10,000
Model Toxics Control Operating Account—State Appropriation	\$2,865,000
Regional Fisheries Enhancement Salmonid Recovery Account—Federal Appropriation	\$5,001,000
Oil Spill Prevention Account—State Appropriation	\$1,148,000
Aquatic Invasive Species Management Account—State Appropriation	\$1,876,000
Pension Funding Stabilization Account—State Appropriation	\$5,186,000
Oyster Reserve Land Account—State Appropriation	\$524,000
Wildfire Prevention and Suppression Account—State Appropriation	\$338,000
TOTAL APPROPRIATION	\$474,073,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$362,000 of the general fund—state appropriation for fiscal year 2020, \$234,000 of the general fund—state appropriation for fiscal year 2021, and \$338,000 of the wildfire prevention and suppression account—state appropriation are provided solely to pay for emergency fire suppression costs. These amounts may not be used to fund agency indirect and administrative expenses.

(2) \$415,000 of the general fund—state appropriation for fiscal year 2020, \$415,000 of the general fund—state appropriation for fiscal year 2021, and \$440,000 of the general fund—federal appropriation are provided solely for county assessments.

(3) Prior to submitting its 2021-2023 biennial operating and capital budget requests related to state fish hatcheries to the office of financial management, the department shall contract with the hatchery scientific review group (HSRG) to review the proposed requests. This review shall: (a) Determine if the proposed requests are consistent with HSRG recommendations; (b) prioritize the components of the requests based on their contributions to protecting wild salmonid stocks and meeting the recommendations of the HSRG; and (c) evaluate whether the proposed requests are being made in the most cost-effective manner. The department shall provide a copy of the HSRG review to the office of financial management with its agency budget proposal.

(4) \$400,000 of the general fund—state appropriation for fiscal year 2020 and \$400,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for a state match to support the Puget Sound nearshore partnership between the department and the United States army corps of engineers.

(5) \$5,265,000 of the general fund—state appropriation for fiscal year 2020 and \$5,265,000 of the general fund—state appropriation for fiscal year 2021 are appropriated for the department to increase hatchery production of salmon throughout the Puget Sound, coast, and Columbia river. Increases in hatchery production must be prioritized to increase prey abundance for southern resident orcas. The department shall work with federal partners, tribal co-managers, and other interested parties when developing annual hatchery production plans. These increases shall be done consistent with best available science, most recent hatchery standards, and endangered species act requirements, and include adaptive management provisions to ensure the conservation and enhancement of wild stocks.

(6) \$33,000 of the state wildlife account—state appropriation is provided solely for the implementation of Substitute Senate Bill No. 5525 (whitetail deer population). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

(7) \$762,000 of the general fund—state appropriation for fiscal year 2020, \$580,000 of the general fund—state appropriation for fiscal year 2021, and \$24,000 of the state wildlife account—state appropriation are provided solely for the implementation of Second Substitute Senate Bill No. 5577 (orca whales/vessels). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

(8) \$156,000 of the general fund—state appropriation for fiscal year 2020 and \$155,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for operating budget impacts from capital budget projects funded in the 2017-2019 fiscal biennium.

(9) \$2,180,000 of the general fund—state appropriation for fiscal year 2020 and \$2,180,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for preserving current levels of service provided by the department's law enforcement officers and wildlife conflict specialists.

(10) \$1,262,000 of the general fund—state appropriation for fiscal year 2020 and \$1,262,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for preserving current service levels to conduct shellfish bed patrols.

(11) \$1,320,000 of the general fund—state appropriation for fiscal year 2020 and \$1,320,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for preserving services for current land management practices.

(12) \$1,866,000 of the general fund—state appropriation for fiscal year 2020 and \$1,866,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for maintaining highest priority service levels in the fish programs and protecting wild fish species.

(13) \$1,696,000 of the general fund—state appropriation for fiscal year 2020 and \$1,696,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for preserving current levels of service provided by the department's habitat program, including applying science to land use decisions, conducting large-scale restoration activities, integrating climate science into wildlife and land management, evaluating the status of species of concern, managing aquatic invasive species, and removing derelict fishing gear and shellfish pots.

(14) \$935,000 of the general fund—state appropriation for fiscal year 2020 and \$937,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for responding to calls from the public during weekend and

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nonbusiness hours regarding information about wildlife, commercial fishing licenses, recreational fishing and hunting licenses, discover passes, and outdoor recreation opportunities.

(15) \$450,000 of the general fund—state appropriation for fiscal year 2020 and \$450,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the department to develop a pinto abalone recovery plan, expand field work, conduct genetics and disease assessments, and establish three satellite grow-out facilities. \$150,000 of the appropriation per fiscal year is for competitive grants to nonprofit organizations to assist in recovery and restoration work of native shellfish.

(16) \$350,000 of the general fund—state appropriation for fiscal year 2020 and \$350,000 of the general fund—state appropriation for fiscal year 2021, are provided solely for the department to increase the work of regional fisheries enhancement groups.

(17) \$557,000 of the general fund—state appropriation for fiscal year 2020, \$557,000 of the general fund—state appropriation for fiscal year 2021, and \$110,000 of the state wildlife account—state appropriation are provided solely for the department to pay for costs to maintain upgraded network infrastructure and pay the debt service on purchased equipment.

(18) \$165,000 of the general fund—state appropriation for fiscal year 2020, \$166,000 of the general fund—state appropriation for fiscal year 2021, and \$495,000 of the state wildlife account—state appropriation are provided solely for new service or vendor costs, including PC leases, mobile devices, a remote management system, IT issue tracking technology, and virtual private network services.

(19) \$200,000 of the general fund—state appropriation for fiscal year 2020 and \$200,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the department to pilot new styles of elk fencing at two locations in Skagit county.

(20) \$435,000 of the general fund—state appropriation for fiscal year 2020 and \$435,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for nonlethal deterrents to mitigate wolf-livestock conflicts, staffing to respond to increased wolf conflicts, and SEPA timeline extension for evaluating translocation. The appropriations in this subsection for fiscal year 2021 may not be expended until a review of the listing status for the gray wolf is completed and reported to the state wildlife commission.

NEW SECTION. Sec. 308. FOR THE DEPARTMENT OF NATURAL RESOURCES

General Fund—State Appropriation (FY 2020)	\$49,362,000
General Fund—State Appropriation (FY 2021)	\$32,079,000
General Fund—Federal Appropriation	\$34,605,000
General Fund—Private/Local Appropriation	\$2,494,000
Forest Development Account—State Appropriation	\$51,837,000
ORV and Nonhighway Vehicle Account—State Appropriation	\$7,972,000
Surveys and Maps Account—State Appropriation	\$2,506,000
Aquatic Lands Enhancement Account—State Appropriation	\$18,050,000
Resource Management Cost Account—State Appropriation	\$122,585,000
Surface Mining Reclamation Account—State Appropriation	\$3,915,000
Disaster Response Account—State Appropriation	\$6,970,000
Park Land Trust Revolving Account—State Appropriation	\$1,000,000
Forest and Fish Support Account—State Appropriation	\$16,296,000

Aquatic Land Dredged Material Disposal Site Account—State Appropriation	\$399,000
Natural Resources Conservation Areas Stewardship Account—	
State Appropriation	\$39,000
Model Toxics Control Operating Account—State Appropriation	\$9,355,000
Forest Practices Application Account—State Appropriation	\$1,926,000
Air Pollution Control Account—State Appropriation	\$886,000
NOVA Program Account—State Appropriation	\$744,000
Pension Funding Stabilization Account—State Appropriation	\$3,240,000
Derelict Vessel Removal Account—State Appropriation	\$1,954,000
Community Forest Trust Account—State Appropriation	\$52,000
Agricultural College Trust Management Account—State Appropriation	\$3,044,000
Forest Fire Protection Assessment Nonappropriated Account—State Appropriation	\$5,896,000
Wildfire Prevention and Suppression Account—State Appropriation	\$70,207,000
Accident Account—State Appropriation	\$20,000
Medical Aid Account—State Appropriation	\$4,000
TOTAL APPROPRIATION	\$447,437,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,583,000 of the general fund—state appropriation for fiscal year 2020 and \$1,515,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for deposit into the agricultural college trust management account and are provided solely to manage approximately 70,700 acres of Washington State University’s agricultural college trust lands.

(2) \$17,223,000 of the general fund—state appropriation for fiscal year 2020 and \$45,407,000 of the wildfire prevention and suppression account—state appropriation are provided solely for emergency fire suppression. The appropriations provided in this subsection may not be used to fund the department’s indirect and administrative expenses. The department’s indirect and administrative costs shall be allocated among its remaining accounts and appropriations.

(3) \$5,000,000 of the forest and fish support account—state appropriation is provided solely for outcome-based performance contracts with tribes to participate in the implementation of the forest practices program. Contracts awarded may only contain indirect costs set at or below the rate in the contracting tribe’s indirect cost agreement with the federal government. If federal funding for this purpose is reinstated, the amount provided in this subsection shall lapse.

(4) \$1,107,000 of the general fund—state appropriation for fiscal year 2020 and \$1,107,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the department to carry out the forest practices adaptive management program pursuant to RCW 76.09.370 and the May 24, 2012, settlement agreement entered into by the department and the department of ecology. Scientific research must be carried out according to the master project schedule and work plan of cooperative monitoring, evaluation, and research priorities adopted by the forest practices board. The forest practices board shall submit a report to the legislature following review, approval, and solicitation of public comment on the cooperative monitoring, evaluation, and research master project schedule, to include: Cooperative monitoring, evaluation, and research science and related adaptive management expenditure details,

accomplishments, the use of cooperative monitoring, evaluation, and research science in decision-making, and funding needs for the coming biennium. The report shall be provided to the appropriate committees of the legislature by October 1, 2020.

(5) Consistent with the recommendations of the *Wildfire Suppression Funding and Costs (18-02)* report of the joint legislative audit and review committee, the department shall submit a report to the governor and legislature by December 1, 2019, and December 1, 2020, describing the previous fire season. At a minimum, the report shall provide information for each wildfire in the state, including its location, impact by type of land ownership, the extent it involved timber or range lands, cause, size, costs, and cost-share with federal agencies and nonstate partners. The report must also be posted on the agency's web site.

(6) The appropriations in this section include sufficient funding for the implementation of Engrossed Substitute Senate Bill No. 5279 (outdoor burning).

(7) \$26,000 of the general fund—state appropriation for fiscal year 2020 and \$27,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the implementation of Engrossed Second Substitute Senate Bill No. 5116 (clean energy). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

(8) \$20,000 of the accident account—state appropriation and \$4,000 of the medical aid account—state appropriation are provided solely for the implementation of Substitute Senate Bill No. 5550 (pesticide application safety). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

(9) \$26,000 of the general fund—state appropriation for fiscal year 2020 and \$27,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the implementation of Second Substitute Senate Bill No. 5947 (sustainable farms and fields). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

(10) The appropriations in this section include sufficient funding for the implementation of Engrossed Substitute Senate Bill No. 5330 (small forestland).

(11) \$42,000 of the general fund—state appropriation for fiscal year 2020 and \$21,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the implementation of Substitute Senate Bill No. 5106 (natural disaster mitigation). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

(12) \$26,000 of the general fund—state appropriation for fiscal year 2020 and \$26,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the implementation of Substitute Senate Bill No. 5597 (aerial herbicide application). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

(13) \$53,000 of the general fund—state appropriation for fiscal year 2020, \$43,000 of the general fund—state appropriation for fiscal year 2021, and \$194,000 of the aquatics land enhancement account—state appropriation are provided solely for the department to manage the natural area lands acquired from capital budget funded acquisitions.

(14) \$4,486,000 of the aquatic land enhancement account—state and \$3,500,000 of the model toxics control operating account—state appropriation are provided solely for the removal of creosote pilings and debris from the marine environment and to continue monitoring zooplankton and eelgrass beds on state-owned aquatic lands managed by the department. Actions will address recommendations to recover the southern resident orca population and to monitor ocean acidification as well as help implement the Puget Sound action agenda.

(15) \$304,000 of the model toxics control operating account—state appropriation is provided solely for costs associated with the cleanup of the Fairview avenue site near Lake Union in Seattle. The aquatic site is contaminated with lead, chromium, and arsenic. This will be the department's final payment toward remediation costs.

(16) \$75,000 of the general fund—state appropriation for fiscal year 2020 and \$75,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the department to identify priority kelp restoration locations in central Puget Sound, based on historic locations, and monitor the role of natural kelp beds in moderating pH conditions in Puget Sound.

(17) \$188,000 of the general fund—state appropriation for fiscal year 2020 and \$187,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the department to coordinate with the Olympic natural resources center to study emerging ecosystem threats such as Swiss needlecast disease, conduct field trials for long-term ecosystem productivity and T3 watershed experiments, and engage stakeholders. The department must contract with the Olympic natural resources center for at least \$187,000 per fiscal year. The department may retain up to \$30,000 per fiscal year to conduct Swiss needlecast surveys and research. Administrative costs may be taken and are limited to twenty-seven percent of the amount of appropriation retained by the department.

(18) \$17,003,000 of the wildfire prevention and suppression account—state appropriation and \$4,000,000 of the forest fire protection assessment nonappropriated account—state appropriation are provided solely for wildfire response, to include funding fifteen full time fire engine leaders, increasing the number of correctional camp fire crews in western Washington, purchasing two helicopters, providing dedicated staff to conduct fire response training, creating a fire prevention outreach program, and other measures necessary for wildfire suppression and prevention. \$10,000,000 of the wildfire prevention and suppression-state appropriation must remain unspent until the department completes a smoke management plan and expands its collections and improves the consistency of forest fire protection assessments as per the recommendations of the joint legislative and audit review committee report, *fees assessed for forest fire protection 17-06*.

(19) \$7,797,000 of the wildfire prevention and suppression account—state appropriation is provided solely for landowner technical assistance, including conducting forest health treatments on federal lands and implementing the department's twenty-year forest health strategic plan. The department will also plan forest health treatments as required in RCW 76.06.200.

(20) \$186,000 of the general fund—state appropriation for fiscal year 2020 and \$185,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for compensation to the trust beneficiaries and department for lost revenue from leases to amateur radio operators who use space on the department managed radio towers for their equipment. The department is authorized to lease sites at the rate of up to one hundred dollars per year, per site, per lessee. The legislature makes this appropriation to fulfill the remaining costs of the leases at market rate per RCW 79.13.510.

(21) \$110,000 of the general fund—state appropriation for fiscal year 2020 and \$110,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the department to conduct post wildfire landslide hazard assessments and reports.

(22) \$162,000 of the general fund—state appropriation for fiscal year 2020 and \$163,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for paving the road access to Leader lake in northeast Washington.

(23) The appropriations in this section include sufficient funding for the department to conduct an analysis of revenue impacts to the state forestlands taxing district beneficiaries as a result of the proposed long-term conservation strategy for the marbled murrelet. The department shall consult with state forestlands taxing district beneficiary representatives on the analysis. The department shall make the analysis available to state forestlands taxing districts and submit it to the board of natural resources by September 30, 2019.

NEW SECTION. Sec. 309. FOR THE DEPARTMENT OF AGRICULTURE

General Fund—State Appropriation (FY 2020)	\$17,863,000
General Fund—State Appropriation (FY 2021)	\$17,817,000
General Fund—Federal Appropriation	\$31,674,000
General Fund—Private/Local Appropriation	\$193,000
Aquatic Lands Enhancement Account—State Appropriation	\$2,199,000
Model Toxics Control Operating Account—State Appropriation	\$5,638,000
Water Quality Permit Account—State Appropriation	\$73,000
Pension Funding Stabilization Account—State Appropriation	\$1,036,000
Dedicated Marijuana Account—State Appropriation (FY 2020)	\$635,000
Dedicated Marijuana Account—State Appropriation (FY 2021)	\$635,000
Accident Account—State Appropriation	\$176,000
Medical Aid Account—State Appropriation	\$30,000
Motor Vehicle Account—State Appropriation	\$3,000
TOTAL APPROPRIATION	\$77,972,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$6,108,445 of the general fund—state appropriation for fiscal year 2020 and \$6,102,905 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementing the food assistance program as defined in RCW 43.23.290.

(2) \$176,000 of the accident account—state appropriation and \$30,000 of the medical aid account—state appropriation are provided solely for the implementation of Substitute Senate Bill No. 5550 (pesticide application safety). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

(3) The appropriations in this section include sufficient funding for the implementation of Engrossed Second Substitute Senate Bill No. 5276 (hemp production).

(4) The appropriations in this section includes sufficient funding for the implementation of Engrossed Substitute Senate Bill No. 5959 (livestock identification).

(5) \$18,000 of the general fund—state appropriation for fiscal year 2020 and \$18,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the implementation of Substitute Senate Bill No. 5597 (aerial herbicide application). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

(6) The appropriations in this section include sufficient funding for the implementation of Senate Bill No. 5447 (dairy milk assessment fee).

(7) \$250,000 of the general fund—state appropriation for fiscal year 2020 and \$250,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the department’s regional markets team.

(8) \$250,000 of the general fund—state appropriation for fiscal year 2020 and \$250,000 of the general fund—state appropriation

for fiscal year 2021 are provided solely for the northwest Washington fair youth education programs.

(9) The appropriations in this section include sufficient funding for the implementation of Second Substitute Senate Bill No. 5947 (sustainable farms and fields).

(10) \$197,000 of the general fund—state appropriation for fiscal year 2020 and \$202,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Substitute Senate Bill No. 5552 (pollinators). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

NEW SECTION. Sec. 310. FOR THE WASHINGTON POLLUTION LIABILITY INSURANCE PROGRAM

Pollution Liability Insurance Agency Underground Storage Tank Revolving Account—State Appropriation	\$170,000
Pollution Liability Insurance Program Trust Account—State Appropriation	\$1,575,000
TOTAL APPROPRIATION	\$1,745,000

NEW SECTION. Sec. 311. FOR THE PUGET SOUND PARTNERSHIP

General Fund—State Appropriation (FY 2020)	\$4,855,000
General Fund—State Appropriation (FY 2021)	\$4,717,000
General Fund—Federal Appropriation	\$12,525,000
Aquatic Lands Enhancement Account—State Appropriation	\$1,422,000
Model Toxics Control Operating Account—State Appropriation	\$722,000
Pension Funding Stabilization Account—State Appropriation	\$276,000
Performance Audits of Government Account—State Appropriation	\$834,000
TOTAL APPROPRIATION	\$25,351,000

The appropriations in this section are subject to the following conditions and limitations:

(1) By October 15, 2020, the Puget Sound partnership shall provide the governor and appropriate legislative fiscal committees a single, prioritized list of state agency 2021-2023 capital and operating budget requests related to Puget Sound restoration.

(2) \$1,111,000 of the general fund—state appropriation for fiscal year 2020 and \$1,111,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the partnership to implement a competitive, peer-reviewed process for soliciting, prioritizing, and funding research projects designed to advance scientific understanding of Puget Sound recovery. Solicitations and project selection for effectiveness monitoring will be organized and overseen by the Puget Sound ecosystem monitoring program. Initial projects will focus on implementation and effectiveness of Chinook recovery efforts, effectiveness of actions to restore shellfish beds, and implementation of priority studies of the Salish Sea marine survival project. Monitoring reports must be provided in context to the overall success and progress of Puget Sound recovery efforts.

(3) \$834,000 of the performance audits of government account—state appropriation is provided solely for the partnership to evaluate the programs, actions, and investments made by the various organizations related to Puget Sound recovery. This evaluation is based on the recommendations of the joint legislative audit and review committee to increase accountability and effectiveness across the network of recovery partners.

(4) \$532,000 of the general fund—state appropriation for fiscal year 2020 and \$445,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for coordinating updates

to the outdated Puget Sound chinook salmon recovery plan, provide support for adaptive management of local watershed chapters, and advance regional work on salmon and ecosystem recovery through local integrating organizations.

(5) \$648,000 of the general fund—state appropriation for fiscal year 2020 and \$648,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for evaluating ongoing monitoring and assessment of recovery actions, as well as solicitations and awards designed to fill monitoring gaps to evaluate progress toward recovery goals.

**PART IV
TRANSPORTATION**

NEW SECTION. Sec. 401. FOR THE DEPARTMENT OF LICENSING

General Fund—State Appropriation (FY 2020)	\$5,391,000
General Fund—State Appropriation (FY 2021)	\$3,707,000
Architects’ License Account—State Appropriation	\$1,406,000
Real Estate Commission Account—State Appropriation	\$12,723,000
Uniform Commercial Code Account—State Appropriation	\$2,827,000
Real Estate Education Program Account—State Appropriation	\$276,000
Real Estate Appraiser Commission Account—State Appropriation	\$1,664,000
Business and Professions Account—State Appropriation	\$23,788,000
Real Estate Research Account—State Appropriation	\$415,000
Firearms Range Account—State Appropriation	\$74,000
Landscape Architects’ License Account—State Appropriation	\$58,000
Concealed Pistol License Renewal Notification Account—State Appropriation	\$140,000
Geologists’ Account—State Appropriation	\$53,000
Pension Funding Stabilization Account—State Appropriation	\$96,000
Derelict Vessel Removal Account—State Appropriation	\$33,000
TOTAL APPROPRIATION	\$52,651,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Appropriations provided for the business and technology modernization project in this section are subject to the conditions, limitations, and review provided in section 735 of this act.

(2) \$72,000 of the real estate appraiser commission account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5480 (real estate appraisers). If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.

(3) \$229,000 of the business and professions account—state appropriation is provided solely for implementation of Engrossed Senate Bill No. 5616 (manicuring for diabetics). If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.

(4) \$144,000 of the business and professions account—state appropriation is provided solely for implementation of Senate Bill No. 5641 (uniform law on notarial acts). If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.

(5) \$974,000 of the general fund—state appropriation for fiscal year 2020 and \$717,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for costs to meet the requirements of the voter approved chapter 3, Laws of 2019 (Initiative Measure No. 1639), relating to firearm safety.

(6) \$95,000 of the general fund—state appropriation for fiscal year 2020 and \$99,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the department to mail vessel registration renewal reminders.

(7) \$2,716,000 of the general fund—state appropriation for fiscal year 2020 and \$1,337,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the department to procure a commercial off-the-shelf solution to replace the legacy firearms system, and is subject to the conditions, limitations, and review provided in section 735 of this act.

NEW SECTION. Sec. 402. FOR THE WASHINGTON STATE PATROL

General Fund—State Appropriation (FY 2020)	\$54,079,000
General Fund—State Appropriation (FY 2021)	\$51,418,000
General Fund—Federal Appropriation	\$16,350,000
General Fund—Private/Local Appropriation	\$3,087,000
Death Investigations Account—State Appropriation	\$8,908,000
County Criminal Justice Assistance Account—State Appropriation	\$4,328,000
Municipal Criminal Justice Assistance Account—State Appropriation	\$1,546,000
Fire Service Trust Account—State Appropriation	\$131,000
Vehicle License Fraud Account—State Appropriation	\$119,000
Disaster Response Account—State Appropriation	\$8,000,000
Washington Internet Crimes Against Children Account—State Appropriation	\$1,500,000
Fire Service Training Account—State Appropriation	\$11,240,000
Model Toxics Control Operating Account—State Appropriation	\$283,000
Aquatic Invasive Species Management Account—State Appropriation	\$54,000
Fingerprint Identification Account—State Appropriation	\$16,058,000
Dedicated Marijuana Account—State Appropriation (FY 2020)	\$2,843,000
Dedicated Marijuana Account—State Appropriation (FY 2021)	\$2,703,000
Pension Funding Stabilization Account—State Appropriation	\$3,300,000
Wildfire Prevention and Suppression Account—State Appropriation	\$2,368,000
TOTAL APPROPRIATION	\$188,315,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$270,000 of the fire service training account—state appropriation is provided solely for two FTEs in the office of the state director of fire protection to exclusively review K-12 construction documents for fire and life safety in accordance with the state building code. It is the intent of this appropriation to provide these services only to those districts that are located in counties without qualified review capabilities.

(2) \$5,770,000 of the general fund—state appropriation for fiscal year 2020, \$3,243,000 of the general fund—state appropriation for fiscal year 2021, and \$1,277,000 of the death investigations account—state appropriation for fiscal year 2021 are provided solely for reducing a backlog of sexual assault kits in the state.

(3) The Washington state patrol shall implement Engrossed Second Substitute Senate Bill No. 5284 (smoke detection devices) within existing resources.

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(4) \$8,000,000 of the disaster response account—state appropriation is provided solely for Washington state fire service resource mobilization costs incurred in response to an emergency or disaster authorized under RCW 43.43.960 through 43.43.964. The state patrol shall submit a report quarterly to the office of financial management and the legislative fiscal committees detailing information on current and planned expenditures from this account. This work shall be done in coordination with the military department.

(5) \$2,878,000 of the fingerprint identification account—state appropriation is provided solely for the completion of the state patrol’s plan to upgrade the criminal history system, and is subject to the conditions, limitations, and review provided in section 735 of this act.

(6) \$2,843,000 of the dedicated marijuana account—state appropriation for fiscal year 2020 and \$2,703,000 of the dedicated marijuana account—state appropriation for fiscal year 2021 are provided solely for the Washington state patrol’s drug enforcement task force. The amount in this subsection is provided solely for the following:

(a) \$2,423,000 of the dedicated marijuana account—state appropriation for fiscal year 2020 and \$2,423,000 of the dedicated marijuana account—state appropriation for fiscal year 2021 are provided solely for the Washington state patrol to partner with multi-jurisdictional drug and gang task forces to detect, deter, and dismantle criminal organizations involved in criminal activity including diversion of marijuana from the legalized market and the illicit production and distribution of marijuana and marijuana-related products in Washington state.

(b) \$150,000 of the dedicated marijuana account—state appropriation for fiscal year 2020 and \$150,000 of the dedicated marijuana account—state appropriation for fiscal year 2021 are provided solely for one intelligence analyst to focus on gang activity. The primary responsibilities of this position are to assist multi-jurisdictional drug and gang task forces by: (i) Identifying national, regional, and local patterns, trends, and links related to gang activity that impact Washington state; (ii) developing actionable analytic products that support strategic, operational, and tactical objectives of multi-jurisdictional drug and gang task forces; (iii) assisting law enforcement agencies with analytic case support; and (iv) coordinating information sharing among federal, state, local, and tribal partners including fusion centers and private sector stakeholders.

(c) \$270,000 of the dedicated marijuana account—state appropriation for fiscal year 2020 and \$130,000 of the dedicated marijuana account—state appropriation for fiscal year 2021 are provided solely for a case management system to serve as a repository for all information regarding criminal cases. This system must allow state patrol investigators to enter information and to search to provide patterns, trends, and links which will allow the state patrol to identify connections on criminal investigations including efforts to dismantle marijuana and other drug trafficking organizations by identifying their established networks, and is subject to the conditions, limitations, and review provided in section 735 of this act.

(7) \$479,000 of the general fund—state appropriation for fiscal year 2020 and \$255,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Substitute Senate Bill No. 5181 (invol. treatment procedures). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

(8) \$13,000 of the general fund—state appropriation for fiscal year 2020 and \$2,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5497 (immigrants

in the workplace). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

(9) \$100,000 of the general fund—state appropriation for fiscal year 2020 and \$100,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Senate Bill No. 5605 (marijuana misdemeanors). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

(10) \$138,000 of the general fund—state appropriation for fiscal year 2020 and \$65,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for costs to meet the requirements of the voter approved chapter 3, Laws of 2019 (Initiative Measure No. 1639), relating to firearm safety.

(11) \$1,178,000 of the general fund—state appropriation for fiscal year 2020 and \$1,178,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for addressing a backlog of toxicology tests in the toxicology laboratory.

(12) \$1,500,000 of the Washington internet crimes against children account—state appropriation is provided solely for the missing and exploited children’s task force within the patrol to help prevent possible abuse to children and other vulnerable citizens from sexual abuse.

(13) \$356,000 of the general fund—state appropriation for fiscal year 2020, \$356,000 of the general fund—state appropriation for fiscal year 2021, and \$298,000 of the death investigations account—state appropriations are provided solely for increased supply and maintenance costs for the crime laboratory division and toxicology laboratory division.

**PART V
EDUCATION**

<u>NEW SECTION.</u>	<u>Sec. 501.</u>	<u>FOR THE</u>
<u>SUPERINTENDENT OF PUBLIC INSTRUCTION</u>		
General Fund—State Appropriation (FY 2020)		\$60,267,000
General Fund—State Appropriation (FY 2021)		\$83,457,000
General Fund—Federal Appropriation		\$98,548,000
General Fund—Private/Local Appropriation		\$8,051,000
Washington Opportunity Pathways Account—State Appropriation		\$584,000
Dedicated Marijuana Account—State Appropriation (FY 2020)		\$515,000
Dedicated Marijuana Account—State Appropriation (FY 2021)		\$517,000
Pension Funding Stabilization Account—State Appropriation		\$2,126,000
Performance Audits of Government Account—State Appropriation		\$211,000
Educator Certification Processing Nonappropriated Account—State Appropriation		\$2,000,000
TOTAL APPROPRIATION		\$256,276,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$10,924,000 of the general fund—state appropriation for fiscal year 2020 and \$10,278,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the operation and expenses of the office of the superintendent of public instruction.

(a) The superintendent shall recognize the extraordinary accomplishments of four students who have demonstrated a strong understanding of the civics essential learning requirements to receive the Daniel J. Evans civic education award.

(b) Districts shall report to the office of the superintendent of public instruction daily student unexcused absence data by

school, using a uniform definition of unexcused absence as established by the superintendent.

(c) By November of each year, the office of the superintendent of public instruction shall produce an annual status report on implementation of the budget provisos in sections 501 and 513 of this act. The status report of each proviso shall include, but not be limited to, the following information: Purpose and objective, number of state staff funded by the proviso, number of contractors, status of proviso implementation, number of beneficiaries by year, list of beneficiaries, a comparison of budgeted funding and actual expenditures, other sources and amounts of funding, and proviso outcomes and achievements.

(d) The superintendent of public instruction, in consultation with the secretary of state, shall update the program prepared and distributed under RCW 28A.230.150 for the observation of temperance and good citizenship day to include providing an opportunity for eligible students to register to vote at school.

(e) Districts shall annually report to the office of the superintendent of public instruction on: (i) The annual number of graduating high school seniors within the district earning the Washington state seal of biliteracy provided in RCW 28A.300.575; and (ii) the number of high school students earning competency-based high school credits for world languages by demonstrating proficiency in a language other than English. The office of the superintendent of public instruction shall provide a summary report to the office of the governor and the appropriate committees of the legislature by December 1st of each year.

(2) \$857,000 of the general fund—state appropriation for fiscal year 2020 and \$857,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for maintenance of the apportionment system, including technical staff and the data governance working group.

(3) \$2,500,000 of the general fund—state appropriation for fiscal year 2020 is provided solely for activities associated with the implementation of chapter 13, Laws of 2017 3rd sp. sess. (fully funding the program of basic education). Of the amounts provided in this subsection:

(a) \$500,000 of the general fund—state appropriation for fiscal year 2020 is provided solely for the office of the superintendent of public instruction to hire an independent contractor to audit the use of local revenues for compliance with enrichment requirements, including the preballot approval of enrichment levy spending plans approved by the superintendent of public instruction, and any supplemental contracts entered into under RCW 28A.400.200.

(b) The office of the superintendent of public instruction must submit a report to the fiscal committees of the legislature by July 31, 2020, that contains, at a minimum, the following information:

(i) Statewide use of local revenues for compliance with enrichment requirements;

(ii) The use of local revenues for compliance with enrichment requirements by school district; and

(iii) Compliance of enrichment levy spending plans by school district.

(4)(a) \$1,035,000 of the general fund—state appropriation for fiscal year 2020 and \$1,029,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the operation and expenses of the state board of education, including basic assistance activities. Of the amounts provided in this subsection: \$124,000 of the general fund—state appropriation for fiscal year 2020 and \$118,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the state board of education to convene a competency based diploma work group.

(b) \$322,000 of the Washington opportunity pathways account—state appropriation is provided solely for the state board

of education to provide assistance to public schools other than common schools authorized under chapter 28A.710 RCW.

(5) \$4,012,000 of the general fund—state appropriation for fiscal year 2020 and \$4,012,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the professional educator standards board for the following:

(a) \$1,115,000 in fiscal year 2020 and \$1,115,000 in fiscal year 2021 are for the operation and expenses of the Washington professional educator standards board.

(b) \$2,372,000 of the general fund—state appropriation for fiscal year 2020 and \$2,372,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for grants to improve preservice teacher training and for funding of alternate routes to certification programs administered by the professional educator standards board. Alternate routes programs include the pipeline for paraeducators program, the retooling to teach conditional loan programs, and the recruiting Washington teachers program. Priority must be given to programs that support bilingual teachers and English language learners. Within this subsection (4)(b), up to \$500,000 per fiscal year is available for grants to public or private colleges of education in Washington state to develop models and share best practices for increasing the classroom teaching experience of preservice training programs and \$250,000 is provided solely for the pipeline for paraeducators conditional scholarship program for scholarships for paraeducators to complete their associate of arts degrees in subject matter shortage areas.

(c) \$25,000 of the general fund—state appropriation for fiscal year 2020 and \$25,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the professional educator standards board to develop educator interpreter standards and identify interpreter assessments that are available to school districts. Interpreter assessments should meet the following criteria: (i) Include both written assessment and performance assessment; (ii) be offered by a national organization of professional sign language interpreters and transliterators; and (iii) be designed to assess performance in more than one sign system or sign language. The board shall establish a performance standard, defining what constitutes a minimum assessment result, for each educational interpreter assessment identified. The board shall publicize the standards and assessments for school district use.

(d) Within the amounts appropriated in this section, sufficient funding is provided for implementation of chapter 172, Laws of 2017 (educator prep. data/PESB).

(e) \$500,000 of the general fund—state appropriation for fiscal year 2020 and \$500,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of the bilingual educator initiative pilot project established under RCW 28A.180.120.

(6) \$494,000 of the general fund—state appropriation for fiscal year 2020 and \$494,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the implementation of chapter 240, Laws of 2010, including staffing the office of equity and civil rights.

(7) \$61,000 of the general fund—state appropriation for fiscal year 2020 and \$61,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the ongoing work of the education opportunity gap oversight and accountability committee.

(8) \$61,000 of the general fund—state appropriation for fiscal year 2020 and \$61,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the implementation of chapter 380, Laws of 2009 (enacting the interstate compact on educational opportunity for military children).

(9) \$262,000 of the Washington opportunity pathways account—state appropriation is provided solely for activities related to public schools other than common schools authorized under chapter 28A.710 RCW.

(10) \$1,802,000 of the general fund—state appropriation for fiscal year 2020 and \$1,802,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementing a comprehensive data system to include financial, student, and educator data, including development and maintenance of the comprehensive education data and research system (CEDARS).

(11) \$85,000 of the general fund—state appropriation for fiscal year 2020 and \$85,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for project citizen and we the people: The citizen and the constitution programs sponsored by the national conference of state legislatures and the center for civic education to promote participation in government by middle and high school students. Of the amounts provided, \$15,000 of the general fund—state appropriation for fiscal year 2020 and \$15,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for awarding a travel grant to the winner of the we the people: The citizen and the constitution state competition.

(12) \$123,000 of the general fund—state appropriation for fiscal year 2020 and \$123,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of chapter 163, Laws of 2012 (foster care outcomes). The office of the superintendent of public instruction shall annually report each December on the implementation of the state’s plan of cross-system collaboration to promote educational stability and improve education outcomes of foster youth.

(13) \$250,000 of the general fund—state appropriation for fiscal year 2020 and \$250,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of chapter 178, Laws of 2012 (open K-12 education resources).

(14) \$50,000 of the general fund—state appropriation for fiscal year 2020 and \$50,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for school bullying and harassment prevention activities.

(15) \$14,000 of the general fund—state appropriation for fiscal year 2020 and \$14,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of chapter 242, Laws of 2013 (state-tribal education compacts).

(16) \$62,000 of the general fund—state appropriation for fiscal year 2020 is provided solely for competitive grants to school districts to increase the capacity of high schools to offer AP computer science courses. In making grant allocations, the office of the superintendent of public instruction must give priority to schools and districts in rural areas, with substantial enrollment of low-income students, and that do not offer AP computer science. School districts may apply to receive either or both of the following grants:

(a) A grant to establish partnerships to support computer science professionals from private industry serving on a voluntary basis as coinstructors along with a certificated teacher, including via synchronous video, for AP computer science courses; or

(b) A grant to purchase or upgrade technology and curriculum needed for AP computer science, as well as provide opportunities for professional development for classroom teachers to have the requisite knowledge and skills to teach AP computer science.

(17) \$100,000 of the general fund—state appropriation for fiscal year 2020 is provided solely for the Mobius science center to expand mobile outreach of science, technology, engineering,

and mathematics (STEM) education to students in rural, tribal, and low-income communities.

(18) \$131,000 of the general fund—state appropriation for fiscal year 2020, \$131,000 of the general fund—state appropriation for fiscal year 2021, and \$211,000 of the performance audits of government account—state appropriation are provided solely for the office of the superintendent of public instruction to perform on-going program reviews of alternative learning experience programs, dropout reengagement programs, and other high risk programs. Findings from the program reviews will be used to support and prioritize the office of the superintendent of public instruction outreach and education efforts that assist school districts in implementing the programs in accordance with statute and legislative intent, as well as to support financial and performance audit work conducted by the office of the state auditor.

(19) \$162,000 of the general fund—state appropriation for fiscal year 2020 and \$162,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for youth suicide prevention activities.

(20) \$31,000 of the general fund—state appropriation for fiscal year 2020 and \$55,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the office of the superintendent of public instruction for statewide implementation of career and technical education course equivalency frameworks authorized under RCW 28A.700.070 for math and science. This may include development of additional equivalency course frameworks, course performance assessments, and professional development for districts implementing the new frameworks.

(21) \$2,541,000 of the general fund—state appropriation for fiscal year 2020 and \$2,541,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for a corps of nurses located at educational service districts, as determined by the superintendent of public instruction, to be dispatched to the most needy schools to provide direct care to students, health education, and training for school staff.

(22) \$340,000 of the general fund—state appropriation for fiscal year 2020 and \$340,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for a nonviolence and ethical leadership training and professional development program provided by the institute for community leadership.

(23) \$1,221,000 of the general fund—state appropriation for fiscal year 2020 and \$1,221,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for K-20 telecommunications network technical support in the K-12 sector to prevent system failures and avoid interruptions in school utilization of the data processing and video-conferencing capabilities of the network. These funds may be used to purchase engineering and advanced technical support for the network.

(24) \$4,940,000 of the general fund—state appropriation for fiscal year 2020 and \$4,940,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the Washington state achievers scholarship and Washington higher education readiness program. The funds shall be used to: Support community involvement officers that recruit, train, and match community volunteer mentors with students selected as achievers scholars; and to identify and reduce barriers to college for low-income and underserved middle and high school students. Of the amounts provided: \$1,000,000 of the general fund—state appropriation for fiscal year 2020 and \$1,000,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the college success foundation to establish programming in four new regions throughout the state. The office may require the recipient of these funds to report the impacts of the recipient’s

efforts in alignment with the measures of the Washington school improvement framework.

(25) \$1,454,000 of the general fund—state appropriation for fiscal year 2020 and \$1,454,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for contracting with a college scholarship organization with expertise in conducting outreach to students concerning eligibility for the Washington college bound scholarship consistent with chapter 405, Laws of 2007. The office may require the recipient of these funds to report the impacts of the recipient's efforts in alignment with the measures of the Washington school improvement framework.

(26) \$280,000 of the general fund—state appropriation for fiscal year 2020, \$280,000 of the general fund—state appropriation for fiscal year 2021, \$515,000 of the dedicated marijuana account—state appropriation for fiscal year 2020, and \$517,000 of the dedicated marijuana account—state appropriation for fiscal year 2021 are provided solely for dropout prevention, intervention, and reengagement programs, including the jobs for America's graduates (JAG) program, dropout prevention programs that provide student mentoring, and the building bridges statewide program. Students in the foster care system or who are homeless shall be given priority by districts offering the jobs for America's graduates program. The office of the superintendent of public instruction shall convene staff representatives from high schools to meet and share best practices for dropout prevention.

(27) \$2,590,000 of the general fund—state appropriation for fiscal year 2020 and \$2,590,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the Washington kindergarten inventory of developing skills. State funding shall support statewide administration and district implementation of the inventory under RCW 28A.655.080.

(28) \$293,000 of the general fund—state appropriation for fiscal year 2020 and \$293,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the office of the superintendent of public instruction to support district implementation of comprehensive guidance and planning programs in support of high-quality high school and beyond plans consistent with RCW 28A.230.090.

(29) \$4,894,000 of the general fund—state appropriation for fiscal year 2020 and \$4,894,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for grants for implementation of dual credit programs and subsidized advanced placement exam fees, international baccalaureate class fees, and exam and course fees for low-income students. For expenditures related to subsidized exam fees, the superintendent of public instruction shall report: The number of students served; the demographics of the students served; and how the students perform on the exams.

(30) \$117,000 of the general fund—state appropriation for fiscal year 2020 and \$117,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of chapter 3, Laws of 2015 1st sp. sess. (computer science).

(31) \$950,000 of the general fund—state appropriation for fiscal year 2020 and \$950,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for state-wide and district level support of bilingualism and biliteracy.

(32) \$125,000 of the general fund—state appropriation for fiscal year 2020 and \$125,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the Kip Tokuda memorial Washington civil liberties public education program. The superintendent of public instruction shall award grants consistent with RCW 28A.300.410.

(33) \$1,000,000 of the general fund—state appropriation for fiscal year 2020 is provided solely for the computer science and education grant program to support the following three purposes: Train and credential teachers in computer sciences; provide and upgrade technology needed to learn computer science; and, for computer science frontiers grants to introduce students to and engage them in computer science. The office of the superintendent of public instruction must use the computer science learning standards adopted pursuant to chapter 3, Laws of 2015 (computer science) in implementing the grant, to the extent possible. Additionally, grants provided for the purpose of introducing students to computer science are intended to support innovative ways to introduce and engage students from historically underrepresented groups, including girls, low-income students, and minority students, to computer science and to inspire them to enter computer science careers.

(a) Within the amount provided in this subsection (33), \$500,000 of the general fund—state appropriation for fiscal year 2020 may be expended as grant funding only to the extent that they are equally matched by private sources for the program, including gifts, grants, or endowments.

(b) Within the amount provided in this subsection (33), \$500,000 of the general fund—state appropriation for fiscal year 2020 is provided solely as grant funding for districts with greater than sixty percent of students eligible for free and reduced price meals.

(34) \$2,145,000 of the general fund—state appropriation for fiscal year 2020 and \$2,145,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for a contract with a nongovernmental entity or entities for demonstration sites to improve the educational outcomes of students who are dependent pursuant to chapter 13.34 RCW pursuant to chapter 71, Laws of 2016 (foster youth edu. outcomes). The office may require the recipient of these funds to report the impacts of the recipient's efforts in alignment with the measures of the Washington school improvement framework.

(a) Of the amount provided in this subsection (34), \$446,000 of the general fund—state appropriation for fiscal year 2020 and \$446,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the demonstration site established pursuant to the 2013-2015 omnibus appropriations act, section 202(10), chapter 4, Laws of 2013, 2nd sp. sess.

(b) Of the amount provided in this subsection (34), \$1,015,000 of the general fund—state appropriation for fiscal year 2020 and \$1,015,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the demonstration site established pursuant to the 2015-2017 omnibus appropriations act, section 501(43)(b), chapter 4, Laws of 2015, 3rd sp. sess., as amended.

(35) \$1,000,000 of the general fund—state appropriation for fiscal year 2020 and \$1,000,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of chapter 157, Laws of 2016 (homeless students).

(36) \$703,000 of the general fund—state appropriation for fiscal year 2020 and \$703,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of chapter 72, Laws of 2016 (educational opportunity gap).

(37) \$15,000 of the general fund—state appropriation for fiscal year 2020 and \$15,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of chapter 240, Laws of 2016 (school safety).

(38) \$178,000 of the general fund—state appropriation for fiscal year 2020 and \$178,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for

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implementation of chapter 291, Laws of 2017 (truancy reduction efforts).

(39) \$912,000 of the general fund—state appropriation for fiscal year 2020, \$22,016,000 of the general fund—state appropriation for fiscal year 2021, and \$2,000,000 of the educator certification processing nonappropriated account—state appropriation are provided solely for implementation of chapter 237, Laws of 2017 (paraeducators). Of the amount in this subsection (39), \$21,104,000 of the general fund—state appropriation for fiscal year 2021 and \$2,000,000 of the educator certification processing nonappropriated account—state appropriation are provided solely for grants to districts to provide the required four days of training in the fundamental course of study to all paraeducators.

(40) \$204,000 of the general fund—state appropriation for fiscal year 2020 is provided solely for implementation of chapter 202, Laws of 2017 (children's mental health).

(41) \$450,000 of the general fund—state appropriation for fiscal year 2020 and \$450,000 of the general fund—state appropriation for fiscal year 2021 are provided for the superintendent of public instruction to develop and implement a statewide accountability system to address absenteeism and to improve student graduation rates. The system must use data to engage schools and districts in identifying successful strategies and systems that are based on federal and state accountability measures. Funding may also support the effort to provide assistance about successful strategies and systems to districts and schools that are underperforming in the targeted student subgroups.

(42) \$181,000 of the general fund—state appropriation for fiscal year 2020 and \$181,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of chapter 180, Laws of 2017 (Washington Aim program).

(43) \$76,000 of the general fund—state appropriation for fiscal year 2020 and \$76,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of chapter 64, Laws of 2018 (sexual abuse of students).

(44) \$20,000 of the general fund—state appropriation for fiscal year 2020 is provided solely for implementation of chapter 175, Laws of 2018 (children's mental health services).

(45)(a) \$384,000 of the general fund—state appropriation for fiscal year 2020 and \$373,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of chapter 127, Laws of 2018 (civics education).

(b) \$10,000 of the general fund—state appropriation for fiscal year 2020 and \$10,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for grant programs to school districts to help cover travel costs associated with civics education competitions.

(46) Within amounts appropriated in this section, the office of the superintendent of public instruction and the state board of education shall adopt a rule that the minimum number of students to be used for public reporting and federal accountability purposes is ten.

(47) \$335,000 of the general fund—state appropriation for fiscal year 2020 and \$335,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of chapter 206, Laws of 2018 (career and college readiness).

(48) \$200,000 of the general fund—state appropriation for fiscal year 2020 and \$200,000 of the general fund—state appropriation for fiscal year 2021 are provided for the office of the superintendent of public instruction to meet statutory obligations related to the provision of medically and scientifically

accurate, age-appropriate, and inclusive sexual health education as authorized by chapter 206, Laws of 1988 (AIDS omnibus act) and chapter 265, Laws of 2007 (healthy youth act).

(49) The office of the superintendent of public instruction, in collaboration with the department of social and health services developmental disabilities administration and division of vocational rehabilitation, shall explore the development of an implementation plan to build statewide capacity among school districts to improve transition planning for students in special education who meet criteria for services from the developmental disabilities administration, and shall provide all school districts with an opportunity to participate. The plan shall be submitted in compliance with RCW 43.01.036 by November 1, 2018, and the final report must be submitted by November 1, 2020, to the governor and appropriate legislative committees.

(50) \$40,000 of the general fund—state appropriation for fiscal year 2020 is provided solely for the legislative youth advisory council. The council of statewide members advises legislators on issues of importance to youth.

(51) \$118,000 of the general fund—state appropriation for fiscal year 2020 and \$118,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of chapter 75, Laws of 2018 (dyslexia).

(52) Within the amounts appropriated in this section, the office of the superintendent of public instruction shall ensure career and technical education courses are aligned with high-demand, high-wage jobs. The superintendent shall verify that the current list of career and technical education courses meets the criteria established in RCW 28A.700.020(2). The superintendent shall remove from the list any career and technical education course that no longer meets such criteria.

(53) \$235,000 of the general fund—state appropriation for fiscal year 2020 and \$235,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the office of native education to increase services to tribes, including but not limited to, providing assistance to tribes and school districts to implement Since Time Immemorial, applying to become tribal compact schools, convening the Washington state native American education advisory committee, and extending professional learning opportunities to provide instruction in tribal history, culture, and government.

(54) \$3,000,000 of the general fund—state appropriation for fiscal year 2020 and \$3,000,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the expansion of education in the next generation science standards.

(55) \$50,000 of the general fund—state appropriation for fiscal year 2020 and \$50,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the implementation of Second Substitute Senate Bill No. 5141 (school resource officers). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

(56) \$1,464,000 of the general fund—state appropriation for fiscal year 2020 and \$1,464,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for student safety and well-being. Of the amounts provided in this subsection:

(a) \$1,268,000 of the general fund—state appropriation for fiscal year 2020 and \$1,268,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for funding one full-time equivalent staff at each of the nine educational service districts for behavioral health coordination.

(b) \$100,000 of the general fund—state appropriation for fiscal year 2020 and \$100,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for a school safety program to provide school safety training for all school administrators and school safety personnel. The school safety

center advisory committee shall develop and revise the training program, using the best practices in school safety.

(c) \$96,000 of the general fund—state appropriation for fiscal year 2020 and \$96,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for administration of the school safety center. The safety center shall act as an information dissemination and resource center when an incident occurs in a school district in Washington or in another state, coordinate activities relating to school safety, review and approve manuals and curricula used for school safety models and training, and maintain a school safety information web site.

(57) \$84,000 of the general fund—state appropriation for fiscal year 2020 and \$107,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Substitute Senate Bill No. 5612 (holocaust education). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

(58) \$200,000 of the general fund—state appropriation for fiscal year 2020 and \$200,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Second Substitute Senate Bill No. 5082 (social emotional learning). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

(59) \$61,000 of the general fund—state appropriation for fiscal year 2020 is provided solely for implementation of Substitute Senate Bill No. 5023 (ethnic studies). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

(60) \$24,000 of the general fund—state appropriation for fiscal year 2020 and \$24,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Substitute Senate Bill No. 5247 (catastrophic incidents). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

(61) \$63,000 of the general fund—state appropriation for fiscal year 2020 and \$7,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5497 (immigrants in the workplace). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

(62) Within existing resources, the office shall consult with the department of labor and industries to do outreach and assist in establishing registered apprenticeship and training programs where they do not exist in public education pursuant to Second Substitute Senate Bill No. 5236 (apprenticeships).

(63) Within existing resources, the office shall consult with the Washington student achievement council to adopt rules pursuant to Senate Bill No. 5088 (computer science).

(64) \$500,000 of the general fund—state appropriation for fiscal year 2020 and \$500,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the Seattle education access program to ensure students on nontraditional educational pathways have the mentorship and technical assistance needed to navigate higher education and financial aid. The office may require the recipient of these funds to report the impacts of the recipient's efforts in alignment with the measures of the Washington school improvement framework.

(65) \$250,000 of the general fund—state appropriation for fiscal year 2020 and \$250,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the office to establish the media literacy grant program, convene two regional conferences, and create a media literacy and digital citizenship fellows program.

(66) \$350,000 of the general fund—state appropriation for fiscal year 2020 and \$350,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the

south Kitsap school district to develop pathways for high school diplomas and post-secondary credentials through controls programmer apprenticeships.

(67) \$21,000 of the general fund—state appropriation for fiscal year 2020 and \$21,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the office to participate in the implementation of a two-year pilot program called the partnership access line (PAL) for schools pursuant to Second Substitute Senate Bill No. 5903 (children's mental health). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

(68) \$1,100,000 of the general fund—state appropriation for fiscal year 2020 and \$1,100,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for funding one full-time equivalent staff at each of the nine educational service districts to convene and manage regional, cross-industry networks pursuant to Engrossed Second Substitute Senate Bill No. 5327 (career connected learning). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

(69) \$255,000 of the general fund—state appropriation for fiscal year 2020 and \$255,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for a math improvement pilot program for school districts to improve math scores. Of the amounts provided in this subsection:

(a) \$85,000 of the general fund—state appropriation for fiscal year 2020 and \$85,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the Spokane school district to improve math scores.

(b) \$85,000 of the general fund—state appropriation for fiscal year 2020 and \$85,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the Chehalis school district to improve math scores.

(c) \$85,000 of the general fund—state appropriation for fiscal year 2020 and \$85,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the Bremerton school district to improve math scores.

(70) \$125,000 of the general fund—state appropriation for fiscal year 2020 and \$125,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for Bethel school district to expand post-secondary education opportunities at Graham-Kapowsin high school.

(71) Within existing resources, the office shall implement Substitute Senate Bill No. 5324 (homeless student support).

(72) \$6,600,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the office to administer a competitive grant program to support: STEM, computer science, robotics, applied mathematics, IT, and outdoor education programs. The office may require the recipient of these funds to report the impacts of the recipient's efforts in alignment with the measures of the Washington school improvement framework.

(73) \$44,000 of the general fund—state appropriation for fiscal year 2021 is provided solely to pay for services for space in the state data center and networking charges.

(74) \$46,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for a new server and backup application due to the move to the state data center.

(75) \$55,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the consolidated technology services to host the office's web site and for web site maintenance and support services.

(76) By January 1, 2020, and monthly thereafter, the office of the superintendent of public instruction shall provide the health care authority with a detailed analysis of funding allocated to each district and charter school based on the amounts appropriated for expenditure into the school employees' insurance account in part

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IV of this act. The office of the superintendent of public instruction shall also provide the health care authority with any other assistance necessary to facilitate the production and distribution of informational statements for districts and charter schools and in the administration of school employee benefits.

(77) \$125,000 of the general fund—state appropriation for fiscal year 2020 and \$125,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the office of the superintendent of public instruction to conduct a pilot program in five school districts of a dropout early warning and intervention data system as defined in RCW 28A.175.074, to identify students beginning in grade eight who are at risk of not graduating from high school and require additional supports. The system at a minimum must measure attendance, behavior, and course performance. The office of the superintendent of public instruction must report to the appropriate committees of the legislature the progress of all participating schools by December 15, 2020.

(78) Districts shall report to the office the results of each collective bargaining agreement for certificated staff within their district using a uniform template as required by the superintendent, within thirty days of finalizing contracts. The data must include but is not limited to: Minimum and maximum base salaries, supplemental salary information, and average percent increase for all certificated instructional staff. Within existing resources by December 1st of each year, the office shall produce a report for the legislative evaluation and accountability program committee summarizing the district level collective bargaining agreement data.

(79) The office shall review and update the guidelines "prohibiting discrimination in Washington public schools," which must include religious accommodations. Students' sincerely held religious beliefs and practices must be reasonably accommodated with respect to all examinations and other requirements to successfully complete coursework.

(80) The office must study and make recommendations for how Washington can make dual credit enrollment cost-free to students who are enrolled in running start, college in the high school, advanced placement, international baccalaureate, or other qualifying dual credit programs within existing basic education apportionments. While developing recommendations, the superintendent must collaborate and consult with K-12 and higher education stakeholders with expertise in dual credit instruction, transcription, and costs. The superintendent shall report the recommendations to the education policy and operating budget committees of the legislature by November 1, 2019. The recommendations must at a minimum consider:

(a) How to increase dual credit offerings and access for students that align with the students' high school and beyond plans and provide pathways to education and training after high school, including careers, professional-technical education, apprenticeship, a college degree, military service, or others;

(b) How to ensure transfer of college credits earned by dual credit students to/among institutions of higher education;

(c) How K-12 and postsecondary institutions will equitably expand dual credit opportunities for students; and

(d) How K-12 and postsecondary institutions will ensure coordinated advising and support services for students enrolled in or considering enrollment in dual credit programs.

(81) \$1,900,000 of the general fund—state appropriation for fiscal year 2020 and \$1,900,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for universal highly capable screenings for students pursuant to Substitute Senate Bill No. 5354 (highly capable student prgms).

If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

NEW SECTION. Sec. 502. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR GENERAL APPORTIONMENT

General Fund—State	Appropriation	(FY 2020)	\$8,998,953,000
General Fund—State	Appropriation	(FY 2021)	\$9,948,641,000
Education Legacy Trust Account—State	Appropriation		\$270,730,000
TOTAL APPROPRIATION			\$19,218,324,000

The appropriations in this section are subject to the following conditions and limitations:

(1)(a) Each general fund fiscal year appropriation includes such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(b) For the 2019-20 and 2020-21 school years, the superintendent shall allocate general apportionment funding to school districts as provided in the funding formulas and salary allocations in sections 502 and 503 of this act, excluding (c) of this subsection.

(c) From July 1, 2019, to August 31, 2019, the superintendent shall allocate general apportionment funding to school districts programs as provided in sections 502 and 503, chapter 299, Laws of 2018.

(d) The enrollment of any district shall be the annual average number of full-time equivalent students and part-time students as provided in RCW 28A.150.350, enrolled on the fourth day of school in September and on the first school day of each month October through June, including students who are in attendance pursuant to RCW 28A.335.160 and 28A.225.250 who do not reside within the servicing school district. Any school district concluding its basic education program in May must report the enrollment of the last school day held in May in lieu of a June enrollment.

(e)(i) Funding provided in part V of this act is sufficient to provide each full-time equivalent student with the minimum hours of instruction required under RCW 28A.150.220.

(ii) The office of the superintendent of public instruction shall align the agency rules defining a full-time equivalent student with the increase in the minimum instructional hours under RCW 28A.150.220, as amended by the legislature in 2014.

(f) The superintendent shall adopt rules requiring school districts to report full-time equivalent student enrollment as provided in RCW 28A.655.210.

(g) For the 2019-20 and 2020-21 school years, school districts must report to the office of the superintendent of public instruction the monthly actual average district-wide class size across each grade level of kindergarten, first grade, second grade, and third grade classes. The superintendent of public instruction shall report this information to the education and fiscal committees of the house of representatives and the senate by September 30th of each year.

(2) CERTIFICATED INSTRUCTIONAL STAFF ALLOCATIONS

Allocations for certificated instructional staff salaries for the 2019-20 and 2020-21 school years are determined using formula-generated staff units calculated pursuant to this subsection.

(a) Certificated instructional staff units, as defined in RCW 28A.150.410, shall be allocated to reflect the minimum class size allocations, requirements, and school prototypes assumptions as provided in RCW 28A.150.260. The superintendent shall make

allocations to school districts based on the district’s annual average full-time equivalent student enrollment in each grade.

(b) Additional certificated instructional staff units provided in this subsection (2) that exceed the minimum requirements in RCW 28A.150.260 are enhancements outside the program of basic education, except as otherwise provided in this section.

(c)(i) The superintendent shall base allocations for each level of prototypical school, including those at which more than fifty percent of the students were eligible for free and reduced-price meals in the prior school year, on the following regular education average class size of full-time equivalent students per teacher:

General education class size:
RCW 28A.150.260

Grade	2019-20 School Year	2020-21 School Year
Grade K	17.00	17.00
Grade 1	17.00	17.00
Grade 2	17.00	17.00
Grade 3	17.00	17.00
Grade 4	27.00	27.00
Grades 5-6	27.00	27.00
Grades 7-8	28.53	28.53
Grades 9-12	28.74	28.74

The superintendent shall base allocations for: Laboratory science average class size as provided in RCW 28A.150.260; career and technical education (CTE) class size of 23.0; and skill center program class size of 20.0.

(ii) Pursuant to RCW 28A.150.260(4)(a), the assumed teacher planning period, expressed as a percentage of a teacher work day, is 13.42 percent in grades K-6, and 16.67 percent in grades 7-12; and

(iii) Advanced placement and international baccalaureate courses are funded at the same class size assumptions as general education schools in the same grade; and

(d)(i) Funding for teacher librarians, school nurses, social workers, school psychologists, and guidance counselors is allocated based on the school prototypes as provided in RCW 28A.150.260 and is considered certificated instructional staff, except as provided in (d)(ii) of this subsection.

(ii) Students in approved career and technical education and skill center programs generate certificated instructional staff units to provide for the services of teacher librarians, school nurses, social workers, school psychologists, and guidance counselors at the following combined rate per 1000 student full-time equivalent enrollment:

	2019-20 School Year	2020-21 School Year
Career and Technical Education	3.07	3.07
Skill Center	3.41	3.41

(3) ADMINISTRATIVE STAFF ALLOCATIONS

(a) Allocations for school building-level certificated administrative staff salaries for the 2019-20 and 2020-21 school years for general education students are determined using the formula generated staff units calculated pursuant to this subsection. The superintendent shall make allocations to school districts based on the district’s annual average full-time equivalent enrollment in each grade. The following prototypical school values shall determine the allocation for principals,

assistant principals, and other certificated building level administrators:

Prototypical School Building:

Elementary School	1.253
Middle School	1.353
High School	1.880

(b) Students in approved career and technical education and skill center programs generate certificated school building-level administrator staff units at per student rates that are a multiple of the general education rate in (a) of this subsection by the following factors:

Career and Technical Education students	1.025
Skill Center students	1.198

(4) CLASSIFIED STAFF ALLOCATIONS

Allocations for classified staff units providing school building-level and district-wide support services for the 2019-20 and 2020-21 school years are determined using the formula-generated staff units provided in RCW 28A.150.260 and pursuant to this subsection, and adjusted based on each district’s annual average full-time equivalent student enrollment in each grade.

(5) CENTRAL OFFICE ALLOCATIONS

In addition to classified and administrative staff units allocated in subsections (3) and (4) of this section, classified and administrative staff units are provided for the 2019-20 and 2020-21 school years for the central office administrative costs of operating a school district, at the following rates:

(a) The total central office staff units provided in this subsection (5) are calculated by first multiplying the total number of eligible certificated instructional, certificated administrative, and classified staff units providing school-based or district-wide support services, as identified in RCW 28A.150.260(6)(b) and the increased allocations provided pursuant to subsections (2) and (4) of this section, by 5.3 percent.

(b) Of the central office staff units calculated in (a) of this subsection, 74.53 percent are allocated as classified staff units, as generated in subsection (4) of this section, and 25.47 percent shall be allocated as administrative staff units, as generated in subsection (3) of this section.

(c) Staff units generated as enhancements outside the program of basic education to the minimum requirements of RCW 28A.150.260, and staff units generated by skill center and career-technical students, are excluded from the total central office staff units calculation in (a) of this subsection.

(d) For students in approved career-technical and skill center programs, central office classified units are allocated at the same staff unit per student rate as those generated for general education students of the same grade in this subsection (5), and central office administrative staff units are allocated at staff unit per student rates that exceed the general education rate established for students in the same grade in this subsection (5) by 12.51 percent in the 2019-20 school year and 12.53 percent in the 2020-21 school year for career and technical education students, and 17.84 percent in the 2019-20 school year and 17.86 percent in the 2020-21 school year for skill center students.

(6) FRINGE BENEFIT ALLOCATIONS

Fringe benefit allocations shall be calculated at a rate of 23.8 percent in the 2019-20 school year and 23.8 percent in the 2020-21 school year for certificated salary allocations provided under subsections (2), (3), and (5) of this section, and a rate of 24.33 percent in the 2019-2020 school year and 24.33 percent in the 2020-21 school year for classified salary allocations provided under subsections (4) and (5) of this section.

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(7) INSURANCE BENEFIT ALLOCATIONS

(a) Beginning September 1, 2019, through December 31, 2019, insurance benefit allocations shall be calculated at the maintenance rate specified in section 504 of this act, based on the number of benefit units determined as follows:

(i) The number of certificated staff units determined in subsections (2), (3), and (5) of this section; and

(ii) The number of classified staff units determined in subsections (4) and (5) of this section.

(b) Beginning January 1, 2020, and for the 2020-21 school year, insurance benefit allocations shall be calculated at the maintenance rate specified in section 504 of this act, based on the number of calculated benefit units determined below. Calculated benefit units are staff units multiplied by the benefit allocation factors established in the collective bargaining agreement referenced in section 937 of this act. These factors are intended to adjust allocations so that, for the purpose of distributing insurance benefits, full-time equivalent employees may be calculated on the basis of 630 hours of work per year, with no individual employee counted as more than one full-time equivalent. The number of benefit units is determined as follows:

(i) The number of certificated staff units determined in subsections (2), (3), and (5) of this section multiplied by 1.02; and

(ii) The number of classified staff units determined in subsections (4) and (5) of this section multiplied by 1.43.

(8) MATERIALS, SUPPLIES, AND OPERATING COSTS (MSOC) ALLOCATIONS

Funding is allocated per annual average full-time equivalent student for the materials, supplies, and operating costs (MSOC) incurred by school districts, consistent with the requirements of RCW 28A.150.260.

(a)(i) MSOC funding for general education students are allocated at the following per student rates:

MSOC RATES/STUDENT FTE

MSOC Component	2019-20 School Year	2020-21 School Year
Technology	\$135.91	\$138.75
Utilities and Insurance	\$369.29	\$377.04
Curriculum and Textbooks	\$145.92	\$148.99
Other Supplies and Library Materials	\$309.79	\$316.30
Instructional Professional Development for Certificated and Classified Staff	\$22.57	\$23.04
Facilities Maintenance	\$182.94	\$186.79
Security and Central Office	\$126.74	\$129.41
TOTAL BASIC EDUCATION MSOC/STUDENT FTE	\$1,293.16	\$1,320.32

(ii) For the 2019-20 school year and 2020-21 school year, as part of the budget development, hearing, and review process required by chapter 28A.505 RCW, each school district must disclose: (A) The amount of state funding to be received by the district under (a) and (d) of this subsection (8); (B) the amount the district proposes to spend for materials, supplies, and operating costs; (C) the difference between these two amounts; and (D) if (A) of this subsection (8)(a)(ii) exceeds (B) of this subsection (8)(a)(ii), any proposed use of this difference and how this use will improve student achievement.

(b) Students in approved skill center programs generate per student FTE MSOC allocations of \$1,529.28 for the 2019-20 school year and \$1,562.11 for the 2020-21 school year.

(c) Students in approved exploratory and preparatory career and technical education programs generate per student FTE MSOC allocations of \$1,529.28 for the 2019-20 school year and \$1,562.11 for the 2020-21 school year.

(d) Students in grades 9-12 generate per student FTE MSOC allocations in addition to the allocations provided in (a) through (c) of this subsection at the following rate:

MSOC Component	2019-20 School Year	2020-21 School Year
Technology	\$39.08	\$39.90
Curriculum and Textbooks	\$42.63	\$43.53
Other Supplies and Library Materials	\$88.82	\$90.69
Instructional Professional Development for Certified and Classified Staff	\$7.11	\$7.25
TOTAL GRADE 9-12 BASIC EDUCATION MSOC/STUDENT FTE	\$177.64	\$181.37

(9) SUBSTITUTE TEACHER ALLOCATIONS

For the 2019-20 and 2020-21 school years, funding for substitute costs for classroom teachers is based on four (4) funded substitute days per classroom teacher unit generated under subsection (2) of this section, at a daily substitute rate of \$151.86.

(10) ALTERNATIVE LEARNING EXPERIENCE PROGRAM FUNDING

(a) Amounts provided in this section from July 1, 2019, to August 31, 2019, are adjusted to reflect provisions of (allocation of funding for students enrolled in alternative learning experiences).

(b) The superintendent of public instruction shall require all districts receiving general apportionment funding for alternative learning experience (ALE) programs as defined in WAC 392-121-182 to provide separate financial accounting of expenditures for the ALE programs offered in district or with a provider, including but not limited to private companies and multidistrict cooperatives, as well as accurate, monthly headcount and FTE enrollment claimed for basic education, including separate counts of resident and nonresident students.

(11) DROPOUT REENGAGEMENT PROGRAM

The superintendent shall adopt rules to require students claimed for general apportionment funding based on enrollment in dropout reengagement programs authorized under RCW 28A.175.100 through 28A.175.115 to meet requirements for at least weekly minimum instructional contact, academic counseling, career counseling, or case management contact. Districts must also provide separate financial accounting of expenditures for the programs offered by the district or under contract with a provider, as well as accurate monthly headcount and full-time equivalent enrollment claimed for basic education, including separate enrollment counts of resident and nonresident students.

(12) ALL DAY KINDERGARTEN PROGRAMS

Funding in this section is sufficient to fund all day kindergarten programs in all schools in the 2019-20 school year and 2020-21 school year, pursuant to RCW 28A.150.220 and 28A.150.315.

(13) ADDITIONAL FUNDING FOR SMALL SCHOOL DISTRICTS AND REMOTE AND NECESSARY PLANTS

For small school districts and remote and necessary school plants within any district which have been judged to be remote and necessary by the superintendent of public instruction, additional staff units are provided to ensure a minimum level of staffing support. Additional administrative and certificated instructional staff units provided to districts in this subsection shall be reduced by the general education staff units, excluding career and technical education and skills center enhancement units, otherwise provided in subsections (2) through (5) of this section on a per district basis.

(a) For districts enrolling not more than twenty-five average annual full-time equivalent students in grades K-8, and for small school plants within any school district which have been judged to be remote and necessary by the superintendent of public instruction and enroll not more than twenty-five average annual full-time equivalent students in grades K-8:

(i) For those enrolling no students in grades 7 and 8, 1.76 certificated instructional staff units and 0.24 certificated administrative staff units for enrollment of not more than five students, plus one-twentieth of a certificated instructional staff unit for each additional student enrolled; and

(ii) For those enrolling students in grades 7 or 8, 1.68 certificated instructional staff units and 0.32 certificated administrative staff units for enrollment of not more than five students, plus one-tenth of a certificated instructional staff unit for each additional student enrolled;

(b) For specified enrollments in districts enrolling more than twenty-five but not more than one hundred average annual full-time equivalent students in grades K-8, and for small school plants within any school district which enroll more than twenty-five average annual full-time equivalent students in grades K-8 and have been judged to be remote and necessary by the superintendent of public instruction:

(i) For enrollment of up to sixty average annual full-time equivalent students in grades K-6, 2.76 certificated instructional staff units and 0.24 certificated administrative staff units; and

(ii) For enrollment of up to twenty average annual full-time equivalent students in grades 7 and 8, 0.92 certificated instructional staff units and 0.08 certificated administrative staff units;

(c) For districts operating no more than two high schools with enrollments of less than three hundred average annual full-time equivalent students, for enrollment in grades 9-12 in each such school, other than alternative schools, except as noted in this subsection:

(i) For remote and necessary schools enrolling students in any grades 9-12 but no more than twenty-five average annual full-time equivalent students in grades K-12, four and one-half certificated instructional staff units and one-quarter of a certificated administrative staff unit;

(ii) For all other small high schools under this subsection, nine certificated instructional staff units and one-half of a certificated administrative staff unit for the first sixty average annual full-time equivalent students, and additional staff units based on a ratio of 0.8732 certificated instructional staff units and 0.1268 certificated administrative staff units per each additional forty-three and one-half average annual full-time equivalent students;

(iii) Districts receiving staff units under this subsection shall add students enrolled in a district alternative high school and any grades nine through twelve alternative learning experience programs with the small high school enrollment for calculations under this subsection;

(d) For each nonhigh school district having an enrollment of more than seventy average annual full-time equivalent students

and less than one hundred eighty students, operating a grades K-8 program or a grades 1-8 program, an additional one-half of a certificated instructional staff unit;

(e) For each nonhigh school district having an enrollment of more than fifty average annual full-time equivalent students and less than one hundred eighty students, operating a grades K-6 program or a grades 1-6 program, an additional one-half of a certificated instructional staff unit;

(f)(i) For enrollments generating certificated staff unit allocations under (a) through (e) of this subsection, one classified staff unit for each 2.94 certificated staff units allocated under such subsections;

(ii) For each nonhigh school district with an enrollment of more than fifty average annual full-time equivalent students and less than one hundred eighty students, an additional one-half of a classified staff unit; and

(g) School districts receiving additional staff units to support small student enrollments and remote and necessary plants under this subsection (13) shall generate additional MSOC allocations consistent with the nonemployee related costs (NERC) allocation formula in place for the 2010-11 school year as provided section 502, chapter 37, Laws of 2010 1st sp. sess. (2010 supplemental budget), adjusted annually for inflation.

(14) Any school district board of directors may petition the superintendent of public instruction by submission of a resolution adopted in a public meeting to reduce or delay any portion of its basic education allocation for any school year. The superintendent of public instruction shall approve such reduction or delay if it does not impair the district's financial condition. Any delay shall not be for more than two school years. Any reduction or delay shall have no impact on levy authority pursuant to RCW 84.52.0531 and local effort assistance pursuant to chapter 28A.500 RCW.

(15) The superintendent may distribute funding for the following programs outside the basic education formula during fiscal years 2020 and 2021 as follows:

(a) \$650,000 of the general fund—state appropriation for fiscal year 2020 and \$650,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for fire protection for school districts located in a fire protection district as now or hereafter established pursuant to chapter 52.04 RCW.

(b) \$436,000 of the general fund—state appropriation for fiscal year 2020 and \$436,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for programs providing skills training for secondary students who are enrolled in extended day school-to-work programs, as approved by the superintendent of public instruction. The funds shall be allocated at a rate not to exceed \$500 per full-time equivalent student enrolled in those programs.

(16) Funding in this section is sufficient to fund a maximum of 1.6 FTE enrollment for skills center students pursuant to chapter 463, Laws of 2007.

(17) Students participating in running start programs may be funded up to a combined maximum enrollment of 1.2 FTE including school district and institution of higher education enrollment consistent with the running start course requirements provided in chapter 202, Laws of 2015 (dual credit education opportunities). In calculating the combined 1.2 FTE, the office of the superintendent of public instruction may average the participating student's September through June enrollment to account for differences in the start and end dates for courses provided by the high school and higher education institution. Additionally, the office of the superintendent of public instruction, in consultation with the state board for community and technical colleges, the student achievement council, and the education data center, shall annually track and report to the fiscal

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committees of the legislature on the combined FTE experience of students participating in the running start program, including course load analyses at both the high school and community and technical college system.

(18) If two or more school districts consolidate and each district was receiving additional basic education formula staff units pursuant to subsection (13) of this section, the following apply:

(a) For three school years following consolidation, the number of basic education formula staff units shall not be less than the number of basic education formula staff units received by the districts in the school year prior to the consolidation; and

(b) For the fourth through eighth school years following consolidation, the difference between the basic education formula staff units received by the districts for the school year prior to consolidation and the basic education formula staff units after consolidation pursuant to subsection (13) of this section shall be reduced in increments of twenty percent per year.

(19)(a) Indirect cost charges by a school district to approved career and technical education middle and secondary programs shall not exceed the lesser of five percent or the cap established in federal law of the combined basic education and career and technical education program enhancement allocations of state funds. Middle and secondary career and technical education programs are considered separate programs for funding and financial reporting purposes under this section.

(b) Career and technical education program full-time equivalent enrollment shall be reported on the same monthly basis as the enrollment for students eligible for basic support, and payments shall be adjusted for reported career and technical education program enrollments on the same monthly basis as those adjustments for enrollment for students eligible for basic support.

(20) Funding in this section is sufficient to provide full general apportionment payments to school districts eligible for federal forest revenues as provided in RCW 28A.520.020. For the 2019-2021 biennium, general apportionment payments are not reduced for school districts receiving federal forest revenues.

(21) In the 2020-21 school year, apportionment payments to school districts shall be reduced by proceeds from state forests pursuant to RCW 79.22.040 and 79.22.050.

(22) \$511,105,000 of the general fund—state appropriation for fiscal year 2020 and \$895,552,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for expenditure into the school employees’ insurance account.

NEW SECTION. Sec. 503. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—BASIC EDUCATION EMPLOYEE COMPENSATION

(1) The following calculations determine the salaries used in the state allocations for certificated instructional, certificated administrative, and classified staff units as provided in RCW 28A.150.260, and under section 502 of this act: For the 2019-20 school year and the 2020-21 school year salary allocations for certificated instructional staff, certificated administrative staff, and classified staff units are determined for each school district by multiplying the statewide minimum salary allocation for each staff type by the school district’s regionalization factor shown in LEAP Document 3.

Statewide Minimum Salary Allocation

Staff Type	2019-20	2020-21
	School Year	School Year
Certificated Instructional	\$66,520	\$67,917
Certificated Administrative	\$98,741	\$100,815
Classified	\$47,720	\$48,722

(2) For the purposes of this section, "LEAP Document 3" means the school district regionalization factors for certificated instructional, certificated administrative, and classified staff, as developed by the legislative evaluation and accountability program committee on December 10, 2018, at 8:24 hours.

(3) Incremental fringe benefit factors are applied to salary adjustments at a rate of 23.16 percent for school year 2019-20 and 23.16 percent for school year 2020-21 for certificated instructional and certificated administrative staff and 20.83 percent for school year 2019-20 and 20.83 percent for the 2020-21 school year for classified staff.

(4) The salary allocations established in this section are for allocation purposes only except as provided in this subsection, and do not entitle an individual staff position to a particular paid salary except as provided in RCW 28A.400.200, as amended by chapter 13, Laws of 2017 3rd sp. sess. (fully funding the program of basic education).

NEW SECTION. Sec. 504. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR SCHOOL EMPLOYEE COMPENSATION ADJUSTMENTS

General Fund—State Appropriation (FY 2020)	\$376,117,000
General Fund—State Appropriation (FY 2021)	\$724,899,000
TOTAL APPROPRIATION	\$1,101,016,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The salary increases provided in this section are inclusive of the annual inflationary adjustment pursuant to RCW 28A.400.205, which are a 2.0 percent increase effective September 1, 2019, and another 2.1 percent increase effective September 1, 2020.

(2) In addition to salary allocations specified in this subsection (1) funding in this subsection includes two days of professional learning for each of the funded full-time equivalent certificated instructional staff units in school year 2019-20, and three days of professional learning for each of the funded full-time equivalent certificated instructional staff units in school year 2020-21. Nothing in this section entitles an individual certificated instructional staff to any particular number of professional learning days.

(3)(a) The appropriations in this section include associated incremental fringe benefit allocations at 23.16 percent for the 2019-20 school year and 23.16 percent for the 2020-21 school year for certificated instructional and certificated administrative staff and 20.83 percent for the 2019-20 school year and 20.83 percent for the 2020-21 school year for classified staff.

(b) The appropriations in this section include the increased or decreased portion of salaries and incremental fringe benefits for all relevant state-funded school programs in part V of this act. Changes for general apportionment (basic education) are based on the salary allocations and methodology in sections 502 and 503 of this act. Changes for special education result from changes in each district’s basic education allocation per student. Changes for educational service districts and institutional education programs are determined by the superintendent of public instruction using the methodology for general apportionment salaries and benefits in sections 502 and 503 of this act. Changes for pupil transportation are determined by the superintendent of public instruction pursuant to RCW 28A.160.192, and impact compensation factors in sections 502, 503, and 504 of this act.

(c) The appropriations in this section include no salary adjustments for substitute teachers.

(4) The maintenance rate for insurance benefit allocations is \$843.97 per month for the 2019-20 and 2020-21 school years. The

appropriations in this section are sufficient to fund the collective bargaining agreement referenced in section 937 of this act and reflect the incremental change in cost of allocating rates as follows:

(a) For the 2019-20 school year, \$971 per month from September 1, 2019, to December 31, 2019, \$994 per month from January 1, 2020, to June 30, 2020, and \$1,056 per month from July 1, 2020, to August 31, 2020; and

(b) For the 2020-21 school year, \$1,056 per month.

(5) When bargaining for funding for school employees health benefits for the 2021-2023 fiscal biennium, any proposal agreed upon must assume the imposition of a twenty-five dollar per month surcharge payment from members who use tobacco products and a surcharge payment of not less than fifty dollars per month from members who cover a spouse or domestic partner where the spouse or domestic partner has chosen not to enroll in another employer-based group health insurance that has benefits and premiums with an actuarial value of not less than ninety-five percent of the actuarial value of the public employees' benefits board plan with the largest enrollment. The surcharge payments shall be collected in addition to the member premium payment.

(6) The rates specified in this section are subject to revision each year by the legislature.

(7) \$118,955,000 of the general fund—state appropriation for fiscal year 2020 and \$264,979,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for expenditure into the school employees' insurance account.

NEW SECTION. Sec. 505. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR PUPIL TRANSPORTATION

General Fund—State Appropriation (FY 2020)	\$614,904,000
General Fund—State Appropriation (FY 2021)	\$615,794,000
TOTAL APPROPRIATION	\$1,230,698,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Each general fund fiscal year appropriation includes such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(2)(a) For the 2019-20 and 2020-21 school years, the superintendent shall allocate funding to school district programs for the transportation of eligible students as provided in RCW 28A.160.192. Funding in this section constitutes full implementation of RCW 28A.160.192, which enhancement is within the program of basic education. Students are considered eligible only if meeting the definitions provided in RCW 28A.160.160.

(b) From July 1, 2019, to August 31, 2019, the superintendent shall allocate funding to school districts programs for the transportation of students as provided in section 505, chapter 299, Laws of 2018.

(3) Within amounts appropriated in this section, up to \$10,000,000 of the general fund—state appropriation for fiscal year 2020 and up to \$10,000,000 of the general fund—state appropriation for fiscal year 2021 are for a transportation alternate funding grant program based on the alternate funding process established in RCW 28A.160.191. The superintendent of public instruction must include a review of school district efficiency rating, key performance indicators and local school district characteristics such as unique geographic constraints in the grant award process.

(4) A maximum of \$939,000 of this fiscal year 2020 appropriation and a maximum of \$939,000 of the fiscal year 2021 appropriation may be expended for regional transportation coordinators and related activities. The transportation

coordinators shall ensure that data submitted by school districts for state transportation funding shall, to the greatest extent practical, reflect the actual transportation activity of each district.

(5) Subject to available funds under this section, school districts may provide student transportation for summer skills center programs.

(6) The office of the superintendent of public instruction shall provide reimbursement funding to a school district for school bus purchases only after the superintendent of public instruction determines that the school bus was purchased from the list established pursuant to RCW 28A.160.195(2) or a comparable competitive bid process based on the lowest price quote based on similar bus categories to those used to establish the list pursuant to RCW 28A.160.195.

(7) The superintendent of public instruction shall base depreciation payments for school district buses on the presales tax five-year average of lowest bids in the appropriate category of bus. In the final year on the depreciation schedule, the depreciation payment shall be based on the lowest bid in the appropriate bus category for that school year.

(8) Funding levels in this section reflect waivers granted by the state board of education for four-day school weeks as allowed under RCW 28A.305.141.

(9) The office of the superintendent of public instruction shall annually disburse payments for bus depreciation in August.

(10) \$684,000 of the general fund—state appropriation for fiscal year 2020 and \$1,515,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for expenditure into the school employees' insurance account.

NEW SECTION. Sec. 506. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR SCHOOL FOOD SERVICE PROGRAMS

General Fund—State Appropriation (FY 2020)	\$7,230,000
General Fund—State Appropriation (FY 2021)	\$7,230,000
General Fund—Federal Appropriation	\$537,178,000
TOTAL APPROPRIATION	\$551,638,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$7,111,000 of the general fund—state appropriation for fiscal year 2020 and \$7,111,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for state matching money for federal child nutrition programs, and may support the meals for kids program through the following allowable uses:

(a) Elimination of breakfast copays for eligible public school students and lunch copays for eligible public school students in grades kindergarten through third grade who are eligible for reduced-price lunch;

(b) Assistance to school districts and authorized public and private nonprofit organizations for supporting summer food service programs, and initiating new summer food service programs in low-income areas;

(c) Reimbursements to school districts for school breakfasts served to students eligible for free and reduced-price lunch, pursuant to chapter 287, Laws of 2005; and

(d) Assistance to school districts in initiating and expanding school breakfast programs.

(2) The office of the superintendent of public instruction shall report annually to the fiscal committees of the legislature on annual expenditures in subsection (1)(a) through (c) of this section.

(3) The superintendent of public instruction shall provide the department of health with the following data, where available, for all nutrition assistance programs that are funded by the United

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States department of agriculture and administered by the office of the superintendent of public instruction. The superintendent must provide the report for the preceding federal fiscal year by February 1, 2020, and February 1, 2021. The report must provide:

- (a) The number of people in Washington who are eligible for the program;
 - (b) The number of people in Washington who participated in the program;
 - (c) The average annual participation rate in the program;
 - (d) Participation rates by geographic distribution; and
 - (e) The annual federal funding of the program in Washington.
- (4) \$119,000 of the general fund—state appropriation for fiscal year 2020 and \$119,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of chapter 271, Laws of 2018 (school meal payment) to increase the number of schools participating in the federal community eligibility program and support breakfast after the bell programs authorized by the legislature that have adopted the community eligibility provision.

NEW SECTION. Sec. 507. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR SPECIAL EDUCATION PROGRAMS

General Fund—State Appropriation	(FY 2020)	\$1,415,593,000
General Fund—State Appropriation	(FY 2021)	\$1,489,093,000
General Fund—Federal Appropriation		\$499,428,000
Education Legacy Trust Account—State Appropriation		\$54,694,000
Pension Funding Stabilization Account—State Appropriation		\$20,000
TOTAL APPROPRIATION		\$3,458,828,000

The appropriations in this section are subject to the following conditions and limitations:

(1)(a) Funding for special education programs is provided on an excess cost basis, pursuant to RCW 28A.150.390. School districts shall ensure that special education students as a class receive their full share of the general apportionment allocation accruing through sections 502 and 504 of this act. To the extent a school district cannot provide an appropriate education for special education students under chapter 28A.155 RCW through the general apportionment allocation, it shall provide services through the special education excess cost allocation funded in this section.

(b) Funding provided within this section is sufficient for districts to provide school principals and lead special education teachers annual professional development on the best-practices for special education instruction and strategies for implementation. Districts shall annually provide a summary of professional development activities to the office of the superintendent of public instruction.

(2)(a) The superintendent of public instruction shall ensure that:

- (i) Special education students are basic education students first;
- (ii) As a class, special education students are entitled to the full basic education allocation; and
- (iii) Special education students are basic education students for the entire school day.

(b) The superintendent of public instruction shall continue to implement the full cost method of excess cost accounting, as designed by the committee and recommended by the superintendent, pursuant to section 501(1)(k), chapter 372, Laws of 2006.

(3) Each fiscal year appropriation includes such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(4)(a) For the 2019-20 and 2020-21 school years, the superintendent shall allocate funding to school district programs for special education students as provided in RCW 28A.150.390 as amended by chapter 266, Laws of 2018 (basic education), except that the calculation of the base allocation also includes allocations provided under section 502 (2) and (4) of this act and RCW 28A.150.415, which enhancement is within the program of basic education.

(b) From July 1, 2019, to August 31, 2019, the superintendent shall allocate funding to school district programs for special education students as provided in section 507, chapter 299, Laws of 2018.

(5) The following applies throughout this section: The definitions for enrollment and enrollment percent are as specified in RCW 28A.150.390(3). Each district’s general fund—state funded special education enrollment shall be the lesser of the district’s actual enrollment percent or 13.5 percent.

(6) At the request of any interdistrict cooperative of at least 15 districts in which all excess cost services for special education students of the districts are provided by the cooperative, the maximum enrollment percent shall be calculated in accordance with RCW 28A.150.390(3) (c) and (d), and shall be calculated in the aggregate rather than individual district units. For purposes of this subsection, the average basic education allocation per full-time equivalent student shall be calculated in the aggregate rather than individual district units.

(7)(a) \$86,850,000 of the general fund—state appropriation for fiscal year 2020, \$86,850,000 of the general fund—state appropriation for fiscal year 2021, and \$29,574,000 of the general fund—federal appropriation are provided solely for safety net awards for districts with demonstrated needs for special education funding beyond the amounts provided in subsection (4) of this section. If the federal safety net awards based on the federal eligibility threshold exceed the federal appropriation in this subsection (7) in any fiscal year, the superintendent shall expend all available federal discretionary funds necessary to meet this need. At the conclusion of each school year, the superintendent shall recover safety net funds that were distributed prospectively but for which districts were not subsequently eligible. If Engrossed Second Substitute Senate Bill No. 5091 (special education funding) is enacted by June 30, 2019, \$29,574,000 of the general fund—federal appropriation in this subsection shall lapse. If Engrossed Second Substitute Senate Bill No. 5091 (special education funding) is not enacted by June 30, 2019, \$14,787,000 of the general fund—state appropriation for fiscal year 2020 and \$14,787,000 of the general fund—state appropriation for fiscal year 2021 in this subsection shall lapse.

(b) For the 2019-20 and 2020-21 school years, safety net funds shall be awarded by the state safety net oversight committee as provided in section 109(1) chapter 548, Laws of 2009 (education).

(c) The office of the superintendent of public instruction shall make award determinations for state safety net funding in August of each school year, except that the superintendent of public instruction shall make award determinations for state safety net funding in July of each school year for the Washington state school for the blind and for the center for childhood deafness and hearing loss. Determinations on school district eligibility for state safety net awards shall be based on analysis of actual expenditure data from the current school year.

(8) \$29,574,000 of the general fund—federal appropriation is provided solely for implementation of Engrossed Second

Substitute Senate Bill No. 5091 (special education funding). If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.

(9) A maximum of \$931,000 may be expended from the general fund—state appropriations to fund 5.43 full-time equivalent teachers and 2.1 full-time equivalent aides at children’s orthopedic hospital and medical center. This amount is in lieu of money provided through the home and hospital allocation and the special education program.

(10) The superintendent shall maintain the percentage of federal flow-through to school districts at 85 percent. In addition to other purposes, school districts may use increased federal funds for high-cost students, for purchasing regional special education services from educational service districts, and for staff development activities particularly relating to inclusion issues.

(11) A school district may carry over from one year to the next year up to 10 percent of the general fund—state funds allocated under this program; however, carryover funds shall be expended in the special education program.

(12) \$256,000 of the general fund—state appropriation for fiscal year 2020 and \$256,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for two additional full-time equivalent staff to support the work of the safety net committee and to provide training and support to districts applying for safety net awards.

(13) \$50,000 of the general fund—state appropriation for fiscal year 2020, \$50,000 of the general fund—state appropriation for fiscal year 2021, and \$100,000 of the general fund—federal appropriation are provided solely for a special education family liaison position within the office of the superintendent of public instruction.

(14) \$35,254,000 of the general fund—state appropriation for fiscal year 2020 and \$46,018,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for changes to the special education excess cost multiplier as specified in Engrossed Second Substitute Senate Bill No. 5091 (special education funding). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

(15) \$2,970,000 of the general fund—state appropriation for fiscal year 2020 and \$3,330,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Substitute Senate Bill No. 5532 (special education). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse. Of the amounts provided in this subsection:

(a) \$1,624,000 of the general fund—state appropriation for fiscal year 2020 and \$1,948,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for funding a representative from the division of vocational rehabilitation to attend individualized education program meetings when requested.

(b) \$1,233,000 of the general fund—state appropriation for fiscal year 2020 and \$1,269,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for educational service districts to contract with independent special education advocates.

(c) \$10,000 of the general fund—state appropriation for fiscal year 2020 and \$10,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the distribution of awards for school districts that meet or exceed the bill’s system-wide performance goals or measurements.

(d) \$100,000 of the general fund—state appropriation for fiscal year 2020 and \$100,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the establishment of an advisory group to review special education topics and provide a report to the legislature by November 1, 2021.

(16) \$74,053,000 of the general fund—state appropriation for fiscal year 2020 and \$130,514,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for expenditure into the school employees’ insurance account.

NEW SECTION. Sec. 508. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR EDUCATIONAL SERVICE DISTRICTS

General Fund—State Appropriation (FY 2020)	\$12,728,000
General Fund—State Appropriation (FY 2021)	\$12,885,000
TOTAL APPROPRIATION	\$25,613,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The educational service districts shall continue to furnish financial services required by the superintendent of public instruction and RCW 28A.310.190 (3) and (4).

(2) Funding within this section is provided for regional professional development related to mathematics and science curriculum and instructional strategies aligned with common core state standards and next generation science standards. Funding shall be distributed among the educational service districts in the same proportion as distributions in the 2007-2009 biennium. Each educational service district shall use this funding solely for salary and benefits for a certificated instructional staff with expertise in the appropriate subject matter and in professional development delivery, and for travel, materials, and other expenditures related to providing regional professional development support.

(3) The educational service districts, at the request of the state board of education pursuant to RCW 28A.310.010 and 28A.305.130, may receive and screen applications for school accreditation, conduct school accreditation site visits pursuant to state board of education rules, and submit to the state board of education post-site visit recommendations for school accreditation. The educational service districts may assess a cooperative service fee to recover actual plus reasonable indirect costs for the purposes of this subsection.

NEW SECTION. Sec. 509. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR LOCAL EFFORT ASSISTANCE

General Fund—State Appropriation (FY 2020)	\$348,550,000
General Fund—State Appropriation (FY 2021)	\$344,745,000
TOTAL APPROPRIATION	\$693,295,000

NEW SECTION. Sec. 510. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR INSTITUTIONAL EDUCATION PROGRAMS

General Fund—State Appropriation (FY 2020)	\$16,586,000
General Fund—State Appropriation (FY 2021)	\$17,603,000
TOTAL APPROPRIATION	\$34,189,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Each general fund—state fiscal year appropriation includes such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(2) State funding provided under this section is based on salaries and other expenditures for a 220-day school year. The superintendent of public instruction shall monitor school district expenditure plans for institutional education programs to ensure that districts plan for a full-time summer program.

(3) State funding for each institutional education program shall be based on the institution’s annual average full-time equivalent student enrollment. Staffing ratios for each category of institution shall remain the same as those funded in the 1995-97 biennium.

(4) The funded staffing ratios for education programs for juveniles age 18 or less in department of corrections facilities shall be the same as those provided in the 1997-99 biennium.

(5) \$701,000 of the general fund—state appropriation for fiscal year 2020 and \$701,000 of the general fund—state appropriation for fiscal year 2021 are provided solely to maintain at least one certificated instructional staff and related support services at an institution whenever the K-12 enrollment is not sufficient to support one full-time equivalent certificated instructional staff to furnish the educational program. The following types of institutions are included: Residential programs under the department of social and health services for developmentally disabled juveniles, programs for juveniles under the department of corrections, programs for juveniles under the juvenile rehabilitation administration, and programs for juveniles operated by city and county jails.

(6) \$1,866,000 of the general fund—state appropriation for fiscal year 2020 and \$2,907,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for excess cost allocations for students with disabilities in institutional education programs as specified in Engrossed Second Substitute Senate Bill No. 5091 (special education funding). Funding may be used to increase the capacity of institutional education programs to differentiate instruction to meet students’ unique educational needs. Those needs may include but are not limited to one-on-one instruction, enhanced access to counseling for social emotional needs of the student, and services to identify the proper level of instruction at the time of student entry into the facility. If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

(7) Ten percent of the funds allocated for each institution may be carried over from one year to the next.

(8) \$738,000 of the general fund—state appropriation for fiscal year 2020 and \$1,469,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for expenditure to the school employees’ insurance account.

NEW SECTION. Sec. 511. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR PROGRAMS FOR HIGHLY CAPABLE STUDENTS

General Fund—State Appropriation (FY 2020)	\$30,575,000
General Fund—State Appropriation (FY 2021)	\$31,629,000
TOTAL APPROPRIATION	\$62,204,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Each general fund fiscal year appropriation includes such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(2)(a) For the 2019-20 and 2020-21 school years, the superintendent shall allocate funding to school district programs for highly capable students as provided in RCW 28A.150.260(10)(c) except that allocations must be based on 5.0 percent of each school district’s full-time equivalent enrollment. In calculating the allocations, the superintendent shall assume the following: (i) Additional instruction of 2.1590 hours per week per funded highly capable program student; (ii) fifteen highly capable program students per teacher; (iii) 36 instructional weeks per year; (iv) 900 instructional hours per teacher; and (v) the compensation rates as provided in sections 503 and 504 of this act.

(b) From July 1, 2019, to August 31, 2019, the superintendent shall allocate funding to school districts programs for highly capable students as provided in section 511, chapter 299, Laws of 2018.

(3) \$85,000 of the general fund—state appropriation for fiscal year 2020 and \$85,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the centrum program at Fort Worden state park.

(4) \$1,755,000 of the general fund—state appropriation for fiscal year 2020 and \$3,065,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for expenditure into the school employees’ insurance account.

NEW SECTION. Sec. 512. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR MISCELLANEOUS—EVERY STUDENT SUCCEEDS ACT

General Fund—Federal Appropriation	\$5,802,000
TOTAL APPROPRIATION	\$5,802,000

NEW SECTION. Sec. 513. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—EDUCATION REFORM PROGRAMS

General Fund—State Appropriation (FY 2020)	\$143,406,000
General Fund—State Appropriation (FY 2021)	\$139,383,000
General Fund—Federal Appropriation	\$96,384,000
General Fund—Private/Local Appropriation	\$1,450,000
Education Legacy Trust Account—State Appropriation	\$1,626,000
Pension Funding Stabilization Account—State Appropriation	\$765,000
TOTAL APPROPRIATION	\$383,014,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$26,975,000 of the general fund—state appropriation for fiscal year 2020, \$26,975,000 of the general fund—state appropriation for fiscal year 2021, \$1,350,000 of the education legacy trust account—state appropriation, and \$15,868,000 of the general fund—federal appropriation are provided solely for development and implementation of the Washington state assessment system.

(2) \$356,000 of the general fund—state appropriation for fiscal year 2020 is provided solely for the Washington state leadership and assistance for science education reform (LASER) regional partnership activities, including instructional material purchases, teacher and principal professional development, and school and community engagement events. The office may require the recipient of these funds to report the impacts of the recipient’s efforts in alignment with the measures of the Washington school improvement framework.

(3) \$3,687,000 of the general fund—state appropriation for fiscal year 2020 and \$3,687,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of a new performance-based evaluation for certificated educators and other activities as provided in chapter 235, Laws of 2010 (education reform) and chapter 35, Laws of 2012 (certificated employee evaluations).

(4) \$72,124,000 of the general fund—state appropriation for fiscal year 2020 and \$73,619,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the following bonuses for teachers who hold valid, unexpired certification from the national board for professional teaching standards and who are teaching in a Washington public school, subject to the following conditions and limitations:

(a) For national board certified teachers, a bonus of \$5,505 per teacher in the 2019-20 school year and a bonus of \$5,621 per teacher in the 2020-21 school year;

(b) An additional \$5,000 annual bonus shall be paid to national board certified teachers who teach in either: (A) High schools where at least 50 percent of student headcount enrollment is

eligible for federal free or reduced-price lunch, (B) middle schools where at least 60 percent of student headcount enrollment is eligible for federal free or reduced-price lunch, or (C) elementary schools where at least 70 percent of student headcount enrollment is eligible for federal free or reduced-price lunch;

(c) The superintendent of public instruction shall adopt rules to ensure that national board certified teachers meet the qualifications for bonuses under (b) of this subsection for less than one full school year receive bonuses in a prorated manner. All bonuses in this subsection will be paid in July of each school year. Bonuses in this subsection shall be reduced by a factor of 40 percent for first year NBPTS certified teachers, to reflect the portion of the instructional school year they are certified; and

(d) During the 2019-20 and 2020-21 school years, and within available funds, certificated instructional staff who have met the eligibility requirements and have applied for certification from the national board for professional teaching standards may receive a conditional loan of two thousand dollars or the amount set by the office of the superintendent of public instruction to contribute toward the current assessment fee, not including the initial up-front candidacy payment. The fee shall be an advance on the first annual bonus under RCW 28A.405.415. The conditional loan is provided in addition to compensation received under a district's salary allocation and shall not be included in calculations of a district's average salary and associated salary limitation under RCW 28A.400.200. Recipients who fail to receive certification after five years are required to repay the conditional loan. The office of the superintendent of public instruction shall adopt rules to define the terms for initial grant of the assessment fee and repayment, including applicable fees. To the extent necessary, the superintendent may use revenues from the repayment of conditional loan scholarships to ensure payment of all national board bonus payments required by this section in each school year.

(5) \$477,000 of the general fund—state appropriation for fiscal year 2020 and \$477,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the leadership internship program for superintendents, principals, and program administrators.

(6) \$950,000 of the general fund—state appropriation for fiscal year 2020 and \$950,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the Washington reading corps. The superintendent shall allocate reading corps members to schools identified for comprehensive or targeted support and school districts that are implementing comprehensive, proven, research-based reading programs. Two or more schools may combine their Washington reading corps programs.

(7) \$810,000 of the general fund—state appropriation for fiscal year 2020 and \$810,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the development of a leadership academy for school principals and administrators. The superintendent of public instruction shall contract with an independent organization to operate a state-of-the-art education leadership academy that will be accessible throughout the state. Semiannually the independent organization shall report on amounts committed by foundations and others to support the development and implementation of this program. Leadership academy partners shall include the state level organizations for school administrators and principals, the superintendent of public instruction, the professional educator standards board, and others as the independent organization shall identify.

(8) \$3,000,000 of the general fund—state appropriation for fiscal year 2020 is provided solely for a statewide information technology (IT) academy program. This public-private partnership will provide educational software, as well as IT

certification and software training opportunities for students and staff in public schools. The office may require the recipient of these funds to report the impacts of the recipient's efforts in alignment with the measures of the Washington school improvement framework.

(9) \$977,000 of the general fund—state appropriation for fiscal year 2020 and \$977,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for secondary career and technical education grants pursuant to chapter 170, Laws of 2008, including parts of programs receiving grants that serve students in grades four through six. Of the amounts provided, \$100,000 of the general fund—state appropriation for fiscal year 2020 and \$100,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the purpose of statewide supervision activities for career and technical education student leadership organizations.

(10) If equally matched by private donations, \$1,075,000 of the general fund—state appropriation for fiscal year 2020 is provided solely for the support FIRST robotics programs in grades four through twelve.

(11) \$125,000 of the general fund—state appropriation for fiscal year 2020 is provided solely for (a) staff at the office of the superintendent of public instruction to coordinate and promote efforts to develop integrated math, science, technology, and engineering programs in schools and districts across the state; and (b) grants of \$2,500 to provide twenty middle and high school teachers each year with professional development training for implementing integrated math, science, technology, and engineering programs in their schools.

(12) \$135,000 of the general fund—state appropriation for fiscal year 2020 is provided solely for science, technology, engineering and mathematics lighthouse projects, consistent with chapter 238, Laws of 2010.

(13) \$10,500,000 of the general fund—state appropriation for fiscal year 2020 and \$10,500,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for a beginning educator support program. The program shall prioritize first year teachers in the mentoring program. School districts and/or regional consortia may apply for grant funding. The program provided by a district and/or regional consortia shall include: A paid orientation; assignment of a qualified mentor; development of a professional growth plan for each beginning teacher aligned with professional certification; release time for mentors and new teachers to work together; and teacher observation time with accomplished peers. Funding may be used to provide statewide professional development opportunities for mentors and beginning educators.

(14) \$250,000 of the general fund—state appropriation for fiscal year 2020 is provided solely for advanced project lead the way courses at ten high schools. To be eligible for funding in 2020, a high school must have offered a foundational project lead the way course during the 2018-19 school year. The 2020 funding must be used for one-time start-up course costs for an advanced project lead the way course, to be offered to students beginning in the 2019-20 school year. The office of the superintendent of public instruction and the education research and data center at the office of financial management shall track student participation and long-term outcome data. The office may require the recipient of these funds to report the impacts of the recipient's efforts in alignment with the measures of the Washington school improvement framework.

(15) \$14,352,000 of the general fund—state appropriation for fiscal year 2020 and \$14,352,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of chapter 159, Laws of 2013 (K-12 education - failing schools).

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(16) \$605,000 of the general fund—state appropriation for fiscal year 2020 and \$600,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for annual start-up, expansion, or maintenance of existing programs in aerospace, advanced manufacturing programs, and maritime trades. To be eligible for funding, the skills center and high schools must agree to engage in developing local business and industry partnerships for oversight and input regarding program components. Program instructors must also agree to participate in professional development leading to student employment, or certification in aerospace or advanced manufacturing industries as determined by the superintendent of public instruction. The office of the superintendent of public instruction and the education research and data center shall report annually student participation and long-term outcome data.

(17) \$4,000,000 of the general fund—state appropriation for fiscal year 2020 and \$4,000,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the provision of training for teachers, principals, and principal evaluators in the performance-based teacher principal evaluation program.

(18) \$175,000 of the general fund—state appropriation for fiscal year 2020 and \$175,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the promotion of financial literacy of students. The effort will be coordinated through the financial literacy public-private partnership.

(19) \$909,000 of the general fund—state appropriation for fiscal year 2020 and \$909,000 of the general fund—state appropriation for fiscal year 2021 are provided solely to implement chapter 18, Laws of 2013 2nd sp. sess. (strengthening student educational outcomes).

(20) \$36,000 of the general fund—state appropriation for fiscal year 2020 and \$36,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for chapter 212, Laws of 2014 (homeless student educational outcomes).

(21) \$500,000 of the general fund—state appropriation for fiscal year 2020 is provided solely for the office of the superintendent of public instruction to contract with a nonprofit organization to integrate the state learning standards in English language arts, mathematics, and science with FieldSTEM outdoor field studies and project-based and work-based learning opportunities aligned with the environmental, natural resource, and agricultural sectors. The office may require the recipient of these funds to report the impacts of the recipient’s efforts in alignment with the measures of the Washington school improvement framework.

(22) Sufficient amounts are appropriated in this section for the office of the superintendent of public instruction to create a process and provide assistance to school districts in planning for future implementation of the summer knowledge improvement program grants.

NEW SECTION. Sec. 514. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR TRANSITIONAL BILINGUAL PROGRAMS

General Fund—State Appropriation (FY 2020)	\$201,330,000
General Fund—State Appropriation (FY 2021)	\$210,608,000
General Fund—Federal Appropriation	\$102,242,000
Pension Funding Stabilization Account—State Appropriation	\$4,000
TOTAL APPROPRIATION	\$514,184,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Each general fund fiscal year appropriation includes such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(2)(a) For the 2019-20 and 2020-21 school years, the superintendent shall allocate funding to school districts for transitional bilingual programs under RCW 28A.180.010 through 28A.180.080, including programs for exited students, as provided in RCW 28A.150.260(10)(b) and the provisions of this section. In calculating the allocations, the superintendent shall assume the following averages: (i) Additional instruction of 4.7780 hours per week per transitional bilingual program student in grades kindergarten through six and 6.7780 hours per week per transitional bilingual program student in grades seven through twelve in school years 2019-20 and 2020-21; (ii) additional instruction of 3.0000 hours per week in school years 2019-20 and 2020-21 for the head count number of students who have exited the transitional bilingual instruction program within the previous two years based on their performance on the English proficiency assessment; (iii) fifteen transitional bilingual program students per teacher; (iv) 36 instructional weeks per year; (v) 900 instructional hours per teacher; and (vi) the compensation rates as provided in sections 503 and 504 of this act. Pursuant to RCW 28A.180.040(1)(g), the instructional hours specified in (a)(ii) of this subsection (2) are within the program of basic education.

(b) From July 1, 2019, to August 31, 2019, the superintendent shall allocate funding to school districts for transitional bilingual instruction programs as provided in section 514, chapter 299, Laws of 2018.

(3) The superintendent may withhold allocations to school districts in subsection (2) of this section solely for the central provision of assessments as provided in RCW 28A.180.090 (1) and (2) up to the following amounts: 1.97 percent for school year 2019-20 and 1.95 percent for school year 2020-21.

(4) The general fund—federal appropriation in this section is for migrant education under Title I Part C and English language acquisition, and language enhancement grants under Title III of the elementary and secondary education act.

(5) \$35,000 of the general fund—state appropriation for fiscal year 2020 and \$35,000 of the general fund—state appropriation for fiscal year 2021 are provided solely to track current and former transitional bilingual program students.

(6) \$1,023,000 of the general fund—state appropriation in fiscal year 2020 and \$1,185,000 of the general fund—state appropriation in fiscal year 2021 are provided solely for the central provision of assessments as provided in RCW 28A.180.090, and is in addition to the withholding amounts specified in subsection (3) of this section.

(7) \$11,605,000 of the general fund—state appropriation for fiscal year 2020 and \$20,346,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for expenditure into the school employees’ insurance account.

NEW SECTION. Sec. 515. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR THE LEARNING ASSISTANCE PROGRAM

General Fund—State Appropriation (FY 2020)	\$438,940,000
General Fund—State Appropriation (FY 2021)	\$450,571,000
General Fund—Federal Appropriation	\$533,481,000
TOTAL APPROPRIATION	\$1,422,992,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The general fund—state appropriations in this section are subject to the following conditions and limitations:

(a) The appropriations include such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(b)(i) For the 2019-20 and 2020-21 school years, the superintendent shall allocate funding to school districts for learning assistance programs as provided in RCW 28A.150.260(10)(a), except that the allocation for the additional instructional hours shall be enhanced as provided in this section, which enhancements are within the program of the basic education. In calculating the allocations, the superintendent shall assume the following averages: (A) Additional instruction of 2.3975 hours per week per funded learning assistance program student for the 2019-20 and 2020-21 school years; (B) additional instruction of 1.1 hours per week per funded learning assistance program student for the 2019-20 and 2020-21 school years in qualifying high-poverty school building; (C) fifteen learning assistance program students per teacher; (D) 36 instructional weeks per year; (E) 900 instructional hours per teacher; and (F) the compensation rates as provided in sections 503 and 504 of this act.

(ii) From July 1, 2019, to August 31, 2019, the superintendent shall allocate funding to school districts for learning assistance programs as provided in section 515, chapter 299, Laws of 2018.

(c) A school district's funded students for the learning assistance program shall be the sum of the district's full-time equivalent enrollment in grades K-12 for the prior school year multiplied by the district's percentage of October headcount enrollment in grades K-12 eligible for free or reduced-price lunch in the prior school year. The prior school year's October headcount enrollment for free and reduced-price lunch shall be as reported in the comprehensive education data and research system.

(2) Allocations made pursuant to subsection (1) of this section shall be adjusted to reflect ineligible applications identified through the annual income verification process required by the national school lunch program, as recommended in the report of the state auditor on the learning assistance program dated February, 2010.

(3) The general fund—federal appropriation in this section is provided for Title I Part A allocations of the every student succeeds act of 2016.

(4) A school district may carry over from one year to the next up to 10 percent of the general fund—state funds allocated under this program; however, carryover funds shall be expended for the learning assistance program.

(5) Within existing resources, during the 2019-20 and 2020-21 school years, school districts are authorized to use funds allocated for the learning assistance program to also provide assistance to high school students who have not passed the state assessment in science.

(6) \$25,258,000 of the general fund—state appropriation for fiscal year 2020 and \$43,747,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for expenditure into the school employees' insurance account.

NEW SECTION. Sec. 516. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—PER PUPIL ALLOCATIONS

Statewide Average Allocations Per Annual Average Full-Time Equivalent Student	2019-20		2020-21	
	School Year		School Year	
Basic Education Program				
General Apportionment	\$9,170		\$9,434	
Pupil Transportation	\$519		\$521	

Statewide Average Allocations Per Annual Average Full-Time Equivalent Student

	2019-20 School Year	2020-21 School Year
Basic Education Program		
Special Education Programs	\$9,787	\$10,066
Institutional Education Programs	\$19,911	\$20,418
Programs for Highly Capable Students	\$599	\$617
Transitional Bilingual Programs	\$1,346	\$1,380
Learning Assistance Program	\$969	\$997
Total Per Pupil	\$12,294	\$12,637

NEW SECTION. Sec. 517. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

(1) Amounts distributed to districts by the superintendent through part V of this act are for allocations purposes only, unless specified by part V of this act, and do not entitle a particular district, district employee, or student to a specific service, beyond what has been expressly provided in statute. Part V of this act restates the requirements of various sections of Title 28A RCW. If any conflict exists, the provisions of Title 28A RCW control unless this act explicitly states that it is providing an enhancement. Any amounts provided in part V of this act in excess of the amounts required by Title 28A RCW provided in statute, are not within the program of basic education unless clearly stated by this act.

(2) To the maximum extent practicable, when adopting new or revised rules or policies relating to the administration of allocations in part V of this act that result in fiscal impact, the office of the superintendent of public instruction shall attempt to seek legislative approval through the budget request process.

(3) Appropriations made in this act to the office of the superintendent of public instruction shall initially be allotted as required by this act. Subsequent allotment modifications shall not include transfers of moneys between sections of this act except as expressly provided in subsection (4) of this section.

(4) The director of financial management shall notify the appropriate legislative fiscal committees in writing prior to approving any allotment modifications or transfers under this section.

(5) As required by RCW 28A.710.110, the office of the superintendent of public instruction shall transmit the charter school authorizer oversight fee for the charter school commission to the charter school oversight account.

NEW SECTION. Sec. 518. FOR THE OFFICE OF THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR CHARTER SCHOOLS

Washington Opportunity Pathways Account—State	
Appropriation	\$99,773,000
TOTAL APPROPRIATION	\$99,773,000

The appropriation in this section is subject to the following conditions and limitations:

(1) The superintendent shall distribute funding appropriated in this section to charter schools under chapter 28A.710 RCW. Within amounts provided in this section the superintendent may distribute funding for safety net awards for charter schools with demonstrated needs for special education funding beyond the amounts provided under chapter 28A.710 RCW.

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(2) \$8,170,000 of the Washington opportunity pathways account—state appropriation is provided solely for expenditure into the school employees’ insurance account.

NEW SECTION. Sec. 519. FOR THE OFFICE OF THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR THE WASHINGTON STATE CHARTER SCHOOL COMMISSION

Charter Schools Oversight Account—State Appropriation	\$2,384,000
TOTAL APPROPRIATION	\$2,384,000

The appropriations in this section are subject to the following conditions and limitations: The entire Washington opportunity pathways account—state appropriation in this section is provided solely for the operations of the Washington state charter school commission under chapter 28A.710 RCW.

**PART VI
HIGHER EDUCATION**

NEW SECTION. Sec. 601. The appropriations in sections 605 through 611 of this act are subject to the following conditions and limitations:

(1) "Institutions" means the institutions of higher education receiving appropriations under sections 605 through 611 of this act.

(2) The legislature, the office of financial management, and other state agencies need consistent and accurate personnel data from institutions of higher education for policy planning purposes. Institutions of higher education shall report personnel data to the office of financial management for inclusion in the agency’s data warehouse. Uniform reporting procedures shall be established by the office of financial management’s office of the state human resources director for use by the reporting institutions, including provisions for common job classifications and common definitions of full-time equivalent staff. Annual contract amounts, number of contract months, and funding sources shall be consistently reported for employees under contract.

(3) In addition to waivers granted under the authority of RCW 28B.15.910, the governing boards and the state board may waive all or a portion of operating fees for any student. State general fund appropriations shall not be provided to replace tuition and fee revenue foregone as a result of waivers granted under this subsection.

(4)(a) For institutions receiving appropriations in section 605 of this act, the only allowable salary increases provided are those with normally occurring promotions and increases related to faculty and staff retention, except as provided in Part IX of this act and as provided in RCW 28B.52.035. It is the intent of the legislature that salary increases provided under RCW 28B.52.035 be excluded from the base salary when calculating state funding for future general wage or other salary increases provided by the legislature. In order to facilitate this funding policy, the state board for community and technical colleges shall report to the office of financial management on the details of locally authorized salary increases granted under RCW 28B.52.035 with its 2021-2023 biennial budget submittal. At a minimum, the report must include the total cost of locally authorized increases by fiscal year, a description of the locally authorized provision, and the long term source of funds that is anticipated to cover the cost.

(b) For employees under the jurisdiction of chapter 41.56 RCW, salary increases will be in accordance with the applicable collective bargaining agreement. However, an increase shall not be provided to any classified employee whose salary is above the

approved salary range maximum for the class to which the employee’s position is allocated.

(c) For each institution of higher education receiving appropriations under sections 606 through 611 of this act:

(i) The only allowable salary increases are those associated with normally occurring promotions and increases related to faculty and staff retention and as provided in Part IX of this act; and

(ii) Institutions may provide salary increases from other sources to instructional and research faculty at the universities and The Evergreen State College, exempt professional staff, teaching and research assistants, as classified by the office of financial management, and all other nonclassified staff, but not including employees under chapter 41.80 RCW. Appropriations in sections 606 through 611 of this act are sufficient to provide general wage increases to the base salary of staff, including increases granted under this subsection (4)(c) and RCW 41.76.035. It is the intent of the legislature that salary increases provided under this subsection (4)(c)(ii) and RCW 41.76.035 be excluded from the base salary when calculating state funding for future general wage or other salary increases provided by the legislature. In order to facilitate this funding policy, each institution shall report to the office of financial management on the details of locally authorized salary increases granted under this subsection (4)(c)(ii) and RCW 41.76.035 with its 2021-2023 biennial budget submittal. At a minimum, the report must include the total cost of locally authorized increases by fiscal year, a description of the locally authorized provision, and the long term source of funds that is anticipated to cover the cost.

(5)(a) The student achievement council and all institutions of higher education as defined in RCW 28B.92.030 and eligible for state financial aid programs under chapters 28B.92 and 28B.118 RCW shall ensure that data needed to analyze and evaluate the effectiveness of state financial aid programs are promptly transmitted to the education data center so that it is available and easily accessible. The data to be reported must include but not be limited to:

(i) The number of state need grant and college bound recipients;

(ii) The number of students on the unserved waiting list of the state need grant;

(iii) Persistence and completion rates of state need grant recipients and college bound recipients as well as students on the state need grant unserved waiting list, disaggregated by institution of higher education;

(iv) College bound recipient grade point averages;

(v) State need grant recipients and students on the state need grant unserved waiting list grade point averages; and

(vi) State need grant and college bound scholarship program costs.

(b) The student achievement council shall submit student unit record data for state financial aid program applicants and recipients to the education data center.

(c) The education data center shall enter data sharing agreements with the joint legislative audit and review committee and the Washington state institute for public policy to ensure that legislatively directed research assignments regarding state financial aid programs may be completed in a timely manner.

(6) A representative of the public baccalaureate institutions and the state board for community and technical colleges shall participate in the work group under section 607(18) of this act.

(7)(a) Beginning July 1, 2020, institutions of higher education shall report to the state accounting system according to the standards and procedures under section 131(12) of this act.

(b) Beginning July 1, 2020, institutions of higher education must not deposit or expend any moneys from the general fund into another account in the custody of the state treasurer or located outside the treasury; or use any check, warrant, journal voucher, or transfer of moneys from the general fund to allocate costs or reimburse expenditures made from another account in the custody of the state treasurer or located outside the treasury.

(c) An institution of higher education may receive a waiver from complying with all or a portion of (a) and (b) of this subsection, if the waiver is approved by the director of financial management. The director of financial management must notify the fiscal committees of the legislature ten days before a waiver is granted.

NEW SECTION. Sec. 602. (1) Within the amounts appropriated in this act, each institution of higher education shall seek to:

(a) Maintain and to the extent possible increase enrollment opportunities at branch campuses;

(b) Maintain and to the extent possible increase enrollment opportunities at university centers and other partnership programs that enable students to earn baccalaureate degrees on community college campuses; and

(c) Eliminate and consolidate programs of study for which there is limited student or employer demand, or that are not areas of core academic strength for the institution, particularly when such programs duplicate offerings by other in-state institutions.

(2) For purposes of monitoring and reporting statewide enrollment, the University of Washington and Washington State University shall notify the office of financial management of the number of full-time student equivalent enrollments for each of their campuses.

NEW SECTION. Sec. 603. PUBLIC BACCALAUREATE INSTITUTIONS

(1) The state universities, the regional universities, and The Evergreen State College must accept the transfer of college-level courses taken by students under RCW 28A.600.290 or 28A.600.300 if a student seeking a transfer of the college-level courses has been admitted to the state university, the regional university, or The Evergreen State College, and if the college-level courses are recognized as transferrable by the admitting institution of higher education.

(2) Appropriations in sections 606 through 611 of this act are sufficient to implement 2019-21 collective bargaining agreements at institutions of higher education negotiated under chapter 41.80 RCW. The institutions may also use these funds for any other purpose including increasing compensation and implementing other collective bargaining agreements.

NEW SECTION. Sec. 604. STATE BOARD FOR COMMUNITY AND TECHNICAL COLLEGES

Appropriations in section 605 of this act are sufficient to implement 2019-21 collective bargaining agreements at institutions of higher education negotiated under chapter 41.80 RCW and as set forth in part 9 of this act. The institutions may also use these funds for any other purpose including increasing compensation, and implementing other collective bargaining agreements.

NEW SECTION. Sec. 605. FOR THE STATE BOARD FOR COMMUNITY AND TECHNICAL COLLEGES

General Fund—State Appropriation (FY 2020)	\$668,432,000
General Fund—State Appropriation (FY 2021)	\$683,822,000
Community/Technical College Capital Projects Account—State Appropriation	\$23,505,000

Education Legacy Trust Account—State Appropriation	\$157,756,000
Pension Funding Stabilization Account—State Appropriation	\$67,784,000
Community and Technical College Innovation Nonappropriated Account—State Appropriation	\$6,000,000
TOTAL APPROPRIATION	\$1,607,299,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$33,261,000 of the general fund—state appropriation for fiscal year 2020 and \$33,261,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for special funds for training and related support services, including financial aid, as specified in RCW 28C.04.390. Funding is provided to support at least 7,170 full-time equivalent students in fiscal year 2020 and at least 7,170 full-time equivalent students in fiscal year 2021.

(2) \$5,450,000 of the education legacy trust account—state appropriation is provided solely for administration and customized training contracts through the job skills program. The state board shall make an annual report by January 1st of each year to the governor and to the appropriate policy and fiscal committees of the legislature regarding implementation of this section, listing the scope of grant awards, the distribution of funds by educational sector and region of the state, and the results of the partnerships supported by these funds.

(3) \$425,000 of the general fund—state appropriation for fiscal year 2020 and \$425,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for Seattle central college’s expansion of allied health programs.

(4) \$5,250,000 of the general fund—state appropriation for fiscal year 2020 and \$5,250,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the student achievement initiative.

(5) \$1,610,000 of the general fund—state appropriation for fiscal year 2020, and \$1,610,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the mathematics, engineering, and science achievement program.

(6) \$1,500,000 of the general fund—state appropriation for fiscal year 2020 and \$1,500,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of guided pathways or similar programs designed to improve student success, including, but not limited to, academic program redesign, student advising, and other student supports.

(7) \$1,500,000 of the general fund—state appropriation for fiscal year 2020 and \$1,500,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for operating a fabrication composite wing incumbent worker training program to be housed at the Washington aerospace training and research center.

(8) \$100,000 of the general fund—state appropriation for fiscal year 2020 and \$100,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the aerospace center of excellence currently hosted by Everett community college to:

(a) Increase statewide communications and outreach between industry sectors, industry organizations, businesses, K-12 schools, colleges, and universities;

(b) Enhance information technology to increase business and student accessibility and use of the center’s web site; and

(c) Act as the information entry point for prospective students and job seekers regarding education, training, and employment in the industry.

(9) \$19,759,000 of the general fund—state appropriation for fiscal year 2020 and \$20,174,000 of the general fund—state

appropriation for fiscal year 2021 are provided solely for the implementation of the college affordability program as set forth in RCW 28B.15.066.

(10) Community and technical colleges are not required to send mass mailings of course catalogs to residents of their districts. Community and technical colleges shall consider lower cost alternatives, such as mailing postcards or brochures that direct individuals to online information and other ways of acquiring print catalogs.

(11) The state board for community and technical colleges shall not use funds appropriated in this section to support intercollegiate athletics programs.

(12) \$157,000 of the general fund—state appropriation for fiscal year 2020 and \$157,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the Wenatchee Valley college wildfire prevention program.

(13) The state board for community and technical colleges shall collaborate with a permanently registered Washington sector intermediary to integrate and offer related supplemental instruction for information technology apprentices by the 2020-21 academic year.

(14) \$150,000 of the general fund—state appropriation for fiscal year 2020 and \$150,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the Puget Sound welcome back center at Highline College to create a grant program for internationally trained individuals seeking employment in the behavioral health field in Washington state.

(15) \$750,000 of the general fund—state appropriation for fiscal year 2020 and \$750,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for increased enrollments in the integrated basic education and skills training program. Funding will support approximately 120 additional full-time equivalent enrollments annually.

(16)(a) The state board must provide quality assurance reports on the ctcLink project at the frequency directed by the office of chief information officer for review and for posting on its information technology project dashboard.

(b) The office of the chief information officer may suspend the ctcLink project at any time if the office of the chief information officer determines that the project is not meeting or is not expected to meet anticipated performance measures, implementation timelines, or budget estimates. Once suspension or termination occurs, the state board shall not make additional expenditures on the ctcLink project without approval of the chief information officer. The ctcLink project funded through the community and technical college innovation account created in RCW 28B.50.515 is subject to the conditions, limitations, and review provided in section 735 of this act.

(17) \$216,000 of the general fund—state appropriation for fiscal year 2020 and \$216,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the opportunity center for employment and education at North Seattle College.

(18) \$500,000 of the general fund—state appropriation for fiscal year 2020 and \$500,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for Highline College to implement the Federal Way higher education initiative in partnership with the city of Federal Way and the University of Washington Tacoma campus.

(19) \$350,000 of the general fund—state appropriation for fiscal year 2020 and \$350,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for Peninsula College to maintain the annual cohorts of the specified programs as follows:

- (a) Medical assisting, 40 students;

(b) Nursing assistant, 60 students; and

(c) Registered nursing, 32 students.

(20) \$338,000 of the general fund—state appropriation for fiscal year 2020 and \$338,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the Washington state labor education and research center at South Seattle College.

(21) \$200,000 of the general fund—state appropriation for fiscal year 2020 and \$348,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Second Substitute Senate Bill No. 5800 (homeless college students). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

(22) \$5,050,000 of the general fund—state appropriation for fiscal year 2020, \$6,000,000 of the general fund—state appropriation for fiscal year 2021, and \$6,000,000 of the community and technical college innovation nonappropriated account—state appropriation are provided solely for employee compensation, academic program enhancements, student support services, and other institutional priorities that maintain a quality academic experience for Washington students.

(23) \$150,000 of the general fund—state appropriation for fiscal year 2020 and \$150,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the aerospace and advanced manufacturing center of excellence hosted by Everett Community College to develop a semiconductor and electronics manufacturing branch in Vancouver.

(24) \$100,000 of the general fund—state appropriation for fiscal year 2020 and \$100,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for Everett Community College to partner with the Washington state family and community engagement trust on a youth civic education and leadership program.

(25) \$500,000 of the general fund—state appropriation for fiscal year 2020 is provided solely for purchase of equipment for a regional training facility on the campus of AGC biologics in Bothell to offer a simulated good manufacturing practice experience.

(26) \$3,000,000 of the general fund—state appropriation for fiscal year 2020 and \$6,000,000 of the general fund—state appropriation for fiscal year 2021 are provided on a one-time basis solely for compensation costs. The funding provided shall temporarily replace a portion of tuition expenditures on salaries and benefits for union-represented and nonrepresented employees. The additional funding provided in this section will permit community and technical colleges to fund the incremental cost of compensation costs for all general fund—state and tuition-supported employees during the 2019-2021 fiscal biennium.

NEW SECTION. Sec. 606. FOR THE UNIVERSITY OF WASHINGTON

General Fund—State Appropriation (FY 2020)	\$337,441,000
General Fund—State Appropriation (FY 2021)	\$341,178,000
Aquatic Lands Enhancement Account—State Appropriation	\$1,558,000
University of Washington Building Account—State Appropriation	\$1,546,000
Education Legacy Trust Account—State Appropriation	\$36,140,000
Economic Development Strategic Reserve Account—State Appropriation	\$3,052,000
Geoduck Aquaculture Research Account—State Appropriation	\$800,000
Biotoxin Account—State Appropriation	\$599,000

Dedicated Marijuana Account—State Appropriation (FY 2020)	\$249,000
Dedicated Marijuana Account—State Appropriation (FY 2021)	\$249,000
Pension Funding Stabilization Account—State Appropriation	\$50,906,000
Accident Account—State Appropriation	\$7,621,000
Medical Aid Account—State Appropriation	\$7,237,000
TOTAL APPROPRIATION	\$788,576,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$52,000 of the general fund—state appropriation for fiscal year 2020 and \$52,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the center for international trade in forest products in the college of forest resources.

(2) \$41,010,000 of the general fund—state appropriation for fiscal year 2020 and \$41,872,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the implementation of the college affordability program as set forth in RCW 28B.15.066.

(3) \$200,000 of the general fund—state appropriation for fiscal year 2020 and \$200,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for labor archives of Washington. The university shall work in collaboration with the state board for community and technical colleges.

(4) \$8,000,000 of the education legacy trust account—state appropriation is provided solely for the family medicine residency network at the university for residency slots in Washington.

(5) The university must continue work with the education research and data center to demonstrate progress in computer science and engineering enrollments. By September 1st of each year, the university shall provide a report including but not limited to the cost per student, student completion rates, and the number of low-income students enrolled in each program, any process changes or best-practices implemented by the university, and how many students are enrolled in computer science and engineering programs above the prior academic year.

(6) \$250,000 of the general fund—state appropriation for fiscal year 2020, \$251,000 of the general fund—state appropriation for fiscal year 2021, and \$1,550,000 of the aquatic lands enhancement account—state appropriation are provided solely for ocean acidification monitoring, forecasting, and research and for operation of the Washington ocean acidification center. The center must continue to make quarterly progress reports to the Washington marine resources advisory council created under RCW 43.06.338.

(7) \$14,000,000 of the education legacy trust account—state appropriation is provided solely for the expansion of degrees in the department of computer science and engineering at the Seattle campus.

(8) \$3,000,000 of the economic development strategic reserve account—state appropriation is provided solely for support of the joint center for aerospace innovation technology.

(9) The University of Washington shall not use funds appropriated in this section to support intercollegiate athletics programs.

(10) \$250,000 of the general fund—state appropriation for fiscal year 2020 and \$250,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the Latino health center.

(11) \$400,000 of the general fund—state appropriation for fiscal year 2020 and \$400,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the climate impacts group in the college of the environment.

(12) \$7,345,000 of the general fund—state appropriation for fiscal year 2020 and \$7,345,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the continued operations and expansion of the Washington, Wyoming, Alaska, Montana, Idaho medical school program.

(13) \$2,625,000 of the general fund—state appropriation for fiscal year 2020 and \$2,625,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the institute for stem cell and regenerative medicine. Funds appropriated in this subsection must be dedicated to research utilizing pluripotent stem cells and related research methods.

(14) \$500,000 of the general fund—state appropriation for fiscal year 2020 and \$500,000 of the general fund—state appropriation for fiscal year 2021 are provided to the University of Washington to support youth and young adults experiencing homelessness in the university district of Seattle. Funding is provided for the university to work with community service providers and university colleges and departments to plan for and implement a comprehensive one-stop center with navigation services for homeless youth; the university may contract with the department of commerce to expand services that serve homeless youth in the university district.

(15) \$600,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the psychiatry residency program at the University of Washington to offer additional residency positions that are approved by the accreditation council for graduate medical education.

(16)(a) \$172,000 of the general fund—state appropriation for fiscal year 2020 and \$172,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for a University of Washington study in the south Cascades to determine current wolf use and density, and to gather baseline data to understand the effects of wolf recolonization on predator-prey dynamics of species that currently have established populations in the area. The study objectives shall include:

(i) Determination of whether wolves have started to recolonize a 5,000 square kilometer study area in the south Cascades of Washington, and if so, an assessment of their distribution over the landscape as well as their health and pregnancy rates;

(ii) Baseline data collection, if wolves have not yet established pack territories in this portion of the state, that will allow for the assessment of how the functional densities and diets of wolves across the landscape will affect the densities and diets in the following predators and prey: Coyote, cougar, black bear, bobcat, red fox, wolverine, elk, white tailed deer, mule deer, moose, caribou, and snowshoe hare;

(iii) Examination of whether the microbiome of each species changes as wolves start to occupy suitable habitat; and

(iv) An assessment of the use of alternative wildlife monitoring tools to cost-effectively monitor size of the wolf population over the long-term.

(b) A report on the findings of the study shall be shared with the Washington department of fish and wildlife.

(17) \$1,000,000 of the general fund—state appropriation for fiscal year 2020 and \$1,000,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the University of Washington's psychiatry integrated care training program.

(18) \$400,000 of the geoduck aquaculture research account—state appropriation is provided solely for the Washington sea grant program at the University of Washington to complete a three-year study to identify best management practices related to shellfish production. The University of Washington must submit an annual report detailing any findings and outline the progress of the study, consistent with RCW 43.01.036, to the office of the

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governor and the appropriate legislative committees by December 1st of each year.

(19) \$200,000 of the general fund—state appropriation for fiscal year 2020 and \$200,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the pre-law pipeline and social justice program at the University of Washington Tacoma.

(20) \$5,600,000 of the general fund—state appropriation for fiscal year 2020 and \$9,050,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for employee compensation, academic program enhancements, student support services, and other institutional priorities that maintain a quality academic experience for Washington students.

(21) \$250,000 of the general fund—state appropriation for fiscal year 2020 and \$250,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for dementia care best practices training for primary care practitioners using the project ECHO telehealth model.

(22) \$500,000 of the general fund—state appropriation for fiscal year 2020 and \$500,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for a firearm policy research program. The program will:

(a) Support investigations of firearm death and injury risk factors;

(b) Evaluate the effectiveness of state firearm laws and policies;

(c) Assess the consequences of firearm violence; and

(d) Develop strategies to reduce the toll of firearm violence to citizens of the state.

(23) \$100,000 of the general fund—state appropriation for fiscal year 2020 is provided solely for the Evans school of public affairs to complete the business plan for a publicly owned Washington state depository bank as directed by section 129, chapter 299, Laws of 2018.

(24) \$150,000 of the general fund—state appropriation for fiscal year 2020 is provided solely for the latino center for health to:

(a) Estimate the number of practicing Latino physicians in Washington including age and gender distributions;

(b) Create a profile of Latino physicians that includes their geographic distribution, medical and surgical specialties, training and certifications, and language access;

(c) Develop a set of policy recommendations to meet the growing needs of Latino communities in urban and rural communities throughout Washington. The center must provide the report to the university and the appropriate committees of the legislature by December 31, 2020.

(25) \$128,000 of the general fund—state appropriation for fiscal year 2020 and \$127,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Substitute Senate Bill No. 5428 (higher ed./veteran health). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

(26) \$450,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for implementation of Substitute Senate Bill No. 5211 (paramedic training). If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.

(27) \$350,000 of the general fund—state appropriation for fiscal year 2020 and \$139,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Engrossed Substitute Bill No. 5330 (small forestland owners). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

(28) \$1,518,000 of the general fund—state appropriation for fiscal year 2020 and \$1,216,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Engrossed Substitute Senate Bill No. 5389 (telehealth program/youth). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

(29) \$358,000 of the general fund—state appropriation for fiscal year 2020 and \$507,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Second Substitute Senate Bill No. 5903 (children's mental health). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

(30) \$1,000,000 of the general fund—state appropriation for fiscal year 2020 and \$1,000,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the center for advanced materials and clean energy technologies.

(31) \$250,000 of the general fund—state appropriation for fiscal year 2020 and \$250,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the dental education in the care of persons with disabilities program.

(32) \$190,000 of the general fund—state appropriation for fiscal year 2020 is provided solely for the college of education to partner with school districts on a pilot program to improve the math scores of K-12 students.

(33) \$250,000 of the general fund—state appropriation for fiscal year 2020 and \$250,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the extension for community healthcare outcomes project (project ECHO).

(34) \$300,000 of the general fund—state appropriation for fiscal year 2020 is provided solely for matching nonstate funding contributions for a study of the feasibility of constructing of a biorefinery in southwest Washington. No state moneys may be expended until nonstate funding contributions are received. The study must:

(a) Assess the supply of biomass, including poplar feedstock grown on low-value lands and hardwood sawmill residuals;

(b) Assess the potential for using poplar simultaneously for water treatment and as a biorefinery feedstock;

(c) Assess southwest Washington landowner interest in growing poplar feedstock;

(d) Evaluate options for locating a biorefinery in southwest Washington that considers potential for integration of future biorefineries with existing facilities such as power plants and pulp mills; and

(e) Result in a comprehensive technical and economic evaluation for southwest Washington biorefineries that will be used by biorefinery technology companies to develop their business plans and to attract potential investors.

(35) To ensure transparency and accountability, in the 2019-2021 fiscal biennium the University of Washington shall comply with any and all financial and accountability audits by the Washington state auditor including any and all audits of university services offered to the general public, including those offered through any public-private partnership, business venture, affiliation, or joint venture with a public or private entity, except the government of the United States. The university shall comply with all state auditor requests for the university's financial and business information including the university's governance and financial participation in these public-private partnerships, business ventures, affiliations, or joint ventures with a public or private entity. In any instance in which the university declines to produce the information to the state auditor, the university will provide the state auditor a brief summary of the documents withheld and a citation of the legal or contractual provision that

prevents disclosure. The summaries must be compiled into a report by the state auditor and provided on a quarterly basis to the legislature.

(36) \$300,000 of the general fund—state appropriation for fiscal year 2020 and \$300,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the Harry Bridges center for labor studies. The center shall work in collaboration with the state board for community and technical colleges.

(37) \$400,000 of the geoduck aquaculture research account—state appropriation is provided solely for the Washington sea grant program crab team to continue work to protect against the impacts of invasive European green crab.

NEW SECTION. Sec. 607. FOR WASHINGTON STATE UNIVERSITY

General Fund—State Appropriation (FY 2020)	\$222,146,000
General Fund—State Appropriation (FY 2021)	\$228,452,000
Washington State University Building Account—State Appropriation	\$792,000
Education Legacy Trust Account—State Appropriation	\$33,995,000
Dedicated Marijuana Account—State Appropriation (FY 2020)	\$138,000
Dedicated Marijuana Account—State Appropriation (FY 2021)	\$138,000
Pension Funding Stabilization Account—State Appropriation	\$30,954,000
TOTAL APPROPRIATION	\$516,615,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$90,000 of the general fund—state appropriation for fiscal year 2020 and \$90,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for a rural economic development and outreach coordinator.

(2) The university must continue work with the education research and data center to demonstrate progress in computer science and engineering enrollments. By September 1st of each year, the university shall provide a report including but not limited to the cost per student, student completion rates, and the number of low-income students enrolled in each program, any process changes or best-practices implemented by the university, and how many students are enrolled in computer science and engineering programs above the prior academic year.

(3) \$500,000 of the general fund—state appropriation for fiscal year 2020 and \$500,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for state match requirements related to the federal aviation administration grant.

(4) Washington State University shall not use funds appropriated in this section to support intercollegiate athletic programs.

(5) \$10,600,000 of the general fund—state appropriation for fiscal year 2020 and \$14,200,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the continued development and operations of a medical school program in Spokane.

(6) \$135,000 of the general fund—state appropriation for fiscal year 2020 and \$135,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for a honey bee biology research position.

(7) \$29,152,000 of the general fund—state appropriation for fiscal year 2020 and \$29,764,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the implementation of the college affordability program as set forth in RCW 28B.15.066.

(8) \$580,000 of the general fund—state appropriation for fiscal year 2020 and \$580,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the development of an organic agriculture systems degree program located at the university center in Everett.

(9) Within the funds appropriated in this section, Washington State University shall:

(a) Review the scholarly literature on the short-term and long-term effects of marijuana use to assess if other states or private entities are conducting marijuana research in areas that may be useful to the state.

(b) Provide as part of its budget request for the 2020 supplemental budget:

(i) A list of intended state, federal, and privately funded marijuana research, including cost, duration, and scope;

(ii) Plans for partnerships with other universities, state agencies, or private entities, including entities outside the state, for purposes related to researching short-term and long-term effects of marijuana use.

(10) \$630,000 of the general fund—state appropriation for fiscal year 2020 and \$630,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the creation of an electrical engineering program located in Bremerton. At full implementation, the university is expected to increase degree production by 25 new bachelor's degrees per year. The university must identify these students separately when providing data to the education research data center as required in subsection (2) of this section.

(11) \$1,370,000 of the general fund—state appropriation for fiscal year 2020 and \$1,370,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the creation of software engineering and data analytic programs at the university center in Everett. At full implementation, the university is expected to enroll 50 students per academic year. The university must identify these students separately when providing data to the education research data center as required in subsection (2) of this section.

(12) \$500,000 of the general fund—state appropriation for fiscal year 2020 and \$500,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the joint center for deployment and research in earth abundant materials.

(13) \$20,000 of the general fund—state appropriation for fiscal year 2020 and \$20,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the office of clean technology at Washington State University to convene a sustainable aviation biofuels work group to further the development of sustainable aviation fuel as a productive industry in Washington. The work group must include members from the legislature and sectors involved in sustainable aviation biofuels research, development, production, and utilization. The work group must provide recommendations to the governor and the appropriate committees of the legislature before December 1, 2019.

(14) \$168,000 of the general fund—state appropriation for fiscal year 2020 and \$163,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Second Substitute Senate Bill No. 5947 (sustainable farms and fields). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

(15) \$1,500,000 of the general fund—state appropriation for fiscal year 2020 and \$2,700,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for employee compensation, academic program enhancements, student support services, and other institutional priorities that maintain a quality academic experience for Washington students.

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(16) \$84,000 of the general fund—state appropriation for fiscal year 2020 and \$84,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Substitute Senate Bill No. 5428 (higher ed./veteran health). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

(17) \$500,000 of the general fund—state appropriation for fiscal year 2020 is provided solely for raspberry and blueberry research in Whatcom county.

(18) \$85,000 of the general fund—state appropriation for fiscal year 2020 is provided solely for the William D. Ruckelshaus center to coordinate a work group and process to develop options and recommendations to improve consistency, simplicity, transparency, and accountability in higher education data systems. The work group and process must be collaborative and include representatives from relevant agencies and stakeholders, including but not limited to: The Washington student achievement council, the workforce training and education coordinating board, the employment security department, the state board for community and technical colleges, the four-year institutions of higher education, the education data center, the office of the superintendent of public instruction, the Washington state institute for public policy, the joint legislative audit and review committee, and at least one representative from a nongovernmental organization that uses longitudinal data for research and decision making. The William D. Ruckelshaus center must facilitate meetings and discussions with stakeholders and provide a report to the appropriate committees of the legislature by December 1, 2019. The process must analyze and make recommendations on:

(a) Opportunities to increase postsecondary transparency and accountability across all institutions of higher education that receive state financial aid dollars while minimizing duplication of existing data reporting requirements;

(b) Opportunities to link labor market data with postsecondary data including degree production and postsecondary opportunities to help prospective postsecondary students navigate potential career and degree pathways;

(c) Opportunities to leverage existing data collection efforts across agencies and postsecondary sectors to minimize duplication, centralize data reporting, and create administrative efficiencies;

(d) Opportunities to develop a single, easy to navigate, postsecondary data system and dashboard to meet multiple state goals including transparency in postsecondary outcomes, clear linkages between data on postsecondary degrees and programs and labor market data, and linkages with P-20 data where appropriate. This includes a review of the efficacy, purpose, and cost of potential options for service and management of a statewide postsecondary dashboard; and

(e) Opportunities to increase state agency, legislative, and external researcher access to P-20 data systems in service to state educational goals.

(19) \$416,000 of the general fund—state appropriation for fiscal year 2020 and \$750,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of chapter 202, Laws of 2017 (children’s mental health).

(20) \$250,000 of the general fund—state appropriation for fiscal year 2020 and \$250,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the university’s soil health initiative and its network of long-term agroecological research and extension (LTARE) sites. The network must include a Mount Vernon REC site.

NEW SECTION. Sec. 608. FOR EASTERN WASHINGTON UNIVERSITY

General Fund—State Appropriation (FY 2020)	\$54,144,000
General Fund—State Appropriation (FY 2021)	\$55,317,000
Education Legacy Trust Account—State Appropriation	\$16,598,000
TOTAL APPROPRIATION	\$126,059,000

The appropriations in this section are subject to the following conditions and limitations:

(1) At least \$200,000 of the general fund—state appropriation for fiscal year 2020 and at least \$200,000 of the general fund—state appropriation for fiscal year 2021 must be expended on the Northwest autism center.

(2) The university must continue work with the education research and data center to demonstrate progress in computer science and engineering enrollments. By September 1st of each year, the university shall provide a report including but not limited to the cost per student, student completion rates, and the number of low-income students enrolled in each program, any process changes or best-practices implemented by the university, and how many students are enrolled in computer science and engineering programs above the prior academic year.

(3) Eastern Washington University shall not use funds appropriated in this section to support intercollegiate athletics programs.

(4) \$10,472,000 of the general fund—state appropriation for fiscal year 2020 and \$10,692,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the implementation of the college affordability program as set forth in RCW 28B.15.066.

(5) Within amounts appropriated in this section, the university is encouraged to increase the number of tenure-track positions created and hired.

(6) \$125,000 of the general fund—state appropriation for fiscal year 2020 and \$125,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for gathering and archiving time-sensitive histories and materials and planning for a Lucy Covington center.

(7) \$600,000 of the general fund—state appropriation for fiscal year 2020 and \$870,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for employee compensation, academic program enhancements, student support services, and other institutional priorities that maintain a quality academic experience for Washington students.

(8) \$90,000 of the general fund—state appropriation for fiscal year 2020 and \$90,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Substitute Senate Bill No. 5428 (higher ed./veteran health). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

(9) \$146,000 of the general fund—state appropriation for fiscal year 2020 is provided solely for a comprehensive analysis of the deep lake watershed involving land owners, ranchers, lake owners, one or more conservation districts, the department of ecology and the department of natural resources.

NEW SECTION. Sec. 609. FOR CENTRAL WASHINGTON UNIVERSITY

General Fund—State Appropriation (FY 2020)	\$53,320,000
General Fund—State Appropriation (FY 2021)	\$53,859,000
Central Washington University Capital Projects Account—State Appropriation	\$76,000
Education Legacy Trust Account—State Appropriation	\$19,076,000

Pension Funding Stabilization Account—State

Appropriation	\$3,924,000
TOTAL APPROPRIATION	\$130,255,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The university must continue work with the education research and data center to demonstrate progress in engineering enrollments. By September 1st of each year, the university shall provide a report including but not limited to the cost per student, student completion rates, and the number of low-income students enrolled in each program, any process changes or best-practices implemented by the university, and how many students are enrolled in engineering programs above the prior academic year.

(2) Central Washington University shall not use funds appropriated in this section to support intercollegiate athletics programs.

(3) \$11,803,000 of the general fund—state appropriation for fiscal year 2020 and \$12,051,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the implementation of the college affordability program as set forth in RCW 28B.15.066.

(4) Within amounts appropriated in this section, the university is encouraged to increase the number of tenure-track positions created and hired.

(5) \$600,000 of the general fund—state appropriation for fiscal year 2020 and \$870,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for employee compensation, academic program enhancements, student support services, and other institutional priorities that maintain a quality academic experience for Washington students.

(6) \$104,000 of the general fund—state appropriation for fiscal year 2020 and \$103,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Substitute Senate Bill No. 5428 (higher ed./veteran health). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

(7) \$150,000 of the general fund—state appropriation for fiscal year 2020 and \$150,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the game on! program, which provides underserved middle and high school students with training in leadership, science, technology, engineering, and math.

NEW SECTION. Sec. 610. FOR THE EVERGREEN STATE COLLEGE

General Fund—State Appropriation (FY 2020)	\$29,431,000
General Fund—State Appropriation (FY 2021)	\$29,707,000
The Evergreen State College Capital Projects Account—	
State Appropriation	\$80,000
Education Legacy Trust Account—State Appropriation	\$5,450,000
Pension Funding Stabilization Account—State	
Appropriation	\$2,000
TOTAL APPROPRIATION	\$64,670,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$3,590,000 of the general fund—state appropriation for fiscal year 2020 and \$3,665,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the implementation of the college affordability program as set forth in RCW 28B.15.066.

(2) Funding provided in this section is sufficient for The Evergreen State College to continue operations of the Longhouse Center and the Northwest Indian applied research institute.

(3) Within amounts appropriated in this section, the college is encouraged to increase the number of tenure-track positions created and hired.

(4) Within the amounts appropriated in this section, The Evergreen State College must provide the funding necessary to enable employees of the Washington state institute for public policy to receive the salary increases provided in part 9 of this act.

(5) \$1,659,000 of the general fund—state appropriation for fiscal year 2020 and \$1,631,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the Washington state institute for public policy to initiate, sponsor, conduct, and publish research that is directly useful to policymakers and manage reviews and evaluations of technical and scientific topics as they relate to major long-term issues facing the state. Within the amounts provided in this subsection (5):

(a) \$629,000 of the amounts in fiscal year 2020 and \$629,000 of the amounts in fiscal year 2021 are provided for administration and core operations.

(b) \$1,030,000 of the amounts in fiscal year 2020 and \$1,002,000 of the amounts in fiscal year 2021 are provided solely for ongoing and continuing studies on the Washington state institute for public policy’s work plan.

(c) Notwithstanding other provisions in this subsection, the board of directors for the Washington state institute for public policy may adjust due dates for projects included on the institute’s 2019-21 work plan as necessary to efficiently manage workload.

(6) \$600,000 of the general fund—state appropriation for fiscal year 2020 and \$1,030,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for employee compensation, academic program enhancements, student support services, and other institutional priorities that maintain a quality academic experience for Washington students.

(7) \$78,000 of the general fund—state appropriation for fiscal year 2020 and \$78,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Substitute Senate Bill No. 5428 (higher ed./veteran health). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

NEW SECTION. Sec. 611. FOR WESTERN WASHINGTON UNIVERSITY

General Fund—State Appropriation (FY 2020)	\$77,094,000
General Fund—State Appropriation (FY 2021)	\$77,742,000
Western Washington University Capital Projects Account—	
State Appropriation	\$1,424,000
Education Legacy Trust Account—State Appropriation	\$13,831,000
TOTAL APPROPRIATION	\$170,091,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The university must continue work with the education research and data center to demonstrate progress in computer science and engineering enrollments. By September 1st of each year, the university shall provide a report including but not limited to the cost per student, student completion rates, and the number of low-income students enrolled in each program, any process changes or best-practices implemented by the university, and how many students are enrolled in computer science and engineering programs above the prior academic year.

(2) Western Washington University shall not use funds appropriated in this section to support intercollegiate athletics programs.

(3) \$16,291,000 of the general fund—state appropriation for fiscal year 2020 and \$16,633,000 of the general fund—state

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appropriation for fiscal year 2021 are provided solely for the implementation of the college affordability program as set forth in RCW 28B.15.066.

(4) \$700,000 of the general fund—state appropriation for fiscal year 2020 and \$700,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the creation and implementation of an early childhood education degree program at the western on the peninsulas campus. The university must collaborate with Olympic college. At full implementation, the university is expected to grant approximately 75 bachelor’s degrees in early childhood education per year at the western on the peninsulas campus.

(5) \$1,306,000 of the general fund—state appropriation for fiscal year 2020 and \$1,306,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for Western Washington University to develop a new program in marine, coastal, and watershed sciences.

(6) Within the amounts appropriated in this section, the university is encouraged to increase the number of tenure-track positions created and hired.

(7) \$600,000 of the general fund—state appropriation for fiscal year 2020 and \$850,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for employee compensation, academic program enhancements, student support services, and other institutional priorities that maintain a quality academic experience for Washington students.

(8) \$96,000 of the general fund—state appropriation for fiscal year 2020 and \$96,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Substitute Senate Bill No. 5428 (higher ed./veteran health). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

NEW SECTION. Sec. 612. FOR THE STUDENT ACHIEVEMENT COUNCIL—POLICY COORDINATION AND ADMINISTRATION

General Fund—State Appropriation (FY 2020)	\$8,406,000
General Fund—State Appropriation (FY 2021)	\$6,531,000
General Fund—Federal Appropriation	\$4,906,000
Pension Funding Stabilization Account—State Appropriation	\$534,000
TOTAL APPROPRIATION	\$20,377,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$126,000 of the general fund—state appropriation for fiscal year 2020 and \$126,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the consumer protection unit.

(2) \$2,133,000 of the general fund—state appropriation for fiscal year 2020 and \$62,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Second Substitute Senate Bill No. 5774 (student debt). Of the amounts appropriated, \$2,000,000 is provided solely for the Washington student loan refinancing program. If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

(3) \$104,000 of the general fund—state appropriation for fiscal year 2020 and \$174,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Second Substitute Senate Bill No. 5800 (homeless college students). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

(4) \$277,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5393 (college promise

scholarship). If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.

(5) The student achievement council must ensure that all institutions of higher education as defined in RCW 28B.92.030 and eligible for state financial aid programs under chapters 28B.92 and 28B.118 RCW provide the data needed to analyze and evaluate the effectiveness of state financial aid programs. This data must be promptly transmitted to the education data center so that it is available and easily accessible.

NEW SECTION. Sec. 613. FOR THE STUDENT ACHIEVEMENT COUNCIL—OFFICE OF STUDENT FINANCIAL ASSISTANCE

General Fund—State Appropriation (FY 2020)	\$302,790,000
General Fund—State Appropriation (FY 2021)	\$333,858,000
General Fund—Federal Appropriation	\$11,957,000
General Fund—Private/Local Appropriation	\$300,000
Education Legacy Trust Account—State Appropriation	\$93,488,000
Washington Opportunity Pathways Account—State Appropriation	\$114,229,000
Aerospace Training Student Loan Account—State Appropriation	\$210,000
Pension Funding Stabilization Account—State Appropriation	\$18,000
Health Professionals Loan Repayment and Scholarship Program Account—State Appropriation	\$1,720,000
State Educational Trust Fund Nonappropriated Account—State Appropriation	\$6,000,000
TOTAL APPROPRIATION	\$864,570,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$281,827,000 of the general fund—state appropriation for fiscal year 2020, \$320,528,000 of the general fund—state appropriation for fiscal year 2021, \$77,639,000 of the education legacy trust account—state appropriation, \$6,000,000 of the state educational trust fund nonappropriated account—state appropriation, and \$80,000,000 of the Washington opportunity pathways account—state appropriation are provided solely for student financial aid payments under the state need grant and state work study programs, including up to four percent administrative allowance for the state work study program.

(2)(a) For the 2019-2021 fiscal biennium, state need grant awards given to private for-profit institutions shall be the same amount as the prior year.

(b) For the 2019-2021 fiscal biennium, grant awards given to private four-year not-for-profit institutions shall be set at the same level as the average grant award for public research universities. Increases in awards given to private four-year not-for-profit institutions shall align with annual tuition increases for public research institutions.

(3) Changes made to the state work study program in the 2009-2011 and 2011-2013 fiscal biennia are continued in the 2019-2021 fiscal biennium including maintaining the increased required employer share of wages; adjusted employer match rates; discontinuation of nonresident student eligibility for the program; and revising distribution methods to institutions by taking into consideration other factors such as off-campus job development, historical utilization trends, and student need.

(4) Within the funds appropriated in this section, eligibility for the state need grant includes students with family incomes at or below 70 percent of the state median family income (MFI), adjusted for family size, and shall include students enrolled in three to five credit-bearing quarter credits, or the equivalent semester credits. Awards for students with incomes between 51

and 70 percent of the state median shall be prorated at the following percentages of the award amount granted to those with incomes below 51 percent of the MFI: 70 percent for students with family incomes between 51 and 55 percent MFI; 65 percent for students with family incomes between 56 and 60 percent MFI; 60 percent for students with family incomes between 61 and 65 percent MFI; and 50 percent for students with family incomes between 66 and 70 percent MFI.

(5) Of the amounts provided in subsection (1) of this section, \$100,000 of the general fund—state appropriation for fiscal year 2020 and \$100,000 of the general fund—state appropriation for fiscal year 2021 are provided for the council to process an alternative financial aid application system pursuant to RCW 28B.92.010.

(6) Students who are eligible for the college bound scholarship shall be given priority for the state need grant program. These eligible college bound students whose family incomes are in the 0-65 percent median family income ranges must be awarded the maximum state need grant for which they are eligible under state policies and may not be denied maximum state need grant funding due to institutional policies or delayed awarding of college bound scholarship students. The council shall provide directions to institutions to maximize the number of college bound scholarship students receiving the maximum state need grant for which they are eligible with a goal of 100 percent coordination. Institutions shall identify all college bound scholarship students to receive state need grant priority. If an institution is unable to identify all college bound scholarship students at the time of initial state aid packaging, the institution should reserve state need grant funding sufficient to cover the projected enrollments of college bound scholarship students.

(7) \$1,023,000 of the general fund—state appropriation for fiscal year 2020, \$855,000 of the general fund—state appropriation for fiscal year 2021, \$15,849,000 of the education legacy trust account—state appropriation, and \$34,229,000 of the Washington opportunity pathways account—state appropriation are provided solely for the college bound scholarship program and may support scholarships for summer session. The office of student financial assistance and the institutions of higher education shall not consider awards made by the opportunity scholarship program to be state-funded for the purpose of determining the value of an award amount under RCW 28B.118.010.

(8) \$2,795,000 of the general fund—state appropriation for fiscal year 2020 and \$2,795,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the passport to careers program. The maximum scholarship award is up to \$5,000. The council shall contract with a nonprofit organization to provide support services to increase student completion in their postsecondary program and shall, under this contract, provide a minimum of \$500,000 in fiscal years 2020 and 2021 for this purpose.

(9) \$7,468,000 of the general fund—state appropriation for fiscal year 2020 is provided solely for meeting state match requirements associated with the opportunity scholarship program. The legislature will evaluate subsequent appropriations to the opportunity scholarship program based on the extent that additional private contributions are made, program spending patterns, and fund balance.

(10) \$3,800,000 of the general fund—state appropriation for fiscal year 2020 and \$3,800,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for expenditure into the health professionals loan repayment and scholarship program account. These amounts must be used to increase the number of licensed primary care health professionals to serve in licensed primary care health professional critical

shortage areas. Contracts between the office and program recipients must guarantee at least three years of conditional loan repayments. The office of student financial assistance and the department of health shall prioritize a portion of any nonfederal balances in the health professional loan repayment and scholarship fund for conditional loan repayment contracts with psychiatrists and with advanced registered nurse practitioners for work at one of the state-operated psychiatric hospitals. The office and department shall designate the state hospitals as health professional shortage areas if necessary for this purpose. The office shall coordinate with the department of social and health services to effectively incorporate three conditional loan repayments into the department's advanced psychiatric professional recruitment and retention strategies. The office may use these targeted amounts for other program participants should there be any remaining amounts after eligible psychiatrists and advanced registered nurse practitioners have been served. The office shall also work to prioritize loan repayments to professionals working at health care delivery sites that demonstrate a commitment to serving uninsured clients.

(11) \$1,000,000 of the general fund—state appropriation for fiscal year 2020 and \$1,000,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the office of student financial assistance to create a new behavioral health professional conditional scholarship, in consultation with the office of the governor and the planning committee under RCW 28B.115.050. Priority shall be given to students who commit to a course of study leading to a behavioral health profession in a shortage area and to working three years in a state hospital or with a licensed community behavioral health provider that serves publicly funded clients, as defined by the office of the governor and the planning committee. Repayment terms and conditions must be developed in accordance with federal financial loan repayment terms and conditions.

(12) \$625,000 of the general fund—state appropriation for fiscal year 2020 and \$625,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Senate Bill No. 5197 (national guard ed. grants). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

NEW SECTION. Sec. 614. FOR THE WORKFORCE TRAINING AND EDUCATION COORDINATING BOARD

General Fund—State Appropriation (FY 2020)	\$1,986,000
General Fund—State Appropriation (FY 2021)	\$1,674,000
General Fund—Federal Appropriation	\$55,344,000
General Fund—Private/Local Appropriation	\$210,000
Pension Funding Stabilization Account—State Appropriation	\$176,000
TOTAL APPROPRIATION	\$59,390,000

The appropriations in this section are subject to the following conditions and limitations:

(1) For the 2019-2021 fiscal biennium the board shall not designate recipients of the Washington award for vocational excellence or recognize them at award ceremonies as provided in RCW 28C.04.535.

(2) \$260,000 of the general fund—state appropriation for fiscal year 2020 is provided solely for implementation of chapter 294, Laws of 2018 (future of work task force).

(3) \$28,000 of the general fund—state appropriation for fiscal year 2020 is provided solely for implementation of Substitute Senate Bill No. 5166 (postsecondary religious acc.). If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.

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NEW SECTION. Sec. 615. FOR THE STATE SCHOOL FOR THE BLIND

General Fund—State Appropriation (FY 2020)	\$8,230,000
General Fund—State Appropriation (FY 2021)	\$8,268,000
General Fund—Private/Local Appropriation	\$34,000
Pension Funding Stabilization Account—State Appropriation	\$590,000
TOTAL APPROPRIATION	\$17,122,000

The appropriations in this section are subject to the following conditions and limitations: Funding provided in this section is sufficient for the school to offer to students enrolled in grades nine through twelve for full-time instructional services at the Vancouver campus with the opportunity to participate in a minimum of one thousand eighty hours of instruction and the opportunity to earn twenty-four high school credits.

NEW SECTION. Sec. 616. FOR THE WASHINGTON STATE CENTER FOR CHILDHOOD DEAFNESS AND HEARING LOSS

General Fund—State Appropriation (FY 2020)	\$12,856,000
General Fund—State Appropriation (FY 2021)	\$12,886,000
Pension Funding Stabilization Account—State Appropriation	\$728,000
TOTAL APPROPRIATION	\$26,470,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Funding provided in this section is sufficient for the center to offer to students enrolled in grades nine through twelve for full-time instructional services at the Vancouver campus with the opportunity to participate in a minimum of one thousand eighty hours of instruction and the opportunity to earn twenty-four high school credits.

(2) \$10,000,000 of the general fund—state appropriation for fiscal year 2020 and \$10,000,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for operations, expenses, and direct service to students at the state school for the deaf referenced in RCW 72.40.015(2)(a).

NEW SECTION. Sec. 617. FOR THE WASHINGTON STATE ARTS COMMISSION

General Fund—State Appropriation (FY 2020)	\$2,071,000
General Fund—State Appropriation (FY 2021)	\$2,233,000
General Fund—Federal Appropriation	\$2,131,000
General Fund—Private/Local Appropriation	\$50,000
Pension Funding Stabilization Account—State Appropriation	\$122,000
TOTAL APPROPRIATION	\$6,607,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$104,000 of the general fund—state appropriation for fiscal year 2020 and \$96,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for maintenance of the my public art portal that provides access to Washington’s state art collection.

(2) \$280,000 of the general fund—state appropriation for fiscal year 2020 and \$279,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for collections technicians and support staff to maintain and repair state-owned artworks across Washington.

(3) \$100,000 of the general fund—state appropriation for fiscal year 2020 and \$100,000 of the general fund—state appropriation for fiscal year 2021 are provided solely to expand the folk arts job stimulation program.

(4) \$172,000 of the general fund—state appropriation for fiscal year 2020 and \$324,000 of the general fund—state appropriation

for fiscal year 2021 are provided solely for an arts-integration program that encourages kindergarten readiness in partnership with educational service districts, the office of the superintendent of public instruction, and the department of children, youth, and families.

NEW SECTION. Sec. 618. FOR THE WASHINGTON STATE HISTORICAL SOCIETY

General Fund—State Appropriation (FY 2020)	\$3,272,000
General Fund—State Appropriation (FY 2021)	\$3,197,000
Pension Funding Stabilization Account—State Appropriation	\$230,000
TOTAL APPROPRIATION	\$6,699,000

The appropriations in this section are subject to the following conditions and limitations: \$500,000 of the general fund—state appropriation for fiscal year 2020 and \$500,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for general support and operations of the Washington state historical society.

NEW SECTION. Sec. 619. FOR THE EASTERN WASHINGTON STATE HISTORICAL SOCIETY

General Fund—State Appropriation (FY 2020)	\$2,692,000
General Fund—State Appropriation (FY 2021)	\$2,703,000
Pension Funding Stabilization Account—State Appropriation	\$214,000
TOTAL APPROPRIATION	\$5,609,000

The appropriations in this section are subject to the following conditions and limitations: \$500,000 of the general fund—state appropriation for fiscal year 2020 and \$500,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for general support and operations of the eastern Washington state historical society.

**PART VII
SPECIAL APPROPRIATIONS**

NEW SECTION. Sec. 701. FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR DEBT SUBJECT TO THE DEBT LIMIT

General Fund—State Appropriation (FY 2020)	\$1,192,325,000
General Fund—State Appropriation (FY 2021)	\$1,272,203,000
State Building Construction Account—State Appropriation	\$6,273,000
Columbia River Basin Water Supply Development Account—State Appropriation	\$30,000
Watershed Restoration and Enhancement Bond Account—State Appropriation	\$46,000
State Taxable Building Construction Account—State Appropriation	\$213,000
Debt-Limit Reimbursable Bond Retirement Account—State Appropriation	\$566,000
TOTAL APPROPRIATION	\$2,471,656,000

The appropriations in this section are subject to the following conditions and limitations: The general fund appropriations are for expenditure into the debt-limit general fund bond retirement account.

NEW SECTION. Sec. 702. FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR GENERAL OBLIGATION

DEBT TO BE REIMBURSED AS PRESCRIBED BY STATUTE

Nondebt-Limit Reimbursable Bond Retirement	
Account—State Appropriation	\$153,170,000
School Construction and Skill Centers Building	
Account—State Appropriation	\$4,000
TOTAL APPROPRIATION	\$153,174,000

The appropriation in this section is subject to the following conditions and limitations: The general fund appropriations are for expenditure into the nondebt-limit general fund bond retirement account.

NEW SECTION. Sec. 703. FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALE EXPENSES

General Fund—State Appropriation (FY 2020)	\$1,400,000
General Fund—State Appropriation (FY 2021)	\$1,400,000
State Building Construction Account—State Appropriation	\$1,052,000
Columbia River Basin Water Supply Development	
Account—State Appropriation	\$6,000
School Construction and Skill Centers Building	
Account—State Appropriation	\$1,000
Watershed Restoration and Enhancement Bond	
Account—State Appropriation	\$9,000
State Taxable Building Construction Account—State Appropriation	\$36,000
TOTAL APPROPRIATION	\$3,904,000

NEW SECTION. Sec. 704. FOR THE OFFICE OF FINANCIAL MANAGEMENT—EMERGENCY FUND

General Fund—State Appropriation (FY 2020)	\$850,000
General Fund—State Appropriation (FY 2021)	\$850,000
TOTAL APPROPRIATION	\$1,700,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section are for the governor’s emergency fund for the critically necessary work of any agency.

NEW SECTION. Sec. 705. FOR THE OFFICE OF FINANCIAL MANAGEMENT—EDUCATION TECHNOLOGY REVOLVING ACCOUNT

General Fund—State Appropriation (FY 2020)	\$9,000,000
General Fund—State Appropriation (FY 2021)	\$9,000,000
TOTAL APPROPRIATION	\$18,000,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section are provided solely for expenditure into the education technology revolving account for the purpose of covering ongoing operational and equipment replacement costs incurred by the K-20 educational network program in providing telecommunication services to network participants.

NEW SECTION. Sec. 706. FOR THE OFFICE OF FINANCIAL MANAGEMENT—SCHOOL EMPLOYEES’ INSURANCE ADMINISTRATIVE ACCOUNT

General Fund—State Appropriation (FY 2020)	\$10,000,000
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The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section, or so much thereof as may be necessary, is provided solely for expenditure into the school employees’ administrative account for start-up costs for the school employees’ benefits program pursuant to RCW 41.05.740. It is the intent of the legislature that this amount and amounts provided for this purpose in the 2017-

2019 omnibus appropriations act, plus interest as determined by the treasurer, be repaid to the general fund—state during the 2021-2023 fiscal biennium.

NEW SECTION. Sec. 707. FOR THE OFFICE OF FINANCIAL MANAGEMENT—O’BRIEN BUILDING IMPROVEMENT

General Fund—State Appropriation (FY 2020)	\$2,794,000
General Fund—State Appropriation (FY 2021)	\$2,793,000
TOTAL APPROPRIATION	\$5,587,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations are provided solely for expenditure into the enterprise services account for payment of principal, interest, and financing expenses associated with the certificate of participation for the O’Brien building improvement, project number 20081007.

NEW SECTION. Sec. 708. FOR THE OFFICE OF FINANCIAL MANAGEMENT—CHERBERG BUILDING REHABILITATION

General Fund—State Appropriation (FY 2020)	\$556,000
General Fund—State Appropriation (FY 2021)	\$556,000
TOTAL APPROPRIATION	\$1,112,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations are provided solely for expenditure into the enterprise services account for payment for the principal, interest, and financing expenses associated with the certificate of participation for the Cherberg building improvements, project number 2002-1-005.

NEW SECTION. Sec. 709. FOR THE STATE TREASURER—COUNTY PUBLIC HEALTH ASSISTANCE

General Fund—State Appropriation (FY 2020)	\$36,386,000
General Fund—State Appropriation (FY 2021)	\$36,386,000
TOTAL APPROPRIATION	\$72,772,000

The appropriations in this section are subject to the following conditions and limitations: The state treasurer shall distribute the appropriations to the following counties and health districts in the amounts designated to support public health services, including public health nursing:

Health District	FY 2020	FY 2021	2019-2021 Biennium
Adams County Integrated Health Care Services	\$121,213	\$121,213	\$242,426
Asotin County Health District	\$159,890	\$159,890	\$319,780
Benton-Franklin Health District	\$1,614,337	\$1,614,337	\$3,228,674
Chelan-Douglas Health District	\$399,634	\$399,634	\$799,268
Clallam County Health and Human Services Department	\$291,401	\$291,401	\$582,802
Clark County Public Health	\$1,767,341	\$1,767,341	\$3,534,682
Skamania County Community Health	\$111,327	\$111,327	\$222,654
Columbia County Health District	\$119,991	\$119,991	\$239,982

Health District	FY 2020	FY 2021	2019-2021 Biennium
Cowlitz County Health and Human Services	\$477,981	\$477,981	\$955,962
Garfield County Health District	\$93,154	\$93,154	\$186,308
Grant County Health District	\$297,761	\$297,761	\$595,522
Grays Harbor Public Health and Social Services	\$335,666	\$335,666	\$671,332
Island County Health Department	\$255,224	\$255,224	\$510,448
Jefferson County Public Health	\$184,080	\$184,080	\$368,160
Public Health - Seattle & King County	\$12,685,521	\$12,685,521	\$25,371,042
Kitsap Public Health District	\$997,476	\$997,476	\$1,994,952
Kittitas County Public Health	\$198,979	\$198,979	\$397,958
Klickitat County Public Health	\$153,784	\$153,784	\$307,568
Lewis County Public Health and Social Services	\$263,134	\$263,134	\$526,268
Lincoln County Health Department	\$113,917	\$113,917	\$227,834
Mason County Public Health and Human Services	\$227,448	\$227,448	\$454,896
Okanogan County Public Health	\$169,882	\$169,882	\$339,764
Pacific County Health and Human Services	\$169,075	\$169,075	\$338,150
Tacoma-Pierce County Health Department	\$4,143,169	\$4,143,169	\$8,286,338
San Juan County Health and Community Services	\$126,569	\$126,569	\$253,138
Skagit County Health Department	\$449,745	\$449,745	\$899,490
Snohomish Health District	\$3,433,291	\$3,433,291	\$6,866,582
Spokane Regional Health District	\$2,877,318	\$2,877,318	\$5,754,636
Northeast Tri-County Health District	\$249,303	\$249,303	\$498,606
Thurston County Public Health and Social Services	\$1,046,897	\$1,046,897	\$2,093,794

Health District	FY 2020	FY 2021	2019-2021 Biennium
Wahkiakum County Health and Human Services	\$93,181	\$93,181	\$186,362
Walla Walla County Department of Community Health	\$302,173	\$302,173	\$604,346
Whatcom County Health Department	\$1,214,301	\$1,214,301	\$2,428,602
Whitman County Health Department	\$189,355	\$189,355	\$378,710
Yakima Health District	\$1,052,482	\$1,052,482	\$2,104,964
TOTAL APPROPRIATIONS	\$36,386,000	\$36,386,000	\$72,772,000

NEW SECTION. Sec. 710. FOR THE STATE TREASURER—COUNTY CLERK LEGAL FINANCIAL OBLIGATION GRANTS

General Fund—State Appropriation (FY 2020)	\$541,000
General Fund—State Appropriation (FY 2021)	\$441,000
TOTAL APPROPRIATION	\$982,000

The appropriations in this section are subject to the following conditions and limitations: By October 1st of each fiscal year, the state treasurer shall distribute the appropriations to the following county clerk offices in the amounts designated as grants for the collection of legal financial obligations pursuant to RCW 2.56.190:

County Clerk	FY 2020	FY 2021
Adams County Clerk	\$2,103	\$1,714
Asotin County Clerk	\$2,935	\$2,392
Benton County Clerk	\$18,231	\$14,858
Chelan County Clerk	\$7,399	\$6,030
Clallam County Clerk	\$5,832	\$4,753
Clark County Clerk	\$32,635	\$26,597
Columbia County Clerk	\$384	\$313
Cowlitz County Clerk	\$16,923	\$13,792
Douglas County Clerk	\$3,032	\$2,471
Ferry County Clerk	\$422	\$344
Franklin County Clerk	\$5,486	\$4,471
Garfield County Clerk	\$243	\$198
Grant County Clerk	\$10,107	\$8,237
Grays Harbor County Clerk	\$8,659	\$7,057
Island County Clerk	\$3,059	\$2,493
Jefferson County Clerk	\$1,859	\$1,515
King County Court Clerk	\$119,290	\$97,266
Kitsap County Clerk	\$22,242	\$18,127
Kittitas County Clerk	\$3,551	\$2,894
Klickitat County Clerk	\$2,151	\$1,753
Lewis County Clerk	\$10,340	\$8,427
Lincoln County Clerk	\$724	\$590
Mason County Clerk	\$5,146	\$4,194
Okanogan County Clerk	\$3,978	\$3,242

County Clerk	FY 2020	FY 2021
Pacific County Clerk	\$2,411	\$1,965
Pend Oreille County Clerk	\$611	\$498
Pierce County Clerk	\$77,102	\$62,837
San Juan County Clerk	\$605	\$493
Skagit County Clerk	\$11,059	\$9,013
Skamania County Clerk	\$1,151	\$938
Snohomish County Clerk	\$38,143	\$31,086
Spokane County Clerk	\$44,825	\$36,578
Stevens County Clerk	\$2,984	\$2,432
Thurston County Clerk	\$22,204	\$18,096
Wahkiakum County Clerk	\$400	\$326
Walla Walla County Clerk	\$4,935	\$4,022
Whatcom County Clerk	\$20,728	\$16,893
Whitman County Clerk	\$2,048	\$1,669
Yakima County Clerk	\$25,063	\$20,426
TOTAL APPROPRIATIONS	\$541,000	\$441,000

NEW SECTION. Sec. 711. BELATED CLAIMS

The agencies and institutions of the state may expend moneys appropriated in this act, upon approval of the office of financial management, for the payment of supplies and services furnished to the agency or institution in prior fiscal biennia.

NEW SECTION. Sec. 712. FOR THE OFFICE OF FINANCIAL MANAGEMENT—ANDY HILL CANCER RESEARCH ENDOWMENT FUND MATCH TRANSFER ACCOUNT

General Fund—State Appropriation (FY 2020)	\$3,952,000
General Fund—State Appropriation (FY 2021)	\$2,441,000
TOTAL APPROPRIATION	\$6,393,000

The appropriations in this section are subject to the following conditions and limitations: The appropriation in this section is provided solely for expenditure into the Andy Hill cancer research endowment fund match transfer account per RCW 43.348.080 to fund the Andy Hill cancer research endowment program. Matching funds using the amounts appropriated in this section may not be used to fund new grants that exceed two years in duration.

NEW SECTION. Sec. 713. FOR THE OFFICE OF FINANCIAL MANAGEMENT—STATE EFFICIENCY AND RESTRUCTURING REPAYMENT

General Fund—State Appropriation (FY 2020)	\$14,078
TOTAL APPROPRIATION	\$14,078

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section are provided solely for expenditure into the cleanup settlement account on July 1, 2019, as repayment of moneys that were transferred to the state efficiency and restructuring account.

NEW SECTION. Sec. 714. FOR THE OFFICE OF FINANCIAL MANAGEMENT—COMMON SCHOOL CONSTRUCTION ACCOUNT

General Fund—State Appropriation (FY 2020)	\$600,000
General Fund—State Appropriation (FY 2021)	\$600,000
TOTAL APPROPRIATION	\$1,200,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section are provided solely for expenditure into the common school

construction account—state on July 1, 2019, and July 1, 2020, for an interest payment pursuant to RCW 90.38.130.

NEW SECTION. Sec. 715. FOR THE OFFICE OF FINANCIAL MANAGEMENT—NATURAL RESOURCES REAL PROPERTY REPLACEMENT ACCOUNT

General Fund—State Appropriation (FY 2020)	\$300,000
General Fund—State Appropriation (FY 2021)	\$300,000
TOTAL APPROPRIATION	\$600,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section are provided solely for expenditure into the natural resources real property replacement account—state on July 1, 2019, and July 1, 2020, for an interest payment pursuant to RCW 90.38.130.

NEW SECTION. Sec. 716. FOR THE OFFICE OF FINANCIAL MANAGEMENT—COUNTY CRIMINAL JUSTICE ASSISTANCE ACCOUNT

General Fund—State Appropriation (FY 2020)	\$227,000
General Fund—State Appropriation (FY 2021)	\$227,000
TOTAL APPROPRIATION	\$454,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section, or so much thereof as may be necessary, are provided solely for expenditure into the county criminal justice assistance account—state. The treasurer shall make quarterly distributions from the county criminal justice assistance account of the amounts provided in this section in accordance with RCW 82.14.310 for the purposes of reimbursing local jurisdictions for increased costs incurred as a result of the mandatory arrest of repeat offenders pursuant to chapter 35, Laws of 2013 2nd sp. sess. The appropriations and distributions made under this section constitute appropriate reimbursement for costs for any new programs or increased level of services for the purposes of RCW 43.135.060.

NEW SECTION. Sec. 717. FOR THE OFFICE OF FINANCIAL MANAGEMENT—MUNICIPAL CRIMINAL JUSTICE ASSISTANCE ACCOUNT

General Fund—State Appropriation (FY 2020)	\$133,000
General Fund—State Appropriation (FY 2021)	\$133,000
TOTAL APPROPRIATION	\$266,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section, or so much thereof as may be necessary, are appropriated for expenditure into the municipal criminal justice assistance account. The treasurer shall make quarterly distributions from the municipal criminal justice assistance account of the amounts provided in this section in accordance with RCW 82.14.320 and 82.14.330, for the purposes of reimbursing local jurisdictions for increased costs incurred as a result of the mandatory arrest of repeat offenders pursuant to chapter 35, Laws of 2013 2nd sp. sess. The appropriations and distributions made under this section constitute appropriate reimbursement for costs for any new programs or increased level of services for the purposes of RCW 43.135.060.

NEW SECTION. Sec. 718. FOR THE OFFICE OF FINANCIAL MANAGEMENT—HOME VISITING SERVICES ACCOUNT

General Fund—State Appropriation (FY 2020)	\$5,532,000
General Fund—State Appropriation (FY 2021)	\$5,532,000
TOTAL APPROPRIATION	\$11,064,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations are provided solely

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for expenditure into the home visiting services account for the home visiting program.

NEW SECTION. Sec. 719. FOR THE OFFICE OF FINANCIAL MANAGEMENT—OUTDOOR EDUCATION AND RECREATION ACCOUNT

General Fund—State Appropriation (FY 2020)	\$1,000,000
General Fund—State Appropriation (FY 2021)	\$1,000,000
TOTAL APPROPRIATION	\$2,000,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations are provided solely for expenditure into the outdoor education and recreation account for the state parks and recreation commission’s outdoor education and recreation program purposes identified in RCW 79A.05.351. Of the amounts appropriated, \$500,000 is provided solely to partner with organizations that employ at least one veteran.

NEW SECTION. Sec. 720. FOR THE DEPARTMENT OF RETIREMENT SYSTEMS—CONTRIBUTIONS TO RETIREMENT SYSTEMS

(1) The appropriations in this section are subject to the following conditions and limitations: The appropriations for the law enforcement officers’ and firefighters’ retirement system shall be made on a monthly basis consistent with chapter 41.45 RCW, and the appropriations for the judges and judicial retirement systems shall be made on a quarterly basis consistent with chapters 2.10 and 2.12 RCW.

(2) There is appropriated for state contributions to the law enforcement officers’ and firefighters’ retirement system:

General Fund—State Appropriation (FY 2020)	\$72,600,000
General Fund—State Appropriation (FY 2021)	\$75,400,000
TOTAL APPROPRIATION	\$148,000,000

(3) There is appropriated for contributions to the judicial retirement system:

General Fund—State Appropriation (FY 2020)	\$1,545,000
Pension Funding Stabilization Account—State Appropriation	\$13,855,000
TOTAL APPROPRIATION	\$15,400,000

(4) There is appropriated for contributions to the judges’ retirement system:

General Fund—State Appropriation (FY 2020)	\$400,000
General Fund—State Appropriation (FY 2021)	\$400,000
TOTAL APPROPRIATION	\$800,000

(5) There is appropriated for state contributions to the volunteer firefighters’ and reserve officers’ relief and pension principal fund:

Volunteer Firefighters’ and Reserve Officers’ Administrative Account—State Appropriation	\$15,532,000
TOTAL APPROPRIATION	\$15,532,000

NEW SECTION. Sec. 721. COMPENSATION AND BENEFITS

General Fund—State Appropriation (FY 2020)	\$179,499,000
General Fund—State Appropriation (FY 2021)	\$280,583,000
General Fund—Federal Appropriation	\$95,529,000
General Fund—Private/Local Appropriation	\$9,204,000
Other Appropriated Funds	\$126,624,000
TOTAL APPROPRIATION	\$691,439,000

The appropriations in this section are subject to the following conditions and limitations: Funding is provided for wages, benefits, and retirement contributions for state employees including employees at institutions of higher education, as shown in LEAP omnibus document COMP-2019.

NEW SECTION. Sec. 722. FOR THE OFFICE OF FINANCIAL MANAGEMENT—SECRETARY OF STATE ARCHIVES AND RECORDS MANAGEMENT

General Fund—State Appropriation (FY 2020)	\$53,000
General Fund—State Appropriation (FY 2021)	\$49,000
General Fund—Federal Appropriation	\$21,000
General Fund—Private/Local Appropriation	\$2,000
Other Appropriated Funds	\$47,000
TOTAL APPROPRIATION	\$172,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section reflect adjustments in agency appropriations related to corresponding adjustments in the secretary of state’s billing authority for archives and records management. The office of financial management shall adjust allotments in the amounts specified, and to the state agencies specified in LEAP omnibus document 92C-2019, dated March 25, 2019, and adjust appropriation schedules accordingly.

NEW SECTION. Sec. 723. FOR THE OFFICE OF FINANCIAL MANAGEMENT—STATE AUDITOR AUDIT SERVICES

General Fund—State Appropriation (FY 2020)	\$3,000
General Fund—State Appropriation (FY 2021)	\$2,000
General Fund—Federal Appropriation	\$4,000
TOTAL APPROPRIATION	\$9,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section reflect adjustments in agency appropriations related to corresponding adjustments in the state auditor’s billing authority for state agency auditing services. The office of financial management shall adjust allotments in the amounts specified, and to the state agencies specified in LEAP omnibus document 92D-2019, dated March 25, 2019, and adjust appropriation schedules accordingly.

NEW SECTION. Sec. 724. FOR THE OFFICE OF FINANCIAL MANAGEMENT—OFFICE OF ATTORNEY GENERAL LEGAL SERVICES

General Fund—State Appropriation (FY 2020)	\$1,160,000
General Fund—State Appropriation (FY 2021)	\$1,156,000
General Fund—Federal Appropriation	\$1,056,000
General Fund—Private/Local Appropriation	\$3,000
Other Appropriated Funds	\$175,000
TOTAL APPROPRIATION	\$3,550,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section reflect adjustments in agency appropriations related to corresponding adjustments in the office of attorney general’s billing authority for legal services. The office of financial management shall adjust allotments in the amounts specified, and to the state agencies specified in LEAP omnibus document 92E-2019, dated March 25, 2019, and adjust appropriation schedules accordingly.

NEW SECTION. Sec. 725. FOR THE OFFICE OF FINANCIAL MANAGEMENT—ADMINISTRATIVE HEARINGS

General Fund—State Appropriation (FY 2020)	\$53,000
General Fund—State Appropriation (FY 2021)	\$55,000
General Fund—Federal Appropriation	\$81,000
Other Appropriated Funds	\$2,056,000
TOTAL APPROPRIATION	\$2,245,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section reflect adjustments in agency appropriations related to corresponding adjustments in the office of administrative hearing's billing authority. The office of financial management shall adjust allotments in the amounts specified, and to the state agencies specified in LEAP omnibus document 92G-2019, dated March 25, 2019, and adjust appropriation schedules accordingly.

NEW SECTION. Sec. 726. FOR THE OFFICE OF FINANCIAL MANAGEMENT—CONSOLIDATED TECHNOLOGY SERVICES CENTRAL SERVICES

General Fund—State Appropriation (FY 2020)	(\$12,530,000)
General Fund—State Appropriation (FY 2021)	(\$12,859,000)
General Fund—Federal Appropriation	(\$5,853,000)
General Fund—Private/Local Appropriation	(\$496,000)
Other Appropriated Funds	(\$9,606,000)
TOTAL APPROPRIATION	(\$41,344,000)

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section reflect adjustments in agency appropriations related to corresponding adjustments in the central technology services' billing authority. The office of financial management shall adjust allotments in the amounts specified, and to the state agencies specified in LEAP omnibus document 92J-2019, dated March 25, 2019, and adjust appropriation schedules accordingly.

NEW SECTION. Sec. 727. FOR THE OFFICE OF FINANCIAL MANAGEMENT—DEPARTMENT OF ENTERPRISE SERVICES CENTRAL SERVICES

General Fund—State Appropriation (FY 2020)	\$529,000
General Fund—State Appropriation (FY 2021)	\$542,000
General Fund—Federal Appropriation	\$167,000
General Fund—Private/Local Appropriation	\$31,000
Other Appropriated Funds	\$543,000
TOTAL APPROPRIATION	\$1,812,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section reflect adjustments in agency appropriations related to corresponding adjustments in the department of enterprise services' billing authority. The office of financial management shall adjust allotments in the amounts specified, and to the state agencies specified in LEAP omnibus document 92K-2019, dated March 25, 2019, and adjust appropriation schedules accordingly.

NEW SECTION. Sec. 728. FOR THE OFFICE OF FINANCIAL MANAGEMENT—OFFICE OF FINANCIAL MANAGEMENT CENTRAL SERVICES

General Fund—State Appropriation (FY 2020)	\$16,361,000
General Fund—State Appropriation (FY 2021)	\$16,362,000
General Fund—Federal Appropriation	\$6,838,000
General Fund—Private/Local Appropriation	\$596,000
Other Appropriated Funds	\$11,921,000
TOTAL APPROPRIATION	\$52,078,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section reflect adjustments in agency appropriations related to new billing authority for central service functions performed by the office of financial management. The office of financial management shall adjust allotments in the amounts specified, and to the state agencies specified in LEAP omnibus document 92R-2019, dated March 25, 2019, and adjust appropriation schedules accordingly.

NEW SECTION. Sec. 729. FOR THE OFFICE OF FINANCIAL MANAGEMENT—SELF-INSURANCE LIABILITY PREMIUM

General Fund—State Appropriation (FY 2020)	\$19,606,000
General Fund—State Appropriation (FY 2021)	\$19,588,000
General Fund—Federal Appropriation	\$12,065,000
General Fund—Private/Local Appropriation	\$158,000
Other Appropriated Funds	\$5,025,000
TOTAL APPROPRIATION	\$56,442,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section reflect adjustments in agency appropriations related to corresponding adjustments in the self-insurance premium liability billing authority. The office of financial management shall adjust allotments in the amounts specified, and to the state agencies specified in LEAP omnibus document 92X-2019, dated March 25, 2019, and adjust appropriation schedules accordingly.

NEW SECTION. Sec. 730. FOR THE OFFICE OF FINANCIAL MANAGEMENT—DEPARTMENT OF ENTERPRISE SERVICES CONSOLIDATED MAIL

General Fund—State Appropriation (FY 2020)	\$448,000
General Fund—State Appropriation (FY 2021)	\$455,000
General Fund—Federal Appropriation	\$139,000
General Fund—Private/Local Appropriation	\$25,000
Other Appropriated Funds	\$438,000
TOTAL APPROPRIATION	\$1,505,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section reflect adjustments in agency appropriations related to corresponding adjustments in the department of enterprise services' billing authority for a consolidated mail rate increase. The office of financial management shall adjust allotments in the amounts specified, and to the state agencies specified in LEAP omnibus document 91B-2019, dated March 25, 2019, and adjust appropriation schedules accordingly.

NEW SECTION. Sec. 731. FOR THE OFFICE OF FINANCIAL MANAGEMENT—LEASE COST POOL

General Fund—State Appropriation (FY 2020)	\$5,744,000
General Fund—State Appropriation (FY 2021)	\$5,745,000
General Fund—Federal Appropriation	\$6,589,000
Other Appropriated Funds	\$2,457,000
TOTAL APPROPRIATION	\$20,535,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The appropriations in this section are provided solely for expenditure into the state agency office relocation pool account created in RCW 43.41.455.

(2) Costs are as shown in LEAP omnibus document LEAS-2019, dated March 25, 2019, which is hereby incorporated by reference.

(3) To facilitate the transfer of moneys from other funds and accounts that are associated with office relocations contained in LEAP omnibus document LEAS-2019, dated March 25, 2019, the state treasurer is directed to transfer moneys from other funds and accounts in an amount not to exceed \$2,457,000 to the lease cost pool in accordance with schedules provided by the office of financial management.

(4) Agencies may apply to the office of financial management to receive funds from the state agency office relocation pool account, in an amount not to exceed the amount identified in the LEAP omnibus document LEAS-2019, dated March 25, 2019. Prior to applying, agencies must submit to the office of financial management statewide oversight office a relocation plan that identifies estimated project costs, including how the lease aligns to the agency's six year leased facility plan.

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NEW SECTION. Sec. 732. FOR THE STATE TREASURER—STATE REVENUE DISTRIBUTIONS TO CITIES FOR TEMPORARY STREAMLINED SALES TAX MITIGATION

General Fund—State Appropriation (FY 2020)	\$4,002,208
General Fund—State Appropriation (FY 2021)	\$4,129,866
TOTAL APPROPRIATION	\$8,132,074

The appropriations in this section are subject to the following conditions and limitations: It is the legislature’s intent to reduce distributions each year by two-thirds, until such time as the total distribution to a jurisdiction is less than \$20,000 for a calendar year, at which point the distribution shall be terminated. The fiscal year 2020 distribution under this section includes a reduction for the final streamlined sales tax distribution made under section 801 of this act. By December 31, 2019, and by the end of each calendar quarter through June 30, 2020, the state treasurer shall distribute one-third of the following fiscal year 2020 amounts and by September 30, 2019, and by the end of each calendar quarter through June 30, 2021, the state treasurer shall distribute one-fourth of the following fiscal year 2021 amounts:

City	Fiscal Year 2020	Fiscal Year 2021
Kent	\$1,974,236	\$2,020,111
Auburn	\$685,687	\$709,703
Tukwila	\$420,888	\$437,050
Issaquah	\$221,567	\$231,248
Fife	\$210,946	\$216,197
Woodinville	\$175,117	\$181,714
Sumner	\$160,035	\$163,695
Spokane Valley	\$70,948	\$80,471
Burlington	\$31,546	\$34,295
Othello	\$29,384	\$30,861
Milton	\$21,855	\$24,521
TOTAL APPROPRIATIONS	\$4,002,208	\$4,129,866

NEW SECTION. Sec. 733. FOR THE OFFICE OF FINANCIAL MANAGEMENT—AGENCY EFFICIENCIES

General Fund—State Appropriation (FY 2020)	(\$17,342,000)
General Fund—State Appropriation (FY 2021)	(\$34,690,000)
General Fund—Private/Local Appropriation	(\$4,446,000)
General Fund—Federal Appropriation	(\$38,348,000)
Other Appropriated Funds	(\$24,209,000)
TOTAL APPROPRIATION	(\$119,035,000)

The appropriations in this section reflect adjustments in agency appropriations:

(1) The legislature is committed to promoting a state government culture of continual improvement and efficiencies in state spending.

(2) Funding is adjusted for agency and institution appropriations to reflect savings from actions taken to lower overtime costs, professional service contracts, travel, goods and services, and capital outlays by one and one-half percent in fiscal year 2020 and three percent in fiscal year 2021. If agency or client service delivery needs require a deviation from the cost centers identified in this section, agencies and institutions may modify spending in an alternate manner to achieve the required savings.

(3) To facilitate the transfer of moneys from dedicated funds and accounts, the state treasurer shall transfer sufficient moneys from each dedicated fund or account to the special insurance

contribution adjustment revolving account in accordance with LEAP omnibus document SCN5-2019, dated March 25, 2019. The office of financial management shall reduce allotments for all agencies to reflect these adjusted appropriations.

NEW SECTION. Sec. 735. FOR THE OFFICE OF FINANCIAL MANAGEMENT—INFORMATION TECHNOLOGY INVESTMENT POOL

General Fund—State Appropriation (FY 2020)	\$11,806,000
General Fund—State Appropriation (FY 2021)	\$8,094,000
General Fund—Federal Appropriation	\$6,710,000
General Fund—Private/local Appropriation	\$213,000
Other Appropriated Funds	\$62,941,000
TOTAL APPROPRIATION	\$89,764,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The appropriations in this section are provided solely for expenditure into the information technology investment revolving account created in RCW 43.41.433. Funds in the account are provided solely for the information technology projects shown in LEAP omnibus document IT-2019, dated March 25, 2019, which is hereby incorporated by reference. To facilitate the transfer of moneys from other funds and accounts that are associated with projects contained in LEAP omnibus document IT-2019, dated March 25, 2019, the state treasurer is directed to transfer moneys from other funds and accounts to the information technology investment revolving account in accordance with schedules provided by the office of financial management.

(2) Agencies must apply to the office of financial management and the office of the chief information officer to receive funding from the information technology investment revolving account. The office of financial management must notify the fiscal committees of the legislature of the receipt of each application and may not approve a funding request for ten business days from the date of notification.

(3) Allocations and allotments of information technology investment revolving account must be made for discrete stages of projects as determined by the technology budget approved by the office of the state chief information officer and office of financial management. Fifteen percent of total funding allocated by the office of financial management, or another amount as defined jointly by the office of financial management and the office of the state chief information officer, will be retained in the account, but remain allocated to that project. The retained funding will be released to the agency only after successful completion of that stage of the project. For the military department enhanced 911 next generation project, the amount retained is increased to at least twenty percent of total funding allocated for any stage of that project.

(4)(a) Each project must have a technology budget. The technology budget must use a method similar to the state capital budget, identifying project costs, each fund source, and anticipated deliverables through each stage of the entire project investment and across fiscal periods and biennia from project onset through implementation and close out.

(b) As part of the development of a technology budget and at each request for funding, the agency shall submit detailed financial information to the office of financial management and the office of the state chief information officer. The technology budget must describe the total cost of the project by fiscal month to include and identify:

- (i) Fund sources;
- (ii) Full time equivalent staffing level to include job classification assumptions;

- (iii) A discreet appropriation index and program index;
- (iv) Object and subobject codes of expenditures; and
- (v) Anticipated deliverables.
- (5)(a) Each project must have an investment plan that includes:
 - (i) An organizational chart of the project management team that identifies team members and their roles and responsibilities;
 - (ii) The office of the state chief information officer staff assigned to the project;
 - (iii) An implementation schedule covering activities, critical milestones, and deliverables at each stage of the project for the life of the project at each agency affected by the project;
 - (iv) Performance measures used to determine that the project is on time, within budget, and meeting expectations for quality of work product;
 - (v) Ongoing maintenance and operations cost of the project post implementation and close out delineated by agency staffing, contracted staffing, and service level agreements; and
 - (vi) Financial budget coding to include at least discreet program index and subobject codes.
- (6) Projects with estimated costs greater than one hundred million dollars from initiation to completion and implementation may be divided into discrete subprojects as determined by the office of the state chief information officer. Each subproject must have a technology budget and investment plan as provided in this section.
- (7)(a) The office of the state chief information officer shall maintain an information technology project dashboard that provides updated information each fiscal month on projects subject to this section. This includes:
 - (i) Project changes each fiscal month;
 - (ii) Noting if the project has a completed market requirements document;
 - (iii) Financial status of information technology projects under oversight; and
 - (iv) Coordination with agencies.
- (b) The dashboard must retain a roll up of the entire project cost, including all subprojects, that can be displayed the subproject detail.
- (8) If the project affects more than one agency:
 - (a) A separate technology budget and investment plan must be prepared for each agency; and
 - (b) The dashboard must contain a statewide project technology budget roll up that includes each affected agency at the subproject level.
- (9) For any project that exceeds two million dollars in total funds to complete, requires more than one biennium to complete, or is financed through financial contracts, bonds, or other indebtedness:
 - (a) Quality assurance for the project must report independently the office of the chief information officer;
 - (b) The office of the chief information officer must review, and, if necessary, revise the proposed project to ensure it is flexible and adaptable to advances in technology;
 - (c) The technology budget must specifically identify the uses of any financing proceeds. No more than thirty percent of the financing proceeds may be used for payroll-related costs for state employees assigned to project management, installation, testing, or training;
 - (d) The agency must consult with the office of the state treasurer during the competitive procurement process to evaluate early in the process whether products and services to be solicited and the responsive bids from a solicitation may be financed; and
 - (e) The agency must consult with the contracting division of the department of enterprise services for a review of all contracts and agreements related to the project's information technology procurements.

(10) The office of the state chief information officer must evaluate the project at each stage and certify whether the project is planned, managed, and meeting deliverable targets as defined in the project's approved technology budget and investment plan.

(11) The office of the state chief information officer may suspend or terminate a project at any time if it determines that the project is not meeting or not expected to meet anticipated performance and technology outcomes. Once suspension or termination occurs, the agency shall unallot any unused funding and shall not make any expenditure for the project without the approval of the office of financial management.

(12) The office of the state chief information officer, in consultation with the office of financial management, may identify additional projects to be subject to this section, including projects that are not separately identified within an agency budget.

(13) Any cost to administer or implement this section for projects listed in subsection (1) of this section, must be paid from the information technology investment revolving account. For any other information technology project made subject to the conditions, limitations, and review of this section, the cost to implement this section must be paid from the funds for that project.

(14) The information technology feasibility study of the Washington state gambling commission is subject to the conditions, limitations, and review in this section.

NEW SECTION. Sec. 736. FOR THE DEPARTMENT OF AGRICULTURE—NORTHEAST WASHINGTON WOLF-LIVESTOCK MANAGEMENT ACCOUNT

General Fund—State Appropriation (FY 2020)	\$512,000
TOTAL APPROPRIATION	\$512,000

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for expenditure into the northeast Washington wolf-livestock management account for the deployment of nonlethal wolf deterrence resources as provided in chapter 16.76 RCW.

NEW SECTION. Sec. 737. FOR THE OFFICE OF FINANCIAL MANAGEMENT—EXTRAORDINARY CRIMINAL JUSTICE COSTS

General Fund—State Appropriation (FY 2020)	\$958,000
TOTAL APPROPRIATION	\$958,000

The appropriation in this section is subject to the following conditions and limitations: The director of financial management shall distribute \$35,174 to Mason county, \$438,050 to Thurston county, and \$483,919 to Yakima county for extraordinary criminal justice costs pursuant to RCW 43.330.190.

NEW SECTION. Sec. 738. TRANSPORTATION COMPENSATION AND BENEFITS

Other Appropriated Transportation Funds	\$54,870,000
TOTAL APPROPRIATION	\$54,870,000

The appropriations in this section are subject to the following conditions and limitations: Funding is provided for wages, benefits, and retirement contributions for state employees including employees at institutions of higher education, as shown in LEAP transportation document COMP-2019.

NEW SECTION. Sec. 739. FOR THE GAMBLING COMMISSION—PROBLEM GAMBLING TASK FORCE

General Fund—State Appropriation (FY 2020)	\$100,000
TOTAL APPROPRIATION	\$100,000

The appropriation in this section is provided solely for expenditure into the gambling revolving account for the gambling

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commission, on behalf of the joint legislative task force on problem gaming, to contract with an independent facilitator for implementation of Engrossed Substitute House Bill No. 1880. At a minimum, the contract must provide for the facilitation of meetings, to moderate the discussion, provide objective facilitation and negotiation between work group members, ensure participants receive information and guidance to assist in their preparation and timely response for meetings, and to synthesize agreements and recommendations ensuring the task force meets its November 1, 2020 and November 30, 2021 reporting requirements. If Engrossed Substitute House Bill No. 1880 is not enacted by June 30, 2019, the amount provided in this section shall lapse.

**PART VIII
OTHER TRANSFERS AND APPROPRIATIONS**

NEW SECTION. Sec. 801. FOR THE STATE TREASURER—STATE REVENUES FOR DISTRIBUTION

General Fund Appropriation for fire insurance premium distributions	\$10,528,000
General Fund Appropriation for prosecuting attorney distributions	\$7,014,000
General Fund Appropriation for boating safety and education distributions	\$4,000,000
General Fund Appropriation for public utility district excise tax distributions	\$65,216,000
Death Investigations Account Appropriation for distribution to counties for publicly funded autopsies	\$3,464,000
Aquatic Lands Enhancement Account Appropriation for harbor improvement revenue distributions	\$140,000
Timber Tax Distribution Account Appropriation for distribution to "timber" counties	\$84,366,000
County Criminal Justice Assistance Appropriation	\$106,123,000
Municipal Criminal Justice Assistance Appropriation	\$42,084,000
City-County Assistance Appropriation	\$33,218,000
Liquor Excise Tax Account Appropriation for liquor excise tax distribution	\$64,079,000
Streamlined Sales and Use Tax Mitigation Account Appropriation for distribution to local taxing jurisdictions to mitigate the unintended revenue redistributions effect of sourcing law changes	\$2,220,000
Columbia River Water Delivery Account Appropriation for the Confederated Tribes of the Colville Reservation	\$8,379,000
Columbia River Water Delivery Account Appropriation for the Spokane Tribe of Indians	\$5,737,000
Liquor Revolving Account Appropriation for liquor profits distribution	\$98,876,000
General Fund Appropriation for other tax distributions	\$80,000
General Fund Appropriation for Marijuana Excise Tax distributions	\$30,000,000
General Fund Appropriation for Habitat Conservation Program distributions	\$5,754,000
General Fund Appropriation for payment in-lieu of taxes to counties under Department of Fish and Wildlife program	\$3,941,468
Puget Sound Taxpayer Accountability Account Appropriation for distribution to counties in amounts not to exceed actual deposits into the account and attributable to those counties' share pursuant to RCW 43.79.520	\$44,500,000
TOTAL APPROPRIATION	\$551,163,639

The total expenditures from the state treasury under the appropriations in this section shall not exceed the funds available under statutory distributions for the stated purposes.

NEW SECTION. Sec. 802. FOR THE STATE TREASURER—FOR THE COUNTY CRIMINAL JUSTICE ASSISTANCE ACCOUNT

Impaired Driving Safety Appropriation	\$1,933,000
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The appropriation in this section is subject to the following conditions and limitations: The amount appropriated in this section shall be distributed quarterly during the 2019-2021 fiscal biennium in accordance with RCW 82.14.310. This funding is provided to counties for the costs of implementing criminal justice legislation including, but not limited to: Chapter 206, Laws of 1998 (drunk driving penalties); chapter 207, Laws of 1998 (DUI penalties); chapter 208, Laws of 1998 (deferred prosecution); chapter 209, Laws of 1998 (DUI/license suspension); chapter 210, Laws of 1998 (ignition interlock violations); chapter 211, Laws of 1998 (DUI penalties); chapter 212, Laws of 1998 (DUI penalties); chapter 213, Laws of 1998 (intoxication levels lowered); chapter 214, Laws of 1998 (DUI penalties); and chapter 215, Laws of 1998 (DUI provisions).

NEW SECTION. Sec. 803. FOR THE STATE TREASURER—MUNICIPAL CRIMINAL JUSTICE ASSISTANCE ACCOUNT

Impaired Driving Safety Appropriation	\$1,289,000
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The appropriation in this section is subject to the following conditions and limitations: The amount appropriated in this section shall be distributed quarterly during the 2019-2021 fiscal biennium to all cities ratably based on population as last determined by the office of financial management. The distributions to any city that substantially decriminalizes or repeals its criminal code after July 1, 1990, and that does not reimburse the county for costs associated with criminal cases under RCW 3.50.800 or 3.50.805(2), shall be made to the county in which the city is located. This funding is provided to cities for the costs of implementing criminal justice legislation including, but not limited to: Chapter 206, Laws of 1998 (drunk driving penalties); chapter 207, Laws of 1998 (DUI penalties); chapter 208, Laws of 1998 (deferred prosecution); chapter 209, Laws of 1998 (DUI/license suspension); chapter 210, Laws of 1998 (ignition interlock violations); chapter 211, Laws of 1998 (DUI penalties); chapter 212, Laws of 1998 (DUI penalties); chapter 213, Laws of 1998 (intoxication levels lowered); chapter 214, Laws of 1998 (DUI penalties); and chapter 215, Laws of 1998 (DUI provisions).

NEW SECTION. Sec. 804. FOR THE STATE TREASURER—FEDERAL REVENUES FOR DISTRIBUTION

General Fund Appropriation for federal flood control funds distribution	\$66,000
General Fund Appropriation for federal grazing fees distribution	\$45,000
General Fund Appropriation for federal military fees distribution	\$487,000
Forest Reserve Fund Appropriation for federal forest reserve fund distribution	\$4,980,000

The total expenditures from the state treasury under the appropriations in this section shall not exceed the funds available under statutory distributions for the stated purposes.

NEW SECTION. Sec. 805. FOR THE STATE TREASURER—TRANSFERS

Dedicated Marijuana Account: For transfer to the basic health plan trust account, the lesser of the amount determined pursuant to RCW 69.50.540 or this amount for fiscal year 2020, \$195,000,000 and this amount for fiscal year 2021, \$199,000,000
\$394,000,000

Dedicated Marijuana Account: For transfer to the state general fund, the lesser of the amount determined pursuant to RCW 69.50.540 or this amount for fiscal year 2020, \$136,000,000 and this amount for fiscal year 2021, \$138,000,000 \$274,000,000

Aquatic Lands Enhancement Account: For transfer to the clean up settlement account as repayment of the loan provided in section 3022(2), chapter 2, Laws of 2012 2nd sp. sess. (ESB 6074, 2012 supplemental capital budget), \$620,000 for fiscal year 2020 and \$620,000 for fiscal year 2021 \$1,240,000

Tobacco Settlement Account: For transfer to the state general fund, in an amount not to exceed the actual amount of the annual base payment to the tobacco settlement account for fiscal year 2020 \$90,000,000

Tobacco Settlement Account: For transfer to the state general fund, in an amount not to exceed the actual amount of the annual base payment to the tobacco settlement account for fiscal year 2021 \$90,000,000

General Fund: For transfer to the statewide tourism marketing account, \$1,500,000 for fiscal year 2020 and \$1,500,000 for fiscal year 2021 \$3,000,000

General Fund: For transfer to the streamlined sales and use tax account, \$2,220,000 for fiscal year 2020 \$2,220,000

Criminal Justice Treatment Account: For transfer to the home security fund, \$2,250,000 for fiscal year 2020 and \$2,250,000 for fiscal year 2021 \$4,500,000

State Treasurer's Service Account: For transfer to the state general fund, \$8,000,000 for fiscal year 2020 and \$8,000,000 for fiscal year 2021 \$16,000,000

Disaster Response Account: For transfer to the state general fund, \$39,009,000 for fiscal year 2020 and \$13,625,000 for fiscal year 2021 \$52,634,000

General Fund: For transfer to the fair fund, \$2,000,000 for fiscal year 2020 and \$2,000,000 for fiscal year 2021 \$4,000,000

Energy Freedom Account: For transfer to the general fund, \$1,100,000 or as much thereof that represents the balance in the account for fiscal year 2020 \$1,100,000

Financial Services Regulation Account: For transfer to the state general fund, \$3,500,000 for fiscal year 2020 and \$3,500,000 for fiscal year 2021 \$7,000,000

Park Land Trust Revolving Fund: For transfer to the state general fund, \$1,000,000 for fiscal year 2020 \$1,000,000

Aquatic Lands Enhancement Account: For transfer to the geoduck aquaculture research account, \$200,000 for fiscal year 2020 and \$200,000 for fiscal year 2021 \$800,000

PART IX MISCELLANEOUS

NEW SECTION. **Sec. 901. EXPENDITURE AUTHORIZATIONS**

The appropriations contained in this act are maximum expenditure authorizations. Pursuant to RCW 43.88.037, moneys disbursed from the treasury on the basis of a formal loan agreement shall be recorded as loans receivable and not as expenditures for accounting purposes. To the extent that moneys are disbursed on a loan basis, the corresponding appropriation shall be reduced by the amount of loan moneys disbursed from the treasury during the 2017-2019 fiscal biennium.

NEW SECTION. **Sec. 902. EMERGENCY FUND ALLOCATIONS**

Whenever allocations are made from the governor's emergency fund appropriation to an agency that is financed in whole or in part by other than general fund moneys, the director of financial management may direct the repayment of such allocated amount to the general fund from any balance in the fund or funds which finance the agency. An appropriation is not necessary to effect such repayment.

NEW SECTION. **Sec. 903. STATUTORY APPROPRIATIONS**

In addition to the amounts appropriated in this act for revenues for distribution, state contributions to the law enforcement officers' and firefighters' retirement system plan 2 and bond retirement and interest, including ongoing bond registration and transfer charges, transfers, interest on registered warrants, and certificates of indebtedness, there is also appropriated such further amounts as may be required or available for these purposes under any statutory formula or under chapters 39.94, 39.96, and 39.98 RCW or any proper bond covenant made under law.

NEW SECTION. **Sec. 904. BOND EXPENSES**

In addition to such other appropriations as are made by this act, there is hereby appropriated to the state finance committee from legally available bond proceeds in the applicable construction or building funds and accounts such amounts as are necessary to pay the expenses incurred in the issuance and sale of the subject bonds.

NEW SECTION. **Sec. 905. VOLUNTARY RETIREMENT AND SEPARATION**

(1) As a management tool to reduce costs and make more effective use of resources, while improving employee productivity and morale, agencies may implement either a voluntary retirement or separation program, or both, that is cost neutral or results in cost savings, including costs to the state pension systems, over a two-year period following the commencement of the program, provided that such a program is approved by the director of financial management. Agencies participating in this authorization may offer voluntary retirement and/or separation incentives and options according to procedures and guidelines established by the office of financial management in consultation with the department of retirement systems. The options may include, but are not limited to, financial incentives for voluntary separation or retirement. An employee does not have a contractual right to a financial incentive offered under this section. The office of financial management and the department of retirement systems may review and monitor incentive offers. Agencies are required to submit a report by the date established by the office of financial management in the guidelines required in this section to the legislature and the office of financial management on the outcome of their approved incentive program. The report should include information on the details of the program, including the incentive payment amount for each participant, the total cost to the state, and the projected or actual net dollar savings over the two-year period.

(2) The department of retirement systems may collect from employers the actuarial cost of any incentive provided under this program, or any other incentive to retire provided by employers to members of the state's pension systems, for deposit in the appropriate pension account.

NEW SECTION. **Sec. 906. COLLECTIVE BARGAINING AGREEMENTS NOT IMPAIRED**

Nothing in this act prohibits the expenditure of any funds by an agency or institution of the state for benefits guaranteed by any

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collective bargaining agreement in effect on the effective date of this section.

NEW SECTION. Sec. 907. COLLECTIVE BARGAINING AGREEMENTS

The following sections represent the results of the 2019-2021 collective bargaining process required under the provisions of chapters 41.80, 41.56, and 74.39A RCW. Provisions of the collective bargaining agreements contained in sections 908 through 942 of this act are described in general terms. Only major economic terms are included in the descriptions. These descriptions do not contain the complete contents of the agreements. The collective bargaining agreements contained in Part IX of this act may also be funded by expenditures from nonappropriated accounts. If positions are funded with lidded grants or dedicated fund sources with insufficient revenue, additional funding from other sources is not provided.

NEW SECTION. Sec. 908. COLLECTIVE BARGAINING AGREEMENT—WFSE

An agreement has been reached between the governor and the Washington federation of state employees under the provisions of chapter 41.80 RCW for the 2019-2021 fiscal biennium. Funding is provided for a three percent general wage increase effective July 1, 2019, and a three percent general wage increase effective July 1, 2020. The agreement also includes and funding is provided for salary adjustments for targeted job classifications, premium pay for employees who work in King county, and establishment of a new information technology professional compensation structure.

NEW SECTION. Sec. 909. COLLECTIVE BARGAINING AGREEMENT—WFSE DEPARTMENT OF CORRECTIONS UNIQUE CLASSIFICATIONS

An agreement has been reached between the governor and the Washington federation of state employees general government for department of corrections unique classifications through an interest arbitration award as provided in a memorandum of understanding between the parties and under the provisions of chapter 41.80 RCW for the 2019-2021 fiscal biennium. In addition to the economic provisions applicable to all employees covered by the agreement in section 908 of this act, funding is provided for the awarded increases for targeted job classifications ranging from five to ten percent.

NEW SECTION. Sec. 910. COLLECTIVE BARGAINING AGREEMENT—WPEA

An agreement has been reached between the governor and the Washington public employees association general government under the provisions of chapter 41.80 RCW for the 2019-2021 fiscal biennium. Funding is provided for a three percent general wage increase effective July 1, 2019, and a three percent general wage increase effective July 1, 2020. The agreement also includes and funding is provided for salary adjustments for targeted job classifications, premium pay for employees who work in King county, and establishment of a new information technology professional compensation structure.

NEW SECTION. Sec. 911. COLLECTIVE BARGAINING AGREEMENT—WAFWP

An agreement has been reached between the governor and the Washington association of fish and wildlife professionals under the provisions of chapter 41.80 RCW. Funding is provided for a three percent general wage increase effective July 1, 2019, and a three percent general wage increase effective July 1, 2020. The agreement also includes and funding is provided for salary adjustments for targeted job classifications, premium pay for

employees who work in King county, and establishment of a new information technology professional compensation structure.

NEW SECTION. Sec. 912. COLLECTIVE BARGAINING AGREEMENT—PTE LOCAL 17

An agreement has been reached between the governor and the professional and technical employees local 17 under the provisions of chapter 41.80 RCW for the 2019-2021 fiscal biennium. Funding is provided for a three percent general wage increase effective July 1, 2019, and a three percent general wage increase effective July 1, 2020. The agreement also includes and funding is provided for salary adjustments for targeted job classifications and premium pay for employees who work in King county.

NEW SECTION. Sec. 913. COLLECTIVE BARGAINING AGREEMENT—SEIU HEALTHCARE 1199NW

An agreement has been reached between the governor and the service employees international union healthcare 1199nw under the provisions of chapter 41.80 RCW for the 2019-2021 fiscal biennium. Funding is provided for a three percent general wage increase effective July 1, 2019, and a three percent general wage increase effective July 1, 2020. The agreement also includes and funding is provided for salary adjustments for targeted job classifications and additional nurses' premium pay.

NEW SECTION. Sec. 914. COLLECTIVE BARGAINING AGREEMENT—TEAMSTERS LOCAL 117 DEPARTMENT OF CORRECTIONS

An agreement has been reached between the governor and the international brotherhood of teamsters local 117 for the department of corrections through an interest arbitration award as provided in a memorandum of understanding between the parties and chapter 41.80 RCW for the 2019-2021 fiscal biennium. Funding is provided for the awarded four percent general wage increase effective July 1, 2019, four percent general wage increase effective July 1, 2020, and salary adjustments for targeted job classifications. The agreement also includes and funding is provided for salary adjustments for other targeted job classifications.

NEW SECTION. Sec. 915. COLLECTIVE BARGAINING AGREEMENT—TEAMSTERS LOCAL 117 DEPARTMENT OF ENTERPRISE SERVICES

An agreement has been reached between the governor and the international brotherhood of teamsters local 117 for the department of enterprise services under the provisions of chapter 41.80 RCW for the 2019-2021 fiscal biennium. Funding is provided for a three percent general wage increase effective July 1, 2019, and a three percent general wage increase effective July 1, 2020. The agreement also includes and funding is provided for salary adjustments for targeted job classifications.

NEW SECTION. Sec. 916. COLLECTIVE BARGAINING AGREEMENT—COALITION OF UNIONS

An agreement has been reached between the governor and the coalition of unions under the provisions of chapter 41.80 RCW for the 2019-2021 fiscal biennium. Funding is provided for a three percent general wage increase effective July 1, 2019, and a three percent general wage increase effective July 1, 2020. The agreement also includes and funding is provided for salary adjustments for targeted job classifications, premium pay for employees who work in King county, loan repayments for eligible physicians and psychiatrists, and recruitment incentives for psychiatrists.

NEW SECTION. Sec. 917. COLLECTIVE BARGAINING AGREEMENT—WFSE HIGHER EDUCATION COMMUNITY COLLEGE COALITION

An agreement has been reached between the governor and the Washington federation of state employees community college coalition under the provisions of chapter 41.80 RCW for the 2019-2021 fiscal biennium. Funding is provided for a three percent general wage increase effective July 1, 2019, and a three percent general wage increase effective July 1, 2020. The agreement also includes and funding is provided for salary adjustments for targeted job classifications, premium pay for employees who work in King county, and establishment of a new information technology professional compensation structure.

NEW SECTION. Sec. 918. COLLECTIVE BARGAINING AGREEMENT—WPEA HIGHER EDUCATION COMMUNITY COLLEGE COALITION

An agreement has been reached between the governor and the Washington public employees association community college coalition under the provisions of chapter 41.80 RCW for the 2019-2021 fiscal biennium. Funding is provided for a three percent general wage increase effective July 1, 2019, and a three percent general wage increase effective July 1, 2020. The agreement also includes and funding is provided for salary adjustments for targeted job classifications, premium pay for employees who work in King county, and establishment of a new information technology professional compensation structure.

NEW SECTION. Sec. 919. COLLECTIVE BARGAINING AGREEMENT—WSP TROOPERS ASSOCIATION

An agreement has been reached between the governor and the Washington state patrol troopers association under the provisions of chapter 41.56 RCW for the 2019-2021 fiscal biennium. Funding is provided for a two percent general wage increase effective July 1, 2019, and a two and one-half of one percent general wage increase effective July 1, 2020.

NEW SECTION. Sec. 920. COLLECTIVE BARGAINING AGREEMENT—WSP LIEUTENANTS AND CAPTAINS ASSOCIATION

An agreement has been reached between the governor and the Washington state patrol lieutenants and captains association under the provisions of chapter 41.56 RCW for the 2019-2021 fiscal biennium. Funding is provided for a two percent general wage increase effective July 1, 2019, and a two and one-half of one percent general wage increase effective July 1, 2020.

NEW SECTION. Sec. 921. COLLECTIVE BARGAINING AGREEMENT—UNIVERSITY OF WASHINGTON—SEIU 925

An agreement has been reached between the University of Washington and the service employees international union local 925 under the provisions of chapter 41.80 RCW for the 2019-2021 fiscal biennium. Funding is provided for a two percent general wage increase effective July 1, 2019, and a two percent general wage increase effective July 1, 2020. The agreement also includes and funding is provided for salary adjustments for targeted recruitment and retention for certain job classifications, market adjustments for multiple job classifications, a fully subsidized U-PASS, an increase in the hourly premium rate for standby pay for eligible job classification, a one-time lump sum payment for those in active permanent appointments as of July 1, 2019 and premium pay for working in King county.

NEW SECTION. Sec. 922. COLLECTIVE BARGAINING AGREEMENT—UNIVERSITY OF WASHINGTON—SEIU 1199 RESEARCH/HALL HEALTH

An agreement has been reached between the University of Washington and the service employees international union local 1199 research/hall health under the provisions of chapter 41.80 RCW for the 2019-2021 fiscal biennium. Funding is provided for a two percent general wage increase effective July 1, 2019, and a two percent general wage increase effective July 1, 2020. The agreement also includes and funding is provided for salary adjustments for targeted recruitment and retention for certain job classifications, a fully subsidized U-PASS, a one-time lump sum payment for those in active permanent appointments as of July 1, 2019 and premium day for working in King county.

NEW SECTION. Sec. 923. COLLECTIVE BARGAINING AGREEMENT—UNIVERSITY OF WASHINGTON—TEAMSTERS LOCAL 117 POLICE

An agreement has been reached between the University of Washington and teamster local 117 under the provisions of chapter 41.80 RCW for the 2019-2021 fiscal biennium. Funding is provided for a two percent general wage increase effective July 1, 2019, and a two percent general wage increase effective July 1, 2020. The agreement also includes and funding is provided for increases in longevity premium pay, annual incentive payments for certain educational credentials, and premium pay for working in King county.

NEW SECTION. Sec. 924. COLLECTIVE BARGAINING AGREEMENT—UNIVERSITY OF WASHINGTON—WFSE POLICE MANAGEMENT

An agreement has been reached between the University of Washington and the Washington federation of state employees police management under the provisions of chapter 41.80 RCW for the 2019-2021 fiscal biennium. Funding is provided for a two percent general wage increase effective July 1, 2019, and a two percent general wage increase effective July 1, 2020. The agreement also includes and funding is provided for protective footwear allowance and premium pay for working in King county.

NEW SECTION. Sec. 925. COLLECTIVE BARGAINING AGREEMENT—WASHINGTON STATE UNIVERSITY—WFSE

An agreement has been reached between the Washington State University and the Washington federation of state employees under the provisions of chapter 41.80 RCW for the 2019-2021 fiscal biennium. For bargaining units 2, 12, 13, 15, and 20, the agreement includes and funding is provided for a three percent general wage increase effective July 1, 2019, and a three percent general wage increase effective July 1, 2020. The agreement also includes and funding is provided for increases in shift differential and hazard pay.

NEW SECTION. Sec. 926. COLLECTIVE BARGAINING AGREEMENT—WASHINGTON STATE UNIVERSITY—WSU POLICE GUILD BARGAINING UNIT 4

An agreement has been reached between the Washington State University and the WSU police guild bargaining unit 4 under the provisions of chapter 41.80 RCW for the 2019-2021 fiscal biennium. The agreement includes and funding is provided for a three percent general wage increase effective July 1, 2019, and a three percent general wage increase effective July 1, 2020. The agreement also includes and funding is provided for increases in shift differential, salary for instructor pay, and the field training officer.

NEW SECTION. Sec. 927. COLLECTIVE BARGAINING AGREEMENT—CENTRAL WASHINGTON UNIVERSITY—WFSE

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An agreement has been reached between Central Washington University and the Washington federation of state employees under the provisions of chapter 41.80 RCW for the 2019-2021 fiscal biennium. Funding is provided for a three percent general wage increase effective July 1, 2019, and a three percent general wage increase effective July 1, 2020. The agreement also includes and funding is provided for additional leave for life saving procedures, a one-time signing bonus of two hundred dollars on July 1, 2019, and an across-the-board increase to fifteen dollars per hour for minimum wage. In addition, for campus police, the agreement includes and funding is provided for additional equipment and an increase to range 62.

NEW SECTION. Sec. 928. COLLECTIVE BARGAINING AGREEMENT—CENTRAL WASHINGTON UNIVERSITY—PSE

An agreement has been reached between Central Washington University and the public school employees under the provisions of chapter 41.80 RCW for the 2019-2021 fiscal biennium. Funding is provided for a three percent general wage increase effective July 1, 2019, and a three percent general wage increase effective July 1, 2020. The agreement also includes and funding is provided for a one-time signing bonus of two hundred dollars on July 1, 2019, additional leave for life saving procedures, and an across-the-board increase to fifteen dollars per hour for minimum wage.

NEW SECTION. Sec. 929. COLLECTIVE BARGAINING AGREEMENT—THE EVERGREEN STATE COLLEGE—WFSE

An agreement has been reached between The Evergreen State College and the Washington federation of state employees supervisory and nonsupervisory units under the provisions of chapter 41.80 RCW for the 2019-2021 fiscal biennium. Funding is provided for a three percent general wage increase effective July 1, 2019, and a three percent general wage increase effective July 1, 2020. The agreement also includes and funding is provided for salary adjustments for targeted job classifications, a shift differential increase, a one-time lump sum payment of one hundred dollars, and increase to fourteen dollars per hour for minimum wage.

NEW SECTION. Sec. 930. COLLECTIVE BARGAINING AGREEMENT—WESTERN WASHINGTON UNIVERSITY—WFSE

An agreement has been reached between Western Washington University and the Washington federation of state employees bargaining units A, B, and E under the provisions of chapter 41.80 RCW for the 2019-2021 fiscal biennium. Funding is provided for a three percent general wage increase effective July 1, 2019, and a three percent general wage increase effective July 1, 2020. The agreement also includes and funding is provided for general government salary range adjustments for targeted job classifications, footwear reimbursement for specific job classification, increase in vacation leave accruals, and a signing incentive.

NEW SECTION. Sec. 931. COLLECTIVE BARGAINING AGREEMENT—WESTERN WASHINGTON UNIVERSITY—PSE

An agreement has been reached between Western Washington University and the public school employees bargaining units D and PT under the provisions of chapter 41.80 RCW for the 2019-2021 fiscal biennium. Funding is provided for a three percent general wage increase effective July 1, 2019, and a three percent general wage increase effective July 1, 2020. The agreement also includes and funding is provided for general government salary

range adjustments for targeted job classifications, establishment of a new information technology professional compensation structure, footwear reimbursement for specific job classification, increase in vacation leave accruals, and a signing incentive.

NEW SECTION. Sec. 932. COLLECTIVE BARGAINING AGREEMENT—EASTERN WASHINGTON UNIVERSITY—WFSE

An agreement has been reached between Eastern Washington University and the Washington federation of state employees under the provisions of chapter 41.80 RCW for the 2019-2021 fiscal biennium. Funding is provided for a three percent general wage increase effective July 1, 2019, and a three percent general wage increase effective July 1, 2020. The agreement also includes and funding is provided for salary range adjustments for targeted classifications and a one-time payment of one hundred dollars.

NEW SECTION. Sec. 933. COLLECTIVE BARGAINING AGREEMENT—YAKIMA VALLEY COMMUNITY COLLEGE—WPEA

An agreement has been reached between Yakima Valley Community College and the Washington public employees association under the provisions of chapter 41.80 RCW for the 2019-2021 fiscal biennium. Funding is provided for a three percent general wage increase effective July 1, 2019, and a three percent general wage increase effective July 1, 2020. The agreement also includes and funding is provided for salary adjustments for targeted job classifications, establishment of a new information technology professional compensation structure, and in an increase in the hourly minimum wage rate.

NEW SECTION. Sec. 934. COLLECTIVE BARGAINING AGREEMENT—HIGHLINE COMMUNITY COLLEGE—WPEA

An agreement has been reached between Highline Community College and the Washington public employees association under the provisions of chapter 41.80 RCW for the 2019-2021 fiscal biennium. Funding is provided for a three percent general wage increase effective July 1, 2019, and a three percent general wage increase effective July 1, 2020. The agreement also includes and funding is provided for a one-time ratification incentive of four hundred dollars to be paid in fiscal year 2020, salary adjustments for targeted job classifications, an increase in shift premium, additional leave accruals, establishment of a new information technology professional compensation structure, and premium pay for employees working in King county.

NEW SECTION. Sec. 935. COMPENSATION—REPRESENTED EMPLOYEES—HEALTH CARE COALITION—INSURANCE BENEFITS

An agreement was reached for the 2019-2021 biennium between the governor and the health care coalition under the provisions of chapter 41.80 RCW. Appropriations in this act for state agencies, including institutions of higher education, are sufficient to implement the provisions of the 2019-2021 collective bargaining agreement, including health flexible spending accounts for eligible employees under the agreement, and are subject to the following conditions and limitations:

The monthly employer funding rate for insurance benefit premiums, public employees' benefits board administration, and the uniform medical plan, shall not exceed \$972 per eligible employee for fiscal year 2020. For fiscal year 2021, the monthly employer funding rate shall not exceed \$973 per eligible employee.

NEW SECTION. Sec. 936. COMPENSATION—REPRESENTED EMPLOYEES OUTSIDE HEALTH CARE COALITION—INSURANCE BENEFITS

Appropriations for state agencies in this act are sufficient for represented employees outside the coalition for health benefits, and are subject to the following conditions and limitations: The monthly employer funding rate for insurance benefit premiums, public employees' benefits board administration, and the uniform medical plan, may not exceed \$972 per eligible employee for fiscal year 2020. For fiscal year 2021, the monthly employer funding rate may not exceed \$973 per eligible employee.

NEW SECTION. Sec. 937. COMPENSATION—SCHOOL EMPLOYEES—INSURANCE BENEFITS

An agreement was reached for the 2019-2021 biennium between the governor and the school employee coalition under the provisions of chapters 41.56 and 41.59 RCW. Appropriations in this act for allocations to school districts are sufficient to implement the provisions of the 2019-2021 collective bargaining agreement, and for procurement of a benefit package that is materially similar to benefits provided by the public employee benefits program as outlined in policies adopted by the school employees benefits board, and are subject to the following conditions and limitations:

(1) The monthly employer funding rate for insurance benefit premiums, school employees' benefits board administration, retiree remittance, and the uniform medical plan, shall not exceed \$994 per eligible employee for fiscal year 2020. For fiscal year 2021, the monthly employer funding rate shall not exceed \$1,056 per eligible employee. The retiree remittance in section 938 of this act is included in the funding rates identified in this subsection.

(2) For the purposes of distributing insurance benefits, certificated staff units as determined in part V of this act will be multiplied by 1.02 and classified staff units as determined in part V of this act will be multiplied by 1.43.

(3) Except as provided by the parties' health care agreement, in order to achieve the level of funding provided for health benefits, the school employees' benefits board shall require any or all of the following: Employee premium copayments, increases in point-of-service cost sharing, the implementation of managed competition, or other changes to benefits consistent with RCW 41.05.740. The board shall collect a twenty-five dollar per month surcharge payment from members who use tobacco products and a surcharge payment of not less than fifty dollars per month from members who cover a spouse or domestic partner where the spouse or domestic partner has chosen not to enroll in another employer-based group health insurance that has benefits and premiums with an actuarial value of not less than ninety-five percent of the actuarial value of the public employees' benefits board plan with the largest enrollment. The surcharge payments shall be collected in addition to the member premium payment.

(4) The health care authority shall deposit any moneys received on behalf of the school employees' medical plan as a result of rebates on prescription drugs, audits of hospitals, subrogation payments, or any other moneys recovered as a result of prior uniform medical plan claims payments, into the school employees' insurance account to be used for insurance benefits. Such receipts may not be used for administrative expenditures.

NEW SECTION. Sec. 938. COMPENSATION—NONREPRESENTED EMPLOYEES—INSURANCE BENEFITS

Appropriations for state agencies in this act are sufficient for nonrepresented state employee health benefits for state agencies,

including institutions of higher education, and are subject to the following conditions and limitations:

(1) The employer monthly funding rate for insurance benefit premiums, public employees' benefits board administration, and the uniform medical plan, shall not exceed \$972 per eligible employee for fiscal year 2020. For fiscal year 2021, the monthly employer funding rate shall not exceed \$973 per eligible employee.

(2) The health care authority, subject to the approval of the public employees' benefits board, shall provide subsidies for health benefit premiums to eligible retired or disabled public employees and school district employees who are eligible for medicare, pursuant to RCW 41.05.085. For calendar years 2020 and 2021, the subsidy shall be up to \$168 per month. Funds from reserves accumulated for future adverse claims experience, from past favorable claims experience, or otherwise, may not be used to increase this retiree subsidy beyond what is authorized by the legislature in this subsection.

(3) Technical colleges, school districts, and educational service districts shall remit to the health care authority for deposit into the public employees' and retirees' insurance account established in RCW 41.05.120 the following amounts:

(a) For each full-time employee, \$67.27 per month beginning September 1, 2019, and \$71.63 beginning September 1, 2020;

(b) For each part-time employee, who at the time of the remittance is employed in an eligible position as defined in RCW 41.32.010 or 41.40.010 and is eligible for employer fringe benefit contributions for basic benefits, \$67.27 each month beginning September 1, 2019, and \$71.63 beginning September 1, 2020, prorated by the proportion of employer fringe benefit contributions for a full-time employee that the part-time employee receives.

(c) The remittance requirements specified in this subsection do not apply to employees of a technical college, school district, or educational service district who purchase insurance benefits through contracts with the health care authority.

NEW SECTION. Sec. 939. COLLECTIVE BARGAINING AGREEMENT FOR NONSTATE EMPLOYEES—WFSE LANGUAGE ACCESS PROVIDERS

An agreement has been reached between the governor and the Washington federation of state employees for the language access providers under the provisions of chapter 41.56 RCW for the 2019-2021 fiscal biennium. Funding is provided for a rate increase of one dollar and twenty four cents per hour for fiscal year 2020 and a rate increase of one dollar and twenty cents per hour for fiscal year 2021. The agreement also includes and funding is provided for a two dollar per hour social service premium for appointments from the department of social and health services and the department of children, youth, and families, and a travel incentive pilot.

NEW SECTION. Sec. 940. COLLECTIVE BARGAINING AGREEMENT FOR NONSTATE EMPLOYEES—SEIU LOCAL 775 HOME CARE WORKERS

An agreement has been reached between the governor and the service employees international union local 775 under the provisions of chapter 74.39A RCW and 41.56 RCW for the 2019-2021 fiscal biennium. Funding is provided for wage increases at six month intervals through the term of the agreement and additional adjustments throughout the wage scale. The agreement also includes and funding is provided for increased contributions to the training, health care and retirement trusts, and advanced training incentives.

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NEW SECTION. Sec. 941. COLLECTIVE BARGAINING AGREEMENT FOR NONSTATE EMPLOYEES—SEIU LOCAL 925 CHILDCARE WORKERS

An agreement has been reached between the governor and the service employees international union local 925 through an interest arbitration award under the provisions of chapter 41.56 RCW for the 2019-2021 fiscal biennium. Funding is provided for raising licensed provider rates in all regions to the fifty-fifth market percentile in fiscal year 2020, a six percent increase in fiscal year 2021 for licensed providers, a five cent an hour per child increase in fiscal year 2020 for licensed-exempt providers, and a four percent increase in fiscal year 2021 for licensed-exempt providers. The agreement also includes and funding is provided for seventy five percent payment for half day units when morning and afternoon care is provided, expanded funding, capacity and hours for use of the substitute pools, the career development fund, and an increase to the early achievers tiered reimbursement incentive for levels three and four.

NEW SECTION. Sec. 942. COLLECTIVE BARGAINING AGREEMENT FOR NONSTATE EMPLOYEES—ADULT FAMILY HOME COUNCIL

An agreement has been reached between the governor and the adult family home council under the provisions of chapter 41.56 RCW for the 2019-2021 fiscal biennium. Funding is provided for increases to the base daily rates with additional support for training and health care costs. The agreement also includes and funding is provided for increases to the expanded community service daily rate, the specialized behavioral support add-on rate, respite rates, the community integration rate, the meaningful day add-on rate, and a new medical escort fee.

NEW SECTION. Sec. 943. GENERAL WAGE INCREASES

(1) Appropriations for state agency employee compensation in this act are sufficient to provide general wage increases to state agency employees who are not represented or who bargain under statutory authority other than chapter 41.80 or 47.64 RCW or RCW 41.56.473 or 41.56.475.

(2) Funding is provided for a three percent general wage increase effective July 1, 2019, for all classified employees as specified in subsection (1) of this section, employees in the Washington management service, and exempt employees under the jurisdiction of the office of financial management. The appropriations are also sufficient to fund a three percent salary increase effective July 1, 2019, for executive, legislative, and judicial branch employees exempt from merit system rules whose maximum salaries are not set by the commission on salaries for elected officials.

(3) Funding is provided for a three percent general wage increase effective July 1, 2020, for all classified employees as specified in subsection (1) of this section, employees in the Washington management service, and exempt employees under the jurisdiction of the office of financial management. The appropriations are also sufficient to fund a three percent salary increase effective July 1, 2020, for executive, legislative, and judicial branch employees exempt from merit system rules whose maximum salaries are not set by the commission on salaries for elected officials.

NEW SECTION. Sec. 944. INITIATIVE 732 COST-OF-LIVING INCREASES

Part IX of this act authorizes general wage increases for state employees covered by Initiative Measure No. 732. The general wage increase on July 1, 2019, provides a portion of the annual cost-of-living adjustments required under Initiative Measure No.

732. Funding is also provided for an additional increase of 0.2 percent on July 1, 2019. Funding is provided for a salary increase on July 1, 2020, of 2.8 percent for these employees, for a nominal total of a 6 percent increase during the 2019-2021 fiscal biennium.

NEW SECTION. Sec. 945. TARGETED COMPENSATION INCREASES

Funding is provided for salary adjustments for targeted job classifications as specified by the office of financial management for classified state employees, except those represented by a collective bargaining unit under chapters 41.80 and 47.64 RCW and RCW 41.56.473 and 41.56.475.

NEW SECTION. Sec. 946. MINIMUM STARTING WAGE

Funding is provided for a minimum starting wage of fourteen dollars an hour, effective July 1, 2019, and for increases in wages of job classes that are aligned with affected job classes, except those represented by a collective bargaining unit under chapters 41.80 and 47.64 RCW and RCW 41.56.473 and 41.56.475. This funding is sufficient for general government agencies and higher education institutions to comply with the provisions of Initiative Measure No. 1433 with respect to state employees.

NEW SECTION. Sec. 947. PREMIUM PAY

Funding is provided for a five percent premium pay for employees working in King county, except those represented by a collective bargaining unit under chapters 41.80 and 47.64 RCW and RCW 41.56.473 and 41.56.475.

NEW SECTION. Sec. 948. COMPENSATION—REVISE PENSION CONTRIBUTION RATES

The appropriations in this act for school districts and state agencies, including institutions of higher education, are subject to the following conditions and limitations: Appropriations are adjusted to reflect changes to agency appropriations to reflect pension contribution rates adopted by the pension funding council, the omnibus transportation funding act, and the law enforcement officers' and firefighters' retirement system plan 2 board.

The legislature reaffirms that the rates adopted by the pension funding council and funded in this act include a cost-of-living adjustment for plan 1 retirees receiving the minimum benefits. This includes an annual 3 percent cost-of-living adjustment for people that have at least 25 years of service and have been retired at least 20 years, or have at least 20 years of service and have been retired at least 25 years, as well as a uniform cost-of-living increase for retirees receiving the basic minimum benefit.

NEW SECTION. Sec. 949. ORCA PASSES

Appropriations to state agencies include funding for orca transit passes for employees who are not represented or who bargained under authority other than chapter 41.80 or 47.64 RCW or RCW 41.56.473 or 41.56.475, who work in King, Pierce, and Snohomish counties. The purchase of orca transit passes shall be administered by the office of financial management.

NEW SECTION. Sec. 950. COLLECTIVE BARGAINING AGREEMENT—UNIVERSITY OF WASHINGTON—WFSE

An agreement has been reached between the University of Washington and the Washington federation of state employees under the provisions of chapter 41.80 RCW for the 2019-2021 fiscal biennium. The agreement includes and funding is provided for a two percent general wage increase effective July 1, 2019, and a two percent general wage increase effective July 1, 2020. The agreement also includes and funding is provided for a

subsidized U-PASS, recruitment and retention increases for specified job classes, standby premium increases, a ratification lump-sum payment, and for premium pay for employees working in King county.

Sec. 951. RCW 18.85.061 and 2016 sp.s. c 36 s 914 are each amended to read as follows:

All fees required under this chapter shall be set by the director in accordance with RCW 43.24.086 and shall be paid to the state treasurer. All fees paid under the provisions of this chapter shall be placed in the real estate commission account in the state treasury. All money derived from fines imposed under this chapter shall be deposited in the real estate education program account created in RCW 18.85.321. During the 2013-2015 and 2015-2017 fiscal (~~biennium~~ ~~(biennia))~~ biennia, the legislature may transfer to the state general fund such amounts as reflect the excess fund balance in the real estate commission account. During the 2019-2021 fiscal biennium, moneys in the real estate commission account may be used for activities related to the buildable lands program at the department of commerce.

Sec. 952. RCW 28A.410.062 and 2017 c 237 s 16 are each amended to read as follows:

(1) The legislature finds that the current economic environment requires that the state, when appropriate, charge for some of the services provided directly to the users of those services. The office of the superintendent of public instruction is currently supported with state funds to process certification fees. In addition, the legislature finds that the processing of certifications should be moved to an online system that allows educators to manage their certifications and provides better information to policymakers. The legislature intends to assess a certification processing fee to eliminate state-funded support of the cost to issue educator certificates.

(2) In addition to the certification fee established under RCW 28A.410.060 for certificated instructional staff as defined in RCW 28A.150.203, the superintendent of public instruction shall charge an application processing fee for initial educator certificates and subsequent actions, and paraeducator certificates and subsequent actions. The superintendent of public instruction shall establish the amount of the fee by rule under chapter 34.05 RCW. The superintendent shall set the fee at a sufficient level to defray the costs of administering the educator certification program under RCW 28A.300.040(9) and the paraeducator certificate program under chapter 28A.413 RCW. Revenue generated through the processing fee shall be deposited in the educator certification processing account.

(3)(a) The educator certification processing account is established in the custody of the state treasurer. The superintendent of public instruction shall deposit in the account all moneys received from the fees collected in subsection (2) of this section. Moneys in the account may be spent only for the processing of educator certificates and subsequent actions and paraeducator certificates and subsequent actions. Disbursements from the account shall be on authorization of the superintendent of public instruction or the superintendent's designee. The account is subject to the allotment procedure provided under chapter 43.88 RCW, but no appropriation is required for disbursements.

(b) During the 2019-2021 fiscal biennium, moneys in the educator certification processing account may be used to award grants to school districts for fundamental paraeducator training.

Sec. 953. RCW 28A.510.250 and 2011 1st sp.s. c 4 s 1 are each amended to read as follows:

(1) On or before the last business day of September 1969 and each month thereafter, the superintendent of public instruction

shall apportion from the state general fund to the several educational service districts of the state the proportional share of the total annual amount due and apportionable to such educational service districts for the school districts thereof as follows:

September	9%
October	9%
November	5.5%
December	9%
January	9%
February	9%
March	9%
April	9%
May	5.5%
June	6.0%
July	10.0%
August	10.0%

The annual amount due and apportionable shall be the amount apportionable for all apportionment credits estimated to accrue to the schools during the apportionment year beginning September ~~(~~first~~ ~~(1st))~~)~~ 1st and continuing through August ~~(~~thirty first~~ ~~(31st))~~)~~ 31st. Appropriations made for school districts for each year of a biennium shall be apportioned according to the schedule set forth in this section for the fiscal year starting September 1st of the then calendar year and ending August 31st of the next calendar year, except as provided in subsection (2) of this section. The apportionment from the state general fund for each month shall be an amount which will equal the amount due and apportionable to the several educational service districts during such month: PROVIDED, That any school district may petition the superintendent of public instruction for an emergency advance of funds which may become apportionable to it but not to exceed ten percent of the total amount to become due and apportionable during the school districts apportionment year. The superintendent of public instruction shall determine if the emergency warrants such advance and if the funds are available therefor. If the superintendent determines in the affirmative, he or she may approve such advance and, at the same time, add such an amount to the apportionment for the educational service district in which the school district is located: PROVIDED, That the emergency advance of funds and the interest earned by school districts on the investment of temporary cash surpluses resulting from obtaining such advance of state funds shall be deducted by the superintendent of public instruction from the remaining amount apportionable to said districts during that apportionment year in which the funds are advanced.

(2) In the 2010-11 school year, the June apportionment payment to school districts shall be reduced by one hundred twenty-eight million dollars, and an additional apportionment payment shall be made on July 1, 2011, in the amount of one hundred twenty-eight million dollars. This July 1st payment shall be in addition to the regularly calculated July apportionment payment.

(3) In the 2020-21 school year, apportionment payments to school districts shall be reduced by proceeds from state forests pursuant to RCW 79.22.040 and 79.22.050.

Sec. 954. RCW 28A.510.250 and 2017 3rd sp.s. c 13 s 1004 are each amended to read as follows:

(1) On or before the last business day of September 1969 and each month thereafter, the superintendent of public instruction shall apportion from the state general fund to the several educational service districts of the state the proportional share of the total annual amount due and apportionable to such educational service districts for the school districts thereof as follows:

September	9%
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October	8%
November	5%
December	9%
January	8.5%
February	9%
March	9%
April	9%
May	5%
June	6.0%
July	12.5%
August	10.0%

The annual amount due and apportionable shall be the amount apportionable for all apportionment credits estimated to accrue to the schools during the apportionment year beginning September 1st and continuing through August 31st. Appropriations made for school districts for each year of a biennium shall be apportioned according to the schedule set forth in this section for the fiscal year starting September 1st of the then calendar year and ending August 31st of the next calendar year, except as provided in subsection (2) of this section. The apportionment from the state general fund for each month shall be an amount which will equal the amount due and apportionable to the several educational service districts during such month: PROVIDED, That any school district may petition the superintendent of public instruction for an emergency advance of funds which may become apportionable to it but not to exceed ten percent of the total amount to become due and apportionable during the school districts apportionment year. The superintendent of public instruction shall determine if the emergency warrants such advance and if the funds are available therefor. If the superintendent determines in the affirmative, he or she may approve such advance and, at the same time, add such an amount to the apportionment for the educational service district in which the school district is located: PROVIDED, That the emergency advance of funds and the interest earned by school districts on the investment of temporary cash surpluses resulting from obtaining such advance of state funds shall be deducted by the superintendent of public instruction from the remaining amount apportionable to said districts during that apportionment year in which the funds are advanced.

(2) In the 2010-11 school year, the June apportionment payment to school districts shall be reduced by one hundred twenty-eight million dollars, and an additional apportionment payment shall be made on July 1, 2011, in the amount of one hundred twenty-eight million dollars. This July 1st payment shall be in addition to the regularly calculated July apportionment payment.

(3) In the 2020-21 school year, apportionment payments to school districts shall be reduced by proceeds from state forests pursuant to RCW 79.22.040 and 79.22.050.

Sec. 955. RCW 28B.15.210 and 2017 3rd sp.s. c 1 s 952 are each amended to read as follows:

Within thirty-five days from the date of collection thereof, all building fees at the University of Washington, including building fees to be charged students registering in the schools of medicine and dentistry, shall be paid into the state treasury and credited as follows:

One-half or such larger portion as may be necessary to prevent a default in the payments required to be made out of the bond retirement fund to the "University of Washington bond retirement fund" and the remainder thereof to the "University of Washington building account." The sum so credited to the University of Washington building account shall be used exclusively for the purpose of erecting, altering, maintaining, equipping, or

furnishing buildings, and for certificates of participation under chapter 39.94 RCW, except for any sums transferred as authorized in RCW 28B.20.725(3). The sum so credited to the University of Washington bond retirement fund shall be used for the payment of principal of and interest on bonds outstanding as provided by chapter 28B.20 RCW except for any sums transferred as authorized in RCW 28B.20.725(5). ~~((During the 2015-2017 biennium, sums credited to the University of Washington building account shall also be used for routine facility maintenance, utility costs, and facility condition assessments.))~~ During the 2017-2019 ~~((biennium))~~ and 2019-2021 ~~biennia~~, sums credited to the University of Washington building account shall also be used for routine facility maintenance, utility costs, facility design, and facility condition assessments.

Sec. 956. RCW 28B.15.310 and 2017 3rd sp.s. c 1 s 953 are each amended to read as follows:

Within thirty-five days from the date of collection thereof, all building fees shall be paid and credited as follows: To the Washington State University bond retirement fund, one-half or such larger portion as may be necessary to prevent a default in the payments required to be made out of such bond retirement fund; and the remainder thereof to the Washington State University building account.

The sum so credited to the Washington State University building account shall be expended by the board of regents for buildings, equipment, or maintenance on the campus of Washington State University as may be deemed most advisable and for the best interests of the university, and for certificates of participation under chapter 39.94 RCW, except for any sums transferred as authorized by law. ~~((During the 2015-2017 biennium, sums credited to the Washington State University building account shall also be used for routine facility maintenance, utility costs, and facility condition assessments.))~~ During the 2017-2019 ~~((biennium))~~ and 2019-2021 ~~biennia~~, sums credited to the Washington State University building account shall also be used for routine facility maintenance, utility costs, and facility condition assessments. Expenditures so made shall be accounted for in accordance with existing law and shall not be expended until appropriated by the legislature.

The sum so credited to the Washington State University bond retirement fund shall be used to pay and secure the payment of the principal of and interest on building bonds issued by the university, except for any sums which may be transferred out of such fund as authorized by law.

Sec. 957. RCW 28B.20.476 and 2018 c 299 s 905 are each amended to read as follows:

The geoduck aquaculture research account is created in the custody of the state treasurer. All receipts from any legislative appropriations, the aquaculture industry, or any other private or public source directed to the account must be deposited in the account. Expenditures from the account may only be used by the sea grant program for the geoduck research projects identified by RCW 28B.20.475. Only the president of the University of Washington or the president's designee may authorize expenditures from the account. The account is subject to the allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures. During the 2017-2019 and 2019-2021 fiscal ~~((biennium))~~ biennia, amounts available in the geoduck aquaculture research account may also be appropriated for the sea grant program at the University of Washington to conduct research examining the possible negative and positive effects of evolving shellfish aquaculture techniques and practices on Washington's economy and marine ecosystems, and to protect against the impacts of invasive European green

crab. It is the intent of the legislature that this policy be continued in future biennia.

Sec. 958. RCW 28B.35.370 and 2017 3rd sp.s. c 1 s 954 are each amended to read as follows:

Within thirty-five days from the date of collection thereof all building fees of each regional university and The Evergreen State College shall be paid into the state treasury and these together with such normal school fund revenues as provided in RCW 28B.35.751 as are received by the state treasury shall be credited as follows:

(1) On or before June 30th of each year the board of trustees of each regional university and The Evergreen State College, if issuing bonds payable out of its building fees and above described normal school fund revenues, shall certify to the state treasurer the amounts required in the ensuing twelve months to pay and secure the payment of the principal of and interest on such bonds. The amounts so certified by each regional university and The Evergreen State College shall be a prior lien and charge against all building fees and above described normal school fund revenues of such institution. The state treasurer shall thereupon deposit the amounts so certified in the Eastern Washington University capital projects account, the Central Washington University capital projects account, the Western Washington University capital projects account, or The Evergreen State College capital projects account respectively, which accounts are hereby created in the state treasury. The amounts deposited in the respective capital projects accounts shall be used to pay and secure the payment of the principal of and interest on the building bonds issued by such regional universities and The Evergreen State College as authorized by law. If in any twelve-month period it shall appear that the amount certified by any such board of trustees is insufficient to pay and secure the payment of the principal of and interest on the outstanding building and above described normal school fund revenue bonds of its institution, the state treasurer shall notify the board of trustees and such board shall adjust its certificate so that all requirements of moneys to pay and secure the payment of the principal of and interest on all such bonds then outstanding shall be fully met at all times.

(2) All normal school fund revenue pursuant to RCW 28B.35.751 shall be deposited in the Eastern Washington University capital projects account, the Central Washington University capital projects account, the Western Washington University capital projects account, or The Evergreen State College capital projects account respectively, which accounts are hereby created in the state treasury. The sums deposited in the respective capital projects accounts shall be appropriated and expended to pay and secure the payment of the principal of and interest on bonds payable out of the building fees and normal school revenue and for the construction, reconstruction, erection, equipping, maintenance, demolition and major alteration of buildings and other capital assets, and the acquisition of sites, rights-of-way, easements, improvements or appurtenances in relation thereto except for any sums transferred therefrom as authorized by law. ~~((However, during the 2015-2017 biennium, sums in the respective capital accounts shall also be used for routine facility maintenance, utility costs, and facility condition assessments.))~~ However, during the 2017-2019 ~~((biennium))~~ and 2019-2021 biennia, sums in the respective capital accounts shall also be used for routine facility maintenance, utility costs, and facility condition assessments.

(3) Funds available in the respective capital projects accounts may also be used for certificates of participation under chapter 39.94 RCW.

Sec. 959. RCW 28B.50.515 and 2011 c 274 s 3 are each amended to read as follows:

(1) The community and technical college innovation account is created in the custody of the state treasurer. All receipts from operating fees in RCW 28B.15.031(2) must be deposited into the account. Expenditures from the account may be used only as provided in subsection (2) of this section. During the 2019-2021 fiscal biennium, moneys in the community and technical college innovation account may be used for compensation for community and technical college employees. Only the director of the college board or the director's designee may authorize expenditures from the account. The account is subject to allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures.

(2) Funds in the community and technical college innovation account may be used solely to:

(a) Pay and secure the payment of the principal of and interest on financing contracts, such as certificates of participation issued for the innovation account under chapter 39.94 RCW and authorized by the legislature; and

(b) Implement the college board's strategic technology plan to improve student achievement, student services, and increase systemwide administrative efficiencies. The college board must approve projects under the strategic technology plan to improve student achievement, student services, and increase systemwide administrative efficiencies before the director authorizes expenditures to be made. For large enterprise resource planning projects, the college board shall develop a technical and operational business plan and submit it to the legislature for approval before the project can be implemented.

(3) Consistent with the implementation of the strategic technology plan, the college board and the community and technical colleges shall engage in substantial business process reengineering and adopt systemwide approaches to admissions, financial aid, student identification numbers, student transcripts, and other systemwide processes.

(4) If the community and technical college system pursues an enterprise resource planning solution, ~~((they))~~ it shall consider adoption of existing solutions already deployed at institutions of higher education in the state; short and long-term total costs of ownership; opportunities for partnerships, collaboration, coordination and consolidation with other entities in higher education; technical flexibility; and other requirements that support costs efficiencies. If the college board adopts a plan for an enterprise solution that is not coordinated with other institutions of higher education, authorization of expenditure of funds by the legislature must be approved by the office of financial management.

(5) The legislature encourages the college board to reduce future deposits of operating fees into the community and technical college innovation account to the extent possible.

Sec. 960. RCW 28B.50.360 and 2017 3rd sp.s. c 1 s 955 are each amended to read as follows:

Within thirty-five days from the date of start of each quarter all collected building fees of each such community and technical college shall be paid into the state treasury, and shall be credited as follows:

(1) On or before June 30th of each year the college board, if issuing bonds payable out of building fees, shall certify to the state treasurer the amounts required in the ensuing twelve-month period to pay and secure the payment of the principal of and interest on such bonds. The state treasurer shall thereupon deposit the amounts so certified in the community and technical college capital projects account. Such amounts of the funds deposited in the community and technical college capital projects account as

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are necessary to pay and secure the payment of the principal of and interest on the building bonds issued by the college board as authorized by this chapter shall be devoted to that purpose. If in any twelve-month period it shall appear that the amount certified by the college board is insufficient to pay and secure the payment of the principal of and interest on the outstanding building bonds, the state treasurer shall notify the college board and such board shall adjust its certificate so that all requirements of moneys to pay and secure the payment of the principal and interest on all such bonds then outstanding shall be fully met at all times.

(2) The community and technical college capital projects account is hereby created in the state treasury. The sums deposited in the capital projects account shall be appropriated and expended to pay and secure the payment of the principal of and interest on bonds payable out of the building fees and for the construction, reconstruction, erection, equipping, maintenance, demolition and major alteration of buildings and other capital assets owned by the state board for community and technical colleges in the name of the state of Washington, and the acquisition of sites, rights-of-way, easements, improvements or appurtenances in relation thereto, engineering and architectural services provided by the department of enterprise services, and for the payment of principal of and interest on any bonds issued for such purposes. ~~((However, during the 2015-2017 biennium, sums in the capital projects account shall also be used for routine facility maintenance and utility costs.))~~ However, during the 2017-2019 ~~((biennium))~~ and 2019-2021 ~~biennia~~, sums in the capital projects account shall also be used for routine facility maintenance and utility costs.

(3) Funds available in the community and technical college capital projects account may also be used for certificates of participation under chapter 39.94 RCW.

Sec. 961. RCW 28B.92.140 and 2011 1st sp.s. c 11 s 166 are each amended to read as follows:

The state educational trust fund is hereby established in the state treasury. The primary purpose of the trust is to pledge statewide available college student assistance to needy or disadvantaged students, especially middle and high school youth, considered at-risk of dropping out of secondary education who participate in approved early awareness and outreach programs and who enter any accredited Washington institution of postsecondary education within two years of high school graduation.

The office shall deposit refunds and recoveries of student financial aid funds expended in prior fiscal periods in such account. The office may also deposit moneys that have been contributed from other state, federal, or private sources.

Expenditures from the fund shall be for financial aid to needy or disadvantaged students. The office may annually expend such sums from the fund as may be necessary to fulfill the purposes of this section, including not more than three percent for the costs to administer aid programs supported by the fund. All earnings of investments of balances in the state educational trust fund shall be credited to the trust fund. Expenditures from the fund shall not be subject to appropriation but are subject to allotment procedures under chapter 43.88 RCW. During the 2019-2021 fiscal biennium, moneys in the state educational trust fund may be used for state need grants under this chapter.

Sec. 962. RCW 28B.115.070 and 2017 3rd sp.s. c 1 s 958 are each amended to read as follows:

(1) After June 1, 1992, the department, in consultation with the office and the department of social and health services, shall:

(a) Determine eligible credentialed health care professions for the purposes of the loan repayment and scholarship program

authorized by this chapter. Eligibility shall be based upon an assessment that determines that there is a shortage or insufficient availability of a credentialed profession so as to jeopardize patient care and pose a threat to the public health and safety. The department shall consider the relative degree of shortages among professions when determining eligibility. The department may add or remove professions from eligibility based upon the determination that a profession is no longer in shortage. Should a profession no longer be eligible, participants or eligible students who have received scholarships shall be eligible to continue to receive scholarships or loan repayments until they are no longer eligible or until their service obligation has been completed;

(b) Determine health professional shortage areas for each of the eligible credentialed health care professions.

(2) For the 2017-2019 ~~and 2019-2021~~ fiscal ~~((biennium))~~ ~~biennia~~, consideration for eligibility shall also be given to registered nursing students who have been accepted into an eligible nursing education program and have declared an intention to teach nursing upon completion of the nursing education program.

Sec. 963. RCW 28C.04.535 and 2017 3rd sp.s. c 1 s 960 are each amended to read as follows:

Except for the ~~((2017-18 and))~~ 2018-19, ~~2019-20, and 2020-21~~ school years, the Washington award for vocational excellence shall be granted annually. It is the intent of the legislature to continue the policy of not granting the Washington award for vocational excellence in the 2019-20 and 2020-21 school years. The workforce training and education coordinating board shall notify the students receiving the award, their vocational instructors, local chambers of commerce, the legislators of their respective districts, and the governor, after final selections have been made. The workforce training and education coordinating board, in conjunction with the governor's office, shall prepare appropriate certificates to be presented to the selected students. Awards shall be presented in public ceremonies at times and places determined by the workforce training and education coordinating board in cooperation with the office of the governor.

Sec. 964. RCW 38.52.105 and 2017 3rd sp.s. c 1 s 962 are each amended to read as follows:

The disaster response account is created in the state treasury. Moneys may be placed in the account from legislative appropriations and transfers, federal appropriations, or any other lawful source. Moneys in the account may be spent only after appropriation. Expenditures from the account may be used only for support of state agency and local government disaster response and recovery efforts and to reimburse the workers' compensation funds and self-insured employers under RCW 51.16.220. During the 2009-2011 fiscal biennium, the legislature may transfer from the disaster response account to the state drought preparedness account such amounts as reflect the excess fund balance of the account to support expenditures related to a state drought declaration. During the 2009-2011 fiscal biennium, the legislature may transfer from the disaster response account to the state general fund such amounts as reflect the excess fund balance of the account. During the 2015-2017 and 2017-2019 fiscal biennia, expenditures from the disaster response account may be used for military department operations and to support wildland fire suppression preparedness, prevention, and restoration activities by state agencies and local governments. During the 2017-2019 ~~and 2019-2021~~ fiscal ~~((biennium))~~ ~~biennia~~, the legislature may direct the treasurer to make transfers of moneys in the disaster response account to the state general fund. It is the intent of the legislature that this policy will be continued into the 2021-2023 fiscal biennium.

Sec. 965. RCW 41.26.450 and 2017 3rd sp.s. c 1 s 963 are each amended to read as follows:

(1) Port districts established under Title 53 RCW and institutions of higher education as defined in RCW 28B.10.016 shall contribute both the employer and state shares of the cost of the retirement system for any of their employees who are law enforcement officers.

(2) Institutions of higher education shall contribute both the employer and the state shares of the cost of the retirement system for any of their employees who are firefighters.

(3) During fiscal years 2018 and 2019 and during the 2019-2021 fiscal biennium:

When an employer charges a fee or recovers costs for work performed by a plan member where:

(a) The member receives compensation that is includable as basic salary under RCW 41.26.030(4)(b); and

(b) The service is provided, whether directly or indirectly, to an entity that is not an "employer" under RCW 41.26.030(14)(b); the employer shall contribute both the employer and state shares of the cost of the retirement system contributions for that compensation. Nothing in this subsection prevents an employer from recovering the cost of the contribution from the entity receiving services from the member.

Sec. 966. RCW 41.60.050 and 2017 3rd sp.s. c 1 s 965 are each amended to read as follows:

The legislature shall appropriate from the personnel service fund for the payment of administrative costs of the productivity board. However, during the 2015-2017 ~~((and))~~, 2017-2019, and 2019-2021 fiscal biennia, the operations of the productivity board shall be suspended.

Sec. 967. RCW 41.80.010 and 2017 3rd sp.s. c 23 s 3 are each amended to read as follows:

(1) For the purpose of negotiating collective bargaining agreements under this chapter, the employer shall be represented by the governor or governor's designee, except as provided for institutions of higher education in subsection (4) of this section.

(2)(a) If an exclusive bargaining representative represents more than one bargaining unit, the exclusive bargaining representative shall negotiate with each employer representative as designated in subsection (1) of this section one master collective bargaining agreement on behalf of all the employees in bargaining units that the exclusive bargaining representative represents. For those exclusive bargaining representatives who represent fewer than a total of five hundred employees each, negotiation shall be by a coalition of all those exclusive bargaining representatives. The coalition shall bargain for a master collective bargaining agreement covering all of the employees represented by the coalition. The governor's designee and the exclusive bargaining representative or representatives are authorized to enter into supplemental bargaining of agency-specific issues for inclusion in or as an addendum to the master collective bargaining agreement, subject to the parties' agreement regarding the issues and procedures for supplemental bargaining. This section does not prohibit cooperation and coordination of bargaining between two or more exclusive bargaining representatives.

(b) This subsection (2) does not apply to exclusive bargaining representatives who represent employees of institutions of higher education, except when the institution of higher education has elected to exercise its option under subsection (4) of this section to have its negotiations conducted by the governor or governor's designee under the procedures provided for general government agencies in subsections (1) through (3) of this section.

(c) If five hundred or more employees of an independent state elected official listed in RCW 43.01.010 are organized in a

bargaining unit or bargaining units under RCW 41.80.070, the official shall be consulted by the governor or the governor's designee before any agreement is reached under (a) of this subsection concerning supplemental bargaining of agency specific issues affecting the employees in such bargaining unit.

(3) The governor shall submit a request for funds necessary to implement the compensation and fringe benefit provisions in the master collective bargaining agreement or for legislation necessary to implement the agreement. Requests for funds necessary to implement the provisions of bargaining agreements shall not be submitted to the legislature by the governor unless such requests:

(a) Have been submitted to the director of the office of financial management by October 1 prior to the legislative session at which the requests are to be considered; and

(b) Have been certified by the director of the office of financial management as being feasible financially for the state.

The legislature shall approve or reject the submission of the request for funds as a whole. The legislature shall not consider a request for funds to implement a collective bargaining agreement unless the request is transmitted to the legislature as part of the governor's budget document submitted under RCW 43.88.030 and 43.88.060. If the legislature rejects or fails to act on the submission, either party may reopen all or part of the agreement or the exclusive bargaining representative may seek to implement the procedures provided for in RCW 41.80.090.

(4)(a)(i) For the purpose of negotiating agreements for institutions of higher education, the employer shall be the respective governing board of each of the universities, colleges, or community colleges or a designee chosen by the board to negotiate on its behalf.

(ii) A governing board of a university or college may elect to have its negotiations conducted by the governor or governor's designee under the procedures provided for general government agencies in subsections (1) through (3) of this section, except that:

(A) The governor or the governor's designee and an exclusive bargaining representative shall negotiate one master collective bargaining agreement for all of the bargaining units of employees of a university or college that the representative represents; or

(B) If the parties mutually agree, the governor or the governor's designee and an exclusive bargaining representative shall negotiate one master collective bargaining agreement for all of the bargaining units of employees of more than one university or college that the representative represents.

(iii) A governing board of a community college may elect to have its negotiations conducted by the governor or governor's designee under the procedures provided for general government agencies in subsections (1) through (3) of this section.

(b) Prior to entering into negotiations under this chapter, the institutions of higher education or their designees shall consult with the director of the office of financial management regarding financial and budgetary issues that are likely to arise in the impending negotiations.

(c)(i) In the case of bargaining agreements reached between institutions of higher education other than the University of Washington and exclusive bargaining representatives agreed to under the provisions of this chapter, if appropriations are necessary to implement the compensation and fringe benefit provisions of the bargaining agreements, the governor shall submit a request for such funds to the legislature according to the provisions of subsection (3) of this section, except as provided in (c)(iii) of this subsection.

(ii) In the case of bargaining agreements reached between the University of Washington and exclusive bargaining representatives agreed to under the provisions of this chapter, if appropriations are necessary to implement the compensation and

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fringe benefit provisions of a bargaining agreement, the governor shall submit a request for such funds to the legislature according to the provisions of subsection (3) of this section, except as provided in this subsection (4)(c)(ii) and as provided in (c)(iii) of this subsection.

(A) If appropriations of less than ten thousand dollars are necessary to implement the provisions of a bargaining agreement, a request for such funds shall not be submitted to the legislature by the governor unless the request has been submitted to the director of the office of financial management by October 1 prior to the legislative session at which the request is to be considered.

(B) If appropriations of ten thousand dollars or more are necessary to implement the provisions of a bargaining agreement, a request for such funds shall not be submitted to the legislature by the governor unless the request:

(I) Has been submitted to the director of the office of financial management by October 1 prior to the legislative session at which the request is to be considered; and

(II) Has been certified by the director of the office of financial management as being feasible financially for the state.

(C) If the director of the office of financial management does not certify a request under (c)(ii)(B) of this subsection as being feasible financially for the state, the parties shall enter into collective bargaining solely for the purpose of reaching a mutually agreed upon modification of the agreement necessary to address the absence of those requested funds. The legislature may act upon the compensation and fringe benefit provisions of the modified collective bargaining agreement if those provisions are agreed upon and submitted to the office of financial management and legislative budget committees before final legislative action on the biennial or supplemental operating budget by the sitting legislature.

(iii) In the case of a bargaining unit of employees of institutions of higher education in which the exclusive bargaining representative is certified during or after the conclusion of a legislative session, the legislature may act upon the compensation and fringe benefit provisions of the unit's initial collective bargaining agreement if those provisions are agreed upon and submitted to the office of financial management and legislative budget committees before final legislative action on the biennial or supplemental operating budget by the sitting legislature.

(5) If, after the compensation and fringe benefit provisions of an agreement are approved by the legislature, a significant revenue shortfall occurs resulting in reduced appropriations, as declared by proclamation of the governor or by resolution of the legislature, both parties shall immediately enter into collective bargaining for a mutually agreed upon modification of the agreement.

(6) After the expiration date of a collective bargaining agreement negotiated under this chapter, all of the terms and conditions specified in the collective bargaining agreement remain in effect until the effective date of a subsequently negotiated agreement, not to exceed one year from the expiration date stated in the agreement. Thereafter, the employer may unilaterally implement according to law.

(7) ~~(For the 2013-2015 fiscal biennium, a collective bargaining agreement related to employee health care benefits negotiated between the employer and coalition pursuant to RCW 41.80.020(3) regarding the dollar amount expended on behalf of each employee shall be a separate agreement for which the governor may request funds necessary to implement the agreement. The legislature may act upon a 2013-2015 collective bargaining agreement related to employee health care benefits if an agreement is reached and submitted to the office of financial management and legislative budget committees before final~~

~~legislative action on the biennial or supplemental operating appropriations act by the sitting legislature.~~

~~(8)(a) For the 2015-2017 fiscal biennium, the governor may request funds to implement:~~

~~(i) Modifications to collective bargaining agreements as set forth in a memorandum of understanding negotiated between the employer and the service employees international union healthcare 1199nw, an exclusive bargaining representative, that was necessitated by an emergency situation or an imminent jeopardy determination by the center for medicare and medicaid services that relates to the safety or health of the clients, employees, or both the clients and employees.~~

~~(ii) Unilaterally implemented modifications to collective bargaining agreements, resulting from the employer being prohibited from negotiating with an exclusive bargaining representative due to a pending representation petition, necessitated by an emergency situation or an imminent jeopardy determination by the center for medicare and medicaid services that relates to the safety or health of the clients, employees, or both the clients and employees.~~

~~(iii) Modifications to collective bargaining agreements as set forth in a memorandum of understanding negotiated between the employer and the union of physicians of Washington, an exclusive bargaining representative, that was necessitated by an emergency situation or an imminent jeopardy determination by the center for medicare and medicaid services that relates to the safety or health of the clients, employees, or both the clients and employees. If the memorandum of understanding submitted to the legislature as part of the governor's budget document is rejected by the legislature, and the parties reach a new memorandum of understanding by June 30, 2016, within the funds, conditions, and limitations provided in section 204, chapter 36, Laws of 2016 sp. sess., the new memorandum of understanding shall be considered approved by the legislature and may be retroactive to December 1, 2015.~~

~~(iv) Modifications to collective bargaining agreements as set forth in a memorandum of understanding negotiated between the employer and the teamsters union local 117, an exclusive bargaining representative, for salary adjustments for the state employee job classifications of psychiatrist, psychiatric social worker, and psychologist.~~

~~(b) For the 2015-2017 fiscal biennium, the legislature may act upon the request for funds for modifications to a 2015-2017 collective bargaining agreement under (a)(i), (ii), (iii), and (iv) of this subsection if funds are requested by the governor before final legislative action on the supplemental omnibus appropriations act by the sitting legislature.~~

~~(c) The request for funding made under this subsection and any action by the legislature taken pursuant to this subsection is limited to the modifications described in this subsection and may not otherwise affect the original terms of the 2015-2017 collective bargaining agreement.~~

~~(d)) (a) For the 2019-2021 fiscal biennium, the legislature may approve funding for a collective bargaining agreement negotiated by a higher education institution and the Washington federation of state employees and ratified by the exclusive bargaining representative before final legislative action on the omnibus appropriations act by the sitting legislature.~~

~~(b) Subsection (3)(a) and (b) of this section do not apply to requests for funding made pursuant to this subsection.~~

Sec. 968. RCW 43.08.190 and 2017 3rd sp.s. c 1 s 966 are each amended to read as follows:

There is hereby created a fund within the state treasury to be known as the "state treasurer's service fund." Such fund shall be

used solely for the payment of costs and expenses incurred in the operation and administration of the state treasurer's office.

Moneys shall be allocated monthly and placed in the state treasurer's service fund equivalent to a maximum of one percent of the trust and treasury average daily cash balances from the earnings generated under the authority of RCW 43.79A.040 and 43.84.080 other than earnings generated from investment of balances in funds and accounts specified in RCW 43.79A.040(4)(c). The allocation shall precede the distribution of the remaining earnings as prescribed under RCW 43.79A.040 and 43.84.092. The state treasurer shall establish a uniform allocation rate for all funds and accounts; except that the state treasurer may negotiate a different allocation rate with any state agency that has independent authority over funds not statutorily required to be held in the state treasury or in the custody of the state treasurer. In no event shall the rate be less than the actual costs incurred by the state treasurer's office. If no rate is separately negotiated, the default rate for any funds held shall be the rate set for funds held pursuant to statute.

~~((During the 2013-2015 and 2015-2017 fiscal biennia, the legislature may transfer from the state treasurer's service fund to the state general fund such amounts as reflect the excess fund balance of the fund.))~~ During the 2017-2019 and 2019-2021 fiscal ~~((biennium))~~ biennia, the legislature may direct the state treasurer to make transfers of money in the state treasurer's service fund to the state general fund. It is the intent of the legislature that this policy will be continued in subsequent biennia.

Sec. 969. RCW 43.09.475 and 2017 3rd sp.s. c 1 s 967 are each amended to read as follows:

The performance audits of government account is hereby created in the custody of the state treasurer. Revenue identified in RCW 82.08.020(5) and 82.12.0201 shall be deposited in the account. Money in the account shall be used to fund the performance audits and follow-up performance audits under RCW 43.09.470 and shall be expended by the state auditor in accordance with chapter 1, Laws of 2006. Only the state auditor or the state auditor's designee may authorize expenditures from the account. The account is subject to allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures. During the 2013-2015, 2015-2017, ~~((and))~~ 2017-2019, and 2019-2021 fiscal biennia, the performance audits of government account may be appropriated for the joint legislative audit and review committee, the legislative evaluation and accountability program committee, the office of financial management, the superintendent of public instruction, the department of fish and wildlife, and audits of school districts. In addition, during the 2013-2015, 2015-2017, and 2017-2019 fiscal biennia the account may be used to fund the office of financial management's contract for the compliance audit of the state auditor and audit activities at the department of revenue. In addition, during the 2015-2017 fiscal biennium, the legislature may transfer from the performance audits of government account to the state general fund such amounts as reflect the excess fund balance of the fund.

Sec. 970. RCW 43.30.385 and 2014 c 32 s 2 are each amended to read as follows:

(1) The parkland trust revolving fund is to be utilized by the department for the purpose of acquiring real property, including all reasonable costs associated with these acquisitions, as a replacement for the property transferred to the state parks and recreation commission, as directed by the legislature in order to maintain the land base of the affected trusts or under RCW 79.22.060 and to receive voluntary contributions for the purpose

of operating and maintaining public use and recreation facilities, including trails, managed by the department.

(2)(a) Proceeds from transfers of real property to the state parks and recreation commission or other proceeds identified from transfers of real property as directed by the legislature shall be deposited in the parkland trust revolving fund.

(b) Except as otherwise provided in this subsection, the proceeds from real property transferred or disposed under RCW 79.22.060 must be used solely to purchase replacement forestland, that must be actively managed as a working forest, within the same county as the property transferred or disposed. If the real property was transferred under RCW 79.22.060 (1)(c) and (2)(c) from within a county participating in the state forestland pool created under RCW 79.22.140, replacement forestland may be located within any county participating in the land pool.

(c) Disbursement from the parkland trust revolving fund to acquire replacement property and for operating and maintaining public use and recreation facilities shall be on the authorization of the department.

(d) The proceeds from the recreation access pass account created in RCW 79A.80.090 must be solely used for the purpose of operating and maintaining public use and recreation facilities, including trails, managed by the department. During the 2019-2021 fiscal biennium, the legislature may direct the state treasurer to make transfers of proceeds from the recreation access pass account deposited into the parkland trust revolving fund to the general fund.

(3) In order to maintain an effective expenditure and revenue control, the parkland trust revolving fund is subject in all respects to chapter 43.88 RCW, but no appropriation is required to permit expenditures and payment of obligations from the fund.

(4) The department is authorized to solicit and receive voluntary contributions for the purpose of operating and maintaining public use and recreation facilities, including trails, managed by the department. The department may seek voluntary contributions from individuals and organizations for this purpose. Voluntary contributions will be deposited into the parkland trust revolving fund and used solely for the purpose of public use and recreation facilities operations and maintenance. Voluntary contributions are not considered a fee for use of these facilities.

Sec. 971. RCW 43.43.839 and 2017 3rd sp.s. c 1 s 969 are each amended to read as follows:

The fingerprint identification account is created in the custody of the state treasurer. All receipts from incremental charges of fingerprint checks requested for noncriminal justice purposes and electronic background requests shall be deposited in the account. Receipts for fingerprint checks by the federal bureau of investigation may also be deposited in the account. Expenditures from the account may be used only for the cost of record checks. Only the chief of the state patrol or the chief's designee may authorize expenditures from the account. The account is subject to allotment procedures under chapter 43.88 RCW. No appropriation is required for expenditures prior to July 1, 1997. After June 30, 1997, the account shall be subject to appropriation. During the 2015-2017 ~~((and))~~, 2017-2019, and 2019-2021 fiscal biennia, funds in the account may be used for expenditures related to the upgrade of the state patrol's criminal history system. During the 2015-2017 fiscal biennium, the legislature may transfer from the fingerprint identification account to the sexual assault kit account and the account may be used for building the sexual assault kit tracking system in such amounts as reflect the excess fund balance of the account. During the 2017-2019 and 2019-2021 fiscal ~~((biennium))~~ biennia, the account may be used for ~~((building))~~ the sexual assault kit tracking system.

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Sec. 972. RCW 43.70.250 and 2017 c 195 s 26 are each amended to read as follows:

(1) It shall be the policy of the state of Washington that the cost of each professional, occupational, or business licensing program be fully borne by the members of that profession, occupation, or business.

(2) The secretary shall from time to time establish the amount of all application fees, license fees, registration fees, examination fees, permit fees, renewal fees, and any other fee associated with licensing or regulation of professions, occupations, or businesses administered by the department. Any and all fees or assessments, or both, levied on the state to cover the costs of the operations and activities of the interstate health professions licensure compacts with participating authorities listed under chapter 18.130 RCW shall be borne by the persons who hold licenses issued pursuant to the authority and procedures established under the compacts. In fixing said fees, the secretary shall set the fees for each program at a sufficient level to defray the costs of administering that program and the cost of regulating licensed volunteer medical workers in accordance with RCW 18.130.360, except as provided in RCW 18.79.202. In no case may the secretary increase a licensing fee for an ambulatory surgical facility licensed under chapter 70.230 RCW prior to July 1, ~~((2018))~~ 2021, nor may he or she commence the adoption of rules to increase a licensing fee prior to July 1, ~~((2018))~~ 2021.

(3) All such fees shall be fixed by rule adopted by the secretary in accordance with the provisions of the administrative procedure act, chapter 34.05 RCW.

Sec. 973. RCW 43.79.445 and 2018 c 299 s 922 are each amended to read as follows:

There is established an account in the state treasury referred to as the "death investigations account" which shall exist for the purpose of receiving, holding, investing, and disbursing funds appropriated or provided in RCW 70.58.107 and any moneys appropriated or otherwise provided thereafter.

Moneys in the death investigations account shall be disbursed by the state treasurer once every year on December 31 and at any other time determined by the treasurer. The treasurer shall make disbursements to: The state toxicology laboratory, counties for the cost of autopsies, the state patrol for providing partial funding for the state dental identification system, the criminal justice training commission for training county coroners, medical examiners and their staff, and the state forensic investigations council. Funds from the death investigations account may be appropriated during the 2013-2015 and 2019-2021 fiscal ~~((biennium))~~ biennia for the activities of the state crime laboratory within the Washington state patrol.

Sec. 974. RCW 43.101.200 and 2017 3rd sp.s. c 1 s 973 are each amended to read as follows:

(1) All law enforcement personnel, except volunteers, and reserve officers whether paid or unpaid, initially employed on or after January 1, 1978, shall engage in basic law enforcement training which complies with standards adopted by the commission pursuant to RCW 43.101.080. For personnel initially employed before January 1, 1990, such training shall be successfully completed during the first fifteen months of employment of such personnel unless otherwise extended or waived by the commission and shall be requisite to the continuation of such employment. Personnel initially employed on or after January 1, 1990, shall commence basic training during the first six months of employment unless the basic training requirement is otherwise waived or extended by the commission. Successful completion of basic training is requisite to the

continuation of employment of such personnel initially employed on or after January 1, 1990.

(2) Except as otherwise provided in this chapter, the commission shall provide the aforementioned training together with necessary facilities, supplies, materials, and the board and room of noncommuting attendees for seven days per week, except during the 2015-2017, ~~((and))~~ 2017-2019, and 2019-2021 fiscal biennia when the employing, county, city, or state law enforcement agency shall reimburse the commission for twenty-five percent of the cost of training its personnel. Additionally, to the extent funds are provided for this purpose, the commission shall reimburse to participating law enforcement agencies with ten or less full-time commissioned patrol officers the cost of temporary replacement of each officer who is enrolled in basic law enforcement training: PROVIDED, That such reimbursement shall include only the actual cost of temporary replacement not to exceed the total amount of salary and benefits received by the replaced officer during his or her training period.

Sec. 975. RCW 43.101.220 and 2017 3rd sp.s. c 1 s 972 are each amended to read as follows:

(1) The corrections personnel of the state and all counties and municipal corporations initially employed on or after January 1, 1982, shall engage in basic corrections training which complies with standards adopted by the commission. The training shall be successfully completed during the first six months of employment of the personnel, unless otherwise extended or waived by the commission, and shall be requisite to the continuation of employment.

(2) The commission shall provide the training required in this section, together with facilities, supplies, materials, and the room and board for noncommuting attendees, except during the 2015-2017 ~~((and))~~, 2017-2019, and 2019-2021 fiscal biennia, when the employing county, municipal corporation, or state agency shall reimburse the commission for twenty-five percent of the cost of training its personnel.

(3)(a) Subsections (1) and (2) of this section do not apply to the Washington state department of corrections prisons division. The Washington state department of corrections is responsible for identifying training standards, designing curricula and programs, and providing the training for those corrections personnel employed by it. In doing so, the secretary of the department of corrections shall consult with staff development experts and correctional professionals both inside and outside of the agency, to include soliciting input from labor organizations.

(b) The commission and the department of corrections share the responsibility of developing and defining training standards and providing training for community corrections officers employed within the community corrections division of the department of corrections.

Sec. 976. RCW 43.101.435 and 2015 c 84 s 2 are each amended to read as follows:

The Washington internet crimes against children account is created in the custody of the state treasurer. All receipts from legislative appropriations, donations, gifts, grants, and funds from federal or private sources must be deposited into the account. Expenditures from the account must be used exclusively by the Washington internet crimes against children task force and its affiliate agencies for combating internet-facilitated crimes against children, promoting education on internet safety to the public and to minors, and rescuing child victims from abuse and exploitation. Only the criminal justice training commission or the commission's designee may authorize expenditures from the account. The account is subject to allotment procedures under chapter 43.88 RCW, but an appropriation is not required for

expenditures. The commission may enter into agreements with the Washington association of sheriffs and police chiefs to administer grants and other activities funded by the account and be paid an administrative fee not to exceed three percent of expenditures. During the 2019-2021 fiscal biennium, moneys in the account may be used by the Washington state patrol for activities related to the missing and exploited children task force.

Sec. 977. RCW 43.155.050 and 2017 3rd sp.s. c 10 s 5 and 2017 3rd sp.s. c 1 s 974 are each reenacted and amended to read as follows:

The public works assistance account is hereby established in the state treasury. Money may be placed in the public works assistance account from the proceeds of bonds when authorized by the legislature or from any other lawful source. Money in the public works assistance account shall be used to make loans and grants and to give financial guarantees to local governments for public works projects. Moneys in the account may also be appropriated or transferred to the water pollution control revolving ~~((account [fund]))~~ fund and the drinking water assistance account to provide for state match requirements under federal law. Not more than twenty percent of the biennial capital budget appropriation to the public works board from this account may be expended or obligated for preconstruction loans and grants, emergency loans and grants, or loans and grants for capital facility planning under this chapter. Not more than ten percent of the biennial capital budget appropriation to the public works board from this account may be expended or obligated as grants for preconstruction, emergency, capital facility planning, and construction projects. ~~((During the 2015-2017 fiscal biennium, the legislature may transfer from the public works assistance account to the general fund, the water pollution control revolving account [fund], and the drinking water assistance account such amounts as reflect the excess fund balance of the account.))~~ During the ~~((2015-2017 and))~~ 2017-2019 and 2019-2021 fiscal biennia, the legislature may appropriate moneys from the account for activities related to rural economic development, the growth management act, and the voluntary stewardship program. ~~((During the 2015-2017 fiscal biennium, the legislature may transfer from the public works assistance account to the state general fund such amounts as specified by the legislature.))~~ During the 2017-2019 fiscal biennium, the legislature may direct the state treasurer to make transfers of moneys in the public works assistance account to the education legacy trust account. It is the intent of the legislature that this policy will be continued in subsequent fiscal biennia.

Sec. 978. RCW 43.320.110 and 2018 c 185 s 2 and 2018 c 62 s 4 are each reenacted and amended to read as follows:

(1) There is created in the custody of the state treasurer a local fund known as the "financial services regulation fund" which shall consist of all moneys received by the divisions of the department of financial institutions, except as provided in subsection (2) of this section.

(2) The division of securities shall deposit thirteen percent of all moneys received, except as provided in RCW 43.320.115 and subsection (3) of this section, and which shall be used for the purchase of supplies and necessary equipment; the payment of salaries, wages, and utilities; the establishment of reserves; and other incidental costs required for the proper regulation of individuals and entities subject to regulation by the department.

(3) The division of securities shall deposit one hundred percent of all moneys received that are attributable to increases in fees implemented by rule pursuant to RCW 21.20.340(15).

(4) Disbursements from the fund shall be on authorization of the director of financial institutions or the director's designee. In

order to maintain an effective expenditure and revenue control, the fund shall be subject in all respects to chapter 43.88 RCW, but no appropriation is required to permit expenditures and payment of obligations from the fund.

(5) During the 2017-2019 fiscal biennium, the legislature may transfer from the financial services regulation fund to the state general fund such amounts as reflect the excess fund balance of the fund. During the 2017-2019 fiscal biennium, moneys from the financial services regulation fund may be appropriated for the family prosperity account program at the department of commerce and for the operations of the department of revenue.

(6)(a) Beginning in the 2020-2021 fiscal year, the state treasurer shall annually transfer from the fund to the student loan advocate account created in RCW 28B.77.008, the greater of one hundred seventy-five thousand dollars or twenty percent of the annual assessment derived from student education loan servicing.

(b) The department must provide information to the state treasurer regarding the amount of the annual assessment derived from student education loan servicing.

(7) The director's obligations or duties under chapter 62, Laws of 2018 are subject to section 21, chapter 62, Laws of 2018.

(8) During the 2019-2021 fiscal biennium, moneys in the financial services regulation fund may be appropriated for the operations of the department of revenue. It is the intent of the legislature to continue this policy in subsequent biennia.

(9) During the 2019-2021 fiscal biennium, the legislature may direct the state treasurer to make transfers of moneys in the financial services regulation account to the general fund.

Sec. 979. RCW 43.372.070 and 2016 sp.s. c 36 s 938 are each amended to read as follows:

(1) The marine resources stewardship trust account is created in the state treasury. All receipts from income derived from the investment of amounts credited to the account, any grants, gifts, or donations to the state for the purposes of marine management planning, marine spatial planning, data compilation, research, or monitoring, and any appropriations made to the account must be deposited in the account. Moneys in the account may be spent only after appropriation.

(2) Expenditures from the account may only be used for the purposes of marine management planning, marine spatial planning, research, monitoring, and implementation of the marine management plan.

(3) Except as provided in subsection (5) of this section, until July 1, 2016, expenditures from the account may only be used for the purposes of:

(a) Conducting ecosystem assessment and mapping activities in marine waters consistent with RCW 43.372.040(6) (a) and (c), with a focus on assessment and mapping activities related to marine resource uses and developing potential economic opportunities;

(b) Developing a marine management plan for the state's coastal waters as that term is defined in RCW 43.143.020; and

(c) Coordination under the west coast governors' agreement on ocean health, entered into on September 18, 2006, and other regional planning efforts consistent with RCW 43.372.030.

(4) Expenditures from the account on projects and activities relating to the state's coastal waters, as defined in RCW 43.143.020, must be made, to the maximum extent possible, consistent with the recommendations of the Washington coastal marine advisory council as provided in RCW 43.143.060. If expenditures relating to coastal waters are made in a manner that differs substantially from the Washington coastal marine advisory council's recommendations, the responsible agency receiving the appropriation shall provide the council and appropriate committees of the legislature with a written explanation.

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(5) During the ~~((2015-2017))~~ 2019-2021 fiscal biennium, the legislature may ~~((transfer from))~~ direct the state treasurer to make transfers of moneys in the marine resources stewardship trust account to the aquatic lands enhancement account ~~((such amounts as reflect the excess fund balance of the account))~~.

Sec. 980. RCW 46.68.350 and 2013 2nd sp.s. c 19 s 7040 are each amended to read as follows:

(1) The snowmobile account is created within the state treasury. Snowmobile registration fees, monetary civil penalties from snowmobile dealers, and snowmobile fuel tax moneys collected under ~~((this))~~ chapters 46.10 and ~~((chapter))~~ 46.17 RCW and in excess of the amounts fixed for the administration of the registration and fuel tax provisions of ~~((this))~~ chapter 46.10 RCW must be deposited into the account and must be appropriated only to the state parks and recreation commission for the administration and coordination of ~~((this))~~ chapter 46.10 RCW.

(2) The moneys collected by the department as snowmobile registration fees, monetary civil penalties from snowmobile dealers, and fuel tax moneys placed into the account must be distributed in the following manner:

(a) Actual expenses not to exceed three percent for each year must be retained by the department to cover expenses incurred in the administration of the registration and fuel tax provisions of ~~((this))~~ chapter 46.10 RCW; and

(b) The remainder of funds each year must be remitted to the state treasurer to be deposited into the snowmobile account of the general fund and must be appropriated only to the commission to be expended for snowmobile purposes. Purposes may include, but not necessarily be limited to, the administration, acquisition, development, operation, and maintenance of snowmobile facilities and development and implementation of snowmobile safety, enforcement, and education programs. During the 2013-2015 biennium the legislature may appropriate funds from the account to the department of natural resources for purpose of planning and supporting snowmobile activities on lands purchased by the department in the Yakima river basin. During the 2019-2021 fiscal biennium, the legislature may appropriate moneys from the snowmobile account for the commission to conduct maintenance and improvements of state park facilities.

(3) This section is not intended to discourage any public agency in this state from developing and implementing snowmobile programs. The commission may award grants to public agencies and contract with any public or private agency or person for the purpose of developing and implementing snowmobile programs, as long as the programs are not inconsistent with the rules adopted by the commission.

Sec. 981. RCW 50.16.010 and 2017 3rd sp.s. c 1 s 977 are each amended to read as follows:

(1) There shall be maintained as special funds, separate and apart from all public moneys or funds of this state an unemployment compensation fund and an administrative contingency fund, which shall be administered by the commissioner exclusively for the purposes of this title, and to which RCW 43.01.050 shall not be applicable.

(2)(a) The unemployment compensation fund shall consist of:

(i) All contributions collected under RCW 50.24.010 and payments in lieu of contributions collected pursuant to the provisions of this title;

(ii) Any property or securities acquired through the use of moneys belonging to the fund;

(iii) All earnings of such property or securities;

(iv) Any moneys received from the federal unemployment account in the unemployment trust fund in accordance with Title XII of the social security act, as amended;

(v) All money recovered on official bonds for losses sustained by the fund;

(vi) All money credited to this state's account in the unemployment trust fund pursuant to section 903 of the social security act, as amended;

(vii) All money received from the federal government as reimbursement pursuant to section 204 of the federal-state extended compensation act of 1970 (84 Stat. 708-712; 26 U.S.C. Sec. 3304);

(viii) The portion of the additional penalties as provided in RCW 50.20.070(2) that is fifteen percent of the amount of benefits overpaid or deemed overpaid; and

(ix) All moneys received for the fund from any other source.

(b) All moneys in the unemployment compensation fund shall be commingled and undivided.

(3)(a) Except as provided in (b) of this subsection, the administrative contingency fund shall consist of:

(i) All interest on delinquent contributions collected pursuant to this title;

(ii) All fines and penalties collected pursuant to the provisions of this title, except the portion of the additional penalties as provided in RCW 50.20.070(2) that is fifteen percent of the amount of benefits overpaid or deemed overpaid;

(iii) All sums recovered on official bonds for losses sustained by the fund; and

(iv) Revenue received under RCW 50.24.014.

(b) All fees, fines, forfeitures, and penalties collected or assessed by a district court because of the violation of this title or rules adopted under this title shall be remitted as provided in chapter 3.62 RCW.

(c) Except as provided in (d) of this subsection, moneys available in the administrative contingency fund, other than money in the special account created under RCW 50.24.014, shall be expended upon the direction of the commissioner, with the approval of the governor, whenever it appears to him or her that such expenditure is necessary solely for:

(i) The proper administration of this title and that insufficient federal funds are available for the specific purpose to which such expenditure is to be made, provided, the moneys are not substituted for appropriations from federal funds which, in the absence of such moneys, would be made available.

(ii) The proper administration of this title for which purpose appropriations from federal funds have been requested but not yet received, provided, the administrative contingency fund will be reimbursed upon receipt of the requested federal appropriation.

(iii) The proper administration of this title for which compliance and audit issues have been identified that establish federal claims requiring the expenditure of state resources in resolution. Claims must be resolved in the following priority: First priority is to provide services to eligible participants within the state; second priority is to provide substitute services or program support; and last priority is the direct payment of funds to the federal government.

(d)(i) During the 2007-2009 fiscal biennium, moneys available in the administrative contingency fund, other than money in the special account created under RCW 50.24.014(1)(a), shall be expended as appropriated by the legislature for: (A) The cost of the job skills or worker retraining programs at the community and technical colleges and administrative costs at the state board for community and technical colleges; and (B) reemployment services such as business and project development assistance, local economic development capacity building, and local economic development financial assistance at the department of commerce. The remaining appropriation may be expended as specified in (c) of this subsection.

(ii) During the 2015-2017 (~~and~~), 2017-2019, and 2019-2021 fiscal biennia, moneys available in the administrative contingency fund, other than money in the special account created under RCW 50.24.014(1)(a), shall be expended as appropriated by the legislature: (A) For the department of social and health services for employment and training services and programs in the WorkFirst program; (B) for the administrative costs of state agencies participating in the WorkFirst program; and (C) by the commissioner for the work group on agricultural and agricultural-related issues as provided in the 2013-2015 omnibus operating appropriations act. The remaining appropriation may be expended as specified in (c) of this subsection.

(4) Money in the special account created under RCW 50.24.014(1)(a) may only be expended, after appropriation, for the purposes specified in this section and RCW 50.62.010, 50.62.020, 50.62.030, 50.24.014, 50.44.053, and 50.22.010.

Sec. 982. RCW 69.50.530 and 2018 c 299 s 909 are each amended to read as follows:

The dedicated marijuana account is created in the state treasury. All moneys received by the state liquor and cannabis board, or any employee thereof, from marijuana-related activities must be deposited in the account. Unless otherwise provided in chapter 4, Laws of 2015 2nd sp. sess., all marijuana excise taxes collected from sales of marijuana, useable marijuana, marijuana concentrates, and marijuana-infused products under RCW 69.50.535, and the license fees, penalties, and forfeitures derived under this chapter from marijuana producer, marijuana processor, marijuana researcher, and marijuana retailer licenses, must be deposited in the account. Moneys in the account may only be spent after appropriation. During the (~~2015-2017 and~~) 2017-2019 fiscal (~~biennia~~) biennium, the legislature may transfer from the dedicated marijuana account to the basic health plan trust account such amounts as reflect the excess fund balance of the account. During the 2019-2021 fiscal biennium, the legislature may appropriate money from the dedicated marijuana account to the Washington state department of agriculture for compliance-based laboratory analysis of pesticides in marijuana.

Sec. 983. RCW 69.50.540 and 2018 c 299 s 910 and 2018 c 201 s 8014 are each reenacted and amended to read as follows:

The legislature must annually appropriate moneys in the dedicated marijuana account created in RCW 69.50.530 as follows:

(1) For the purposes listed in this subsection (1), the legislature must appropriate to the respective agencies amounts sufficient to make the following expenditures on a quarterly basis:

(a) (~~Beginning July 1, 2017,~~) One hundred twenty-five thousand dollars to the health care authority to design and administer the Washington state healthy youth survey, analyze the collected data, and produce reports, in collaboration with the office of the superintendent of public instruction, department of health, department of commerce, family policy council, and state liquor and cannabis board. The survey must be conducted at least every two years and include questions regarding, but not necessarily limited to, academic achievement, age at time of substance use initiation, antisocial behavior of friends, attitudes toward antisocial behavior, attitudes toward substance use, laws and community norms regarding antisocial behavior, family conflict, family management, parental attitudes toward substance use, peer rewarding of antisocial behavior, perceived risk of substance use, and rebelliousness. Funds disbursed under this subsection may be used to expand administration of the healthy youth survey to student populations attending institutions of higher education in Washington;

(b) (~~Beginning July 1, 2017,~~) Fifty thousand dollars to the health care authority for the purpose of contracting with the Washington state institute for public policy to conduct the cost-benefit evaluation and produce the reports described in RCW 69.50.550. This appropriation ends after production of the final report required by RCW 69.50.550;

(c) (~~Beginning July 1, 2017,~~) Five thousand dollars to the University of Washington alcohol and drug abuse institute for the creation, maintenance, and timely updating of web-based public education materials providing medically and scientifically accurate information about the health and safety risks posed by marijuana use; and

(d)(i) An amount not less than one million two hundred fifty thousand dollars to the state liquor and cannabis board for administration of this chapter as appropriated in the omnibus appropriations act;

(ii) Two million six hundred fifty-one thousand seven hundred fifty dollars for fiscal year 2018 and three hundred fifty-one thousand seven hundred fifty dollars for fiscal year 2019 to the health professions account established under RCW 43.70.320 for the development and administration of the marijuana authorization database by the department of health;

(iii) Two million eight hundred three thousand dollars for fiscal year 2019, 2020, and 2021 to the Washington state patrol for a drug enforcement task force. It is the intent of the legislature that this policy will be continued in (~~the 2019-2021~~) subsequent fiscal biennium; and

(iv) Ninety-eight thousand dollars for fiscal year 2019 to the department of ecology for research on accreditation of marijuana product testing laboratories.

(~~(e) Twenty three thousand seven hundred fifty dollars to the department of enterprise services provided solely for the state building code council established under RCW 19.27.070, to develop and adopt fire and building code provisions related to marijuana processing and extraction facilities. The distribution under this subsection (1)(e) is for fiscal year 2016 only;~~)

(2) From the amounts in the dedicated marijuana account after appropriation of the amounts identified in subsection (1) of this section and during the 2019-2021 fiscal biennium the amounts appropriated to the Washington state department of agriculture for the purpose specified, the legislature must appropriate for the purposes listed in this subsection (2) as follows:

(a)(i) Up to fifteen percent to the health care authority for the development, implementation, maintenance, and evaluation of programs and practices aimed at the prevention or reduction of maladaptive substance use, substance use disorder, substance abuse or substance dependence, as these terms are defined in the Diagnostic and Statistical Manual of Mental Disorders, among middle school and high school-age students, whether as an explicit goal of a given program or practice or as a consistently corresponding effect of its implementation, mental health services for children and youth, and services for pregnant and parenting women; PROVIDED, That:

(A) Of the funds appropriated under (a)(i) of this subsection for new programs and new services, at least eighty-five percent must be directed to evidence-based or research-based programs and practices that produce objectively measurable results and, by September 1, 2020, are cost-beneficial; and

(B) Up to fifteen percent of the funds appropriated under (a)(i) of this subsection for new programs and new services may be directed to proven and tested practices, emerging best practices, or promising practices.

(ii) In deciding which programs and practices to fund, the director of the health care authority must consult, at least annually, with the University of Washington's social

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development research group and the University of Washington's alcohol and drug abuse institute.

~~(iii) ((For the fiscal year beginning July 1, 2016, the legislature must appropriate a minimum of twenty-seven million seven hundred eighty-six thousand dollars, and)) For each ((subsequent)) fiscal year ((thereafter)), the legislature must appropriate a minimum of twenty-five million five hundred thirty-six thousand dollars under this subsection (2)(a);~~

(b)(i) Up to ten percent to the department of health for the following, subject to (b)(ii) of this subsection (2):

(A) Creation, implementation, operation, and management of a marijuana education and public health program that contains the following:

(I) A marijuana use public health hotline that provides referrals to substance abuse treatment providers, utilizes evidence-based or research-based public health approaches to minimizing the harms associated with marijuana use, and does not solely advocate an abstinence-only approach;

(II) A grants program for local health departments or other local community agencies that supports development and implementation of coordinated intervention strategies for the prevention and reduction of marijuana use by youth; and

(III) Media-based education campaigns across television, internet, radio, print, and out-of-home advertising, separately targeting youth and adults, that provide medically and scientifically accurate information about the health and safety risks posed by marijuana use; and

(B) The Washington poison control center(~~and~~

~~(C) During the 2015-2017 fiscal biennium, the funds appropriated under this subsection (2)(b) may be used for prevention activities that target youth and populations with a high incidence of tobacco use)).~~

~~(ii) ((For the fiscal year beginning July 1, 2016, the legislature must appropriate a minimum of seven million five hundred thousand dollars and)) For each ((subsequent)) fiscal year ((thereafter)), the legislature must appropriate a minimum of nine million seven hundred fifty thousand dollars under this subsection (2)(b);~~

(c)(i) Up to six-tenths of one percent to the University of Washington and four-tenths of one percent to Washington State University for research on the short and long-term effects of marijuana use, to include but not be limited to formal and informal methods for estimating and measuring intoxication and impairment, and for the dissemination of such research.

~~(ii) ((For the fiscal year beginning July 1, 2016, the legislature must appropriate a minimum of two hundred seven thousand dollars and)) For each ((subsequent)) fiscal year, except for the 2017-2019 and 2019-2021 fiscal ((biennium)) biennia, the legislature must appropriate a minimum of one million twenty-one thousand dollars to the University of Washington. ((For the fiscal year beginning July 1, 2016, the legislature must appropriate a minimum of one hundred thirty-eight thousand dollars and)) For each ((subsequent)) fiscal year ((thereafter)), except for the 2017-2019 and 2019-2021 fiscal ((biennium)) biennia, the legislature must appropriate a minimum of six hundred eighty-one thousand dollars to Washington State University under this subsection (2)(c). It is the intent of the legislature that this policy will be continued in the ((2019-2021)) 2021-2023 fiscal biennium;~~

(d) Fifty percent to the state basic health plan trust account to be administered by the Washington basic health plan administrator and used as provided under chapter 70.47 RCW;

(e) Five percent to the Washington state health care authority to be expended exclusively through contracts with community health centers to provide primary health and dental care services,

migrant health services, and maternity health care services as provided under RCW 41.05.220;

(f)(i) Up to three-tenths of one percent to the office of the superintendent of public instruction to fund grants to building bridges programs under chapter 28A.175 RCW.

~~(ii) For ((the fiscal year beginning July 1, 2016, and)) each ((subsequent)) fiscal year, the legislature must appropriate a minimum of five hundred eleven thousand dollars to the office of the superintendent of public instruction under this subsection (2)(f); and~~

(g) At the end of each fiscal year, the treasurer must transfer any amounts in the dedicated marijuana account that are not appropriated pursuant to subsection (1) of this section and this subsection (2) into the general fund, except as provided in (g)(i) of this subsection (2).

(i) Beginning in fiscal year 2018, if marijuana excise tax collections deposited into the general fund in the prior fiscal year exceed twenty-five million dollars, then each fiscal year the legislature must appropriate an amount equal to thirty percent of all marijuana excise taxes deposited into the general fund the prior fiscal year to the treasurer for distribution to counties, cities, and towns as follows:

(A) Thirty percent must be distributed to counties, cities, and towns where licensed marijuana retailers are physically located. Each jurisdiction must receive a share of the revenue distribution under this subsection (2)(g)(i)(A) based on the proportional share of the total revenues generated in the individual jurisdiction from the taxes collected under RCW 69.50.535, from licensed marijuana retailers physically located in each jurisdiction. For purposes of this subsection (2)(g)(i)(A), one hundred percent of the proportional amount attributed to a retailer physically located in a city or town must be distributed to the city or town.

(B) Seventy percent must be distributed to counties, cities, and towns ratably on a per capita basis. Counties must receive sixty percent of the distribution, which must be disbursed based on each county's total proportional population. Funds may only be distributed to jurisdictions that do not prohibit the siting of any state licensed marijuana producer, processor, or retailer.

(ii) Distribution amounts allocated to each county, city, and town must be distributed in four installments by the last day of each fiscal quarter.

(iii) By September 15th of each year, the state liquor and cannabis board must provide the state treasurer the annual distribution amount, if any, for each county and city as determined in (g)(i) of this subsection (2).

(iv) The total share of marijuana excise tax revenues distributed to counties and cities in (g)(i) of this subsection (2) may not exceed fifteen million dollars in fiscal years 2018 and 2019 and twenty million dollars per fiscal year thereafter. It is the intent of the legislature that the policy for the maximum distributions in the subsequent fiscal biennia will be no more than fifteen million dollars per fiscal year.

For the purposes of this section, "marijuana products" means "useable marijuana," "marijuana concentrates," and "marijuana-infused products" as those terms are defined in RCW 69.50.101.

Sec. 984. RCW 70.155.120 and 2016 sp.s. c 38 s 2 are each amended to read as follows:

(1) The youth tobacco and vapor products prevention account is created in the state treasury. All fees collected pursuant to RCW 82.24.520, 82.24.530, 82.26.160, and 82.26.170 and funds collected by the liquor and cannabis board from the imposition of monetary penalties shall be deposited into this account, except that ten percent of all such fees and penalties shall be deposited in the state general fund.

(2) Moneys appropriated from the youth tobacco and vapor products prevention account to the department of health shall be used by the department of health for implementation of this chapter, including collection and reporting of data regarding enforcement and the extent to which access to tobacco products and vapor products by youth has been reduced.

(3) The department of health shall enter into interagency agreements with the liquor and cannabis board to pay the costs incurred, up to thirty percent of available funds, in carrying out its enforcement responsibilities under this chapter. Such agreements shall set forth standards of enforcement, consistent with the funding available, so as to reduce the extent to which tobacco products and vapor products are available to individuals under the age of eighteen. The agreements shall also set forth requirements for data reporting by the liquor and cannabis board regarding its enforcement activities. During the 2019-2021 fiscal biennium, the department of health shall pay the costs incurred, up to twenty-three percent of available funds, in carrying out its enforcement responsibilities.

(4) The department of health, the liquor and cannabis board, and the department of revenue shall enter into an interagency agreement for payment of the cost of administering the tobacco retailer licensing system and for the provision of quarterly documentation of tobacco wholesaler, retailer, and vending machine names and locations.

(5) The department of health shall, within up to seventy percent of available funds, provide grants to local health departments or other local community agencies to develop and implement coordinated tobacco and vapor product intervention strategies to prevent and reduce tobacco and vapor product use by youth. During the 2019-2021 fiscal biennium, the department of health shall, within up to seventy-seven percent of available funds, provide grants to local health departments or other local community agencies to develop and implement coordinated tobacco and vapor product intervention strategies to prevent and reduce tobacco and vapor product use by youth.

Sec. 985. RCW 71.24.580 and 2018 c 205 s 2 and 2018 c 201 s 4044 are each reenacted and amended to read as follows:

(1) The criminal justice treatment account is created in the state treasury. Moneys in the account may be expended solely for: (a) Substance use disorder treatment and treatment support services for offenders with a substance use disorder that, if not treated, would result in addiction, against whom charges are filed by a prosecuting attorney in Washington state; (b) the provision of substance use disorder treatment services and treatment support services for nonviolent offenders within a drug court program; and (c) the administrative and overhead costs associated with the operation of a drug court. Amounts provided in this subsection must be used for treatment and recovery support services for criminally involved offenders and authorization of these services shall not be subject to determinations of medical necessity. During the 2017-2019 fiscal biennium, the legislature may direct the state treasurer to make transfers of moneys in the criminal justice treatment account to the state general fund. ~~((It is the intent of the legislature to continue in the 2019-2021 biennium the policy of transferring to the state general fund such amounts as reflect the excess fund balance of the account.))~~ During the 2019-2021 fiscal biennium, the legislature may direct the state treasurer to make transfers of moneys in the criminal justice treatment account to the home security fund account created in RCW 43.185C.060. It is the intent of the legislature to continue the policy of transferring moneys from the criminal justice treatment account to the home security fund account in subsequent biennia. Moneys in the account may be spent only after appropriation.

(2) For purposes of this section:

(a) "Treatment" means services that are critical to a participant's successful completion of his or her substance use disorder treatment program, including but not limited to the recovery support and other programmatic elements outlined in RCW 2.30.030 authorizing therapeutic courts; and

(b) "Treatment support" includes transportation to or from inpatient or outpatient treatment services when no viable alternative exists, and child care services that are necessary to ensure a participant's ability to attend outpatient treatment sessions.

(3) Revenues to the criminal justice treatment account consist of: (a) Funds transferred to the account pursuant to this section; and (b) any other revenues appropriated to or deposited in the account.

(4)(a) For the fiscal year beginning July 1, 2005, and each subsequent fiscal year, the state treasurer shall transfer eight million two hundred fifty thousand dollars from the general fund to the criminal justice treatment account, divided into four equal quarterly payments. For the fiscal year beginning July 1, 2006, and each subsequent fiscal year, the amount transferred shall be increased on an annual basis by the implicit price deflator as published by the federal bureau of labor statistics.

(b) In each odd-numbered year, the legislature shall appropriate the amount transferred to the criminal justice treatment account in (a) of this subsection to the department for the purposes of subsection (5) of this section.

(5) Moneys appropriated to the authority from the criminal justice treatment account shall be distributed as specified in this subsection. The authority may retain up to three percent of the amount appropriated under subsection (4)(b) of this section for its administrative costs.

(a) Seventy percent of amounts appropriated to the authority from the account shall be distributed to counties pursuant to the distribution formula adopted under this section. The authority, in consultation with the department of corrections, the Washington state association of counties, the Washington state association of drug court professionals, the superior court judges' association, the Washington association of prosecuting attorneys, representatives of the criminal defense bar, representatives of substance use disorder treatment providers, and any other person deemed by the authority to be necessary, shall establish a fair and reasonable methodology for distribution to counties of moneys in the criminal justice treatment account. County or regional plans submitted for the expenditure of formula funds must be approved by the panel established in (b) of this subsection.

(b) Thirty percent of the amounts appropriated to the authority from the account shall be distributed as grants for purposes of treating offenders against whom charges are filed by a county prosecuting attorney. The authority shall appoint a panel of representatives from the Washington association of prosecuting attorneys, the Washington association of sheriffs and police chiefs, the superior court judges' association, the Washington state association of counties, the Washington defender's association or the Washington association of criminal defense lawyers, the department of corrections, the Washington state association of drug court professionals, and substance use disorder treatment providers. The panel shall review county or regional plans for funding under (a) of this subsection and grants approved under this subsection. The panel shall attempt to ensure that treatment as funded by the grants is available to offenders statewide.

(6) The county alcohol and drug coordinator, county prosecutor, county sheriff, county superior court, a substance abuse treatment provider appointed by the county legislative authority, a member of the criminal defense bar appointed by the county legislative authority, and, in counties with a drug court, a

representative of the drug court shall jointly submit a plan, approved by the county legislative authority or authorities, to the panel established in subsection (5)(b) of this section, for disposition of all the funds provided from the criminal justice treatment account within that county. The funds shall be used solely to provide approved alcohol and substance abuse treatment pursuant to RCW 71.24.560 and treatment support services. No more than ten percent of the total moneys received under subsections (4) and (5) of this section by a county or group of counties participating in a regional agreement shall be spent for treatment support services.

(7) Counties are encouraged to consider regional agreements and submit regional plans for the efficient delivery of treatment under this section.

(8) Moneys allocated under this section shall be used to supplement, not supplant, other federal, state, and local funds used for substance abuse treatment.

(9) Counties must meet the criteria established in RCW 2.30.030(3).

Sec. 986. RCW 76.04.610 and 2018 c 299 s 912 are each amended to read as follows:

(1)(a) If any owner of forestland within a forest protection zone neglects or fails to provide adequate fire protection as required by RCW 76.04.600, the department shall provide such protection and shall annually impose the following assessments on each parcel of such land: (i) A flat fee assessment of seventeen dollars and fifty cents; and (ii) twenty-seven cents on each acre exceeding fifty acres.

(b) Assessors may, at their option, collect the assessment on tax exempt lands. If the assessor elects not to collect the assessment, the department may bill the landowner directly.

(2) An owner who has paid assessments on two or more parcels, each containing fewer than fifty acres and each within the same county, may obtain the following refund:

(a) If all the parcels together contain less than fifty acres, then the refund is equal to the flat fee assessments paid, reduced by the total of (i) seventeen dollars and (ii) the total of the amounts retained by the county from such assessments under subsection (5) of this section.

(b) If all the parcels together contain fifty or more acres, then the refund is equal to the flat fee assessments paid, reduced by the total of (i) seventeen dollars, (ii) twenty-seven cents for each acre exceeding fifty acres, and (iii) the total of the amounts retained by the county from such assessments under subsection (5) of this section.

Applications for refunds shall be submitted to the department on a form prescribed by the department and in the same year in which the assessments were paid. The department may not provide refunds to applicants who do not provide verification that all assessments and property taxes on the property have been paid. Applications may be made by mail.

In addition to the procedures under this subsection, property owners with multiple parcels in a single county who qualify for a refund under this section may apply to the department on an application listing all the parcels owned in order to have the assessment computed on all parcels but billed to a single parcel. Property owners with the following number of parcels may apply to the department in the year indicated:

Year	Number of Parcels
2002	10 or more parcels
2003	8 or more parcels
2004 and thereafter	6 or more parcels

The department must compute the correct assessment and allocate one parcel in the county to use to collect the assessment. The county must then bill the forest fire protection assessment on that one allocated identified parcel. The landowner is responsible for notifying the department of any changes in parcel ownership.

(3) Beginning January 1, 1991, under the administration and at the discretion of the department up to two hundred thousand dollars per year of this assessment shall be used in support of those rural fire districts assisting the department in fire protection services on forestlands.

(4) For the purpose of this chapter, the department may divide the forestlands of the state, or any part thereof, into districts, for fire protection and assessment purposes, may classify lands according to the character of timber prevailing, and the fire hazard existing, and place unprotected lands under the administration of the proper district. Amounts paid or contracted to be paid by the department for protection of forestlands from funds at its disposal shall be a lien upon the property protected, unless reimbursed by the owner within ten days after October 1st of the year in which they were incurred. The department shall be prepared to make statement thereof, upon request, to a forest owner whose own protection has not been previously approved as to its adequacy, the department shall report the same to the assessor of the county in which the property is situated. The assessor shall extend the amounts upon the tax rolls covering the property, and upon authorization from the department shall levy the forest protection assessment against the amounts of unimproved land as shown in each ownership on the county assessor's records. The assessor may then segregate on the records to provide that the improved land and improvements thereon carry the millage levy designed to support the rural fire protection districts as provided for in RCW 52.16.170.

(5) The amounts assessed shall be collected at the time, in the same manner, by the same procedure, and with the same penalties attached that general state and county taxes on the same property are collected, except that errors in assessments may be corrected at any time by the department certifying them to the treasurer of the county in which the land involved is situated. Assessments shall be known and designated as assessments of the year in which the amounts became reimbursable. Upon the collection of assessments the county treasurer shall place fifty cents of the total assessments paid on a parcel for fire protection into the county current expense fund to defray the costs of listing, billing, and collecting these assessments. The treasurer shall then transmit the balance to the department. Collections shall be applied against expenses incurred in carrying out the provisions of this section, including necessary and reasonable administrative costs incurred by the department in the enforcement of these provisions. The department may also expend sums collected from owners of forestlands or received from any other source for necessary administrative costs in connection with the enforcement of RCW 76.04.660. During the 2017-2019 and 2019-2021 fiscal (~~biennium~~) biennia, the legislature may appropriate moneys from the account for department of natural resources wildfire response and forest health activities. It is the intent of the legislature that this policy will be continued in subsequent fiscal biennia.

(6) When land against which forest protection assessments are outstanding is acquired for delinquent taxes and sold at public auction, the state shall have a prior lien on the proceeds of sale over and above the amount necessary to satisfy the county's delinquent tax judgment. The county treasurer, in case the proceeds of sale exceed the amount of the delinquent tax judgment, shall immediately remit to the department the amount of the outstanding forest protection assessments.

(7) All nonfederal public bodies owning or administering forestland included in a forest protection zone shall pay the forest protection assessments provided in this section and the special forest fire suppression account assessments under RCW 76.04.630. The forest protection assessments and special forest fire suppression account assessments shall be payable by nonfederal public bodies from available funds within thirty days following receipt of the written notice from the department which is given after October 1st of the year in which the protection was provided. Unpaid assessments are not a lien against the nonfederal publicly owned land but shall constitute a debt by the nonfederal public body to the department and are subject to interest charges at the legal rate. During the 2011-2013 fiscal biennium, the forest fire protection assessment account may be appropriated to The Evergreen State College for analysis and recommendations to improve the efficiency and effectiveness of the state's mechanisms for funding fire prevention and suppression activities.

(8) A public body, having failed to previously pay the forest protection assessments required of it by this section, which fails to suppress a fire on or originating from forestlands owned or administered by it, is liable for the costs of suppression incurred by the department or its agent and is not entitled to reimbursement of costs incurred by the public body in the suppression activities.

(9) The department may adopt rules to implement this section, including, but not limited to, rules on levying and collecting forest protection assessments.

Sec. 987. RCW 76.09.405 and 2007 c 54 s 3 and 2007 c 48 s 1 are each reenacted and amended to read as follows:

The forest and fish support account is hereby created in the state treasury. Receipts from appropriations, the surcharge imposed under RCW 82.04.261, and other sources must be deposited into the account. Expenditures from the account shall be used for activities pursuant to the state's implementation of the forests and fish report as defined in this chapter and related activities including, but not limited to, adaptive management, monitoring, and participation grants to tribes, state and local agencies, and not-for-profit public interest organizations. Expenditures from the account may be made only after appropriation by the legislature. During the 2019-2021 fiscal biennium, the legislature may appropriate moneys from the account for activities to implement this chapter.

Sec. 988. RCW 77.12.201 and 2017 3rd sp.s. c 1 s 983 are each amended to read as follows:

The legislative authority of a county may elect, by giving written notice to the director and the treasurer prior to January 1st of any year, to obtain for the following year an amount in lieu of real property taxes on game lands as provided in RCW 77.12.203. Upon the election, the county shall keep a record of all fines, forfeitures, reimbursements, and costs assessed and collected, in whole or in part, under this title for violations of law or rules adopted pursuant to this title, with the exception of the 2015-2017 ~~((and)),~~ 2017-2019, and 2019-2021 fiscal biennia, and shall monthly remit an amount equal to the amount collected to the state treasurer for deposit in the state general fund. The election shall continue until the department is notified differently prior to January 1st of any year.

Sec. 989. RCW 77.12.203 and 2018 c 299 s 913 are each amended to read as follows:

(1) Except as provided in subsections (5) through (7) of this section and notwithstanding RCW 84.36.010 or other statutes to the contrary, the director must pay by April 30th of each year on game lands, regardless of acreage, in each county, if requested by an election under RCW 77.12.201, an amount in lieu of real

property taxes equal to that amount paid on similar parcels of open space land taxable under chapter 84.34 RCW or the greater of seventy cents per acre per year or the amount paid in 1984 plus an additional amount for control of noxious weeds equal to that which would be paid if such lands were privately owned. This amount may not be assessed or paid on department buildings, structures, facilities, game farms, fish hatcheries, water access sites, tidelands, or public fishing areas.

(2) "Game lands," as used in this section and RCW 77.12.201, means those tracts, regardless of acreage, owned in fee by the department and used for wildlife habitat and public recreational purposes. All lands purchased for wildlife habitat, public access, or recreation purposes with federal funds in the Snake River drainage basin are considered game lands regardless of acreage.

(3) This section does not apply to lands transferred after April 23, 1990, to the department from other state agencies.

(4) The county must distribute the amount received under this section in lieu of real property taxes to all property taxing districts except the state in appropriate tax code areas the same way it would distribute local property taxes from private property. The county must distribute the amount received under this section for weed control to the appropriate weed district.

(5) For the 2013-2015 and 2015-2017 fiscal biennia, the director must pay by April 30th of each year on game lands in each county, if requested by an election under RCW 77.12.201, an amount in lieu of real property taxes and must be distributed as follows:

County	
Adams	1,909
Asotin	36,123
Chelan	24,757
Columbia	7,795
Ferry	6,781
Garfield	4,840
Grant	37,443
Kittitas	143,974
Klickitat	21,906
Lincoln	13,535
Okanogan	151,402
Pend Oreille	3,309
Yakima	126,225

These amounts may not be assessed or paid on department buildings, structures, facilities, game farms, fish hatcheries, water access sites, tidelands, or public fishing areas.

(6) For the 2017-2019 fiscal biennium, the director, and for the 2019-2021 fiscal biennium, the state treasurer, on behalf of the department, must pay by April 30th of each year on game lands in each county, if requested by an election under RCW 77.12.201, an amount in lieu of real property taxes and must be distributed as follows:

County	
Adams	1,909
Asotin	36,123
Chelan	39,858
Columbia	20,713
Ferry	22,798
Garfield	12,744

Grant	71,930
Kittitas	382,638
Klickitat	51,019
Lincoln	13,535
Okanogan	264,036
Pend Oreille	5,546
Yakima	186,056

These amounts may not be assessed or paid on department buildings, structures, facilities, game farms, fish hatcheries, water access sites, tidelands, or public fishing areas.

(7) During the 2019-2021 fiscal biennium, for counties that did not request an amount in lieu of real property taxes during the 2015-2017 biennium, the state treasurer, on behalf of the department, must distribute by April 30th of each fiscal year an amount in lieu of property taxes as follows: The state treasurer, on behalf of the department, must distribute to counties for eligible game lands, if requested by an election under RCW 77.12.201, an amount in lieu of real property taxes equal to fifty percent of the assessed value multiplied by the aggregate local levy rates for the tax code area in which the eligible game land is located, divided by two. The county must provide a list to the department of eligible parcels, assessed value, and aggregate local levy rates by parcel by December 31st for payment the following year. This amount may not be assessed or paid on department buildings, structures, facilities, game farms, fish hatcheries, water access sites, tidelands, or public fishing areas. The department must provide to the state treasurer the amounts to be distributed under this subsection by April 1st of each fiscal year.

Sec. 990. RCW 79.64.040 and 2017 3rd sp.s. c 1 s 985 and 2017 c 248 s 5 are each reenacted and amended to read as follows:

(1) The board shall determine the amount deemed necessary in order to achieve the purposes of this chapter and shall provide by rule for the deduction of this amount from the moneys received from all leases, sales, contracts, licenses, permits, easements, and rights-of-way issued by the department and affecting state lands and aquatic lands, except as provided in RCW 79.64.130, provided that no deduction shall be made from the proceeds from agricultural college lands.

(2) Moneys received as deposits from successful bidders, advance payments, and security under RCW 79.15.100, 79.15.080, and 79.11.150 prior to December 1, 1981, which have not been subjected to deduction under this section are not subject to deduction under this section.

(3) Except as otherwise provided in subsection (5) of this section, the deductions authorized under this section shall not exceed twenty-five percent of the moneys received by the department in connection with any one transaction pertaining to state lands and aquatic lands other than second-class tide and shore lands and the beds of navigable waters, and fifty percent of the moneys received by the department pertaining to second-class tide and shore lands and the beds of navigable waters.

(4) In the event that the department sells logs using the contract harvesting process described in RCW 79.15.500 through 79.15.530, the moneys received subject to this section are the net proceeds from the contract harvesting sale.

(5) During the 2015-2017 (~~and~~), 2017-2019, and 2019-2021 fiscal biennia, the board may increase the twenty-five percent limitation up to thirty-two percent.

Sec. 991. RCW 79.64.110 and 2017 3rd sp.s. c 13 s 315, 2017 3rd sp.s. c 1 s 986, and 2017 c 248 s 6 are each reenacted and amended to read as follows:

(1) Any moneys derived from the lease of state forestlands or from the sale of valuable materials, oils, gases, coal, minerals, or fossils from those lands, except as provided in RCW 79.64.130, or the appraised value of these resources when transferred to a public agency under RCW 79.22.060, except as provided in RCW 79.22.060(4), must be distributed as follows:

(a) For state forestlands acquired through RCW 79.22.040 or by exchange for lands acquired through RCW 79.22.040:

(i) The expense incurred by the state for administration, reforestation, and protection, not to exceed twenty-five percent, which rate of percentage shall be determined by the board, must be returned to the forest development account created in RCW 79.64.100. During the (~~2015-2017 and~~) 2017-2019 and 2019-2021 fiscal biennia, the board may increase the twenty-five percent limitation up to twenty-seven percent.

(ii) Any balance remaining must be paid to the county in which the land is located or, for counties participating in a land pool created under RCW 79.22.140, to each participating county proportionate to its contribution of asset value to the land pool as determined by the board. Payments made under this subsection are to be paid, distributed, and prorated, except as otherwise provided in this section, to the various funds in the same manner as general taxes are paid and distributed during the year of payment.

(iii) Any balance remaining, paid to a county with a population of less than sixteen thousand, must first be applied to the reduction of any indebtedness existing in the current expense fund of the county during the year of payment.

(iv) With regard to moneys remaining under this subsection (1)(a), within seven working days of receipt of these moneys, the department shall certify to the state treasurer the amounts to be distributed to the counties. The state treasurer shall distribute funds to the counties four times per month, with no more than ten days between each payment date.

(b) For state forestlands acquired through RCW 79.22.010 or by exchange for lands acquired through RCW 79.22.010, except as provided in RCW 79.64.120:

(i) Fifty percent shall be placed in the forest development account.

(ii) Fifty percent shall be prorated and distributed to the state general fund, to be dedicated for the benefit of the public schools, to the county in which the land is located or, for counties participating in a land pool created under RCW 79.22.140, to each participating county proportionate to its contribution of asset value to the land pool as determined by the board, and according to the relative proportions of tax levies of all taxing districts in the county. The portion to be distributed to the state general fund shall be based on the regular school levy rate under RCW 84.52.065 (1) and (2) and the levy rate for any maintenance and operation special school levies. With regard to the portion to be distributed to the counties, the department shall certify to the state treasurer the amounts to be distributed within seven working days of receipt of the money. The state treasurer shall distribute funds to the counties four times per month, with no more than ten days between each payment date. The money distributed to the county must be paid, distributed, and prorated to the various other funds in the same manner as general taxes are paid and distributed during the year of payment.

(2) A school district may transfer amounts deposited in its debt service fund pursuant to this section into its capital projects fund as authorized in RCW 28A.320.330.

Sec. 992. RCW 79.105.150 and 2018 c 299 s 914 are each amended to read as follows:

(1) After deduction for management costs as provided in RCW 79.64.040 and payments to towns under RCW 79.115.150(2), all

moneys received by the state from the sale or lease of state-owned aquatic lands and from the sale of valuable material from state-owned aquatic lands shall be deposited in the aquatic lands enhancement account which is hereby created in the state treasury. After appropriation, these funds shall be used solely for aquatic lands enhancement projects; for the purchase, improvement, or protection of aquatic lands for public purposes; for providing and improving access to the lands; and for volunteer cooperative fish and game projects. During the ((~~2013-2015, 2015-2017, and~~) 2017-2019 and 2019-2021 fiscal biennia, the aquatic lands enhancement account may be used to support the shellfish program, the ballast water program, hatcheries, the Puget Sound toxic sampling program and steelhead mortality research at the department of fish and wildlife, the knotweed program at the department of agriculture, actions at the University of Washington for reducing ocean acidification, which may include the creation of a center on ocean acidification, the Puget SoundCorps program, and support of the marine resource advisory council and the Washington coastal marine advisory council. During the ((~~2013-2015 and~~) 2017-2019 and 2019-2021 fiscal biennia, the legislature may transfer from the aquatic lands enhancement account to the geoduck aquaculture research account for research related to shellfish aquaculture. During the 2015-2017 fiscal biennium, the legislature may transfer moneys from the aquatic lands enhancement account to the marine resources stewardship trust account.

(2) In providing grants for aquatic lands enhancement projects, the recreation and conservation funding board shall:

(a) Require grant recipients to incorporate the environmental benefits of the project into their grant applications;

(b) Utilize the statement of environmental benefits, consideration, except as provided in RCW 79.105.610, of whether the applicant is a Puget Sound partner, as defined in RCW 90.71.010, whether a project is referenced in the action agenda developed by the Puget Sound partnership under RCW 90.71.310, and except as otherwise provided in RCW 79.105.630, and effective one calendar year following the development and statewide availability of model evergreen community management plans and ordinances under RCW 35.105.050, whether the applicant is an entity that has been recognized, and what gradation of recognition was received, in the evergreen community recognition program created in RCW 35.105.030 in its prioritization and selection process; and

(c) Develop appropriate outcome-focused performance measures to be used both for management and performance assessment of the grants.

(3) To the extent possible, the department should coordinate its performance measure system with other natural resource-related agencies as defined in RCW 43.41.270.

(4) The department shall consult with affected interest groups in implementing this section.

(5) Any project designed to address the restoration of Puget Sound may be funded under this chapter only if the project is not in conflict with the action agenda developed by the Puget Sound partnership under RCW 90.71.310.

Sec. 993. RCW 79A.05.059 and 2010 c 161 s 1162 are each amended to read as follows:

The state parks education and enhancement account is created in the custody of the state treasurer. All receipts from the sale of Washington state parks and recreation commission special license plates, after the deductions permitted by RCW 46.68.425, must be deposited into the account. Expenditures from the account may only be used to provide public educational opportunities and enhancement of Washington state parks. Only the director or the director's designee may authorize expenditures from the account.

The account is subject to allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures. During the 2019-2021 fiscal biennium, the legislature may appropriate moneys from the state parks education and enhancement account for education materials regarding whale watching guidelines and other voluntary and regulatory measures related to whale watching.

Sec. 994. RCW 28A.400.350 and 2018 c 260 s 23 are each amended to read as follows:

(1) The board of directors of any of the state's school districts or educational service districts may make available medical, dental, vision, liability, life, accident, disability, and salary protection or insurance, direct agreements as defined in chapter 48.150 RCW, or any one of, or a combination of the types of employee benefits enumerated in this subsection, or any other type of insurance or protection, for the members of the boards of directors, the students, and employees of the school district or educational service district, and their dependents. Except as provided in subsection (6) of this section, such coverage may be provided by contracts or agreements with private carriers, with the state health care authority, or through self-insurance or self-funding pursuant to chapter 48.62 RCW, or in any other manner authorized by law. Any direct agreement must comply with RCW 48.150.050.

(2)(a) Whenever funds are available for these purposes the board of directors of the school district or educational service district may contribute all or a part of the cost of such protection or insurance for the employees of their respective school districts or educational service districts and their dependents. The premiums on such liability insurance shall be borne by the school district or educational service district.

(b) After October 1, 1990, school districts may not contribute to any employee protection or insurance other than liability insurance unless the district's employee benefit plan conforms to RCW 28A.400.275 and 28A.400.280.

(c) After December 31, 2019, school district contributions to any employee insurance that is purchased through the health care authority must conform to the requirements established by chapter 41.05 RCW and the school employees' benefits board.

(3) For school board members, educational service district board members, and students, the premiums due on such protection or insurance shall be borne by the assenting school board member, educational service district board member, or student. The school district or educational service district may contribute all or part of the costs, including the premiums, of life, health, health care, accident or disability insurance which shall be offered to all students participating in interschool activities on the behalf of or as representative of their school, school district, or educational service district. The school district board of directors and the educational service district board may require any student participating in extracurricular interschool activities to, as a condition of participation, document evidence of insurance or purchase insurance that will provide adequate coverage, as determined by the school district board of directors or the educational service district board, for medical expenses incurred as a result of injury sustained while participating in the extracurricular activity. In establishing such a requirement, the district shall adopt regulations for waiving or reducing the premiums of such coverage as may be offered through the school district or educational service district to students participating in extracurricular activities, for those students whose families, by reason of their low income, would have difficulty paying the entire amount of such insurance premiums. The district board shall adopt regulations for waiving or reducing the insurance coverage requirements for low-income students in order to assure

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such students are not prohibited from participating in extracurricular interschool activities.

(4) All contracts or agreements for insurance or protection written to take advantage of the provisions of this section shall provide that the beneficiaries of such contracts may utilize on an equal participation basis the services of those practitioners licensed pursuant to chapters 18.22, 18.25, 18.53, 18.57, and 18.71 RCW.

(5)(a) Until the creation of the school employees' benefits board under RCW 41.05.740, school districts offering medical, vision, and dental benefits shall:

(i) Offer a high deductible health plan option with a health savings account that conforms to section 223, part VII of subchapter 1 of the internal revenue code of 1986. School districts shall comply with all applicable federal standards related to the establishment of health savings accounts;

(ii) Make progress toward employee premiums that are established to ensure that full family coverage premiums are not more than three times the premiums for employees purchasing single coverage for the same coverage plan, unless a subsequent premium differential target is defined as a result of the review and subsequent actions described in RCW 41.05.655;

(iii) Offer employees at least one health benefit plan that is not a high deductible health plan offered in conjunction with a health savings account in which the employee share of the premium cost for a full-time employee, regardless of whether the employee chooses employee-only coverage or coverage that includes dependents, does not exceed the share of premium cost paid by state employees during the state employee benefits year that started immediately prior to the school year.

(b) All contracts or agreements for employee benefits must be held to responsible contracting standards, meaning a fair, prudent, and accountable competitive procedure for procuring services that includes an open competitive process, except where an open process would compromise cost-effective purchasing, with documentation justifying the approach.

(c) School districts offering medical, vision, and dental benefits shall also make progress on promoting health care innovations and cost savings and significantly reduce administrative costs.

(d) All contracts or agreements for insurance or protection described in this section shall be in compliance with chapter 3, Laws of 2012 2nd sp. sess.

(6) The authority to make available basic and optional benefits to school employees under this section expires December 31, 2019, except for nonrepresented employees of educational service districts for which the authority expires June 30, 2021. Beginning January 1, 2020, school districts, for all school employees, and educational service districts, for represented employees, shall make available basic and optional benefits through plans offered by the health care authority and the school employees' benefits board. No later than June 30, 2021, educational service districts, for nonrepresented employees, shall make available basic and optional benefits through plans offered by the health care authority and the school employees' benefits board.

**PART X
SUPPLEMENTAL
GENERAL GOVERNMENT**

Sec. 1001. 2018 c 299 s 109 (uncodified) is amended to read as follows:

FOR THE SUPREME COURT

General Fund—State Appropriation (FY 2018) \$7,712,000
 General Fund—State Appropriation (FY 2019) ~~(\$8,025,000)~~
\$8,043,000

Pension Funding Stabilization Account—State

Appropriation \$671,000
 TOTAL APPROPRIATION ~~\$16,408,000~~
\$16,426,000

Sec. 1002. 2018 c 299 s 112 (uncodified) is amended to read as follows:

FOR THE COURT OF APPEALS

General Fund—State Appropriation (FY 2018) \$17,342,000
 General Fund—State Appropriation (FY 2019) ~~(\$18,066,000)~~
\$18,176,000
 Pension Funding Stabilization Account—State
 Appropriation \$1,477,000
 TOTAL APPROPRIATION ~~\$36,885,000~~
\$36,995,000

Sec. 1003. 2018 c 299 s 113 (uncodified) is amended to read as follows:

FOR THE ADMINISTRATOR FOR THE COURTS

General Fund—State Appropriation (FY 2018) \$55,112,000
 General Fund—State Appropriation (FY 2019) ~~(\$58,597,000)~~
\$59,512,000
 General Fund—Federal Appropriation \$2,174,000
 General Fund—Private/Local Appropriation \$676,000
 Judicial Information Systems Account—State
 Appropriation \$61,089,000
 Judicial Stabilization Trust Account—State
 Appropriation \$6,691,000
 Pension Funding Stabilization Account—State
 Appropriation \$4,580,000
 TOTAL APPROPRIATION ~~\$188,919,000~~
\$189,834,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The distributions made under this subsection and distributions from the county criminal justice assistance account made pursuant to section 801 of this act constitute appropriate reimbursement for costs for any new programs or increased level of service for purposes of RCW 43.135.060.

(2) \$1,399,000 of the general fund—state appropriation for fiscal year 2018 and \$1,399,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for school districts for petitions to juvenile court for truant students as provided in RCW 28A.225.030 and 28A.225.035. The administrator for the courts shall develop an interagency agreement with the superintendent of public instruction to allocate the funding provided in this subsection. Allocation of this money to school districts shall be based on the number of petitions filed. This funding includes amounts school districts may expend on the cost of serving petitions filed under RCW 28A.225.030 by certified mail or by personal service or for the performance of service of process for any hearing associated with RCW 28A.225.030.

(3)(a) \$7,313,000 of the general fund—state appropriation for fiscal year 2018 and \$7,313,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for distribution to county juvenile court administrators to fund the costs of processing truancy, children in need of services, and at-risk youth petitions. The administrator for the courts, in conjunction with the juvenile court administrators, shall develop an equitable funding distribution formula. The formula shall neither reward counties with higher than average per-petition processing costs nor shall it penalize counties with lower than average per-petition processing costs.

(b) Each fiscal year during the 2017-2019 fiscal biennium, each county shall report the number of petitions processed and the total actual costs of processing truancy, children in need of services, and at-risk youth petitions. Counties shall submit the reports to the administrator for the courts no later than 45 days after the end of the fiscal year. The administrator for the courts shall electronically transmit this information to the chairs and ranking minority members of the house of representatives and senate fiscal committees no later than 60 days after a fiscal year ends. These reports are deemed informational in nature and are not for the purpose of distributing funds.

(4) \$12,000,000 of the judicial information systems account—state appropriation is provided solely for the continued implementation of the superior courts case management system. Of the amount appropriated, \$8,300,000 is provided solely for expenditures in fiscal year 2018. The remaining appropriation of \$3,700,000 is provided solely for expenditures in fiscal year 2019 and shall lapse and remain unexpended if the superior court case management system is not live and fully functional in Cowlitz, Grays Harbor, Klickitat, Mason, Pacific, and Skamania counties by July 1, 2017, and Clallum, Jefferson, Kitsap, Skagit, and Whatcom counties by January 1, 2018.

(5) \$4,339,000 of the judicial information systems account—state appropriation is provided solely for the information network hub project.

(6)(a) \$10,390,000 of the judicial information systems account—state appropriation is provided solely for other judicial branch information technology projects, including:

- (i) The superior court case management system;
- (ii) The courts of limited jurisdiction case management system;
- (iii) The appellate court case management system; and
- (iv) Support staff for information technology projects.

(b) Expenditures from the judicial information systems account shall not exceed available resources. The office must coordinate with the steering committee for the superior court case management system and the steering committee for the courts of limited jurisdiction case management system to prioritize expenditures for judicial branch information technology projects. For any competitive procurement using amounts appropriated, the office of the chief information officer must review the qualifications and proposed work plan of the apparently successful bidder prior to final selection and review the proposed vendor contract prior to its execution. The office shall not enter into any contract using appropriated amounts that would cause total information technology expenditures to exceed projected resources in the judicial information systems account in the 2019-2021 fiscal biennium.

(7) \$811,000 of the general fund—state appropriation for fiscal year 2018 is provided solely for the statewide fiscal impact on Thurston county courts. The administrative office of the courts must collaborate with Thurston county to create a new fee formula that accurately represents the state's impact on Thurston county courts.

(8) \$53,000 of the general fund—state appropriation for fiscal year 2018 is provided solely for implementation of chapter 272, Laws of 2017 (E2SHB 1163) (domestic violence).

(9) \$61,000 of the general fund—state appropriation for fiscal year 2018 and \$58,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for implementation of chapter 268, Laws of 2017 (2SHB 1402) (incapacitated persons/rights).

(10) \$120,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for staff to support the superior court judges association as provided in the agreement between the association and the office.

(11) \$2,265,000 of the judicial information systems account—state appropriation is provided solely for replacement of computer equipment, including servers, routers, and storage system upgrades.

(12) \$602,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for state costs for the implementation of Engrossed Second Substitute House Bill No. 1783 (legal financial obligations). If the bill is not enacted by June 30, 2018, the amount provided in this subsection shall lapse.

(13) \$1,900,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for grants to counties and cities for the impacts from Engrossed Second Substitute House Bill No. 1783 (legal financial obligations). Funding must be divided equally between counties and cities and distributed as grants to mitigate demonstrated costs and revenue losses from the legislation. It is the legislature's intent that grants will continue only through the 2019-2021 fiscal biennium as follows: (a) Funding in fiscal year 2020 must be distributed in the same proportion and basis as fiscal year 2019; and (b) funding for fiscal year 2021 must be divided eighty-five percent to counties and fifteen percent to cities and distributed based on demonstrated revenue losses from the legislation. If the bill is not enacted by June 30, 2018, the amount provided in this subsection shall lapse.

(14) \$82,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for increased costs related to production and mailing of legal financial obligations.

(15) \$750,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the statewide fiscal impact on Thurston county courts.

Sec. 1004. 2018 c 299 s 115 (uncodified) is amended to read as follows:

FOR THE OFFICE OF CIVIL LEGAL AID

General Fund—State Appropriation (FY 2018)	\$14,833,000
General Fund—State Appropriation (FY 2019)	(\$17,230,000)
	<u>\$17,405,000</u>
Judicial Stabilization Trust Account—State	
Appropriation	\$1,463,000
Pension Funding Stabilization Account—State	
Appropriation	\$44,000
TOTAL APPROPRIATION	<u>\$33,570,000</u>
	<u>\$33,745,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) An amount not to exceed \$40,000 of the general fund—state appropriation for fiscal year 2018 and an amount not to exceed \$40,000 of the general fund—state appropriation for fiscal year 2019 may be used to provide telephonic legal advice and assistance to otherwise eligible persons who are sixty years of age or older on matters authorized by RCW 2.53.030(2) (a) through (k) regardless of household income or asset level.

(2) \$1,075,000 of the general fund—state appropriation for fiscal year 2018 and \$2,600,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the office to partially implement the civil legal aid reinvestment plan.

(3) \$338,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the addition of five contract attorneys beginning January 1, 2019, to further implement the civil legal aid reinvestment plan.

(4) \$300,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the office to automate, deploy, and host a plain language family law forms document assembly system.

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(5) \$125,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for a contract with the international families justice coalition to expand private capacity to provide legal services for indigent foreign nationals in contested domestic relations and family law cases. Moneys may not be expended from this appropriation for private legal representation of clients in domestic relations and family law cases.

Sec. 1005. 2018 c 299 s 116 (uncodified) is amended to read as follows:

FOR THE OFFICE OF THE GOVERNOR

General Fund—State Appropriation (FY 2018)	\$6,221,000
General Fund—State Appropriation (FY 2019)	(\$7,328,000)
	<u>\$8,799,000</u>
Economic Development Strategic Reserve Account—State Appropriation	\$4,000,000
Pension Funding Stabilization Account—State Appropriation	\$676,000
TOTAL APPROPRIATION	<u>\$18,225,000</u> <u>\$19,696,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$703,000 of the general fund—state appropriation for fiscal year 2018 and \$703,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the office of the education ombuds.

(2) \$730,000 of the general fund—state appropriation for fiscal year 2018 is provided solely for implementation of Engrossed Second Substitute House Bill No. 1661 (child, youth, families/department). The amount of state and federal funding to be transferred from the department of social and health services to the department of children, youth, and families for the working connections child care services, administration, and staff must be included in the report required by the bill on how to incorporate the staff responsible for determining eligibility for the working connections child care program into the department of children, youth, and families. If the bill is not enacted by July 31, 2017, the amount provided in this subsection shall lapse.

(3) \$1,216,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for implementation of Engrossed Second Substitute House Bill No. 1889 (corrections ombuds). If the bill is not enacted by June 30, 2018, the amount provided in this subsection shall lapse.

(4) \$5,000 of the general fund—state appropriation for fiscal year 2018 and \$5,000 of the general fund—state appropriation for fiscal year 2019 are provided to the office of the governor to support the Ruth Woo fellow. Funding will provide financial support for the Ruth Woo fellow participating in the governor’s leadership academy internship program.

(5) \$291,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for implementation of Engrossed House Bill No. 2759 (women’s commission). If the bill is not enacted by June 30, 2018, the amount provided in this subsection shall lapse.

(6) \$1,471,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for executive protection costs.

Sec. 1006. 2018 c 299 s 118 (uncodified) is amended to read as follows:

FOR THE PUBLIC DISCLOSURE COMMISSION

General Fund—State Appropriation (FY 2018)	\$2,697,000
General Fund—State Appropriation (FY 2019)	(\$3,965,000)
	<u>\$4,854,000</u>
Public Disclosure Transparency Account	<u>\$22,000</u>
Pension Funding Stabilization Account—State Appropriation	\$260,000

TOTAL APPROPRIATION	<u>\$6,922,000</u> <u>\$7,833,000</u>
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The appropriations in this section are subject to the following conditions and limitations:

(1) \$37,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for modernizing and migrating the public disclosure commission’s business applications from an agency-based data center to the state data center or a cloud environment.

(2) \$875,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the implementation of Engrossed Substitute House Bill No. 2938 (campaign finance). If the bill is not enacted by June 30, 2018, the amount provided in this subsection shall lapse.

Sec. 1007. 2018 c 299 s 119 (uncodified) is amended to read as follows:

FOR THE SECRETARY OF STATE

General Fund—State Appropriation (FY 2018)	\$15,708,000
General Fund—State Appropriation (FY 2019)	(\$13,742,000)
	<u>\$14,640,000</u>
General Fund—Federal Appropriation	\$7,793,000
Public Records Efficiency, Preservation, and Access Account—State Appropriation	\$9,219,000
Charitable Organization Education Account—State Appropriation	\$673,000
Local Government Archives Account—State Appropriation	\$10,942,000
Election Account—Federal Appropriation	\$4,387,000
Washington State Heritage Center Account—State Appropriation	\$10,626,000
Pension Funding Stabilization Account—State Appropriation	\$959,000
TOTAL APPROPRIATION	<u>\$74,049,000</u> <u>\$74,947,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$3,301,000 of the general fund—state appropriation for fiscal year 2018 is provided solely to reimburse counties for the state’s share of primary and general election costs and the costs of conducting mandatory recounts on state measures. Counties shall be reimbursed only for those odd-year election costs that the secretary of state validates as eligible for reimbursement.

(2)(a) \$2,932,000 of the general fund—state appropriation for fiscal year 2018 and \$3,011,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for contracting with a nonprofit organization to produce gavel-to-gavel television coverage of state government deliberations and other events of statewide significance during the 2017-2019 fiscal biennium. The funding level for each year of the contract shall be based on the amount provided in this subsection. The nonprofit organization shall be required to raise contributions or commitments to make contributions, in cash or in kind, in an amount equal to forty percent of the state contribution. The office of the secretary of state may make full or partial payment once all criteria in this subsection have been satisfactorily documented.

(b) The legislature finds that the commitment of on-going funding is necessary to ensure continuous, autonomous, and independent coverage of public affairs. For that purpose, the secretary of state shall enter into a contract with the nonprofit organization to provide public affairs coverage.

(c) The nonprofit organization shall prepare an annual independent audit, an annual financial statement, and an annual

report, including benchmarks that measure the success of the nonprofit organization in meeting the intent of the program.

(d) No portion of any amounts disbursed pursuant to this subsection may be used, directly or indirectly, for any of the following purposes:

(i) Attempting to influence the passage or defeat of any legislation by the legislature of the state of Washington, by any county, city, town, or other political subdivision of the state of Washington, or by the congress, or the adoption or rejection of any rule, standard, rate, or other legislative enactment of any state agency;

(ii) Making contributions reportable under chapter 42.17 RCW; or

(iii) Providing any: (A) Gift; (B) honoraria; or (C) travel, lodging, meals, or entertainment to a public officer or employee.

(3) Any reductions to funding for the Washington talking book and Braille library may not exceed in proportion any reductions taken to the funding for the library as a whole.

(4) \$15,000 of the general fund—state appropriation for fiscal year 2018, \$15,000 of the general fund—state appropriation for fiscal year 2019, \$4,000 of the public records efficiency, preservation and access account, and \$2,253,000 of the local government archives account appropriation are provided solely for the implementation of chapter 303, Laws of 2017 (ESHB 1594) (public records administration).

(5) The office of the secretary of state will enter into an agreement with the office of the attorney general to reimburse costs associated with the requirements of chapter 303, Laws of 2017.

(6) \$35,000 of the general fund—state appropriation for fiscal year 2018 and \$39,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for humanities Washington speaker’s bureau community conversations to expand programming in underserved areas of the state.

(7) \$285,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for implementation of House Bill No. 2406 (election security practices). If the bill is not enacted by June 30, 2018, the amount provided in this subsection shall lapse.

(8) \$600,000 of the general fund—state appropriation for fiscal year 2019 is provided solely to reimburse King county for the cost of prepaid postage on return envelopes for 2018 primary and general election ballots.

Sec. 1008 2018 c 299 s 121 (uncodified) is amended to read as follows:

FOR THE COMMISSION ON ASIAN PACIFIC AMERICAN AFFAIRS

General Fund—State Appropriation (FY 2018)	\$243,000
General Fund—State Appropriation (FY 2019)	(\$252,000)
	<u>\$270,000</u>
Pension Funding Stabilization Account—State Appropriation	\$26,000
TOTAL APPROPRIATION	\$521,000
	<u>\$539,000</u>

The appropriations in this section are subject to the following conditions and limitations: \$3,000 of the general fund—state appropriation for fiscal year 2018 and \$3,000 of the general fund—state appropriation for fiscal year 2019 are provided to the commission on Asian Pacific American affairs to support the Ruth Woo fellow. Funding will provide financial support for the Ruth Woo fellow participating in the governor’s leadership academy, a ten-week summer internship program administered by the office of the governor. Funding is provided for, but not limited to, living expenses and travel costs.

Sec. 1009. 2018 c 299 s 125 (uncodified) is amended to read as follows:

FOR THE ATTORNEY GENERAL

General Fund—State Appropriation (FY 2018)	\$7,868,000
General Fund—State Appropriation (FY 2019)	\$8,300,000
General Fund—Federal Appropriation	\$11,945,000
New Motor Vehicle Arbitration Account—State Appropriation	\$1,143,000
Legal Services Revolving Account—State Appropriation	(\$251,030,000)
	<u>\$252,697,000</u>
Tobacco Prevention and Control Account—State Appropriation	\$273,000
Medicaid Fraud Penalty Account—State Appropriation	\$3,511,000
Public Service Revolving Account—State Appropriation	\$2,723,000
Child Rescue Fund—State Appropriation	\$500,000
Local Government Archives Account—State Appropriation	\$660,000
Pension Funding Stabilization Account—State Appropriation	\$1,606,000
TOTAL APPROPRIATION	\$289,559,000
	<u>\$291,226,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) The attorney general shall report each fiscal year on actual legal services expenditures and actual attorney staffing levels for each agency receiving legal services. The report shall be submitted to the office of financial management and the fiscal committees of the senate and house of representatives no later than ninety days after the end of each fiscal year. As part of its by agency report to the legislative fiscal committees and the office of financial management, the office of the attorney general shall include information detailing the agency’s expenditures for its agency-wide overhead and a breakdown by division of division administration expenses.

(2) Prior to entering into any negotiated settlement of a claim against the state that exceeds five million dollars, the attorney general shall notify the director of financial management and the chairs of the senate committee on ways and means and the house of representatives committee on appropriations.

(3) The attorney general shall annually report to the fiscal committees of the legislature all new cy pres awards and settlements and all new accounts, disclosing their intended uses, balances, the nature of the claim or account, proposals, and intended timeframes for the expenditure of each amount. The report shall be distributed electronically and posted on the attorney general’s web site. The report shall not be printed on paper or distributed physically.

(4) \$353,000 of the general fund—state appropriation for fiscal year 2018 and \$353,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for a grant to the Washington coalition of crime victim advocates to provide training, certification, and technical assistance for crime victim service center advocates.

(5) \$92,000 of the general fund—state appropriation for fiscal year 2018 and \$91,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for implementation of chapter 163, Laws of 2017 (SHB 1055) (military members/pro bono).

(6) \$49,000 of the legal services revolving account—state appropriation is provided solely for implementation of chapter 268, Laws of 2017 (2SHB 1402) (incapacitated persons/rights).

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(7) \$276,000 of the general fund—state appropriation for fiscal year 2018 and \$259,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for implementation of chapter 294, Laws of 2017 (SSB 5835) (health outcomes/pregnancy).

(8) \$22,000 of the legal services revolving account—state appropriation is provided solely for implementation of chapter 295, Laws of 2017 (SHB 1258) (first responders/disability).

(9) \$35,000 of the legal services revolving account—state appropriation is provided solely for implementation of chapter 249, Laws of 2017 (ESHB 1714) (nursing staffing/hospitals).

(10) \$361,000 of the legal services revolving account—state appropriation and \$660,000 of the local government archives account—state appropriation are provided solely for implementation of chapter 303, Laws of 2017 (ESHB 1594) (public records administration).

(11) \$40,000 of the general fund—state appropriation for fiscal year 2018 is provided solely for the implementation of chapter 243, Laws of 2017 (HB 1352) (small business owners).

(12) \$67,000 of the legal services revolving account—state appropriation is provided solely for the implementation of chapter 320, Laws of 2017 (SSB 5322) (dentists and third parties).

(13) \$11,000 of the legal services revolving account—state appropriation is provided solely for the implementation of chapter 53, Laws of 2017 (2SHB 1120) (regulatory fairness act).

(14) \$26,000 of the legal services revolving account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 2578 (housing options). If the bill is not enacted by June 30, 2018, the amount provided in this subsection shall lapse.

(15) \$119,000 of the legal services revolving account—state appropriation is provided solely for implementation of chapter 1, Laws of 2018 (ESSB 6091).

(16) \$96,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 6029 (student loan bill of rights). If the bill is not enacted by June 30, 2018, the amount provided in this subsection shall lapse.

(17) \$48,000 of the legal services revolving account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 2938 (campaign finance). If the bill is not enacted by June 30, 2018, the amount provided in this subsection shall lapse.

(18) \$116,000 of the legal services revolving account—state appropriation is provided solely for the implementation of Engrossed Second Substitute House Bill No. 1439 (higher education student protection). If the bill is not enacted by June 30, 2018, the amount provided in this subsection shall lapse.

(19) \$72,000 of the legal services revolving account—state appropriation is provided solely for the implementation of Engrossed Second Substitute House Bill No. 1889 (corrections ombuds, creating). If the bill is not enacted by June 30, 2018, the amount provided in this subsection shall lapse.

(20) \$78,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the implementation of Second Substitute House Bill No. 1298 (job applicants/arrests). If the bill is not enacted by June 30, 2018, the amount provided in this subsection shall lapse.

(21) \$350,000 of the public service revolving account—state appropriation is provided solely for additional expert witness assistance for the public counsel unit.

Sec. 1010. 2018 c 299 s 127 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE

General Fund—State Appropriation (FY 2018) \$64,290,000

General Fund—State Appropriation	(FY 2019)	
		(\$77,359,000)
		<u>\$77,426,000</u>
General Fund—Federal Appropriation		(\$295,840,000)
		<u>\$300,942,000</u>
General Fund—Private/Local Appropriation		(\$8,922,000)
		<u>\$8,923,000</u>
Public Works Assistance Account—State		
Appropriation		\$8,086,000
Drinking Water Assistance Administrative		
Account—State Appropriation		\$507,000
Lead Paint Account—State Appropriation		\$237,000
Building Code Council Account—State	Appropriation	\$15,000
Home Security Fund Account—State	Appropriation	\$54,268,000
Affordable Housing for All Account—State	Appropriation	\$13,866,000
Financial Fraud and Identity Theft Crimes		
Investigation and Prosecution Account—State	Appropriation	\$1,974,000
Low-Income Weatherization and Structural		
Rehabilitation Assistance Account—State	Appropriation	\$1,398,000
Community and Economic Development Fee Account—State	Appropriation	\$4,628,000
Washington Housing Trust Account—State	Appropriation	\$12,615,000
Prostitution Prevention and Intervention Account—	State Appropriation	\$26,000
Public Facility Construction Loan Revolving		
Account—State Appropriation		\$841,000
Drinking Water Assistance Account—State	Appropriation	\$44,000
Liquor Revolving Account—State Appropriation		\$5,613,000
Energy Freedom Account—State Appropriation		\$5,000
Liquor Excise Tax Account—State Appropriation		\$663,000
Economic Development Strategic Reserve Account—State	Appropriation	\$2,648,000
Financial Services Regulation Account—State	Appropriation	\$468,000
Pension Funding Stabilization Account—State	Appropriation	\$1,618,000
Statewide Tourism Marketing Account—State	Appropriation	(\$1,500,000)
		<u>\$1,501,000</u>
Life Sciences Discovery Account—State	Appropriation	\$50,000
TOTAL APPROPRIATION		<u>\$557,481,000</u>
		<u>\$562,652,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) Repayments of outstanding mortgage and rental assistance program loans administered by the department under RCW 43.63A.640 shall be remitted to the department, including any current revolving account balances. The department shall collect payments on outstanding loans, and deposit them into the state general fund. Repayments of funds owed under the program shall be remitted to the department according to the terms included in the original loan agreements.

(2) \$500,000 of the general fund—state appropriation for fiscal year 2018 and \$1,000,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for a grant to resolution Washington to building statewide capacity for

alternative dispute resolution centers and dispute resolution programs that guarantee that citizens have access to low-cost resolution as an alternative to litigation.

(3) \$375,000 of the general fund—state appropriation for fiscal year 2018 and \$375,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for a grant to the retired senior volunteer program.

(4) The department shall administer its growth management act technical assistance and pass-through grants so that smaller cities and counties receive proportionately more assistance than larger cities or counties.

(5) \$375,000 of the general fund—state appropriation for fiscal year 2018 and \$375,000 of the general fund—state appropriation for fiscal year 2019 are provided solely as pass-through funding for Walla Walla Community College for its water and environmental center.

(6) \$2,642,000 of the economic development strategic reserve account—state appropriation and \$2,960,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for associate development organizations. During the 2017-2019 fiscal biennium, the department shall consider an associate development organization's total resources when making contracting and fund allocation decisions, in addition to the schedule provided in RCW 43.330.086.

(7) \$5,607,000 of the liquor revolving account—state appropriation is provided solely for the department to contract with the municipal research and services center of Washington.

(8)(a) \$500,000 of the general fund—state appropriation for fiscal year 2018, \$500,000 of the general fund—state appropriation for fiscal year 2019, \$24,734,000 of the home security fund—state appropriation, and \$8,860,000 of the affordable housing for all account—state appropriation are provided solely for the consolidated homeless grant. Of the amounts appropriated, \$5,000,000 is provided solely for emergency assistance to homeless families in the temporary assistance for needy families program.

(b) The department must distribute appropriated amounts from the home security account through performance-based contracts. The contracts must require that auditable documentation for the performance and financial metrics be provided to the joint legislative audit and review committee as requested for performance audits.

(9) \$700,000 of the general fund—state appropriation for fiscal year 2018 and \$1,436,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the department to identify and invest in strategic growth areas, support key sectors, and align existing economic development programs and priorities. The department must consider Washington's position as the most trade-dependent state when identifying priority investments. The department must engage states and provinces in the northwest as well as associate development organizations, small business development centers, chambers of commerce, ports, and other partners to leverage the funds provided. Sector leads established by the department must include the industries of: (a) Tourism; (b) agriculture, wood products, and other natural resource industries; and (c) clean technology and renewable and nonrenewable energy. The department may establish these sector leads by hiring new staff, expanding the duties of current staff, or working with partner organizations and or other agencies to serve in the role of sector lead.

(10) The department is authorized to require an applicant to pay an application fee to cover the cost of reviewing the project and preparing an advisory opinion on whether a proposed electric generation project or conservation resource qualifies to meet mandatory conservation targets.

(11) Within existing resources, the department shall provide administrative and other indirect support to the developmental disabilities council.

(12) \$150,000 of the general fund—state appropriation for fiscal year 2018 and \$150,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the expansion of the current long-term care ombuds program to meet the immediate needs of individuals by advocating on behalf of and protecting residents of long-term care facilities from abuse, neglect, and exploitation.

(13) Within existing resources, the department of commerce shall consult with key crime victim services stakeholders to inform decisions about the funding distribution for federal fiscal years 2017-2019 victims of crime act victim assistance funding. These stakeholders must include, at a minimum, children's advocacy centers of Washington, Washington association of prosecuting attorneys, Washington association of sheriffs and police chiefs, Washington coalition against domestic violence, Washington coalition of sexual assault programs, Washington coalition of crime victim advocates, at least one representative from a child health coalition, and other organizations as determined by the department. Funding distribution considerations shall include, but are not limited to, geographic distribution of services, underserved populations, age of victims, best practices, and the unique needs of individuals, families, youth, and children who are victims of crime.

(14) \$643,000 of the liquor excise tax account—state appropriation is provided solely for the department of commerce to provide fiscal note assistance to local governments.

(15) \$300,000 of the general fund—state appropriation for fiscal year 2018 and \$300,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the northwest agriculture business center.

(16) \$150,000 of the general fund—state appropriation for fiscal year 2018 and \$150,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the regulatory roadmap program for the construction industry and to identify and coordinate with businesses in key industry sectors to develop additional regulatory roadmap tools.

(17) \$1,000,000 of the general fund—state appropriation for fiscal year 2018 and \$1,000,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the Washington new Americans program. The department may require a cash match or in-kind contributions to be eligible for state funding.

(18) \$94,000 of the general fund—state appropriation for fiscal year 2018 and \$253,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for implementation of chapter 268, Laws of 2017 (2SHB 1402) (incapacitated persons/rights).

(19) \$60,000 of the general fund—state appropriation for fiscal year 2018 is provided solely as a grant to the Hoh Indian tribe for critical infrastructure, including a backup electrical power generator to address recurrent power outages in the community.

(20) \$100,000 of the general fund—state appropriation for fiscal year 2018 and \$100,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for capacity-building grants through the Latino community fund to promote and improve education, economic empowerment, arts and culture, civic engagement, health, and environmental justice for Latino communities in Washington state.

(21) \$643,000 of the general fund—state appropriation for fiscal year 2018 and \$643,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the department to contract with a private, nonprofit organization to provide developmental disability ombuds services.

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(22) \$39,000 of the general fund—state appropriation for fiscal year 2018 and \$39,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for implementation of chapter 290, Laws of 2017 (ESHB 1109) (victims of sexual assault).

(23) \$1,000,000 of the home security fund—state appropriation, \$2,000,000 of the Washington housing trust account—state appropriation, and \$1,000,000 of the affordable housing for all account—state appropriation are provided solely for the department of commerce for services to homeless families and youth through the Washington youth and families fund.

(24)(a) \$500,000 of the general fund—state appropriation for fiscal year 2018, \$500,000 of the general fund—state appropriation for fiscal year 2019, and \$2,500,000 of the home security fund—state appropriation are provided solely for the office of homeless youth prevention and protection programs to:

(i) Contract with other public agency partners to test innovative program models that prevent youth from exiting public systems into homelessness; and

(ii) Support the development of an integrated services model, increase performance outcomes, and ensure providers have the necessary skills and expertise to effectively operate youth programs.

(b) Of the amounts provided in this subsection, \$1,750,000 is provided solely for the department to decrease homelessness of youth under 18 years of age though increasing shelter capacity statewide with preference given to increasing the number of contracted HOPE beds and crisis residential center beds.

(c) The department must distribute appropriated amounts from the home security account through performance-based contracts. The contracts must require that auditable documentation for the performance and financial metrics be provided to the joint legislative audit and review committee as requested for performance audits.

(25) \$140,000 of the general fund—state appropriation for fiscal year 2018 and \$140,000 of the general fund—state appropriation for fiscal year 2019 are provided solely to create a behavioral health supportive housing administrator within the department to coordinate development of effective behavioral health housing options and services statewide to aide in the discharge of individuals from the state psychiatric hospitals. This position must work closely with the health care authority, department of social and health services, and other entities to facilitate linkages among disparate behavioral health community bed capacity-building efforts. This position must work to integrate building infrastructure capacity with ongoing supportive housing benefits, and must also develop and maintain a statewide inventory of mental health community beds by bed type.

(26)(a) \$1,000,000 of the home security fund—state appropriation for fiscal year 2018 and \$1,000,000 of the home security fund—state appropriation for fiscal year 2019 are provided solely to administer the grant program required in chapter 43.185C RCW, linking homeless students and their families with stable housing.

(b) The department must distribute appropriated amounts from the home security account through performance-based contracts that require, at a minimum, monthly reporting of performance and financial metrics. The contracts must require that auditable documentation for the performance and financial metrics be provided to the joint legislative audit and review committee as requested for performance audits.

(27) \$990,000 of the general fund—state appropriation for fiscal year 2018 and \$1,980,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for 150 community beds for individuals with a history of mental illness.

Currently, there is little to no housing specific to populations with these co-occurring disorders; therefore, the department must consider how best to develop new bed capacity in combination with individualized support services, such as intensive case management and care coordination, clinical supervision, mental health, substance abuse treatment, and vocational and employment services. Case-management and care coordination services must be provided. Increased case-managed housing will help to reduce the use of jails and emergency services and will help to reduce admissions to the state psychiatric hospitals. The department must coordinate with the health care authority and the department of social and health services in establishing conditions for the awarding of these funds. The department must contract with local entities to provide a mix of (a) shared permanent supportive housing; (b) independent permanent supportive housing; and (c) low and no-barrier housing beds for people with a criminal history, substance abuse disorder, and/or mental illness.

Priority for permanent supportive housing must be given to individuals on the discharge list at the state psychiatric hospitals or in community psychiatric inpatient beds whose conditions present significant barriers to timely discharge.

(28) \$557,000 of the general fund—state appropriation for fiscal year 2018 and \$557,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the department to design and administer the achieving a better life experience program.

(29) \$512,000 of the general fund—state appropriation for fiscal year 2018 is provided solely to complete the requirements of the agricultural labor skills and safety grant program in chapter 43.330 RCW. This program expires July 1, 2018.

(30) \$150,000 of the general fund—state appropriation for fiscal year 2018 and \$150,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the implementation of chapter 225, Laws of 2017 (SSB 5713) (skilled worker program).

(31) \$50,000 of the general fund—state appropriation for fiscal year 2018 and \$50,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the wildfire project in the Wenatchee valley to provide public education on wildfire and forest health issues.

(32) \$167,000 of the general fund—state appropriation for fiscal year 2018 and \$167,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for community mobilization grants to safe Yakima and safe streets of Tacoma to foster community engagement through neighborhood organizing, law enforcement-community partnerships, neighborhood watch programs, youth mobilization, and business engagement.

(33)(a) \$83,000 of the general fund—state appropriation for fiscal year 2018 and \$83,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the department to create el nuevo camino pilot project for the purpose of addressing serious youth gang problems in midsize counties in eastern Washington. El nuevo camino pilot project must include one grant to an eligible applicant for the 2017-2019 fiscal biennium. The department shall adopt policies and procedures as necessary to administer the pilot project, including the application process, disbursement of the grant award to the selected applicant, and tracking compliance and measuring outcomes. Partners, grant recipients, prosecutors, mental health practitioners, schools, and other members of the el nuevo camino pilot project, shall ensure that programs, trainings, recruiting, and other operations for el nuevo camino pilot project prohibit discriminatory practices, including biased treatment and profiling of youth or their

communities. For the purposes of this subsection, antidiscriminatory practices prohibit grant recipients or their partners from using factors such as race, ethnicity, national origin, immigration or citizenship status, age, religion, gender, gender identity, gender expression, sexual orientation, and disability in guiding or identifying affected populations.

(b) An eligible applicant:

- (i) Is a county located in Washington or its designee;
- (ii) Is located east of the Cascade mountain range with an estimated county population between ninety thousand and one hundred thousand as of January 1, 2017;
- (iii) Has an identified gang problem;
- (iv) Pledges and provides a minimum of sixty percent of matching funds over the same time period of the grant;
- (v) Has established a coordinated effort with committed partners, including law enforcement, prosecutors, mental health practitioners, and schools;
- (vi) Has established goals, priorities, and policies in compliance with the requirements of (c) of this subsection; and
- (vii) Demonstrates a clear plan to engage in long-term antigang efforts after the conclusion of the pilot project.

(c) The grant recipient must:

(i) Work to reduce youth gang crime and violence by implementing the comprehensive gang model of the federal juvenile justice and delinquency prevention act of 1974;

(ii) Increase mental health services to unserved and underserved youth by implementing the best practice youth mental health model of the national center for mental health and juvenile justice;

(iii) Work to keep high-risk youth in school, reenroll dropouts, and improve academic performance and behavior by engaging in a grass roots team approach in schools with the most serious youth violence and mental health problems, which must include a unique and identified team in each district participating in the project;

(iv) Hire a project manager and quality assurance coordinator;

(v) Adhere to recommended quality control standards for Washington state research-based juvenile offender programs as set forth by the Washington state institute for public policy; and

(vi) Report to the department by September 1, 2019, with the following:

(A) The number of youth and adults served through the project and the types of services accessed and received;

(B) The number of youth satisfactorily completing chemical dependency treatment in the county;

(C) The estimated change in domestic violence rates;

(D) The estimated change in gang participation and gang violence;

(E) The estimated change in dropout and graduation rates;

(F) The estimated change in overall crime rates and crimes typical of gang activity;

(G) The estimated change in recidivism for youth offenders in the county; and

(H) Other information required by the department or otherwise pertinent to the pilot project.

(d) The department shall report the information from (c)(vi) of this subsection and other relevant data to the legislature and the governor by October 1, 2019.

(34)(a) During the 2017-2019 fiscal biennium, the department must revise its agreements and contracts with vendors to include a provision to require that each vendor agrees to equality among its workers by ensuring similarly employed individuals are compensated as equals as follows:

(i) Employees are similarly employed if the individuals work for the same employer, the performance of the job requires comparable skill, effort, and responsibility, and the jobs are

performed under similar working conditions. Job titles alone are not determinative of whether employees are similarly employed;

(ii) Vendors may allow differentials in compensation for its workers based in good faith on any of the following:

(A) A seniority system; a merit system; a system that measures earnings by quantity or quality of production; a bona fide job-related factor or factors; or a bona fide regional difference in compensation levels.

(B) A bona fide job-related factor or factors may include, but not be limited to, education, training, or experience, that is: Consistent with business necessity; not based on or derived from a gender-based differential; and accounts for the entire differential.

(C) A bona fide regional difference in compensation level must be: Consistent with business necessity; not based on or derived from a gender-based differential; and account for the entire differential.

(b) The provision must allow for the termination of the contract if the department or department of enterprise services determines that the vendor is not in compliance with this agreement or contract term.

(c) The department must implement this provision with any new contract and at the time of renewal of any existing contract.

(35) \$102,000 of the general fund—state appropriation for fiscal year 2018 and \$75,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the implementation of chapter 315, Laws of 2017 (ESB 5128) (incremental energy).

(36) \$26,000 of the general fund—state appropriation for fiscal year 2018 and \$12,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the implementation of chapter 279, Laws of 2017 (SHB 1988) (vulnerable youth guardians).

(37) \$468,000 of the financial services regulation account—state appropriation is provided solely for the family prosperity account program.

(38) The department is authorized to suspend issuing any nonstatutorily required grants or contracts of an amount less than \$1,000,000 per year.

(39) The entire home security account appropriation in this section is provided solely for administration through performance-based contracts that require, at a minimum, monthly reporting of performance and financial metrics. The contracts must require that auditable documentation for the performance and financial metrics be provided to the joint legislative audit and review committee as requested for performance audits.

(40)(a) \$250,000 of the public works assistance account—state appropriation is provided solely for the department to contract with a consultant to study strategies for increasing the competitiveness of rural businesses in securing local government contracts within their same rural county, and for providing outreach services to employers in rural communities. The consultant must:

(i) Be a 501(c)(3) nonprofit organization;

(ii) Be located in a county with a population of less than two million; and

(iii) Provide statewide business representation and expertise with relevant experience in the evaluation of rural economies.

(b) The study must include the following:

(i) An analysis of the net economic and employment impacts to rural communities of awarding local government contracts to businesses outside the rural county in comparison to awarding local government contracts to businesses based in the same rural county;

(ii) A survey of local government entities to collect relevant data to include but not be limited to: The total number and amount

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of contracts awarded in 2015 and 2016 by local governments in rural counties; the number and amount of contracts awarded to businesses based in rural counties in comparison to the number and amounts awarded to businesses based in nonrural counties; the number of contracts where a rural business responded to a request for proposal but was not the minimum bidder; the percentage spread between the rural business and the lowest bidder; and the number of times the local government moved to the next most qualified bidder in a request for qualification out of the total professional service contracts awarded;

(iii) A review of current regulations and best practices in other jurisdictions. The study must identify existing policy barriers, if present, and potential policy changes to increase the competitiveness of rural businesses in securing local government contracts within their same geographic region, including but not be limited to the risks and benefits of establishing a preference for local businesses for rural government contracts; and

(iv) Discussion on the implications for projects that receive federal funding.

The study must be provided to the office of financial management and fiscal committees of the legislature by December 31, 2017.

(c) The department's external relations division must expand existing outreach services offered to rural employers to include training on processes to compete effectively for public works contracts within their communities. The external relations division must receive training on contract law to better support their outreach services. The cost of the training may not exceed \$10,000.

(41) \$40,000 of the general fund—state appropriation for fiscal year 2018 and \$40,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the Federal Way day center to provide housing and other assistance to persons over 18 experiencing homelessness.

(42) \$200,000 of the general fund—state appropriation for fiscal year 2018 and \$200,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for implementation of Second Substitute Senate Bill No. 5254 (buildable lands and zoning). If this bill is not enacted by July 31, 2017, the amounts provided in this subsection shall lapse.

(43) \$700,000 of the general fund—state appropriation for fiscal year 2018 and \$600,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for staff and upgrades to the homeless management information system.

(44) \$50,000 of the general fund—state appropriation for fiscal year 2018 is provided solely for the department to conduct a study on the current state of data center industry in Washington and whether changes to existing state policies would result in additional investment and job creation in Washington as well as advance the development of the state's technology ecosystems. The study is due to the appropriate committees of the legislature by December 1, 2017.

(45) \$500,000 of the general fund—state appropriation for 2018 is provided solely for the department to formulate a statewide tourism marketing plan in collaboration with a nonprofit statewide tourism organization as provided in Substitute Senate Bill No. 5251.

(46) \$80,000 of the general fund—state appropriation for fiscal year 2018 and \$80,000 of the general fund—state appropriation for fiscal year 2019 is provided solely as a grant to Klickitat county for a land use planner to process a backlog of permits that have not been processed by the Columbia river gorge commission due to lack of funds.

(47)(a) \$500,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for a contract to study and

report on independent contractor employment in Washington state. The contractor shall provide to the department an interim report to include a substantive update by November 1, 2018. The contractor report shall be provided to the department by June 1, 2019. The report must include information on the needs of workers earning income as independent contractors including sources of income, the amount of their income derived from independent work, and a discussion of the benefits provided to such workers.

(b) The department must convene an advisory committee to provide assistance with the development of the study. The advisory committee must comprise:

(i) Individuals from the public and private sector with expertise in labor laws;

(ii) Representatives of labor unions;

(iii) Representatives from nonprofit organizations promoting economic security and educational opportunity; and

(iv) Individuals from business and industry.

(48) \$1,070,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the department to expand the small business export assistance program and ensure that at least one new employee is located outside the city of Seattle for purposes of assisting rural businesses with export strategies; and for continuing the economic gardening program.

(49) \$1,500,000 of the statewide tourism marketing account—state appropriation is provided solely for implementation of Engrossed Fourth Substitute Senate Bill No. 5251 (tourism marketing). Of the amount appropriated, \$198,000 is provided solely for expenditures of the department that are related to implementation of the statewide tourism marketing program and operation of the authority. If the bill is not enacted by June 30, 2018, the amount provided in this subsection shall lapse.

(50) \$96,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for implementation of Substitute Senate Bill No. 6175 (common interest ownership). If the bill is not enacted by June 30, 2018, the amount provided in this subsection shall lapse.

(51) \$1,576,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for administration and pass-through funding to assist Whatcom, Snohomish, King, Pierce, Kitsap, Thurston, and Clark counties with the implementation of chapter 16, Laws of 2017 3rd sp.s. (E2SSB 5254).

(52) \$50,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the city of Issaquah to host a regional or national sports medicine conference.

(53) \$149,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the department to fund a pilot project in Clark county to increase access to local workforce training. Funding must be used to contract with Partners in Careers to complete an assessment of basic literacy skills in connection to classes at Clark college or other programs to support the reading and math skills needed to complete workforce training; for case management to connect job seekers to community resources; and to support first time users or returners navigating the WorkSource system and engagement in on-the-job training and industry specific training in high demand fields.

(54) \$11,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for a grant to the city of Port Angeles for the cost of analyzing bio char samples for evidence of dioxins, PAHs, and flame retardants and any other chemical compounds through a certified laboratory. Analysis results must be shared with local interest groups.

(55) \$20,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the office of homeless youth prevention and protection programs to conduct a survey of

homeless youth service and informational gaps, especially in nonurban areas, with an emphasis on providing nonurban school districts with adequate informational resources related to homeless youth and youth in crisis services available in their community.

~~((57))~~ (56) \$150,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for a grant to the city of Yakima to establish a gang prevention pilot program. The pilot program shall have the goal of creating a sustainable organized response to gang activity utilizing evidence-based resources.

~~((58))~~ (57) \$125,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for a grant to the Seattle science foundation to develop a comprehensive 3D spinal cord atlas with the goal of providing clinicians and researchers with a digital map of the spinal cord.

~~((59))~~ (58) \$250,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the department to contract with the Washington state microenterprise association to assist people with limited incomes in nonmetro areas of the state to start and sustain small businesses and embrace the effects of globalization.

~~((60))~~ (59) \$240,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the implementation of Substitute House Bill No. 2367 (child care collaboration task force). If the bill is not enacted by June 30, 2018, the amount provided in this subsection shall lapse.

~~((61))~~ (60) \$174,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the implementation of Third Substitute House Bill No. 2382 (surplus public property). If the bill is not enacted by June 30, 2018, the amount provided in this subsection shall lapse.

~~((62))~~ (61) \$31,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the implementation of Substitute House Bill No. 2667 (essential needs/ABD programs). If the bill is not enacted by June 30, 2018, the amount provided in this subsection shall lapse.

~~((63))~~ (62)(a) \$300,000 of the general fund—state appropriation for fiscal year 2019 and \$300,000 of the general fund—local appropriation are provided solely for the department to contract with a consultant to study the current and ongoing impacts of the SeaTac international airport. The general fund—state funding provided in this subsection serves as a state match and may not be spent unless \$300,000 of local matching funds is transferred to the department. The department must seek feedback on project scoping and consultant selection from the cities listed in (b) of this subsection.

(b) The study must include, but not be limited to:

(i) The impacts that the current and ongoing airport operations have on quality of life associated with air traffic noise, public health, traffic, congestion, and parking in residential areas, pedestrian access to and around the airport, public safety and crime within the cities, effects on residential and nonresidential property values, and economic development opportunities, in the cities of SeaTac, Burien, Des Moines, Tukwila, Federal Way, Normandy Park, and other impacted neighborhoods; and

(ii) Options and recommendations for mitigating any negative impacts identified through the analysis.

(c) The department must collect data and relevant information from various sources including the port of Seattle, listed cities and communities, and other studies.

(d) The study must be delivered to the legislature by December 1, 2019.

~~((64))~~ (63)(a) \$125,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the department of commerce to provide a grant to a nonprofit organization to assist fathers transitioning from incarceration to

family reunification. The grant recipient must have experience contracting with:

(i) The department of corrections to support offender betterment projects; and

(ii) The department of social and health services to provide access and visitation services.

(b) The grant recipient must provide data on program outcomes to the Washington statewide reentry council. This data must be included in the Washington statewide reentry council's report of activities and recommendations to the governor and appropriate committees of the legislature as required by RCW 43.380.050.

~~((65))~~ (64) \$1,000,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the department of contract with organizations and attorneys to provide legal representation and/or referral services for legal representation to indigent persons who are in need of legal services for matters related to their immigration status. Persons eligible for assistance under this contract must be determined to be indigent under standards developed under chapter 10.101 RCW.

~~((66))~~ (65) \$150,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for a small business innovation exchange project to increase economic development opportunities for women, minority, and veteran owned small businesses in the south King county region.

~~((67))~~ (66) \$100,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for a grant to the city of Federal Way for an emergency shelter to serve homeless families with children.

~~((68))~~ (67) \$250,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for capacity-building grants through the united Indians of all tribes foundation to promote and improve educational, cultural, and social services for Native American communities in Washington state.

~~((69))~~ (68) \$41,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the implementation of Substitute House Bill No. 2101 (sexual assault nurse examiners). If the bill is not enacted by June 30, 2018, the amount provided in this subsection shall lapse.

~~((70))~~ (69) \$40,000 of the general fund—state appropriation for fiscal year 2018 and \$100,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for a grant to the Douglas county associate development organization that serves on the core leadership team of the Wenatchee valley's our valley our future community and economic development program to support communities adversely impacted by wildfire damage and the reduction of aluminum smelter facilities.

~~((71))~~ (70) \$800,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for providing grants for a criminal justice diversion center pilot program in Snohomish county. Snohomish county must collect and report data from the pilot program to the department of commerce. The department must submit a report to the appropriate committees of the legislature by October 1, 2019. The report must contain, at a minimum:

(a) An analysis of arrests and bookings for individuals served in the pilot program;

(b) An analysis of connections to behavioral health services made for individuals who were served by the pilot program;

(c) An analysis of impacts on housing stability for individuals served by the pilot program; and

(d) The number of individuals served by the pilot program who were connected to a detoxification program, completed a detoxification program, completed a chemical dependency assessment, completed chemical dependency treatment, or were connected to housing.

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~~((72))~~ (71) \$5,869,000 of the home security fund account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1570 (homeless housing and assistance). If the bill is not enacted by June 30, 2018, the amount provided in this subsection shall lapse.

~~((73))~~ (72) \$250,000 of the general fund—state appropriation is provided solely for a grant to a museum to assist with armistice day activities in schools and other community settings to celebrate the 100th anniversary of World War I and armistice day. Funding must be used for a World War I America museum exhibit, new curriculum, teacher training, student and classroom visits, and visits from veterans and active duty military.

~~((74))~~ (73) \$226,000 of the general fund—state appropriation for fiscal year 2019 is provided solely to expand the state’s capacity to enforce the lead-based paint program.

~~((75))~~ (74) \$60,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the department to submit the necessary Washington state membership dues for the Pacific Northwest economic region.

~~((76))~~ (75) \$50,000 of the life sciences discovery fund—state appropriation is provided solely for grants as generally described in chapter 43.350 RCW.

~~((77))~~ (76) \$188,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for implementation of Substitute House Bill No. 1022 (crime victim participation). If the bill is not enacted by June 30, 2018, the amount provided in this subsection shall lapse.

~~((78))~~ (77) \$62,000 of the general fund—state appropriation for fiscal year 2018 and \$116,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the implementation of Substitute House Bill No. 2580 (renewable natural gas). If the bill is not enacted by June 30, 2018, the amounts provided in this subsection shall lapse.

~~((79))~~ (78) \$200,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the department of commerce to (a) develop a state economic growth strategy related to accelerating technology innovation; and (b) establish the feasibility and devise a plan for establishing a manufacturing innovation institute.

Sec. 1011. 2018 c 299 s 129 (uncodified) is amended to read as follows:

FOR THE OFFICE OF FINANCIAL MANAGEMENT

General Fund—State Appropriation (FY 2018)	\$11,775,000
General Fund—State Appropriation (FY 2019)	\$12,440,000
General Fund—Federal Appropriation	\$39,714,000
General Fund—Private/Local Appropriation	\$843,000
Economic Development Strategic Reserve Account—State Appropriation	\$314,000
Recreation Access Pass Account—State Appropriation	\$75,000
Personnel Service Fund—State Appropriation ((8,891,000))	<u>\$8,991,000</u>
Higher Education Personnel Services Account—State Appropriation	\$1,497,000
Performance Audits of Government Account—State Appropriation	\$620,000
Statewide Information Technology System Development Revolving Account—State Appropriation	\$10,022,000
OFM Central Services—State Appropriation	\$19,280,000
Pension Funding Stabilization Account—State Appropriation	\$2,448,000
TOTAL APPROPRIATION	<u>\$107,919,000</u>
	<u>\$108,019,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) The appropriations in this section represent a transfer of expenditure authority of \$4,000,000 of the general fund—federal appropriation from the health care authority to the office of financial management to implement chapter 246, Laws of 2015 (all-payer health care claims database).

(2)(a) The student achievement council and all institutions of higher education eligible to participate in the state need grant shall ensure that data needed to analyze and evaluate the effectiveness of the state need grant program are promptly transmitted to the education data center so that it is available and easily accessible. The data to be reported must include but not be limited to:

- (i) The number of state need grant recipients;
- (ii) The number of students on the unserved waiting list of the state need grant;
- (iii) Persistence and completion rates of state need grant recipients and students on the state need grant unserved waiting list, disaggregated by institutions of higher education;
- (iv) State need grant recipients and students on state need grant unserved waiting list grade point averages; and
- (v) State need grant program costs.

(b) The student achievement council shall submit student unit record data for the state need grant program applicants and recipients to the education data center.

(3) \$149,000 of the general fund—state appropriation for fiscal year 2018 and \$144,000 of the general fund—state appropriation for fiscal year 2019 are provided solely to implement chapter 172, Laws of 2017 (SHB 1741) (educator preparation data/PESB).

(4) \$84,000 of the general fund—state appropriation for fiscal year 2018 and \$75,000 of the general fund—state appropriation for fiscal year 2019 are provided solely to implement chapter 53, Laws of 2017 (2SHB 1120) (regulatory fairness act).

(5) The office of financial management must perform a legal and policy review of whether the lead organization of the statewide health claims database established in chapter 43.371 RCW may collect certain data from drug manufacturers and use this data to bring greater public transparency to prescription drug prices. Specifically, the review must analyze whether the organization may collect and use manufacturer’s pricing data on high-cost new and existing prescription drugs, including itemized production and sales data and Canadian pricing. The office of financial management must report by December 15, 2017, to the health care committees of the legislature the results of the study and any necessary legislation to authorize the collection of pricing data and to produce public analysis and reports that help promote prescription drug transparency.

(6) \$500,000 of the general fund—state appropriation for fiscal year 2018, \$131,000 of the general fund—state appropriation for fiscal year 2019, and \$139,000 of the personnel service account—state appropriation are provided solely for implementation of Engrossed Second Substitute House Bill No. 1661 (children, youth, families department). The cost allocation contract must include a determination of the amount of administrative funding to be transferred between appropriations in sections 223(1) and 223(2) of this act to section 222(3) of this act for the new department of children, youth, and families. If the bill is not enacted by July 31, 2017, the amounts provided in this subsection shall lapse.

(7) \$8,022,000 of the statewide information technology system development revolving account—state appropriation is provided solely for readiness activities related to the One Washington replacement project to modernize and improve administrative systems and related business processes across state government over a multi-biennia time period and this project is subject to the

conditions, limitations, and review provided in section 724 of this act. The funding provided in this subsection is for conducting business warehouse planning and system integrations and contracting with a strategic partner for the design of the long-term program blueprint detailing the readiness, planning, and implementation activities related to this project. Legislative expectation is that the strategic partner selected for this design of this long-term blueprint will have proven experience in successfully managing similar efforts in other states or jurisdictions and that the ultimate project scope will integrate performance information and provide information on discrete units of costs for state governmental activities with the goal of improved management and efficiency. The office of financial management will provide the needed management support for this design effort and will ensure that state agencies fully participate in this initial design effort, including the office of chief information officer. The office of financial management will provide quarterly reports to the legislative fiscal committees and the legislative evaluation and accountability program committee. Before submitting additional funding requests for this project, the office of financial management will submit a comprehensive detailed feasibility study and financial plan for the project to the legislative evaluation and accountability program committee.

(8) \$4,000,000 of the general fund—federal appropriation is provided solely for the procurement and implementation of the Washington state all payer claims database project and this project is subject to the conditions, limitations, and review provided in section 724 of this act.

(9) \$140,000 of the general fund—state appropriation for fiscal year 2018 and \$140,000 of the general fund—federal appropriation are provided solely for the authority to incorporate long-term inpatient care as defined in RCW 71.24.025 into the psychiatric managed care capitation risk model. The model shall be submitted to the governor and appropriate committees of the legislature by December 1, 2017. The model must integrate civil inpatient psychiatric hospital services including ninety and one hundred eighty day commitments provided in state hospitals or community settings into medicaid managed care capitation rates and nonmedicaid contracts. The model should phase-in the financial risk such that managed care organizations bear full financial risk for long-term civil inpatient psychiatric hospital commitments beginning January 2020. The model must address strategies to ensure that the state is able to maximize the state's allotment of federal disproportionate share funding.

(10) The office of financial management will convene a work group consisting of the department of social and health services and appropriate fiscal and policy staff from the house of representatives office of program research and senate committee services for the purpose of reviewing language traditionally added to section 201 in supplemental operating omnibus appropriations acts to allow the department to transfer moneys between sections of the act and to allow for moneys that are provided solely for a specified purpose to be used for other than that purpose. The work group will review the department's use of the language, develop options to reduce or eliminate the need for this language, and explore revisions to the language. The work group must also discuss alternatives to the language to achieve the shared goal of balancing expenditures to appropriation while preserving the legislature's ability to direct policy through appropriation. Alternatives should include increased use of supplemental budget decision packages, the creation of a reserve fund for unanticipated expenditures, and other measures the work group develops.

(11) Within existing resources, the labor relations section shall produce a report annually on workforce data and trends for the previous fiscal year. At a minimum, the report must include a workforce profile; information on employee compensation,

including salaries and cost of overtime; and information on retention, including average length of service and workforce turnover.

(12) \$75,000 of the recreation access pass account—state appropriation is provided solely for the office of financial management, in consultation with the parks and recreation commission, department of natural resources, and department of fish and wildlife, to further analyze the cost and revenue potential of the options and recommendations in *Recreation Fees in Washington: Options and Recommendations* (The William D. Ruckelshaus Center, December 2017). The office must collaborate with other relevant agencies and appropriate stakeholders. The office must provide a report to the appropriate committees of the legislature by September 1, 2018. For each of the options, the report must:

(a) Identify the types of recreational access pass products, exemption and discount types, and levels;

(b) Specify price points and projected demand for each type of recreational access pass product that would result in revenue increases of five percent, ten percent, and fifteen percent;

(c) Describe implementation and logistical considerations of selling each of the options through a single place on the internet or through the department of fish and wildlife's licensing system;

(d) Identify fiscal impacts of changing the state access pass to each of the options identified including any combination state and federal recreational access pass options; and

(e) Provide any additional recommendations for implementation, transition, or changes in state law needed to implement each of the options.

(13) \$1,000,000 of the general fund—state appropriation for fiscal year 2018 is provided solely to support the implementation of the department of children, youth, and families. The department must submit an expenditure plan to the office of financial management and may expend implementation funds after the approval of the director of the office of financial management.

(14) The office of financial management must purchase a workiva software product that will produce the comprehensive annual financial report and other fiscal reports within existing resources.

(15) The office of financial management must procure GovDelivery, a software as a service, that enables government organizations to connect with citizens within existing resources.

(16) \$75,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for implementation of chapter 192, Laws of 2017 (SB 5849).

(17) \$192,000 of the general fund—state appropriation for fiscal year 2018 and \$288,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the office of financial management to contract with an entity or entities with expertise in public finance, commercial, and public banking to:

(a) Evaluate the benefits and risks of establishing and operating a state-chartered, public cooperative bank in the state of Washington, specifically including the business and operational issues raised by the 2017 infrastructure and public depository task force; and

(b) Develop a business plan for a public cooperative bank based on the federal home loan bank model whose members may only be the state and/or political subdivisions. The purpose of this bank is to assist the potential members of the bank to manage cash and investments more efficiently to increase yield while maintaining liquidity, and to establish a sustainable funding source of ready capital for infrastructure and economic development in the state of Washington. The business plan shall include, but is not limited to:

- (i) Identification of potential members of the bank;
- (ii) The capital structure that would be necessary;
- (iii) Potential products the bank might offer;
- (iv) Projections of earnings;
- (v) Recommendations on corporate governance, accountability, and assurances;
- (vi) Legal, constitutional, and regulatory issues;
- (vii) If needed, how to obtain a federal master account and join the federal reserve;
- (viii) Information technology security and cybersecurity;
- (ix) Opportunities for collaborating with other financial institutions;
- (x) Impacts on the state’s debt limit;
- (xi) In the event of failure, the risk to taxpayers, including any impact on Washington’s bond rating and reputation;
- (xii) Potential effects on the budgets and existing state agencies programs; and
- (xiii) Other items necessary to establish a state-chartered, public cooperative bank modeled after the federal home loan bank or other similar institution.

The office of financial management shall facilitate the timely transmission of information and documents from all appropriate state departments and state agencies to the entity hired to carry out its contract. A status report must be provided to the governor and appropriate committees of the legislature by December 1, 2018, and final report and business plan provided to the appropriate committees of the legislature by June 30, 2019. The contract is exempt from the competitive procurement requirements in chapter 39.26 RCW.

(18) \$25,000 of the general fund—state appropriation for fiscal year 2018 and \$125,000 of the general fund—state appropriation for fiscal year 2019 are provided to the education research and data center within the office of financial management for the sole purpose of providing a report to the appropriate committees of the legislature by January 1, 2019, on postsecondary enrollment and completion of Washington students with demographic information included on race, ethnicity, gender, students with disabilities, English language proficiency, income level, region, and types of credentials, including but not limited to in- and out-of-state public and private traditional two- and four-year degree granting institutions, private vocational schools, state apprenticeship programs, and professional licenses. The appropriation must also be used to respond to data requests from researchers outside of state agencies and to develop a plan for improving data governance for more accurate and timely responses.

(19) \$52,000 of the general fund—state appropriation for fiscal year 2018 and \$412,000 of the general fund—state appropriation for fiscal year 2019 are provided to the office of financial management for staffing and support to prepare for the 2020 census.

(20)(a) \$179,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the sentencing guidelines commission to conduct a comprehensive review of the sentencing reform act under chapter 9.94A RCW and make recommendations to accomplish the following goals:

- (i) Assess the degree to which the sentencing reform act as applied has achieved each of its stated purposes;
- (ii) Ensure Washington’s sentencing policies and practices are evidence-based, aligned with best practices, and consistent with federal and state case law;
- (iii) Ensure Washington’s sentencing laws and practices promote public safety by holding offenders accountable for their actions while also facilitating their successful reintegration into the community;

- (iv) Simplify Washington’s sentencing laws to make them easier to understand and apply; and
- (v) Eliminate inconsistencies, which may have developed through various amendatory changes.

(b) In conducting the review under (a) of this subsection, the sentencing guidelines commission shall:

- (i) Review the current sentencing grid and recommend changes to simplify the grid and increase judicial discretion, including, but not limited to: Reviewing and simplifying RCW 9.94A.501, 9.94A.505, 9.94A.525, and 9.94A.533; reviewing and simplifying the sentencing grid under RCW 9.94A.510 by reducing the number of cells in the grid and creating broader sentencing ranges for lower level offenses; reviewing and revising seriousness levels under RCW 9.94A.515 to ensure offenses have appropriately designated seriousness levels; reviewing the drug sentencing grid under RCW 9.94A.517 and 9.94A.518 to determine if drug offenses can be incorporated into a new or revised sentencing grid; and reviewing minimum term requirements under RCW 9.94A.540 to avoid inconsistencies with proposed changes to the grid and other sentencing policies;
- (ii) Review mitigating and aggravating factors under RCW 9.94A.535 and sentencing enhancements under RCW 9.94A.533, including mandatory consecutive requirements, and recommend changes to reflect current sentencing purposes and policies and case law;
- (iii) Review fines, fees, and other legal financial obligations associated with criminal convictions, including, but not limited to, a review of: Fines under RCW 9.94A.550; restitution under RCW 9.94A.750; and legal financial obligations under RCW 9.94A.760;
- (iv) Review community supervision and community custody programs under RCW 9.94A.701 through 9.94A.723 and other related provisions, including, but not limited to: Reviewing and revising eligibility criteria for community custody under RCW 9.94A.701 and 9.94A.702; reviewing the length and manner of supervision for various offenses; reviewing earned time toward termination of supervision; and reviewing the consequences for violations of conditions; and
- (v) Review available alternatives to full confinement, including, but not limited to: Work crew under RCW 9.94A.725 and home detention and electronic home monitoring under RCW 9.94A.734 through 9.94A.736.

(c) The sentencing guidelines commission shall report its findings and recommendations based on the review under (a) of this subsection to the governor and appropriate committees of the legislature by May 1, 2019.

Sec. 1012. 2018 c 299 s 130 (uncodified) is amended to read as follows:

FOR THE OFFICE OF ADMINISTRATIVE HEARINGS

<u>General Fund—State Appropriation (FY 2019)</u>	<u>\$525,000</u>
Administrative Hearings Revolving Account—State	
Appropriation	\$41,152,000
<u>TOTAL APPROPRIATION</u>	<u>\$41,677,000</u>

The appropriation in this section is subject to the following conditions and limitations:

- (1) \$250,000 of the administrative hearings revolving account—state appropriation is provided solely for the agency, in collaboration with the office of financial management, to conduct a review of the agency’s fee structure, billing methodology, and assumptions about employee productivity which impact the fee structure and billing methodology.
- (2) \$525,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the purposes of settling all claims related to and meeting the terms of the settlement agreement in

Turner v. Washington State Office of Administrative Hearings, King county superior court, cause no. 14-2-06169-2. The expenditure of this appropriation is contingent on the release of all claims in the case, and the total settlement costs shall not exceed the appropriation in this section. If settlement is not fully executed and accepted by the court through the issuance of a court order dismissing this case by June 30, 2019, the appropriation in this section shall lapse.

Sec. 1013. 2018 c 299 s 132 (uncodified) is amended to read as follows:

FOR THE COMMISSION ON HISPANIC AFFAIRS

General Fund—State Appropriation (FY 2018)	\$255,000
General Fund—State Appropriation (FY 2019) (\$255,000)	<u>\$260,000</u>
Pension Funding Stabilization Account—State Appropriation	\$26,000
TOTAL APPROPRIATION	<u>\$536,000</u>
	<u>\$541,000</u>

Sec. 1014. 2018 c 299 s 135 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF REVENUE

General Fund—State Appropriation (FY 2018)	(((\$129,925,000))
	<u>\$129,895,000</u>
General Fund—State Appropriation (FY 2019)	(((\$135,392,000))
	<u>\$135,670,000</u>
Timber Tax Distribution Account—State Appropriation	\$6,765,000
Waste Reduction/Recycling/Litter Control—State Appropriation	\$156,000
State Toxics Control Account—State Appropriation	\$111,000
Business License Account—State Appropriation	\$16,640,000
Performance Audits of Government Account—State Appropriation	\$4,640,000
Pension Funding Stabilization Account—State Appropriation	\$13,488,000
Financial Services Regulation Account—State Appropriations	\$5,000,000
TOTAL APPROPRIATION	<u>\$312,117,000</u>
	<u>\$312,365,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$5,628,000 of the general fund—state appropriation for fiscal year 2018, \$5,628,000 of the general fund—state appropriation for fiscal year 2019, and \$11,257,000 of the business license account—state appropriation are provided solely for the taxpayer legacy system replacement project.

(2) Prior to the suspension of the streamlined sales tax mitigation program established under chapter 82.14 RCW, the department must analyze if and when expected revenue gains from the provisions of sections 201 through 213 of House Bill No. 2163 will be equal to or exceed revenue losses to local taxing districts, as measured under the streamlined sales tax mitigation system from the switch to destination sourcing of sales tax. The analysis must include a comprehensive review of tax, wage, census, and economic data. The review must consider online sales tax and streamlined sales tax mitigation trends for areas with rich concentrations of warehousing distribution and manufacturing centers. The department must provide a report and recommendations to the governor and appropriate committees of the legislature by November 1, 2018. If House Bill No. 2163 (revenue) is not enacted by July 31, 2017, this subsection is void.

(3) \$8,028,000 of the general fund—state appropriation for fiscal year 2018 and \$6,304,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the implementation of House Bill No. 2163 (revenue). If the bill is not enacted by July 31, 2017, the amounts provided in this subsection shall lapse.

~~(((\$5)))~~ (4) \$1,745,000 of the general fund—state appropriation for fiscal year 2018 and \$2,019,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the implementation of chapter 209, Laws of 2017 (EHB 2005).

~~(((\$7)))~~ (5) \$96,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the implementation of Engrossed Fourth Substitute Senate Bill No. 5251 (tourism marketing). If the bill is not enacted by June 30, 2018, the amount provided in this subsection shall lapse.

Sec. 1015. 2018 c 299 s 136 (uncodified) is amended to read as follows:

FOR THE BOARD OF TAX APPEALS

General Fund—State Appropriation (FY 2018)	\$1,565,000
General Fund—State Appropriation (FY 2019) (\$2,254,000)	<u>\$2,326,000</u>
Pension Funding Stabilization Account—State Appropriation	\$162,000
TOTAL APPROPRIATION	<u>\$3,981,000</u>
	<u>\$4,053,000</u>

The appropriations in this section are subject to the following conditions and limitations: \$789,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for implementation of Engrossed House Bill No. 2777 (board of tax appeals admin.). If the bill is not enacted by June 30, 2018, the amount provided in this subsection shall lapse.

Sec. 1016. 2018 c 299 s 138 (uncodified) is amended to read as follows:

FOR THE INSURANCE COMMISSIONER

General Fund—Federal Appropriation	\$4,613,000
Insurance Commissioners Regulatory Account—State Appropriation	\$60,310,000
TOTAL APPROPRIATION	\$64,923,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$48,000 of the insurance commissioners regulatory account—state appropriation is provided solely for implementation of chapter 103, Laws of 2017 (EHB 1450) (title insurance rating orgs.).

(2) \$12,000 of the insurance commissioners regulatory account—state appropriation is provided solely for implementation of chapter 49, Laws of 2017 (SHB 1027) (surplus line broker licenses).

(3) \$29,000 of the insurance commissioners regulatory account—state appropriation is provided solely for implementation of Senate Bill No. 6059 (insurer annual disclosures). ~~((If the bill is not enacted by June 30, 2018, the amount provided in this subsection shall lapse.))~~

(4) \$40,000 of the insurance commissioners regulatory account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 6219 (reproductive health coverage). ~~((If the bill is not enacted by June 30, 2018, the amount provided in this subsection shall lapse.))~~

(5) \$39,000 of the insurance commissioners regulatory account—state appropriation is provided solely for implementation of Senate Bill No. 5912 (tomosynthesis/mammography). ~~((If the bill is not enacted by~~

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~~June 30, 2018, the amount provided in this subsection shall lapse.)~~

(6) \$29,000 of the insurance commissioners regulatory account—state appropriation is provided solely for implementation of Engrossed Substitute ((Senate) House Bill No. ((6241 (school employees' benefits). If the bill is not enacted by June 30, 2018, the amount provided in this subsection shall lapse.)) 2408 (individual market health care coverage - availability).

(7) \$212,000 of the insurance commissioners regulatory account—state appropriation is provided solely for implementation of Substitute House Bill No. 2322 (insurers/risk mitigation). ((If the bill is not enacted by June 30, 2018, the amount provided in this subsection shall lapse.))

Sec. 1017. 2018 c 299 s 142 (uncodified) is amended to read as follows:

FOR THE MILITARY DEPARTMENT

General Fund—State Appropriation (FY 2018)	\$7,040,000
General Fund—State Appropriation (FY 2019)	\$8,992,000
General Fund—Federal Appropriation	\$117,160,000
Enhanced 911 Account—State Appropriation	\$53,466,000
Disaster Response Account—State Appropriation	(\$42,007,000)
	<u>\$31,793,000</u>
Disaster Response Account—Federal Appropriation	(\$118,587,000)
	<u>\$68,721,000</u>
Military Department Rent and Lease Account—State Appropriation	\$615,000
Worker and Community Right-to-Know Account—State Appropriation	\$2,337,000
Oil Spill Prevention Account—State Appropriation	\$1,027,000
Pension Funding Stabilization Account—State Appropriation	\$1,243,000
Military Department Active State Service Account—State Appropriation	\$200,000
TOTAL APPROPRIATION	\$352,674,000
	<u>\$292,594,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) The military department shall submit a report to the office of financial management and the legislative fiscal committees on February 1st, July 31st, and October 31st of each year detailing information on the disaster response account, including: (a) The amount and type of deposits into the account; (b) the current available fund balance as of the reporting date; and (c) the projected fund balance at the end of the 2017-2019 biennium based on current revenue and expenditure patterns.

(2) \$40,000,000 of the general fund—federal appropriation is provided solely for homeland security, subject to the following conditions: Any communications equipment purchased by local jurisdictions or state agencies shall be consistent with standards set by the Washington state interoperability executive committee.

(3) \$100,000 of the general fund—state appropriation for fiscal year 2018 and \$100,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the conditional scholarship program pursuant to chapter 28B.103 RCW.

(4) \$5,389,000 of the enhanced 911 account—state appropriation is provided solely for transitioning to an internet protocol based next generation 911 network and increased network costs during the transition and hardware required for the new system. The department’s activities and procurement is a

major information technology project subject to oversight and review by the office of the chief information officer.

(5) \$11,000,000 of the enhanced 911 account—state appropriation is provided solely for financial assistance to counties.

(6) \$2,000,000 of the enhanced 911 account—state appropriation is provided solely for one-time grants to Skagit, Cowlitz, Island, and Whatcom counties for replacing and upgrading the equipment necessary to maintain 911 service after the state’s transition to a next generation 911 system. Grants may also be used to reimburse costs incurred in prior biennia for replacing and upgrading equipment for 911 services.

(7) \$784,000 of the disaster response account—state appropriation is provided solely for fire suppression training, equipment, and supporting costs to national guard soldiers and airmen.

(8) \$38,000 of the enhanced 911 account—state appropriation is provided solely for implementation of chapter 295, Laws of 2017 (SHB 1258) (first responders/disability).

(9) \$372,000 of the disaster response account—state appropriation is provided solely for implementation of chapter 312, Laws of 2017 (SSB 5046) (language of public notices).

(10) Appropriations provided to the department are sufficient to fund the administrative costs associated with implementation of chapter 173, Laws of 2017 (E2SHB 1802) (veterans/shared leave access).

(11) \$190,000 of the disaster response account—state appropriation is provided solely to Okanogan and Ferry counties to continue to address deficiencies within their communications infrastructure for 911 dispatch. Funding will be used to replace failing radio dispatching hardware within 911 dispatch centers; build interoperable communications between each county’s dispatch center such that each can serve as a back-up to the other; and build upon the existing wireless microwave network for 911 calls, dispatch centers, and first responder radio operations.

(12) \$1,582,000 of the general fund—state appropriation for fiscal year 2019 and \$2,618,000 of the enhanced 911 account—state appropriation are provided solely for the department to complete the internet protocol based next generation 911 network project while maintaining financial assistance to counties.

(13) \$200,000 of the military department active state service account—state appropriation is provided solely for emergency response training and planning of national guard members with funding provided from Engrossed Second Substitute Senate Bill No. 6269 (oil transportation safety). If the bill is not enacted by June 30, 2018, the amount provided in this subsection shall lapse.

(14) \$150,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the emergency management division of the military department to conduct an update to the October 2006 report to the state emergency response commission regarding statewide response to chemical, biological, radiological, nuclear, and explosive materials.

Sec. 1018. 2017 3rd sp.s. c 1 s 146 (uncodified) is amended to read as follows:

FOR THE FORENSIC INVESTIGATION COUNCIL

Death Investigations Account—State Appropriation	(\$633,000)
	<u>\$660,000</u>

The appropriation in this section is subject to the following conditions and limitations:

(1) \$250,000 of the death investigations account appropriation is provided solely for providing financial assistance to local jurisdictions in multiple death investigations. The forensic investigation council shall develop criteria for awarding these

funds for multiple death investigations involving an unanticipated, extraordinary, and catastrophic event or those involving multiple jurisdictions.

(2) \$210,000 of the death investigations account appropriation is provided solely for providing financial assistance to local jurisdictions in identifying human remains.

(3) \$130,000 of the death investigations account appropriation is provided solely for the council to establish a statewide case management system for coroners and medical examiners. The council must confer with the state association of coroners and medical examiners in the implementation of the system.

Sec. 1019. 2018 c 299 s 147 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION

General Fund—State Appropriation (FY 2018)	\$1,571,000
General Fund—State Appropriation (FY 2019)	(\$1,646,000)
	<u>\$1,662,000</u>
General Fund—Federal Appropriation	\$2,226,000
General Fund—Private/Local Appropriation	\$264,000
Pension Funding Stabilization Account—State Appropriation	\$136,000
TOTAL APPROPRIATION	<u>\$5,843,000</u>
	<u>\$5,859,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$103,000 of the general fund—state appropriation for fiscal year 2018 and \$103,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for archaeological determinations and excavations of inadvertently discovered skeletal human remains, and removal and reinterment of such remains when necessary.

(2) \$80,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the department of archaeology and historic preservation to collaborate with the department of commerce to facilitate a capital needs assessment study of public libraries in distressed counties as defined by RCW 43.168.020(3). The study must assess library facility backlogs and the local funding capacity for both nonhistoric libraries and libraries on local, state, or national historic registries.

**PART XI
SUPPLEMENTAL
HUMAN SERVICES**

Sec. 1101. 2018 c 299 s 201 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

(1) The appropriations to the department of social and health services in this act shall be expended for the programs and in the amounts specified in this act. Appropriations made in this act to the department of social and health services shall initially be allotted as required by this act. Subsequent allotment modifications shall not include transfers of moneys between sections of this act except as expressly provided in this act, nor shall allotment modifications permit moneys that are provided solely for a specified purpose to be used for other than that purpose.

(2) The department of social and health services shall not initiate any services that require expenditure of state general fund moneys unless expressly authorized in this act or other law. The department may seek, receive, and spend, under RCW 43.79.260 through 43.79.282, federal moneys not anticipated in this act as long as the federal funding does not require expenditure of state

moneys for the program in excess of amounts anticipated in this act. If the department receives unanticipated unrestricted federal moneys, those moneys shall be spent for services authorized in this act or in any other legislation providing appropriation authority, and an equal amount of appropriated state general fund moneys shall lapse. Upon the lapsing of any moneys under this subsection, the office of financial management shall notify the legislative fiscal committees. As used in this subsection, "unrestricted federal moneys" includes block grants and other funds that federal law does not require to be spent on specifically defined projects or matched on a formula basis by state funds.

(3) The legislature finds that medicaid payment rates, as calculated by the department pursuant to the appropriations in this act, bear a reasonable relationship to the costs incurred by efficiently and economically operated facilities for providing quality services and will be sufficient to enlist enough providers so that care and services are available to the extent that such care and services are available to the general population in the geographic area. The legislature finds that cost reports, payment data from the federal government, historical utilization, economic data, and clinical input constitute reliable data upon which to determine the payment rates.

(4) The department shall to the maximum extent practicable use the same system for delivery of spoken-language interpreter services for social services appointments as the one established for medical appointments in the health care authority. When contracting directly with an individual to deliver spoken language interpreter services, the department shall only contract with language access providers who are working at a location in the state and who are state-certified or state-authorized, except that when such a provider is not available, the department may use a language access provider who meets other certifications or standards deemed to meet state standards, including interpreters in other states.

(5) Information technology projects or investments and proposed projects or investments impacting time capture, payroll and payment processes and systems, eligibility, case management, and authorization systems within the department of social and health services are subject to technical oversight by the office of the chief information officer.

(6)(a) The department shall facilitate enrollment under the medicaid expansion for clients applying for or receiving state funded services from the department and its contractors. Prior to open enrollment, the department shall coordinate with the health care authority to provide referrals to the Washington health benefit exchange for clients that will be ineligible for medicaid.

(b) To facilitate a single point of entry across public and medical assistance programs, and to maximize the use of federal funding, the health care authority, the department of social and health services, and the health benefit exchange will coordinate efforts to expand HealthPlanfinder access to public assistance and medical eligibility staff. The department shall complete medicaid applications in the HealthPlanfinder for households receiving or applying for public assistance benefits.

(7) In accordance with RCW 71.24.380, the health care authority and the department are authorized to purchase medical and behavioral health services through integrated contracts upon request of all of the county authorities in a regional service area to become an early adopter of fully integrated purchasing of medical and behavioral health services. The department may combine and transfer such amounts appropriated under sections 204, 208, and 213 of this act as may be necessary to fund early adopter contracts. The amount of medicaid funding transferred from each program may not exceed the average per capita cost assumed in this act for individuals covered by that program, actuarially adjusted for the health condition of persons enrolled,

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times the number of clients enrolled. The amount of non-medicaid funding transferred from sections 204 and 208 may not exceed the amount that would have been contracted with a behavioral health organization if the county authorities had not requested to become an early adopter of fully integrated purchasing. These limits do not apply to the amounts provided in section 204(1)(s) of this act. If any funding that this act provides solely for a specific purpose is transferred under this subsection, that funding must be used consistently with the provisions and conditions for which it was provided.

(8) In accordance with RCW 71.24.380, the department is authorized to purchase mental health and substance use disorder services through integrated contracts with behavioral health organizations. The department may combine and transfer such amounts appropriated under sections 204 and 208 of this act as may be necessary to finance these behavioral health organization contracts. If any funding that this act provides solely for a specific purpose is transferred under this subsection, that funding must be used consistently with the provisions and conditions for which it was provided.

(9)(a) The appropriations to the department of social and health services in this act must be expended for the programs and in the amounts specified in this act. However, after May 1, ~~((2018))~~ 2019, unless prohibited by this act, the department may transfer general fund—state appropriations for fiscal year ~~((2018))~~ 2019 among programs and subprograms after approval by the director of the office of financial management. However, the department may not transfer state appropriations that are provided solely for a specified purpose except as expressly provided in (b) through (d) of this subsection.

(b) To the extent that transfers under (a) of this subsection are insufficient to fund actual expenditures in excess of fiscal year ~~((2018))~~ 2019 caseload forecasts and utilization assumptions in the long-term care, developmental disabilities, foster care, adoption support, and public assistance programs, the department may transfer state appropriations that are provided solely for a specified purpose.

(c) Within the mental health program, the department may transfer appropriations that are provided solely for a specified purpose within and between subprograms as needed to fund actual expenditures through the end of fiscal year ~~((2018))~~ 2019.

(d) Within the developmental disabilities program, the department may transfer appropriations that are provided solely for a specified purpose within and between subprograms as needed to fund actual expenditures through the end of fiscal year ~~((2018))~~ 2019.

(e) The department may not transfer appropriations, and the director of the office of financial management may not approve the transfer, unless the transfer is consistent with the objective of conserving, to the maximum extent possible, the expenditure of state funds. The director of the office of financial management shall notify the appropriate fiscal committees of the senate and house of representatives in writing seven days prior to approving any allotment modifications or transfers under this subsection. The written notification shall include a narrative explanation and justification of the changes, along with expenditures and allotments by budget unit and appropriation, both before and after any allotment modifications or transfers.

Sec. 1102. 2018 c 299 s 203 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—JUVENILE REHABILITATION PROGRAM

General Fund—State Appropriation (FY 2018)	\$91,247,000
General Fund—State Appropriation (FY 2019)	((93,660,000))

	<u>\$93,353,000</u>
General Fund—Federal Appropriation	\$3,464,000
General Fund—Private/Local Appropriation	\$1,985,000
Washington Auto Theft Prevention Authority Account—State Appropriation	\$196,000
Pension Funding Stabilization Account—State Appropriation	\$8,721,000
TOTAL APPROPRIATION	<u>\$199,273,000</u> <u>\$198,966,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$331,000 of the general fund—state appropriation for fiscal year 2018 and \$331,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for deposit in the county criminal justice assistance account for costs to the criminal justice system associated with the implementation of chapter 338, Laws of 1997 (juvenile code revisions). The amounts provided in this subsection are intended to provide funding for county adult court costs associated with the implementation of chapter 338, Laws of 1997 and shall be distributed in accordance with RCW 82.14.310.

(2) \$2,841,000 of the general fund—state appropriation for fiscal year 2018 and \$2,841,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for grants to county juvenile courts for the following juvenile justice programs identified by the Washington state institute for public policy (institute) in its report: "Inventory of Evidence-based, Research-based, and Promising Practices for Prevention and Intervention Services for Children and Juveniles in the Child Welfare, Juvenile Justice, and Mental Health Systems." Additional funding for this purpose is provided through an interagency agreement with the health care authority. County juvenile courts shall apply to the juvenile rehabilitation administration for funding for program-specific participation and the administration shall provide grants to the courts consistent with the per-participant treatment costs identified by the institute.

(3) \$1,537,000 of the general fund—state appropriation for fiscal year 2018 and \$1,537,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for expansion of the following juvenile justice treatments and therapies in juvenile rehabilitation administration programs identified by the Washington state institute for public policy in its report: "Inventory of Evidence-based, Research-based, and Promising Practices for Prevention and Intervention Services for Children and Juveniles in the Child Welfare, Juvenile Justice, and Mental Health Systems." The administration may concentrate delivery of these treatments and therapies at a limited number of programs to deliver the treatments in a cost-effective manner.

(4)(a) \$6,198,000 of the general fund—state appropriation for fiscal year 2018 and \$6,198,000 of the general fund—state appropriation for fiscal year 2019 are provided solely to implement evidence- and research-based programs through community juvenile accountability grants, administration of the grants, and evaluations of programs funded by the grants. In addition to funding provided in this subsection, funding to implement alcohol and substance abuse treatment programs for locally committed offenders is provided through an interagency agreement with the health care authority.

(b) The juvenile rehabilitation administration shall administer a block grant to county juvenile courts for the purpose of serving youth as defined in RCW 13.40.510(4)(a) in the county juvenile justice system. Funds dedicated to the block grant include: Consolidated juvenile service (CJS) funds, community juvenile accountability act (CJAA) grants, chemical dependency/mental health disposition alternative (CDDA), and suspended disposition alternative (SDA). The juvenile rehabilitation administration

shall follow the following formula and must prioritize evidence-based programs and disposition alternatives and take into account juvenile courts program-eligible youth in conjunction with the number of youth served in each approved evidence-based program or disposition alternative: (i) Thirty-seven and one-half percent for the at-risk population of youth ten to seventeen years old; (ii) fifteen percent for the assessment of low, moderate, and high-risk youth; (iii) twenty-five percent for evidence-based program participation; (iv) seventeen and one-half percent for minority populations; (v) three percent for the chemical dependency and mental health disposition alternative; and (vi) two percent for the suspended dispositional alternatives. Funding for the special sex offender disposition alternative (SSODA) shall not be included in the block grant, but allocated on the average daily population in juvenile courts. Funding for the evidence-based expansion grants shall be excluded from the block grant formula. Funds may be used for promising practices when approved by the juvenile rehabilitation administration and juvenile courts, through the community juvenile accountability act committee, based on the criteria established in consultation with Washington state institute for public policy and the juvenile courts.

(c) If Second Substitute House Bill No. 1280 (referred and diverted youth) is enacted, then the administration must implement a stop-loss policy when allocating funding under (b) of this subsection in the 2017-2019 fiscal biennium. Under the stop-loss policy, funding formula changes may not result in a funding loss for any juvenile court of more than two percent from one year to the next. The committee in (d) of this subsection must establish a minimum base level of funding for juvenile courts with lower numbers of at-risk youth age 10 – 17. The administration must report to the legislature by December 1, 2018, about how funding is used for referred youth and the impact of that use on overall use of funding. If the bill is not enacted by July 31, 2017, this subsection is null and void.

(d) The juvenile rehabilitation administration and the juvenile courts shall establish a block grant funding formula oversight committee with equal representation from the juvenile rehabilitation administration and the juvenile courts. The purpose of this committee is to assess the ongoing implementation of the block grant funding formula, utilizing data-driven decision making and the most current available information. The committee will be co-chaired by the juvenile rehabilitation administration and the juvenile courts, who will also have the ability to change members of the committee as needed to achieve its purpose. The committee may make changes to the formula categories in (b) of this subsection if it determines the changes will increase statewide service delivery or effectiveness of evidence-based program or disposition alternative resulting in increased cost/benefit savings to the state, including long-term cost/benefit savings. The committee must also consider these outcomes in determining when evidence-based expansion or special sex offender disposition alternative funds should be included in the block grant or left separate.

(e) The juvenile courts and administrative office of the courts must collect and distribute information and provide access to the data systems to the juvenile rehabilitation administration and the Washington state institute for public policy related to program and outcome data. The juvenile rehabilitation administration and the juvenile courts must work collaboratively to develop program outcomes that reinforce the greatest cost/benefit to the state in the implementation of evidence-based practices and disposition alternatives.

(5) \$98,000 of the general fund—state appropriation for fiscal year 2018 and \$98,000 of the general fund—state appropriation for fiscal year 2019 are provided solely to the juvenile block grant

funding formula oversight committee described in subsection (4)(d) of this section to contract with research entities to: (a) Assist juvenile justice programs identified as promising practices or research-based in undergoing the research necessary to demonstrate that the program is evidence-based; and (b) establish an annual, county-level evaluation of existing evidence-based juvenile justice programs.

(6) \$557,000 of the general fund—state appropriation for fiscal year 2018 and \$557,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for funding of the teamchild project.

(7) \$283,000 of the general fund—state appropriation for fiscal year 2018 and \$283,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the juvenile detention alternatives initiative.

(8) \$500,000 of the general fund—state appropriation for fiscal year 2018 and \$500,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for a grant program focused on criminal street gang prevention and intervention. The juvenile rehabilitation administration may award grants under this subsection. The juvenile rehabilitation administration shall give priority to applicants who have demonstrated the greatest problems with criminal street gangs. Applicants composed of, at a minimum, one or more local governmental entities and one or more nonprofit, nongovernmental organizations that have a documented history of creating and administering effective criminal street gang prevention and intervention programs may apply for funding under this subsection. Each entity receiving funds must report to the juvenile rehabilitation administration on the number and types of youth served, the services provided, and the impact of those services on the youth and the community.

(9) The juvenile rehabilitation institutions may use funding appropriated in this subsection to purchase goods and supplies through hospital group purchasing organizations when it is cost-effective to do so.

(10) \$75,000 of the general fund—state appropriation for fiscal year 2018 is provided solely for the department to coordinate the examination of data associated with juvenile gang and firearm offenses. The review of data must include information from the administrative office of the courts, the office of the superintendent of public instruction, the office of financial management—education research data center, the Washington association of sheriffs and police chiefs, the caseload forecast council, and the department of corrections. For the purpose of carrying out the data review, named organizations are authorized to share data to include details of criminal arrest and conviction data. The department shall report to the governor and the appropriate legislative committees by February 1, 2018, with any recommendations for public policy that increases public safety.

(11) \$107,000 of the general fund—state appropriation for fiscal year 2018 and \$432,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the department to provide housing services to clients releasing from incarceration into the community.

(12) \$75,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the implementation of Engrossed Second Substitute Senate Bill No. 6160 (exclusive adult jurisdiction). ~~((If the bill is not enacted by June 30, 2018, the amount provided in this subsection shall lapse.))~~

Sec. 1103. 2018 c 299 s 204 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—MENTAL HEALTH PROGRAM

(1) COMMUNITY SERVICES/BEHAVIORAL HEALTH ORGANIZATIONS

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General Fund—State Appropriation (FY 2018)	\$381,760,000
General Fund—Federal Appropriation	\$481,439,000
General Fund—Private/Local Appropriation	\$8,932,000
Dedicated Marijuana Account—State Appropriation (FY 2018)	\$3,684,000
Pension Funding Stabilization Account—State Appropriation	\$39,000
TOTAL APPROPRIATION	\$875,854,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) For the purposes of this subsection, amounts provided for behavioral health organizations shall also be available for the health care authority to contract with entities that assume the responsibilities of behavioral health organizations in regions in which the health care authority is purchasing medical and behavioral health services through fully integrated contracts pursuant to RCW 71.24.380.

(b) \$6,590,000 of the general fund—state appropriation for fiscal year 2018 and \$3,810,000 of the general fund—federal appropriation are provided solely for the department and behavioral health organizations to continue to contract for implementation of high-intensity programs for assertive community treatment (PACT) teams. In determining the proportion of medicaid and nonmedicaid funding provided to behavioral health organizations with PACT teams, the department shall consider the differences between behavioral health organizations in the percentages of services and other costs associated with the teams that are not reimbursable under medicaid. The department may allow behavioral health organizations which have nonmedicaid reimbursable costs that are higher than the nonmedicaid allocation they receive under this section to supplement these funds with local dollars or funds received under (f) of this subsection. The department and behavioral health organizations shall maintain consistency with all essential elements of the PACT evidence-based practice model in programs funded under this section.

(c) From the general fund—state appropriations in this subsection, the department shall assure that behavioral health organizations reimburse the department of social and health services aging and long term support administration for the general fund—state cost of medicaid personal care services that enrolled behavioral health organization consumers use because of their psychiatric disability.

(d) \$1,760,000 of the general fund—federal appropriation is provided solely for the department to maintain a pilot project to put peer bridging staff into each behavioral health organization as part of the state psychiatric liaison teams to promote continuity of service as individuals return to their communities. The department must collect data and submit a report to the office of financial management and the appropriate committees of the legislature on the impact of peer staff on state hospital discharges and community placements by December 1, 2017.

(e) \$11,405,000 of the general fund—state appropriation for fiscal year 2018 is provided solely to assist behavioral health organizations with the costs of providing services to medicaid clients receiving services in psychiatric facilities classified as institutions of mental diseases. The department must distribute these amounts proportionate to the number of bed days for medicaid clients in institutions for mental diseases that were excluded from behavioral health organization fiscal year 2018 capitation rates because they exceeded the amounts allowed under federal regulations. The department must also use these amounts to directly pay for costs that are ineligible for medicaid reimbursement in institutions of mental disease facilities for American Indian and Alaska Natives who opt to receive

behavioral health services on a fee for service basis. The amounts used for these individuals must be reduced from the allocation of the behavioral health organization where the individual resides. If a behavioral health organization receives more funding through this subsection than is needed to pay for the cost of their medicaid clients in institutions for mental diseases, they must use the remainder of the amounts to provide other services not covered under the medicaid program. The department must apply for a waiver from the center for medicaid and medicare services to allow for the full cost of stays in institutions of mental diseases to be included in fiscal year 2019 behavioral health organization capitation rates. The department may tailor the fiscal year 2019 waiver to specific populations for which the center for medicaid and medicare services has indicated they are likely to approve and work to further expand the waiver to other populations in fiscal year 2020. The department must submit a report on the status of the waiver to the office of financial management and the appropriate committees of the legislature by December 1, 2017.

(f) \$81,930,000 of the general fund—state appropriation for fiscal year 2018 is provided solely for persons and services not covered by the medicaid program. To the extent possible, levels of behavioral health organization spending shall be maintained in the following priority order: Crisis and commitment services; community inpatient services; and residential care services, including personal care and emergency housing assistance. These amounts must be distributed to behavioral health organizations proportionate to the fiscal year 2017 allocation of flexible nonmedicaid funds. The department must include the following language in medicaid contracts with behavioral health organizations unless they are provided formal notification from the center for medicaid and medicare services that the language will result in the loss of federal medicaid participation: "The contractor may voluntarily provide services that are in addition to those covered under the state plan, although the cost of these services cannot be included when determining payment rates unless including these costs are specifically allowed under federal law or an approved waiver."

(g) The department is authorized to continue to contract directly, rather than through contracts with behavioral health organizations for children's long-term inpatient facility services.

(h) \$1,125,000 of the general fund—state appropriation for fiscal year 2018 is provided solely for the Spokane county behavioral health organization to implement services to reduce utilization and the census at eastern state hospital. Such services shall include:

(A) High intensity treatment team for persons who are high utilizers of psychiatric inpatient services, including those with co-occurring disorders and other special needs;

(B) Crisis outreach and diversion services to stabilize in the community individuals in crisis who are at risk of requiring inpatient care or jail services;

(C) Mental health services provided in nursing facilities to individuals with dementia, and consultation to facility staff treating those individuals; and

(D) Services at the sixteen-bed evaluation and treatment facility.

At least annually, the Spokane county behavioral health organization shall assess the effectiveness of these services in reducing utilization at eastern state hospital, identify services that are not optimally effective, and modify those services to improve their effectiveness.

(i) \$1,204,000 of the general fund—state appropriation for fiscal year 2018 is provided solely to reimburse Pierce and Spokane counties for the cost of conducting 180-day commitment hearings at the state psychiatric hospitals.

(j) Behavioral health organizations may use local funds to earn additional federal medicaid match, provided the locally matched rate does not exceed the upper-bound of their federally allowable rate range, and provided that the enhanced funding is used only to provide medicaid state plan or waiver services to medicaid clients. Additionally, behavioral health organizations may use a portion of the state funds allocated in accordance with (f) of this subsection to earn additional medicaid match, but only to the extent that the application of such funds to medicaid services does not diminish the level of crisis and commitment, community inpatient, residential care, and outpatient services presently available to persons not eligible for medicaid.

(k) \$2,291,000 of the general fund—state appropriation for fiscal year 2018 is provided solely for mental health services for mentally ill offenders while confined in a county or city jail and for facilitating access to programs that offer mental health services upon release from confinement. The department must collect information from the behavioral health organizations on their plan for using these funds, the numbers of individuals served, and the types of services provided and submit a report to the office of financial management and the appropriate fiscal committees of the legislature by December 1st of each year of the biennium.

(l) Within the amounts appropriated in this section, funding is provided for the department to develop and phase in intensive mental health services for high needs youth consistent with the settlement agreement in *T.R. v. Dreyfus and Porter*.

(m) The department must establish minimum and maximum funding levels for all reserves allowed under behavioral health organization contracts and insert contract language that clearly states the requirements and limitations. The department must monitor and ensure that behavioral health organization reserves do not exceed maximum levels. The department must monitor behavioral health organization revenue and expenditure reports and must require a behavioral health organization to submit a corrective action plan on how it will spend its excess reserves within a reasonable period of time, when its reported reserves exceed maximum levels established under the contract. The department must review and approve such plans and monitor to ensure compliance. If the department determines that a behavioral health organization has failed to provide an adequate excess reserve corrective action plan or is not complying with an approved plan, the department must reduce payments to the behavioral health organization in accordance with remedial actions provisions included in the contract. These reductions in payments must continue until the department determines that the behavioral health organization has come into substantial compliance with an approved excess reserve corrective action plan.

(n) \$2,309,000 of the general fund—state appropriation for fiscal year 2018 and \$2,169,000 of the general fund—federal appropriation are provided solely for the department to increase rates for community hospitals that provide a minimum of 200 medicaid psychiatric inpatient days. The department must increase both medicaid and nonmedicaid psychiatric per-diem reimbursement rates for these providers within these amounts. The amounts in this subsection include funding for additional hold harmless payments resulting from the rate increase. The department shall prioritize increases for hospitals not currently paid based on provider specific costs using a similar methodology used to set rate for existing inpatient facilities and the latest available cost report information. Rate increases for providers must be set so as not to exceed the amounts provided within this subsection. The rate increase related to nonmedicaid clients must be done to maintain the provider at the same percentage as currently required under WAC 182-550-4800.

(o) \$100,000 of the general fund—state appropriation for fiscal year 2018 is provided solely for the department to collaborate with tribal governments and develop a plan for establishing an evaluation and treatment facility that will specialize in providing care specifically to the American Indian and Alaska Native population. The plan must include options for maximizing federal participation and, ensure that utilization will be based on medical necessity, and identify a specific geographic location where a tribal evaluation and treatment facility will be built.

(p) \$1,466,000 of the general fund—state appropriation for fiscal year 2018 and \$1,663,000 of the general fund—federal appropriation are provided solely for the department to contract with community hospitals or freestanding evaluation and treatment centers to provide up to forty-eight long-term inpatient care beds as defined in RCW 71.24.025. The department must seek proposals and contract directly for these services rather than contracting through behavioral health organizations. The department must coordinate with the department of social and health services in developing the contract requirements, selecting contractors, and establishing processes for identifying patients that will be admitted to these facilities. The department must not use any of the amounts provided under this subsection for contracts with facilities that are subject to federal funding restrictions that apply to institutions of mental diseases, unless they have received a waiver that allows for full federal participation in these facilities.

(q) \$4,983,000 of the general fund—state appropriation for fiscal year 2018 and \$10,849,000 of the general fund—federal appropriation are provided solely for the department to increase medicaid capitation payments for behavioral health organizations. The department must work with the actuaries responsible for certifying behavioral health capitation rates to adjust average salary assumptions in order to implement this increase. In developing further updates for medicaid managed care rates for behavioral health services, the department must include and make available all applicable documents and analysis to legislative staff from the fiscal committees throughout the process. The department must require the actuaries to develop and submit rate ranges for each behavioral health organization prior to certification of specific rates.

(r) The number of beds allocated for use by behavioral health organizations at eastern state hospital shall be 192 per day. The number of nonforensic beds allocated for use by behavioral health organizations at western state hospital shall be 557 per day. In fiscal year 2019, the department must reduce the number of beds allocated for use by behavioral health organizations at western state hospital by 30 beds to allow for the repurposing of a civil ward at western state hospital to provide forensic services. The contracted beds provided under (p) of this subsection shall be allocated to the behavioral health organizations in lieu of beds at the state hospitals and be incorporated in their allocation of state hospital patient days of care for the purposes of calculating reimbursements pursuant to RCW 71.24.310. It is the intent of the legislature to continue the policy of expanding community based alternatives for long term civil commitment services that allow for state hospital beds to be prioritized for forensic patients.

(s) \$11,405,000 of the general fund—state appropriation for fiscal year 2018 and \$8,840,000 of the general fund—federal appropriation are provided solely to maintain enhancements of community mental health services. The department must contract these funds for the operation of community programs in which the department determines there is a need for capacity that allows individuals to be diverted or transitioned from the state hospitals including but not limited to: (i) Community hospital or free standing evaluation and treatment services providing short-term

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detention and commitment services under the involuntary treatment act to be located in the geographic areas of the King behavioral health organization, the Spokane behavioral health organization outside of Spokane county, and the Thurston Mason behavioral health organization; (ii) one new full program of an assertive community treatment team in the King behavioral health organization and two new half programs of assertive community treatment teams in the Spokane behavioral health organization and the Pierce behavioral health organization; and (iii) three new recovery support services programs in the Great Rivers behavioral health organization, the greater Columbia behavioral health organization, and the north sound behavioral health organization. In contracting for community evaluation and treatment services, the department may not use these resources in facilities that meet the criteria to be classified under federal law as institutions for mental diseases. If the department is unable to come to a contract agreement with a designated behavioral health organization for any of the services identified above, it may consider contracting for that service in another region that has the need for such service.

(t) \$200,000 of the general fund—state appropriation for fiscal year 2018 is provided solely for clubhouse programs. The department must develop options and cost estimates for implementation of clubhouse programs statewide through a medicaid state plan amendment or a medicaid waiver and submit a report to the office of financial management and the appropriate committees of the legislature by December 1, 2018.

(u) \$212,000 of the general fund—state appropriation for fiscal year 2018 is provided solely to fund one pilot project in Pierce county and one in Yakima county to promote increased utilization of assisted outpatient treatment programs. The department shall require two behavioral health organizations to contract with local government to establish the necessary infrastructure for the programs. The department, in collaboration with the health care authority, shall provide a report by October 15, 2018, to the office of financial management and the appropriate fiscal and policy committees of the legislature to include the number of individuals served, outcomes to include reduced use of inpatient treatment and state hospital stays, and recommendations for further implementation based on lessons learned and best practices identified by the pilot projects.

(v) The department, in collaboration with the health care authority, shall work to ensure that a single platform provider credentialing system is implemented. The authority and department shall ensure that appropriate cost offsets and cost avoidance are assumed for reduced staff time required for provider credentialing activity and reductions in improper billing activity when implementing provider credentialing systems.

(w) No more than \$6,464,000 of the general fund—federal appropriation may be expended for supported housing and employment services described in initiative 3a and 3b of the medicaid transformation demonstration waiver under healthier Washington. Under this initiative, the department and the health care authority shall ensure that allowable and necessary services are provided to eligible clients as identified by the department or its providers or third party administrator. The department and the authority in consultation with the medicaid forecast work group, shall ensure that reasonable reimbursements are established for services deemed necessary within an identified limit per individual. The department shall not increase general fund—state expenditures under this initiative. The secretary in collaboration with the director of the authority shall report to the joint select committee on health care oversight no less than quarterly on financial and health outcomes. The secretary in cooperation with the director shall also report to the fiscal committees of the

legislature all of the expenditures of this subsection and shall provide such fiscal data in the time, manner, and form requested by the legislative fiscal committees.

(2) INSTITUTIONAL SERVICES

General Fund—State Appropriation (FY 2018)	\$330,214,000
General Fund—State Appropriation (FY 2019)	(\$259,313,000)
	<u>\$371,805,000</u>
General Fund—Federal Appropriation	(\$181,793,000)
	<u>\$148,594,000</u>
General Fund—Private/Local Appropriation	(\$61,282,000)
	<u>\$48,338,000</u>
Pension Funding Stabilization Account—State	
Appropriation	\$34,746,000
TOTAL APPROPRIATION	<u>\$867,348,000</u>
	<u>\$933,697,000</u>

The appropriations in this subsection are subject to the following conditions and limitations:

(a) The state psychiatric hospitals may use funds appropriated in this subsection to purchase goods and supplies through hospital group purchasing organizations when it is cost-effective to do so.

(b) \$311,000 of the general fund—state appropriation for fiscal year 2018 and \$310,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for a community partnership between western state hospital and the city of Lakewood to support community policing efforts in the Lakewood community surrounding western state hospital. The amounts provided in this subsection (2)(b) are for the salaries, benefits, supplies, and equipment for one full-time investigator, one full-time police officer, and one full-time community service officer at the city of Lakewood. The department must collect data from the city of Lakewood on the use of the funds and the number of calls responded to by the community policing program and submit a report with this information to the office of financial management and the appropriate fiscal committees of the legislature each December of the fiscal biennium.

(c) \$45,000 of the general fund—state appropriation for fiscal year 2018 and \$45,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for payment to the city of Lakewood for police services provided by the city at western state hospital and adjacent areas.

(d) \$44,000 of the general fund—state appropriation for fiscal year 2018 and \$19,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for payment to the city of Medical Lake for police services provided by the city at eastern state hospital and adjacent areas. The city must develop a proposal and estimated costs for developing a community policing program in the area surrounding eastern state hospital and submit the proposal to the department by September 30, 2018. The city must provide current and historical data for police services to eastern state hospital and adjacent areas which justify funding for a community policing program and continued funding for base police services and a community policing program.

(e) \$20,883,000 of the general fund—state appropriation for fiscal year 2018 and \$33,558,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for implementation of efforts to improve the timeliness of competency restoration services pursuant to chapter 5, Laws of 2015 (SSB 5889) (timeliness of competency treatment and evaluation services). These amounts must be used to maintain and further increase the number of forensic beds at western state hospital and eastern state hospital. Pursuant to chapter 7, Laws of 2015 1st sp. sess. (2E2SSB 5177) (timeliness of competency treatment and evaluation services), the department may contract

some of these amounts for services at alternative locations if the secretary determines that there is a need.

(f) \$3,928,000 of the general fund—state appropriation for fiscal year 2018 and \$4,249,000 of the general fund—state appropriation for fiscal year 2019 are provided solely to maintain and further increase implementation of efforts to improve the timeliness of competency evaluation services for individuals who are in local jails pursuant to chapter 5, Laws of 2015 (SSB 5889) (timeliness of competency treatment and evaluation services). This funding must be used solely to maintain increases in the number of staff providing competency evaluation services.

(g) \$135,000 of the general fund—state appropriation for fiscal year 2018 and \$135,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the department to hire an on-site safety compliance officer, stationed at Western State Hospital, to provide oversight and accountability of the hospital's response to safety concerns regarding the hospital's work environment.

(h) \$20,234,000 of the general fund—state appropriation for fiscal year 2018 and \$20,234,000 of the general fund—state appropriation for fiscal year 2019 are provided solely to meet the requirements of the systems improvement agreement with the centers for medicare and medicaid services as outlined in seven conditions of participation and to maintain federal funding. The department shall specifically account for all spending related to the agreement and reconcile it back to the original funding plan. Changes of more than ten percent in any area of the spending plan must be submitted to the office of financial management for approval. The department must submit a financial analysis to the office of financial management and the appropriate committees of the legislature which compares current staffing levels at eastern and western state hospitals, at the ward level, with the specific staffing levels recommended in the state hospitals' clinical model analysis project report submitted by OTB Solutions in 2016. To the extent that the financial analysis includes any differential in staffing from what was recommended in the report, the department must clearly identify these differences and the associated costs. The department must submit the financial analysis by September 1, 2017.

(i) Within these amounts, the department must hire chemical dependency professionals to provide integrated substance use disorder and mental health treatment at the state psychiatric hospitals.

(j) \$1,000 of the general fund—state appropriation for fiscal year 2018 and \$2,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the implementation of Senate Bill No. 5118 (personal needs allowance). ~~((If the bill is not enacted by July 31, 2017, the amounts provided in this subsection shall lapse.))~~

(k) \$34,584,000 of the general fund—state appropriation for fiscal year 2018 is provided solely for increased staffing and other costs at the state hospitals that are required to maintain federal certification and compliance with federal agreements. Throughout the biennium, the department must track state hospital staffing expenditures, including the use of overtime and contracted locums, to allotments and submit monthly reports to the office of financial management. The office of financial management must review these reports and make a determination as to whether the overspending in these areas is required to maintain federal certification and compliance with federal agreements. The office of financial management must notify the department each month whether and to what level the overspending on staffing is approved and may be maintained and whether and to what level the department must reduce such expenditures. By December 2, 2018, the office of financial management must provide a report to the appropriate committees

of the legislature on spending beyond appropriations for staffing at the state hospitals and identify the level of overspending that has been approved and any direction provided by the office of financial management to reduce overspending on staffing that was not required to maintain federal certification and compliance with federal agreements.

(l) \$100,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the department to track compliance with RCW 71.05.365 requirements for transition of state hospital patients into community settings within fourteen days of the determination that they no longer require active psychiatric treatment at an inpatient level of care. The department must use these funds to track the following elements related to this requirement: (i) The date on which an individual is determined to no longer require active psychiatric treatment at an inpatient level of care; (ii) the date on which the behavioral health organizations and other organizations responsible for resource management services for the person is notified of this determination; and (iii) the date on which either the individual is transitioned to the community or has been re-evaluated and determined to again require active psychiatric treatment at an inpatient level of care. The department must provide this information in regular intervals to behavioral health organizations and other organizations responsible for resource management services. The department must summarize the information and provide a report to the office of financial management and the appropriate committees of the legislature on progress toward meeting the fourteen day standard by December 1, 2018.

(m) \$140,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the department and the University of Washington to begin implementation the first phase of a collaborative plan for a high-quality forensic teaching service. Indirect charges for amounts contracted to the University of Washington must not exceed ten percent. The department and the University of Washington must research and pursue behavioral health workforce education grants from federal or private foundations that could be used in support of this project. By November 1, 2018, the department, in collaboration with the University of Washington, must submit a report to the office of financial management and the appropriate committees of the legislature with a progress update, readiness to proceed to the second phase of the project, a detailed cost analysis of the second phase, and identification of any federal or private grants identified and the status of those applications.

(n) \$12,190,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the department to develop and implement an acuity based staffing tool at western state hospital and eastern state hospital in collaboration with the hospital staffing committees. The staffing tool must be designed and implemented to identify, on a daily basis, the clinical acuity on each patient ward and determine the minimum level of direct care staff by profession to be deployed to meet the needs of the patients on each ward. The department must also continue to develop, in collaboration with the office of financial management's labor relations office, the staffing committees, and state labor unions, an overall state hospital staffing plan which looks at all positions and functions of the facilities and is informed by a review of the Oregon state hospital staffing model. \$300,000 of the amounts in this subsection are provided solely for and must be used for staff costs required to establish, monitor, track, and report monthly staffing and expenditures at the state hospitals, including overtime and use of locums, to the functional categories identified in the recommended staffing plan. The remainder of the funds must be used for direct care staffing needed in order to implement the acuity based staffing tool. The allotments and tracking of staffing and expenditures must include

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all areas of the state hospitals, must be done at the ward level, and must include contracted facilities providing forensic restoration services as well as the office of forensic mental health services. By September 1, 2018, the department and hospital staffing committees must submit a report to the office of financial management and the appropriate committees of the legislature that includes the following: (a) Progress in implementing the acuity based staffing tool; (b) a comparison of average daily staffing expenditures to budgeted staffing levels and the recommended state hospital staffing plan by function; and (c) metrics and facility performance for the use of overtime and extra duty pay, patient length of stay, discharge management, active treatment planning, medication administration, patient and staff aggression, and staff recruitment and retention. The department must use information gathered from implementation of the clinical staffing tool and the hospital-wide staffing model to inform and prioritize future budget requests for staffing at the state hospitals. Beginning on January 1, 2019, the department must submit calendar quarterly reports to the office of financial management and the appropriate committees of the legislature which includes monitoring of monthly spending and staffing levels compared to allotments and to the recommended state hospital staffing model. These reports must include an update from the hospital staffing committees.

(o) \$250,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the department, in collaboration with the health care authority, to develop and implement a predictive modeling tool which identifies clients who are at high risk of future involvement with the criminal justice system and for developing a model to estimate demand for civil and forensic state hospital bed needs pursuant to the following requirements.

(i) The predictive modeling tool must be developed to leverage data from a variety of sources and identify factors that are strongly associated with future criminal justice involvement. By December 1, 2018, the department must submit a report to the office of financial management and the appropriate committees of the legislature which describes the following: (A) The proposed data sources to be used in the predictive model and how privacy issues will be addressed; (B) modeling results including a description of measurable factors most strongly predictive of risk of future criminal justice involvement; (C) an assessment of the accuracy, timeliness, and potential effectiveness of the tool; (D) identification of interventions and strategies that can be effective in reducing future criminal justice involvement of high risk patients; and (E) the timeline for implementing processes to provide monthly lists of high-risk client to contracted managed care organizations and behavioral health organizations.

(ii) The model for civil and forensic state hospital bed need must be developed in consultation with staff from the office of financial management and the appropriate fiscal committees of the state legislature. The model shall incorporate factors for capacity in state hospitals as well as contracted facilities which provide similar levels of care, referral patterns, wait lists, lengths of stay, and other factors identified as appropriate for predicting the number of beds needed to meet the demand for civil and forensic state hospital services. The department must submit a report to the office of financial management and the appropriate committees of the legislature by October 1, 2018, with a description of the model and the estimated civil and forensic state hospital bed need through the end of fiscal year 2021. The department must continue to update the model on a calendar quarterly basis and provide updates to the office of financial management and the appropriate committees of the legislature accordingly.

(p) \$20,000 of the general fund—state appropriation for fiscal year 2019 and \$8,000 of the general fund—federal appropriation are provided solely to implement Substitute Senate Bill No. 6237 (personal needs allowance) or Substitute House Bill No. 2651 (personal needs allowance). ~~((If neither bill is enacted by June 30, 2018, the amounts provided in this subsection shall lapse.))~~

(q) ~~(((\$46,601,000))~~ \$18,898,000 of the general fund—state appropriation for fiscal year ~~((2018))~~ 2019 is provided solely for the department to pay fines, plaintiff’s attorney fees, and increased court monitor costs for failing to meet court ordered timelines for competency restoration and evaluations under *Trueblood v. Department of Social and Health Services*.

(r) \$1,148,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for purposes of maintaining basic life-and-safety equipment and structures in a manner that supports a safe and compliant environment of care at the state hospitals. The department must develop a budget structure that allows for transparency in the management and monitoring of these expenditures as well as related performance and outcomes. The department must report to the office of financial management on expenditure levels and outcomes achieved at the close of each fiscal year.

(3) SPECIAL PROJECTS

General Fund—State Appropriation (FY 2018)	\$486,000
General Fund—Federal Appropriation	\$3,148,000
Pension Funding Stabilization Account—State Appropriation	\$28,000
TOTAL APPROPRIATION	\$3,662,000

The appropriations in this subsection are subject to the following conditions and limitations: \$446,000 of the general fund—state appropriation for fiscal year 2018 and \$89,000 of the general fund—federal appropriation are provided solely for the University of Washington’s evidence-based practice institute which supports the identification, evaluation, and implementation of evidence-based or promising practices. The institute must work with the department to develop a plan to seek private, federal, or other grant funding in order to reduce the need for state general funds. The department must collect information from the institute on the use of these funds and submit a report to the office of financial management and the appropriate fiscal committees of the legislature by December 1st of each year of the biennium.

(4) PROGRAM SUPPORT

General Fund—State Appropriation (FY 2018)	\$9,265,000
General Fund—State Appropriation (FY 2019)	(((\$2,979,000)) <u>\$5,773,000</u>
General Fund—Federal Appropriation	(((\$8,310,000)) <u>\$6,278,000</u>
General Fund—Private/Local Appropriation	\$251,000
Pension Funding Stabilization Account—State Appropriation	\$526,000
TOTAL APPROPRIATION	<u>\$21,331,000</u> <u>\$22,093,000</u>

The appropriations in this subsection are subject to the following conditions and limitations:

~~((+))~~ The department must complete an update of the state quality strategy required under federal managed care regulations and submit to the center for medicaid and medicare services by October 1, 2017. The department must provide a report to the office of financial management and the appropriate committees of the legislature by December 1, 2017, which includes the following: ~~((+))~~ (a) A copy of the quality strategy submitted to the center for medicaid and medicare services; ~~((+))~~ (b) identification of all performance measures that are currently being

measured for behavioral health organizations, and managed care organizations and the variations in performance among these entities; ~~((iii))~~ (c) identification of any performance measures that are included in behavioral health organization and managed care organization 2018 contracts and whether these measures are connected to payment; and ~~((iv))~~ (d) identification of any performance measures planned for incorporation of behavioral health organization and managed care organization 2019 contracts and whether these measures will be connected to payment during that contract period.

~~((b) \$62,000 of the general fund—state appropriation for fiscal year 2018 and \$41,000 of the general fund—federal appropriation are provided solely for the implementation of chapter 207, Laws of 2017 (E2SHB 1819) (children’s mental health).~~

~~(e) In accordance with RCW 43.20B.110, 43.135.055, and 71.24.035, the department is authorized to adopt license and certification fees in fiscal year 2018 to support the costs of the regulatory program. The department’s fee schedule shall have differential rates for providers with proof of accreditation from organizations that the department has determined to have substantially equivalent standards to those of the department, including but not limited to the joint commission on accreditation of health care organizations, the commission on accreditation of rehabilitation facilities, and the council on accreditation. To reflect the reduced costs associated with regulation of accredited programs, the department’s fees for organizations with such proof of accreditation must reflect the lower costs of licensing for these programs than for other organizations which are not accredited.)~~

Sec. 1104. 2018 c 299 s 205 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—DEVELOPMENTAL DISABILITIES PROGRAM

(1) COMMUNITY SERVICES

General Fund—State Appropriation (FY 2018)	\$601,589,000
General Fund—State Appropriation (FY 2019)	(\$663,644,000)
	<u>\$653,926,000</u>
General Fund—Federal Appropriation	(\$1,302,369,000)
	<u>\$1,294,300,000</u>
General Fund—Private/Local Appropriation	(\$2,407,000)
	<u>\$534,000</u>
Pension Funding Stabilization Account—State Appropriation	\$6,872,000
TOTAL APPROPRIATION	<u>\$2,576,881,000</u>
	<u>\$2,557,221,000</u>

The appropriations in this subsection are subject to the following conditions and limitations:

(a) Individuals receiving services as supplemental security income (SSI) state supplemental payments shall not become eligible for medical assistance under RCW 74.09.510 due solely to the receipt of SSI state supplemental payments.

(b) In accordance with RCW 18.51.050, 18.20.050, 70.128.060, and 43.135.055, the department is authorized to increase nursing facility, assisted living facility, and adult family home fees as necessary to fully support the actual costs of conducting the licensure, inspection, and regulatory programs. The license fees may not exceed the department’s annual licensing and oversight activity costs and shall include the department’s cost of paying providers for the amount of the license fee attributed to medicaid clients.

(i) The current annual renewal license fee for adult family homes shall be \$225 per bed beginning in fiscal year 2018 and \$225 per bed beginning in fiscal year 2019. A processing fee of

\$2,750 shall be charged to each adult family home when the home is initially licensed. This fee is nonrefundable. A processing fee of \$700 shall be charged when adult family home providers file a change of ownership application.

(ii) The current annual renewal license fee for assisted living facilities shall be \$106 per bed beginning in fiscal year 2018 and \$116 per bed beginning in fiscal year 2019.

(iii) The current annual renewal license fee for nursing facilities shall be \$359 per bed beginning in fiscal year 2018 and \$359 per bed beginning in fiscal year 2019.

(c) \$7,142,000 of the general fund—state appropriation for fiscal year 2018, \$18,249,000 of the general fund—state appropriation for fiscal year 2019, and \$27,336,000 of the general fund—federal appropriation are provided solely for the implementation of the agreement reached between the governor and the service employees international union healthcare 775nw under the provisions of chapters 74.39A and 41.56 RCW for the 2017-2019 fiscal biennium. ~~((Funding is contingent upon the enactment of Senate Bill No. 5969 (transparency in public employee collective bargaining). If the bill is not enacted by July 31, 2017, the appropriation in this subsection shall lapse.))~~

(d) \$787,000 of the general fund—state appropriation for fiscal year 2018, \$2,183,000 of the general fund—state appropriation for fiscal year 2019, and \$3,714,000 of the general fund—federal appropriation are provided solely for the homecare agency parity impacts of the agreement between the governor and the service employees international union healthcare 775nw. ~~((Funding is contingent upon the enactment of Senate Bill No. 5969 (transparency in public employee collective bargaining). If the bill is not enacted by July 31, 2017, the appropriation in this subsection shall lapse.))~~

(e) The department may authorize a one-time waiver of all or any portion of the licensing and processing fees required under RCW 70.128.060 in any case in which the department determines that an adult family home is being relicensed because of exceptional circumstances, such as death or incapacity of a provider, and that to require the full payment of the licensing and processing fees would present a hardship to the applicant. In these situations the department is also granted the authority to waive the required residential administrator training for a period of 120 days if necessary to ensure continuity of care during the relicensing process.

(f) Community residential cost reports that are submitted by or on behalf of contracted agency providers are required to include information about agency staffing including health insurance, wages, number of positions, and turnover.

(g) \$650,000 of the general fund—state appropriation for fiscal year 2018, \$650,000 of the general fund—state appropriation for fiscal year 2019, and \$800,000 of the general fund—federal appropriation are provided solely for the development and implementation of eight enhanced respite beds across the state for children. These services are intended to provide families and caregivers with a break in caregiving, the opportunity for behavioral stabilization of the child, and the ability to partner with the state in the development of an individualized service plan that allows the child to remain in his or her family home. The department must provide the legislature with a respite utilization report in January of each year that provides information about the number of children who have used enhanced respite in the preceding year, as well as the location and number of days per month that each respite bed was occupied.

(h) \$900,000 of the general fund—state appropriation for fiscal year 2018 and \$900,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the development and implementation of eight community respite beds across the state for adults. These services are intended to provide families and

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caregivers with a break in caregiving and the opportunity for stabilization of the individual in a community-based setting as an alternative to using a residential habilitation center to provide planned or emergent respite. The department must provide the legislature with a respite utilization report by January of each year that provides information about the number of individuals who have used community respite in the preceding year, as well as the location and number of days per month that each respite bed was occupied.

(i) \$100,000 of the general fund—state appropriation for fiscal year 2018, \$95,000 of the general fund—state appropriation for fiscal year 2019, and \$195,000 of the general fund—federal appropriation are provided solely for discharge case managers stationed at the state psychiatric hospitals. Discharge case managers will transition clients ready for hospital discharge into less restrictive alternative community placements. The transition of clients ready for discharge will free up bed capacity at the state psychiatric hospitals.

(j) \$1,239,000 of the general fund—state appropriation for fiscal year 2018, \$2,055,000 of the general fund—state appropriation for fiscal year 2019, and \$3,218,000 of the general fund—federal appropriation are provided solely to create new community alternative placement beds that prioritize the transition of clients who are ready for discharge from the state psychiatric hospitals, but who have additional long-term care or developmental disability needs.

(i) Community alternative placement beds include enhanced service facility beds, adult family home beds, skilled nursing facility beds, shared supportive housing beds, state operated living alternative beds, and assisted living facility beds.

(ii) Each client must receive an individualized assessment prior to leaving one of the state psychiatric hospitals. The individualized assessment must identify and authorize personal care, nursing care, behavioral health stabilization, physical therapy, or other necessary services to meet the unique needs of each client. It is the expectation that, in most cases, staffing ratios in all community alternative placement options described in (j)(i) of this subsection will need to increase to meet the needs of clients leaving the state psychiatric hospitals. If specialized training is necessary to meet the needs of a client before he or she enters a community placement, then the person centered service plan must also identify and authorize this training.

(iii) When reviewing placement options, the department must consider the safety of other residents, as well as the safety of staff, in a facility. An initial evaluation of each placement, including any documented safety concerns, must occur within thirty days of a client leaving one of the state psychiatric hospitals and entering one of the community placement options described in (j)(i) of this subsection. At a minimum, the department must perform two additional evaluations of each placement during the first year that a client has lived in the facility.

(iv) During fiscal year 2018, in a presentation to the select committee on quality improvement in state hospitals, the department must describe the process of fielding and subsequently investigating complaints of abuse, neglect, and exploitation within the community alternative placement options described in (j)(i) of this subsection. At a minimum, the presentation must include data about the number of complaints, and the nature of complaints, over the preceding five fiscal years.

(v) During fiscal year 2019, in a presentation to the select committee on quality improvement in state hospitals, the department must provide an update about clients placed out of the state psychiatric hospitals into the community alternative placement options described in (j)(i) of this subsection. At a minimum, for each setting, the presentation must include data

about the number of placements, average daily rate, complaints fielded, and complaints investigated. The presentation must also include information about modifications, including the placement of clients into alternate settings, that occurred due to the evaluations required under (j)(iii) of this subsection.

In developing bed capacity, the department shall consider the complex needs of individuals waiting for discharge from the state psychiatric hospitals.

(k) \$738,000 of the general fund—state appropriation for fiscal year 2018, \$1,963,000 of the general fund—state appropriation for fiscal year 2019, and \$2,701,000 of the general fund—federal appropriation are provided solely for expanding the number of clients receiving services under the basic plus medicaid waiver. Approximately six hundred additional clients are anticipated to graduate from high school during the 2017-2019 fiscal biennium and will receive employment services under this expansion.

(l) \$14,127,000 of the general fund—state appropriation for fiscal year 2018, \$25,428,000 of the general fund—state appropriation for fiscal year 2019, and \$39,554,000 of the general fund—federal appropriation are provided solely to increase the benchmark rate for community residential service providers offering supported living, group home, and licensed staff residential services to individuals with development disabilities. The amounts in this subsection (1)(l) include funding to increase the benchmark rate by the following amounts:

(i) \$1.25 per hour effective July 1, 2017, and;

(ii) An additional \$1.00 per hour effective July 1, 2018.

The amounts provided in this subsection must be used to improve the recruitment and retention of quality direct care staff to better protect the health and safety of clients with developmental disabilities.

(m) Respite personal care provided by individual providers to developmental disabilities administration clients, as authorized by the department and accessed by clients through a medicaid waiver, must be funded in maintenance level of the operating budget on the basis of actual and forecasted client utilization.

(n) \$4,000 of the general fund—state appropriation for fiscal year 2018, \$11,000 of the general fund—state appropriation for fiscal year 2019, and \$13,000 of the general fund—federal appropriation are provided solely to implement chapter 270, Laws of 2017 (SB 5118) (personal needs allowance).

(o) \$1,716,000 of the general fund—state appropriation for fiscal year 2018, \$3,493,000 of the general fund—state appropriation for fiscal year 2019, and \$4,267,000 of the general fund—federal appropriation are provided solely for a targeted vendor rate increase to contracted client service providers.

(i) Within the amounts provided in this subsection, \$1,674,000 of the general fund—state appropriation for fiscal year 2018, \$3,424,000 of the general fund—state appropriation for fiscal year 2019, and \$4,126,000 of the general fund—federal appropriation are provided solely for a vendor rate increase of two percent in fiscal year 2018 and an additional two percent in fiscal year 2019 for all contracted vendors with the exception of nursing home providers, the program of all-inclusive care for the elderly, nurse delegators, community residential service providers, individual providers, agency providers, and adult family homes.

(ii) Within the amounts provided in this subsection, \$42,000 of the general fund—state appropriation for fiscal year 2018, \$69,000 of the general fund—state appropriation for fiscal year 2019, and \$141,000 of the general fund—federal appropriation are provided solely to increase vendor rates for adult residential care and enhanced adult residential care in the 2017-2019 fiscal biennium up to the statewide minimum wage established in Initiative Measure No. 1433.

(p) \$51,000 of the general fund—state appropriation for fiscal year 2018, \$51,000 of the general fund—state appropriation for fiscal year 2019, and \$102,000 of the general fund—federal appropriation are provided solely to increase the daily rate for private duty nursing in adult family homes by \$63.77.

(q) \$371,000 of the general fund—state appropriation for fiscal year 2018, \$445,000 of the general fund—state appropriation for fiscal year 2019, and \$1,069,000 of the general fund—federal appropriation are provided solely for increasing the hourly rate for nurse delegators from \$32.96 to \$45.32 effective September 1, 2017.

(r) \$212,000 of the general fund—state appropriation for fiscal year 2018 and \$269,000 of the general fund—federal appropriation are provided solely to implement Senate Bill No. . . . (S-2907.2). ~~((If the bill is not enacted by July 31, 2017, the amounts provided in this subsection shall lapse.))~~

(s) \$2,199,000 of the general fund—state appropriation for fiscal year 2018, \$2,878,000 of the general fund—state appropriation for fiscal year 2019, and \$6,388,000 of the general fund—federal appropriation are provided solely for the implementation of an agreement reached between the governor and the adult family home council under the provisions of chapter 41.56 RCW for the 2017-2019 fiscal biennium. ~~((Funding is contingent upon the enactment of Senate Bill No. 5969 (transparency in public employee collective bargaining). If the bill is not enacted by July 31, 2017, the amounts provided in this subsection shall lapse.))~~

(t) \$83,000 of the general fund—state appropriation for fiscal year 2019 and \$751,000 of the general fund—federal appropriation are provided solely for the development of an information technology solution that is flexible enough to accommodate all service providers impacted by the requirements for electronic visit verification outlined in the 21st century cures act.

(u) \$75,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for job training at the support education empowerment disability solutions program.

(v) \$623,000 of the general fund—state appropriation for fiscal year 2019 and \$623,000 of the general fund—federal appropriation are provided solely to hold community residential service provider rates harmless for instruction and support services and administration, to the extent possible within amounts appropriated in this subsection, if the tiered rate methodology is implemented effective January 1, 2019.

~~((~~(w)~~) (w) \$21,000 of the general fund—state appropriation for fiscal year 2019 and \$26,000 of the general fund—federal appropriation are provided solely to implement Substitute House Bill No. 2651 (personal needs allowance). ((If the bill is not enacted by June 30, 2018, the amounts provided in this subsection shall lapse.~~

~~((~~(x)~~) (x) \$34,000 of the general fund—state appropriation for fiscal year 2018, \$293,000 of the general fund—state appropriation for fiscal year 2019, and \$480,000 of the general fund—federal appropriation are provided solely to implement Engrossed Substitute Senate Bill No. 6199 (consumer directed employer organizations). ((If the bill is not enacted by June 30, 2018, the amounts provided in this subsection shall lapse.~~

~~((~~(y)~~) (y) The department of social and health services developmental disabilities administration shall participate in the development of an implementation plan to build statewide capacity among school districts to improve transition planning for students in special education who meet criteria for services from the developmental disabilities administration, pursuant to section 501(57) of this act.~~

~~((~~(z)~~) (z) \$290,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the enhancement of~~

existing parent-to-parent programs that serve parents of children with a developmental disability and the establishment of new programs in Okanogan county and Whitman county.

(2) INSTITUTIONAL SERVICES

General Fund—State Appropriation (FY 2018)	\$99,622,000
General Fund—State Appropriation (FY 2019)	(\$105,704,000)
	<u>\$114,417,000</u>
General Fund—Federal Appropriation	(\$202,562,000)
	<u>\$211,294,000</u>
General Fund—Private/Local Appropriation	\$27,041,000
Pension Funding Stabilization Account—State Appropriation	\$12,441,000
TOTAL APPROPRIATION	<u>\$447,370,000</u>
	<u>\$464,815,000</u>

The appropriations in this subsection are subject to the following conditions and limitations:

(a) Individuals receiving services as supplemental security income (SSI) state supplemental payments shall not become eligible for medical assistance under RCW 74.09.510 due solely to the receipt of SSI state supplemental payments.

(b) \$495,000 of the general fund—state appropriation for fiscal year 2018 and \$495,000 of the general fund—state appropriation for fiscal year 2019 are for the department to fulfill its contracts with the school districts under chapter 28A.190 RCW to provide transportation, building space, and other support services as are reasonably necessary to support the educational programs of students living in residential habilitation centers.

(c) \$2,978,000 of the general fund—state appropriation for fiscal year 2018, \$2,978,000 of the general fund—state appropriation for fiscal year 2019, and \$5,956,000 of the general fund—federal appropriation are for additional staff to ensure compliance with centers for medicare and medicaid services requirements for habilitation, nursing care, staff safety, and client safety at the residential habilitation centers.

(d) The residential habilitation centers may use funds appropriated in this subsection to purchase goods, supplies, and services through hospital group purchasing organizations when it is cost-effective to do so.

(e) \$2,000 of the general fund—state appropriation for fiscal year 2018, \$5,000 of the general fund—state appropriation for fiscal year 2019, and \$5,000 of the general fund—federal appropriation are provided solely to implement chapter 270, Laws of 2017 (SB 5118) (personal needs allowance).

(f) \$325,000 of the general fund—state appropriation for fiscal year 2019 and \$325,000 of the general fund—federal appropriation are provided solely for purposes of maintaining basic life-and-safety equipment and structures in a manner that supports a safe and compliant environment of care at the residential habilitation centers. The department is to develop a budget structure that allows for transparency in the management and monitoring of these expenditures as well as related performance and outcomes. The department is to report to the office of financial management on expenditure levels and outcomes achieved at the close of each fiscal year.

(g) \$2,288,000 of the general fund—state appropriation for fiscal year 2018, ~~(\$5,496,000)~~ \$14,527,000 of the general fund—state appropriation for fiscal year 2019, and ~~(\$7,784,000)~~ \$16,698,000 of the general fund—federal appropriation are provided solely for additional staffing resources to provide direct care to clients living in the intermediate care facilities at Rainier school, Fircrest school, and Lakeland village to address deficiencies identified by the centers for medicare and medicaid services, and to gather information for the 2019 legislative session

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that will support appropriate levels of care for residential habilitation center clients.

(i) The department of social and health services must contract with the William D. Ruckelshaus center or other neutral party to facilitate meetings and discussions about how to support appropriate levels of care for residential habilitation clients based on the clients' needs and ages. The options explored in the meetings and discussions must include, but are not limited to, conversion of cottages from certification as an intermediate care facility to certification and licensure as a skilled nursing facility, developing a state operated nursing facility for eligible clients, and placement of additional clients from the residential habilitation centers into state operated living alternatives. An agreed-upon preferred vision must be included within a report to the office of financial management and appropriate fiscal and policy committees of the legislature before December 1, 2018. The report must describe the policy rationale, implementation plan, timeline, and recommended statutory changes for the preferred vision.

The parties invited to participate in the meetings and discussion must include:

(A) One member from each of the two largest caucuses in the senate, who shall be appointed by the majority leader and minority leader of the senate;

(B) One member from each of the two largest caucuses in the house of representatives, who shall be appointed by the speaker and minority leader of the house of representatives;

(C) One member from the office of the governor, appointed by the governor;

(D) One member from the developmental disabilities council;

(E) One member from the ARC of Washington;

(F) One member from the Washington federation of state employees;

(G) One member from the service employee international union 1199;

(H) One member from the developmental disabilities administration within the department of social and health services;

(I) One member from the aging and long term support administration within the department of social and health services; and

(J) Two members who are family members or guardians of current residential habilitation center residents.

(ii) Before November 1, 2018, the department of social and health services must submit a report to the office of financial management and the appropriate fiscal and policy committees of the legislature that includes the following information: All information provided for subsections A through D below must be provided so as to clearly identify data that represents the intermediate care facility versus the skilled nursing facility components of the residential habilitation centers.

(A) The current number of clients living in the residential habilitation centers from the most recent month of available data. The information must be provided by month for each cottage on each campus, and must distinguish between long-term and short-term admissions.

(B) The average age of clients living in the residential habilitation centers from fiscal year 2013 through fiscal year 2018. The information must be provided by month for each cottage on each campus.

(C) The number of staff, segmented by the type of position, at the residential habilitation centers from fiscal year 2013 through fiscal year 2018. The information must be provided by month for each cottage on each campus. Any staff that are not directly

associated with a cottage must be provided separately for each campus.

(D) Ratios of staff to clients at the residential habilitation centers from fiscal year 2013 through fiscal year 2018. The ratios must include, but are not limited to, the number of direct care staff per client and the number of indirect care staff per client. The ratio of direct care staff per client must be provided by month for each cottage on each campus. The ratio of indirect care staff per client must be provided by month for each campus.

(E) The number of individuals with a developmental disability residing long term at the state psychiatric hospitals from fiscal year 2013 through fiscal year 2018. The information must be provided by month for each of the state psychiatric hospitals.

(F) The average age of individuals with a developmental disability residing long term at the state psychiatric hospitals from fiscal year 2013 through fiscal year 2018. The information must be provided by month for each of the state psychiatric hospitals.

(G) The following information pertinent to the goal of transitioning from the use of intermediate care facilities on residential habilitation center campuses to skilled nursing facilities, when appropriate to individual client needs and preferences, no later than January 1, 2021:

(I) An analysis of existing facilities that might serve as skilled nursing facilities, including options on residential habilitation center campuses and options off campus that might be purchased, rented, or leased by the state. The report must display location, closure date if applicable, and total bed capacity for each facility.

(II) The number of clients living in intermediate care facility cottages at the residential habilitation centers who meet the functional criteria for nursing facility level of care as determined by assessments conducted by the department.

(III) The number of clients living in intermediate care facility cottages at the residential habilitation centers whom, directly or through their legal guardian, express interest in or willingness to live in a skilled nursing facility in interviews and assessments conducted by the department.

(IV) A description of the process and a feasibility analysis for the transition of a cottage or multiple cottages at a residential habilitation center from certification as an intermediate care facility to certification and licensure as a skilled nursing facility no later than January 1, 2021. This section of the report must include, but is not limited to, a description of the role for the department of health, department of social and health services, and the centers for medicare and medicaid services.

(V) The estimated capital investment needed to transition a cottage, or multiple cottages, at a residential habilitation center from certification as an intermediate care facility to certification and licensure as a skilled nursing facility no later than January 1, 2021.

(H) Options for the alternate use of buildings, vacant or occupied, at Fircrest, Rainier, Yakima valley, or Lakeland village. The suggestions must include but are not limited to expanding capacity for nursing care, dental care, and other specialty services for individuals with developmental or intellectual disabilities.

(I) Options for transferring the ownership of charitable, educational, penal, and reform institutions land on the Fircrest campus from the department of natural resources to the department of social and health services.

(I) Purchase of the charitable, educational, penal, and reform institutions land on the Fircrest campus by the department of social and health services. This option must include but is not limited to the most recent appraisal of the value of charitable, educational, penal, and reform institutions land on the Fircrest campus.

(II) A land swap of equal value between the charitable, educational, penal, and reform institutions land on the Fircrest campus and other state-owned property.

(III) A combination of the options outlined within (I) and (II) of this subsection (g)(ii)(I).

(J) Options for the additional use of state operated living alternative placements to assist clients with the transition from an institutional setting to a community setting. The report must identify the number of clients who could transition into state operated living alternative placements, and the length of time necessary to transition clients into the additional placements.

(K) Options for establishing additional crisis stabilization services at the residential habilitation centers. The report must identify the operating costs, capital costs, timeline, and desired location associated with the additional capacity.

(L) Options for transferring individuals who have been residing long term at the state psychiatric hospitals into an alternative location, or multiple locations. One of the options must explore the possibility of transferring these individuals to the residential habilitation centers. For any option that is explored, the report must identify the operating costs, capital costs, timeline, and desired location associated with the additional capacity.

(M) The expenditures for overtime, prescription drugs, controlled substances, medical supplies, janitorial supplies, household supplies, maintenance supplies, and office supplies at the residential habilitation centers from fiscal year 2013 through fiscal year 2018. The information must be provided by month for each campus. The department must also provide the strategy, or strategies, that are being implemented to decrease expenditures for overtime, prescription drugs, controlled substances, medical supplies, janitorial supplies, household supplies, maintenance supplies, and office supplies at the residential habilitation centers.

(h) \$23,000 of the general fund—state appropriation for fiscal year 2019 and \$23,000 of the general fund—federal appropriation are provided solely to implement Substitute House Bill No. 2651 (personal needs allowance). ~~((If the bill is not enacted by June 30, 2018, the amounts provided in this subsection shall lapse.))~~

(i) \$121,000 of the general fund—state appropriation for fiscal year 2018, \$41,000 of the general fund—state appropriation for fiscal year 2019, and \$161,000 of the general fund—federal appropriation are provided solely for the replacement of items destroyed by fire at the laundry facility at Fircrest, and for the transportation of laundry from Fircrest to Rainier.

(j) \$802,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the transition of residents due to the decertification of Rainier school PAT A intermediate care facility by the centers for medicaid and medicare services in calendar year 2019.

(3) PROGRAM SUPPORT

General Fund—State Appropriation (FY 2018)	\$2,351,000
General Fund—State Appropriation (FY 2019)	(\$2,400,000)
	<u>\$2,506,000</u>
General Fund—Federal Appropriation	(\$2,982,000)
	<u>\$3,041,000</u>
Pension Funding Stabilization Account—State Appropriation	\$270,000
TOTAL APPROPRIATION	<u>\$8,003,000</u>
	<u>\$8,168,000</u>

(4) SPECIAL PROJECTS

General Fund—State Appropriation (FY 2018)	\$55,000
General Fund—State Appropriation (FY 2019)	\$62,000
General Fund—Federal Appropriation	\$1,092,000
Pension Funding Stabilization Account—State Appropriation	\$11,000

TOTAL APPROPRIATION \$1,220,000

Sec. 1105. 2018 c 299 s 206 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—AGING AND ADULT SERVICES PROGRAM

General Fund—State Appropriation (FY 2018)	\$1,077,208,000
General Fund—State Appropriation (FY 2019)	(\$1,208,320,000)
	<u>\$1,182,221,000</u>
General Fund—Federal Appropriation	(\$2,844,955,000)
	<u>\$2,826,756,000</u>
General Fund—Private/Local Appropriation	(\$35,766,000)
	<u>\$33,953,000</u>
Traumatic Brain Injury Account—State Appropriation	\$4,540,000
Skilled Nursing Facility Safety Net Trust Account— State Appropriation	\$133,360,000
Pension Funding Stabilization Account—State Appropriation	\$13,165,000
TOTAL APPROPRIATION	<u>\$5,317,314,000</u>
	<u>\$5,271,203,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1)(a) For purposes of implementing chapter 74.46 RCW, the weighted average nursing facility payment rate shall not exceed \$200.47 for fiscal year 2018 and shall not exceed \$216.64 for fiscal year 2019.

(b) The department shall provide a medicaid rate add-on to reimburse the medicaid share of the skilled nursing facility safety net assessment as a medicaid allowable cost. The nursing facility safety net rate add-on may not be included in the calculation of the annual statewide weighted average nursing facility payment rate.

(2) In accordance with RCW 18.51.050, 18.20.050, 70.128.060, and 43.135.055, the department is authorized to increase nursing facility, assisted living facility, and adult family home fees as necessary to fully support the actual costs of conducting the licensure, inspection, and regulatory programs. The license fees may not exceed the department’s annual licensing and oversight activity costs and shall include the department’s cost of paying providers for the amount of the license fee attributed to medicaid clients.

(a) The current annual renewal license fee for adult family homes shall be \$225 per bed beginning in fiscal year 2018 and \$225 per bed beginning in fiscal year 2019. A processing fee of \$2,750 shall be charged to each adult family home when the home is initially licensed. This fee is nonrefundable. A processing fee of \$700 shall be charged when adult family home providers file a change of ownership application.

(b) The current annual renewal license fee for assisted living facilities shall be \$106 per bed beginning in fiscal year 2018 and \$116 per bed beginning in fiscal year 2019.

(c) The current annual renewal license fee for nursing facilities shall be \$359 per bed beginning in fiscal year 2018 and \$359 per bed beginning in fiscal year 2019.

(3) The department is authorized to place long-term care clients residing in nursing homes and paid for with state only funds into less restrictive community care settings while continuing to meet the client’s care needs.

(4) \$1,858,000 of the general fund—state appropriation for fiscal year 2018 and \$1,857,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for

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operation of the volunteer services program. Funding shall be prioritized towards serving populations traditionally served by long-term care services to include senior citizens and persons with disabilities.

(5) \$14,674,000 of the general fund—state appropriation for fiscal year 2018, \$37,239,000 of the general fund—state appropriation for fiscal year 2019, and \$55,716,000 of the general fund—federal appropriation are provided solely for the implementation of the agreement reached between the governor and the service employees international union healthcare 775nw under the provisions of chapters 74.39A and 41.56 RCW for the 2017-2019 fiscal biennium. ~~((Funding is contingent upon the enactment of Senate Bill No. 5969 (transparency in public employee collective bargaining). If the bill is not enacted by July 31, 2017, the appropriation in this subsection shall lapse.))~~

(6) \$4,833,000 of the general fund—state appropriation for fiscal year 2018, \$13,413,000 of the general fund—state appropriation for fiscal year 2019, and \$22,812,000 of the general fund—federal appropriation are provided solely for the homecare agency parity impacts of the agreement between the governor and the service employees international union healthcare 775nw. ~~((Funding is contingent upon the enactment of Senate Bill No. 5969 (transparency in public employee collective bargaining). If the bill is not enacted by July 31, 2017, the appropriation in this subsection shall lapse.))~~

(7) \$5,094,000 of the general fund—state appropriation for fiscal year 2018 and \$5,094,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for services and support to individuals who are deaf, hard of hearing, or deaf-blind.

(8) The department may authorize a one-time waiver of all or any portion of the licensing and processing fees required under RCW 70.128.060 in any case in which the department determines that an adult family home is being relicensed because of exceptional circumstances, such as death or incapacity of a provider, and that to require the full payment of the licensing and processing fees would present a hardship to the applicant. In these situations the department is also granted the authority to waive the required residential administrator training for a period of 120 days if necessary to ensure continuity of care during the relicensing process.

(9) In accordance with RCW 18.390.030, the biennial registration fee for continuing care retirement communities shall be \$1,889 for each facility.

(10) \$234,000 of the general fund—state appropriation for fiscal year 2018 and \$479,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the kinship navigator program in the Colville Indian reservation, Yakama Nation, and other tribal areas.

(11) \$42,000 of the general fund—state appropriation for fiscal year 2018, \$127,000 of the general fund—state appropriation for fiscal year 2019, and \$169,000 of the general fund—federal appropriation are provided solely to implement chapter 270, Laws of 2017 (SB 5118) (personal needs allowance).

(12) Within available funds, the aging and long term support administration must maintain a unit within adult protective services that specializes in the investigation of financial abuse allegations and self-neglect allegations.

(13) Within amounts appropriated in this subsection, the department shall assist the legislature to continue the work of the joint legislative executive committee on planning for aging and disability issues.

(a) A joint legislative executive committee on aging and disability is continued, with members as provided in this subsection.

(i) Four members of the senate, with the leaders of the two largest caucuses each appointing two members, and four members of the house of representatives, with the leaders of the two largest caucuses each appointing two members;

(ii) A member from the office of the governor, appointed by the governor;

(iii) The secretary of the department of social and health services or his or her designee;

(iv) The director of the health care authority or his or her designee;

(v) A member from disability rights Washington and a member from the office of long-term care ombuds;

(vi) The insurance commissioner or his or her designee, who shall serve as an ex officio member; and

(vii) Other agency directors or designees as necessary.

(b) The committee must make recommendations and continue to identify key strategic actions to prepare for the aging of the population in Washington, including state budget and policy options, by conducting at least, but not limited to, the following tasks:

(i) Identify strategies to better serve the health care needs of an aging population and people with disabilities to promote healthy living and palliative care planning;

(ii) Identify strategies and policy options to create financing mechanisms for long-term service and supports that allow individuals and families to meet their needs for service;

(iii) Identify policies to promote financial security in retirement, support people who wish to stay in the workplace longer, and expand the availability of workplace retirement savings plans;

(iv) Identify ways to promote advance planning and advance care directives and implementation strategies for the Bree collaborative palliative care and related guidelines;

(v) Identify ways to meet the needs of the aging demographic impacted by reduced federal support;

(vi) Identify ways to protect the rights of vulnerable adults through assisted decision-making and guardianship and other relevant vulnerable adult protections;

(vii) Identify options for promoting client safety through residential care services and consider methods of protecting older people and people with disabilities from physical abuse and financial exploitation;

(viii) Identify other policy options and recommendations to help communities adapt to the aging demographic in planning for housing, land use, and transportation; and

(ix) Identify ways to support individuals with developmental disabilities with long-term care needs who are enrolled members of a federally recognized Indian tribe, or residing in the household of an enrolled members of a federally recognized Indian tribe, and are receiving care from a family member.

(c) At least one committee meeting must be devoted to the exploration of legislation that would allow family members to provide personal care services to persons with developmental disabilities or long-term care needs under a voluntary consumer-directed medicaid service program. During the meeting, the committee should hear testimony from as many impacted parties as possible, including clients, providers, advocacy groups, and staff from state agencies. Testimony should explore program design, program oversight, necessary statutory changes, barriers to implementation, fiscal estimates, and timeline for implementation.

(d) Staff support for the committee shall be provided by the office of program research, senate committee services, the office of financial management, and the department of social and health services.

(e) Within existing appropriations, the cost of meetings must be paid jointly by the senate, house of representatives, and the office of financial management. Joint committee expenditures are subject to approval by the senate facilities and operations committee and the house of representatives executive rules committee, or their successor committees. The joint committee members may be reimbursed for travel expenses as authorized under RCW 43.03.050 and 43.03.060, and chapter 44.04 RCW as appropriate. Advisory committee members may not receive compensation or reimbursement for travel and expenses.

(14)(a) The department of social and health services must facilitate a stakeholder work group consisting of assisted living provider associations and the state long-term care ombuds in a collaborative effort to redesign the medicaid payment methodology for contracted assisted living, adult residential care, and enhanced adult residential care. The department must submit a report with the final work group recommendations to the appropriate legislative committees by November 30, 2017. A proposed timeline for implementation of the new methodology must be included in the report. The new methodology must:

(i) Adhere to the standards of an acuity-based payment system as originally intended by the legislature, and the department will rely on the time study conducted in 2003 in establishing the acuity scale;

(ii) Create a standardized methodology that supports a reasonable medicaid payment that promotes access, choice, and quality;

(iii) Incorporate metrics such as medians, lids, floors, and other options that provide flexibility to adjust to economic conditions while maintaining the integrity of the methodology;

(iv) Be supported by relevant, reliable, verifiable, and independent data to the extent possible; and

(v) To the extent possible, repurpose and streamline data sources and modeling that the aging and long-term support administration uses for other rate-setting processes.

(b) In developing payment metrics for medicaid-covered services, staff and service requirements must be reviewed for assisted living, adult residential care, and enhanced adult residential care as described in chapters 74.39A and 18.20 RCW. At a minimum, the proposed rate methodology must include a component that recognizes staffing for intermittent nursing and personal care services. Service area adjustments based on population density must be reviewed and compared with other options to recognize high-cost areas. The most recent and complete wage data available through the bureau of labor statistics must also be included for review and consideration. The methodology work group must consider operational requirements and indirect services in developing the model. The work group must include a rate component that recognizes statutory and regulatory physical plant requirements. The work group must review and consider physical plant requirements for assisted living as described in chapter 51.50 RCW. A fair rental valuation must be reviewed and considered as an option for the capital component. The recognition of food for medicaid residents must also be included in the work group considerations. The department's current methodology to address room and board requirements, and the appropriateness of the continued use of the 2003 time study and whether it can be reasonably adjusted or whether a new time study should be conducted, must be reviewed and considered by the work group.

(15) Within amounts appropriated in this section, the department must pay medicaid nursing facility payment rates for public hospital district providers in rural communities as defined under chapter 70.44 RCW that are no less than June 30, 2016, reimbursement levels. This action is intended to assure continued access to essential services in rural communities.

(16) \$5,370,000 of the general fund—state appropriation for fiscal year 2018, \$10,199,000 of the general fund—state appropriation for fiscal year 2019, and \$18,346,000 of the general fund—federal appropriation are provided solely for a targeted vendor rate increase to contracted client service providers.

(a) Within the amounts provided in this subsection, \$2,763,000 of the general fund—state appropriation for fiscal year 2018, \$5,741,000 of the general fund—state appropriation for fiscal year 2019, and \$9,775,000 of the general fund—federal appropriation are provided solely for a vendor rate increase of two percent in fiscal year 2018 and an additional two percent in fiscal year 2019 for all contracted vendors with the exception of nursing home providers, the program of all-inclusive care for the elderly, nurse delegators, community residential service providers, individual providers, agency providers, and adult family homes.

(b) Within the amounts provided in this subsection, \$2,607,000 of the general fund—state appropriation for fiscal year 2018, \$4,458,000 of the general fund—state appropriation for fiscal year 2019, and \$8,571,000 of the general fund—federal appropriation are provided solely to increase vendor rates for nursing homes, assisted living facilities including adult residential care and enhanced adult residential care, adult day health and adult day care providers, and home care agency administration in the 2017-2019 fiscal biennium up to the statewide minimum wage established in Initiative Measure No. 1433.

(17) \$4,815,000 of the general fund—state appropriation for fiscal year 2018, \$8,527,000 of the general fund—state appropriation for fiscal year 2019, and \$12,277,000 of the general fund—federal appropriation are provided solely to create new community alternative placement beds that prioritize the transition of clients who are ready for discharge from the state psychiatric hospitals, but who have additional long-term care or developmental disability needs.

(a) Community alternative placement beds include enhanced service facility beds, adult family home beds, skilled nursing facility beds, shared supportive housing beds, state operated living alternative beds, and assisted living facility beds.

(b) Each client must receive an individualized assessment prior to leaving one of the state psychiatric hospitals. The individualized assessment must identify and authorize personal care, nursing care, behavioral health stabilization, physical therapy, or other necessary services to meet the unique needs of each client. It is the expectation that, in most cases, staffing ratios in all community alternative placement options described in (a) of this subsection will need to increase to meet the needs of clients leaving the state psychiatric hospitals. If specialized training is necessary to meet the needs of a client before he or she enters a community placement, then the person centered service plan must also identify and authorize this training.

(c) When reviewing placement options, the department must consider the safety of other residents, as well as the safety of staff, in a facility. An initial evaluation of each placement, including any documented safety concerns, must occur within thirty days of a client leaving one of the state psychiatric hospitals and entering one of the community placement options described in (a) of this subsection. At a minimum, the department must perform two additional evaluations of each placement during the first year that a client has lived in the facility.

(d) During fiscal year 2018, in a presentation to the select committee on quality improvement in state hospitals, the department must describe the process of fielding and subsequently investigating complaints of abuse, neglect, and exploitation within the community alternative placement options described in (a) of this subsection. At a minimum, the

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presentation must include data about the number of complaints, and the nature of complaints, over the preceding five fiscal years.

(e) During fiscal year 2019, in a presentation to the select committee on quality improvement in state hospitals, the department must provide an update about clients placed out of the state psychiatric hospitals into the community alternative placement options described in (a) of this subsection. At a minimum, for each setting, the presentation must include data about the number of placements, average daily rate, complaints fielded, and complaints investigated. The presentation must also include information about modifications, including the placement of clients into alternate settings, that occurred due to the evaluations required under (c) of this subsection.

In developing bed capacity, the department shall consider the complex needs of individuals waiting for discharge from the state psychiatric hospitals.

(18) \$315,000 of the general fund—state appropriation for fiscal year 2018, \$315,000 of the general fund—state appropriation for fiscal year 2019, and \$630,000 of the general fund—federal appropriation are provided solely for discharge case managers stationed at the state psychiatric hospitals. Discharge case managers will transition clients ready for hospital discharge into less restrictive alternative community placements. The transition of clients ready for discharge will free up bed capacity at the state psychiatric hospitals.

(19) \$135,000 of the general fund—state appropriation for fiscal year 2018, \$135,000 of the general fund—state appropriation for fiscal year 2019, and \$270,000 of the general fund—federal appropriation are provided solely for financial service specialists stationed at the state psychiatric hospitals. Financial service specialists will help to transition clients ready for hospital discharge into alternative community placements. The transition of clients ready for discharge will free up bed capacity at the state hospitals.

(20) \$5,007,000 of the general fund—state appropriation for fiscal year 2018, \$5,143,000 of the general fund—state appropriation for fiscal year 2019, and \$10,154,000 of the general fund—federal appropriation are provided solely to implement chapter 286, Laws of 2017 (SB 5715) (nursing home payments).

(21) \$750,000 of the general fund—state appropriation for fiscal year 2018 and \$750,000 of the general fund—state appropriation for fiscal year 2019 are provided solely to implement chapter 287, Laws of 2017 (SB 5736) (nutrition programs).

(22) \$183,000 of the general fund—state appropriation for fiscal year 2018, \$92,000 of the general fund—state appropriation for fiscal year 2019, and \$2,479,000 of the general fund—federal appropriation are provided solely to finish the programming necessary to give the department the ability to pay individual provider overtime when hours over 40 hours per week are authorized for payment and are subject to the conditions, limitations, and review provided in section 724 of this act.

(23) \$229,000 of the general fund—state appropriation for fiscal year 2018, \$229,000 of the general fund—state appropriation for fiscal year 2019, and \$458,000 of the general fund—federal appropriation are provided solely to increase the daily rate for private duty nursing in adult family homes by \$63.77.

(24) \$246,000 of the general fund—state appropriation for fiscal year 2018 and \$313,000 of the general fund—federal appropriation are provided solely to implement Senate Bill No. . . . (S-2907.2). ~~((If the bill is not enacted by July 31, 2017, the amounts provided in this subsection shall lapse.))~~

(25)(a) No more than \$41,388,000 of the general fund—federal appropriation may be expended for tailored support for older

adults and medicaid alternative care described in initiative 2 of the medicaid transformation demonstration waiver under healthier Washington. The department shall not increase general fund—state expenditures on this initiative. The secretary in collaboration with the director of the health care authority shall report to the joint select committee on health care oversight no less than quarterly on financial and health outcomes. The secretary in cooperation with the director shall also report to the fiscal committees of the legislature all of the expenditures of this subsection and shall provide such fiscal data in the time, manner, and form requested by the legislative fiscal committees. Beginning May 1, 2019, the department shall freeze participation in initiative 2 at the current level of enrollment. No new participants may be added without further federal approval.

(b) No more than \$2,200,000 of the general fund—federal appropriation may be expended for supported housing and employment services described in initiative 3a and 3b of the medicaid transformation demonstration waiver under healthier Washington. Under this initiative, the department and the health care authority shall ensure that allowable and necessary services are provided to eligible clients as identified by the department or its providers third party administrator. The department and the authority in consultation with the medicaid forecast work group shall ensure that reasonable reimbursements are established for services deemed necessary within an identified limit per individual. The department shall not increase general fund—state expenditures under this initiative. The secretary in cooperation with the director shall report to the joint select committee on health care oversight no less than quarterly on financial and health outcomes. The secretary in cooperation with the director shall also report to the fiscal committees of the legislature all of the expenditures of this subsection and shall provide such fiscal data in the time, manner, and form requested by the legislative fiscal committees. Beginning May 1, 2019, the department shall freeze participation in initiatives 3a and 3b at the current level of enrollment. No new participants may be added without further federal approval.

(26) \$351,000 of the general fund—state appropriation for fiscal year 2018, \$421,000 of the general fund—state appropriation for fiscal year 2019, and \$1,012,000 of the general fund—federal appropriation are provided solely for increasing the hourly rate for nurse delegators from \$32.96 to \$45.32 effective September 1, 2017.

(27) \$10,017,000 of the general fund—state appropriation for fiscal year 2018, \$13,111,000 of the general fund—state appropriation for fiscal year 2019, and \$29,104,000 of the general fund—federal appropriation are provided solely for the implementation of an agreement reached between the governor and the adult family home council under the provisions of chapter 41.56 RCW for the 2017-2019 fiscal biennium. Funding is contingent upon the enactment of Senate Bill No. 5969 (transparency in public employee collective bargaining). ~~((If the bill is not enacted by July 31, 2017, the amounts provided in this subsection shall lapse.))~~

(28) \$217,000 of the general fund—state appropriation for fiscal year 2019 and \$1,949,000 of the general fund—federal appropriation are provided solely for the development of an information technology solution that is flexible enough to accommodate all service providers impacted by the requirements for electronic visit verification outlined in the 21st century cures act.

(29) \$40,000 of the general fund—state appropriation for fiscal year 2019 and \$40,000 of the general fund—federal appropriation are provided solely for the department, in partnership with the department of health and the health care authority, to assist a

collaborative public-private entity with implementation of recommendations in the state plan to address alzheimer’s disease and other dementias.

~~((31))~~ (30) \$1,000,000 of the general fund—state appropriation for fiscal year 2019 and \$1,200,000 of the general fund—federal appropriation are provided solely to maintain client access to medicaid contracted assisted living, enhanced adult residential care, and adult residential care services under chapter 74.39A RCW. Licensed assisted living facilities that contract with the department to serve medicaid clients under these specified contract types must have an average medicaid occupancy of at least sixty percent, determined using the medicaid days from the immediately preceding calendar year during the months of July 1st through December 31st to qualify for additional funding under this subsection.

~~((32))~~ (31) \$615,000 of the general fund—state appropriation for fiscal year 2019 and \$698,000 of the general fund—federal appropriation are provided solely to implement Substitute House Bill No. 2651 (personal needs allowance). ~~((If the bill is not enacted by June 30, 2018, the amounts provided in this subsection shall lapse.~~

~~((33))~~ (32) \$166,000 of the general fund—state appropriation for fiscal year 2018, \$800,000 of the general fund—state appropriation for fiscal year 2019, and \$1,510,000 of the general fund—federal appropriation are provided solely to implement Engrossed Substitute Senate Bill No. 6199 (consumer directed employer organizations). ~~((If the bill is not enacted by June 30, 2018, the amounts provided in this subsection shall lapse.~~

~~((34))~~ (33) \$100,000 of the general fund—state appropriation for fiscal year 2019 and \$100,000 of the general fund—federal appropriation are provided solely for the department of social and health services aging and long-term support administration to contract for an updated actuarial model of the 2016 independent feasibility study and actuarial modeling of public and private options for leveraging private resources to help individuals prepare for long-term services and supports needs. The follow-up study must model alternative variations of the previously studied public long-term care benefit for workers, funded through a payroll deduction that would provide a time-limited long-term care insurance benefit, including but not limited to alternative minimum hours worked per year for vesting.

(b) The feasibility study and actuarial analysis must include input from the joint legislative executive committee on aging and disability and other interested stakeholders, and must include an analysis of each variation based on:

- (i) The expected costs and benefits for participants;
- (ii) The total anticipated number of participants;
- (iii) The projected savings to the state medicaid program, if any; and
- (iv) Legal and financial risks to the state.

(c) The department must provide status updates to the joint legislative executive committee on aging and disability. The feasibility study and actuarial analysis shall be completed and submitted to the department by September 1, 2018. The department shall submit a report, including the director’s findings and recommendations based on the feasibility study and actuarial analysis, to the governor and the appropriate committees of the legislature by October 1, 2018.

~~((35))~~ (34) \$50,000 of the general fund—state appropriation for fiscal year 2019 and \$50,000 of the general fund—federal appropriation are provided solely for the department of social and health services aging and long-term support administration to contract with the area agencies on aging to convene a work group to include long-term care industry members, family members who provide long-term services and supports, and other groups with interest in long-term services and supports to develop a

proposal on how family members could be included as providers of long-term services and supports under the previously studied public long-term care benefit. The work group shall review options and propose:

(a) Minimum qualifications that would allow a family caregiver to serve as a long-term services and supports provider, which may:

- (i) Be distinct from the qualifications on the effective date of this act for individual providers;
- (ii) Require training based primarily on the individual needs and preferences of the beneficiary;
- (iii) Take into account the existing relationship between the family caregiver and the beneficiary, the duration of the caregiving experience, and the type of care being provided.

(b) Administrative program options for providing compensation, benefits, and protections for family caregivers, considering cost-effectiveness and administrative simplification. The program options shall consider how to preserve the quality of the long-term care workforce and must include worker protections and benefits.

(c) The work group shall develop recommendations and provide the recommendations to the joint legislative and executive committee on aging and disability by November 15, 2018.

(35) \$226,000 of the general fund—state appropriation for fiscal year 2019 and \$225,000 of the general fund—federal appropriation are provided solely for a pilot program to test an asset verification system. The department shall report to the governor and the appropriate committees of the legislature prior to December 1, 2019, the results of the pilot, information gathered on cost savings and other benefits of implementing an asset verification system, and the plan and cost estimate of implementing the system statewide.

Sec. 1106. 2018 c 299 s 207 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—ECONOMIC SERVICES PROGRAM

General Fund—State Appropriation (FY 2018)	\$362,611,000
General Fund—State Appropriation (FY 2019)	(\$373,055,000)
	<u>\$397,696,000</u>
General Fund—Federal Appropriation	(\$1,443,711,000)
	<u>\$1,441,999,000</u>
General Fund—Private/Local Appropriation	(\$5,144,000)
	<u>\$5,330,000</u>
Administrative Contingency Account—State Appropriation	\$5,400,000
Pension Funding Stabilization Account—State Appropriation	\$29,264,000
<u>Domestic Violence Prevention Account—State Appropriation</u>	<u>\$1,002,000</u>
TOTAL APPROPRIATION	<u>\$2,219,185,000</u>
	<u>\$2,243,302,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1)(a) \$125,399,000 of the general fund—state appropriation for fiscal year 2018, ~~(\$124,458,000)~~ \$130,143,000 of the general fund—state appropriation for fiscal year 2019, ~~(\$836,761,000)~~ \$836,762,000 of the general fund—federal appropriation, \$5,400,000 of the administrative contingency account—state appropriation, and \$8,155,000 of the pension funding stabilization account—state appropriation are provided solely for all components of the WorkFirst program. Within the amounts provided for the WorkFirst program, the department

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may provide assistance using state-only funds for families eligible for temporary assistance for needy families. The department must create a WorkFirst budget structure that allows for transparent tracking of budget units and subunits of expenditures where these units and subunits are mutually exclusive from other department budget units. The budget structure must include budget units for the following: Cash assistance, child care, WorkFirst activities, and administration of the program. Within these budget units, the department must develop program index codes for specific activities and develop allotments and track expenditures using these codes. The department shall report to the office of financial management and the relevant fiscal and policy committees of the legislature prior to adopting a structure change.

(b) (~~(\$260,135,000)~~) \$266,354,000 of the amounts in (a) of this subsection are provided solely for assistance to clients, including grants, diversion cash assistance, and additional diversion emergency assistance including but not limited to assistance authorized under RCW 74.08A.210. The department may use state funds to provide support to working families that are eligible for temporary assistance for needy families but otherwise not receiving cash assistance. Within amounts provided in (b) of this subsection, \$1,622,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5890 (foster care and adoption). (~~(If the bill is not enacted by July 31, 2017, the amount provided in this subsection shall lapse.)~~) Of the amounts provided in this subsection (1)(b), \$8,975,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the department to increase the grant standard.

(c) (~~(\$158,444,000)~~) \$157,413,000 of the amounts in (a) of this subsection are provided solely for WorkFirst job search, education and training activities, barrier removal services, limited English proficiency services, and tribal assistance under RCW 74.08A.040. The department must allocate this funding based on client outcomes and cost effectiveness measures. Amounts provided in (c) of this subsection include funding for implementation of chapter 156, Laws of 2017 (2SSB 5347) (WorkFirst "work activity"). Within amounts provided in (c) of this subsection, the department shall implement the working family support program. The department shall adopt rules to take effect July 31, 2017, to limit the working family support program at 10,000 households.

(~~(\$1,700,000)~~) \$2,043,000 of the funds appropriated in (~~(e)~~) this subsection ((1)(c)) are provided solely for enhanced transportation assistance provided that the department prioritize the use of these funds for the recipients most in need of financial assistance to facilitate their return to work. The department must not utilize these funds to supplant repayment arrangements that are currently in place to facilitate the reinstatement of drivers' licenses.

(d)(i) \$477,054,000 of the amounts in (a) of this subsection are provided solely for the working connections child care program under RCW (~~(43,215,135)~~) 43,216,020. In order to not exceed the appropriated amount, the department shall manage the program so that the average monthly caseload does not exceed 33,000 households and the department shall give prioritized access into the program according to the following order:

- (A) Families applying for or receiving temporary assistance for needy families (TANF);
- (B) TANF families curing sanction;
- (C) Foster children;
- (D) Families that include a child with special needs;
- (E) Families in which a parent of a child in care is a minor who is not living with a parent or guardian and who is a full-time

student in a high school that has a school-sponsored on-site child care center;

(F) Families with a child residing with a biological parent or guardian who have received child protective services, child welfare services, or a family assessment response from the department in the past six months, and has received a referral for child care as part of the family's case management.

(G) Families that received subsidies within the last thirty days and:

- (I) Have reapplied for subsidies; and
- (II) Have household income of two hundred percent federal poverty level or below; and

(H) All other eligible families.

(ii) The department, within existing appropriations, must ensure quality control measures for the working connections child care program by maximizing the use of information technology systems and the development or modification of the application and standard operating procedures to ensure that cases are:

(A) Appropriately and accurately processed; and

(B) Routinely monitored for eligibility in a manner that is similar to processes and systems currently in place for regular monitoring in other public assistance programs. Eligibility criteria routinely monitored must include, at a minimum:

(I) Participation in work or other approved activities;

(II) Household composition; and

(III) Maximum number of subsidized child care hours authorized.

The department must submit a preliminary report by December 1, 2017, and a final report by December 1, 2018, to the governor and the appropriate fiscal and policy committees of the legislature detailing the specific actions taken to implement this subsection.

(iii) Of the amounts provided in (d) of this subsection, \$4,620,000 of the appropriation for fiscal year 2018 and \$4,792,000 of the appropriation for fiscal year 2019 are provided for a base rate increase, a rate increase for Family Friend and Neighbor providers, covering an increase for health insurance premiums, and increasing paid professional development days from three days to five days. This funding is for the 2017-2019 collective bargaining agreement covering family child care providers as set forth in section 940 of this act.

(iv) Of the amounts provided in (d) of this subsection, \$8,547,000 of the general fund—state appropriation for fiscal year 2018 and \$10,438,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for subsidy base rate increases for child care center providers.

(e) \$34,248,000 of the general fund—federal appropriation is provided solely for child welfare services within the department of children, youth, and families.

(f) (~~(\$170,292,000)~~) \$170,823,000 of the amounts in (1)(a) of this section are provided solely for WorkFirst and working connections child care administration and overhead. \$127,000 of the funds appropriated in this subsection for fiscal year 2019 are provided solely for implementation of chapter 9, Laws of 2017 3rd sp. sess. (working connections child care).

(g) The amounts in subsections (1)(b) through (e) of this section shall be expended for the programs and in the amounts specified. However, the department may transfer up to 10 percent of funding between subsections (1)(b) through (f) of this section. The department shall provide notification prior to any transfer to the office of financial management and to the appropriate legislative committees and the legislative-executive WorkFirst oversight task force. The approval of the director of financial management is required prior to any transfer under this subsection.

(h) Each calendar quarter, the department shall provide a maintenance of effort and participation rate tracking report for temporary assistance for needy families to the office of financial management, the appropriate policy and fiscal committees of the legislature, and the legislative-executive WorkFirst oversight task force. The report must detail the following information for temporary assistance for needy families:

(i) An overview of federal rules related to maintenance of effort, excess maintenance of effort, participation rates for temporary assistance for needy families, and the child care development fund as it pertains to maintenance of effort and participation rates;

(ii) Countable maintenance of effort and excess maintenance of effort, by source, provided for the previous federal fiscal year;

(iii) Countable maintenance of effort and excess maintenance of effort, by source, for the current fiscal year, including changes in countable maintenance of effort from the previous year;

(iv) The status of reportable federal participation rate requirements, including any impact of excess maintenance of effort on participation targets;

(v) Potential new sources of maintenance of effort and progress to obtain additional maintenance of effort; and

(vi) A two-year projection for meeting federal block grant and contingency fund maintenance of effort, participation targets, and future reportable federal participation rate requirements.

(i) In the 2017-2019 fiscal biennium, it is the intent of the legislature to provide appropriations from the state general fund for the purposes of (b) through (f) of this subsection if the department does not receive additional federal temporary assistance for needy families contingency funds in each fiscal year as assumed in the budget outlook.

(j) The department must submit a report by December 1, 2018, to the governor and the appropriate fiscal and policy committees of the legislature that estimates the caseload and fiscal impact of returning to pre-2011 temporary assistance for needy families policies. At a minimum, the report must include an analysis of the caseload and fiscal impact of:

(i) Removing the sixty-month lifetime limit;

(ii) Lessening sanction policies; and

(iii) No longer requiring the WorkFirst orientation.

(2) \$1,657,000 of the general fund—state appropriation for fiscal year 2018 and \$1,657,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for naturalization services.

(3) \$2,366,000 of the general fund—state appropriation for fiscal year 2018 is provided solely for employment services for refugees and immigrants, of which \$1,774,000 is provided solely for the department to pass through to statewide refugee and immigrant assistance organizations for limited English proficiency pathway services; and \$2,366,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for employment services for refugees and immigrants, of which \$1,774,000 is provided solely for the department to pass through to statewide refugee and immigrant assistance organizations for limited English proficiency pathway services.

(4) On January 1, 2017, and annually thereafter, the department must report to the governor and the legislature on all sources of funding available for both refugee and immigrant services and naturalization services during the current fiscal year and the amounts expended to date by service type and funding source. The report must also include the number of clients served and outcome data for the clients.

(5) To ensure expenditures remain within available funds appropriated in this section, the legislature establishes the benefit under the state food assistance program, pursuant to RCW

74.08A.120, to be one hundred percent of the federal supplemental nutrition assistance program benefit amount.

(6) The department shall review clients receiving services through the aged, blind, or disabled assistance program, to determine whether they would benefit from assistance in becoming naturalized citizens, and thus be eligible to receive federal supplemental security income benefits. Those cases shall be given high priority for naturalization funding through the department.

(7) \$856,000 of the general fund—state appropriation for fiscal year 2018, ~~(\$1,848,000)~~ \$2,913,000 of the general fund—state appropriation for fiscal year 2019, and ~~(\$16,267,000)~~ \$12,034,000 of the general fund—federal appropriation are provided solely for ESAR Architectural Development and are subject to the conditions, limitations, and review provided in section 724 of this act.

(8) The department shall continue the interagency agreement with the department of veterans' affairs to establish a process for referral of veterans who may be eligible for veterans' services. This agreement must include out-stationing department of veterans' affairs staff in selected community service office locations in King and Pierce counties to facilitate applications for veterans' services.

(9) \$750,000 of the general fund—state appropriation for fiscal year 2018 and \$750,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for operational support of the Washington information network 211 organization.

(10) \$90,000 of the general fund—state appropriation for fiscal year 2018, \$8,000 of the general fund—state appropriation for fiscal year 2019, and \$36,000 of the general fund—federal appropriation are provided solely for implementation of chapter 270, Laws of 2017 (SB 5118) (personal needs allowance).

(11) \$438,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the implementation of Engrossed Second Substitute House Bill No. 1831 (public assistance/resources). ~~((If the bill is not enacted by June 30, 2018, the amount provided in this subsection shall lapse.))~~

(12) \$43,000 of the general fund—state appropriation for fiscal year 2018 and \$16,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the implementation of Engrossed Second Substitute Bill No. 2667 (essential needs/ABD programs). ~~((If the bill is not enacted by June 30, 2018, the amount provided in this subsection shall lapse.))~~

(13) \$58,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the implementation of Substitute House Bill No. 2651 (personal needs allowance). ~~((If the bill is not enacted by June 30, 2018, the amount provided in this subsection shall lapse.))~~

(14) \$5,000,000 of the general fund—federal appropriation is provided solely for the resources to initiate successful employment program. The department shall submit a preliminary report of its findings of the impact of this program on increasing employment to the appropriate committees of the legislature no later than January 1, 2019, with a final report submitted no later than June 30, 2019.

(15) \$121,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for implementation of Substitute Senate Bill No. 5683 (Pacific Islander health care). ~~((If the bill is not enacted by June 30, 2018, the amount provided in this subsection shall lapse.))~~

(16) \$51,000 of the general fund—state appropriation for fiscal year 2019 and \$21,000 of the general fund—federal appropriation are provided solely to implement Second Substitute House Bill No. 1513 (youth voter registration information). ~~((If the bill is not enacted by June 30, 2018, the amounts provided in this subsection shall lapse.))~~

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(17) \$22,000 of the general fund—state appropriation for fiscal year 2019 and \$43,000 of the general fund—federal appropriation are provided solely to implement Engrossed Substitute Senate Bill No. 6037 (uniform parentage act). ~~((If the bill is not enacted by June 30, 2018, the amount provided in this subsection shall lapse.))~~

Sec. 1107. 2018 c 299 s 209 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—VOCATIONAL REHABILITATION PROGRAM

General Fund—State Appropriation (FY 2018)	\$13,890,000
General Fund—State Appropriation (FY 2019)	(\$14,443,000)
	<u>\$14,564,000</u>
General Fund—Federal Appropriation	\$109,730,000
Pension Funding Stabilization Account—State Appropriation	\$2,024,000
TOTAL APPROPRIATION	<u>\$140,087,000</u>
	<u>\$140,208,000</u>

The appropriations in this section are subject to the following conditions and limitations: The department of social and health services vocational rehabilitation program shall participate in the development of an implementation plan to build statewide capacity among school districts to improve transition planning for students in special education who meet criteria for services from the developmental disabilities administration, pursuant to section 501(57) of this act.

Sec. 1108. 2018 c 299 s 210 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—SPECIAL COMMITMENT PROGRAM

General Fund—State Appropriation (FY 2018)	\$46,202,000
General Fund—State Appropriation (FY 2019)	(\$47,157,000)
	<u>\$48,469,000</u>
Pension Funding Stabilization Account—State Appropriation	\$4,858,000
TOTAL APPROPRIATION	<u>\$98,217,000</u>
	<u>\$99,529,000</u>

The appropriations in this section are subject to the following conditions and limitations: The special commitment center may use funds appropriated in this subsection to purchase goods and supplies through hospital group purchasing organizations when it is cost-effective to do so.

Sec. 1109. 2018 c 299 s 211 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—ADMINISTRATION AND SUPPORTING SERVICES PROGRAM

General Fund—State Appropriation (FY 2018)	\$33,712,000
General Fund—State Appropriation (FY 2019)	(\$29,364,000)
	<u>\$29,515,000</u>
General Fund—Federal Appropriation	(\$43,831,000)
	<u>\$43,912,000</u>
Pension Funding Stabilization Account—State Appropriation	\$6,247,000
TOTAL APPROPRIATION	<u>\$113,154,000</u>
	<u>\$113,386,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$300,000 of the general fund—state appropriation for fiscal year 2018 and \$500,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for a Washington state mentoring organization to continue its public-private partnerships to provide technical assistance and training to mentoring programs that serve at-risk youth.

(2) Within amounts appropriated in this section, the department shall provide to the department of health, where available, the following data for all nutrition assistance programs funded by the United States department of agriculture and administered by the department. The department must provide the report for the preceding federal fiscal year by February 1, 2018, and February 1, 2019. The report must provide:

- (a) The number of people in Washington who are eligible for the program;
- (b) The number of people in Washington who participated in the program;
- (c) The average annual participation rate in the program;
- (d) Participation rates by geographic distribution; and
- (e) The annual federal funding of the program in Washington.

(3) \$1,216,000 of the general fund—state appropriation for fiscal year 2019 and \$515,000 of the general fund—federal appropriation are provided solely for the implementation of Engrossed Second Substitute House Bill No. 1661 (child, youth, families department). ~~((If the bill is not enacted by July 31, 2017, the amount provided in this subsection shall lapse.))~~

(4) \$81,000 of the general fund—state appropriation for fiscal year 2018, \$86,000 of the general fund—state appropriation for fiscal year 2019, and \$167,000 of the general fund—federal appropriation are provided solely for the implementation of an agreement reached between the governor and the Washington federation of state employees for the language access providers under the provisions of chapter 41.56 RCW for the 2017-2019 fiscal biennium. Funding is contingent upon the enactment of Senate Bill No. 5969 (transparency in public employee collective bargaining). ~~((If the bill is not enacted by July 31, 2017, the amounts provided in this subsection shall lapse.))~~

Sec. 1110. 2018 c 299 s 212 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—PAYMENTS TO OTHER AGENCIES PROGRAM

General Fund—State Appropriation (FY 2018)	\$82,245,000
General Fund—State Appropriation (FY 2019)	(\$42,783,000)
	<u>\$42,708,000</u>
General Fund—Federal Appropriation	(\$57,081,000)
	<u>\$56,846,000</u>
TOTAL APPROPRIATION	<u>\$182,109,000</u>
	<u>\$181,799,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$39,000 of the general fund—state appropriation for fiscal year 2018 and \$11,000 of the general fund—federal appropriation are provided solely for the implementation of Engrossed Second Substitute House Bill No. 1661 (child, youth, families department). ~~((If the bill is not enacted by July 31, 2017, the amounts provided in this subsection shall lapse.))~~

(2) \$12,000 of the general fund—state appropriation for fiscal year 2018, \$12,000 of the general fund—state appropriation for fiscal year 2019, and \$24,000 of the general fund—federal appropriation are provided solely for the implementation of chapter 268, Laws of 2017 (2SHB 1402) (incapacitated persons/rights).

(3) Within the amounts appropriated in this section, the department must extend master property insurance to all buildings owned by the department valued over \$250,000 and to all locations leased by the department with contents valued over \$250,000.

(4) \$157,000 of the general fund—state appropriation for fiscal year 2018, \$159,000 of the general fund—state appropriation for fiscal year 2019, and \$134,000 of the general fund—federal appropriation are provided solely for legal support, including formal proceedings and informal client advice, associated with adult protective service investigations.

Sec. 1111. 2018 c 299 s 213 (uncodified) is amended to read as follows:

FOR THE STATE HEALTH CARE AUTHORITY

During the 2017-2019 fiscal biennium, the health care authority shall provide support and data as required by the office of the state actuary in providing the legislature with health care actuarial analysis, including providing any information in the possession of the health care authority or available to the health care authority through contracts with providers, plans, insurers, consultants, or any other entities contracting with the health care authority.

Information technology projects or investments and proposed projects or investments impacting time capture, payroll and payment processes and systems, eligibility, case management, and authorization systems within the health care authority are subject to technical oversight by the office of the chief information officer.

The health care authority shall not initiate any services that require expenditure of state general fund moneys unless expressly authorized in this act or other law. The health care authority may seek, receive, and spend, under RCW 43.79.260 through 43.79.282, federal moneys not anticipated in this act as long as the federal funding does not require expenditure of state moneys for the program in excess of amounts anticipated in this act. If the health care authority receives unanticipated unrestricted federal moneys, those moneys shall be spent for services authorized in this act or in any other legislation providing appropriation authority, and an equal amount of appropriated state general fund moneys shall lapse. Upon the lapsing of any moneys under this subsection, the office of financial management shall notify the legislative fiscal committees. As used in this subsection, "unrestricted federal moneys" includes block grants and other funds that federal law does not require to be spent on specifically defined projects or matched on a formula basis by state funds.

The appropriations to the health care authority in this act shall be expended for the programs and in the amounts specified in this act. To the extent that appropriations in this section are insufficient to fund actual expenditures in excess of caseload forecasts and utilization assumptions, the authority, after May 1, ~~((2018))~~ 2019, may transfer general fund—state appropriations for fiscal year ~~((2018))~~ 2019 that are provided solely for a specified purpose. The authority may not transfer funds, and the director of the office of financial management shall not approve the transfer, unless the transfer is consistent with the objective of conserving, to the maximum extent possible, the expenditure of state funds. The director of the office of financial management shall notify the appropriate fiscal committees of the senate and house of representatives in writing seven days prior to approving any allotment modifications or transfers under this subsection. The written notification must include a narrative explanation and justification of changes, along with expenditures and allotments by budget unit and appropriation, both before and after any allotment modifications and transfers.

(1) MEDICAL ASSISTANCE			
General Fund—State	Appropriation	(FY 2018)	\$2,024,969,000
General Fund—State	Appropriation	(FY 2019)	((2,084,494,000))
			<u>\$2,145,641,000</u>
General Fund—Federal	Appropriation		((11,823,330,000))
			<u>\$11,931,660,000</u>
General Fund—Private/Local	Appropriation		((204,427,000))
			<u>\$242,408,000</u>
Emergency Medical Services and Trauma Care Systems			
Trust Account—State	Appropriation		\$15,086,000
Hospital Safety Net Assessment Account—State	Appropriation		((693,099,000))
			<u>\$713,117,000</u>
Medicaid Fraud Penalty Account—State	Appropriation		\$28,154,000
Medical Aid Account—State	Appropriation		\$528,000
Dedicated Marijuana Account—State	Appropriation	(FY 2018)	\$17,616,000
Dedicated Marijuana Account—State	Appropriation	(FY 2019)	((18,405,000))
			<u>\$18,677,000</u>
Pension Funding Stabilization Account—State	Appropriation		\$4,538,000
TOTAL APPROPRIATION			<u>\$16,914,646,000</u>
			<u>\$17,142,394,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(a) \$268,117,000 of the general fund—state appropriation for fiscal year 2018 and \$264,704,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the authority to implement a single, standard medicaid preferred drug list to be used by all contracted medicaid managed health care systems, on or before January 1, 2018. The preferred drug list shall be developed in consultation with all contracted managed health care systems and the state pharmacy and therapeutics committee or drug utilization review board and shall further the goals and objectives of the medicaid program. The list shall be designed to maximize federal rebates and supplemental rebates and ensure access to clinically effective and appropriate drug therapies under each class. Entities eligible for 340B drug pricing shall continue to operate under their current pricing agreement, unless otherwise required by federal laws or regulations. The authority may utilize external consultants with expertise in evidence-based drug class reviews, pharmacy benefit management, and purchasing to assist with the completion of this development and implementation. The authority shall require each managed care organization that has contracted with the authority to provide care to medicaid beneficiaries to use the established preferred drug list; and shall prohibit each managed care organization and any of its agents from negotiating or collecting rebates for any medications listed in the state's medicaid single preferred drug list whether preferred or nonpreferred. To assist in the implementation of the single preferred drug list, contracted medicaid managed health care systems shall provide the authority drug-specific financial information in a format and frequency determined by the authority to include the actual amounts paid to pharmacies for prescription drugs dispensed to covered individuals compared to the cost invoiced to the health plan and individual rebates collected for prescription drugs dispensed to medicaid members. Information disclosed to the authority by the manufacturer pursuant to this provision shall only be used for the purposes of developing and implementing a single, standard state preferred

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drug list in accordance with this provision. The authority, medicaid managed care organizations, and all other parties shall maintain the confidentiality of drug-specific financial and other proprietary information and such information shall not be subject to the Washington public records act. The authority shall provide a report to the governor and appropriate committees of the legislature by November 15, 2018, and by November 15, 2019, including a comparison of the amount spent in the previous two fiscal years to expenditures under the new system by, at a minimum, fund source, total expenditure, drug class, and top twenty-five drugs. The data provided to the authority shall be aggregated in any report by the authority, the legislature, or the office of financial management so as not to disclose the proprietary or confidential drug-specific information, or the proprietary or confidential information that directly or indirectly identifies financial information linked to a single manufacturer. It is the intent of the legislature to revisit this policy in subsequent biennia to determine whether it is in the best interest of the state.

(b) \$113,356,000 of the general fund—state appropriation for fiscal year 2018 and \$140,578,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for managed care capitation payments.

(c) \$122,244,000 of the general fund—state appropriation for fiscal year 2018 and \$116,038,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the authority ~~((through the competitive procurement process, to contract with))~~ to award the contracts from the recently completed competitive procurement process as directed under the 2017-2019 omnibus appropriations act to licensed dental health plans or managed health care plans on a prepaid or fixed-sum risk basis to provide carved-out managed dental care services on a statewide basis that will result in greater efficiency and will facilitate better access and oral health outcomes for medicaid enrollees. Except in areas where only a single plan is available, the authority must contract with at least two plans at a single rate not to exceed the average cost of the two lowest cost apparently successful bidders in order to ensure overall cost savings are achieved in 2019-2021 under this section. The authority shall include in the awarded contracts from the recently completed competitive procurement process directed in the 2017-2019 omnibus appropriations act: (i) Quarterly reporting requirements to include medicaid utilization and encounter data by current dental technology (CDT) code; (ii) a direction to increase the dental provider network; (iii) a commitment to retain innovative programs that improve access and care such as the access to baby and child dentistry program; (iv) a program to reduce emergency room use for dental purposes; (v) a requirement to ensure that dental care is being coordinated with the primary care provider of the patient to ensure integrated care; (vi) a provision that no less than eighty-five percent of the contracting fee be used to directly offset the cost of providing direct patient care as opposed to administrative costs; and (vii) a provision to ensure the contracting fee shall be sufficient to compensate county health departments and federally qualified health centers for dental patient care. The plan(s) awarded this contract must absorb all start-up costs associated with moving the program from fee-for-service to managed care and shall commit to achieving an overall savings to the program based on 2016 fee-for-service experience. In order to comply with state insurance underwriting standards, the authority shall ensure that savings offered by dental plans are actuarially sound. In order to ensure compliance with the provisions of this subsection, any contracts awarded must be reviewed and signed by the director of the office of financial management or their designee. Starting January 31, ~~((2019))~~ 2020, and every year thereafter through December ~~((2024))~~ 2025, the authority shall submit an annual report to the

governor and the appropriate committees of the legislature detailing how the contracted entities have met the requirements of the contract. The report shall include specific information to include utilization, how the contracted entities have increased their dental provider networks, how the emergency room use for dental purposes has been reduced, and how dental care has been integrated with patients' primary care providers. If after the end of five years the data reported does not demonstrate sufficient progress to address the stated contracted goals, the legislature will reevaluate whether carved-out dental managed care needs to be replaced with a different delivery model. The authority is authorized to seek any necessary state plan amendments or federal waivers to implement this subsection. Additional dental program savings achieved by the plans beyond those assumed in the ~~((2017-2019))~~ 2019-2021 omnibus appropriations act will be used to increase dental provider reimbursement rates. By October 30, 2018, the authority shall report to the governor and the appropriate committees of the legislature anticipated savings related to reduction in dental emergency department visits and utilization once managed care dental coverage begins.

(d) \$1,505,087,000 of the general fund—state appropriation for fiscal year 2018 and \$1,538,030,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for medicaid services and the medicaid program. However, the authority shall not accept or expend any federal funds received under a medicaid transformation waiver under healthier Washington except as described in (e) and (f) of this subsection until specifically approved and appropriated by the legislature. To ensure compliance with legislative directive budget requirements and terms and conditions of the waiver, the authority shall implement the waiver and reporting requirements with oversight from the office of financial management. The legislature finds that appropriate management of the innovation waiver requires better analytic capability, transparency, consistency, timeliness, accuracy, and lack of redundancy with other established measures and that the patient must be considered first and foremost in the implementation and execution of the demonstration waiver. In order to effectuate these goals, the authority shall: (i) Require the Dr. Robert Bree collaborative and the health technology assessment program to reduce the administrative burden upon providers by only requiring performance measures that are nonduplicative of other nationally established measures. The joint select committee on health care oversight will evaluate the measures chosen by the collaborative and the health technology assessment program for effectiveness and appropriateness; (ii) develop a patient satisfaction survey with the goal to gather information about whether it was beneficial for the patient to use the center of excellence location in exchange for additional out-of-pocket savings; (iii) ensure patients and health care providers have significant input into the implementation of the demonstration waiver, in order to ensure improved patient health outcomes; and (iv) in cooperation with the department of social and health services, consult with and provide notification of work on applications for federal waivers, including details on waiver duration, financial implications, and potential future impacts on the state budget, to the joint select committee on health care oversight prior to submitting waivers for federal approval. By federal standard, the medicaid transformation demonstration waiver shall not exceed the duration originally granted by the centers for medicare and medicaid services and any programs created or funded by this waiver do not create an entitlement.

(e) No more than \$486,683,000 of the general fund—federal appropriation and no more than \$129,103,000 of the general fund—local appropriation may be expended for transformation through accountable communities of health described in initiative

1 of the medicaid transformation demonstration waiver under healthier Washington, including preventing youth drug use, opioid prevention and treatment, and physical and behavioral health integration. Under this initiative, the authority shall take into account local input regarding community needs. In order to ensure transparency to the appropriate fiscal committees of the legislature, the authority shall provide fiscal staff of the legislature query ability into any database of the fiscal intermediary that authority staff would be authorized to access. The authority shall not increase general fund—state expenditures under this initiative. The director shall report to the joint select committee on health care oversight no less than quarterly, and include details for each accountable community of health, on the financial status and measurable health outcomes. The director shall also report to the fiscal committees of the legislature all of the expenditures under this subsection and shall provide such fiscal data in the time, manner, and form requested by the legislative fiscal committees. By December 15, 2019, the authority in collaboration with each accountable community of health shall demonstrate how it will be self-sustaining by the end of the demonstration waiver period, including sources of outside funding, and provide this reporting to the joint select committee on health care oversight. If by the third year of the demonstration waiver there are not measurable, improved patient outcomes and financial returns, the Washington state institute for public policy will conduct an audit of the accountable communities of health, in addition to the process set in place through the independent evaluation required by the agreement with centers for medicare and medicaid services. Prior to the 2018 legislative session, the human services, health care, and judiciary committees of the legislature will convene a joint work session to review models in the delivery system and the impacts on medical liability. The work sessions should include integrated delivery models with multiple health care providers and medical malpractice insurance carriers. Beginning May 1, 2019, participation in all initiatives under the medicaid transformation demonstration waiver is frozen at current participation levels. No new participants may be added to any initiative under this demonstration waiver without further federal approval.

(f) No more than \$38,425,000 of the general fund—federal appropriation may be expended for supported housing and employment services described in initiative 3a and 3b of the medicaid transformation demonstration waiver under healthier Washington. Under this initiative, the authority and the department of social and health services shall ensure that allowable and necessary services are provided to eligible clients as identified by the department or its third party administrator. The authority and the department in consultation with the medicaid forecast work group, shall ensure that reasonable reimbursements are established for services deemed necessary within an identified limit per individual. The authority shall not increase general fund—state expenditures under this initiative. The director shall report to the joint select committee on health care oversight no less than quarterly on financial and health outcomes. The director shall also report to the fiscal committees of the legislature all of the expenditures of this subsection and shall provide such fiscal data in the time, manner, and form requested by the legislative fiscal committees. Beginning May 1, 2019, the authority shall freeze participation in initiatives 3a and 3b at the current level of enrollment. No new participants may be added without further federal approval.

(g) No later than November 1, 2018, and each year thereafter, the authority shall report to the governor and appropriate committees of the legislature: (i) Savings attributed to behavioral and physical integration in areas that are scheduled to integrate in the following calendar year, and (ii) savings attributed to

behavioral and physical health integration and the level of savings achieved in areas that have integrated behavioral and physical health.

(h) Sufficient amounts are appropriated in this subsection to implement the medicaid expansion as defined in the social security act, section 1902(a)(10)(A)(i)(VIII).

(i) The legislature finds that medicaid payment rates, as calculated by the health care authority pursuant to the appropriations in this act, bear a reasonable relationship to the costs incurred by efficiently and economically operated facilities for providing quality services and will be sufficient to enlist enough providers so that care and services are available to the extent that such care and services are available to the general population in the geographic area. The legislature finds that the cost reports, payment data from the federal government, historical utilization, economic data, and clinical input constitute reliable data upon which to determine the payment rates.

(j) Based on quarterly expenditure reports and caseload forecasts, if the health care authority estimates that expenditures for the medical assistance program will exceed the appropriations, the health care authority shall take steps including but not limited to reduction of rates or elimination of optional services to reduce expenditures so that total program costs do not exceed the annual appropriation authority.

(k) In determining financial eligibility for medicaid-funded services, the health care authority is authorized to disregard recoveries by Holocaust survivors of insurance proceeds or other assets, as defined in RCW 48.104.030.

(l) The legislature affirms that it is in the state's interest for Harborview medical center to remain an economically viable component of the state's health care system.

(m) When a person is ineligible for medicaid solely by reason of residence in an institution for mental diseases, the health care authority shall provide the person with the same benefits as he or she would receive if eligible for medicaid, using state-only funds to the extent necessary.

(n) \$4,261,000 of the general fund—state appropriation for fiscal year 2018, \$4,261,000 of the general fund—state appropriation for fiscal year 2019, and \$8,522,000 of the general fund—federal appropriation are provided solely for low-income disproportionate share hospital payments.

(o) Within the amounts appropriated in this section, the health care authority shall provide disproportionate share hospital payments to hospitals that provide services to children in the children's health program who are not eligible for services under Title XIX or XXI of the federal social security act due to their citizenship status.

(p) \$6,000,000 of the general fund—federal appropriation is provided solely for supplemental payments to nursing homes operated by public hospital districts. The public hospital district shall be responsible for providing the required nonfederal match for the supplemental payment, and the payments shall not exceed the maximum allowable under federal rules. It is the legislature's intent that the payments shall be supplemental to and shall not in any way offset or reduce the payments calculated and provided in accordance with part E of chapter 74.46 RCW. It is the legislature's further intent that costs otherwise allowable for rate-setting and settlement against payments under chapter 74.46 RCW shall not be disallowed solely because such costs have been paid by revenues retained by the nursing home from these supplemental payments. The supplemental payments are subject to retrospective interim and final cost settlements based on the nursing homes' as-filed and final medicare cost reports. The timing of the interim and final cost settlements shall be at the health care authority's discretion. During either the interim cost settlement or the final cost settlement, the health care authority

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shall recoup from the public hospital districts the supplemental payments that exceed the medicaid cost limit and/or the medicare upper payment limit. The health care authority shall apply federal rules for identifying the eligible incurred medicaid costs and the medicare upper payment limit.

(q) The health care authority shall continue the inpatient hospital certified public expenditures program for the 2017-2019 fiscal biennium. The program shall apply to all public hospitals, including those owned or operated by the state, except those classified as critical access hospitals or state psychiatric institutions. The health care authority shall submit reports to the governor and legislature by November 1, 2017, and by November 1, 2018, that evaluate whether savings continue to exceed costs for this program. If the certified public expenditures (CPE) program in its current form is no longer cost-effective to maintain, the health care authority shall submit a report to the governor and legislature detailing cost-effective alternative uses of local, state, and federal resources as a replacement for this program. During fiscal year 2018 and fiscal year 2019, hospitals in the program shall be paid and shall retain one hundred percent of the federal portion of the allowable hospital cost for each medicaid inpatient fee-for-service claim payable by medical assistance and one hundred percent of the federal portion of the maximum disproportionate share hospital payment allowable under federal regulations. Inpatient medicaid payments shall be established using an allowable methodology that approximates the cost of claims submitted by the hospitals. Payments made to each hospital in the program in each fiscal year of the biennium shall be compared to a baseline amount. The baseline amount will be determined by the total of (i) the inpatient claim payment amounts that would have been paid during the fiscal year had the hospital not been in the CPE program based on the reimbursement rates developed, implemented, and consistent with policies approved in the 2017-2019 biennial operating appropriations act and in effect on July 1, 2015, (ii) one-half of the indigent assistance disproportionate share hospital payment amounts paid to and retained by each hospital during fiscal year 2005, and (iii) all of the other disproportionate share hospital payment amounts paid to and retained by each hospital during fiscal year 2005 to the extent the same disproportionate share hospital programs exist in the 2017-2019 fiscal biennium. If payments during the fiscal year exceed the hospital's baseline amount, no additional payments will be made to the hospital except the federal portion of allowable disproportionate share hospital payments for which the hospital can certify allowable match. If payments during the fiscal year are less than the baseline amount, the hospital will be paid a state grant equal to the difference between payments during the fiscal year and the applicable baseline amount. Payment of the state grant shall be made in the applicable fiscal year and distributed in monthly payments. The grants will be recalculated and redistributed as the baseline is updated during the fiscal year. The grant payments are subject to an interim settlement within eleven months after the end of the fiscal year. A final settlement shall be performed. To the extent that either settlement determines that a hospital has received funds in excess of what it would have received as described in this subsection, the hospital must repay the excess amounts to the state when requested. \$359,000 of the general fund—state appropriation for fiscal year 2018 and (~~(\$361,000)~~) \$553,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for state grants for the participating hospitals.

(r) The health care authority shall seek public-private partnerships and federal funds that are or may become available to provide on-going support for outreach and education efforts

under the federal children's health insurance program reauthorization act of 2009.

(s) The health care authority shall target funding for maternity support services towards pregnant women with factors that lead to higher rates of poor birth outcomes, including hypertension, a preterm or low birth weight birth in the most recent previous birth, a cognitive deficit or developmental disability, substance abuse, severe mental illness, unhealthy weight or failure to gain weight, tobacco use, or African American or Native American race. The health care authority shall prioritize evidence-based practices for delivery of maternity support services. To the extent practicable, the health care authority shall develop a mechanism to increase federal funding for maternity support services by leveraging local public funding for those services.

(t) The authority shall submit reports to the governor and the legislature by September 15, 2018, and no later than September 15, 2019, that delineate the number of individuals in medicaid managed care, by carrier, age, gender, and eligibility category, receiving preventative services and vaccinations. The reports should include baseline and benchmark information from the previous two fiscal years and should be inclusive of, but not limited to, services recommended under the United States preventative services task force, advisory committee on immunization practices, early and periodic screening, diagnostic, and treatment (EPSDT) guidelines, and other relevant preventative and vaccination medicaid guidelines and requirements.

(u) Managed care contracts must incorporate accountability measures that monitor patient health and improved health outcomes, and shall include an expectation that each patient receive a wellness examination that documents the baseline health status and allows for monitoring of health improvements and outcome measures.

(v) Sufficient amounts are appropriated in this section for the authority to provide an adult dental benefit.

(w) The health care authority shall coordinate with the department of social and health services to provide referrals to the Washington health benefit exchange for clients that will be ineligible for medicaid.

(x) To facilitate a single point of entry across public and medical assistance programs, and to maximize the use of federal funding, the health care authority, the department of social and health services, and the health benefit exchange will coordinate efforts to expand HealthPlanfinder access to public assistance and medical eligibility staff. The health care authority shall complete medicaid applications in the HealthPlanfinder for households receiving or applying for medical assistance benefits.

(y) \$90,000 of the general fund—state appropriation for fiscal year 2018, \$90,000 of the general fund—state appropriation for fiscal year 2019, and \$180,000 of the general fund—federal appropriation are provided solely to continue operation by a nonprofit organization of a toll-free hotline that assists families to learn about and enroll in the apple health for kids program.

(z) The appropriations in this section reflect savings and efficiencies by transferring children receiving medical care provided through fee-for-service to medical care provided through managed care.

(aa) Within the amounts appropriated in this section, the authority shall reimburse for primary care services provided by naturopathic physicians.

(bb) Within the amounts appropriated in this section, the authority shall continue to provide coverage for pregnant teens that qualify under existing pregnancy medical programs, but whose eligibility for pregnancy related services would otherwise

end due to the application of the new modified adjusted gross income eligibility standard.

(cc) Sufficient amounts are appropriated in this section to remove the mental health visit limit and to provide the shingles vaccine and screening, brief intervention, and referral to treatment benefits that are available in the medicaid alternative benefit plan in the classic medicaid benefit plan.

(dd) The authority shall use revenue appropriated from the dedicated marijuana fund for contracts with community health centers under RCW 69.50.540 in lieu of general fund—state payments to community health centers for services provided to medical assistance clients, and it is the intent of the legislature that this policy will be continued in subsequent fiscal biennia.

(ee) \$127,000 of the general fund—state appropriation for fiscal year 2018 and \$1,144,000 of the general fund—federal appropriation are provided solely to the ProviderOne provider overtime project and are subject to the conditions, limitations, and review provided in section 724 of this act.

(ff) \$175,000 of the general fund—state appropriation for fiscal year 2018 and \$825,000 of the general fund—federal appropriation are provided solely to the ProviderOne CORE operating rules project and are subject to the conditions, limitations, and review provided in section 724 of this act.

(gg) \$1,483,000 of the general fund—state appropriation for fiscal year 2018, \$1,594,000 of the general fund—state appropriation for fiscal year 2019, and \$1,509,000 of the general fund—federal appropriation are provided for a rate increase effective July 1, 2018, and for performance payments to reward successful beneficiary engagement in the health homes program for fee-for-service enrollees and these are the maximum amounts in each fiscal year the authority may expend for this purpose.

(hh) \$450,000 of the general fund—state appropriation for fiscal year 2018, \$450,000 of the general fund—state appropriation for fiscal year 2019, and \$1,058,000 of the general fund—federal appropriation are provided solely for the authority to hire ten nurse case managers to coordinate medically assisted treatment and movements to medical homes for those being treated for opioid use disorder. Nurses shall be located in areas and provider settings with the highest concentration of opioid use disorder patients.

(ii) Sufficient amounts are appropriated in this section for the authority to provide a collaborative care benefit beginning July 1, 2017.

(jj) The authority and the department of social and health services shall convene a work group consisting of representatives of skilled nursing facilities, adult family homes, assisted living facilities, managers of in-home long-term care, hospitals, and managed health care systems. The work group shall identify barriers that may prevent skilled nursing facilities from accepting and admitting clients from acute care hospitals in a timely and appropriate manner. The work group shall consider what additional resources are needed to allow for faster transfers of enrollees, including those with complex needs. By December 1, 2017, the authority shall report the work group's findings to the governor and the appropriate committees of the legislature.

(kk) Within the amounts appropriated within this section, the authority shall implement the plan to show how improved access to home health nursing reduces potentially preventable readmissions, increases access to care, reduces hospital length of stay, and prevents overall hospital admissions for clients receiving private duty nursing, medically intensive care, or home health benefits as described in their report to the legislature dated December 15, 2016, entitled home health nursing. The authority shall report to the governor and appropriate committees of the legislature by December 31, 2017, information regarding the effect of the ten dollar rate increases for skilled nursing care

delivered via private duty nursing or home health nursing, and how the rate changes impacted the utilization and cost of emergency room visits, reduced the length of stay for initial hospital admissions, and reduced utilization and costs of preventable hospital readmissions. The report will quantify potential cost saving opportunities that may exist through improved access to private duty and home health nursing statewide.

(ll) Within the amounts appropriated within this section, beginning July 1, 2017, the authority must increase facility fees to birth centers to the amount listed on page two of their report to the legislature dated October 15, 2016, entitled reimbursement for births performed at birth centers. This increased rate is applicable in both a fee for service setting and is the minimum allowable rate in a managed care setting. The authority shall report to the governor and appropriate committees of the legislature by October 15, 2018, updated information regarding access to care, improvements to the Cesarean section rate, and savings outcomes for utilizing birth centers as an alternative to hospitals.

(mm) Beginning no later than January 1, 2018, for any service eligible under the medicaid state plan for encounter payments, managed care organizations at the request of a rural health clinic shall pay the full published encounter rate directly to the clinic. At no time will a managed care organization be at risk for or have any right to the supplemental portion of the claim. Payments will be reconciled on at least an annual basis between the managed care organization and the authority, with final review and approval by the authority. By September 31, 2017, the authority shall report to the legislature on its progress implementing this subsection.

(nn) Within the amounts appropriated in this section, and in consultation with appropriate parties, including the rural health clinic association of Washington and the centers for medicare and medicaid services, by December 1, 2017, the authority shall submit a report to the governor and appropriate committees of the legislature evaluating legislative and administrative options to reduce or eliminate any amounts owed by rural health clinics under the payment reconciliation process established in the medicaid state plan.

(oo) \$500,000 of the general fund—state appropriation for fiscal year 2019 and \$500,000 of the general fund—federal appropriation are provided solely for the authority to implement the oral health connections pilot project in Spokane, Thurston, and Cowlitz counties. The authority shall work in collaboration with Washington dental service foundation to jointly develop and implement the program. The purpose of the three-year pilot is to test the effect that enhanced dental benefits for adult medicaid clients with diabetes and pregnant women have on access to dental care, health outcomes, and medical care costs. The authority must model the pilot on the access to baby and child dentistry program. The pilot program must include enhanced reimbursement rates for participating dental providers, including denturists licensed under chapter 18.30 RCW, and an increase in the allowable number of periodontal treatments to up to four per calendar year. Diabetic or pregnant adult medicaid clients who are receiving dental care within the pilot region(s), regardless of location of the service within the pilot region(s), are eligible for the increased number of periodontal treatments. The Washington dental service foundation shall partner with the authority and provide wraparound services to link patients to care. The authority and Washington dental service foundation shall jointly develop the program. The authority and foundation shall provide a joint progress report to the appropriate committees of the legislature on December 1, 2017, and December 1, 2018.

(pp) Sufficient amounts are appropriated in this section to increase the daily rate by \$155.20 for skilled nursing performed

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by licensed practical nurses and registered nurses who serve medically intensive children's program clients who reside in a group home setting.

(qq) During the 2017-2019 fiscal biennium, the authority must revise its agreements and contracts with vendors to include a provision to require that each vendor agrees to equality among its workers by ensuring similarly employed individuals are compensated as equals as follows:

(i) Employees are similarly employed if the individuals work for the same employer, the performance of the job requires comparable skill, effort, and responsibility, and the jobs are performed under similar working conditions. Job titles alone are not determinative of whether employees are similarly employed;

(ii) Vendors may allow differentials in compensation for its workers based in good faith on any of the following:

(A) A seniority system; a merit system; a system that measures earnings by quantity or quality of production; a bona fide job-related factor or factors; or a bona fide regional difference in compensation levels.

(B) A bona fide job-related factor or factors may include, but not be limited to, education, training, or experience, that is: Consistent with business necessity; not based on or derived from a gender-based differential; and accounts for the entire differential.

(C) A bona fide regional difference in compensation level must be: Consistent with business necessity; not based on or derived from a gender-based differential; and account for the entire differential.

(iii) The provision must allow for the termination of the contract if the authority or department of enterprise services determines that the vendor is not in compliance with this agreement or contract term.

(iv) The authority must implement this provision with any new contract and at the time of renewal of any existing contract.

(rr) \$100,000 of the general fund—state appropriation for fiscal year 2018 and \$100,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for a pilot program for treatment of inmates at the Snohomish county jail who are undergoing detoxification from heroin and other opioids and for connecting those individuals with treatment providers in the community upon their release.

(ss) \$6,487,000 of the general fund—state appropriation for fiscal year 2018 and ~~(\$1,340,000)~~ \$28,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the physical health care costs of medicaid clients receiving services in facilities classified as institutions for mental diseases for longer than 15 days in a calendar month. The authority must apply for a waiver from the center for medicare and medicaid services to allow for the full cost of stays in institutions for mental diseases to be included in managed care rates beginning on July 1, 2018. The authority must submit a report on the status of the waiver to the office of financial management and the appropriate committees of the legislature by December 1, 2017.

(tt) The authority shall evaluate adding a tele-psychiatry consultation benefit for medicaid covered individuals. The authority shall submit a report with the cost associated with adding such a benefit to the governor and appropriate committees of the legislature by October 1, 2017.

(uu) \$33,000 of the general fund—state appropriation for fiscal year 2018, and \$42,000 of the general fund—federal appropriation are provided solely for the bleeding disorder collaborative for care.

(vv) \$304,000 of the general fund—state appropriation for fiscal year 2018, \$304,000 of the general fund—state appropriation for fiscal year 2019, and \$608,000 of the general

fund—federal appropriation are provided solely for the authority to contract with the University of Washington tele-pain pain management program and pain management call center to advance primary care provider knowledge of complex pain management issues, including opioid addiction.

(ww) \$165,000 of the general fund—state appropriation for fiscal year 2018, \$329,000 of the general fund—state appropriation for fiscal year 2019, and \$604,000 of the general fund—federal appropriation are provided solely for implementation of chapter 202, Laws of 2017 (Engrossed Second Substitute House Bill No. 1713) (children's mental health).

(xx) \$1,813,000 of the general fund—state appropriation for fiscal year 2018, \$3,764,000 of the general fund—state appropriation for fiscal year 2019, and \$12,930,000 of the general fund—federal appropriation are provided solely for implementation of chapter 110, Laws of 2017 (Second Substitute House Bill No. 1338) (state health insurance pool).

(yy) \$68,000 of the general fund—state appropriation for fiscal year 2018, \$1,118,000 of the general fund—state appropriation for fiscal year 2019, and \$943,000 of the general fund—federal appropriation are provided solely for implementation of chapter 198, Laws of 2017 (Substitute House Bill No. 1520) (hospital payment methodology).

(zz) Sufficient amounts are appropriated in this section for the implementation of chapter 273, Laws of 2017 (Engrossed Second Substitute House Bill No. 1358) (community asst. referral programs).

(aaa) \$69,000 of the general fund—state appropriation for fiscal year 2018, \$560,000 of the general fund—state appropriation for fiscal year 2019, and \$308,000 of the general fund—federal appropriation are provided solely for the authority to implement, operate, and maintain a provider credentialing system and are subject to the conditions, limitations, and review provided in section 724 of this act. The authority, in collaboration with the department of health, department of corrections, department of social and health services, the public employees' benefits board, and the department of labor and industries, shall work to ensure that a single platform provider credentialing system is implemented. The authority, departments, and board shall ensure that appropriate cost offsets and cost avoidance are assumed for reduced staff time required for provider credentialing activity and reductions in improper billing activity when implementing provider credentialing systems. The authority must enter into agreements with the department of labor and industries and the public employees' benefits board to pay their share of the costs of implementing and operating a new provider credentialing system. The authority shall submit a report to the office of financial management and appropriate committees of the legislature outlining projected cost savings and cost avoidance no later than December 1, 2018.

(bbb) \$100,000 of the general fund—state appropriation for fiscal year 2018 and \$400,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the department and the health care authority to enter into an interagency agreement to contract with Washington autism alliance and advocacy (WAAA) to educate and assist persons seeking the authority's services to address a suspected or diagnosed autism spectrum disorder or developmental disability related to autism spectrum disorder. The department or the authority may refer such individuals to WAAA to support them in navigating the health care system. The authority, in collaboration with the department and the WAAA, shall submit a report to the governor and the appropriate committees of the legislature by December 15, 2018, and December 15, 2019, detailing how many persons were referred to, how many persons

received services from, and what services were provided by the WAAA. The reports shall also include what health care services the WAAA was able to connect the referred persons to, the length of time these connections took, the type of health coverage the person referred had at the time of referral and whether alternate coverage was obtained.

(ccc) \$20,000 of the general fund—state appropriation for fiscal year 2019 and \$20,000 of the general fund—federal appropriation are provided solely for the authority, in partnership with the department of social and health services and the department of health, to assist a collaborative public-private entity with implementation of recommendations in the state plan to address alzheimer's disease and other dementias.

(ddd) \$5,825,000 of the general fund—state appropriation for fiscal year 2019 and \$8,019,000 of the general fund—federal appropriation are provided solely for an increase in primary care provider rates for pediatric care services that are currently reimbursed solely at the existing medical assistance rates that are applicable for the child's medical assistance eligibility group. These amounts are the maximum that the authority may spend for this purpose. The authority must pursue a state plan amendment to increase pediatric primary care provider and pediatric vaccine rates through state directed payments through a permissible payment model. The codes considered for these increases should follow those that were used under the temporary increase provided in calendar years 2013 and 2014 as outlined in section 1202 of the affordable care act. Both physician and nonphysician practitioners are eligible for these increases and are not required to attest. Increases are based upon eligible codes. The authority must provide a report to the governor and appropriate committees of the legislature by November 1, 2019, detailing how the amounts provided in this subsection were used, what percentage increase was provided for pediatric primary care provider evaluation and management rates, what percentage increase was provided for pediatric vaccine rates, how utilization has changed within each category, and how these rate increases have impacted access to care.

(eee) \$50,000 of the general fund—state appropriation for fiscal year 2018 and \$100,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the authority to conduct a study to identify strategies for enhancing access to primary care for medical assistance clients. The authority may collaborate with other stakeholders as appropriate. The authority shall provide a report with recommendations to the appropriate committees of the legislature by December 1, 2018. The study shall, to the extent possible:

(i) Review the effect of the temporary rate increase provided as part of the patient protection and affordable care act on:

(A) The number of providers serving medical assistance clients;

(B) The number of medical assistance clients receiving services; and

(C) Utilization of primary care services.

(ii) Identify client barriers to accessing primary care services;

(iii) Identify provider barriers to accepting medical assistance clients;

(iv) Identify strategies for incentivizing providers to accept more medical assistance clients;

(v) Prioritize areas for investment that are likely to have the most impact on increasing access to care; and

(vi) Strategically review the current medicaid rates and identify specific areas and amounts that may promote access to care.

(fff) \$1,400,000 of the general fund—state appropriation for fiscal year 2019 and \$3,900,000 of the general fund—federal appropriation are provided solely to increase the rates paid to rural hospitals that meet the criteria in ~~((hhh))~~ (i) through (iv) of this

subsection ~~(l)(fff)~~. Payments for state and federal medical assistance programs for services provided by such a hospital, regardless of the beneficiary's managed care enrollment status, must be increased to one hundred fifty percent of the hospital's fee-for-service rates. The authority must discontinue this rate increase after June 30, 2019, and return to the payment levels and methodology for these hospitals that were in place as of January 1, 2018. Hospitals participating in the certified public expenditures program may not receive increased reimbursement for inpatient services. Hospitals qualifying for this rate increase must:

(i) Be certified by the centers for medicare and medicaid services as sole community hospitals as of January 1, 2013;

(ii) Have had less than one hundred fifty acute care licensed beds in fiscal year 2011;

(iii) Have a level III adult trauma service designation from the department of health as of January 1, 2014; and

(iv) Be owned and operated by the state or a political subdivision.

(ggg) \$40,000 of the general fund—state appropriation for fiscal year 2019 is provided solely to create a work group at the Robert Bree collaborative to identify best practices for mental health services regarding patient mental health treatment and patient management. The work group shall identify best practices on patient confidentiality, discharging patients, treating patients with homicide ideation and suicide ideation, recordkeeping to decrease variation in practice patterns in these areas, and other areas as defined by the work group. The work group shall be composed of clinical and administrative experts including psychologists, psychiatrists, advanced practice psychiatric nurses, social workers, marriage and family therapists, certified counselors, and mental health counselors.

(hhh) \$1,006,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for implementation of Substitute Senate Bill No. 5683 (Pacific Islander health care). ~~((If the bill is not enacted by June 30, 2018, the amount provided in this subsection shall lapse.))~~

(iii) \$50,000 of the general fund—state appropriation for fiscal year 2019 and \$50,000 of the general fund—federal appropriation are provided solely for implementation of Engrossed Second Substitute House Bill No. 2779 (children's mental health services). ~~((If the bill is not enacted by June 30, 2018, the amounts provided in this subsection shall lapse.))~~

(jjj) \$31,000 of the general fund—state appropriation for fiscal year 2018 and \$44,000 of the general fund—federal appropriation are provided solely for implementation of chapter 303, Laws of 2017 (public records administration).

~~((kkk))~~ ~~(((\$358,000 of the general fund—state appropriation and \$1,123,000 of the general fund—federal appropriation for fiscal year 2019 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5179 (hearing instrument coverage). If the bill is not enacted by June 30, 2018, the amounts provided in this subsection shall lapse.))~~ Sufficient funds are provided for the implementation of adult hearing instrument coverage.

(lll) \$335,000 of the general fund—state appropriation for fiscal year 2019 and \$50,000 general fund—federal appropriation are provided solely for implementation of Substitute Senate Bill No. 6452 (child mental health consult). ~~((If the bill is not enacted by June 30, 2018, the amounts provided in this subsection shall lapse.))~~

(mmm)(i) \$200,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the authority to assist the governor by convening and providing administrative, analytical, and communication support to the governor's Indian

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health council, including procuring technical assistance from the American Indian health commission for Washington state, to:

(A) Address current or proposed policies or actions that have tribal implications and are not able to be resolved or addressed at the agency level;

(B) Facilitate training for state agency leadership, staff, and legislators on the Indian health system and tribal sovereignty; and

(C) Provide oversight of contracting and performance of service coordination organizations or service contracting entities as defined in RCW 70.320.010 in order to address their impacts on services to American Indians and Alaska Natives and relationships with Indian health care providers.

(ii) The council shall include:

(A) One tribal liaison from each of the authorities; the department of children, youth, and families; the department of commerce; the department of corrections; the department of health; the department of social and health services; the office of the insurance commissioner; the office of the superintendent of public instruction; and the Washington health benefit exchange;

(B) One individual from each tribe in Washington state, designated by the tribal legislative body, who is either the tribe's American Indian health commission for Washington state delegate or an individual specifically designated for this role, or his or her designee;

(C) The chief executive officer of the Indian health service Portland area office and each service unit in Washington state or his or her designee;

(D) The chief executive officer of each urban Indian health program in Washington state or his or her designee who may be the urban Indian health program's American Indian health commission for Washington state delegate;

(E) The executive director of the American Indian health commission for Washington state or his or her designee;

(F) The executive director of the northwest Portland area Indian health board or his or her designee;

(G) One member from each of the two largest caucuses of the house of representatives, appointed by the speaker of the house of representatives, or his or her designee;

(H) One member from each of the two largest caucuses of the senate, appointed by the president of the senate, or his or her designee; and

(I) Two individuals representing the governor's office.

(iii) The council will meet at least three times per year when the legislature is not in session, with one meeting to be hosted by the authority and the other two meetings to be hosted by tribes or, if no tribe is able to host, then by a member state agency. The members representing the tribes, the Indian health service Portland area office and service units, the urban Indian health programs, the American Indian health commission for Washington state, and the northwest Portland area Indian health board shall be paid per diem and travel expenses in accordance with RCW 43.03.050 and 43.03.060.

(iv) By December 1, 2018, the council, with assistance from the authority, will submit a report to the governor and the appropriate legislative committees with recommendations to raise the health status of American Indians and Alaska Natives throughout Washington state to at least the levels set forth in the goals contained within the federal health people 2020 initiative or successor objectives, including draft legislation and fiscal budgets for:

(A) Increasing savings to the state general fund resulting from the one hundred percent federal medical assistance percentage applicable to services received through an Indian health service facility, whether operated by the Indian health service or by an Indian tribe or tribal organization pursuant to 42 U.S.C. Sec.

1396d; realized by the state for services which are received through an Indian health service facility whether operated by the Indian health service or by an Indian tribe or tribal organization pursuant to 42 U.S.C. Sec. 1396(b);

(B) Appropriating such increased savings for an Indian health improvement reinvestment account to be expended solely for improving health outcomes and access to quality and culturally appropriate health care for American Indians and Alaska Natives;

(C) Developing model performance measures and risk adjustment methodologies for medicaid managed care value-based purchasing that account for the Indian health delivery system;

(D) Improving population health through tribally determined practices and resources such as the American Indian health commission for Washington state's "pulling together for wellness" framework;

(E) Developing written and technical assistance to support the incorporation of cultural awareness and of strategies to address historical trauma and intergenerational trauma in treatment planning for services covered by medicaid and other services provided by the state;

(F) Expanding tribal representation on state agency boards, committees (including the emergency management council), and nongovernmental entities to whom the state delegates activities or tasks that directly impact the Indian health delivery system; and

(G) Other strategies to improve population health and increase access to quality health care for American Indians and Alaska Natives.

(nnn) \$139,000 of the general fund—state appropriation for fiscal year 2019 and \$139,000 of the general fund—federal appropriation (~~for fiscal year 2019~~) are provided solely for implementation of Substitute Senate Bill No. 6549 (ABCD dental). (~~If the bill is not enacted by June 30, 2018, the amounts provided in this subsection shall lapse.~~)

(ooo) \$500,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for a community hospital located in Toppenish to convert fifteen existing acute care beds to long-term psychiatric beds.

(ppp) \$133,000 of the general fund—state appropriation for fiscal year 2019 is provided solely to increase reimbursement rates for reproductive services ineligible for federal matching funds and this is the maximum amount the authority may expend in this fiscal year for this purpose.

(2) PUBLIC EMPLOYEES' BENEFITS BOARD AND EMPLOYEE BENEFITS PROGRAMS

State Health Care Authority Administration Account—
State Appropriation \$34,481,000

The appropriation in this subsection is subject to the following conditions and limitations:

(a) The authority and the public employees' benefits board shall consult with the Washington state institute for public policy on the cost-effectiveness of the wellness plan and any changes to the plan that can be made to increase the health care efficiency of the wellness plan. The authority shall report its findings to the governor and the appropriate committees of the legislature by October 15, 2018.

(b) The authority and the public employees' benefits board shall ensure that procurement for employee health benefits during the 2019-2021 fiscal biennium is consistent with the funding limitations provided in part 9 of this act.

(c) \$236,000 of the state health care authority administration account—state appropriation for fiscal year 2018 and \$236,000 of the state health care authority administration account—state appropriation for fiscal year 2019 are provided solely to the

affordable care act employer shared responsibility project and are subject to the conditions, limitations, and review provided in section 724 of this act.

(d) All savings resulting from reduced claim costs or other factors identified after December 31, 2016, must be reserved for funding employee health benefits in the 2019-2021 fiscal biennium. Any changes to benefits, including covered prescription drugs, must be approved by the public employees' benefits board. Upon procuring benefits for calendar years 2018 and 2019, the public employees' benefits board shall: (1) Not consider any changes to benefits, including prescription drugs, without considering comprehensive analysis of the cost of those changes; and (2) not adopt a package of benefits and premiums that results in a projected unrestricted reserve funding level lower than was projected under the assumptions made prior to procurement. For this purpose, assumptions means projections about the levels of future claims, costs, enrollment and other factors, prior to any changes in benefits. The certificates of coverage agreed to by the health care authority for calendar years 2018 and 2019 must ensure that no increases in coverage of prescription drugs, services, or other benefits may occur prior to approval by the public employees' benefits board at the time of procurement of benefits for the ensuing calendar year. The public employees' benefits board may, within the funds provided, adopt a virtual diabetes prevention program and adjust the waiting period for dental crown replacement in the Uniform dental program to align with the dental managed care plans.

(e) Within the amounts appropriated within this section, the authority, in consultation with one Washington within the office of financial management, the office of the chief information officer, and other state agencies with statewide payroll or benefit systems, shall prepare a report describing options for the replacement of the Pay 1 information technology system. The report shall evaluate the potential costs, benefits, and feasibility of integrating the functions currently performed by Pay 1 into an existing or new statewide system, as well for a stand-alone system. The report shall also update the business and system requirements documents previously developed for a Pay 1 replacement system. This report shall be provided to the governor and appropriate committees of the legislature by September 30, 2018.

(f) The public employees' benefits board, in collaboration with the authority, shall work to ensure that a single platform provider credentialing system is implemented. The authority and the board shall ensure that appropriate cost offsets and cost avoidance are assumed for reduced staff time required for provider credentialing activity and reductions in improper billing activity when implementing provider credentialing systems. The board must enter into an agreement with the authority to pay its share of the costs of implementing and operating a new provider credentialing system.

(3) SCHOOL EMPLOYEES' BENEFITS BOARD

School Employees' Insurance Administrative Account—State Appropriation \$28,730,000

The appropriation in this subsection is subject to the following conditions and limitations: \$28,730,000 of the school employees' insurance administrative account—state appropriation is provided solely for implementation of the school employees' benefits board until the new board commences provision of benefits on January 1, 2020. It is the intent of the legislature that the state health care authority administration account be reimbursed for the appropriation to this account made in part VII of this act, with interest.

(4) HEALTH BENEFIT EXCHANGE

General Fund—State Appropriation (FY 2018)	\$5,184,000
General Fund—State Appropriation (FY 2019)	\$5,651,000
General Fund—Federal Appropriation	(\$53,892,000)
	<u>\$52,070,000</u>
Health Benefit Exchange Account—State Appropriation	(\$59,385,000)
	<u>\$61,207,000</u>
TOTAL APPROPRIATION	\$124,112,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) The receipt and use of medicaid funds provided to the health benefit exchange from the health care authority are subject to compliance with state and federal regulations and policies governing the Washington apple health programs, including timely and proper application, eligibility, and enrollment procedures.

(b)(i) By July 15th and January 15th of each year, the authority shall make a payment of one-half the general fund—state appropriation and one-half the health benefit exchange account—state appropriation to the exchange.

(ii) For the 2017-2019 biennium, for the purpose of annually calculating issuer assessments, exchange operational costs may include up to three months of additional operating costs.

(iii) The exchange shall monitor actual to projected revenues and make necessary adjustments in expenditures or carrier assessments to ensure expenditures do not exceed actual revenues.

(iv) Payments made from general fund—state appropriation and health benefit exchange account—state appropriation shall be available for expenditure for no longer than the period of the appropriation from which it was made. When the actual cost of materials and services have been fully determined, and in no event later than the lapsing of the appropriation, any unexpended balance of the payment shall be returned to the authority for credit to the fund or account from which it was made, and under no condition shall expenditures exceed actual revenue.

(c) \$271,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for implementation of Engrossed Second Substitute House Bill No. 2595 (automatic voter registration). ~~((If the bill is not enacted by June 30, 2018, the amount provided in this subsection shall lapse.))~~

(d) \$196,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for implementation of Substitute Senate Bill No. 5683 (Pacific Islander health care). ~~((If the bill is not enacted by June 30, 2018, the amount provided in this subsection shall lapse.))~~

(5) COMMUNITY BEHAVIORAL HEALTH PROGRAM

General Fund—State Appropriation (FY 2019)	(\$542,049,000)
	<u>\$496,646,000</u>
General Fund—Federal Appropriation	(\$919,359,000)
	<u>\$879,469,000</u>
General Fund—Private/Local Appropriation	\$18,261,000
Criminal Justice Treatment Account—State Appropriation	\$6,490,000
Problem Gambling Account—State Appropriation	\$728,000
Dedicated Marijuana Account—State Appropriation (FY 2019)	\$28,486,000
Pension Funding Stabilization Account—State Appropriation	\$857,000
TOTAL APPROPRIATION	<u>\$1,516,230,000</u>
	<u>\$1,430,937,000</u>

The appropriations in this subsection are subject to the following conditions and limitations:

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(a) For the purposes of this subsection, amounts provided for behavioral health organizations shall also be available for the health care authority to contract with entities that assume the responsibilities of behavioral health organizations in regions in which the health care authority is purchasing medical and behavioral health services through fully integrated contracts pursuant to RCW 71.24.380.

(b) \$6,590,000 of the general fund—state appropriation for fiscal year 2019 and \$3,810,000 of the general fund—federal appropriation are provided solely for the authority and behavioral health organizations to continue to contract for implementation of high-intensity programs for assertive community treatment (PACT) teams. In determining the proportion of medicaid and nonmedicaid funding provided to behavioral health organizations with PACT teams, the authority shall consider the differences between behavioral health organizations in the percentages of services and other costs associated with the teams that are not reimbursable under medicaid. The authority may allow behavioral health organizations which have nonmedicaid reimbursable costs that are higher than the nonmedicaid allocation they receive under this section to supplement these funds with local dollars or funds received under (f) of this subsection. The authority and behavioral health organizations shall maintain consistency with all essential elements of the PACT evidence-based practice model in programs funded under this section.

(c) From the general fund—state appropriations in this subsection, the authority shall assure that behavioral health organizations reimburse the department of social and health services aging and long term support administration for the general fund—state cost of medicaid personal care services that enrolled behavioral health organization consumers use because of their psychiatric disability.

(d) \$1,760,000 of the general fund—federal appropriation is provided solely for the authority to maintain a pilot project to put peer bridging staff into each behavioral health organization as part of the state psychiatric liaison teams to promote continuity of service as individuals return to their communities.

(e) \$6,858,000 of the general fund—state appropriation for fiscal year 2019 and \$4,023,000 of the general fund—federal appropriation are provided solely for new crisis triage or stabilization centers. The authority must seek proposals from behavioral health organizations for the use of these funds based on regional priorities. Services in these facilities may include crisis stabilization and intervention, individual counseling, peer support, medication management, education, and referral assistance. The authority shall monitor each center's effectiveness at lowering the rate of state psychiatric hospital admissions.

(f) \$81,930,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for persons and services not covered by the medicaid program. To the extent possible, levels of behavioral health organization spending must be maintained in the following priority order: Crisis and commitment services; community inpatient services; and residential care services, including personal care and emergency housing assistance. These amounts must be distributed to behavioral health organizations proportionate to the fiscal year 2017 allocation of flexible nonmedicaid funds. The authority must include the following language in medicaid contracts with behavioral health organizations unless they are provided formal notification from the center for medicaid and medicare services that the language will result in the loss of federal medicaid participation: "The contractor may voluntarily provide services that are in addition to those covered under the state plan, although the cost of these services cannot be included when determining payment rates

unless including these costs are specifically allowed under federal law or an approved waiver."

(g) The authority is authorized to continue to contract directly, rather than through contracts with behavioral health organizations for children's long-term inpatient facility services.

(h) \$1,125,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the Spokane county behavioral health organization to implement services to reduce utilization and the census at eastern state hospital. Such services shall include:

(i) High intensity treatment team for persons who are high utilizers of psychiatric inpatient services, including those with co-occurring disorders and other special needs;

(ii) Crisis outreach and diversion services to stabilize in the community individuals in crisis who are at risk of requiring inpatient care or jail services;

(iii) Mental health services provided in nursing facilities to individuals with dementia, and consultation to facility staff treating those individuals; and

(iv) Services at the sixteen-bed evaluation and treatment facility.

At least annually, the Spokane county behavioral health organization shall assess the effectiveness of these services in reducing utilization at eastern state hospital, identify services that are not optimally effective, and modify those services to improve their effectiveness.

(i) \$1,204,000 of the general fund—state appropriation for fiscal year 2019 is provided solely to reimburse Pierce and Spokane counties for the cost of conducting one hundred eighty-day commitment hearings at the state psychiatric hospitals.

(j) Behavioral health organizations may use local funds to earn additional federal medicaid match, provided the locally matched rate does not exceed the upper-bound of their federally allowable rate range, and provided that the enhanced funding is used only to provide medicaid state plan or waiver services to medicaid clients. Additionally, behavioral health organizations may use a portion of the state funds allocated in accordance with (f) of this subsection to earn additional medicaid match, but only to the extent that the application of such funds to medicaid services does not diminish the level of crisis and commitment, community inpatient, residential care, and outpatient services presently available to persons not eligible for medicaid.

(k) \$2,291,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for mental health services for mentally ill offenders while confined in a county or city jail and for facilitating access to programs that offer mental health services upon release from confinement. The authority must collect information from the behavioral health organizations on their plan for using these funds, the numbers of individuals served, and the types of services provided and submit a report to the office of financial management and the appropriate fiscal committees of the legislature by December 1st of each year of the biennium.

(l) Within the amounts appropriated in this section, funding is provided for the authority to develop and phase in intensive mental health services for high needs youth consistent with the settlement agreement in *T.R. v. Dreyfus and Porter*.

(m) The authority must establish minimum and maximum funding levels for all reserves allowed under behavioral health organization contracts and insert contract language that clearly states the requirements and limitations. The authority must monitor and ensure that behavioral health organization reserves do not exceed maximum levels. The authority must monitor behavioral health organization revenue and expenditure reports and must require a behavioral health organization to submit a

corrective action plan on how it will spend its excess reserves within a reasonable period of time, when its reported reserves exceed maximum levels established under the contract. The authority must review and approve such plans and monitor to ensure compliance. If the authority determines that a behavioral health organization has failed to provide an adequate excess reserve corrective action plan or is not complying with an approved plan, the authority must reduce payments to the behavioral health organization in accordance with remedial actions provisions included in the contract. These reductions in payments must continue until the authority determines that the behavioral health organization has come into substantial compliance with an approved excess reserve corrective action plan.

(n) \$3,079,000 of the general fund—state appropriation for fiscal year 2019 and \$2,892,000 of the general fund—federal appropriation are provided solely for the authority to increase rates for community hospitals that provide a minimum of two hundred medicaid psychiatric inpatient days. The authority must increase both medicaid and nonmedicaid psychiatric per-diem reimbursement rates for these providers within these amounts. The amounts in this subsection include funding for additional hold harmless payments resulting from the rate increase. The authority shall prioritize increases for hospitals not currently paid based on provider specific costs using a similar methodology used to set rates for existing inpatient facilities and the latest available cost report information. Rate increases for providers must be set so as not to exceed the amounts provided within this subsection. The rate increase related to nonmedicaid clients must be done to maintain the provider at the same percentage as currently required under WAC 182-550-4800.

(o) \$100,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the authority to collaborate with tribal governments and develop a plan for establishing an evaluation and treatment facility that will specialize in providing care specifically to the American Indian and Alaska Native population. The plan must include options for maximizing federal participation and ensure that utilization will be based on medical necessity and identify a specific geographic location where a tribal evaluation and treatment facility will be built.

(p) \$7,103,000 of the general fund—state appropriation for fiscal year 2019 and \$8,052,000 of the general fund—federal appropriation are provided solely for the authority to contract with community hospitals or freestanding evaluation and treatment centers to provide up to forty-eight long-term inpatient care beds as defined in RCW 71.24.025. The authority must seek proposals and contract directly for these services rather than contracting through behavioral health organizations. The authority must not use any of the amounts provided under this subsection for contracts with facilities that are subject to federal funding restrictions that apply to institutions of mental diseases, unless they have received a waiver that allows for full federal participation in these facilities.

(q) \$1,133,000 of the general fund—state appropriation for fiscal year 2019 and \$1,297,000 of the general fund—federal appropriation are provided solely to increase the number of psychiatric residential treatment beds for individuals transitioning from psychiatric inpatient settings. The authority must seek proposals from behavioral health organizations for the use of these amounts and coordinate with the department of social and health services in awarding these funds. The authority must not allow for any of the amounts provided under this subsection to be used for services in facilities that are subject to federal funding restrictions that apply to institutions of mental diseases, unless they have received a waiver that allows for full federal participation in these facilities.

(r) \$6,744,000 of the general fund—state appropriation for fiscal year 2019 and \$14,516,000 of the general fund—federal appropriation are provided solely for the authority to increase medicaid capitation payments for behavioral health organizations. The authority must work with the actuaries responsible for certifying behavioral health capitation rates to adjust average salary assumptions in order to implement this increase. In developing further updates for medicaid managed care rates for behavioral health services, the authority must require the contracted actuaries to: (i) Review and consider comparison of salaries paid by government agencies and hospitals that compete with community providers for behavioral health workers in developing salary assumptions; and (ii) review data to see whether a specific travel assumption for high congestion areas is warranted. The authority must include and make available all applicable documents and analysis to legislative staff from the fiscal committees throughout the process. The authority must require the actuaries to develop and submit rate ranges for each behavioral health organization prior to certification of specific rates.

(s) The number of beds allocated for use by behavioral health organizations at eastern state hospital shall be one hundred ninety two per day. The number of nonforensic beds allocated for use by behavioral health organizations at western state hospital shall be five hundred fifty-seven per day. In fiscal year 2019, the authority must reduce the number of beds allocated for use by behavioral health organizations at western state hospital by thirty beds to allow for the repurposing of a civil ward at western state hospital to provide forensic services. The contracted beds provided under (p) of this subsection shall be allocated to the behavioral health organizations in lieu of beds at the state hospitals and be incorporated in their allocation of state hospital patient days of care for the purposes of calculating reimbursements pursuant to RCW 71.24.310. It is the intent of the legislature to continue the policy of expanding community based alternatives for long term civil commitment services that allow for state hospital beds to be prioritized for forensic patients.

(t) \$11,405,000 of the general fund—state appropriation for fiscal year 2019 and \$8,840,000 of the general fund—federal appropriation are provided solely to maintain enhancements of community mental health services. The authority must contract these funds for the operation of community programs in which the authority determines there is a need for capacity that allows individuals to be diverted or transitioned from the state hospitals including but not limited to: (i) Community hospital or free standing evaluation and treatment services providing short-term detention and commitment services under the involuntary treatment act to be located in the geographic areas of the King behavioral health organization, the Spokane behavioral health organization outside of Spokane county, and the Thurston Mason behavioral health organization; (ii) one new full program of an assertive community treatment team in the King behavioral health organization and two new half programs of assertive community treatment teams in the Spokane behavioral health organization and the Pierce behavioral health organization; and (iii) three new recovery support services programs in the Great Rivers behavioral health organization, the greater Columbia behavioral health organization, and the north sound behavioral health organization. In contracting for community evaluation and treatment services, the authority may not use these resources in facilities that meet the criteria to be classified under federal law as institutions for mental diseases. If the authority is unable to come to a contract agreement with a designated behavioral health organization for any of the services identified above, it may consider contracting for that service in another region that has the need for such service.

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(u) \$1,296,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for clubhouse programs. The authority shall ensure that \$400,000 is used for the biennium for support of the Spokane clubhouse program and the remaining funds must be used for support of new clubhouse programs. The authority must develop options and cost estimates for implementation of clubhouse programs statewide through a medicaid state plan amendment or a medicaid waiver and submit a report to the office of financial management and the appropriate committees of the legislature by December 1, 2018.

(v) \$213,000 of the general fund—state appropriation for fiscal year 2019 is provided solely to fund one pilot project in Pierce county and one in Yakima county to promote increased utilization of assisted outpatient treatment programs. The authority shall require two behavioral health organizations to contract with local government to establish the necessary infrastructure for the programs. The authority shall provide a report by October 15, 2018, to the office of financial management and the appropriate fiscal and policy committees of the legislature to include the number of individuals served, outcomes to include reduced use of inpatient treatment and state hospital stays, and recommendations for further implementation based on lessons learned and best practices identified by the pilot projects.

(w) \$3,278,000 of the dedicated marijuana account—state appropriation for fiscal year 2019 is provided solely for a memorandum of understanding with the department of social and health services juvenile rehabilitation administration to provide substance abuse treatment programs for juvenile offenders. Of the amounts provided in this subsection (5)(w):

(i) \$1,130,000 of the dedicated marijuana account—state appropriation for fiscal year 2019 is provided solely for alcohol and substance abuse treatment programs for locally committed offenders. The juvenile rehabilitation administration shall award these funds as described in section 203(4) of this act.

(ii) \$282,000 of the dedicated marijuana account—state appropriation for fiscal year 2019 is provided solely for the expansion of evidence-based treatments and therapies as described in section 203(2) of this act.

(x) During fiscal year 2019, any amounts provided in this section that are used for case management services for pregnant and parenting women must be contracted directly between the authority and providers rather than through contracts with behavioral health organizations.

(y) Within the amounts appropriated in this section, the authority may contract with the University of Washington and community-based providers for the provision of the parent-child assistance program or other specialized chemical dependency case management providers for pregnant, post-partum, and parenting women. For all contractors: (i) Service and other outcome data must be provided to the authority by request; and (ii) indirect charges for administering the program must not exceed ten percent of the total contract amount.

(z) \$1,750,000 of the general fund—federal appropriation (from the substance abuse prevention and treatment federal block grant) is provided solely for the continued funding of existing county drug and alcohol use prevention programs.

(aa) \$200,000 of the dedicated marijuana account—state appropriation for fiscal year 2019 is provided solely for a contract with the Washington state institute for public policy to conduct cost-benefit evaluations of the implementation of chapter 3, Laws of 2013 (Initiative Measure No. 502).

(bb) \$500,000 of the dedicated marijuana account—state appropriation for fiscal year 2019 is provided solely to design and administer the Washington state healthy youth survey and the Washington state young adult behavioral health survey.

(cc) \$396,000 of the dedicated marijuana account—state appropriation for fiscal year 2019 is provided solely for maintaining increased services to pregnant and parenting women provided through the parent child assistance program.

(dd) \$250,000 of the dedicated marijuana account—state appropriation for fiscal year 2019 is provided solely for a grant to the office of superintendent of public instruction to provide life skills training to children and youth in schools that are in high needs communities.

(ee) \$386,000 of the dedicated marijuana account—state appropriation for fiscal year 2019 is provided solely to maintain increased prevention and treatment services provided by tribes and federally recognized American Indian organizations to children and youth.

(ff) \$2,684,000 of the dedicated marijuana account—state appropriation for fiscal year 2019 and \$950,000 of the general fund—federal appropriation are provided solely to maintain increased residential treatment services for children and youth.

(gg) \$250,000 of the dedicated marijuana account—state appropriation for fiscal year 2019 is provided solely for training and technical assistance for the implementation of evidence based, research based, and promising programs which prevent or reduce substance use disorders.

(hh) \$2,434,000 of the dedicated marijuana account—state appropriation for fiscal year 2019 is provided solely for expenditure into the home visiting services account.

(ii) \$2,500,000 of the dedicated marijuana account—state appropriation for fiscal year 2019 is provided solely for grants to community-based programs that provide prevention services or activities to youth, including programs for school-based resource officers. These funds must be utilized in accordance with RCW 69.50.540.

(jj) Within the amounts provided in this section, behavioral health organizations must provide outpatient chemical dependency treatment for offenders enrolled in the medicaid program who are supervised by the department of corrections pursuant to a term of community supervision. Contracts with behavioral health organizations must require that behavioral health organizations include in their provider network specialized expertise in the provision of manualized, evidence-based chemical dependency treatment services for offenders. The department of corrections and the authority must develop a memorandum of understanding for department of corrections offenders on active supervision who are medicaid eligible and meet medical necessity for outpatient substance use disorder treatment. The agreement will ensure that treatment services provided are coordinated, do not result in duplication of services, and maintain access and quality of care for the individuals being served. The authority must provide all necessary data, access, and reports to the department of corrections for all department of corrections offenders that receive medicaid paid services.

(kk) \$562,000 of the general fund—federal appropriation is provided solely for the authority to develop a memorandum of understanding with the department of health for implementation of chapter 297, Laws of 2017 (ESHB 1427) (opioid treatment programs). The authority must use these amounts to reimburse the department of health for costs incurred through the implementation of the bill.

(ll) \$2,580,000 of the general fund—state appropriation for fiscal year 2019 and \$2,320,000 of the general fund—federal appropriation are provided solely for the development and operation of two secure detoxification facilities. The authority must not use any of these amounts for services in facilities that are subject to federal funding restrictions that apply to institutions

for mental diseases, unless they have received a waiver that allows for full federal participation in these facilities.

(mm) \$100,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for parenting education services focused on pregnant and parenting women.

(nn) Within existing appropriations, the authority shall prioritize the prevention and treatment of intravenous opiate-based drug use.

(oo) The criminal justice treatment account—state appropriation is provided solely for treatment and treatment support services for offenders with a substance use disorder pursuant to RCW 71.24.580. The authority must offer counties the option to administer their share of the distributions provided for under RCW 71.24.580(5)(a). If a county is not interested in administering the funds, the authority shall contract with a behavioral health organization or administrative services organization to administer these funds consistent with the plans approved by local panels pursuant to RCW 71.24.580(5)(b). The authority must provide a report to the office of financial management and the appropriate committees of the legislature which identifies the distribution of criminal justice treatment account funds by September 30, 2018.

(pp) \$23,090,000 of the general fund—state appropriation for fiscal year 2019 and \$46,222,000 of the general fund—federal appropriation are provided solely for the enhancement of community-based behavioral health services. This funding must be allocated to behavioral health organizations proportionate to their regional population. In order to receive these funds, each region must submit a plan to address the following issues: (i) Reduction in their use of long-term commitment beds through community alternatives; (ii) compliance with RCW 71.05.365 requirements for transition of state hospital patients into community settings within fourteen days of the determination that they no longer require active psychiatric treatment at an inpatient level of care; (iii) improvement of staff recruitment and retention in community behavioral health facilities; (iv) diversion of individuals with behavioral health issues from the criminal justice system; and (v) efforts to improve recovery oriented services, including, but not limited to, expansion of clubhouse models. The plans are not limited to the amounts in this subsection and may factor in all resources available for behavioral health. The authority must identify metrics for tracking progress in each of the areas identified. The authority must collect information on the metrics and outcomes and submit a report summarizing the findings to the office of financial management and the appropriate committees of the legislature by June 30, 2020. Twenty percent of the general fund—state appropriation amounts for each behavioral health organization must be used to increase their nonmedicaid funding and the remainder must be used to increase medicaid rates up to but not exceeding the top of each behavioral health organizations medicaid rate range.

(qq) \$11,023,000 of the general fund—state appropriation for fiscal year 2019 is provided solely to assist behavioral health organizations with the costs of providing services to medicaid clients receiving services in psychiatric facilities classified as institutions of mental diseases. The authority must distribute these amounts proportionate to the number of bed days for medicaid clients in institutions for mental diseases that were excluded from behavioral health organization fiscal year 2019 capitation rates because they exceeded the amounts allowed under federal regulations. The authority must also use these amounts to directly pay for costs that are ineligible for medicaid reimbursement in institutions of mental disease facilities for American Indian and Alaska Natives who opt to receive behavioral health services on a fee-for-service basis. The amounts used for these individuals must be reduced from the allocation of the behavioral health

organization where the individual resides. If a behavioral health organization receives more funding through this subsection than is needed to pay for the cost of their medicaid clients in institutions for mental diseases, they must use the remainder of the amounts to provide other services not covered under the medicaid program. The authority must explore options for continuing to expand waivers which allow for federal matching funds to be used in these facilities. The authority must submit a report on the status of the waiver to the office of financial management and the appropriate committees of the legislature by December 1, 2018.

(rr) \$14,500,000 of the general fund—state appropriation for fiscal year 2019 is provided solely to ensure a smooth transition to integrated managed care for behavioral health regions and to maintain the existing level of regional behavioral health crisis and diversion programs, and other required behavioral health administrative service organization services. These amounts must be used to support the regions transitioning to become mid-adopters for full integration of physical and behavioral health care. These amounts must be distributed proportionate to the population of each regional area covered. The maximum amount allowed per region is \$3,175 per 1,000 residents. These amounts must be used to provide a reserve for nonmedicaid services in the region and to stabilize the new crisis services system. The authority must require all behavioral health organizations transitioning to full integration to either spend down or return all reserves in accordance with contract requirements and federal and state law. Behavioral health organization reserves may not be used to pay for services to be provided beyond the end of a behavioral health organization's contract or for start-up costs in full integration regions. The authority must ensure that any increases in expenditures in behavioral health reserve spend-down plans are required for the operation of services during the contract period and do not result in overpayment to providers.

(ss) \$806,000 of the general fund—federal appropriation is provided solely for the authority to develop a peer support program for individuals with substance use disorders. These amounts must be used for development of training and certification of peers specialists. The authority must submit a state plan amendment which provides for these services to be included in behavioral health capitation rates beginning in fiscal year 2020 and allows for federal matching funds to be leveraged for these services.

(tt) \$200,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the authority, in collaboration with the department of social and health services, to further develop efforts to shift funding and risk for most civil long-term inpatient commitments into fully integrated care contracts beginning in January 2020. The funding and risk for patients at the state hospitals who have been committed pursuant to dismissal of felony charges after being determined incompetent to stand trial shall not be incorporated into integrated care contracts.

(i) By December 1, 2018, the authority, in coordination with the department of social and health services, must submit a report to the office of financial management and the appropriate committees of the legislature on the following: (A) Actuarial estimates on the impact to per member per month payments and estimated annual state and federal costs for medicaid managed care organizations with fully integrated contracts; (B) actuarial estimates on the estimated annual costs for administrative services organizations; (C) estimates of the per-diem cost at the state hospitals that will be charged to entities with responsibility for paying for long-term civil inpatient commitments once these are incorporated into fully integrated care contracts; and (D) estimates of the amount of funding that can be reduced from direct

appropriations for the state hospitals to reflect the shift in financial responsibility.

(ii) The authority must also explore and report on options for fully leveraging the state’s share of federal medicaid disproportionate share funding allowed for institutions of mental diseases, including but not limited to: (A) Prioritizing the use of this funding for forensic patients and those civilly committed pursuant to dismissal of a felony charge; (B) obtaining an institution for mental diseases—disproportionate share hospital waiver to allow for regular medicaid federal financial participation to be used at the state hospitals; and (C) shifting some of the state’s current disproportionate share funding used at the state hospitals to community-based institutions for mental diseases to reduce the state cost of patients for whom regular federal medicaid match is not allowed.

(uu) \$2,732,000 of the general fund—state appropriation for fiscal year 2019 and \$9,026,000 of the general fund—federal appropriation are provided solely for the authority to implement strategies to improve access to prevention and treatment of opioid use disorders. The authority may use these funds for the following activities: (i) Expansion of hub and spoke treatment networks; (ii) expansion of pregnant and parenting case management programs; (iii) grants to tribes to prevent opioid use and expand treatment for opioid use disorders; (iv) development and implementation of a tool to track medication assisted treatment provider capacity; (v) support of drug take-back programs which allow individuals to return unused opioids and other drugs for safe disposal; (vi) purchase and distribution of opioid reversal medication; and (vii) maintaining support for youth prevention services. The authority must coordinate these activities with the department of health to avoid duplication of effort and must work to identify additional federal resources that can be used to maintain and expand these efforts. The authority must submit a report to the office of financial management and the appropriate committees of the legislature on the status of these efforts by December 1, 2018. The report must include identification of any increase in behavioral health federal block grants or other federal funding awards received by the authority and the plan for the use of these funds.

(vv) \$150,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the authority to contract with actuaries to develop estimates for the cost of implementing new behavioral health service types in the medicaid state plan. The authority must coordinate with behavioral health organizations to identify: (i) Eligible behavioral health service types that are currently provided to medicaid enrollees without federal funding and are dependent on state, local, or other funds; and (ii) eligible behavioral health service types that are not currently available to medicaid enrollees due to the lack of federal funding. The authority must contract with the actuaries responsible for certifying state behavioral health capitation rates to develop estimates for the cost of implementing each of these services. The estimates must identify the cost of implementing each service statewide, the estimated state and federal medicaid cost, and any estimated offset in state non-medicaid spending. The authority must submit a report to the office of financial management and the appropriate committees of the legislature identifying the services and costs estimates by November 1, 2018.

(ww) \$446,000 of the general fund—state appropriation for fiscal year 2019 and \$89,000 of the general fund—federal appropriation are provided solely for the University of Washington’s evidence-based practice institute which supports the identification, evaluation, and implementation of evidence-based or promising practices. The institute must work with the authority to develop a plan to seek private, federal, or other grant funding in order to reduce the need for state general funds. The

authority must collect information from the institute on the use of these funds and submit a report to the office of financial management and the appropriate fiscal committees of the legislature by December 1st of each year of the biennium.

(xx) No more than \$13,098,000 of the general fund—federal appropriation may be expended for supported housing and employment services described in initiative 3a and 3b of the medicaid transformation demonstration waiver under healthier Washington. Under this initiative, the department and the health care authority shall ensure that allowable and necessary services are provided to eligible clients as identified by the department or its providers or third party administrator. The department and the authority in consultation with the medicaid forecast work group, shall ensure that reasonable reimbursements are established for services deemed necessary within an identified limit per individual. The department shall not increase general fund—state expenditures under this initiative. The secretary in collaboration with the director of the authority shall report to the joint select committee on health care oversight no less than quarterly on financial and health outcomes. The secretary in cooperation with the director shall also report to the fiscal committees of the legislature all of the expenditures of this subsection and shall provide such fiscal data in the time, manner, and form requested by the legislative fiscal committees. Beginning May 1, 2019, the authority shall freeze participation in initiatives 3a and 3b at the current level of enrollment. No new participants may be added without further federal approval.

(yy) \$2,000,000 of the general fund—state appropriation for fiscal year 2019 and \$2,000,000 of the general fund—federal appropriation are provided solely for the health care authority to implement a process that increases access to children’s long-term inpatient program (CLIP) by increasing bed capacity through current and new providers of services.

(zz) \$727,000 of the general fund—state appropriation for fiscal year 2019 and \$1,005,000 of the general fund—federal appropriation are provided solely to implement Engrossed Substitute Senate Bill No. 6491 (outpatient behavioral health). ~~((If the bill is not enacted by June 30, 2018, the amounts provided in this subsection shall lapse.))~~

Sec.1112. 2018 c 299 s 215 (uncodified) is amended to read as follows:

FOR THE BOARD OF INDUSTRIAL INSURANCE APPEALS

Worker and Community Right-to-Know Account—State	
Appropriation	\$10,000
Accident Account—State Appropriation	(\$22,565,000)
	\$22,772,000
Medical Aid Account—State Appropriation	(\$22,566,000)
	\$22,774,000
TOTAL APPROPRIATION	\$45,141,000
	\$45,556,000

The appropriations in this section are subject to the following conditions and limitations: \$145,000 of the accident account—state appropriation for fiscal year 2019 and \$145,000 of the medical aid account—state for fiscal year 2019 are provided solely for implementation of Substitute House Bill No. 1723 (Hanford occupational disease). ~~((If the bill is not enacted by June 30, 2018, the amounts provided in this subsection shall lapse.))~~

Sec. 1113. 2018 c 299 s 216 (uncodified) is amended to read as follows:

FOR THE CRIMINAL JUSTICE TRAINING COMMISSION

General Fund—State Appropriation (FY 2018)	\$21,668,000
General Fund—State Appropriation (FY 2019)	\$23,139,000

General Fund—Private/Local Appropriation	\$6,673,000
Death Investigations Account—State Appropriation	\$148,000
Municipal Criminal Justice Assistance Account—State Appropriation	\$460,000
Pension Funding Stabilization Account—State Appropriation	\$460,000
Washington Auto Theft Prevention Authority Account—State Appropriation	\$8,167,000
24/7 Sobriety Account—State Appropriation	(\$20,000)
	<u>\$18,000</u>
TOTAL APPROPRIATION	<u>\$60,735,000</u>
	<u>\$60,733,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$5,000,000 of the general fund—state appropriation for fiscal year 2018 and \$5,000,000 of the general fund—state appropriation for fiscal year 2019, are provided to the Washington association of sheriffs and police chiefs solely to verify the address and residency of registered sex offenders and kidnapping offenders under RCW 9A.44.130. The association may use no more than \$50,000 per fiscal year of the amounts provided on program management activities.

(2) \$1,284,000 of the general fund—state appropriation for fiscal year 2018 and \$1,546,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for seventy-five percent of the costs of providing six additional statewide basic law enforcement trainings in fiscal year 2018, and seven additional statewide basic law enforcement trainings in fiscal year 2019. The criminal justice training commission must schedule its funded classes to minimize wait times throughout each fiscal year and meet statutory wait time requirements.

(3) \$792,000 of the general fund—local appropriation is provided solely to purchase ammunition for the basic law enforcement academy. Jurisdictions shall reimburse to the criminal justice training commission the costs of ammunition, based on the average cost of ammunition per cadet, for cadets that they enroll in the basic law enforcement academy.

(4) The criminal justice training commission may not run a basic law enforcement academy class of fewer than 30 students.

(5) \$100,000 of the general fund—state appropriation for fiscal year 2018 and \$100,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for a school safety program. The commission, in collaboration with the school safety center advisory committee, shall provide the school safety training for all school administrators and school safety personnel hired after the effective date of this section.

(6) \$96,000 of the general fund—state appropriation for fiscal year 2018 and \$96,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the school safety center within the commission. The safety center shall act as an information dissemination and resource center when an incident occurs in a school district in Washington or in another state, coordinate activities relating to school safety, and review and approve manuals and curricula used for school safety models and training. Through an interagency agreement, the commission shall provide funding for the office of the superintendent of public instruction to continue to develop and maintain a school safety information web site. The school safety center advisory committee shall develop and revise the training program, using the best practices in school safety, for all school safety personnel. The commission shall provide research-related programs in school safety and security issues beneficial to both law enforcement and schools.

(7) \$146,000 of the general fund—state appropriation for fiscal year 2018 and \$146,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the costs of providing statewide advanced driving training with the use of a driving simulator.

(8) \$679,000 of the general fund—state appropriation for fiscal year 2018 and \$587,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for implementation of chapter 261, Laws of 2017 (SHB 1501) (attempts to obtain firearms).

(9) \$57,000 of the general fund—state appropriation for fiscal year 2018 is provided solely for implementation of chapter 295, Laws of 2017 (SHB 1258) (first responders/disability).

(10) \$198,000 of the general fund—state appropriation for fiscal year 2018 and \$414,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for implementation of chapter 290, Laws of 2017 (ESHB 1109) (victims of sexual assault).

(11) \$117,000 of the general fund—state appropriation for fiscal year 2018, \$117,000 of the general fund—state appropriation for fiscal year 2019, and \$1,000,000 of the Washington auto theft prevention account—state appropriation are provided solely for the first responder building mapping information system.

(12) \$595,000 of the general fund—state appropriation for fiscal year 2018 and \$595,000 of the general fund—state appropriation for fiscal year 2019 are provided solely to continue crisis intervention training required in chapter 87, Laws of 2015.

(13) \$250,000 of the general fund—state appropriation for fiscal year 2018 and \$250,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the criminal justice training commission to deliver research-based programs to instruct, guide, and support local law enforcement agencies in fostering the "guardian philosophy" of policing, which emphasizes de-escalating conflicts and reducing the use of force.

(14) \$429,000 of the general fund—state appropriation for fiscal year 2018 and \$429,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for expenditure into the nonappropriated Washington internet crimes against children account for the implementation of chapter 84, Laws of 2015.

(15) \$842,000 of the general fund—state appropriation for fiscal year 2018 and \$1,260,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the purpose of creating and funding on an ongoing basis the: (a) Updating and providing of basic and in-service training for peace officers and corrections officers that emphasizes de-escalation and use of less lethal force; and (b) creation and provision of an evidence-based leadership development program, in partnership with Microsoft, that trains, equips, and supports law enforcement leaders using research-based strategies to reduce crime and improve public trust. Of the amounts appropriated in this subsection, \$907,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the training in (a) of this subsection.

(16) \$100,000 of the general fund—state appropriation for fiscal year 2018 and \$100,000 of the general fund—state appropriation for fiscal year 2019 are provided solely to the Washington association of sheriffs and police chiefs to fund pilot projects in Benton county to support local law enforcement education for law enforcement, medical professionals, first responders, courts, educators, and others to raise awareness and identifying warning signs of human trafficking. Any educational opportunities created through the pilot projects in Benton county

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may provide access for adjacent counties if resources and availability permits.

(17) \$500,000 of the general fund—state appropriation for fiscal year 2018 is provided solely to the Washington association of sheriffs and police chiefs to administer statewide training in the use of the Washington state gang database, established in compliance with RCW 43.43.762, and provide grant funding to ensure agencies enter appropriate and reliable data into the database. The training shall develop professionals with regional responsibilities for database administration throughout the state.

(18) \$1,000,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for providing grants for the mental health field response team grant program established in House Bill No. 2892 (mental health field response). If the bill is not enacted by June 30, 2018, the amount provided in this subsection shall lapse.

(19) \$176,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the implementation of Substitute House Bill No. 1022 (crime victim participation). If the bill is not enacted by June 30, 2018, the amount provided in this subsection shall lapse.

(20) \$50,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the Washington association of sheriffs and police chiefs to convene a work group to develop strategies for identification and intervention against potential perpetrators of mass shootings, with an emphasis on school safety, and report on recommendations for their prevention.

(a) The work group includes, but is not limited to, representatives of the superintendent of public instruction, the school safety center advisory committee, state colleges and universities, local law enforcement, the Washington state patrol, the attorney general, mental health experts, victims of mass shootings, and the American civil liberties union of Washington.

(b) The work group shall assess and make recommendations regarding:

(i) Strategies to identify persons who may commit mass shootings associated with K-12 schools and colleges and universities;

(ii) A survey of services around the state available for those experiencing a mental health crisis;

(iii) A survey of state and federal laws related to intervening against potential perpetrators or confiscating their firearms; and

(iv) Strategies used by other states or recommended nationally to address the problem of mass shootings.

(c) The work group shall submit a report, which may include findings, recommendations, and proposed legislation, to the appropriate committees of the legislature by December 1, 2018. The report shall consider the following strategies:

(i) Promoting to the public the availability of extreme risk protection orders as a means of avoiding mass shootings;

(ii) A rapid response interdisciplinary team composed of law enforcement, mental health experts, and other appropriate parties who could be mobilized to intervene and prevent a potential crisis at a school or institution of higher learning; and

(iii) Whether reasonable restrictions should be imposed on the access to firearms by those suffering from a mental illness that are consistent with the individual right to bear arms.

Sec. 1114. 2018 c 299 s 217 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF LABOR AND INDUSTRIES

General Fund—State Appropriation (FY 2018)	\$6,513,000
General Fund—State Appropriation (FY 2019)	\$9,285,000
General Fund—Federal Appropriation	\$11,876,000
Asbestos Account—State Appropriation	\$526,000

Electrical License Account—State	Appropriation	\$53,776,000
Farm Labor Contractor Account—State	Appropriation	\$28,000
Worker and Community Right-to-Know Account—State	Appropriation	\$991,000
Public Works Administration Account—State	Appropriation	\$9,849,000
Manufactured Home Installation Training Account—State	Appropriation	\$377,000
Accident Account—State	Appropriation	(\$320,925,000)
		\$321,679,000
Accident Account—Federal	Appropriation	(\$16,765,000)
		\$19,839,000
Medical Aid Account—State	Appropriation	(\$334,083,000)
		\$334,216,000
Medical Aid Account—Federal	Appropriation	(\$3,739,000)
		\$4,182,000
Plumbing Certificate Account—State	Appropriation	\$1,880,000
Pressure Systems Safety Account—State	Appropriation	\$4,433,000
Construction Registration Inspection Account—State	Appropriation	\$20,945,000
Pension Funding Stabilization Account—State	Appropriation	\$1,435,000
TOTAL APPROPRIATION		<u>\$797,426,000</u>
		<u>\$801,830,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$123,000 of the accident account—state appropriation and \$22,000 of the medical aid—state appropriation are provided solely for implementation of chapter 150, Laws of 2017 (House Bill No. 1906) (farm internship).

(2) The department, in collaboration with the health care authority, shall work to ensure that a single platform provider credentialing system is implemented. The authority and department shall ensure that appropriate cost offsets and cost avoidance are assumed for reduced staff time required for provider credentialing activity and reductions in improper billing activity when implementing provider credentialing systems. The department must enter into an agreement with the health care authority to pay its share of the costs of implementing and operating a new provider credentialing system.

(3) \$5,802,000 of the accident account—state appropriation and \$5,676,000 of the medical aid account—state appropriation are provided solely for business transformation projects and are subject to the conditions, limitations, and review provided in section 724 of this act.

(4) \$19,128,000 of the construction registration inspection account—state appropriation is provided solely to implement House Bill No. 1716 (construction inspection account). ~~(If the bill is not enacted by July 31, 2017, the amounts provided in this subsection shall lapse.)~~

(5) \$2,000,000 of the accident account—state appropriation and \$2,000,000 of the medical account—state appropriation are provided solely for a contract with a workforce institute to provide supplemental instruction for information technology apprentices. Funds spent for this purpose must be matched by an equal amount of funding from the information technology industry members, except small and mid-sized employers. Up to \$2,000,000 may be spent to provide supplemental instruction for apprentices at small and mid-sized businesses. "Small and mid-sized employers" means those that have fewer than one hundred employees or have less than five percent net profitability.

(6) \$250,000 of the medical aid account—state appropriation and \$250,000 of the accident account—state appropriation are provided solely for the department of labor and industries safety and health assessment and research for prevention program to conduct research to address the high injury rates of the janitorial workforce. The research must quantify the physical demands of common janitorial work tasks and assess the safety and health needs of janitorial workers. The research must also identify potential risk factors associated with increased risk of injury in the janitorial workforce and measure workload based on the strain janitorial work tasks place on janitors' bodies. The department must conduct interviews with janitors and their employers to collect information on risk factors, identify the tools, technologies, and methodologies used to complete work, and understand the safety culture and climate of the industry. The department must issue an initial report to the legislature, by June 30, 2020, assessing the physical capacity of workers in the context of the industry's economic environment and ascertain usable support tools for employers and workers to decrease risk of injury. After the initial report, the department must produce annual progress reports, beginning in 2021 through the year 2022 or until the tools are fully developed and deployed. The annual progress reports must be submitted to the legislature by December 1st of each year such reports are due.

(7) \$1,272,000 of the public works administration account—state appropriation is provided solely to implement Engrossed Second Substitute House Bill No. 1673 (responsible bidder criteria). ~~((If the bill is not enacted by June 30, 2018, the amount provided in this subsection shall lapse.))~~

(8) \$185,000 of the accident account—state appropriation and \$185,000 of the medical aid account—state appropriation are provided solely to implement Substitute House Bill No. 1723 (Hanford/occupational disease). ~~((If the bill is not enacted by June 30, 2018, the amounts provided in this subsection shall lapse.))~~

(9) \$422,000 of the medical aid account—state appropriation is provided solely to implement Second Substitute Senate Bill No. 6245 (spoken language interpreters). ~~((If the bill is not enacted by June 30, 2018, the amount provided in this subsection shall lapse.))~~

(10) \$51,000 of the medical aid account—state appropriation and \$50,000 of the accident account—state appropriation are provided solely for the implementation of Substitute House Bill No. 1022 (crime victim participation). ~~((If the bill is not enacted by June 30, 2018, the amounts provided in this subsection shall lapse.))~~

Sec. 1115. 2018 c 299 s 218 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF VETERANS AFFAIRS

(1) The appropriations in this section are subject to the following conditions and limitations:

(a) The department of veterans affairs shall not initiate any services that will require expenditure of state general fund moneys unless expressly authorized in this act or other law. The department may seek, receive, and spend, under RCW 43.79.260 through 43.79.282, federal moneys not anticipated in this act as long as the federal funding does not require expenditure of state moneys for the program in excess of amounts anticipated in this act. If the department receives unanticipated unrestricted federal moneys, those moneys must be spent for services authorized in this act or in any other legislation that provides appropriation authority, and an equal amount of appropriated state moneys shall lapse. Upon the lapsing of any moneys under this subsection, the office of financial management shall notify the legislative fiscal committees. As used in this subsection, "unrestricted federal moneys" includes block grants and other funds that federal law

does not require to be spent on specifically defined projects or matched on a formula basis by state funds.

(b) Each year, there is fluctuation in the revenue collected to support the operation of the state veteran homes. When the department has foreknowledge that revenue will decrease, such as from a loss of census or from the elimination of a program, the legislature expects the department to make reasonable efforts to reduce expenditures in a commensurate manner and to demonstrate that it has made such efforts. In response to any request by the department for general fund—state appropriation to backfill a loss of revenue, the legislature shall consider the department's efforts in reducing its expenditures in light of known or anticipated decreases to revenues.

(2) HEADQUARTERS

General Fund—State Appropriation (FY 2018)	\$1,913,000
General Fund—State Appropriation (FY 2019)	\$1,907,000
Charitable, Educational, Penal, and Reformatory Institutions Account—State Appropriation	\$10,000
Pension Funding Stabilization Account—State Appropriation	\$185,000
TOTAL APPROPRIATION	\$4,015,000

The appropriations in this subsection are subject to the following conditions and limitations: \$85,000 of the general fund—state appropriation for fiscal year 2018 and \$84,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the implementation of chapter 173, Laws of 2017 (ESSB 1802) (veterans' shared leave pool).

(3) FIELD SERVICES

General Fund—State Appropriation (FY 2018)	\$6,077,000
General Fund—State Appropriation (FY 2019)	(\$6,126,000)
	<u>\$6,329,000</u>
General Fund—Federal Appropriation	\$3,747,000
General Fund—Private/Local Appropriation	\$4,794,000
Veteran Estate Management Account—Private/Local Appropriation	\$664,000
Pension Funding Stabilization Account—State Appropriation	\$443,000
TOTAL APPROPRIATION	<u>\$21,851,000</u>
	<u>\$22,054,000</u>

The appropriations in this subsection are subject to the following conditions and limitations:

(a) \$300,000 of the general fund—state appropriation for fiscal year 2018 and \$300,000 of the general fund—state appropriation for fiscal year 2019 are provided solely to provide crisis and emergency relief and education, training, and employment assistance to veterans and their families in their communities through the veterans innovation program.

(b) \$200,000 of the general fund—state appropriation for fiscal year 2018 and \$200,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the implementation of chapter 192, Laws of 2017 (SB 5849) (veterans' services).

(c) \$110,000 of the general fund—state appropriation for fiscal year 2018 and \$110,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the expansion of the veterans conservation corps by fifteen paid internships.

(d) \$203,000 of the general fund—state appropriation for fiscal year 2019 is provided solely to replace the payee automated system.

(4) INSTITUTIONAL SERVICES

General Fund—State Appropriation (FY 2018)	\$11,925,000
General Fund—State Appropriation (FY 2019)	(\$5,831,000)

	<u>\$16,381,000</u>
General Fund—Federal Appropriation	\$84,027,000
General Fund—Private/Local Appropriation	\$27,983,000
Pension Funding Stabilization Account—State Appropriation	\$1,462,000
TOTAL APPROPRIATION	<u>\$131,228,000</u>
	<u>\$141,778,000</u>

TOTAL APPROPRIATION	<u>\$1,093,417,000</u>
	<u>\$1,096,594,000</u>

The appropriations in this subsection are subject to the following conditions and limitations: The amounts provided in this subsection include a general fund—state backfill for a revenue shortfall at the Washington soldiers home in Orting and the Walla Walla veterans home.

Sec. 1116. 2018 c 299 s 219 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF HEALTH

General Fund—State Appropriation (FY 2018)	\$70,667,000
General Fund—State Appropriation (FY 2019)	(\$78,618,000)
	<u>\$78,974,000</u>
General Fund—Federal Appropriation	\$550,114,000
General Fund—Private/Local Appropriation	\$186,257,000
Hospital Data Collection Account—State Appropriation	(\$347,000)
	<u>\$366,000</u>
Health Professions Account—State Appropriation	(\$132,578,000)
	<u>\$134,580,000</u>
Aquatic Lands Enhancement Account—State Appropriation	\$623,000
Emergency Medical Services and Trauma Care Systems Trust Account—State Appropriation	\$9,872,000
Safe Drinking Water Account—State Appropriation	\$5,667,000
Drinking Water Assistance Account—Federal Appropriation	\$15,990,000
Waterworks Operator Certification—State Appropriation	\$1,836,000
Drinking Water Assistance Administrative Account—State Appropriation	\$371,000
Site Closure Account—State Appropriation	\$168,000
Biotoxin Account—State Appropriation	(\$1,968,000)
	<u>\$1,768,000</u>
State Toxics Control Account—State Appropriation	\$4,249,000
Medicaid Fraud Penalty Account—State Appropriation	\$1,098,000
Medical Test Site Licensure Account—State Appropriation	\$2,591,000
Youth Tobacco and Vapor Products Prevention Account— State Appropriation	\$3,363,000
Dedicated Marijuana Account—State Appropriation (FY 2018)	\$9,761,000
Dedicated Marijuana Account—State Appropriation (FY 2019)	\$9,764,000
Public Health Supplemental Account—Private/Local Appropriation	(\$3,248,000)
	<u>\$4,248,000</u>
Pension Funding Stabilization Account—State Appropriation	\$3,821,000
Accident Account—State Appropriation	\$343,000
Medical Aid Account—State Appropriation	\$53,000
Suicide-Safer Homes Project Account—State Appropriation	\$50,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The department of health shall not initiate any services that will require expenditure of state general fund moneys unless expressly authorized in this act or other law. The department of health and the state board of health shall not implement any new or amended rules pertaining to primary and secondary school facilities until the rules and a final cost estimate have been presented to the legislature, and the legislature has formally funded implementation of the rules through the omnibus appropriations act or by statute. The department may seek, receive, and spend, under RCW 43.79.260 through 43.79.282, federal moneys not anticipated in this act as long as the federal funding does not require expenditure of state moneys for the program in excess of amounts anticipated in this act. If the department receives unanticipated unrestricted federal moneys, those moneys shall be spent for services authorized in this act or in any other legislation that provides appropriation authority, and an equal amount of appropriated state moneys shall lapse. Upon the lapsing of any moneys under this subsection, the office of financial management shall notify the legislative fiscal committees. As used in this subsection, "unrestricted federal moneys" includes block grants and other funds that federal law does not require to be spent on specifically defined projects or matched on a formula basis by state funds.

(2) During the 2017-2019 fiscal biennium, each person subject to RCW 43.70.110(3)(c) is required to pay only one surcharge of up to twenty-five dollars annually for the purposes of RCW 43.70.112, regardless of how many professional licenses the person holds.

(3) In accordance with RCW 43.20B.110, 43.135.055, and 71.24.035, the department is authorized to adopt license and certification fees in fiscal years 2018 and 2019 to support the costs of the regulatory program. The department's fee schedule shall have differential rates for providers with proof of accreditation from organizations that the department has determined to have substantially equivalent standards to those of the department, including but not limited to the joint commission on accreditation of health care organizations, the commission on accreditation of rehabilitation facilities, and the council on accreditation. To reflect the reduced costs associated with regulation of accredited programs, the department's fees for organizations with such proof of accreditation must reflect the lower costs of licensing for these programs than for other organizations which are not accredited.

(4)(a) \$5,000,000 of the general fund—state appropriation for fiscal year 2018 and \$5,000,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the department to support the local health jurisdictions to improve their ability to address (i) communicable disease monitoring and prevention and (ii) chronic disease and injury prevention. The department and representatives of local health jurisdictions must work together to arrive at a mutually acceptable allocation and distribution of funds and to determine the best accountability measures to ensure efficient and effective use of funds, emphasizing the use of shared services.

(b) By December 31, 2017, the department shall provide a preliminary report, and by November 30, 2018, a final report, to the appropriate committees of the legislature regarding:

(i) The allocation of funding, as provided in this subsection, to the local health jurisdictions;

(ii) Steps taken by the local health jurisdictions that received funding to improve communicable disease monitoring and prevention and chronic disease and injury prevention;

(iii) An assessment of the effectiveness of the steps taken by local health jurisdictions and the criteria measured; and

(iv) Any recommendations for future models for service delivery to address communicable and chronic diseases.

(5)(a) \$1,000,000 of the general fund—state appropriation for fiscal year 2018 and \$1,000,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the department, as part of foundational public health services, to implement strategies to control the spread of communicable diseases and other health threats. These strategies may include updating or replacing equipment in the state public health laboratory; addressing health inequities among state residents; reporting on the root cause analyses of adverse events at medical facilities; performing critical activities to prevent adverse health consequences of hepatitis C; or assessing information technology system consolidation and modernization opportunities for statewide public health data systems.

(b) By November 30, 2018, the department shall develop a statewide governmental public health improvement plan and provide it to the appropriate committees of the legislature.

(6) \$26,000 of the general fund—state appropriation for fiscal year 2018 and \$10,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the implementation of chapter 295, Laws of 2017 (SHB 1258) (first responders/disability).

(7) Within amounts appropriated in this section, funding is provided to implement chapter 312, Laws of 2017 (SSB 5046) (language of public notices).

(8) \$39,000 of the general fund—local appropriation is provided solely for the implementation of chapter 249, Laws of 2017 (ESHB 1714) (nurse staffing plans).

(9) \$27,000 of the health professions account—state appropriation and \$50,000 of the Suicide-Safer Homes Project account are provided solely for the implementation of chapter 262, Laws of 2017 (E2SHB 1612) (reducing access to lethal means).

(10) \$269,000 of the health professions account—state appropriation is provided solely for the implementation of chapter 297, Laws of 2017 (ESHB 1427) (opioid treatment program).

(11) \$350,000 of the general fund—state appropriation for fiscal year 2018 and \$350,000 of the general fund—state appropriation for fiscal year 2019 are provided to the department solely to cover costs of providing increased capacity under existing contracts with suicide prevention lines to respond to calls to the national suicide prevention lifeline.

(12) \$40,000 of the general fund—state appropriation for fiscal year 2018 and \$90,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the midwifery licensure and regulatory program to supplement revenue from fees. The department shall charge no more than five hundred twenty-five dollars annually for new or renewed licenses for the midwifery program.

(13)(a) Within amounts appropriated in this section, the department, in consultation with advocacy groups and experts that focus on hunger and poverty issues, shall produce a report regarding ongoing nutrition assistance programs funded by the United States department of agriculture and administered in Washington state. The report must be a compilation, by program, of data already collected by the department of social and health services, the department of health, the office of the superintendent of public instruction, and the Washington state department of agriculture, and it must include, where available, but is not limited to:

(i) The number of people in Washington who are eligible for the program;

(ii) The number of people in Washington who participated in the program;

(iii) The average annual participation rate in the program;

(iv) Participation rates by geographic distribution; and

(v) The annual federal funding of the program in Washington.

(b) The department shall report to the appropriate committees of the legislature and to the governor. An initial report is due by April 30, 2018, and a second report is due by April 30, 2019.

(14) Information technology projects or investments and proposed projects or investments impacting time capture, payroll and payment processes and systems eligibility, case management, and authorization systems within the department of health are subject to technical oversight by the office of the state chief information officer.

(15) \$2,604,000 of the health professions account—state appropriation is provided solely for the medical quality assurance commission to address increased workload.

(16) \$896,000 of the health professions account—state appropriation is provided solely for the pharmacy commission to improve research and communication to pharmacies regarding the development and implementation of new and changing rules.

(17) \$9,000,000 of the general fund—federal appropriation is provided solely for the department to implement projects and activities during the 2017-2019 fiscal biennium that are designed to improve the health and well-being of individuals living with human immunodeficiency virus, including:

(a) A health disparity project to increase access to dental, mental health, and housing services for populations that have historically experienced limited access to needed services, including Latino individuals in central Washington;

(b) A project to establish a peer-to-peer network for individuals living with human immunodeficiency virus. Trained navigators will work to link individuals living with human immunodeficiency virus to medical care, housing support, training, and other needed services;

(c) A project to expand the MAX clinic within Harborview hospital to serve an increased number of high-need clients and establishing a MAX clinic to serve high-need clients in Pierce county. This project shall also provide statewide training for staff of the department, of local health jurisdictions, and of providers of services for persons with human immunodeficiency virus;

(d) The development of a single eligibility portal to allow statewide usage and streamlined case management for individuals who are living with human immunodeficiency virus and receiving public health services; and

(e) An assessment and evaluation of the effectiveness of each of the projects outlined in subsections (a) through (d) of this subsection.

(18) \$6,096,000 of the general fund—local appropriation is provided solely for the department to target its efforts in the HIV early intervention program toward populations with health disparities.

(19) \$1,118,000 of the general fund—local appropriation is provided solely for equipment, testing supplies, and materials necessary to add x-linked adrenoleukodystrophy to the mandatory newborn screening panel. The department is authorized to increase the newborn screening fee by \$8.10.

(20) \$1,500,000 of the general fund—state appropriation for fiscal year 2018 and \$1,500,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for:

(a) Increased screening, case management, and an electronic data reporting system to identify children who are at the highest risk of having elevated levels of lead in their blood, prioritizing children who live in areas where the risk is highest; and

(b) Sampling and testing of drinking water and water fixtures in public schools. The department, in collaboration with the

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educational service districts, must prioritize testing within elementary schools where drinking water and water fixtures have not been tested for contaminants at any time, and elementary schools where drinking water and water fixtures have not been tested within the past three years. Consistent with the United States environmental protection agency's manual, "3Ts for Reducing Lead in Drinking Water in Schools—Revised Technical Guidance," the department must develop guidance and testing protocols for the lead action level for drinking water and for testing drinking water and drinking water fixtures in public and private schools. The guidance must include:

(i) Actions to take if test results exceed the federal action level or public drinking water standard;

(ii) Recommendations to schools on prioritizing fixture replacement, and options for further reducing lead, including replacement of fixtures or use of certified filters when results are below the federal action level for schools, but exceed the maximum level recommended by the American Academy of Pediatrics; and

(iii) Recommendations for communicating test results and risk to parents and the community, including that there is no safe level of lead in water and that action may be warranted even if levels are below the action level.

(21) \$277,000 of the general fund—local appropriation is provided solely to implement chapter 207, Laws of 2017 (E2SHB 1819) (children's mental health).

(22) \$130,000 of the general fund—state appropriation for fiscal year 2018 and \$130,000 of the general fund—state appropriation for fiscal year 2019 are provided solely to increase the funding for the breast, cervical, and colon health program administered by the department.

(23) Within the amounts appropriated in this section, and in accordance with RCW 43.20B.110 and 70.41.100, the department shall set fees to include the full costs of the performance of inspections pursuant to RCW 70.41.080.

(24) Within the amounts appropriated in this section, and in accordance with RCW 43.70.110 and 71.12.470, the department shall set fees to include the full costs of the performance of inspections pursuant to RCW 71.12.485.

(25) \$27,000 of the general fund—state appropriation for fiscal year 2018 and \$16,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the implementation of chapter 273, Laws of 2017 (E2SHB 1358) (community assistance referral programs).

(26) \$224,000 of the health professions account—state appropriation is provided solely for the implementation of chapter 320, Laws of 2017 (SSB 5322) (dentists and third parties).

(27) \$93,000 of the health professions account—state appropriation is provided solely for the implementation of chapter 101, Laws of 2017 (ESHB 1431) (osteopathic medicine and surgery).

(28) \$82,000 of the general fund—local appropriation is provided solely for the implementation of chapter 263, Laws of 2017 (SSB 5152) (pediatric transitional care).

(29) \$25,000 of the general fund—state appropriation for fiscal year 2018 is provided solely for the department to prepare and submit a report about the certificate of need program to the governor and the appropriate fiscal and policy committees of the legislature by October 1, 2017. By health care setting, for each of the preceding ten fiscal years, the report must show the total number of applications, the total number of accepted applications, the total number of beds requested, the total number of beds approved, and a summary of the most common reasons for declining an application. The report must include suggestions for modifying the program to increase the number of successful

applications. At least one suggestion must address the goal of adding psychiatric beds within hospitals.

(30) The department, in collaboration with the health care authority, shall work to ensure that a single platform provider credentialing system is implemented. The authority and department shall ensure that appropriate cost offsets and cost avoidance are assumed for reduced staff time required for provider credentialing activity and reductions in improper billing activity when implementing provider credentialing systems.

(31) \$28,000 of the general fund—state appropriation for fiscal year 2018 and \$28,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for staffing capacity at the department to support a performance audit of the fee-setting process for each health profession licensed by the department.

(32) The appropriations in this section include sufficient funding for the implementation of chapter 294, Laws of 2017 (SSB 5835) (health outcomes/pregnancy).

(33) \$670,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for a collaboration between local public health, accountable communities of health, and health care providers to reduce preventable hospitalizations. This one-year initiative will take place in the Tacoma/Pierce county local health jurisdiction.

(34) \$556,000 of the general fund—state appropriation for fiscal year 2019 is provided solely to replace the comprehensive hospital abstract reporting system and is subject to the conditions, limitations, and review provided in section 724, chapter 1, Laws of 2017 3rd sp. sess.

(35) \$40,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the department, in partnership with the department of social and health services and the health care authority, to assist a collaborative public-private entity with implementation of recommendations in the state plan to address alzheimer's disease and other dementias.

(36) In accordance with RCW 70.96A.090, 71.24.035, 43.20B.110, and 43.135.055, the department is authorized to adopt fees for the review and approval of mental health and substance use disorder treatment programs in fiscal years 2018 and 2019 as necessary to support the costs of the regulatory program. The department's fee schedule must have differential rates for providers with proof of accreditation from organizations that the department has determined to have substantially equivalent standards to those of the department, including but not limited to the joint commission on accreditation of health care organizations, the commission on accreditation of rehabilitation facilities, and the council on accreditation. To reflect the reduced costs associated with regulation of accredited programs, the department's fees for organizations with such proof of accreditation must reflect the lower cost of licensing for these programs than for other organizations which are not accredited.

(37) \$30,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the nursing care quality assurance commission to convene and facilitate a work group to assess the need for nurses in long-term care settings and to make recommendations regarding worker recruitment, training, and retention challenges for long-term care providers in the sectors of skilled nursing facilities, assisted-living facilities, and adult family homes.

(a) The work group must:

(i) Determine the current and projected worker vacancy rates in the long-term care sectors compared to the workload projections for these sectors;

(ii) Develop recommendations for a standardized training curriculum for certified nursing assistants that ensures that workers are qualified to provide care in each sector, including

integration into the curriculum of specific training for the care of clients with dementia, developmental disabilities, and mental health issues;

(iii) Review academic and other prerequisites for training for licensed practical nurses to identify any barriers to career advancement for certified nursing assistants;

(iv) Identify barriers to career advancement for long-term care workers; and

(v) Evaluate the oversight roles of the department of health and the department of social and health services for nurse training programs and make recommendations for streamlining those roles.

(b) The members of the work group must include the following:

(i) The chair of the house health care and wellness committee or his or her designee;

(ii) The chair of the senate health and long-term care committee or his or her designee;

(iii) The assistant secretary of the aging and disability support administration of the department of social and health services, or his or her designee;

(iv) A member of the Washington apprenticeship and training council, chosen by the director of the department of labor and industries;

(v) A representative from the health services quality assurance division of the department of health, chosen by the secretary;

(vi) The executive director of the Washington state board for community and technical colleges or his or her designee;

(vii) A representative of the largest statewide association representing nurses;

(viii) A representative of the largest statewide union representing home care workers;

(ix) A representative of the largest statewide association representing assisted living and skilled nursing facilities;

(x) A representative of the adult family home council of Washington; and

(xi) The Washington state long-term care ombuds or his or her designee.

(d) The work group must meet at least three times, and the first meeting must occur no later than July 15, 2018. The commission must report no later than December 15, 2018, to the governor and the legislature regarding the work group's assessments and recommendations.

(38) \$150,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the department to implement training and education recommendations described in the 2016 report of the community health worker task force. The department shall report to the legislature on the progress of implementation no later than June 30, 2019. These moneys shall only be used to cover the cost of the department's staff time, meeting expenses, and community outreach.

(39) \$3,000,000 of the general fund—state appropriation for fiscal year 2019 is provided solely to Seattle and King county public health for core public health services that prevent and stop the spread of communicable disease, including but not limited to zoonotic and emerging diseases and chronic hepatitis B and hepatitis C.

(40) \$100,000 of the general fund—state appropriation for fiscal year 2018 and \$360,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the department to coordinate with local health jurisdictions to establish and maintain comprehensive Group B programs to ensure safe and reliable drinking water. These amounts shall be used to support the costs of the development and adoption of rules, policies and procedures, and for technical assistance, training, and other program-related costs.

(41) \$485,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the implementation of Second Substitute House Bill No. 2671 (behavioral health/agricultural industry). ~~((If the bill is not enacted by June 30, 2018, the amounts provided in this subsection shall lapse.))~~

(42) \$113,000 of the general fund—local appropriation is provided solely to implement Engrossed Substitute Senate Bill No. 6037 (uniform parentage act). ~~((If this bill is not enacted by June 30, 2018, the amount provided in this subsection shall lapse.))~~

(43) \$19,000 of the health professions account—state appropriation is provided solely to implement Substitute Senate Bill No. 6273 (state charity care). ~~((If this bill is not enacted by June 30, 2018, the amount provided in this subsection shall lapse.))~~

(44) \$200,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for a grant to the Benton-Franklin local health jurisdiction to expand its youth suicide prevention activities and to serve as a case study to identify best practice materials, training, intervention practices, and promotional strategies that can be replicated in other local health jurisdictions. The amounts appropriated must be used for the following activities:

(a) Prior to September 1, 2018, the Benton-Franklin local health jurisdiction must document the materials, training, intervention practices, and promotional strategies for youth suicide prevention that are available within Benton county and Franklin county.

(b) Prior to October 1, 2018, the Benton-Franklin local health jurisdiction must host a summit about the issue of youth suicide prevention. The summit must include attendees from schools, health care organizations, nonprofit organizations, and other relevant organizations from Benton county and Franklin county. The summit may also include attendees from other areas of the state who have unique knowledge and expertise with the issue of youth suicide prevention. Prior to the summit, the Benton-Franklin local health jurisdiction must share the result of the work described in (a) of this subsection with all attendees. During the summit, the Benton-Franklin local health jurisdiction must survey the attendees to determine best practices for educational materials, training, intervention practices, and promotional strategies.

(c) Prior to November 1, 2018, the Benton-Franklin local health jurisdiction must complete a plan for expanding youth suicide prevention that is based primarily on the survey of attendees described in (b) of this subsection. For each investment, the plan must describe the amount of funding utilized, as well as the expected results. The plan must be shared with the office of financial management, and the appropriate fiscal and policy committees of the legislature, by November 10, 2018.

(d) Prior to June 15, 2019, the Benton-Franklin local health jurisdiction must complete a final report summarizing the work completed to satisfy (a) through (c) of this subsection. The final report must include a description of outcomes that can be measured and linked to the expansion of youth suicide prevention activities funded by this subsection. The final report will serve as a guide for further expansion of youth suicide prevention in Benton-Franklin, or within other local health jurisdictions. The final report must be shared with the office of financial management, and the appropriate fiscal and policy committees of the legislature, by June 30, 2019.

(45) \$300,000 of the general fund—state appropriation for fiscal year 2019, \$626,000 of the emergency medical services account appropriation, and \$70,000 of the health profession account appropriation are provided solely for the department to establish a statewide electronic emergency medical services data

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system for licensed ambulances and aid services to report and furnish patient encounter data, for the distribution of health care supplies through the hub and spoke community-based public health programs, and for knowledge-based identity verification for the prescription monitoring program. The secretary shall be responsible for coordinating the statewide response to the opioid epidemic.

(46) \$375,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the department to contract with a private or nonprofit business or organization with experience using evidence-based practices and promising practices for global strategies to reduce health disparities and address root social determinants of health for underserved communities in rural Washington state; with experience in working with underserved populations who face barriers to basic health and economic resources, including lack of access to preventative care, contributing to mismanagement of chronic disease and shortened lifespan; and with expertise regarding Washington state’s global health institutions to bring strategies that have proven effective in developing countries to underserved communities in the United States. The program should engage marginalized communities in order to identify barriers and social determinants that most impact health, including access to housing and food and economic stability and be able to identify, train, and provide tools to community leaders. The department must report to the legislature by December 1, 2019, regarding identified barriers and any recommendations for interventions.

(47) \$160,000 of the medicaid fraud penalty account—state appropriation is provided solely for additional staffing to coordinate the integration of the prescription monitoring program data into electronic health systems pursuant to chapter 297, Laws of 2017 (ESHB 1427) (opioid treatment programs).

(48) \$25,000 of the general fund—state appropriation for fiscal year 2019 is provided solely to implement Engrossed Second Substitute Senate Bill No. 6529 (pesticide application safety). ~~((If this bill is not enacted by June 30, 2018, the amount provided in this subsection shall lapse.))~~

(49) \$791,000 of the health professions account—state appropriation is provided solely to implement House Bill No. 2313 (chiropractic quality assurance commission). ~~((If this bill is not enacted by June 30, 2018, the amount provided in this subsection shall lapse.))~~

(50) \$2,091,000 of the health professions account—state appropriation is provided solely for the Washington medical commission for increased litigation and clinical health care investigators.

(51) \$161,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for nonbudgeted costs associated with the measles outbreak response.

Sec. 1117. 2018 c 299 s 220 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF CORRECTIONS

The appropriations to the department of corrections in this act shall be expended for the programs and in the amounts specified in this act. However, after May 1, ~~((2018,))~~ 2019 after approval by the director of financial management and unless specifically prohibited by this act, the department may transfer general fund—state appropriations for fiscal year ~~((2018))~~ 2019 between programs. The department may not transfer funds, and the director of financial management may not approve the transfer, unless the transfer is consistent with the objective of conserving, to the maximum extent possible, the expenditure of state funds. The director of financial management shall notify the appropriate fiscal committees of the senate and house of representatives in writing seven days prior to approving any deviations from

appropriation levels. The written notification must include a narrative explanation and justification of the changes, along with expenditures and allotments by budget unit and appropriation, both before and after any allotment modifications or transfers.

(1) ADMINISTRATION AND SUPPORT SERVICES

General Fund—State Appropriation (FY 2018)	\$60,866,000
General Fund—State Appropriation (FY 2019)	(\$61,152,000)
	<u>\$63,759,000</u>
General Fund—Federal Appropriation	\$400,000
Pension Funding Stabilization Account—State	
Appropriation	\$7,602,000
TOTAL APPROPRIATION	<u>\$130,020,000</u>
	<u>\$132,627,000</u>

The appropriations in this subsection are subject to the following conditions and limitations:

(a) \$35,000 of the general fund—state appropriation for fiscal year 2018 and \$35,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the support of a statewide council on mentally ill offenders that includes as its members representatives of community-based mental health treatment programs, current or former judicial officers, and directors and commanders of city and county jails and state prison facilities. The council will investigate and promote cost-effective approaches to meeting the long-term needs of adults and juveniles with mental disorders who have a history of offending or who are at-risk of offending, including their mental health, physiological, housing, employment, and job training needs.

(b)(i) During the 2017-2019 fiscal biennium, the department must revise its agreements and contracts with vendors to include a provision to require that each vendor agrees to equality among its workers by ensuring similarly employed individuals are compensated as equals as follows:

(A) Employees are similarly employed if the individuals work for the same employer, the performance of the job requires comparable skill, effort, and responsibility, and the jobs are performed under similar working conditions. Job titles alone are not determinative of whether employees are similarly employed;

(B) Vendors may allow differentials in compensation for its workers based in good faith on any of the following:

(I) A seniority system; a merit system; a system that measures earnings by quantity or quality of production; a bona fide job-related factor or factors; or a bona fide regional difference in compensation levels.

(II) A bona fide job-related factor or factors may include, but not be limited to, education, training, or experience, that is: Consistent with business necessity; not based on or derived from a gender-based differential; and accounts for the entire differential.

(III) A bona fide regional difference in compensation level must be: Consistent with business necessity; not based on or derived from a gender-based differential; and account for the entire differential.

(ii) The provision must allow for the termination of the contract if the department or department of enterprise services determines that the vendor is not in compliance with this agreement or contract term.

(iii) The department must implement this provision with any new contract and at the time of renewal of any existing contract.

(c) \$488,000 of the general fund—state appropriation for fiscal year 2018 and \$964,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for information technology business solutions and are subject to the conditions, limitations, and review provided in section 724 of this act.

(d) The department, in collaboration with the health care authority, shall work to ensure that a single platform provider credentialing system is implemented. The authority and department shall ensure that appropriate cost offsets and cost avoidance are assumed for reduced staff time required for provider credentialing activity and reductions in improper billing activity when implementing provider credentialing systems.

(e) \$51,000 of the general fund—state appropriation for fiscal year 2018 is provided solely for the implementation of Substitute House Bill No. 2638 (graduated reentry program). ~~((If the bill is not enacted by June 30, 2018, the amount in this subsection shall lapse.))~~

(2) CORRECTIONAL OPERATIONS

General Fund—State	Appropriation	(FY 2018)	
			\$499,134,000
General Fund—State	Appropriation	(FY 2019)	(\$515,165,000)
			<u>\$526,504,000</u>
General Fund—Federal	Appropriation		\$818,000
Washington Auto Theft Prevention Authority	Account—State	Appropriation	\$4,588,000
Pension Funding Stabilization Account—State	Appropriation		\$62,831,000
TOTAL APPROPRIATION			<u>\$1,082,536,000</u>
			<u>\$1,093,875,000</u>

The appropriations in this subsection are subject to the following conditions and limitations:

(a) The department may contract for beds statewide to the extent that it is at no net cost to the department. The department shall calculate and report the average cost per offender per day, inclusive of all services, on an annual basis for a facility that is representative of average medium or lower offender costs. The duration of the contracts may be for up to four years. The department shall not pay a rate greater than \$85 per day per offender for all costs associated with the offender while in the local correctional facility to include programming and health care costs, or the equivalent of \$85 per day per bed including programming and health care costs for full units. The capacity provided at local correctional facilities must be for offenders whom the department of corrections defines as medium or lower security offenders. Programming provided for inmates held in local jurisdictions is included in the rate, and details regarding the type and amount of programming, and any conditions regarding transferring offenders must be negotiated with the department as part of any contract. Local jurisdictions must provide health care to offenders that meet standards set by the department. The local jail must provide all medical care including unexpected emergent care. The department must utilize a screening process to ensure that offenders with existing extraordinary medical/mental health needs are not transferred to local jail facilities. If extraordinary medical conditions develop for an inmate while at a jail facility, the jail may transfer the offender back to the department, subject to terms of the negotiated agreement. Health care costs incurred prior to transfer are the responsibility of the jail.

(b) \$501,000 of the general fund—state appropriation for fiscal year 2018 and \$501,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the department to maintain the facility, property, and assets at the institution formerly known as the maple lane school in Rochester.

(c) \$1,379,000 of the general fund—state appropriation for fiscal year 2018, and \$1,379,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the department to contract for the use of inmate bed capacity in lieu of prison beds operated by the state to meet prison capacity needs.

~~(((d)) \$250,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the department to enter into an agreement to purchase electricity for the Monroe correctional complex from a source located in Snohomish county that is fueled using commercial or industrial waste from an on-site lumber mill that employs at least 150 people.~~

~~((e))~~ (d) Within the amounts appropriated in this section, funding is provided to implement chapter 335, Laws of 2017 (SB 5037) (DUI 4th offense/felony).

~~(((f))~~ (e) The appropriations in this section include sufficient funding for the implementation of chapter 226, Laws of 2017 (HB 1153) (vulnerable persons/crimes).

~~(((g))~~ (f) Within the amounts appropriated in this section, the department of corrections must review the use of full body scanners at state correctional facilities for women to reduce the frequency of strip and body cavity searches and report with recommendations to the governor and the appropriate legislative committees by November 15, 2017. The report must address the cost of technology, installation, and maintenance; the benefits to personnel and inmates; information regarding accumulated exposure to radiation; and general guidelines for implementation at a pilot facility.

~~(((h))~~ (g) \$400,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the department to contract with an independent third party to: (i) Provide a comprehensive review of the prison staffing model; and (ii) develop an updated prison staffing model for use by the department.

~~(((i))~~ (h) \$240,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the department to install a body scanner at the Washington corrections center for women as a pilot project to reduce strip searches. The department must collect data on its change in practices, the benefits or issues with utilizing body scanners in the prison, and provide a report to the legislature and the appropriate fiscal committees of the legislature by October 15, 2019.

~~(((j))~~ (i) \$240,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for implementation of Engrossed Second Substitute House Bill No. 1889 (corrections ombuds). ~~((If the bill is not enacted by June 30, 2018, the amount provided in this subsection shall lapse.))~~

(3) COMMUNITY SUPERVISION

General Fund—State	Appropriation	(FY 2018)	
			\$179,455,000
General Fund—State	Appropriation	(FY 2019)	(\$189,378,000)
			<u>\$202,178,000</u>
General Fund—Federal	Appropriation		\$2,898,000
Pension Funding Stabilization Account—State	Appropriation		\$12,791,000
TOTAL APPROPRIATION			<u>\$384,522,000</u>
			<u>\$397,322,000</u>

The appropriations in this subsection are subject to the following conditions and limitations:

(a) The department of corrections shall contract with local and tribal governments for the provision of jail capacity to house offenders who violate the terms of their community supervision. A contract shall not have a cost of incarceration in excess of \$85 per day per offender. A contract shall not have a year-to-year increase in excess of three percent per year. The contracts may include rates for the medical care of offenders which exceed the daily cost of incarceration and the limitation on year-to-year increases, provided that medical payments conform to the department's offender health plan and pharmacy formulary, and

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all off-site medical expenses are preapproved by department utilization management staff.

(b) The department shall engage in ongoing mitigation strategies to reduce the costs associated with community supervision violators, including improvements in data collection and reporting and alternatives to short-term confinement for low-level violators.

(c) By January 1, 2018, the department of corrections shall provide a report to the office of financial management and the appropriate fiscal and policy committees of the legislature to include a review of the department's policies and procedures related to swift and certain sanctioning, and identification of legal decisions that impact caseload and operations. The report shall include recommendations for improving public and staff safety while decreasing recidivism through improved alignment of the department's policies and procedures with current best practices concerning swift and certain sanctioning. The report shall include a review of department practices, legal decisions that impact caseload and operations, an analysis of current best practices in other jurisdictions that have adopted swift and certain sanctioning, and recommendations to improve the department's practices and procedures.

(d) Within the amounts appropriated in this section, funding is provided to implement chapter 335, Laws of 2017 (SB 5037) (DUI 4th offense/felony).

(e) \$1,742,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the implementation of Substitute House Bill No. 2638 (graduated reentry program). ~~((If the bill is not enacted by June 30, 2018, the amount in this subsection shall lapse.))~~

(f) \$1,170,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the department to cover costs associated with reducing the risk of miscalculating the end of community supervision and prison earned release dates for individuals releasing from the custody of the department.

(4) CORRECTIONAL INDUSTRIES	
General Fund—State Appropriation (FY 2018)	\$6,278,000
General Fund—State Appropriation (FY 2019)	(\$5,959,000)
	<u>\$6,680,000</u>
Pension Funding Stabilization Account—State Appropriation	\$510,000
TOTAL APPROPRIATION	<u>\$12,747,000</u>
	<u>\$13,468,000</u>
(5) INTERAGENCY PAYMENTS	
General Fund—State Appropriation (FY 2018)	\$45,002,000
General Fund—State Appropriation (FY 2019)	(\$42,889,000)
	<u>\$42,539,000</u>
TOTAL APPROPRIATION	<u>\$87,891,000</u>
	<u>\$87,541,000</u>

The appropriations in this subsection are subject to the following conditions and limitations:

(a) \$13,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the implementation of Substitute House Bill No. 2638 (graduated reentry program). ~~((If the bill is not enacted by June 30, 2018, the amount in this subsection shall lapse.))~~

(b) \$72,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for implementation of Engrossed Second Substitute House Bill No. 1889 (corrections ombuds). ~~((If the bill is not enacted by June 30, 2018, the amount provided in this subsection shall lapse.))~~

(6) OFFENDER CHANGE	
General Fund—State Appropriation (FY 2018)	\$52,685,000
General Fund—State Appropriation (FY 2019)	(\$56,724,000)
	<u>\$55,243,000</u>
Pension Funding Stabilization Account—State Appropriation	\$4,434,000
TOTAL APPROPRIATION	<u>\$113,843,000</u>
	<u>\$112,362,000</u>

The appropriations in this subsection are subject to the following conditions and limitations:

(a) The department of corrections shall use funds appropriated in this subsection (6) for offender programming. The department shall develop and implement a written comprehensive plan for offender programming that prioritizes programs which follow the risk-needs-responsivity model, are evidence-based, and have measurable outcomes. The department is authorized to discontinue ineffective programs and to repurpose underspent funds according to the priorities in the written plan.

(b) The department shall submit a report by December 1, 2018, to the appropriate committees of the legislature regarding the department's compliance with this subsection. The report must: (i) Include a summary of the comprehensive plan; (ii) analyze state funds allocated to cognitive behavioral change programs and reentry specific programs, including percentages and amounts of funds used in evidence-based practices and the number of people being served; (iii) identify discontinued and newly implemented cognitive behavioral change programs and reentry specific programs, including information used by the department in evaluating the effectiveness of discontinued and implemented programs; and (iv) provide recommendations to improve program outcomes, including recommended strategies, deadlines, and funding.

(c) Within the amounts appropriated in this section, funding is provided to implement chapter 335, Laws of 2017 (SB 5037) (DUI 4th offense/felony).

(d) \$334,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the implementation of Substitute House Bill No. 2638 (graduated reentry program). ~~((If the bill is not enacted by June 30, 2018, the amount in this subsection shall lapse.))~~

(7) HEALTH CARE SERVICES	
General Fund—State Appropriation (FY 2018)	\$144,271,000
General Fund—State Appropriation (FY 2019)	(\$146,621,000)
	<u>\$151,869,000</u>
TOTAL APPROPRIATION	<u>\$290,892,000</u>
	<u>\$296,140,000</u>

The appropriations in this subsection are subject to the following conditions and limitations: The state prison medical facilities may use funds appropriated in this subsection to purchase goods, supplies, and services through hospital or other group purchasing organizations when it is cost effective to do so.

Sec. 1118. 2018 c 299 s 223 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES

The appropriations to the department of children, youth, and families in this act shall be expended for the programs and in the amounts specified in this act. To the extent that appropriations in this section are insufficient to fund actual expenditures in excess of caseload forecasts and utilization assumptions, the department, after May 1, 2019, may transfer general fund—state

appropriations for fiscal year 2019 that are provided solely for a specified purpose. The department may not transfer funds, and the director of the office of financial management shall not approve the transfer, unless the transfer is consistent with the objective of conserving, to the maximum extent possible, the expenditure of state funds. The director of the office of financial management shall notify the appropriate fiscal committees of the senate and the house of representatives in writing seven days prior to approving any allotment modifications or transfers under this subsection. The written notification must include a narrative explanation and justification of changes, along with expenditures and allotments by budget unit and appropriation, both before and after any allotment modifications and transfers.

(1) CHILDREN AND FAMILIES SERVICES PROGRAM	
General Fund—State Appropriation (FY 2019)	((\$361,756,000))
	\$359,737,000
General Fund—Federal Appropriation	((\$246,625,000))
	\$247,413,000
General Fund—Private/Local Appropriation	((\$1,477,000))
	\$1,412,000
(Domestic Violence Prevention Account—State	Appropriation
	\$1,002,000)
Pension Funding Stabilization Account—State	
Appropriation	\$13,976,000
TOTAL APPROPRIATION	\$624,836,000
	\$622,538,000

The appropriations in this section are subject to the following conditions and limitations:

(a) \$748,000 of the general fund—state appropriation for fiscal year 2019 is provided solely to contract for the operation of one pediatric interim care center. The center shall provide residential care for up to thirteen children through two years of age. Seventy-five percent of the children served by the center must be in need of special care as a result of substance abuse by their mothers. The center shall also provide on-site training to biological, adoptive, or foster parents. The center shall provide at least three months of consultation and support to the parents accepting placement of children from the center. The center may recruit new and current foster and adoptive parents for infants served by the center. The department shall not require case management as a condition of the contract.

(b) \$253,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the costs of hub home foster families that provide a foster care delivery model that includes a licensed hub home. Use of the hub home model is intended to support foster parent retention, improve child outcomes, and encourage the least restrictive community placements for children in out-of-home care.

(c) \$579,000 of the general fund—state appropriation for fiscal year 2019 and \$55,000 of the general fund—federal appropriation are provided solely for a receiving care center east of the Cascade mountains.

(d) \$990,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for services provided through children’s advocacy centers.

(e) \$1,351,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for implementation of performance-based contracts for family support and related services pursuant to RCW 74.13B.020.

(f) \$7,173,000 of the general fund—state appropriation for fiscal year 2019 and \$6,022,000 of the general fund—federal appropriation are provided solely for family assessment response. Amounts appropriated in this subsection are sufficient to

implement Substitute Senate Bill No. 6309 (family assessment response).

(g) \$94,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for a contract with a child advocacy center in Spokane to provide continuum of care services for children who have experienced abuse or neglect and their families.

(h) \$2,933,000 of the general fund—state appropriation for fiscal year 2019 and \$876,000 of the general fund—federal appropriation are provided solely for the department to reduce the caseload ratios of social workers serving children in foster care to promote decreased lengths of stay and to make progress towards achievement of the Braam settlement caseload outcome.

(i)(A) \$540,000 of the general fund—state appropriation for fiscal year 2019, \$328,000 of the general fund private/local appropriation, and \$126,000 of the general fund—federal appropriation are provided solely for a contract with an educational advocacy provider with expertise in foster care educational outreach. The amounts in this subsection are provided solely for contracted education coordinators to assist foster children in succeeding in K-12 and higher education systems and to assure a focus on education during the department’s transition to performance-based contracts. Funding must be prioritized to regions with high numbers of foster care youth, or regions where backlogs of youth that have formerly requested educational outreach services exist. The department is encouraged to use private matching funds to maintain educational advocacy services.

(B) The department shall contract with the office of the superintendent of public instruction, which in turn shall contract with a nongovernmental entity or entities to provide educational advocacy services pursuant to RCW 28A.300.590.

(j) The department shall continue to implement policies to reduce the percentage of parents requiring supervised visitation, including clarification of the threshold for transition from supervised to unsupervised visitation prior to reunification.

(k) \$111,000 of the general fund—state appropriation for fiscal year 2019 and \$26,000 of the general fund—federal appropriation are provided solely for a base rate increase for licensed family child care providers. In addition, \$45,000 of the general fund—state appropriation for fiscal year 2019 and \$11,000 of the general fund—federal appropriation are provided solely for increasing paid professional days from three days to five days for licensed family child care providers. Amounts in this subsection are provided solely for the 2017-2019 collective bargaining agreement covering family child care providers as set forth in section 940 of this act. Amounts provided in this subsection are contingent on the enactment of Senate Bill No. 5969 (transparency in public employee collective bargaining). ~~((If the bill is not enacted by July 31, 2017, the amounts provided in this subsection (k) shall lapse.))~~

(l) \$321,000 of the general fund—state appropriation for fiscal year 2019 and \$133,000 of the general fund—federal appropriation are provided solely to implement chapter 265, Laws of 2017 (SHB 1867) (ext. foster care transitions).

(m) \$400,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for a contract with a national nonprofit organization to, in partnership with private matching funds, subcontract with a community organization for specialized, enhanced adoption placement services for legally free children in state custody. The contract must supplement, but not supplant, the work of the department to secure permanent adoptive homes for children.

(n) \$375,000 of the general fund—state appropriation for fiscal year 2019 and \$56,000 of the general fund—federal appropriation are provided solely for the department to develop, implement, and

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expand strategies to improve the capacity, reliability, and effectiveness of contracted visitation services for children in temporary out-of-home care and their parents and siblings. Strategies may include, but are not limited to, increasing mileage reimbursement for providers, offering transportation-only contract options, and mechanisms to reduce the level of parent-child supervision when doing so is in the best interest of the child. The department must submit an analysis of the strategies and associated outcomes no later than October 1, 2018.

(o) For purposes of meeting the state's maintenance of effort for the state supplemental payment program, the department of children, youth, and families shall track and report to the department of social and health services the monthly state supplemental payment amounts attributable to foster care children who meet eligibility requirements specified in the state supplemental payment state plan. Such expenditures must equal at least \$3,100,000 annually and may not be claimed toward any other federal maintenance of effort requirement. Annual state supplemental payment expenditure targets must continue to be established by the department of social and health services. Attributable amounts must be communicated by the department of children, youth, and families to the department of social and health services on a monthly basis.

(p) \$1,018,000 of the general fund—state appropriation for fiscal year 2019 and \$195,000 of the general fund—federal appropriation are provided solely for a six percent base rate increase for child care center providers, effective September 1, 2017.

(q) \$1,230,000 of the general fund—state appropriation for fiscal year 2019 and \$78,000 of the general fund—federal appropriation are provided solely to increase the travel reimbursement for in-home service providers.

(r) The department is encouraged to control exceptional reimbursement decisions so that the child's needs are met without excessive costs.

(s) \$1,342,000 of the general fund—state appropriation for fiscal year 2019 and \$959,000 of the general fund—federal appropriation are provided solely to implement Engrossed Substitute Senate Bill No. 5890 (foster care and adoption). Within the amounts provided in this section, \$366,000 of the general fund—state appropriation for fiscal year 2019 and \$174,000 of the general fund—federal appropriation are provided solely for short-term care for licensed foster families. If the bill is not enacted by July 31, 2017, the amounts provided in this subsection shall lapse.

(t) \$197,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the department to conduct biennial inspections and certifications of facilities, both overnight and day shelters, that serve those who are under 18 years old and are homeless.

(u) \$848,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the department to operate emergent placement contracts. The department shall not include the costs to operate emergent placement contracts in the calculations for family foster home maintenance payments.

(v) The appropriations in this section include sufficient funding for the implementation of Second Substitute Senate Bill No. 6453 (kinship caregiver legal support).

(w) \$250,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the department to contract with a county-wide nonprofit organization with early childhood expertise in Pierce county for a pilot project that convenes stakeholders to develop and plan an intervention using the help me grow model to prevent child abuse and neglect.

(x) \$692,000 of the general fund—state appropriation for fiscal year 2019 and \$487,000 of the general fund—federal appropriation are provided solely for the department to implement an enhanced rate add-on for providers who increase bed capacity for behavioral rehabilitation services as measured against the provider's average bed capacity as of the first six months of fiscal year 2018. The department must report to the legislature no later than January 1, 2019, on the effect of this enhanced rate add-on on increasing behavioral rehabilitation services bed capacity and rates of placement.

(y) \$100,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for implementation of Engrossed House Bill No. 2008 (state services for children). ~~((If the bill is not enacted by June 30, 2018, the amount provided in this subsection shall lapse.))~~

(z) \$87,000 of the general fund—state appropriation for fiscal year 2019 and \$38,000 of the general fund—state appropriation are provided solely for implementation of Substitute Senate Bill No. 6222 (extended foster care eligibility). ~~((If the bill is not enacted by June 30, 2018, the amount provided in this subsection shall lapse.))~~

(aa) \$533,000 of the general fund—state appropriation for fiscal year 2019 is provided solely to expand performance-based contracts for family support and related services through network administrators, pursuant to Engrossed Senate Bill No. 6407 (H-5083.2).

(bb)(i) The department of children, youth, and families in collaboration with the office of the superintendent of public instruction, the department of commerce office of homeless youth prevention and protection programs, and the student achievement council must convene a work group with aligned nongovernmental agencies, including a statewide nonprofit coalition that is representative of communities of color and low-income communities focused on educational equity, to create a plan for children and youth in foster care and children and youth experiencing homelessness to facilitate educational equity with their general student population peers and to close the disparities between racial and ethnic groups by 2027. The work group must:

(A) Review the educational outcomes of children and youth in foster care and children and youth experiencing homelessness, including:

(I) Kindergarten readiness, early grade reading, school stability, high school completion, postsecondary enrollment, and postsecondary completion; and

(II) Disaggregated data by race and ethnicity;

(B) Consider the outcomes, needs, and services for children and youth in foster care and children and youth experiencing homelessness, and the specific needs of children and youth of color and those with special education needs;

(C) Map current education support services, including eligibility, service levels, service providers, outcomes, service coordination, data sharing, and overall successes and challenges;

(D) Engage stakeholders in participating in the analysis and development of recommendations, including foster youth and children and youth experiencing homelessness, foster parents and relative caregivers, birth parents, caseworkers, school districts and educators, early learning providers, postsecondary education advocates, and federally recognized tribes;

(E) Make recommendations for an optimal continuum of education support services to foster and homeless children and youth from preschool to postsecondary education that would provide for shared and sustainable accountability to reach the goal of educational parity, including recommendations to:

(I) Align indicators and outcomes across organizations and programs;

(II) Improve racial and ethnic equity in educational outcomes;
 (III) Ensure access to consistent and accurate annual educational outcomes data;

(IV) Address system barriers such as data sharing;

(V) Detail options for governance and oversight to ensure educational services are continually available to foster and homeless children and youth regardless of status;

(VI) Detail a support structure that will ensure that educational records, educational needs, individualized education programs, credits, and other records will follow children and youth when they transition from district to district or another educational program or facility;

(VII) Explore the option of creating a specific statewide school district that supports the needs of and tracks the educational progress of children and youth in foster care and children and youth experiencing homelessness;

(VIII) Identify where opportunities exist to align policy, practices, and supports for students experiencing homelessness and foster students; and

(IX) Outline which recommendations can be implemented using existing resources and regulations and which require policy, administrative, and resource adjustments.

(i) The work group should seek to develop an optimal continuum of services using research-based program strategies and to provide for prevention, early intervention, and seamless transitions.

(iii) Nothing in this subsection (1)(bb) permits disclosure of confidential information protected from disclosure under federal or state law, including but not limited to information protected under chapter 13.50 RCW. Confidential information received by the work group retains its confidentiality and may not be further disseminated except as allowed under federal and state law.

(iv) By December 17, 2018, the work group must provide a report to the legislature on its analysis as described under this subsection (1)(bb), the recommended plan, and any legislative and administrative changes needed to facilitate educational equity for children and youth in foster care and children and youth experiencing homelessness with their general student population peers by 2027.

(cc) \$3,025,000 of the general fund—state appropriation for fiscal year 2019 and \$1,907,000 of the general fund—federal appropriation are provided solely for rate increases for behavioral rehabilitation services providers.

(2) EARLY LEARNING PROGRAM

General Fund—State Appropriation (FY 2019)	((\$126,846,000))
	<u>\$125,365,000</u>
General Fund—Federal Appropriation	((\$149,289,000))
	<u>\$173,666,000</u>
Education Legacy Trust Account—State Appropriation	\$14,190,000
Home Visiting Services Account—State Appropriation	\$5,489,000
Home Visiting Services Account—Federal Appropriation	\$11,706,000
WA Opportunity Pathways Account—State Appropriation	\$40,000,000
Pension Funding Stabilization Account—State Appropriation	\$468,000
TOTAL APPROPRIATION	<u>\$347,988,000</u>
	<u>\$370,884,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(a) \$67,938,000 of the general fund—state appropriation for fiscal year 2019, \$12,125,000 of the education legacy trust account—state appropriation, and \$40,000,000 of the opportunity pathways account appropriation are provided solely for the early childhood education and assistance program. These amounts shall support at least 13,491 slots in fiscal year 2019.

(b) \$200,000 of the general fund—state appropriation for fiscal year 2019 is provided solely to develop and provide culturally relevant supports for parents, family, and other caregivers.

~~(c)((H))~~ The department is the lead agency for and recipient of the federal child care and development fund grant. Amounts within this grant shall be used to fund child care licensing, quality initiatives, agency administration, and other costs associated with child care subsidies. The department shall transfer a portion of this grant to the department of social and health services to fund the child care subsidies paid by the department of social and health services on behalf of the department.

~~((ii)(A) If the department receives additional federal child care and development funding while the legislature is not in session, the department shall request a federal allotment adjustment through the unanticipated receipts process defined in RCW 43.79.270 and shall prioritize its request based on the following priorities:~~

~~(I) Increasing child care rates comparable to market rates based on the most recent market survey;~~

~~(II) Increasing access to infant and toddler child care;~~

~~(III) Increasing access to child care in geographic areas where supply for subsidized child care does not meet the demand;~~

~~(IV) Providing nurse consultation services to licensed providers;~~

~~(V) Allowing working connections child care consumers who are full-time community or technical college students to attend college full-time and not have to meet work requirements; and~~

~~(VI) Meeting new or expanded federal mandates.~~

~~(B) The secretary of the department shall consult with the chairs and ranking members of the appropriate policy committees of the legislature prior to submitting the unanticipated receipt.)~~

(d)(i) ~~((~~\$78,090,000~~))~~ \$178,335,000 of the general fund—federal appropriation is provided solely for the working connections child care program under RCW 43.215.135. In order to not exceed the appropriated amount, the department shall manage the program so that the average monthly caseload does not exceed 33,000 households. The department shall give prioritized access into the program according to the following order:

(A) Families applying for or receiving temporary assistance for needy families (TANF);

(B) TANF families curing sanction;

(C) Foster children;

(D) Families that include a child with special needs;

(E) Families in which a parent of a child in care is a minor who is not living with a parent or guardian and who is a full-time student in a high school that has a school-sponsored on-site child care center;

(F) Families with a child residing with a biological parent or guardian who have received child protective services, child welfare services, or a family assessment response from the department in the past six months, and has received a referral for child care as part of the family's case management;

(G) Families that received subsidies within the last thirty days and:

(I) Have reapplied for subsidies; and

(II) Have household income of two hundred percent federal poverty level or below; and

(H) All other eligible families.

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(ii) The department, in collaboration with the department of social and health services, must submit a final report by December 1, 2018, to the governor and the appropriate fiscal and policy committees of the legislature on quality control measures for the working connections child care program. The report must include:

(A) A detailed narrative of the procurement and implementation of an improved time and attendance system, including a detailed accounting of the costs of procurement and implementation;

(B) A comprehensive description of all processes, including computer algorithms and additional rule development, that the department and the department of social and health services plan to establish prior to and after full implementation of the time and attendance system. At a minimum, processes must be designed to:

(I) Ensure the department's auditing efforts are informed by regular and continuous alerts of the potential for overpayments;

(II) Avoid overpayments to the maximum extent possible and expediently recover overpayments that have occurred;

(III) Withhold payment from providers when necessary to incentivize receipt of the necessary documentation to complete an audit;

(IV) Establish methods for reducing future payments or establishing repayment plans in order to recover any overpayments;

(V) Sanction providers, including termination of eligibility, who commit intentional program violations or fail to comply with program requirements, including compliance with any established repayment plans; and

(VI) Consider pursuit of prosecution in cases with fraudulent activity; and

(C) A description of the process by which fraud is identified and how fraud investigations are prioritized and expedited.

(iii) Beginning July 1, 2018, and annually thereafter, the department, in collaboration with the department of social and health services, must report to the governor and the appropriate fiscal and policy committees of the legislature on the status of overpayments in the working connections child care program. The report must include the following information for the previous fiscal year:

(A) A summary of the number of overpayments that occurred;

(B) The reason for each overpayment;

(C) The total cost of overpayments;

(D) A comparison to overpayments that occurred in the past two preceding fiscal years; and

(E) Any planned modifications to internal processes that will take place in the coming fiscal year to further reduce the occurrence of overpayments.

(e) Within available amounts, the department in consultation with the office of financial management and the department of social and health services shall report enrollments and active caseload for the working connections child care program to the legislative fiscal committees and the legislative-executive WorkFirst oversight task force on an agreed upon schedule. The report shall also identify the number of cases participating in both temporary assistance for needy families and working connections child care. The department must also report on the number of children served through contracted slots.

(f) \$1,560,000 of the general fund—state appropriation for fiscal year 2019 and \$6,712,000 of the general fund—federal appropriation are provided solely for the seasonal child care program. If federal sequestration cuts are realized, cuts to the seasonal child care program must be proportional to other federal reductions made within the department.

(g) \$4,674,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the early childhood intervention prevention services (ECLIPSE) program. The department shall contract for ECLIPSE services to provide therapeutic child care and other specialized treatment services to abused, neglected, at-risk, and/or drug-affected children. The department shall ensure that contracted providers pursue receipt of federal funding associated with the early support for infants and toddlers program. Priority for services shall be given to children referred from the department.

(h) \$42,706,000 of the general fund—state appropriation for fiscal year 2019 and \$13,954,000 of the general fund—federal appropriation are provided solely to maintain the requirements set forth in chapter 7, Laws of 2015, 3rd sp. sess. The department shall place a ten percent administrative overhead cap on any contract entered into with the University of Washington. In its annual report to the governor and the legislature, the department shall report the total amount of funds spent on the quality rating and improvements system and the total amount of funds spent on degree incentives, scholarships, and tuition reimbursements. Of the amounts provided in this subsection (h), \$577,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for a six percent base rate increase for child care center providers.

(i) \$1,728,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for reducing barriers for low-income providers to participate in the early achievers program.

(j) \$300,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for a contract with a nonprofit entity experienced in the provision of promoting early literacy for children through pediatric office visits.

(k) \$2,000,000 of the education legacy trust account—state appropriation is provided solely for early intervention assessment and services.

(l) \$3,445,000 of the general fund—federal appropriation for fiscal year 2019 is provided solely for the department to procure a time and attendance system and are subject to the conditions, limitations, and review provided in section 724 of this act.

(m) Information technology projects or investments and proposed projects or investments impacting time capture, payroll and payment processes and systems, eligibility, case management and authorization systems within the department are subject to technical oversight by the office of the chief information officer. The department must collaborate with the office of the chief information officer to develop a strategic business and technology architecture plan for a child care attendance and billing system that supports a statewide architecture.

(n)(i)(A) The department is required to provide to the education research and data center, housed at the office of financial management, data on all state-funded early childhood programs. These programs include the early support for infants and toddlers, early childhood education and assistance program (ECEAP), and the working connections and seasonal subsidized childcare programs including license exempt facilities or family, friend, and neighbor care. The data provided by the department to the education research data center must include information on children who participate in these programs, including their name and date of birth, and dates the child received services at a particular facility.

(B) ECEAP early learning professionals must enter any new qualifications into the department's professional development registry starting in the 2015-16 school year, and every school year thereafter. By October 2017, and every October thereafter, the department must provide updated ECEAP early learning professional data to the education research data center.

(C) The department must request federally funded head start programs to voluntarily provide data to the department and the education research data center that is equivalent to what is being provided for state-funded programs.

(D) The education research and data center must provide an updated report on early childhood program participation and K-12 outcomes to the house of representatives appropriations committee and the senate ways and means committee using available data by March 2018 for the school year ending in 2017.

(ii) The department, in consultation with the department of social and health services, must withhold payment for services to early childhood programs that do not report on the name, date of birth, and the dates a child received services at a particular facility.

(o) The department shall work with state and local law enforcement, federally recognized tribal governments, and tribal law enforcement to develop a process for expediting fingerprinting and data collection necessary to conduct background checks for tribal early learning and child care providers.

(p) \$2,651,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the 2017-2019 collective bargaining agreement covering family child care providers as set forth in section 940 of this act. Amounts provided in this subsection (p) are contingent upon the enactment of Senate Bill No. 5969 (transparency in public employee collective bargaining). If the bill is not enacted by July 31, 2017, the amount provided in this subsection shall lapse. Of the amounts provided in this subsection:

(i) \$273,000 is for a base rate increase;

(ii) \$55,000 is for increasing paid professional development days from three days to five days;

(iii) \$1,708,000 is for the family child care providers 501(c)(3) organization for the substitute pool, training and quality improvement support services, and administration;

(iv) \$114,000 is for increasing licensing incentive payments; and

(v) \$500,000 is for needs based grants.

(q) \$175,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the department to contract with a nonprofit entity that provides quality improvement services to participants in the early achievers program to implement a community-based training module that supports licensed child care providers who have been rated in early achievers and who are specifically interested in serving children in the early childhood education and assistance program. The module must be functionally translated into Spanish and Somali. The module must prepare trainees to administer all aspects of the early childhood education and assistance program for eligible children in their licensed program and must be offered to 105 child care providers to serve children eligible for the early childhood education and assistance program by June 30, 2019.

(r) \$219,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for implementation of chapter 236, Laws of 2017 (SHB 1445) (dual language in early learning & K-12).

(s) \$100,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for implementation of chapter 202, Laws of 2017 (E2SHB 1713) (children's mental health).

(t) \$317,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for implementation of chapter 162, Laws of 2017 (SSB 5357) (outdoor early learning programs).

(u) \$50,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the department, in collaboration with the department of health, to submit a report on child care nurse consultation to the governor and appropriate fiscal and

policy committees of the legislature by December 1, 2018. The report must address the following:

(i) Provide background on what nurse consultation services are currently available to licensed child care providers; and

(ii) Provide options and recommendations, including fiscal estimates, for a plan to provide nurse consultation services to licensed child care providers who request assistance in addressing the health and behavioral needs of children in their care.

(v) \$163,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the department to develop a community-based training module in managing and sustaining a child care business for child care providers and entrepreneurs. To develop the training, the department must consult with the statewide child care resource and referral network, the community and technical college system, and one or more community-based organizations with experience in preparing child care providers for entry into the workforce. By November 1, 2018, the department must offer the training as a pilot in rural Jefferson county and urban Pierce county. The department must report on the results of the pilot to the governor and the legislature by December 1, 2019.

(w) \$74,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for implementation of Engrossed House Bill No. 2861 (trauma-informed child care). If the bill is not enacted by June 30, 2018, the amount provided in this subsection shall lapse.

(x) \$750,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the implementation of the expanded learning opportunity quality initiative pursuant to RCW 43.215.100(3)(d).

(y) \$150,000 of the general fund—state appropriation for fiscal year 2019 is provided solely to implement Engrossed Second Substitute House Bill No. 2779 (children mental health services). If the bill is not enacted by June 30, 2018, the amount provided in this subsection shall lapse.

(3) PROGRAM SUPPORT

General Fund—State Appropriation	(FY 2019)
	(\$51,709,000)
	<u>\$53,540,000</u>
General Fund—Federal Appropriation	(\$15,928,000)
	<u>\$17,148,000</u>
TOTAL APPROPRIATION	<u>\$67,637,000</u>
	<u>\$70,688,000</u>

The appropriations in this subsection are subject to the following conditions and limitations:

(a) The appropriations provided in this subsection are provided solely for implementation of Engrossed Second Substitute House Bill No. 1661 (child, youth, families department). If the bill is not enacted by July 31, 2017, the amount provided in this subsection shall lapse.

(b)(i) During the 2017-2019 fiscal biennium, the department must revise its agreements and contracts with vendors to include a provision to require that each vendor agrees to equality among its workers by ensuring similarly employed individuals are compensated as equals as follows:

(A) Employees are similarly employed if the individuals work for the same employer, the performance of the job requires comparable skill, effort, and responsibility, and the jobs are performed under similar working conditions. Job titles alone are not determinative of whether employees are similarly employed;

(B) Vendors may allow differentials in compensation for its workers based in good faith on any of the following:

(I) A seniority system; a merit system; a system that measures earnings by quantity or quality of production; a bona fide job-

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related factor or factors; or a bona fide regional difference in compensation levels.

(II) A bona fide job-related factor or factors may include, but not be limited to, education, training, or experience, that is: Consistent with business necessity; not based on or derived from a gender-based differential; and accounts for the entire differential.

(III) A bona fide regional difference in compensation level must be: Consistent with business necessity; not based on or derived from a gender-based differential; and account for the entire differential.

(ii) The provision must allow for the termination of the contract if the department or department of enterprise services determines that the vendor is not in compliance with this agreement or contract term.

(iii) The department must implement this provision with any new contract and at the time of renewal of any existing contract.

(c)(i) \$150,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the department to conduct a study, jointly with the office of homeless youth prevention and protection programs within the department of commerce, on the public system response to families and youth in crisis who are seeking services to address family conflict in the absence of child abuse and neglect.

(ii) In conducting the study required under this section, the department and the office shall involve stakeholders involved in advocating and providing services to truants and at-risk youth, and shall consult with local jurisdictions, the Washington administrative office of the courts, and other entities as appropriate. The study shall review the utilization of existing resources such as secure crisis residential centers, crisis residential centers, and HOPE beds and make recommendations to assure effective use or redeployment of these resources.

(iii) The department and office shall develop recommendations to improve the delivery of services to youth and families in conflict which shall include a plan to provide community-based early intervention services as well as intensive interventions for families and youth facing crisis so severe that a youth cannot continue to reside in the home or is at risk of experiencing homelessness. Recommendations may include changes to family reconciliation services, and revisions to the at-risk youth and child in need of services petition processes, including consideration of a combined family in need of services petition process or a civil citation process.

(iv) The department and the office shall jointly submit recommendations required by this section to the governor and the appropriate legislative committees no later than December 15, 2018.

(d) \$1,000,000 of the general fund—state appropriation for fiscal year 2019 is provided solely to support the implementation of the department of children, youth, and families. The department must submit an expenditure plan to the office of financial management and may expend implementation funds after the approval of the director of the office of financial management.

(e) \$111,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for implementation of Engrossed House Bill No. 2008 (state services for children). If the bill is not enacted by June 30, 2018, the amount provided in this subsection shall lapse.

**PART XII
SUPPLEMENTAL
NATURAL RESOURCES**

Sec. 1201. 2018 c 299 s 302 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

General Fund—State Appropriation (FY 2018)	\$19,735,000
General Fund—State Appropriation (FY 2019)	\$22,505,000
General Fund—Federal Appropriation	\$106,467,000
General Fund—Private/Local Appropriation	\$23,008,000
Reclamation Account—State Appropriation	\$4,101,000
Flood Control Assistance Account—State Appropriation	\$4,173,000
State Emergency Water Projects Revolving Account—State Appropriation	\$40,000
Waste Reduction/Recycling/Litter Control—State Appropriation	\$14,787,000
State Drought Preparedness Account—State Appropriation	\$204,000
State and Local Improvements Revolving Account (Water Supply Facilities)—State Appropriation	\$164,000
Aquatic Algae Control Account—State Appropriation	\$522,000
Water Rights Tracking System Account—State Appropriation	\$47,000
Site Closure Account—State Appropriation	\$582,000
Wood Stove Education and Enforcement Account—State Appropriation	\$560,000
Worker and Community Right-to-Know Account—State Appropriation	\$1,869,000
Water Rights Processing Account—State Appropriation	\$39,000
State Toxics Control Account—State Appropriation	(\$149,327,000)
	<u>\$150,874,000</u>
State Toxics Control Account—Private/Local Appropriation	\$499,000
Local Toxics Control Account—State Appropriation	\$4,864,000
Water Quality Permit Account—State Appropriation	(\$44,403,000)
	<u>\$44,418,000</u>
Underground Storage Tank Account—State Appropriation	\$3,661,000
Biosolids Permit Account—State Appropriation	\$2,203,000
Environmental Legacy Stewardship Account—State Appropriation	\$41,421,000
Hazardous Waste Assistance Account—State Appropriation	\$6,593,000
Radioactive Mixed Waste Account—State Appropriation	\$18,425,000
Air Pollution Control Account—State Appropriation	\$3,477,000
Oil Spill Prevention Account—State Appropriation	\$9,744,000
Air Operating Permit Account—State Appropriation	\$3,816,000
Freshwater Aquatic Weeds Account—State Appropriation	\$1,459,000
Oil Spill Response Account—State Appropriation	\$7,076,000
Dedicated Marijuana Account—State Appropriation (FY 2019)	\$98,000
Pension Funding Stabilization Account—State Appropriation	\$2,924,000
Water Pollution Control Revolving Administration Account—State Appropriation	\$3,595,000
TOTAL APPROPRIATION	\$502,388,000

\$503,950,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$170,000 of the oil spill prevention account—state appropriation is provided solely for a contract with the University of Washington’s sea grant program to continue an educational program targeted to small spills from commercial fishing vessels, ferries, cruise ships, ports, and marinas.

(2) \$15,000,000 of the general fund—state appropriation for fiscal year 2018 and \$15,000,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for activities within the water resources program.

(3) \$228,000 of the general fund—state appropriation for fiscal year 2018 and \$227,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the department to grant to the northwest straits commission to distribute equally among the seven Puget Sound marine resource committees.

(4) Within existing resources, the department of ecology must engage stakeholders in a revision of WSR 13-22-073, rule amendments to chapter 173-350 WAC, to revise the proposed rule and submit a report to the senate local government and energy, environment, and telecommunications committees and the house of representatives local government and environment committees by September 1, 2017. The report must include a summary of areas of consensus and dispute, proposed resolution of disputes, a list of engaged stakeholders, a proposed timeline for potential rule adoption, and the most recent draft of proposed amendment language, if any.

(5) \$180,000 of the general fund—state appropriation for fiscal year 2019, \$44,000 of the waste reduction, recycling and litter control account—state appropriation, \$720,000 of the state toxics control account—state appropriation, \$17,000 of the local toxics control account—state appropriation, \$220,000 of the water quality permit account—state appropriation, \$23,000 of the underground storage tank account—state appropriation, \$132,000 of the environmental legacy stewardship account—state appropriation, \$39,000 of the hazardous waste assistance account—state appropriation, \$86,000 of the radioactive mixed waste account—state appropriation, \$18,000 of the air pollution control account—state appropriation, \$41,000 of the oil spill prevention account—state appropriation, and \$23,000 of the air operating permit account—state appropriation are provided solely for modernizing and migrating the department of ecology’s business applications from an agency-based data center to the state data center or a cloud environment and are subject to the conditions, limitations, and review provided in section 724, chapter 1, Laws of 2017 3rd sp. sess.

(6) \$80,000 of the hazardous waste assistance account—state appropriation is provided solely for the implementation of Substitute House Bill No. 2634 (antifouling paints). If the bill is not enacted by June 30, 2018, the amount provided in this subsection shall lapse.

(7) \$97,000 of the state toxics control account—state appropriation is provided solely for the implementation of Engrossed Substitute House Bill No. 2658 (perfluorinated chemicals). If the bill is not enacted by June 30, 2018, the amount provided in this subsection shall lapse.

(8) \$42,000 of the general fund—state appropriation for fiscal year 2018 and \$102,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for implementation of Executive Order No. 12-07, Washington’s response to ocean acidification.

(9) \$81,000 of the oil spill prevention account—state appropriation is provided solely for rule-making and other

implementation costs of chapter 239, Laws of 2017 (short line railroad).

(10) \$73,000 of the state toxics control account—state appropriation is provided solely for implementing the provisions of Engrossed Substitute Senate Bill No. 6413 (firefighting/toxic chemicals). If the bill is not enacted by June 30, 2018, the amount provided in this subsection shall lapse.

(11) \$1,143,000 of the oil spill prevention account—state appropriation is provided solely for implementing the provisions of Engrossed Second Substitute Senate Bill No. 6269 (strengthening oil transportation safety). If the bill is not enacted by June 30, 2018, the amount provided in this subsection shall lapse.

(12) \$190,000 of the general fund—state appropriation for fiscal year 2018, \$1,707,000 of the general fund—state appropriation for fiscal year 2019, and \$2,000,000 of the flood control assistance account—state appropriation are provided solely for the implementation of chapter 1, Laws of 2018 (ESSB 6091) (water availability).

(13) \$11,000 of the state toxics control account—state appropriation and \$17,000 of the air pollution control account—state appropriation are provided solely for the implementation of Substitute Senate Bill No. 6055 (apple maggot/outdoor burning). If the bill is not enacted by June 30, 2018, the amounts provided in this subsection shall lapse.

(14) \$14,000 of the state toxics control account—state appropriation and \$13,000 of the water quality permit account—state appropriation are provided solely for the implementation of Engrossed House Bill No. 2957 (nonnative finfish escape). If the bill is not enacted by June 30, 2018, the amounts provided in this subsection shall lapse.

(15)(a) \$625,000 of the general fund—state appropriation for fiscal year 2019 is provided solely to address water use in violation of chapter 90.03 or 90.44 RCW in priority watersheds. The legislature recognizes that water use in violation of chapter 90.03 or 90.44 RCW in priority watersheds can impair existing instream flows and senior water rights and supports actions taken by the department to reduce water use in violation of chapter 90.03 or 90.44 RCW. The department shall engage in compliance and enforcement work to ensure compliance with requirements under chapters 90.03 and 90.44 RCW. Funding is authorized to be used for technical assistance, informal enforcement, and formal enforcement actions.

(b) The department shall use funds appropriated under this section to work in water resource inventory areas where: (a) Rules have been adopted under chapters 90.22 or 90.54 RCW; (b) those rules do not specify mitigation requirements for groundwater withdrawals exempt from permitting under RCW 90.44.050; and (c) the department believes water use in violation of chapter 90.03 or 90.44 RCW is negatively impacting streamflows.

(c) The department shall submit a report to the legislature by December 1, 2019, that summarizes the compliance and enforcement work completed in each basin, including the estimated benefit to streamflows occurring from actions taken.

(d) Appropriations under this section should not replace or otherwise impact funds appropriated to the department to carry out duties under RCW 90.03.605 and chapter 90.08 RCW.

(16) \$187,000 of the state toxics control account—state appropriation is provided solely to the department to begin a multiyear study to distinguish the sources of emissions of the toxic air pollutant that poses the greatest cancer risk at the air monitoring station that is located closest to a port in the state with the highest volume of container traffic in domestic and foreign waterborne trade, as measured by the United States bureau of transportation statistics for the most recent year such statistics were available, as of January 1, 2017. The local air pollution

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control authority may financially contribute to the completion of this study, and the department is encouraged to consult with the local air pollution control authority in designing and implementing this study.

(17) \$98,000 of the dedicated marijuana account—state appropriation for fiscal year 2019 is provided solely for the department to begin conducting research into appropriate protocols and accreditation standards for marijuana testing laboratories. By January 15, 2019, the department must report to the appropriate committees of the legislature with preliminary recommendations regarding laboratory accreditation standards that should be applied to marijuana testing laboratories.

(18) \$1,487,000 of the state toxics control account—state appropriation is provided solely to the department to cover the cost of expert witnesses, discovery, motions practice, and other expenses that will occur during the preparation and trial phases of the *Lighthouse Resources Inc. et al. v. Inslee et al. case.*

Sec. 1202. 2018 c 299 s 303 (uncodified) is amended to read as follows:

FOR THE STATE PARKS AND RECREATION COMMISSION

General Fund—State Appropriation (FY 2018)	\$8,993,000
General Fund—State Appropriation (FY 2019)	(\$10,328,000)
	<u>\$10,578,000</u>
General Fund—Federal Appropriation	\$6,977,000
Winter Recreation Program Account—State Appropriation	\$3,292,000
ORV and Nonhighway Vehicle Account—State Appropriation	\$392,000
Snowmobile Account—State Appropriation	\$5,632,000
Aquatic Lands Enhancement Account—State Appropriation	\$367,000
Recreation Access Pass Account—State Appropriation	\$50,000
Parks Renewal and Stewardship Account—State Appropriation	(\$124,299,000)
	<u>\$124,833,000</u>
Parks Renewal and Stewardship Account—Private/Local Appropriation	(\$420,000)
	<u>\$615,000</u>
Pension Funding Stabilization Account—State Appropriation	\$1,498,000
TOTAL APPROPRIATION	<u>\$162,248,000</u>
	<u>\$163,227,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$129,000 of the general fund—state appropriation for fiscal year 2018 and \$129,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for a grant for the operation of the Northwest weather and avalanche center.

(2) \$100,000 of the general fund—state appropriation for fiscal year 2018 and \$100,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the commission to pay assessments charged by local improvement districts.

(3) \$700,000 of the parks renewal and stewardship account—state appropriation is provided solely for the commission to replace 32 existing automated pay stations and to install 38 additional automated pay stations within state parks.

(4) \$50,000 of the recreation access pass account—state appropriation is provided solely for the commission, using its authority under RCW 79A.05.055(3) and in partnership with the department of fish and wildlife and the department of natural resources, to coordinate a process to develop options and

recommendations to improve consistency, equity, and simplicity in recreational access fee systems while accounting for the fiscal health and stability of public land management. The process must be collaborative and include other relevant agencies and appropriate stakeholders. The commission must contract with the William D. Ruckelshaus Center or another neutral third party to facilitate meetings and discussions with parties involved in the process and provide a report to the appropriate committees of the legislature by December 1, 2017. The process must analyze and make recommendations on:

(a) Opportunities for federal and state recreational permit fee coordination, including the potential for developing a system that allows a single pass to provide access to federal and state lands;

(b) Opportunities to enhance consistency in the way state and federal recreational access fees apply to various types of recreational users, including those that travel to public lands by motor vehicle, boat, bicycle, foot, or another method; and

(c) Opportunities to develop a comprehensive and consistent statewide approach to recreational fee discounts and exemptions to social and other groups including, but not limited to, disabled persons, seniors, disabled veterans, foster families, low-income residents, and volunteers. This analysis must examine the cost of such a program, and should consider how recreational fee discounts fit into the broader set of benefits provided by the state to these social groups. This includes a review of the efficacy, purpose, and cost of existing recreational fee discounts and exemptions, as well as opportunities for new or modified social group discounts and exemptions. The department of veterans affairs and the department of social and health services must be included in this portion of the process.

(5) \$100,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the commission to carry out forest health related activities at the Squilchuck state park.

Sec. 1203. 2018 c 299 s 306 (uncodified) is amended to read as follows:

FOR THE CONSERVATION COMMISSION

General Fund—State Appropriation (FY 2018)	\$7,074,000
General Fund—State Appropriation (FY 2019)	(\$7,329,000)
	<u>\$7,629,000</u>
General Fund—Federal Appropriation	\$2,301,000
Public Works Assistance Account—State Appropriation	\$7,619,000
State Toxics Control Account—State Appropriation	\$1,000,000
Pension Funding Stabilization Account—State Appropriation	\$254,000
TOTAL APPROPRIATION	<u>\$25,577,000</u>
	<u>\$25,877,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$7,602,000 of the public works assistance account—state appropriation is provided solely for implementation of the voluntary stewardship program. This amount may not be used to fund agency indirect and administrative expenses.

(2)(a) \$50,000 of the general fund—state appropriation for fiscal year 2018 and \$100,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the commission to convene and facilitate a food policy forum. The director of the commission is responsible for appointing participating members of the food policy forum in consultation with the director of the department of agriculture. In making appointments, the director of the commission must attempt to ensure a diversity of knowledge, experience, and perspectives by

building on the representation established by the food system roundtable initiated by executive order No. 10-02.

(b) In addition to members appointed by the director of the state conservation commission, four legislators may serve on the food policy forum in an ex officio capacity. Legislative participants must be appointed as follows:

(i) The speaker of the house of representatives shall appoint one member from each of the two largest caucuses of the house of representatives; and

(ii) The president of the senate shall appoint one member from each of the two largest caucuses of the senate.

(c) The commission shall coordinate with the office of farmland preservation and the department of agriculture to avoid duplication of effort. The commission must report to the appropriate committees of the legislature, consistent with RCW 43.01.036, with the forum's recommendations by June 30, 2019.

(3) \$275,000 of the general fund—state appropriation for fiscal year 2018 and \$475,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for grants and technical assistance. Of the amounts provided in this subsection, \$25,000 in fiscal year 2018 and \$225,000 in fiscal year 2019 are provided solely for activities related to water quality improvements and fecal coliform DNA speciation statewide.

Sec. 1204. 2018 c 299 s 307 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF FISH AND WILDLIFE

General Fund—State Appropriation (FY 2018) \$46,860,000

General Fund—State Appropriation (FY 2019)

~~(\$47,569,000)~~

\$47,785,000

General Fund—Federal Appropriation \$130,365,000

General Fund—Private/Local Appropriation \$63,918,000

ORV and Nonhighway Vehicle Account—State Appropriation

\$699,000

Aquatic Lands Enhancement Account—State

Appropriation \$10,423,000

Recreational Fisheries Enhancement—State

Appropriation \$3,118,000

Warm Water Game Fish Account—State Appropriation

\$2,660,000

Eastern Washington Pheasant Enhancement Account—State

Appropriation \$675,000

State Wildlife Account—State Appropriation \$117,751,000

Special Wildlife Account—State Appropriation \$3,234,000

Special Wildlife Account—Federal Appropriation \$505,000

Special Wildlife Account—Private/Local Appropriation

\$3,573,000

Wildlife Rehabilitation Account—State Appropriation

\$361,000

Ballast Water and Biofouling Management Account—State

Appropriation \$10,000

Hydraulic Project Approval Account—State Appropriation

~~(\$29,000)~~

\$179,000

Environmental Legacy Stewardship Account—State

Appropriation \$2,763,000

Regional Fisheries Enhancement Salmonid Recovery

Account—

Federal Appropriation \$5,001,000

Oil Spill Prevention Account—State Appropriation

\$1,120,000

Pension Funding Stabilization Account—State

Appropriation \$5,178,000

Oyster Reserve Land Account—State Appropriation

\$527,000

Performance Audits of Government Account—State

Appropriation \$325,000

Aquatic Invasive Species Management Account—State

Appropriation \$1,656,000

TOTAL APPROPRIATION \$446,581,000

\$448,686,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$67,000 of the general fund—state appropriation for fiscal year 2018 and \$467,000 of the general fund—state appropriation for fiscal year 2019 are provided solely to pay for emergency fire suppression costs. These amounts may not be used to fund agency indirect and administrative expenses.

(2) \$1,109,000 of the general fund—state appropriation for fiscal year 2018 and \$1,109,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for payments in lieu of real property taxes to counties that elect to receive the payments for department-owned game lands within the county.

(3) \$415,000 of the general fund—state appropriation for fiscal year 2018, \$415,000 of the general fund—state appropriation for fiscal year 2019, and \$440,000 of the general fund—federal appropriation are provided solely for county assessments.

(4) Prior to submitting its 2019-2021 biennial operating and capital budget requests related to state fish hatcheries to the office of financial management, the department shall contract with the hatchery scientific review group (HSRG) to review the proposed requests. This review shall: (a) Determine if the proposed requests are consistent with HSRG recommendations; (b) prioritize the components of the requests based on their contributions to protecting wild salmonid stocks and meeting the recommendations of the HSRG; and (c) evaluate whether the proposed requests are being made in the most cost-effective manner. The department shall provide a copy of the HSRG review to the office of financial management with its agency budget proposal.

(5) \$400,000 of the general fund—state appropriation for fiscal year 2018 and \$400,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for a state match to support the Puget Sound nearshore partnership between the department and the United States army corps of engineers. Prior to implementation of any Puget Sound nearshore ecosystem restoration projects in Whatcom county, the department must consult with and seek, to the maximum extent practicable, consensus on those projects among appropriate landowners, federally recognized Indian tribes, agencies, and community and interest groups.

(6) Within the amounts appropriated in this section, the department shall identify additional opportunities for partnerships in order to keep fish hatcheries operational. Such partnerships shall aim to maintain fish production and salmon recovery with less reliance on state operating funds.

(7) \$525,000 of the general fund—state appropriation for fiscal year 2018 and ~~(\$525,000)~~ \$741,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for training for a work unit to engage and empower diverse stakeholders in decisions about fish and wildlife, the continued conflict transformation with the wolf advisory group, wolf surveys, radio collars, increased wildlife conflict response, and for cost share partnerships with livestock owners and the use of range riders to reduce the potential for depredation of livestock from wolves. The department shall cooperate with the department of agriculture to shift the responsibility of implementing cost-sharing contracts with livestock producers to use nonlethal actions to minimize

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livestock loss from wolves and other carnivores to the department of agriculture.

(8) \$1,259,000 of the state wildlife account—state appropriation is provided solely for the fish program, including implementation of Substitute House Bill No. 1597 (commercial fishing). If the bill is not enacted by July 31, 2017, the amount provided in this subsection shall lapse.

(9) \$1,630,000 of the aquatic invasive species management account, \$600,000 of the general fund—federal appropriation, \$62,000 of the state wildlife account—state appropriation, and \$10,000 of the ballast water and biofouling management account—state appropriation are provided solely for activities related to aquatic invasive species, including implementation of Substitute House Bill No. 1429 or Substitute Senate Bill No. 5303 (aquatic invasive species). If neither bill is enacted by July 31, 2017, the amounts provided in this subsection shall lapse.

(10) Within amounts provided in this section, the department must consult with affected tribes and landowners in Skagit county to develop and implement a plan designed to address elk-related agricultural damage and vehicular collisions by using all available and appropriate methods including, but not limited to, cooperative fencing projects and harvest in order to minimize elk numbers on private lands and maximize the number of elk located on state and federal lands. The plan must be implemented by September 1, 2018.

(11) Within the appropriations of this section, the department shall initiate outreach with recreational fishing stakeholders so that recreational fishing guide and non-guided angler data can be collected and analyzed to evaluate changes in the structure of guide licensing, with the objectives of: (a) Improving the fishing experience and ensuring equitable opportunity for both guided and non-guided river anglers, (b) managing fishing pressure to protect wild steelhead and other species; and (c) ensuring that recreational fish guiding remains a sustainable economic contributor to rural economies. The department shall convene public meetings in the North Olympic Peninsula and Klickitat River areas, and may include other areas of the state, and shall provide the appropriate standing committees of the legislature a summary of its findings, by December 31, 2017.

(12)(a) \$5,500,000 of the general fund—state appropriation for fiscal year 2018, \$5,500,000 of the general fund—state appropriation for fiscal year 2019, and \$325,000 of the performance audits of government account—state appropriation are provided solely as one-time funding to support the department in response to its budget shortfall. Of the amounts provided in this subsection, \$450,000 of the general fund—state appropriation for fiscal year 2018 and \$450,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the department to grant to the regional fisheries enhancement groups. In order to address this shortfall on a long-term basis, the department must develop a plan for balancing projected revenue and expenditures and improving the efficiency and effectiveness of agency operations, including:

(i) Expenditure reduction options that maximize administrative and organizational efficiencies and savings, while avoiding hatchery closures and minimizing impacts to fisheries and hunting opportunities; and

(ii) Additional revenue options and an associated outreach plan designed to ensure that the public, stakeholders, the commission, and legislators have the opportunity to understand and impact the design of the revenue options.

(iii) The range of options created under (a)(i) and (ii) of this subsection must be prioritized by impact on achieving financial stability, impact on the public and fisheries and hunting

opportunities, and on timeliness and ability to achieve intended outcomes.

(b) In consultation with the office of financial management, the department must consult with an outside management consultant to evaluate and implement efficiencies to the agency's operations and management practices. Specific areas of evaluation must include:

(i) Potential inconsistencies and increased costs associated with the decentralized nature of organizational authority and operations;

(ii) The department's budgeting and accounting processes, including work done at the central, program, and region levels, with specific focus on efficiencies to be gained by centralized budget control;

(iii) Executive management, program management, and regional management structures, specifically addressing accountability.

(c) In carrying out these planning requirements, the department must provide quarterly updates to the commission, office of financial management, and appropriate legislative committees. The department must provide a final summary of its process and plan by September 1, 2018.

(d) The department, in cooperation with the office of financial management shall conduct a zero-based budget review of its operating budget and activities to be submitted with the department's 2019-2021 biennial budget submittal. Information and analysis submitted by the department for the zero-based review under this subsection shall include:

(i) A statement of the statutory basis or other basis for the creation of each program and the history of each program that is being reviewed;

(ii) A description of how each program fits within the strategic plan and goals of the agency and an analysis of the quantified objectives of each program within the agency;

(iii) Any available performance measures indicating the effectiveness and efficiency of each program;

(iv) A description with supporting cost and staffing data of each program and the populations served by each program, and the level of funding and staff required to accomplish the goals of the program if different than the actual maintenance level;

(v) An analysis of the major costs and benefits of operating each program and the rationale for specific expenditure and staffing levels;

(vi) An analysis estimating each program's administrative and other overhead costs;

(vii) An analysis of the levels of services provided; and

(viii) An analysis estimating the amount of funds or benefits that actually reach the intended recipients.

(13) \$580,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the implementation of chapter 1, Laws of 2018 (ESSB 6091) (water availability).

(14) \$76,000 of the general fund—state appropriation for fiscal year 2018 and \$472,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the department to increase enforcement of vessel traffic near orca whales, especially commercial and recreational whale watchers and shipping, and to reduce underwater noise levels that interfere with feeding and communication. While the patrol focus is to be on orca whale protection when the animals are present, nothing prohibits responses to emergent public safety or in-progress poaching incidents. In the event that orca whales are not present in marine waters of Puget Sound, emphasis will be placed on patrols that protect living marine resources in northern Puget Sound.

(15) \$837,000 of the general fund—state appropriation for fiscal year 2019 is appropriated for the department to increase

hatchery production of key prey species fish throughout the Puget Sound, coast, and Columbia river. The department shall work with the governor, federal partners, tribal co-managers, the hatchery scientific review group, and other interested parties to develop a biennial hatchery production plan by December 31, 2018, that will: (a) Identify, within hatchery standards and endangered species act constraints, hatchery programs and specific facilities to contribute to the dietary needs of orca whales; (b) consider prey species preferences and migratory patterns of orca whales; and (c) include adaptive management provisions to ensure the conservation and enhancement of wild stocks. The final plan will be reviewed by the hatchery scientific review group and submitted to the appropriate committees of the legislature by December 31, 2018.

(16) \$115,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for an interagency agreement with the office of financial management for facilitation services and support the governor’s efforts to develop a long-term action plan for orca whale recovery.

(17) \$55,000 of the state wildlife account—state appropriation is provided solely for implementing the provisions of Engrossed Substitute Senate Bill No. 6127 (halibut fishery). If the bill is not enacted by June 30, 2018, the amount provided in this subsection shall lapse.

(18) \$65,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the implementation of Engrossed House Bill No. 2957 (nonnative finfish escape). If the bill is not enacted by June 30, 2018, the amounts provided in this subsection shall lapse.

(19) \$183,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the department to evaluate translocation as a management tool to advance the recovery of wolves using the state environmental policy act (SEPA) process. The department shall provide a report to the legislature outlining the results of the SEPA process no later than December 31, 2019.

(20) \$373,000 of the general fund—state appropriation for fiscal year 2018 and \$417,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the department to complete the third and final phase of the Puget Sound steelhead research project.

(21) \$100,000 of the general fund—state appropriation for fiscal year 2018 and \$400,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the department to add a veterinarian, microbiologist, and make laboratory upgrades to ensure the hatchery program complies with recent changes in water quality and health laws.

(22) \$400,000 of the general fund—state appropriation for fiscal year 2018 and \$100,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for restoration costs that are a result of wildfire damage.

(23) \$300,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the department to implement and enforce chapter 2, Laws of 2016 (Initiative Measure No. 1401).

(24) The department must ensure the following actions occur prior to initiating construction of the Buckmire slough project:

(a) The department shall engage with hunters and other stakeholders to consider alternative project designs that balance the multiple recreational uses and species habitat needs at the wildlife area;

(b) The department shall quantify potential habitat and recreational hunting loss associated with the project, and will work with stakeholders and interested members of the public to develop strategies for mitigating those losses; and

(c) Where necessary, the department shall make payments to all public and private entities that contributed to the purchase of

the unit’s 540 acres of waterfowl habitat, in amounts that are required by the funding entity.

Sec. 1205. 2018 c 299 s 308 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF NATURAL RESOURCES

General Fund—State Appropriation (FY 2018)	\$74,728,000
General Fund—State Appropriation (FY 2019)	(\$49,316,000)
	<u>\$62,851,000</u>
General Fund—Federal Appropriation	(\$36,496,000)
	<u>\$54,450,000</u>
General Fund—Private/Local Appropriation	(\$3,230,000)
	<u>\$4,430,000</u>
Forest Development Account—State Appropriation	\$50,122,000
ORV and Nonhighway Vehicle Account—State Appropriation	\$7,843,000
Surveys and Maps Account—State Appropriation	\$2,479,000
Aquatic Lands Enhancement Account—State Appropriation	\$16,188,000
Resources Management Cost Account—State Appropriation	\$121,520,000
Surface Mining Reclamation Account—State Appropriation	\$4,122,000
Disaster Response Account—State Appropriation	\$23,076,000
Forest and Fish Support Account—State Appropriation	\$12,789,000
Aquatic Land Dredged Material Disposal Site Account—State Appropriation	\$400,000
Natural Resources Conservation Areas Stewardship Account—State Appropriation	\$232,000
State Toxics Control Account—State Appropriation	\$10,709,000
Forest Practices Application Account—State Appropriation	\$1,896,000
Air Pollution Control Account—State Appropriation	\$870,000
NOVA Program Account—State Appropriation	\$733,000
Pension Funding Stabilization Account—State Appropriation	\$3,239,000
Derelict Vessel Removal Account—State Appropriation	\$1,945,000
Community Forest Trust Account—State Appropriation	\$52,000
Agricultural College Trust Management Account—State Appropriation	\$3,055,000
TOTAL APPROPRIATION	\$425,040,000
	<u>\$457,729,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,420,000 of the general fund—state appropriation for fiscal year 2018 and \$1,352,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for deposit into the agricultural college trust management account and are provided solely to manage approximately 70,700 acres of Washington State University’s agricultural college trust lands.

(2) \$44,455,000 of the general fund—state appropriation for fiscal year 2018(~~(\$16,546,000)~~) and \$30,954,000 of the general fund—state appropriation for fiscal year 2019, and \$16,050,000 of the disaster response account—state appropriation are provided solely for emergency fire suppression. The general fund—state appropriations provided in this subsection may not be used to fund the department’s indirect and administrative

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expenses. The department's indirect and administrative costs shall be allocated among its remaining accounts and appropriations.

(3) \$5,000,000 of the forest and fish support account—state appropriation is provided solely for outcome-based performance contracts with tribes to participate in the implementation of the forest practices program. Contracts awarded may only contain indirect costs set at or below the rate in the contracting tribe's indirect cost agreement with the federal government. If federal funding for this purpose is reinstated, the amount provided in this subsection shall lapse.

(4) \$1,640,000 of the general fund—state appropriation for fiscal year 2018 and \$1,640,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the department to carry out the forest practices adaptive management program pursuant to RCW 76.09.370 and the May 24, 2012, settlement agreement entered into by the department and the department of ecology. Scientific research must be carried out according to the master project schedule and work plan of cooperative monitoring, evaluation, and research priorities adopted by the forest practices board. The forest practices board shall submit a report to the legislature following review, approval, and solicitation of public comment on the cooperative monitoring, evaluation, and research master project schedule, to include: Cooperative monitoring, evaluation, and research science and related adaptive management expenditure details, accomplishments, the use of cooperative monitoring, evaluation, and research science in decision-making, and funding needs for the coming biennium. For new or amended forest practices rules adopted or new or amended board manual provisions approved under chapter 76.09 RCW, the forest practices board shall also report on its evaluation of the scientific basis for the rule or board manual provisions including a technical assessment of the value-added benefits for aquatic resources and the corresponding economic impact to the regulated community from the rule or board manual. The report shall be provided to the appropriate committees of the legislature by November 1, 2018.

(5) \$147,000 of the general fund—state appropriation for fiscal year 2018 and \$147,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for chapter 280, Laws of 2017 (ESHB 2010) (homelessness/wildfire areas), including local capacity for wildfire suppression in any county located east of the crest of the Cascade mountain range that shares a common border with Canada and has a population of one hundred thousand or fewer. The funding provided in this subsection must be provided to these counties for radio communication equipment, or to fire protection service providers within these counties for residential wildfire risk reduction activities, including education and outreach, technical assistance, fuel mitigation, and other residential risk reduction measures. For the purposes of this subsection, fire protection service providers include fire departments, fire districts, emergency management services, and regional fire protection service authorities. The department must prioritize funding to counties authorized in this subsection, and fire protection service providers within those counties that serve a disproportionately higher percentage of low-income residents as defined in RCW 84.36.042, that are located in areas of higher wildfire risk, and whose fire protection service providers have a shortage of reliable equipment and resources. Of the amount provided in this subsection, \$7,000 per fiscal year is provided for department administration costs.

(6) Sufficient funding is provided in this section and the capital appropriations act to implement chapter 248, Laws of 2017 (E2SHB 1711) (forest health treatments).

(7) \$211,000 of the general fund—state appropriation for fiscal year 2018 is provided solely for implementation of chapter 319, Laws of 2017 (ESSB 5198) (fire retardant use). The department shall study and report on the types and efficacy of fire retardants used in fire suppression activities, their potential impact on human health and natural resources, and make recommendations to the legislature by December 31, 2017.

(8) \$505,000 of the general fund—state appropriation for fiscal year 2018 and \$486,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for implementation of chapter 95, Laws of 2017 (2SSB 5546) (forest health treatment assessment). The department shall establish a forest health assessment and treatment framework that consists of biennial forest health assessments, treatments, and progress review and reporting.

(9) \$150,000 of the aquatic lands enhancement account—state appropriation is provided solely for continued facilitation and support services for the marine resources advisory council.

(10) \$250,000 of the aquatic lands enhancement account—state appropriation is provided solely for implementation of the state marine management plan and ongoing costs of the Washington coastal marine advisory council to serve as a forum and provide recommendations on coastal management issues.

(11) \$406,000 of the general fund—state appropriation for fiscal year 2018 and \$350,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for Teanaway community forest operations management costs, such as management plan oversight and forest health.

(12) \$150,000 of the state toxics control account—state appropriation is provided solely for the department to meet its obligations as a potentially liable party under the Washington model toxics control act at Whitmarsh landfill and the east waterway site.

(13) \$25,000 of the general fund—state appropriation for fiscal year 2018 is provided solely for conducting an aerial survey of the Washington coast forests to monitor the occurrence and spread of Swiss needle cast disease.

(14) \$25,000 of the general fund—state appropriation for fiscal year 2018 is provided solely for the department to grant to the University of Washington, Olympic natural resources center to develop a plan to mitigate the effects of Swiss needle cast disease on douglas fir tree species.

(15) Within existing resources, the department, in collaboration with the emergency management division of the military department, must develop agreements with other state agencies to recruit state employees to voluntarily participate in the wildfire suppression program. Other agency staff are eligible to receive training, fire gear, and any other necessary items to be ready for deployment to fight wildfires when called. The department shall cover agency staff costs directly or through reimbursement and must submit a request for an appropriation in the next legislative session to fulfill this requirement. The department must provide a report detailing the opportunities, challenges, and recommendations for increasing state employee voluntary participation in the wildfire suppression program to the appropriate committees of the legislature by December 1, 2017.

(16) \$160,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for implementing the provisions of Engrossed Substitute Senate Bill No. 6109 (wildland urban interface). If the bill is not enacted by June 30, 2018, the amount provided in this subsection shall lapse.

(17) \$42,000 of the forest development account—state appropriation, \$56,000 of the resources management cost account—state appropriation, and \$2,000 of the agricultural college trust management account—state appropriation are

provided solely for the implementation of Engrossed Substitute House Bill No. 2285 (marbled murrelet reports). If the bill is not enacted by June 30, 2018, the amounts provided in this subsection shall lapse.

(18) \$6,000 of the forest development account—state appropriation, \$36,000 of the resources management cost account—state appropriation, and \$1,000 of the agricultural college trust management account—state appropriation are provided solely for the implementation of Third Substitute House Bill No. 2382 (surplus public property). If the bill is not enacted by June 30, 2018, the amounts provided in this subsection shall lapse.

(19) \$57,000 of the general fund—state appropriation for fiscal year 2018 and \$136,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the implementation of Substitute House Bill No. 2561 (wildland fire advisory committee). If the bill is not enacted by June 30, 2018, the amounts provided in this subsection shall lapse.

(20) \$403,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the implementation of House Bill No. 2733 (prescribed burn certificate program). If the bill is not enacted by June 30, 2018, the amount provided in this subsection shall lapse.

~~((22))~~ (21) \$380,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for one full-time natural resource scientist, one full-time information technology specialist, and related support costs dedicated to earthquake and tsunami hazards. Duties for these positions include, but are not limited to, developing inventories, maps, evacuation routes, educational materials, databases, and other activities that increase preparedness for earthquakes and tsunamis.

~~((23))~~ (22) \$37,000 of the aquatic lands enhancement account—state appropriation and \$37,000 of the resources management cost account—state appropriation are provided solely for the implementation of Engrossed House Bill No. 2957 (nonnative finfish escape). If the bill is not enacted by June 30, 2018, the amounts provided in this subsection shall lapse.

~~((24))~~ (23) \$25,000 of the general fund—state appropriation for fiscal year 2019 is provided solely to enhance the department’s efforts to develop and submit a proposed amendment to the 1997 Washington state trust lands habitat conservation plan for a marbled murrelet long-term conservation strategy. In meeting the department’s legal and fiduciary obligations to beneficiaries of state lands and state forestlands, the proposed amendment shall be consistent with the requirements of the 1997 state lands habitat conservation plan, the associated implementation agreement and incidental take permit, and the federal endangered species act.

~~((25))~~ (24) \$198,000 of the natural resources conservation areas stewardship account—state appropriation is provided solely for weed control and maintenance of public access at natural areas.

Sec. 1206. 2018 c 299 s 309 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF AGRICULTURE

General Fund—State Appropriation (FY 2018)	\$16,888,000
General Fund—State Appropriation (FY 2019)	(\$17,465,000)
	<u>\$18,163,000</u>
General Fund—Federal Appropriation	(\$32,134,000)
	<u>\$32,599,000</u>
General Fund—Private/Local Appropriation	\$193,000
Aquatic Lands Enhancement Account—State Appropriation	\$2,563,000

State Toxics Control Account—State Appropriation	\$6,066,000
Water Quality Permit Account—State Appropriation	\$73,000
Pension Funding Stabilization Account—State Appropriation	\$1,041,000
TOTAL APPROPRIATION	<u>\$76,423,000</u> <u>\$77,586,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$6,108,445 of the general fund—state appropriation for fiscal year 2018 and \$6,102,905 of the general fund—state appropriation for fiscal year 2019 are provided solely for implementing the food assistance program as defined in RCW 43.23.290.

(2) Within amounts appropriated in this section, the department shall provide to the department of health, where available, the following data for all nutrition assistance programs that are funded by the United States department of agriculture and administered by the department. The department must provide the report for the preceding federal fiscal year by February 1, 2018, and February 1, 2019. The report must provide:

- (a) The number of people in Washington who are eligible for the program;
- (b) The number of people in Washington who participated in the program;
- (c) The average annual participation rate in the program;
- (d) Participation rates by geographic distribution; and
- (e) The annual federal funding of the program in Washington.

(3) \$132,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the department to fund an aquaculture coordinator. The aquaculture coordinator will work with shellfish growers and federal, state, and local governments to improve the efficiency and effectiveness of shellfish farm permitting. Many of those improvements will come directly from the shellfish interagency permitting team recommendations.

(4) \$14,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for implementing Substitute Senate Bill No. 6055 (apple maggot/outdoor burning). If the bill is not enacted by June 30, 2018, the amount provided in this subsection shall lapse.

(5) \$2,000 of the general fund—state appropriation for fiscal year 2018 and \$18,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the implementation of chapter 1, Laws of 2018 (ESSB 6091) (water availability).

(6) \$144,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the implementation of Second Engrossed Substitute House Bill No. 1508 (student meals and nutrition). If the bill is not enacted by June 30, 2018, the amounts provided in this subsection shall lapse.

(7) \$1,000 of the general fund—state appropriation for fiscal year 2018 and \$6,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the implementation of Engrossed House Bill No. 2957 (nonnative finfish escape). If the bill is not enacted by June 30, 2018, the amounts provided in this subsection shall lapse.

(8) \$100,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the industrial hemp research pilot program. Expenditures shall be prioritized for processing licenses and expanding the industrial hemp market.

(9) \$534,000 of the state toxics control account—state appropriation is provided solely for a monitoring program to study the impacts of the use of imidacloprid as a means to control burrowing shrimp and related costs. Department costs include, but are not limited to, oversight and participation on a technical advisory committee, technical assistance, planning, and reporting

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activities. The department may also use the funding provided in this subsection, as needed, for payments to Washington State University, the United States department of agriculture, and outside consultants for their participation in the monitoring program and technical advisory committee. The department must report to the appropriate committees of the legislature by June 1, 2019, on the progress of the monitoring program.

(10) \$80,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the department to provide to the sheriff's departments of Ferry county and Stevens county to cooperate with the department and the department of fish and wildlife on wolf management activities. Of the amount provided in this subsection, \$40,000 is for the Ferry county sheriff's department and \$40,000 is for the Stevens county sheriff's department.

Sec. 1207. 2018 c 299 s 310 (uncodified) is amended to read as follows:

FOR THE WASHINGTON POLLUTION LIABILITY INSURANCE PROGRAM

Pollution Liability Insurance Agency Underground Storage Tank Revolving Account—State Appropriation	\$90,000
Pollution Liability Insurance Program Trust Account—State Appropriation	(\$1,340,000)
	<u>\$1,512,000</u>
TOTAL APPROPRIATION	<u>\$1,430,000</u>
	<u>\$1,602,000</u>

Sec. 1208. 2018 c 299 s 311 (uncodified) is amended to read as follows:

FOR THE PUGET SOUND PARTNERSHIP

General Fund—State Appropriation (FY 2018)	\$2,783,000
General Fund—State Appropriation (FY 2019)	\$2,526,000
General Fund—Federal Appropriation	(\$10,334,000)
	<u>\$11,605,000</u>
Aquatic Lands Enhancement Account—State Appropriation	\$1,419,000
State Toxics Control Account—State Appropriation	\$721,000
Pension Funding Stabilization Account—State Appropriation	\$277,000
TOTAL APPROPRIATION	<u>\$18,060,000</u>
	<u>\$19,331,000</u>

The appropriations in this section are subject to the following conditions and limitations: By October 15, 2018, the Puget Sound partnership shall provide the governor a single, prioritized list of state agency 2019-2021 capital and operating budget requests related to Puget Sound restoration.

**PART XIII
SUPPLEMENTAL
TRANSPORTATION**

Sec. 1301. 2018 c 299 s 401 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF LICENSING

General Fund—State Appropriation (FY 2018)	\$1,688,000
General Fund—State Appropriation (FY 2019)	(\$2,145,000)
	<u>\$3,038,000</u>
Architects' License Account—State Appropriation	(\$1,203,000)
	<u>\$1,141,000</u>
Professional Engineers' Account—State Appropriation	(\$3,926,000)

	<u>\$4,095,000</u>
Real Estate Commission Account—State Appropriation	(\$11,547,000)
	<u>\$10,910,000</u>
Uniform Commercial Code Account—State Appropriation	(\$3,469,000)
	<u>\$1,687,000</u>
Real Estate Education Program Account—State Appropriation	\$276,000
Real Estate Appraiser Commission Account—State Appropriation	(\$1,870,000)
	<u>\$1,336,000</u>
Business and Professions Account—State Appropriation	(\$21,985,000)
	<u>\$18,754,000</u>
Real Estate Research Account—State Appropriation	\$415,000
Landscape Architects' License Account—State Appropriation	\$4,000
Geologists' Account—State Appropriation	\$53,000
Derelict Vessel Removal Account—State Appropriation	\$33,000
CPL Renewal Notification Account—State Appropriation	\$183,000
Firearms Range Account—State Appropriation	\$75,000
Pension Funding Stabilization Account—State Appropriation	\$95,000
TOTAL APPROPRIATION	<u>\$48,967,000</u>
	<u>\$43,783,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$105,000 of the business and professions account appropriation is provided solely to implement chapter 46, Laws of 2017 (SHB 1420) (theatrical wrestling).

(2) \$183,000 of the concealed pistol license renewal notification account appropriation and \$75,000 of the firearms range account appropriation are provided solely to implement chapter 74, Laws of 2017 (SHB 1100) (concealed pistol license) and chapter 282, Laws of 2017 (SB 5268) (concealed pistol license notices).

(3) \$198,000 of the general fund—state appropriation for fiscal year 2018 and ~~(\$11,000)~~ \$75,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for costs related to sending notices to persons to encourage the renewal of vessel registrations.

(4) \$32,000 of the general fund—state appropriation for fiscal year 2018 and \$32,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the department of licensing to issue identicards to youths released from juvenile rehabilitation facilities.

(5) The appropriations in this section include sufficient funding for the implementation of Third Substitute House Bill No. 1169 (student loan assistance).

(6) \$60,000 of the general fund—state appropriation for fiscal year 2019 is provided solely to implement Senate Bill No. 6298 (domestic violence harassment/firearms). If the bill is not enacted by June 30, 2018, the amount provided in this subsection shall lapse.

(7) \$265,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for implementation of Engrossed Second Substitute House Bill No. 1439 (higher education student protection). If the bill is not enacted by June 30, 2018, the amount provided in this subsection shall lapse.

(8) \$782,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for costs to meet the requirements of

the voter approved chapter 3, Laws of 2019 (Initiative Measure No. 1639), relating to firearm safety.

Sec. 1302. 2018 c 299 s 402 (uncodified) is amended to read as follows:

FOR THE STATE PATROL

General Fund—State Appropriation (FY 2018)	\$43,800,000
General Fund—State Appropriation (FY 2019)	\$46,662,000
General Fund—Federal Appropriation	\$16,255,000
General Fund—Private/Local Appropriation	\$3,085,000
Death Investigations Account—State Appropriation	\$8,207,000
County Criminal Justice Assistance Account—State Appropriation	(\$3,752,000) <u>\$4,262,000</u>
Municipal Criminal Justice Assistance Account—State Appropriation	\$1,520,000
Fire Service Trust Account—State Appropriation	\$131,000
Vehicle License Fraud Account—State Appropriation	\$110,000
Disaster Response Account—State Appropriation	(\$12,400,000) <u>\$17,375,000</u>
Fire Service Training Account—State Appropriation	\$11,121,000
Aquatic Invasive Species Management Account—State Appropriation	\$54,000
Pension Funding Stabilization Account—State Appropriation	\$3,295,000
State Toxics Control Account—State Appropriation	\$548,000
Fingerprint Identification Account—State Appropriation	(\$15,745,000) <u>\$15,470,000</u>
Dedicated Marijuana Account—State Appropriation (FY 2019)	\$2,803,000
TOTAL APPROPRIATION	<u>\$169,488,000</u> <u>\$174,698,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$270,000 of the fire service training account—state appropriation is provided solely for two FTEs in the office of the state director of fire protection to exclusively review K-12 construction documents for fire and life safety in accordance with the state building code. It is the intent of this appropriation to provide these services only to those districts that are located in counties without qualified review capabilities.

(2) ~~(\$12,400,000)~~ \$17,375,000 of the disaster response account—state appropriation is provided solely for Washington state fire service resource mobilization costs incurred in response to an emergency or disaster authorized under RCW 43.43.960 through 43.43.964. The state patrol shall submit a report quarterly to the office of financial management and the legislative fiscal committees detailing information on current and planned expenditures from this account. This work shall be done in coordination with the military department.

(3) \$700,000 of the fire service training account—state appropriation is provided solely for the firefighter apprenticeship training program.

(4) \$41,000 of the general fund—state appropriation for fiscal year 2018 and \$41,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for implementation of chapter 272, Laws of 2017 (E2SHB 1163) (domestic violence).

(5) \$125,000 of the general fund—state appropriation for fiscal year 2018 and \$116,000 of the general fund—state appropriation

for fiscal year 2019 are provided solely for implementation of chapter 261, Laws of 2017 (SHB 1501) (attempts to obtain firearms).

(6) \$104,000 of the general fund—state appropriation for fiscal year 2018 and \$90,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for implementation of chapter 308, Laws of 2017 (SHB 1863) (fire incident reporting system).

(7) \$3,421,000 of the fingerprint identification account—state appropriation is provided solely for the completion of the state patrol’s plan to upgrade the criminal history system, and is subject to the conditions, limitations, and review provided in section 724 of this act.

(8) \$1,039,000 of the fingerprint identification account—state appropriation is provided solely for the implementation of a sexual assault kit tracking database project and is subject to the conditions, limitations, and review provided in section 724 of this act.

(9) \$495,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the costs related to the 1995 king air maintenance. By June 30, 2019, the state patrol is directed to sell the 1983 king air and proceeds generated from the sale of the 1983 king air must be deposited into the state patrol highway account.

(10) \$2,803,000 of the dedicated marijuana account—state appropriation for fiscal year 2019 is provided solely for the Washington state patrol to create a new drug enforcement task force for the purposes of controlling the potential diversion and illicit production or distribution of marijuana and marijuana-related products in Washington.

(11) \$100,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the Washington state patrol to coordinate with the governor’s office of Indian affairs, federally recognized tribal governments, and the U.S. justice department to conduct a study to determine how to increase state criminal justice protective and investigative resources for reporting and identifying missing Native American women in the state.

(12) The amounts in this subsection are provided solely for implementing the recommendations of the joint legislative task force on sexual assault forensic examination, and for monitoring and testing untested sexual assault examination kits.

(a) \$500,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the state patrol to:

(i) Work in conjunction with state or nonstate entities to test sexual assault kits pursuant to RCW 43.43.545;

(ii) Conduct forensic analysis of sexual assault examination kits in the custody of the state patrol pursuant to chapter 247, Laws of 2015; and

(ii) Continue the task force.

(b) \$1,375,000 of the general fund—state appropriation for fiscal year 2018 and \$1,375,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the implementation of chapter 247, Laws of 2015 to address the state’s backlog in sexual assault examination kits. The seven full-time employees funded under this subsection must work exclusively on processing sexual assault exam kits through the crime laboratory division.

(c) Within amounts provided in this section, the Washington state patrol shall adopt rules necessary to implement RCW 43.43.545.

(13) \$510,000 of the county criminal justice assistance account—state appropriation for fiscal year 2019 is provided solely for investigative assistance and reports to local law enforcement. If spending from this appropriation is projected to place the account into deficit, the office of financial management

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must reduce the department's allotments from this account and hold in reserve status such amounts as necessary to prevent a cash deficit.

**PART XIV
SUPPLEMENTAL
EDUCATION**

Sec. 1401. 2018 c 299 s 501 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

General Fund—State Appropriation (FY 2018)	\$46,525,000
General Fund—State Appropriation (FY 2019)	(\$58,392,000)
	<u>\$58,414,000</u>
General Fund—Federal Appropriation	(\$83,422,000)
	<u>\$86,830,000</u>
General Fund—Private/Local Appropriation	\$8,049,000
Washington Opportunity Pathways Account—State Appropriation	\$584,000
Dedicated Marijuana Account—State Appropriation (FY 2018)	\$513,000
Dedicated Marijuana Account—State Appropriation (FY 2019)	\$515,000
Performance Audits of Government Account—State Appropriation	\$211,000
Pension Funding Stabilization Account—State Appropriation	\$2,126,000
TOTAL APPROPRIATION	<u>\$200,337,000</u>
	<u>\$203,767,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$9,612,000 of the general fund—state appropriation for fiscal year 2018 and \$10,236,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the operation and expenses of the office of the superintendent of public instruction.

(a) The superintendent shall recognize the extraordinary accomplishments of four students who have demonstrated a strong understanding of the civics essential learning requirements to receive the Daniel J. Evans civic education award.

(b) Districts shall report to the office of the superintendent of public instruction daily student unexcused absence data by school, using a uniform definition of unexcused absence as established by the superintendent.

(c) By September of each year, the office of the superintendent of public instruction shall produce an annual status report on implementation of the budget provisos in sections 501 and 513 of this act. The status report of each proviso shall include, but not be limited to, the following information: Purpose and objective, number of state staff funded by the proviso, number of contractors, status of proviso implementation, number of beneficiaries by year, list of beneficiaries, a comparison of budgeted funding and actual expenditures, other sources and amounts of funding, and proviso outcomes and achievements.

(d) The superintendent of public instruction, in consultation with the secretary of state, shall update the program prepared and distributed under RCW 28A.230.150 for the observation of temperance and good citizenship day to include providing an opportunity for eligible students to register to vote at school.

(e) Districts shall annually report to the office of the superintendent of public instruction on: (i) The annual number of graduating high school seniors within the district earning the Washington state seal of biliteracy provided in RCW 28A.300.575; and (ii) the number of high school students earning

competency-based high school credits for world languages by demonstrating proficiency in a language other than English. The office of the superintendent of public instruction shall provide a summary report to the office of the governor and the appropriate committees of the legislature by December 1st of each year.

~~(2) (\$1,423,000 of the general fund—state appropriation for fiscal year 2018 and \$5,598,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for activities associated with the implementation of House Bill No. 2242 (fully funding the program of basic education). Of these amounts:~~

~~(a) \$857,000 of the general fund—state appropriation for fiscal year 2018 and \$857,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for maintenance of the apportionment system;~~

~~(b) \$566,000 of the general fund—state appropriation for fiscal year 2018 and \$3,741,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for activities associated with the implementation of House Bill No. 2242 (fully funding the program of basic education); and~~

~~(c) \$1,000,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the office of the superintendent of public instruction to review the use of local revenues for compliance with enrichment requirements, including the preballot approval of enrichment levy spending plans approved by the superintendent of public instruction, and any supplemental contracts entered into under RCW 28A.400.200.~~

~~(3) \$857,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for maintenance of the apportionment system, including technical staff and the data governance working group.~~

(3) \$3,741,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for activities associated with the implementation of chapter 13, Laws of 2017 3rd sp. sess. (fully funding the program of basic education) of the amount provided in this subsection (3), up to \$1,000,000 is provided for the office of the superintendent of public instruction to review the use of local revenues for compliance with enrichment requirements, including the preballot approval of enrichment levy spending plans approved by the superintendent of public instruction, and any supplemental contracts entered into under RCW 28A.400.200.

(4)(a) \$911,000 of the general fund—state appropriation for fiscal year 2018 and ~~(\$911,000)~~ \$961,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the operation and expenses of the state board of education, including basic education assistance activities.

(b) \$322,000 of the Washington opportunity pathways account—state appropriation is provided solely for the state board of education to provide assistance to public schools other than common schools authorized under chapter 28A.710 RCW.

~~((4)) (5) \$3,512,000 of the general fund—state appropriation for fiscal year 2018 and \$3,762,000 of the general fund—state appropriation for fiscal year 2019 are provided solely to the professional educator standards board for the following:~~

(a) \$1,115,000 in fiscal year 2018 and \$1,115,000 in fiscal year 2019 are for the operation and expenses of the Washington professional educator standards board;

(b) \$2,372,000 of the general fund—state appropriation for fiscal year 2018 and \$2,372,000 of the general fund—state appropriation for fiscal year 2019 are for grants to improve preservice teacher training and for funding of alternate routes to certification programs administered by the professional educator standards board. Alternate routes programs include the pipeline for paraeducators program, the retooling to teach conditional loan

programs, and the recruiting Washington teachers program. Priority shall be given to programs that support bilingual teachers and English language learners. Within this subsection ~~((4))~~ ~~(5)~~(b), up to \$500,000 per fiscal year is available for grants to public or private colleges of education in Washington state to develop models and share best practices for increasing the classroom teaching experience of preservice training programs and \$250,000 is provided solely for the pipeline for paraeducators conditional scholarship program for scholarships for paraeducators to complete their associate of arts degrees in subject matter shortage areas;

(c) \$25,000 of the general fund—state appropriation for fiscal year 2018 and \$25,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the professional educator standards board to develop educator interpreter standards and identify interpreter assessments that are available to school districts. Interpreter assessments should meet the following criteria: (A) Include both written assessment and performance assessment; (B) be offered by a national organization of professional sign language interpreters and transliterators; and (C) be designed to assess performance in more than one sign system or sign language. The board shall establish a performance standard, defining what constitutes a minimum assessment result, for each educational interpreter assessment identified. The board shall publicize the standards and assessments for school district use;

(d) Within the amounts appropriated in this section, sufficient funding is provided for implementation of chapter 172, Laws of 2017 (SHB 1741) (educator prep. data/PESB).

(e) \$250,000 of the general fund—state appropriation for fiscal year 2019 is provided solely to procure or develop professional development for paraeducator subject matter certificates, in English language learner and special education, and must align courses with general paraeducator certificate professional development, including any necessary changes or edits to general paraeducator certificate online modules.

~~((5))~~ ~~(6)~~ \$266,000 of the general fund—state appropriation for fiscal year 2018 and \$502,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the implementation of chapter 240, Laws of 2010, including staffing the office of equity and civil rights.

~~((6))~~ ~~(7)~~(a) \$61,000 of the general fund—state appropriation for fiscal year 2018 and \$61,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the ongoing work of the education opportunity gap oversight and accountability committee.

(b) Within amounts appropriated in this subsection ~~((6))~~ ~~(7)~~, the committee shall review the rules and procedures adopted by the superintendent of public instruction and the state board of education related to the minimum number of students to be used for public reporting and federal accountability purposes. By October 30, 2018, the committee shall report to the office of the superintendent of public instruction, the state board of education, and the appropriations committees of the legislature with its recommendations for the state to meet the following goals: Increase the visibility of the opportunity gap in schools with small subgroups of students; hold schools and school districts accountable to individual student-level support; and comply with federal student privacy laws.

~~((7))~~ ~~(8)~~ \$61,000 of the general fund—state appropriation for fiscal year 2018 and \$61,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the implementation of chapter 380, Laws of 2009 (enacting the interstate compact on educational opportunity for military children).

~~((8))~~ ~~(9)~~ \$262,000 of the Washington opportunity pathways account—state appropriation is provided solely for activities related to public schools other than common schools authorized under chapter 28A.710 RCW.

~~((9))~~ ~~(10)~~ \$1,802,000 of the general fund—state appropriation for fiscal year 2018 and \$1,802,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for implementing a comprehensive data system to include financial, student, and educator data, including development and maintenance of the comprehensive education data and research system (CEDARS).

~~((10))~~ ~~(11)~~ \$50,000 of the general fund—state appropriation for fiscal year 2018 and \$50,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for project citizen, a program sponsored by the national conference of state legislators and the center for civic education to promote participation in government by middle school students.

~~((11))~~ ~~(12)~~ \$1,500,000 of the general fund—state appropriation for fiscal year 2018 is provided solely for collaborative schools for innovation and success authorized under chapter 53, Laws of 2012. The office of the superintendent of public instruction shall award \$500,000 for each collaborative school for innovation and success selected for participation in the pilot program during 2012.

~~((12))~~ ~~(13)~~ \$123,000 of the general fund—state appropriation for fiscal year 2018 and \$123,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for implementation of chapter 163, Laws of 2012 (foster care outcomes). The office of the superintendent of public instruction shall annually report each December on the implementation of the state's plan of cross-system collaboration to promote educational stability and improve education outcomes of foster youth.

~~((13))~~ ~~(14)~~ \$250,000 of the general fund—state appropriation for fiscal year 2018 ~~((14))~~ and \$250,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for implementation of chapter 178, Laws of 2012 (open K-12 education resources).

~~((14))~~ ~~(15)~~ \$50,000 of the general fund—state appropriation for fiscal year 2018 and \$50,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for school bullying and harassment prevention activities.

~~((15))~~ ~~(16)~~ \$14,000 of the general fund—state appropriation for fiscal year 2018 and \$14,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for implementation of chapter 242, Laws of 2013 (state-tribal education compacts).

~~((16))~~ ~~(17)~~ \$62,000 of the general fund—state appropriation for fiscal year 2018 and \$62,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for competitive grants to school districts to increase the capacity of high schools to offer AP computer science courses. In making grant allocations, the office of the superintendent of public instruction must give priority to schools and districts in rural areas, with substantial enrollment of low-income students, and that do not offer AP computer science. School districts may apply to receive either or both of the following grants:

(a) A grant to establish partnerships to support computer science professionals from private industry serving on a voluntary basis as coinstructors along with a certificated teacher, including via synchronous video, for AP computer science courses; or

(b) A grant to purchase or upgrade technology and curriculum needed for AP computer science, as well as provide opportunities for professional development for classroom teachers to have the requisite knowledge and skills to teach AP computer science.

~~((17))~~ ~~(18)~~ \$10,000 of the general fund—state appropriation for fiscal year 2018 and \$10,000 of the general fund—state

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appropriation for fiscal year 2019 are provided solely for the superintendent of public instruction to convene a committee for the selection and recognition of Washington innovative schools. The committee shall select and recognize Washington innovative schools based on the selection criteria established by the office of the superintendent of public instruction, in accordance with chapter 202, Laws of 2011 (innovation schools—recognition) and chapter 260, Laws of 2011 (innovation schools and zones).

~~((18))~~ (19) \$100,000 of the general fund—state appropriation for fiscal year 2018 and \$100,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the Mobius science center to expand mobile outreach of science, technology, engineering, and mathematics (STEM) education to students in rural, tribal, and low-income communities.

~~((19))~~ (20) \$131,000 of the general fund—state appropriation for fiscal year 2018, \$131,000 of the general fund—state appropriation for fiscal year 2019, and \$211,000 of the performance audits of government account—state appropriation are provided solely for the office of the superintendent of public instruction to perform on-going program reviews of alternative learning experience programs, dropout reengagement programs, and other high risk programs. Findings from the program reviews will be used to support and prioritize the office of the superintendent of public instruction outreach and education efforts that assist school districts in implementing the programs in accordance with statute and legislative intent, as well as to support financial and performance audit work conducted by the office of the state auditor.

~~((20))~~ (21) \$150,000 of the general fund—state appropriation for fiscal year 2018 and \$202,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for youth suicide prevention activities.

~~((21))~~ (22) \$31,000 of the general fund—state appropriation for fiscal year 2018 and \$55,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the office of the superintendent of public instruction for statewide implementation of career and technical education course equivalency frameworks authorized under RCW 28A.700.070 for math and science. This may include development of additional equivalency course frameworks, course performance assessments, and professional development for districts implementing the new frameworks.

~~((22))~~ (23) \$2,541,000 of the general fund—state appropriation for fiscal year 2018 and \$2,541,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for a corps of nurses located at educational service districts, as determined by the superintendent of public instruction, to be dispatched to the most needy schools to provide direct care to students, health education, and training for school staff.

~~((23))~~ (24) \$300,000 of the general fund—state appropriation for fiscal year 2018 and \$300,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for a nonviolence and ethical leadership training and professional development program provided by the institute for community leadership.

~~((24))~~ (25) \$1,221,000 of the general fund—state appropriation for fiscal year 2018 and \$1,221,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for K-20 telecommunications network technical support in the K-12 sector to prevent system failures and avoid interruptions in school utilization of the data processing and video-conferencing capabilities of the network. These funds may be used to purchase engineering and advanced technical support for the network.

~~((25))~~ (26) \$3,940,000 of the general fund—state appropriation for fiscal year 2018 and \$3,940,000 of the general

fund—state appropriation for fiscal year 2019 are provided solely for the Washington state achievers scholarship and Washington higher education readiness program. The funds shall be used to: Support community involvement officers that recruit, train, and match community volunteer mentors with students selected as achievers scholars; and to identify and reduce barriers to college for low-income and underserved middle and high school students.

~~((26))~~ (27) \$1,354,000 of the general fund—state appropriation for fiscal year 2018 and \$1,454,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for contracting with a college scholarship organization with expertise in conducting outreach to students concerning eligibility for the Washington college bound scholarship consistent with chapter 405, Laws of 2007.

~~((27))~~ (28) \$410,000 of the general fund—state appropriation for fiscal year 2018, \$280,000 of the general fund—state appropriation for fiscal year 2019, and \$1,028,000 of the dedicated marijuana account—state appropriation are provided solely for dropout prevention, intervention, and reengagement programs, including the jobs for America's graduates (JAG) program, dropout prevention programs that provide student mentoring, and the building bridges statewide program. Students in the foster care system or who are homeless shall be given priority by districts offering the jobs for America's graduates program. The office of the superintendent of public instruction shall convene staff representatives from high schools to meet and share best practices for dropout prevention. Of these amounts, \$513,000 of the dedicated marijuana account—state appropriation for fiscal year 2018, and \$515,000 of the dedicated marijuana account—state appropriation for fiscal year 2019 are provided solely for the building bridges statewide program.

~~((28))~~ (29) \$2,984,000 of the general fund—state appropriation for fiscal year 2018 and \$2,590,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the Washington kindergarten inventory of developing skills. State funding shall support statewide administration and district implementation of the inventory under RCW 28A.655.080.

~~((29))~~ (30) \$293,000 of the general fund—state appropriation for fiscal year 2018 and \$293,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the office of the superintendent of public instruction to support district implementation of comprehensive guidance and planning programs in support of high-quality high school and beyond plans consistent with RCW 28A.230.090.

~~((30))~~ (31) \$4,894,000 of the general fund—state appropriation for fiscal year 2018 and \$4,894,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for grants for implementation of dual credit programs and subsidized advance placement exam fees and international baccalaureate class fees and exam fees for low-income students. For expenditures related to subsidized exam fees, the superintendent shall report: The number of students served; the demographics of the students served; and how the students perform on the exams.

~~((31))~~ (32) \$100,000 of the general fund—state appropriation for fiscal year 2018 and \$100,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the superintendent of public instruction to convene a work group to build upon the work of the social emotional learning work group established under section 501(34), chapter 4, Laws of 2015 3rd sp. sess. The members of the work group must include representatives from the same organizations that were represented on the 2015 work group, as well as five representatives of diverse communities and a statewide expanded learning opportunities intermediary. The work group must identify and articulate

developmental indicators for each grade level for each of the social emotional learning benchmarks, solicit feedback from stakeholders, and develop a model of best practices or guidance for schools on implementing the benchmarks and indicators. The work group shall submit recommendations to the education committees of the legislature and the office of the governor by June 30, 2019.

~~((32))~~ (33) \$117,000 of the general fund—state appropriation for fiscal year 2018 and \$117,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for implementation of chapter 3 (SHB No. 1813), Laws of 2015 1st sp. sess. (computer science).

~~((33))~~ (34) \$450,000 of the general fund—state appropriation for fiscal year 2018 and \$1,450,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for implementation of chapter 236, Laws of 2017 (SHB 1445) (dual language/early learning & K-12). In selecting recipients of the K-12 dual language grant, the superintendent of public instruction must prioritize districts that received grants under section 501(36), chapter 4, Laws of 2015 3rd sp. sess. Of the amounts in this subsection, up to \$950,000 of the general fund—state appropriation for fiscal year 2019 is for implementation of the K-12 dual language grant program established in RCW 28A.630.095 and \$500,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for implementation of the bilingual educator initiative pilot project established under RCW 28A.180.120.

~~((34))~~ (35) \$125,000 of the general fund—state appropriation for fiscal year 2018 and \$125,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the Kip Tokuda memorial Washington civil liberties public education program. The superintendent of public instruction shall award grants consistent with RCW 28A.300.410.

~~((35))~~ (36) \$1,000,000 of the general fund—state appropriation for fiscal year 2018 and \$1,000,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the computer science and education grant program to support the following three purposes: Train and credential teachers in computer sciences; provide and upgrade technology needed to learn computer science; and, for computer science frontiers grants to introduce students to and engage them in computer science. The office of the superintendent of public instruction must use the computer science learning standards adopted pursuant to chapter 3, Laws of 2015 (computer science) in implementing the grant, to the extent possible. Additionally, grants provided for the purpose of introducing students to computer science are intended to support innovative ways to introduce and engage students from historically underrepresented groups, including girls, low-income students, and minority students, to computer science and to inspire them to enter computer science careers. Grant funds for the computer science and education grant program may be expended only to the extent that they are equally matched by private sources for the program, including gifts, grants, or endowments.

~~((36))~~ (37) \$2,145,000 of the general fund—state appropriation for fiscal year 2018 and \$2,145,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for a contract with a nongovernmental entity or entities for demonstration sites to improve the educational outcomes of students who are dependent pursuant to chapter 13.34 RCW pursuant to chapter 71, Laws of 2016 (Fourth Substitute House Bill No. 1999, foster youth edu. outcomes).

(a) Of the amount provided in this subsection, \$446,000 of the general fund—state appropriation for fiscal year 2018 and \$446,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the demonstration site established

pursuant to the 2013-2015 omnibus appropriations act, section 202(10), chapter 4, Laws of 2013, 2nd sp. sess.

(b) Of the amount provided in this subsection, \$1,015,000 of the general fund—state appropriation for fiscal year 2018 and \$1,015,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the demonstration site established pursuant to the 2015-2017 omnibus appropriations act, section 501(43)(b), chapter 4, Laws of 2015, 3rd sp. sess., as amended.

~~((37))~~ (38) \$1,000,000 of the general fund—state appropriation for fiscal year 2018 and \$1,000,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for implementation of chapter 157, Laws of 2016 (Third Substitute House Bill No. 1682, homeless students).

~~((38))~~ (39) \$753,000 of the general fund—state appropriation for fiscal year 2018 and \$703,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for implementation of chapter 72, Laws of 2016 (Fourth Substitute House Bill No. 1541, educational opportunity gap).

~~((39))~~ (40) \$57,000 of the general fund—state appropriation for fiscal year 2018 and \$15,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for implementation of chapter 240, Laws of 2016 (Engrossed Senate Bill No. 6620, school safety).

~~((40))~~ (41) \$186,000 of the general fund—state appropriation for fiscal year 2018 and \$178,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for implementation of chapter 291, Laws of 2017 (2SHB 1170) (truancy reduction efforts).

~~((41))~~ (42) \$984,000 of the general fund—state appropriation for fiscal year 2018 and \$912,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for implementation of chapter 237, Laws of 2017 (ESHB 1115) (paraeducators).

~~((42))~~ (43) \$204,000 of the general fund—state appropriation for fiscal year 2018, \$204,000 of the general fund—state appropriation for fiscal year 2019, and \$408,000 of the general fund—federal appropriation are provided solely for implementation of chapter 202, Laws of 2017 (E2SHB 1713) (children's mental health).

~~((43))~~ (44) \$300,000 of the general fund—state appropriation for fiscal year 2018 and \$300,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for grants to middle and high schools to support international baccalaureate programs in high poverty schools. Of these amounts:

(a) \$200,000 of the appropriation for fiscal year 2018 and \$200,000 of the appropriation for fiscal year 2019 are provided solely for grants to high schools that have an existing international baccalaureate program and enrollments of seventy percent or more students eligible for free or reduced-price meals in the prior school year to implement and sustain an international baccalaureate program; and

(b) \$100,000 of the appropriation for fiscal year 2018 and \$100,000 of the appropriation for fiscal year 2019 are provided solely for grants to middle schools with students that will attend a qualifying high poverty high school that has received a grant under (a) of this subsection to support implementation of a middle school international baccalaureate program.

~~((44))~~ (45) \$240,000 of the general fund—state appropriation for fiscal year 2018 is provided solely for a grant to the Pacific science center to continue providing science on wheels activities in schools and other community settings. Funding is provided to assist with upgrading three planetarium computers and software and to assist with purchasing and outfitting three vans with new traveling planetarium exhibits.

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~~((45))~~ (46) \$40,000 of the general fund—state appropriation for fiscal year 2018 and \$60,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the office of the superintendent of public instruction to contract for consulting services for a study of the current state pupil transportation funding formula. The study must evaluate the extent to which the formula corresponds to the actual costs of providing pupil transportation to and from school for the state’s statutory program of basic education, including local school district characteristics such as unique geographic constraints, and transportation for students who are identified as homeless under the McKinney-Vento act. Based on the results of this evaluation, the superintendent must make recommendations for any necessary revisions to the state’s pupil transportation formula, taking into account the statutory program of basic education, promotion of the efficient use of state and local resources, and continued local district control over the management of pupil transportation systems. The superintendent must make recommendations to clarify the sources of funding that districts can use to transport homeless students to and from school.

~~((46))~~ (47) \$440,000 of the general fund—state appropriation for fiscal year 2018 and \$270,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the office of the superintendent of public instruction for the procurement and implementation of a reporting and data aggregation system that will connect state- and district-level information to secure and protect district, school and student information in order to close student performance gaps by assisting school districts in data-driven implementation of strategies and supports that are responsive of student needs.

~~((47))~~ (48) \$150,000 of the general fund—state appropriation for fiscal year 2018 and \$450,000 of the general fund—state appropriation for fiscal year 2019 are provided for the superintendent of public instruction to develop and implement a statewide accountability system to address absenteeism and to improve student graduation rates. The system must use data to engage schools and districts in identifying successful strategies and systems that are based on federal and state accountability measures. Funding may also support the effort to provide assistance about successful strategies and systems to districts and schools that are underperforming in the targeted student subgroups.

~~((48))~~ (49) \$178,000 of the general fund—state appropriation for fiscal year 2018 and \$179,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for implementation of chapter 180, Laws of 2017 (2SSB 5258) (Washington Aim program).

~~((49))~~ (50) \$97,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for implementation of Substitute House Bill No. 1539 (sexual abuse of students). If the bill is not enacted by June 30, 2018, the amount provided in this subsection shall lapse.

~~((50))~~ (51) \$40,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for implementation of Engrossed Second Substitute House Bill No. 2779 (children’s mental health services). If the bill is not enacted by June 30, 2018, the amount provided in this subsection shall lapse.

(52) ~~((230,000))~~ \$380,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for implementation of Second Substitute House Bill No. 1896 (civics education). If the bill is not enacted by June 30, 2018, the amount provided in this subsection shall lapse.

(53) Within amounts appropriated in this section, the office of the superintendent of public instruction and the state board of education shall adopt a rule that the minimum number of students

to be used for public reporting and federal accountability purposes is ten.

(54) \$335,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for implementation of Engrossed Second Substitute House Bill No. 1600 (career and college readiness). If the bill is not enacted by June 30, 2018, the amount provided in this subsection shall lapse.

(55) \$100,000 of the general fund—state appropriation for fiscal year 2019 is provided solely to the office of the superintendent of public instruction for programs to combat bias. The office of the superintendent of public instruction must contract with a nonprofit organization that supports Washington teachers in implementing lessons of the Holocaust for the creation of a comprehensive online encyclopedia of local Holocaust education resources. The online encyclopedia must include teaching trunk materials, Anne Frank materials, genocide resources, and video testimonies.

(56) \$200,000 of the general fund—state appropriation for fiscal year 2019 is provided for the office of the superintendent of public instruction to meet statutory obligations related to the provision of medically and scientifically accurate, age-appropriate, and inclusive sexual health education as authorized by chapter 206, Laws of 1988 (AIDS omnibus act) and chapter 265, Laws of 2007 (healthy youth act). The office of the superintendent of public instruction must submit a report to the appropriate policy and fiscal committees of the legislature by June 30, 2019, outlining accomplishments and deliverables achieved in fiscal year 2019.

(57) The office of the superintendent of public instruction, in collaboration with the department of social and health services developmental disabilities administration and division of vocational rehabilitation, shall explore the development of an implementation plan to build statewide capacity among school districts to improve transition planning for students in special education who meet criteria for services from the developmental disabilities administration, and shall provide all school districts with an opportunity to participate. The plan shall be submitted in compliance with RCW 43.01.036 by November 1, 2018, and the final report must be submitted by November 1, 2020, to the governor and appropriate legislative committees.

(58) \$40,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the legislative youth advisory council. The council of statewide members advises legislators on issues of importance to youth.

(59) \$100,000 of the general fund—state appropriation for fiscal year 2019 is provided solely to contract with a nonprofit, civil rights and human relations organization with expertise in tracking and responding to hate incidents in schools, and with experience implementing programs designed to empower students to improve upon and sustain school climates that combat bias and bullying. The contract must expand the organization’s current anti-bias programs to eight public schools across Washington, with at least half of the public schools located east of the crest of the Cascade mountains. Amounts provided in this subsection may be used to support preprogram planning, trainings, guidance, surveys, materials, and the hiring of a part-time contractor to support data tracking.

(60) \$120,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for implementation of Second Substitute Senate Bill No. 6162 (dyslexia). If the bill is not enacted by June 30, 2018, the amount provided in this subsection shall lapse.

(61) Within the amounts appropriated in this section the office of the superintendent of public instruction shall ensure career and technical education courses are aligned with high-demand, high-

wage jobs. The superintendent shall verify that the current list of career and technical education courses meets the criteria established in RCW 28A.700.020(2). The superintendent shall remove from the list any career and technical education course that no longer meets such criteria.

(62) \$240,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the office of native education to increase services to tribes, including but not limited to, providing assistance to tribes and school districts to implement Since Time Immemorial, applying to become tribal compact schools, convening the Washington state native American education advisory committee, and extending professional learning opportunities to provide instruction in tribal history, culture, and government.

(63) \$10,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the civic education travel program pursuant to RCW 28A.300.480.

(64) Within the amounts appropriated in this section, the office of the superintendent of public instruction may develop recommendations to amend long-standing provisos within Part V of the omnibus operating budget. The office of the superintendent of public instruction shall submit recommendations, to include rationale why each proposed change should be made, to the office of financial management and the fiscal committees of the legislature by July 1, 2018.

(65) Within the amounts appropriated in this section, the office of the superintendent of public instruction shall coordinate with school districts and educational service districts that contract for transportation bus services and report the following information to the appropriate fiscal committees of the legislature by December 1, 2018:

(a) The number of transportation contract employees by job category;

(b) The total cost of the transportation contract, including the amount held by the school district or educational service district for administration of the contract;

(c) Information about the retirement benefit for transportation contract employees, including the name of the provider, the aggregate amount provided, and the amounts provided by employees;

(d) Information about the total health care benefit provided to transportation contract employees, including the name of the provider and the summary of benefits; and

(e) A copy of the transportation contract.

(66) Within the amounts appropriated in this section, the office of the superintendent of public instruction shall:

(a) Make recommendations on the best methods to provide and fund vocational funding enhancement for career and technical education and career-connected learning through alternative learning experience courses;

(b) Solicit and incorporate input received from the online learning advisory committee in making its report recommendations; and

(c) Submit a report of recommendations to the education and fiscal committees of the legislature by December 15, 2018.

(67) \$900,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the office of the superintendent of public instruction to leverage federal funding from the e-rate program operated by the universal service administrative company, under the federal communications commission. Funding is provided to enable more student access to digital learning.

(68) \$4,000,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the office of the superintendent of public instruction to provide grants to school districts and educational service districts for science teacher

training in the next generation science standards including training in the climate science standards. At a minimum, school districts shall ensure that teachers in one grade level in each elementary, middle, and high school participate in this science training. Of the amount appropriated \$1,000,000 is provided solely for community based nonprofits to partner with public schools for next generation science standards.

(69) \$722,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the superintendent of public instruction to provide grants to educational service districts and school districts to develop or expand regional safety programs to address student safety. At a minimum, programs must implement a multitier threat assessment system; develop a process for notifying schools, including private schools, of safety emergencies; and make recommendations or implement appropriate safety technology consistent with regional need.

(70) \$131,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for implementation of Substitute House Bill No. 2685 (high school preapprenticeships). If the bill is not enacted by June 30, 2018, the amount provided in this subsection shall lapse.

(71) \$1,248,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the continued development and implementation of a school district accounting and reporting system that will collect school district and school level expenditure information by revenue source and is subject to the conditions, limitations, and review provided in section 713, chapter 299, Laws of 2018.

Sec. 1402. 2018 c 299 s 502 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR GENERAL APPORTIONMENT				
General	Fund—State	Appropriation	(FY 2018)	\$7,239,334,000
General	Fund—State	Appropriation	(FY 2019)	(\$7,142,294,000)
				<u>\$7,115,186,000</u>
Education	Legacy Trust	Account—State	Appropriation	\$595,730,000
TOTAL APPROPRIATION				<u>\$14,977,358,000</u>
				<u>\$14,950,250,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1)(a) Each general fund fiscal year appropriation includes such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(b) For the 2017-18 and 2018-19 school years, the superintendent shall allocate general apportionment funding to school districts as provided in the funding formulas and salary allocations in sections 502 and 503 of this act, excluding (c) of this subsection, and in House Bill No. 2242 (fully funding the program of basic education).

(c) From July 1, 2017, to August 31, 2017, the superintendent shall allocate general apportionment funding to school districts programs as provided in sections 502 and 503, chapter 4, Laws of 2015 3rd sp. sess., as amended.

(d) The enrollment of any district shall be the annual average number of full-time equivalent students and part-time students as provided in RCW 28A.150.350, enrolled on the fourth day of school in September and on the first school day of each month October through June, including students who are in attendance pursuant to RCW 28A.335.160 and 28A.225.250 who do not reside within the servicing school district. Any school district concluding its basic education program in May must report the

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enrollment of the last school day held in May in lieu of a June enrollment.

(e)(i) Funding provided in part V of this act is sufficient to provide each full-time equivalent student with the minimum hours of instruction required under RCW 28A.150.220.

(ii) The office of the superintendent of public instruction shall align the agency rules defining a full-time equivalent student with the increase in the minimum instructional hours under RCW 28A.150.220, as amended by the legislature in 2014.

(f) The superintendent shall adopt rules requiring school districts to report full-time equivalent student enrollment as provided in RCW 28A.655.210.

(g) For the 2017-18 and 2018-19 school years, school districts must report to the office of the superintendent of public instruction the monthly actual average district-wide class size across each grade level of kindergarten, first grade, second grade, and third grade classes. The superintendent of public instruction shall report this information to the education and fiscal committees of the house of representatives and the senate by September 30th of each year.

(2) CERTIFICATED INSTRUCTIONAL STAFF ALLOCATIONS

Allocations for certificated instructional staff salaries for the 2017-18 and 2018-19 school years are determined using formula-generated staff units calculated pursuant to this subsection.

(a) Certificated instructional staff units, as defined in RCW 28A.150.410, shall be allocated to reflect the minimum class size allocations, requirements, and school prototypes assumptions as provided in RCW 28A.150.260. The superintendent shall make allocations to school districts based on the district's annual average full-time equivalent student enrollment in each grade.

(b) Additional certificated instructional staff units provided in this subsection (2) that exceed the minimum requirements in RCW 28A.150.260 are enhancements outside the program of basic education, except as otherwise provided in this section.

(c)(i) The superintendent shall base allocations for each level of prototypical school on the following regular education average class size of full-time equivalent students per teacher, except as provided in (c)(ii) of this subsection:

General education class size: RCW 28A.150.260		
Grade	2017-18 School Year	2018-19 School Year
Grade K	17.00	17.00
Grade 1	17.00	17.00
Grade 2	17.00	17.00
Grade 3	17.00	17.00
Grade 4	27.00	27.00
Grades 5-6	27.00	27.00
Grades 7-8	28.53	28.53
Grades 9-12	28.74	28.74

The superintendent shall base allocations for: Laboratory science average class size as provided in RCW 28A.150.260; career and technical education (CTE) class size of 23.0; and skill center program class size of 20.0.

(ii) For each level of prototypical school at which more than fifty percent of the students were eligible for free and reduced-price meals in the prior school year, the superintendent shall allocate funding based on the following average class size of full-time equivalent students per teacher:

General education class size in high poverty schools:
RCW 28A.150.260

Grade	2017-18 School Year	2018-19 School Year
Grade K	17.00	17.00
Grade 1	17.00	17.00
Grade 2	17.00	17.00
Grade 3	17.00	17.00
Grade 4	27.00	27.00
Grades 5-6	27.00	27.00
Grades 7-8	28.53	28.53
Grades 9-12	28.74	28.74

(iii) Pursuant to RCW 28A.150.260(4)(a), the assumed teacher planning period, expressed as a percentage of a teacher work day, is 13.42 percent in grades K-6, and 16.67 percent in grades 7-12; and

(iv) Advanced placement and international baccalaureate courses are funded at the same class size assumptions as general education schools in the same grade; and

(d)(i) Funding for teacher librarians, school nurses, social workers, school psychologists, and guidance counselors is allocated based on the school prototypes as provided in RCW 28A.150.260 and is considered certificated instructional staff, except as provided in (d)(ii) of this subsection.

(ii) Students in approved career and technical education and skill center programs generate certificated instructional staff units to provide for the services of teacher librarians, school nurses, social workers, school psychologists, and guidance counselors at the following combined rate per 1000 student full-time equivalent enrollment:

	2017-18 School Year	2018-19 School Year
Career and Technical Education	3.07	3.07
Skill Center	3.41	3.41

(3) ADMINISTRATIVE STAFF ALLOCATIONS

(a) Allocations for school building-level certificated administrative staff salaries for the 2017-18 and 2018-19 school years for general education students are determined using the formula generated staff units calculated pursuant to this subsection. The superintendent shall make allocations to school districts based on the district's annual average full-time equivalent enrollment in each grade. The following prototypical school values shall determine the allocation for principals, assistance principals, and other certificated building level administrators:

Prototypical School Building:	
Elementary School	1.253
Middle School	1.353
High School	1.880

(b) Students in approved career and technical education and skill center programs generate certificated school building-level administrator staff units at per student rates that are a multiple of the general education rate in (a) of this subsection by the following factors:

Career and Technical Education students	1.025
Skill Center students	1.198

(4) CLASSIFIED STAFF ALLOCATIONS

Allocations for classified staff units providing school building-level and district-wide support services for the 2017-18 and 2018-19 school years are determined using the formula-generated staff units provided in RCW 28A.150.260 and pursuant to this subsection, and adjusted based on each district’s annual average full-time equivalent student enrollment in each grade.

(5) CENTRAL OFFICE ALLOCATIONS

In addition to classified and administrative staff units allocated in subsections (3) and (4) of this section, classified and administrative staff units are provided for the 2017-18 and 2018-19 school years for the central office administrative costs of operating a school district, at the following rates:

(a) The total central office staff units provided in this subsection (5) are calculated by first multiplying the total number of eligible certificated instructional, certificated administrative, and classified staff units providing school-based or district-wide support services, as identified in RCW 28A.150.260(6)(b) and the increased allocations provided pursuant to subsections (2) and (4) of this section, by 5.3 percent.

(b) Of the central office staff units calculated in (a) of this subsection, 74.53 percent are allocated as classified staff units, as generated in subsection (4) of this section, and 25.47 percent shall be allocated as administrative staff units, as generated in subsection (3) of this section.

(c) Staff units generated as enhancements outside the program of basic education to the minimum requirements of RCW 28A.150.260, and staff units generated by skill center and career-technical students, are excluded from the total central office staff units calculation in (a) of this subsection.

(d) For students in approved career-technical and skill center programs, central office classified units are allocated at the same staff unit per student rate as those generated for general education students of the same grade in this subsection (5), and central office administrative staff units are allocated at staff unit per student rates that exceed the general education rate established for students in the same grade in this subsection (5) by 12.29 percent in the 2017-18 school year and 12.29 percent in the 2018-19 school year for career and technical education students, and 17.61 percent in the 2017-18 school year and 17.61 percent in the 2018-19 school year for skill center students.

(6) FRINGE BENEFIT ALLOCATIONS

Fringe benefit allocations shall be calculated at a rate of 23.49 percent in the 2017-18 school year and ~~((23.65))~~ 23.70 percent in the 2018-19 school year for certificated salary allocations provided under subsections (2), (3), and (5) of this section, and a rate of 24.60 percent in the 2017-18 school year and ~~((24.67))~~ 24.70 percent in the 2018-19 school year for classified salary allocations provided under subsections (4) and (5) of this section.

(7) INSURANCE BENEFIT ALLOCATIONS

Insurance benefit allocations shall be calculated at the maintenance rate specified in section 504 of this act, based on the number of benefit units determined as follows:

(a) The number of certificated staff units determined in subsections (2), (3), and (5) of this section; and

(b) The number of classified staff units determined in subsections (4) and (5) of this section multiplied by 1.152. This factor is intended to adjust allocations so that, for the purpose of distributing insurance benefits, full-time equivalent classified employees may be calculated on the basis of 1,440 hours of work per year, with no individual employee counted as more than one full-time equivalent.

(8) MATERIALS, SUPPLIES, AND OPERATING COSTS (MSOC) ALLOCATIONS

Funding is allocated per annual average full-time equivalent student for the materials, supplies, and operating costs (MSOC) incurred by school districts, consistent with the requirements of RCW 28A.150.260.

(a)(i) MSOC funding for general education students are allocated at the following per student rates:

MSOC Component	MSOC RATES/STUDENT FTE	
	2017-18 School Year	2018-19 School Year
Technology	\$130.76	\$133.24
Utilities and Insurance	\$355.30	\$362.05
Curriculum and Textbooks	\$140.39	\$143.06
Other Supplies and Library Materials	\$298.05	\$303.71
Instructional Professional Development for Certificated and Classified Staff	\$21.71	\$22.12
Facilities Maintenance	\$176.01	\$179.36
Security and Central Office	\$121.94	\$124.26
TOTAL BASIC EDUCATION MSOC/STUDENT FTE	\$1,244.16	\$1,267.80

(ii) For the 2017-18 school year and 2018-19 school year, as part of the budget development, hearing, and review process required by chapter 28A.505 RCW, each school district must disclose: (A) The amount of state funding to be received by the district under (a) and (d) of this subsection (8); (B) the amount the district proposes to spend for materials, supplies, and operating costs; (C) the difference between these two amounts; and (D) if (A) of this subsection (8)(a)(ii) exceeds (B) of this subsection (8)(a)(ii), any proposed use of this difference and how this use will improve student achievement.

(b) Students in approved skill center programs generate per student FTE MSOC allocations of \$1,472.01 for the 2017-18 school year and \$1,499.98 for the 2018-19 school year.

(c) Students in approved exploratory and preparatory career and technical education programs generate per student FTE MSOC allocations of \$1,472.01 for the 2017-18 school year and \$1,499.98 for the 2018-19 school year.

(d) Students in grades 9-12 generate per student FTE MSOC allocations in addition to the allocations provided in (a) through (c) of this subsection at the following rate:

MSOC Component	2017-18 School Year		2018-19 School Year	
	2017-18 School Year	2018-19 School Year	2017-18 School Year	2018-19 School Year
Technology	\$37.60	\$38.31		
Curriculum and Textbooks	\$41.02	\$41.80		
Other Supplies and Library Materials	\$85.46	\$87.08		
Instructional Professional Development for Certified and Classified Staff	\$6.83	\$6.97		
TOTAL GRADE 9-12 BASIC EDUCATION MSOC/STUDENT FTE	\$170.91	\$174.16		

(9) SUBSTITUTE TEACHER ALLOCATIONS

For the 2017-18 and 2018-19 school years, funding for substitute costs for classroom teachers is based on four (4) funded

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substitute days per classroom teacher unit generated under subsection (2) of this section, at a daily substitute rate of \$151.86.

(10) ALTERNATIVE LEARNING EXPERIENCE PROGRAM FUNDING

(a) Amounts provided in this section from July 1, 2017, to August 31, 2017, are adjusted to reflect provisions of chapter 4, Laws of 2015 3rd sp. sess., as amended (allocation of funding for students enrolled in alternative learning experiences).

(b) The superintendent of public instruction shall require all districts receiving general apportionment funding for alternative learning experience (ALE) programs as defined in WAC 392-121-182 to provide separate financial accounting of expenditures for the ALE programs offered in district or with a provider, including but not limited to private companies and multidistrict cooperatives, as well as accurate, monthly headcount and FTE enrollment claimed for basic education, including separate counts of resident and nonresident students.

(11) DROPOUT REENGAGEMENT PROGRAM

The superintendent shall adopt rules to require students claimed for general apportionment funding based on enrollment in dropout reengagement programs authorized under RCW 28A.175.100 through 28A.175.115 to meet requirements for at least weekly minimum instructional contact, academic counseling, career counseling, or case management contact. Districts must also provide separate financial accounting of expenditures for the programs offered by the district or under contract with a provider, as well as accurate monthly headcount and full-time equivalent enrollment claimed for basic education, including separate enrollment counts of resident and nonresident students.

(12) ALL DAY KINDERGARTEN PROGRAMS

Funding in this section is sufficient to fund all day kindergarten programs in all schools in the 2017-18 school year and 2018-19 school year, pursuant to RCW 28A.150.220 and 28A.150.315.

(13) ADDITIONAL FUNDING FOR SMALL SCHOOL DISTRICTS AND REMOTE AND NECESSARY PLANTS

For small school districts and remote and necessary school plants within any district which have been judged to be remote and necessary by the superintendent of public instruction, additional staff units are provided to ensure a minimum level of staffing support. Additional administrative and certificated instructional staff units provided to districts in this subsection shall be reduced by the general education staff units, excluding career and technical education and skills center enhancement units, otherwise provided in subsections (2) through (5) of this section on a per district basis.

(a) For districts enrolling not more than twenty-five average annual full-time equivalent students in grades K-8, and for small school plants within any school district which have been judged to be remote and necessary by the superintendent of public instruction and enroll not more than twenty-five average annual full-time equivalent students in grades K-8:

(i) For those enrolling no students in grades 7 and 8, 1.76 certificated instructional staff units and 0.24 certificated administrative staff units for enrollment of not more than five students, plus one-twentieth of a certificated instructional staff unit for each additional student enrolled; and

(ii) For those enrolling students in grades 7 or 8, 1.68 certificated instructional staff units and 0.32 certificated administrative staff units for enrollment of not more than five students, plus one-tenth of a certificated instructional staff unit for each additional student enrolled;

(b) For specified enrollments in districts enrolling more than twenty-five but not more than one hundred average annual full-time equivalent students in grades K-8, and for small school plants within any school district which enroll more than twenty-five average annual full-time equivalent students in grades K-8 and have been judged to be remote and necessary by the superintendent of public instruction:

(i) For enrollment of up to sixty annual average full-time equivalent students in grades K-6, 2.76 certificated instructional staff units and 0.24 certificated administrative staff units; and

(ii) For enrollment of up to twenty annual average full-time equivalent students in grades 7 and 8, 0.92 certificated instructional staff units and 0.08 certificated administrative staff units;

(c) For districts operating no more than two high schools with enrollments of less than three hundred average annual full-time equivalent students, for enrollment in grades 9-12 in each such school, other than alternative schools, except as noted in this subsection:

(i) For remote and necessary schools enrolling students in any grades 9-12 but no more than twenty-five average annual full-time equivalent students in grades K-12, four and one-half certificated instructional staff units and one-quarter of a certificated administrative staff unit;

(ii) For all other small high schools under this subsection, nine certificated instructional staff units and one-half of a certificated administrative staff unit for the first sixty average annual full-time equivalent students, and additional staff units based on a ratio of 0.8732 certificated instructional staff units and 0.1268 certificated administrative staff units per each additional forty-three and one-half average annual full-time equivalent students;

(iii) Districts receiving staff units under this subsection shall add students enrolled in a district alternative high school and any grades nine through twelve alternative learning experience programs with the small high school enrollment for calculations under this subsection;

(d) For each nonhigh school district having an enrollment of more than seventy annual average full-time equivalent students and less than one hundred eighty students, operating a grades K-8 program or a grades 1-8 program, an additional one-half of a certificated instructional staff unit;

(e) For each nonhigh school district having an enrollment of more than fifty annual average full-time equivalent students and less than one hundred eighty students, operating a grades K-6 program or a grades 1-6 program, an additional one-half of a certificated instructional staff unit;

(f)(i) For enrollments generating certificated staff unit allocations under (a) through (e) of this subsection, one classified staff unit for each 2.94 certificated staff units allocated under such subsections;

(ii) For each nonhigh school district with an enrollment of more than fifty annual average full-time equivalent students and less than one hundred eighty students, an additional one-half of a classified staff unit; and

(g) School districts receiving additional staff units to support small student enrollments and remote and necessary plants under this subsection (13) shall generate additional MSOC allocations consistent with the nonemployee related costs (NERC) allocation formula in place for the 2010-11 school year as provided section 502, chapter 37, Laws of 2010 1st sp. sess. (2010 supplemental budget), adjusted annually for inflation.

(14) Any school district board of directors may petition the superintendent of public instruction by submission of a resolution adopted in a public meeting to reduce or delay any portion of its basic education allocation for any school year. The

superintendent of public instruction shall approve such reduction or delay if it does not impair the district's financial condition. Any delay shall not be for more than two school years. Any reduction or delay shall have no impact on levy authority pursuant to RCW 84.52.0531 and local effort assistance pursuant to chapter 28A.500 RCW.

(15) The superintendent may distribute funding for the following programs outside the basic education formula during fiscal years 2018 and 2019 as follows:

(a) \$638,000 of the general fund—state appropriation for fiscal year 2018 and \$650,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for fire protection for school districts located in a fire protection district as now or hereafter established pursuant to chapter 52.04 RCW.

(b) \$436,000 of the general fund—state appropriation for fiscal year 2018 and \$436,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for programs providing skills training for secondary students who are enrolled in extended day school-to-work programs, as approved by the superintendent of public instruction. The funds shall be allocated at a rate not to exceed \$500 per full-time equivalent student enrolled in those programs.

(16) \$225,000 of the general fund—state appropriation for fiscal year 2018 and \$229,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for school district emergencies as certified by the superintendent of public instruction. Funding provided must be conditioned upon the written commitment and plan of the school district board of directors to repay the grant with any insurance payments or other judgments that may be awarded, if applicable. At the close of the fiscal year the superintendent of public instruction shall report to the office of financial management and the appropriate fiscal committees of the legislature on the allocations provided to districts and the nature of the emergency.

(17) Funding in this section is sufficient to fund a maximum of 1.6 FTE enrollment for skills center students pursuant to chapter 463, Laws of 2007.

(18) Students participating in running start programs may be funded up to a combined maximum enrollment of 1.2 FTE including school district and institution of higher education enrollment consistent with the running start course requirements provided in chapter 202, Laws of 2015 (dual credit education opportunities). In calculating the combined 1.2 FTE, the office of the superintendent of public instruction may average the participating student's September through June enrollment to account for differences in the start and end dates for courses provided by the high school and higher education institution. Additionally, the office of the superintendent of public instruction, in consultation with the state board for community and technical colleges, the student achievement council, and the education data center, shall annually track and report to the fiscal committees of the legislature on the combined FTE experience of students participating in the running start program, including course load analyses at both the high school and community and technical college system.

(19) If two or more school districts consolidate and each district was receiving additional basic education formula staff units pursuant to subsection (13) of this section, the following apply:

(a) For three school years following consolidation, the number of basic education formula staff units shall not be less than the number of basic education formula staff units received by the districts in the school year prior to the consolidation; and

(b) For the fourth through eighth school years following consolidation, the difference between the basic education formula staff units received by the districts for the school year prior to consolidation and the basic education formula staff units after

consolidation pursuant to subsection (13) of this section shall be reduced in increments of twenty percent per year.

(20)(a) Indirect cost charges by a school district to approved career and technical education middle and secondary programs shall not exceed the lesser of five percent or the cap established in federal law of the combined basic education and career and technical education program enhancement allocations of state funds. Middle and secondary career and technical education programs are considered separate programs for funding and financial reporting purposes under this section.

(b) Career and technical education program full-time equivalent enrollment shall be reported on the same monthly basis as the enrollment for students eligible for basic support, and payments shall be adjusted for reported career and technical education program enrollments on the same monthly basis as those adjustments for enrollment for students eligible for basic support.

(21) Funding in this section is sufficient to provide full general apportionment payments to school districts eligible for federal forest revenues as provided in RCW 28A.520.020. For the 2017-2019 biennium, general apportionment payments are not reduced for school districts receiving federal forest revenues.

Sec. 1403. 2018 c 299 s 503 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—BASIC EDUCATION EMPLOYEE COMPENSATION

(1) The following calculations determine the salaries used in the state allocations for certificated instructional, certificated administrative, and classified staff units as provided in House Bill No. 2242 (fully funding the program of basic education), RCW 28A.150.260, and under section 502 of this act:

(a) For the 2017-18 school year, salary allocations for certificated instructional staff units are determined for each district by multiplying the district's certificated instructional total base salary shown on LEAP Document 2 by the district's average staff mix factor for certificated instructional staff in that school year, computed using LEAP document 1.

(b) For the 2017-18 school year, salary allocations for certificated administrative staff units and classified staff units for each district are determined based on the district's certificated administrative and classified salary allocation amounts shown on LEAP Document 2.

(c) For the 2018-19 school year salary allocations for certificated instructional staff, certificated administrative staff, and classified staff units are determined for each school district by multiplying the statewide minimum salary allocation for each staff type by the school district's regionalization factor shown in LEAP Document 3.

Statewide Minimum Salary Allocation
For School Year 2018-19

Certificated Instructional Staff	\$65,216.05
Certificated Administrative Staff	\$96,805.00
Classified Staff	\$46,784.33

(2) For the purposes of this section:

(a) "LEAP Document 1" means the staff mix factors for certificated instructional staff according to education and years of experience, as developed by the legislative evaluation and accountability program committee on June 22, 2017, at 1:14 hours; and

(b) "LEAP Document 2" means the school year salary allocations for certificated administrative staff and classified staff and derived and total base salaries for certificated instructional

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staff as developed by the legislative evaluation and accountability program committee on June 22, 2017, at 1:14 hours.

(c) "LEAP Document 3" means the school district regionalization factors for certificated instructional, certificated administrative, and classified staff, as developed by the legislative evaluation and accountability program committee on March 6, 2018, at 8:24 hours.

(3) Incremental fringe benefit factors are applied to salary adjustments at a rate of 22.85 percent for school year 2017-18 and ~~((23.04))~~ 23.06 percent for school year 2018-19 for certificated instructional and certificated administrative staff and 21.10 percent for school year 2017-18 and ~~((21.17))~~ 21.20 percent for the 2018-19 school year for classified staff.

(4)(a) Pursuant to RCW 28A.150.410, the following state-wide salary allocation schedule for certificated instructional staff are established for basic education salary allocations for the 2017-18 school year:

Table Of Total Base Salaries For Certificated Instructional Staff For School Year 2017-18
*** Education Experience ***

Years of Service	BA	BA+15	BA+30	BA+45	BA+90
0	36,521	37,507	38,529	39,554	42,840
1	37,013	38,013	39,048	40,117	43,438
2	37,481	38,491	39,537	40,688	44,000
3	37,964	38,983	40,040	41,229	44,534
4	38,437	39,501	40,565	41,794	45,119
5	38,926	39,995	41,069	42,367	45,679
6	39,428	40,474	41,585	42,948	46,244
7	40,312	41,373	42,498	43,935	47,280
8	41,604	42,724	43,876	45,431	48,822
9		44,122	45,332	46,943	50,413
10			46,805	48,533	52,049
11				50,169	53,761
12				51,753	55,520
13					57,322
14					59,132
15					60,671
16 or more					61,884

Table Of Total Base Salaries For Certificated Instructional Staff For School Year 2017-18 (cont'd)
*** Education Experience ***

Years of Service	BA+135	MA	MA+45	MA+90 or Ph.D.
0	44,957	43,785	47,072	49,191
1	45,543	44,272	47,593	49,697
2	46,127	44,762	48,073	50,201
3	46,712	45,227	48,529	50,709
4	47,313	45,714	49,038	51,234
5	47,918	46,209	49,522	51,760
6	48,494	46,716	50,013	52,262
7	49,593	47,666	51,010	53,324
8	51,219	49,161	52,552	54,949
9	52,892	50,672	54,143	56,623

Table Of Total Base Salaries For Certificated Instructional Staff For School Year 2017-18 (cont'd)
*** Education Experience ***

Years of Service	BA+135	MA	MA+45	MA+90 or Ph.D.
10	54,611	52,263	55,780	58,340
11	56,375	53,899	57,492	60,104
12	58,211	55,600	59,250	61,942
13	60,093	57,360	61,052	63,823
14	62,046	59,172	62,981	65,776
15	63,660	60,710	64,618	67,486
16 or more	64,932	61,924	65,910	68,836

(b) As used in this subsection, the column headings "BA+(N)" refer to the number of credits earned since receiving the baccalaureate degree.

(c) For credits earned after the baccalaureate degree but before the masters degree, any credits in excess of forty-five credits may be counted after the masters degree. Thus, as used in this subsection, the column headings "MA+(N)" refer to the total of:

- (i) Credits earned since receiving the masters degree; and
- (ii) Any credits in excess of forty-five credits that were earned after the baccalaureate degree but before the masters degree.

(5) For the purposes of this section:

- (a) "BA" means a baccalaureate degree.
- (b) "MA" means a masters degree.
- (c) "PHD" means a doctorate degree.

(d) "Years of service" shall be calculated under the same rules adopted by the superintendent of public instruction.

(e) "Credits" means college quarter hour credits and equivalent in-service credits computed in accordance with RCW 28A.415.020 and 28A.415.023.

(6) No more than ninety college quarter-hour credits received by any employee after the baccalaureate degree may be used to determine compensation allocations under the state salary allocation schedule and LEAP documents referenced in this part V, or any replacement schedules and documents, unless:

- (a) The employee has a masters degree; or
- (b) The credits were used in generating state salary allocations before January 1, 1992.

(7) The salary allocations established in this section are for allocation purposes only except as provided in this subsection, and do not entitle an individual staff position to a particular paid salary except as provided in RCW 28A.400.200, as amended by House Bill No. 2242 (fully funding the program of basic education).

(8) For school year 2018-19, the salary allocations for each district shall be the greater of:

- (a) The derived school year 2018-19 salary allocations in subsection (1) of this section; or
- (b) The derived salary allocations for school year 2017-18 increased by 2.3 percent.

Sec. 1404. 2018 c 299 s 504 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR SCHOOL EMPLOYEE COMPENSATION ADJUSTMENTS

General Fund—State Appropriation (FY 2018)	\$206,149,000
General Fund—State Appropriation (FY 2019)	(\$2,029,841,000)
	<u>\$2,057,783,000</u>

Dedicated McCleary Penalty Account—State

Appropriation	\$84,020,000
TOTAL APPROPRIATION	\$2,320,010,000
	<u>\$2,347,952,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) The salary increases provided in this section are inclusive of and above the annual cost-of-living adjustments pursuant to RCW 28A.400.205.

(2) In addition to salary allocations specified in this subsection (1) funding in this subsection includes one day of professional learning for each of the funded full-time equivalent certificated instructional staff units in school year 2018-19. Nothing in this section entitles an individual certificated instructional staff to any particular number of professional learning days.

(3)(a) The appropriations in this section include associated incremental fringe benefit allocations at 22.85 percent for the 2017-18 school year and (~~23.04~~) 23.06 percent for the 2018-19 school year for certificated instructional and certificated administrative staff and 21.10 percent for the 2017-18 school year and (~~21.17~~) 21.20 percent for the 2018-19 school year for classified staff.

(b) The appropriations in this section include the increased or decreased portion of salaries and incremental fringe benefits for all relevant state-funded school programs in part V of this act. Changes for general apportionment (basic education) are based on the salary allocations and methodology in sections 502 and 503 of this act. Changes for special education result from changes in each district's basic education allocation per student. Changes for educational service districts and institutional education programs are determined by the superintendent of public instruction using the methodology for general apportionment salaries and benefits in sections 502 and 503 of this act. Changes for pupil transportation are determined by the superintendent of public instruction pursuant to RCW 28A.160.192, and impact compensation factors in sections 502, 503, and 504 of this act.

(c) The appropriations in this section include no salary adjustments for substitute teachers.

~~((4))~~ (4) The maintenance rate for insurance benefit allocations is \$780.00 per month for the 2017-18 and 2018-19 school years. The appropriations in this section reflect the incremental change in cost of allocating rates of \$820.00 per month for the 2017-18 school year and \$843.97 per month for the 2018-19 school year. When bargaining for health benefits funding for the school employees' benefits board during the 2017-2019 fiscal biennium, any proposal agreed upon must assume the imposition of a twenty-five dollar per month surcharge payment from members who use tobacco products and a surcharge payment of not less than fifty dollars per month from members who cover a spouse or domestic partner where the spouse or domestic partner has chosen not to enroll in another employer-based group health insurance that has benefits and premiums with an actuarial value of not less than ninety-five percent of the actuarial value of the public employees' benefits board plan with the largest enrollment. The surcharge payments shall be collected in addition to the member premium payment.

~~((4))~~ (5) The rates specified in this section are subject to revision each year by the legislature.

~~((5))~~ (6) \$699,437,000 of the general fund—state appropriation in fiscal year 2019 and \$84,020,000 of the dedicated McCleary penalty account—state appropriation are provided solely for allocation to school districts to increase compensation related to increasing school employee salary allocations, changing the special education excess cost multiplier as provided in RCW 28A.150.390(2)(b), regionalization factors as provided in RCW 28A.150.412(2)(b), and professional

learning day delay, each as amended by Engrossed Second Substitute Senate Bill No. 6362 (basic education).

Sec. 1405 2018 c 299 s 505 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR PUPIL TRANSPORTATION

General Fund—State	Appropriation	(FY 2018)	\$518,512,000
General Fund—State	Appropriation	(FY 2019)	(\$519,533,000)
			<u>\$533,796,000</u>
TOTAL APPROPRIATION			<u>\$1,038,045,000</u>
			<u>\$1,052,308,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) Each general fund fiscal year appropriation includes such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(2)(a) For the 2017-18 and 2018-19 school years, the superintendent shall allocate funding to school district programs for the transportation of eligible students as provided in RCW 28A.160.192. Funding in this section constitutes full implementation of RCW 28A.160.192, which enhancement is within the program of basic education. Students are considered eligible only if meeting the definitions provided in RCW 28A.160.160.

(b) From July 1, 2017, to August 31, 2017, the superintendent shall allocate funding to school districts programs for the transportation of students as provided in section 505, chapter 4, Laws of 2015 3rd sp. sess., as amended.

(3) Within amounts appropriated in this section, up to \$10,000,000 of the general fund—state appropriation for fiscal year 2018 and up to \$10,000,000 of the general fund—state appropriation for fiscal year 2019 are for a transportation alternate funding grant program based on the alternate funding process established in RCW 28A.160.191. The superintendent of public instruction must include a review of school district efficiency rating, key performance indicators and local school district characteristics such as unique geographic constraints in the grant award process.

(4) A maximum of \$913,000 of this fiscal year 2018 appropriation and a maximum of (~~\$939,000~~) \$940,000 of the fiscal year 2019 appropriation may be expended for regional transportation coordinators and related activities. The transportation coordinators shall ensure that data submitted by school districts for state transportation funding shall, to the greatest extent practical, reflect the actual transportation activity of each district.

(5) The office of the superintendent of public instruction shall provide reimbursement funding to a school district for school bus purchases only after the superintendent of public instruction determines that the school bus was purchased from the list established pursuant to RCW 28A.160.195(2) or a comparable competitive bid process based on the lowest price quote based on similar bus categories to those used to establish the list pursuant to RCW 28A.160.195.

(6) The superintendent of public instruction shall base depreciation payments for school district buses on the presales tax five-year average of lowest bids in the appropriate category of bus. In the final year on the depreciation schedule, the depreciation payment shall be based on the lowest bid in the appropriate bus category for that school year.

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(7) Funding levels in this section reflect waivers granted by the state board of education for four-day school weeks as allowed under RCW 28A.305.141.

(8) The office of the superintendent of public instruction shall annually disburse payments for bus depreciation in August.

Sec. 1406. 2018 c 299 s 507 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR SPECIAL EDUCATION PROGRAMS

General Fund—State	Appropriation	(FY 2018)	
			\$965,613,000
General Fund—State	Appropriation	(FY 2019)	
			(\$1,001,806,000)
			<u>\$1,025,050,000</u>
General Fund—Federal	Appropriation		(\$485,054,000)
			<u>\$494,053,000</u>
Education Legacy Trust Account—State	Appropriation		\$54,694,000
Dedicated McCleary Penalty Account—State	Appropriation		\$21,180,000
Pension Funding Stabilization Account—State	Appropriation		\$20,000
TOTAL APPROPRIATION			<u>\$2,528,367,000</u>
			<u>\$2,560,610,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1)(a) Funding for special education programs is provided on an excess cost basis, pursuant to RCW 28A.150.390. School districts shall ensure that special education students as a class receive their full share of the general apportionment allocation accruing through sections 502 and 504 of this act. To the extent a school district cannot provide an appropriate education for special education students under chapter 28A.155 RCW through the general apportionment allocation, it shall provide services through the special education excess cost allocation funded in this section.

(b) Funding provided within this section is sufficient for districts to provide school principals and lead special education teachers annual professional development on the best-practices for special education instruction and strategies for implementation. Districts shall annually provide a summary of professional development activities to the office of the superintendent of public instruction.

(2)(a) The superintendent of public instruction shall ensure that:

- (i) Special education students are basic education students first;
- (ii) As a class, special education students are entitled to the full basic education allocation; and
- (iii) Special education students are basic education students for the entire school day.

(b) The superintendent of public instruction shall continue to implement the full cost method of excess cost accounting, as designed by the committee and recommended by the superintendent, pursuant to section 501(1)(k), chapter 372, Laws of 2006.

(3) Each fiscal year appropriation includes such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(4)(a) For the 2017-18 and 2018-19 school years, the superintendent shall allocate funding to school district programs for special education students as provided in RCW 28A.150.390 as amended by Engrossed Second Substitute Senate Bill No. 6362 (basic education), except that the calculation of the base

allocation also includes allocations provided under section 502 (2) and (4) of this act and RCW 28A.150.415, which enhancement is within the program of basic education.

(b) From July 1, 2017, to August 31, 2017, the superintendent shall allocate funding to school district programs for special education students as provided in section 507, chapter 4, Laws of 2015 3rd sp. sess., as amended.

(5) The following applies throughout this section: The definitions for enrollment and enrollment percent are as specified in RCW 28A.150.390(3). Each district’s general fund—state funded special education enrollment shall be the lesser of the district’s actual enrollment percent or 13.5 percent.

(6) At the request of any interdistrict cooperative of at least 15 districts in which all excess cost services for special education students of the districts are provided by the cooperative, the maximum enrollment percent shall be calculated in accordance with RCW 28A.150.390(3) (c) and (d), and shall be calculated in the aggregate rather than individual district units. For purposes of this subsection, the average basic education allocation per full-time equivalent student shall be calculated in the aggregate rather than individual district units.

(7) \$31,087,000 of the general fund—state appropriation for fiscal year 2018, ~~(\$35,952,000)~~ \$40,571,000 of the general fund—state appropriation for fiscal year 2019, and ~~(\$29,574,000)~~ \$39,274,000 of the general fund—federal appropriation are provided solely for safety net awards for districts with demonstrated needs for special education funding beyond the amounts provided in subsection (4) of this section. If the federal safety net awards based on the federal eligibility threshold exceed the federal appropriation in this subsection (7) in any fiscal year, the superintendent shall expend all available federal discretionary funds necessary to meet this need. At the conclusion of each school year, the superintendent shall recover safety net funds that were distributed prospectively but for which districts were not subsequently eligible.

(a) For the 2017-18 and 2018-19 school years, safety net funds shall be awarded by the state safety net oversight committee as provided in section 109(1) chapter 548, Laws of 2009 (ESHB 2261).

(b) The office of the superintendent of public instruction shall make award determinations for state safety net funding in August of each school year, except that the superintendent of public instruction shall make award determinations for state safety net funding in July of each school year for the Washington state school for the blind and for the center for childhood deafness and hearing loss. Determinations on school district eligibility for state safety net awards shall be based on analysis of actual expenditure data from the current school year.

(8) A maximum of \$931,000 may be expended from the general fund—state appropriations to fund 5.43 full-time equivalent teachers and 2.1 full-time equivalent aides at children’s orthopedic hospital and medical center. This amount is in lieu of money provided through the home and hospital allocation and the special education program.

(9) The superintendent shall maintain the percentage of federal flow-through to school districts at 85 percent. In addition to other purposes, school districts may use increased federal funds for high-cost students, for purchasing regional special education services from educational service districts, and for staff development activities particularly relating to inclusion issues.

(10) A school district may carry over from one year to the next year up to 10 percent of the general fund—state funds allocated under this program; however, carryover funds shall be expended in the special education program.

(11) \$256,000 of the general fund—state appropriation for fiscal year 2018 and \$256,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for two additional full-time equivalent staff to support the work of the safety net committee and to provide training and support to districts applying for safety net awards.

(12) \$50,000 of the general fund—state appropriation for fiscal year 2018, \$50,000 of the general fund—state appropriation for fiscal year 2019, and \$100,000 of the general fund—federal appropriation are provided solely for a special education family liaison position within the office of the superintendent of public instruction.

(13) \$21,180,000 of the dedicated McCleary penalty account—state appropriation is provided solely for allocation to school districts to increase the special education excess cost multiplier as provided in RCW 28A.150.390(2)(b), as amended by Engrossed Second Substitute Senate Bill No. 6362 (basic education).

Sec. 1407 2018 c 299 s 508 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR EDUCATIONAL SERVICE DISTRICTS

General Fund—State Appropriation (FY 2018)	\$8,549,000
General Fund—State Appropriation (FY 2019)	(\$9,468,000)
	<u>\$9,471,000</u>
TOTAL APPROPRIATION	<u>\$18,017,000</u>
	<u>\$18,020,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) The educational service districts shall continue to furnish financial services required by the superintendent of public instruction and RCW 28A.310.190 (3) and (4).

(2) Funding within this section is provided for regional professional development related to mathematics and science curriculum and instructional strategies aligned with common core state standards and next generation science standards. Funding shall be distributed among the educational service districts in the same proportion as distributions in the 2007-2009 biennium. Each educational service district shall use this funding solely for salary and benefits for a certificated instructional staff with expertise in the appropriate subject matter and in professional development delivery, and for travel, materials, and other expenditures related to providing regional professional development support.

(3) The educational service districts, at the request of the state board of education pursuant to RCW 28A.310.010 and 28A.305.130, may receive and screen applications for school accreditation, conduct school accreditation site visits pursuant to state board of education rules, and submit to the state board of education post-site visit recommendations for school accreditation. The educational service districts may assess a cooperative service fee to recover actual plus reasonable indirect costs for the purposes of this subsection.

Sec. 1408. 2018 c 299 s 509 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR LOCAL EFFORT ASSISTANCE

General Fund—State Appropriation (FY 2018)	\$451,423,000
General Fund—State Appropriation (FY 2019)	(\$425,973,000)
	<u>\$409,456,000</u>
TOTAL APPROPRIATION	<u>\$77,396,000</u>
	<u>\$860,879,000</u>

The appropriations in this section are subject to the following conditions and limitations: For purposes of RCW 84.52.0531, the increase per full-time equivalent student is 5.85 percent from the 2016-17 school year to the 2017-18 school year.

Sec. 1409. 2018 c 299 s 510 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR INSTITUTIONAL EDUCATION PROGRAMS

General Fund—State Appropriation (FY 2018)	\$13,895,000
General Fund—State Appropriation (FY 2019)	(\$14,096,000)
	<u>\$13,239,000</u>
TOTAL APPROPRIATION	<u>\$27,991,000</u>
	<u>\$27,134,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) Each general fund—state fiscal year appropriation includes such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(2) State funding provided under this section is based on salaries and other expenditures for a 220-day school year. The superintendent of public instruction shall monitor school district expenditure plans for institutional education programs to ensure that districts plan for a full-time summer program.

(3) State funding for each institutional education program shall be based on the institution’s annual average full-time equivalent student enrollment. Staffing ratios for each category of institution shall remain the same as those funded in the 1995-97 biennium.

(4) The funded staffing ratios for education programs for juveniles age 18 or less in department of corrections facilities shall be the same as those provided in the 1997-99 biennium.

(5) \$701,000 of the general fund—state appropriation for fiscal year 2018 and \$701,000 of the general fund—state appropriation for fiscal year 2019 are provided solely to maintain at least one certificated instructional staff and related support services at an institution whenever the K-12 enrollment is not sufficient to support one full-time equivalent certificated instructional staff to furnish the educational program. The following types of institutions are included: Residential programs under the department of social and health services for developmentally disabled juveniles, programs for juveniles under the department of corrections, programs for juveniles under the juvenile rehabilitation administration, and programs for juveniles operated by city and county jails.

(6) Ten percent of the funds allocated for each institution may be carried over from one year to the next.

Sec. 1410. 2018 c 299 s 511 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR PROGRAMS FOR HIGHLY CAPABLE STUDENTS

General Fund—State Appropriation (FY 2018)	\$21,447,000
General Fund—State Appropriation (FY 2019)	(\$24,226,000)
	<u>\$24,117,000</u>
TOTAL APPROPRIATION	<u>\$45,673,000</u>
	<u>\$45,564,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) Each general fund fiscal year appropriation includes such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

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(2) For the 2017-18 and 2018-19 school years, the superintendent shall allocate funding to school district programs for highly capable students as provided in RCW 28A.150.260(10)(c) except that allocations must be based on 5.0 percent of each school district’s full-time equivalent enrollment. In calculating the allocations, the superintendent shall assume the following: (i) Additional instruction of 2.1590 hours per week per funded highly capable program student; (ii) fifteen highly capable program students per teacher; (iii) 36 instructional weeks per year; (iv) 900 instructional hours per teacher; and (v) the compensation rates as provided in sections 503 and 504 of this act.

(b) From July 1, 2017, to August 31, 2017, the superintendent shall allocate funding to school districts programs for highly capable students as provided in section 511, chapter 4, Laws of 2015 3rd sp. sess., as amended.

(3) \$85,000 of the general fund—state appropriation for fiscal year 2018 and \$85,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the centrum program at Fort Worden state park.

Sec. 1411. 2018 c 299 s 512 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR MISCELLANEOUS—EVERY STUDENT SUCCEEDS ACT

General Fund—Federal Appropriation ((~~\$5,802,000~~))
\$6,302,000

Sec. 1412. 2018 c 299 s 513 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—EDUCATION REFORM PROGRAMS

General Fund—State Appropriation (FY 2018)	\$134,384,000
General Fund—State Appropriation (FY 2019)	((\$154,111,000))
	<u>\$132,638,000</u>
General Fund—Federal Appropriation	\$94,811,000
General Fund—Private/Local Appropriation	\$1,450,000
Education Legacy Trust Account—State Appropriation	\$1,618,000
Pension Funding Stabilization Account—State Appropriation	\$765,000
TOTAL APPROPRIATION	<u>\$387,139,000</u>
	<u>\$365,666,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1)(a) \$30,421,000 of the general fund—state appropriation for fiscal year 2018, \$26,975,000 of the general fund—state appropriation for fiscal year 2019, \$1,350,000 of the education legacy trust account—state appropriation, and \$15,868,000 of the general fund—federal appropriation are provided solely for development and implementation of the Washington state assessment system.

(b)(i) The office of the superintendent of public instruction issued a final fiscal note on July 13, 2017, detailing an estimated savings of \$12.7 million in the 2017-2019 biennium and \$15.2 million in the 2019-2021 biennium from the passage of Engrossed Substitute House Bill No. 2224.

(ii) By November 1, 2018, the superintendent must review the fiscal note and report to the legislature on which actions detailed in the fiscal note were taken by the superintendent to achieve the savings estimated and the actual savings achieved. For those actions provided in the fiscal note that were not taken and for

which no savings were achieved, the superintendent must explain why those actions were not taken.

(iii) By November 1, 2018, the superintendent must submit a detailed plan on how the superintendent will achieve all of the savings estimated in the fiscal note for the 2019-2021 biennium.

(2) \$356,000 of the general fund—state appropriation for fiscal year 2018 and \$356,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the Washington state leadership and assistance for science education reform (LASER) regional partnership activities, including instructional material purchases, teacher and principal professional development, and school and community engagement events.

(3) \$3,935,000 of the general fund—state appropriation for fiscal year 2018 and ((~~\$3,935,000~~)) \$3,687,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for implementation of a new performance-based evaluation for certificated educators and other activities as provided in chapter 235, Laws of 2010 (education reform) and chapter 35, Laws of 2012 (certificated employee evaluations).

(4) \$62,674,000 of the general fund—state appropriation for fiscal year 2018 and ((~~\$82,778,000~~)) \$61,528,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the following bonuses for teachers who hold valid, unexpired certification from the national board for professional teaching standards and who are teaching in a Washington public school, subject to the following conditions and limitations:

(a) For national board certified teachers, a bonus of \$5,296 per teacher in the 2017-18 school year and a bonus of \$5,397 per teacher in the 2018-19 school year;

(b) An additional \$5,000 annual bonus shall be paid to national board certified teachers who teach in either: (A) High schools where at least 50 percent of student headcount enrollment is eligible for federal free or reduced-price lunch, (B) middle schools where at least 60 percent of student headcount enrollment is eligible for federal free or reduced-price lunch, or (C) elementary schools where at least 70 percent of student headcount enrollment is eligible for federal free or reduced-price lunch;

(c) The superintendent of public instruction shall adopt rules to ensure that national board certified teachers meet the qualifications for bonuses under (b) of this subsection for less than one full school year receive bonuses in a prorated manner. All bonuses in this subsection will be paid in July of each school year. Bonuses in this subsection shall be reduced by a factor of 40 percent for first year NBPTS certified teachers, to reflect the portion of the instructional school year they are certified; and

(d) During the 2017-18 and 2018-19 school years, and within available funds, certificated instructional staff who have met the eligibility requirements and have applied for certification from the national board for professional teaching standards may receive a conditional loan of two thousand dollars or the amount set by the office of the superintendent of public instruction to contribute toward the current assessment fee, not including the initial up-front candidacy payment. The fee shall be an advance on the first annual bonus under RCW 28A.405.415. The conditional loan is provided in addition to compensation received under a district’s salary allocation and shall not be included in calculations of a district’s average salary and associated salary limitation under RCW 28A.400.200. Recipients who fail to receive certification after three years are required to repay the conditional loan. The office of the superintendent of public instruction shall adopt rules to define the terms for initial grant of the assessment fee and repayment, including applicable fees. To the extent necessary, the superintendent may use revenues from the repayment of conditional loan scholarships to ensure payment

of all national board bonus payments required by this section in each school year.

(5) \$477,000 of the general fund—state appropriation for fiscal year 2018 and \$477,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the leadership internship program for superintendents, principals, and program administrators.

(6) \$950,000 of the general fund—state appropriation for fiscal year 2018 and \$950,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the Washington reading corps. The superintendent shall allocate reading corps members to schools identified for comprehensive or targeted support and school districts that are implementing comprehensive, proven, research-based reading programs. Two or more schools may combine their Washington reading corps programs.

(7) \$810,000 of the general fund—state appropriation for fiscal year 2018 and \$810,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the development of a leadership academy for school principals and administrators. The superintendent of public instruction shall contract with an independent organization to operate a state-of-the-art education leadership academy that will be accessible throughout the state. Semiannually the independent organization shall report on amounts committed by foundations and others to support the development and implementation of this program. Leadership academy partners shall include the state level organizations for school administrators and principals, the superintendent of public instruction, the professional educator standards board, and others as the independent organization shall identify.

(8) \$3,000,000 of the general fund—state appropriation for fiscal year 2018 and \$3,000,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for a statewide information technology (IT) academy program. This public-private partnership will provide educational software, as well as IT certification and software training opportunities for students and staff in public schools.

(9) \$1,802,000 of the general fund—state appropriation for fiscal year 2018 and \$1,802,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for secondary career and technical education grants pursuant to chapter 170, Laws of 2008, including parts of programs receiving grants that serve students in grades four through six. If equally matched by private donations, \$825,000 of the 2018 appropriation and \$825,000 of the 2019 appropriation shall be used to support FIRST robotics programs in grades four through twelve. Of the amounts in this subsection, \$100,000 of the fiscal year 2018 appropriation and \$100,000 of the fiscal year 2019 appropriation are provided solely for the purpose of statewide supervision activities for career and technical education student leadership organizations.

(10) \$125,000 of the general fund—state appropriation for fiscal year 2018 and \$125,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for (a) staff at the office of the superintendent of public instruction to coordinate and promote efforts to develop integrated math, science, technology, and engineering programs in schools and districts across the state; and (b) grants of \$2,500 to provide twenty middle and high school teachers each year with professional development training for implementing integrated math, science, technology, and engineering programs in their schools.

(11) \$135,000 of the general fund—state appropriation for fiscal year 2018 and \$135,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for science,

technology, engineering and mathematics lighthouse projects, consistent with chapter 238, Laws of 2010.

(12) \$10,500,000 of the general fund—state appropriation for fiscal year 2018 and \$10,500,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for a beginning educator support program. The program shall prioritize first year teachers in the mentoring program. School districts and/or regional consortia may apply for grant funding. The program provided by a district and/or regional consortia shall include: A paid orientation; assignment of a qualified mentor; development of a professional growth plan for each beginning teacher aligned with professional certification; release time for mentors and new teachers to work together; and teacher observation time with accomplished peers. Funding may be used to provide statewide professional development opportunities for mentors and beginning educators.

(13) \$250,000 of the general fund—state appropriation for fiscal year 2018 and \$250,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for advanced project lead the way courses at ten high schools. To be eligible for funding in 2018, a high school must have offered a foundational project lead the way course during the 2016-17 school year. The 2018 funding must be used for one-time start-up course costs for an advanced project lead the way course, to be offered to students beginning in the 2017-18 school year. To be eligible for funding in 2019, a high school must have offered a foundational project lead the way course during the 2017-18 school year. The 2018 funding must be used for one-time start-up course costs for an advanced project lead the way course, to be offered to students beginning in the 2018-19 school year. The office of the superintendent of public instruction and the education research and data center at the office of financial management shall track student participation and long-term outcome data.

(14) \$9,352,000 of the general fund—state appropriation for fiscal year 2018 and \$14,352,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for implementation of chapter 159, Laws of 2013. By January 15, 2018, the superintendent of public instruction shall submit a plan to the fiscal committees of the legislature outlining the additional school accountability supports that will be implemented as a result of the increased appropriation provided in fiscal year 2019. Of the amount provided in this subsection, \$5,000,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for expenditure contingent upon legislative approval of the superintendent's plan for additional school accountability supports, and the superintendent may not spend that amount until approval is received.

(15) \$450,000 of the general fund—state appropriation for fiscal year 2018 and \$450,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for annual start-up, expansion, or maintenance of existing programs in aerospace and advanced manufacturing programs. To be eligible for funding, the skills center and high schools must agree to engage in developing local business and industry partnerships for oversight and input regarding program components. Program instructors must also agree to participate in professional development leading to student employment, or certification in aerospace or advanced manufacturing industries as determined by the superintendent of public instruction. The office of the superintendent of public instruction and the education research and data center shall report annually student participation and long-term outcome data.

(16) \$5,000,000 of the general fund—state appropriation for fiscal year 2018 and \$4,000,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the

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provision of training for teachers, principals, and principal evaluators in the performance-based teacher principal evaluation program.

(17) \$125,000 of the general fund—state appropriation for fiscal year 2018 and \$125,000 of the general fund—state appropriation for fiscal year 2019 are provided solely to promote the financial literacy of students. The effort will be coordinated through the financial literacy public-private partnership.

(18) \$2,194,000 of the general fund—state appropriation for fiscal year 2018 and \$909,000 of the general fund—state appropriation for fiscal year 2019 are provided solely to implement chapter 18, Laws of 2013 2nd sp. sess. (Engrossed Substitute Senate Bill No. 5946) (strengthening student educational outcomes).

(19) \$36,000 of the general fund—state appropriation for fiscal year 2018 and \$36,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for chapter 212, Laws of 2014 (Substitute Senate Bill No. 6074) (homeless student educational outcomes).

(20) \$80,000 of the general fund—state appropriation for fiscal year 2018 and \$40,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for chapter 219, Laws of 2014 (Second Substitute Senate Bill No. 6163) (expanded learning).

(21) \$10,000 of the general fund—state appropriation for fiscal year 2018 and \$10,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for chapter 102, Laws of 2014 (Senate Bill No. 6424) (biliteracy seal).

(22) \$500,000 of the general fund—state appropriation for fiscal year 2018 and \$500,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the office of the superintendent of public instruction to contract with a nonprofit organization to integrate the state learning standards in English language arts, mathematics, and science with FieldSTEM outdoor field studies and project-based and work-based learning opportunities aligned with the environmental, natural resource, and agricultural sectors.

(23) Within the amounts provided in this section, the superintendent of public instruction shall obtain an existing student assessment inventory tool that is free and openly licensed and distribute the tool to every school district. Each school district shall use the student assessment inventory tool to identify all state-level and district-level assessments that are required of students. The state-required assessments should include: Reading proficiency assessments used for compliance with RCW 28A.320.202; the required statewide assessments under chapter 28A.655 RCW in grades three through eight and at the high school level in English language arts, mathematics, and science, as well as the practice and training tests used to prepare for them; and the high school end-of-course exams in mathematics under RCW 28A.655.066. District-required assessments should include: The second grade reading assessment used to comply with RCW 28A.300.320; interim smarter balanced assessments, if required; the measures of academic progress assessment, if required; and other required interim, benchmark, or summative standardized assessments, including assessments used in social studies, the arts, health, and physical education in accordance with RCW 28A.230.095, and for educational technology in accordance with RCW 28A.655.075. The assessments identified should not include assessments used to determine eligibility for any categorical program including the transitional bilingual instruction program, learning assistance program, highly capable program, special education program, or any formative or diagnostic assessments used solely to inform teacher instructional practices, other than those already identified. By October 15th of

each year, each district shall report to the superintendent the amount of student time in the previous school year that is spent taking each assessment identified. By December 15th of each even numbered calendar year, the superintendent shall summarize the information reported by the school districts and report to the education committees of the house of representatives and the senate.

(24) \$125,000 of the general fund—state appropriation for fiscal year 2018 and \$125,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for contracts with nonprofit organizations that provide direct services to children exclusively through one-to-one volunteer mentoring. The mentor, student, and parent must each receive monthly coaching from professional staff in the first year and coaching every two months in subsequent years.

(25) \$200,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for grants to implement a program that provides hands-on education in financial literacy, work readiness, and entrepreneurship.

(26) Sufficient amounts are appropriated in this section for the office of the superintendent of public instruction to create a process and provide assistance to school districts in planning for future implementation of the summer knowledge improvement program grants.

Sec. 1413. 2018 c 299 s 514 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR TRANSITIONAL BILINGUAL PROGRAMS

General Fund—State	Appropriation	(FY 2018)	
			\$151,517,000
General Fund—State	Appropriation	(FY 2019)	
			(\$158,812,000)
			<u>\$158,453,000</u>
General Fund—Federal Appropriation			\$97,244,000
Pension Funding Stabilization Account—State Appropriation			\$4,000
TOTAL APPROPRIATION			<u>\$407,577,000</u>
			<u>\$407,218,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) Each general fund fiscal year appropriation includes such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(2)(a) For the 2017-18 and 2018-19 school years, the superintendent shall allocate funding to school districts for transitional bilingual programs under RCW 28A.180.010 through 28A.180.080, including programs for exited students, as provided in RCW 28A.150.260(10)(b) and the provisions of this section. In calculating the allocations, the superintendent shall assume the following averages: (i) Additional instruction of 4.7780 hours per week per transitional bilingual program student in grades kindergarten through six and 6.7780 hours per week per transitional bilingual program student in grades seven through twelve in school years 2017-18 and 2018-19; (ii) additional instruction of 3.0000 hours per week in school years 2017-18 and 2018-19 for the head count number of students who have exited the transitional bilingual instruction program within the previous two years based on their performance on the English proficiency assessment; (iii) fifteen transitional bilingual program students per teacher; (iv) 36 instructional weeks per year; (v) 900 instructional hours per teacher; and (vi) the compensation rates as provided in sections 503 and 504 of this act. Pursuant to RCW

28A.180.040(1)(g), the instructional hours specified in (a)(ii) of this subsection (2) are within the program of basic education.

(b) From July 1, 2017, to August 31, 2017, the superintendent shall allocate funding to school districts for transitional bilingual instruction programs as provided in section 514, chapter 4, Laws of 2015, 3rd sp. sess., as amended.

(3) The superintendent may withhold allocations to school districts in subsection (2) of this section solely for the central provision of assessments as provided in RCW 28A.180.090 (1) and (2) up to the following amounts: 2.50 percent for school year 2017-18 and ~~((2.57))~~ 2.59 percent for school year 2018-19.

(4) The general fund—federal appropriation in this section is for migrant education under Title I Part C and English language acquisition, and language enhancement grants under Title III of the elementary and secondary education act.

(5) \$35,000 of the general fund—state appropriation for fiscal year 2018 and \$35,000 of the general fund—state appropriation for fiscal year 2019 are provided solely to track current and former transitional bilingual program students.

(6) \$495,000 of the general fund—state appropriation in fiscal year 2018 and ~~((198,000))~~ \$1,060,000 of the general fund—state appropriation in fiscal year 2019 are provided solely for the central provision of assessments as provided in RCW 28A.180.090, and is in addition to the withholding amounts specified in subsection (3) of this section.

Sec. 1414. 2018 c 299 s 515 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR THE LEARNING ASSISTANCE PROGRAM

General Fund—State	Appropriation	(FY 2018)	
			\$323,386,000
General Fund—State	Appropriation	(FY 2019)	
			((348,202,000))
			<u>\$345,574,000</u>
General Fund—Federal Appropriation			\$519,487,000
TOTAL APPROPRIATION			<u>\$1,191,075,000</u>
			<u>\$1,188,447,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) The general fund—state appropriations in this section are subject to the following conditions and limitations:

(a) The appropriations include such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(b)(i) For the 2017-18 and 2018-19 school years, the superintendent shall allocate funding to school districts for learning assistance programs as provided in RCW 28A.150.260(10)(a), except that the allocation for the additional instructional hours shall be enhanced as provided in this section, which enhancements are within the program of the basic education. In calculating the allocations, the superintendent shall assume the following averages: (A) Additional instruction of 2.3975 hours per week per funded learning assistance program student for the 2017-18 and 2018-19 school years; (B) additional instruction of 1.1 hours per week per funded learning assistance program student for the 2017-18 and 2018-19 school years in qualifying high-poverty school building; (C) fifteen learning assistance program students per teacher; (D) 36 instructional weeks per year; (E) 900 instructional hours per teacher; and (F) the compensation rates as provided in sections 503 and 504 of this act.

(ii) From July 1, 2017, to August 31, 2017, the superintendent shall allocate funding to school districts for learning assistance

programs as provided in section 515, chapter 4, Laws of 2015, 3rd sp. sess., as amended.

(c) A school district’s funded students for the learning assistance program shall be the sum of the district’s full-time equivalent enrollment in grades K-12 for the prior school year multiplied by the district’s percentage of October headcount enrollment in grades K-12 eligible for free or reduced-price lunch in the prior school year. The prior school year’s October headcount enrollment for free and reduced-price lunch shall be as reported in the comprehensive education data and research system.

(2) Allocations made pursuant to subsection (1) of this section shall be adjusted to reflect ineligible applications identified through the annual income verification process required by the national school lunch program, as recommended in the report of the state auditor on the learning assistance program dated February, 2010.

(3) The general fund—federal appropriation in this section is provided for Title I Part A allocations of the every student succeeds act of 2016.

(4) A school district may carry over from one year to the next up to 10 percent of the general fund—state funds allocated under this program; however, carryover funds shall be expended for the learning assistance program.

(5) Within existing resources, during the 2017-18 and 2018-19 school years, school districts are authorized to use funds allocated for the learning assistance program to also provide assistance to high school students who have not passed the state assessment in science.

Sec. 1415. 2018 c 299 s 517 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

(1) Amounts distributed to districts by the superintendent through part V of this act are for allocations purposes only, unless specified by part V of this act, and do not entitle a particular district, district employee, or student to a specific service, beyond what has been expressly provided in statute. Part V of this act restates the requirements of various sections of Title 28A RCW. If any conflict exists, the provisions of Title 28A RCW control unless this act explicitly states that it is providing an enhancement. Any amounts provided in part V of this act in excess of the amounts required by Title 28A RCW provided in statute, are not within the program of basic education unless clearly stated by this act.

(2) To the maximum extent practicable, when adopting new or revised rules or policies relating to the administration of allocations in part V of this act that result in fiscal impact, the office of the superintendent of public instruction shall attempt to seek legislative approval through the budget request process.

(3) Appropriations made in this act to the office of the superintendent of public instruction shall initially be allotted as required by this act. Subsequent allotment modifications shall not include transfers of moneys between sections of this act except as expressly provided in subsection (4) of this section.

(4) The appropriations to the office of the superintendent of public instruction in this act shall be expended for the programs and amounts specified in this act. However, after May 1, ~~((2018))~~ 2019, unless specifically prohibited by this act and after approval by the director of financial management, the superintendent of public instruction may transfer state general fund appropriations for fiscal year ~~((2018))~~ 2019 among the following programs to meet the apportionment schedule for a specified formula in another of these programs: General apportionment, employee compensation adjustments, pupil transportation, special

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education programs, institutional education programs, transitional bilingual programs, highly capable, and learning assistance programs.

(5) The director of financial management shall notify the appropriate legislative fiscal committees in writing prior to approving any allotment modifications or transfers under this section.

(6) As required by RCW 28A.710.110, the office of the superintendent of public instruction shall transmit the charter school authorizer oversight fee for the charter school commission to the charter school oversight account.

Sec. 1416. 2018 c 299 s 518 (uncodified) is amended to read as follows:

FOR THE OFFICE OF THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR CHARTER SCHOOLS

Washington Opportunity Pathways Account—State	
Appropriation	((\$55,569,000))
	<u>\$54,601,000</u>

The appropriation in this section is subject to the following conditions and limitations:

(1) The superintendent shall distribute funding appropriated in this section to charter schools under chapter 28A.710 RCW. Within amounts provided in this section the superintendent may distribute funding for safety net awards for charter schools with demonstrated needs for special education funding beyond the amounts provided under chapter 28A.710 RCW.

(2) \$2,378,000 of the Washington opportunity pathways account—state appropriation is provided solely for allocation to school districts to increase compensation related to increasing school employee salary allocations, changing the special education excess cost multiplier as provided in RCW 28A.150.390(2)(b), regionalization factors as provided in RCW 28A.150.412(2)(b), and the professional learning day delay, each as amended by Engrossed Second Substitute Senate Bill No. 6362 (basic education).

**PART XV
SUPPLEMENTAL
HIGHER EDUCATION**

Sec. 1501. 2018 c 299 s 603 (uncodified) is amended to read as follows:

FOR WASHINGTON STATE UNIVERSITY

General Fund—State Appropriation (FY 2018)	\$200,567,000
General Fund—State Appropriation (FY 2019)	((\$212,381,000))
	<u>\$213,087,000</u>
WSU Building Account—State Appropriation	\$792,000
Education Legacy Trust Account—State Appropriation	\$33,995,000
Dedicated Marijuana Account—State Appropriation (FY 2018)	\$138,000
Dedicated Marijuana Account—State Appropriation (FY 2019)	\$138,000
Pension Funding Stabilization Account—State Appropriation	\$30,983,000
TOTAL APPROPRIATION	<u>\$478,994,000</u> <u>\$479,700,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$90,000 of the general fund—state appropriation for fiscal year 2018 and \$90,000 of the general fund—state appropriation

for fiscal year 2019 are provided solely for a rural economic development and outreach coordinator.

(2) The university must continue work with the education research and data center to demonstrate progress in computer science and engineering enrollments. By September 1st of each year, the university shall provide a report including but not limited to the cost per student, student completion rates, and the number of low-income students enrolled in each program, any process changes or best-practices implemented by the university, and how many students are enrolled in computer science and engineering programs above the prior academic year.

(3) \$500,000 of the general fund—state appropriation for fiscal year 2018 and \$500,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for state match requirements related to the federal aviation administration grant.

(4) Washington State University shall not use funds appropriated in this section to support intercollegiate athletic programs.

(5) The appropriations in this section include sufficient funding for the implementation of chapter 154, Laws of 2017 (SSB 5022) (education loan information).

(6) The appropriations in this section include sufficient funding for the implementation of chapter 177, Laws of 2017 (SSB 5100) (financial literacy seminars).

(7) \$3,000,000 of the general fund—state appropriation for fiscal year 2018 and \$7,000,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the continued development and operations of a medical school program in Spokane.

(8) \$135,000 of the general fund—state appropriation for fiscal year 2018 and \$135,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for a honey bee biology research position.

(9) \$27,586,000 of the general fund—state appropriation for fiscal year 2018 and ((~~\$28,275,000~~)) \$28,385,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the implementation of the college affordability program as set forth in RCW 28B.15.066.

(10) \$230,000 of the general fund—state appropriation for fiscal year 2018 and \$376,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for chapter 202, Laws of 2017 (2SHB 1713) (children’s mental health).

(11) \$300,000 of the general fund—state appropriation for fiscal year 2018 and \$300,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the William D. Ruckelshaus center to collaborate with groups and organizations, including associations of local governments, associations of the business, real estate and building industries, state agencies, environmental organizations, state universities, public health and planning organizations, and tribal governments, to create a "Road Map to Washington’s Future." The road map shall identify areas of agreement on ways to adapt Washington’s growth management framework of statutes, institutions, and policies to meet future challenges in view of robust forecasted growth and the unique circumstances and urgent priorities in the diverse regions of the state. The center shall, in conjunction with state universities and other sponsors, conduct regional workshops to:

(a) Engage Washington residents in identifying a desired statewide vision for Washington’s future;

(b) Partner with state universities on targeted research to inform future alternatives;

(c) Facilitate deep and candid interviews with representatives of the above named groups and organizations; and

(d) Convene parties for collaborative conversations and potential agreement seeking.

The center must submit a final report to the appropriate committees of the legislature by June 30, 2019.

(12) \$580,000 of the general fund—state appropriation for fiscal year 2018 and \$580,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the development of an organic agriculture systems degree program located at the university center in Everett.

(13) Within the funds appropriated in this section, Washington State University shall:

(a) Review the scholarly literature on the short-term and long-term effects of marijuana use to assess if other states or private entities are conducting marijuana research in areas that may be useful to the state.

(b) Provide as part of its budget request for the 2019-2021 fiscal biennium:

(i) A list of intended state, federal, and privately funded marijuana research, including cost, duration, and scope;

(ii) Plans for partnerships with other universities, state agencies, or private entities, including entities outside the state, for purposes related to researching short-term and long-term effects of marijuana use.

(14) \$760,000 of the general fund—state appropriation for fiscal year 2018 and \$760,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for implementation of chapter 159, Laws of 2017 (2SSB 5474) (elk hoof disease).

(15) \$630,000 of the general fund—state appropriation for fiscal 2018 and \$630,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the creation of an electrical engineering program located in Bremerton. At full implementation, the university is expected to increase degree production by 25 new bachelor's degrees per year. The university must identify these students separately when providing data to the education research data center as required in subsection (2) of this section.

(16) \$1,370,000 of the general fund—state appropriation for fiscal year 2018 and \$1,370,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the creation of software engineering and data analytic programs at the university center in Everett. At full implementation, the university is expected to enroll 50 students per academic year. The university must identify these students separately when providing data to the education research data center as required in subsection (2) of this section.

(17) General fund—state appropriations in this section are reduced to reflect a reduction in state-supported tuition waivers for graduate students. When reducing tuition waivers, the university will not change its practices and procedures for providing eligible veterans with tuition waivers.

(18) \$768,000 of the general fund—state appropriation for fiscal year 2018 and ~~(\$504,000)~~ \$1,100,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for implementation of chapter 36, Laws of 2017 3rd sp. sess. (renewable energy, tax incentives).

(19) \$89,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for implementation of Engrossed Second Substitute House Bill No. 2009 (gold star families/higher education). If the bill is not enacted by June 30, 2018, the amount provided in this subsection shall lapse.

(20) \$58,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for implementation of Substitute House Bill No. 2580 (renewable natural gas). If the bill is not enacted by June 30, 2018, the amount provided in this subsection shall lapse.

(21) \$500,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the joint center for deployment and research in earth abundant materials.

(22) \$75,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the Washington State University tree fruit research and extension center in Wenatchee to create a plan for expansion of graduate research in the greater Wenatchee Valley. This plan may include proposals for new research programs, new or expanded facilities, and other elements necessary to facilitate expansion of graduate research in the greater Wenatchee Valley.

(23) \$15,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for implementation of Senate Bill No. 5028 (Native American curriculum). If the bill is not enacted by June 30, 2018, the amount provided in this subsection shall lapse.

(24) \$20,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the office of clean technology at Washington State University to convene a sustainable aviation biofuels work group to further the development of sustainable aviation fuel as a productive industry in Washington. The work group must include members from the legislature and sectors involved in sustainable aviation biofuels research, development, production, and utilization. The work group must provide recommendations to the governor and the appropriate committees of the legislature before December 1, 2019.

(25) \$17,000 of the general fund—state appropriation for fiscal year 2018 and \$33,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the William D. Ruckelshaus center to provide meeting facilitation and related services for the legislative task force on legislative records as specified in section 925(4) of this act.

Sec. 1502. 2018 c 299 s 605 (uncodified) is amended to read as follows:

FOR CENTRAL WASHINGTON UNIVERSITY

General Fund—State Appropriation (FY 2018)	\$48,136,000
General Fund—State Appropriation (FY 2019)	(\$50,646,000)
	<u>\$51,471,000</u>
CWU Capital Projects Account—State Appropriation	\$76,000
Education Legacy Trust Account—State Appropriation	\$19,076,000
Pension Funding Stabilization Account—State Appropriation	\$3,921,000
TOTAL APPROPRIATION	<u>\$121,855,000</u>
	<u>\$122,680,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) The university must continue work with the education research and data center to demonstrate progress in engineering enrollments. By September 1st of each year, the university shall provide a report including but not limited to the cost per student, student completion rates, and the number of low-income students enrolled in each program, any process changes or best-practices implemented by the university, and how many students are enrolled in engineering programs above the prior academic year.

(2) Central Washington University shall not use funds appropriated in this section to support intercollegiate athletics programs.

(3) \$11,169,000 of the general fund—state appropriation for fiscal year 2018 and ~~(\$11,448,000)~~ \$11,493,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the implementation of the college affordability program as set forth in RCW 28B.15.066.

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(4) The appropriations in this section include sufficient funding for the implementation of chapter 154, Laws of 2017 (SSB 5022) (education loan information).

(5) The appropriations in this section include sufficient funding for the implementation of chapter 177, Laws of 2017 (SSB 5100) (financial literacy seminars).

(6) Within amounts appropriated in this section, the university is encouraged to increase the number of tenure-track positions created and hired.

(7) \$76,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for implementation of Engrossed Second Substitute House Bill No. 2009 (gold star families/higher education). If the bill is not enacted by June 30, 2018, the amount provided in this subsection shall lapse.

(8) \$200,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the game on! program, which provides underserved middle and high school students with training in leadership, science, technology, engineering, and math. The program is expected to serve approximately 500 students per year.

(9) \$130,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for Central Washington University to partner with the office of the lieutenant governor, and employers and labor representatives from the building and construction trades to create a bachelor’s degree program for individuals who have completed or are completing certain registered apprenticeship programs. The program shall be inclusive of prior learning, specifically tailored to experience gained through apprenticeships and work in the building and construction trades, and use an affordable online delivery model. The program’s financial model must be designed to make this degree program self-sustaining without state support.

(10) \$23,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for implementation of Senate Bill No. 5028 (Native American curriculum). If the bill is not enacted by June 30, 2018, the amount provided in this subsection shall lapse.

Sec. 1503. 2018 c 299 s 612 (uncodified) is amended to read as follows:

FOR THE STATE SCHOOL FOR THE BLIND

General Fund—State Appropriation (FY 2018)	\$6,977,000
General Fund—State Appropriation (FY 2019)	(\$7,569,000)
	<u>\$8,285,000</u>
General Fund—Private/Local Appropriation	\$34,000
Pension Funding Stabilization Account—State Appropriation	\$591,000
TOTAL APPROPRIATION	<u>\$15,171,000</u>
	<u>\$15,887,000</u>

The appropriations in this section are subject to the following conditions and limitations: Funding provided in this section is sufficient for the school to offer to students enrolled in grades nine through twelve for full-time instructional services at the Vancouver campus with the opportunity to participate in a minimum of one thousand eighty hours of instruction and the opportunity to earn twenty-four high school credits.

Sec. 1504. 2018 c 299 s 613 (uncodified) is amended to read as follows:

FOR THE WASHINGTON STATE CENTER FOR CHILDHOOD DEAFNESS AND HEARING LOSS

General Fund—State Appropriation (FY 2018)	\$10,293,000
General Fund—State Appropriation (FY 2019)	(\$11,564,000)
	<u>\$12,573,000</u>

Pension Funding Stabilization Account—State Appropriation	\$727,000
TOTAL APPROPRIATION	<u>\$22,584,000</u>
	<u>\$23,593,000</u>

The appropriations in this section are subject to the following conditions and limitations: Funding provided in this section is sufficient for the center to offer to students enrolled in grades nine through twelve for full-time instructional services at the Vancouver campus with the opportunity to participate in a minimum of one thousand eighty hours of instruction and the opportunity to earn twenty-four high school credits.

Sec. 1505. 2018 c 299 s 601 (uncodified) is amended to read as follows:

FOR THE STATE BOARD FOR COMMUNITY AND TECHNICAL COLLEGES

General Fund—State Appropriation (FY 2018)	\$629,169,000
General Fund—State Appropriation (FY 2019)	(\$637,311,000)
	<u>\$637,386,000</u>
Community/Technical College Capital Projects Account—State Appropriation	\$21,618,000
Education Legacy Trust Account—State Appropriation	\$134,501,000
Pension Funding Stabilization Account—State Appropriation	\$67,897,000
TOTAL APPROPRIATION	<u>\$1,490,496,000</u>
	<u>\$1,490,571,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$33,261,000 of the general fund—state appropriation for fiscal year 2018 and \$33,261,000 of the general fund—state appropriation for fiscal year 2019 are provided solely as special funds for training and related support services, including financial aid, as specified in RCW 28C.04.390. Funding is provided to support at least 7,170 full-time equivalent students in fiscal year 2018 and at least 7,170 full-time equivalent students in fiscal year 2019.

(2) \$5,450,000 of the education legacy trust account—state appropriation is provided solely for administration and customized training contracts through the job skills program. The state board shall make an annual report by January 1st of each year to the governor and to the appropriate policy and fiscal committees of the legislature regarding implementation of this section, listing the scope of grant awards, the distribution of funds by educational sector and region of the state, and the results of the partnerships supported by these funds.

(3) \$425,000 of the general fund—state appropriation for fiscal year 2018 and \$425,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for Seattle central college’s expansion of allied health programs.

(4) \$5,250,000 of the general fund—state appropriation for fiscal year 2018 and \$5,250,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the student achievement initiative.

(5) \$1,610,000 of the general fund—state appropriation for fiscal year 2018, and \$1,610,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the expansion of the mathematics, engineering, and science achievement program. The state board shall report back to the appropriate committees of the legislature on the number of campuses and students served by December 31, 2018.

(6) \$1,500,000 of the general fund—state appropriation for fiscal year 2018 and \$1,500,000 of the general fund—state

appropriation for fiscal year 2019 are provided solely for implementation of guided pathways or similar programs designed to improve student success, including, but not limited to, academic program redesign, student advising, and other student supports.

(7) \$1,500,000 of the general fund—state appropriation for fiscal year 2018 and \$1,500,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for operating a fabrication composite wing incumbent worker training program to be housed at the Washington aerospace training and research center.

(8) \$100,000 of the general fund—state appropriation for fiscal year 2018 and \$100,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the aerospace center of excellence currently hosted by Everett community college to:

(a) Increase statewide communications and outreach between industry sectors, industry organizations, businesses, K-12 schools, colleges, and universities;

(b) Enhance information technology to increase business and student accessibility and use of the center's web site; and

(c) Act as the information entry point for prospective students and job seekers regarding education, training, and employment in the industry.

(9) \$18,697,000 of the general fund—state appropriation for fiscal year 2018 and (~~(\$19,164,000)~~) \$19,239,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the implementation of the college affordability program as set forth in RCW 28B.15.066.

(10) Community and technical colleges are not required to send mass mailings of course catalogs to residents of their districts. Community and technical colleges shall consider lower cost alternatives, such as mailing postcards or brochures that direct individuals to online information and other ways of acquiring print catalogs.

(11) The state board for community and technical colleges shall not use funds appropriated in this section to support intercollegiate athletics programs.

(12) \$157,000 of the general fund—state appropriation for fiscal year 2018 and \$157,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the Wenatchee Valley college wildfire prevention program.

(13) \$100,000 of the general fund—state appropriation for fiscal year 2018 is provided solely for implementation of chapter 154, Laws of 2017 (SSB 5022) (education loan information).

(14) \$185,000 of the general fund—state appropriation for fiscal year 2018 and \$185,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for implementation of chapter 177, Laws of 2017 (SSB 5100) (financial literacy seminars).

(15) \$41,000 of the general fund—state appropriation for fiscal year 2018 and \$42,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for implementation of chapter 98, Laws of 2017 (E2SHB 1375) (cte course material costs).

(16) \$158,000 of the general fund—state appropriation for fiscal year 2018 and \$5,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for implementation of chapter 237, Laws of 2017 (ESHB 1115) (paraeducators).

(17) \$150,000 of the general fund—state appropriation for fiscal year 2018 and \$150,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for program delivery through Green River College to the Covington area and southeast King county in response to the education needs assessment conducted by the student achievement council in the 2015-2017 fiscal biennium.

(18) \$60,000 of the general fund—state appropriation for fiscal year 2018 and \$60,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for a youth development program operated by Everett community college in conjunction with a county chapter of a national civil rights organization.

(19) \$750,000 of the general fund—state appropriation for fiscal year 2018 and \$750,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for increased enrollments in the integrated basic education and skills training program. Funding will support approximately 120 additional full-time equivalent enrollments annually.

(20)(a) The state board must provide quality assurance reports on the ctcLink project at the frequency directed by the office of chief information officer for review and for posting on its information technology project dashboard.

(b) The state board must develop a technology budget using a method similar to the state capital budget, identifying project costs, funding sources, and anticipated deliverables through each stage of the investment and across fiscal periods and biennia from project initiation to implementation. The budget must be updated at the frequency directed by the office of chief information officer for review and for posting on its information technology project dashboard.

(c) The office of the chief information officer may suspend the ctcLink project at any time if the office of the chief information officer determines that the project is not meeting or is not expected to meet anticipated performance measures, implementation timelines, or budget estimates. Once suspension or termination occurs, the state board shall not make additional expenditures on the ctcLink project without approval of the chief information officer. The ctcLink project funded through the community and technical college innovation account created in RCW 28B.50.515 is subject to the conditions, limitations, and review provided in section 724 of this act.

(21) \$150,000 of the general fund—state appropriation for fiscal year 2018 and \$150,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the aerospace center of excellence hosted by Everett Community College to develop an unmanned aircraft system program in Sunnyside.

(22) \$216,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the opportunity center for employment and education at north Seattle college.

(23) \$381,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for implementation of Engrossed Second Substitute House Bill No. 2009 (gold star families/higher education). If the bill is not enacted by June 30, 2018, the amount provided in this subsection shall lapse.

(24) \$500,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for Highline college to implement the Federal Way higher education initiative in partnership with the city of Federal Way and the University of Washington Tacoma campus.

(25)(a) \$150,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the board to contract with an independent professional consulting service to:

(i) Collect academic, classified, and professional employee total compensation data, source of funding, and the duties or categories for which that compensation is paid;

(ii) Identify comparable market rate salaries;

(iii) Incorporate, as appropriate, data from the office of financial management from the compensation studies conducted pursuant to the 2017-2019 memorandum of understanding between the state of Washington community college coalition and the Washington federation of state employees re: regional compensation issues; and

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(iv) Provide analysis regarding whether a local labor market adjustment formula should be implemented, and if so which market adjustment factors and methods should be used.

(b) The board must collect, and college districts must provide, the compensation, recruitment, and retention data necessary to accomplish the work required in this subsection.

(c) The consultant shall provide an interim report to the board by August 15, 2018. The consultant shall provide the final data and analysis to the board by October 1, 2018.

(26) \$87,000 of the general fund—state appropriation for fiscal year 2018 and \$350,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for Peninsula college to expand the annual cohorts of the specified programs as follows:

- (a) Medical assisting, from 20 to 40 students;
- (b) Nursing assistant, from 40 to 60 students; and
- (c) Registered nursing, from 24 to 32 students.

(27) \$338,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the Washington state labor education and research center at South Seattle College.

(28) \$150,000 of the general fund—state appropriation for fiscal year 2018 and \$150,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the state board to continue the feasibility study for a potential new community and technical college in the Graham, Washington area that was first authorized by section 605, chapter 4, Laws of 2015 3rd sp. sess. The feasibility study shall be accomplished by continuing to expand enrollment and classes at the Graham-Kapowsin high school and gathering data, such as enrollment numbers, future class interest, and student profile data, from students who participate. The feasibility study shall specifically address the intent of pursuing the establishment of a community college in the Graham, Washington area and the state board of community and technical colleges shall report to the legislature the findings of the feasibility study by June 30, 2019.

(29) \$42,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for implementation of Senate Bill No. 5028 (Native American curriculum). If the bill is not enacted by June 30, 2018, the amount provided in this subsection shall lapse.

(30) \$300,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for Cascadia community college to convene a task force with the University of Washington-Bothell and the representatives from the Canyon Park biomedical industry cluster to (a) identify workforce development needs of the area’s biomedical cluster and (b) engage in the city of Bothell’s master planning process to ensure that the retention and expansion of this industry cluster and its workforce are adequately represented in the process.

(31) \$50,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the state board to identify at least two high school equivalency tests that are at least as rigorous as the 2013 general educational test in that sixty percent of high school seniors can pass the test. At least one of the two test options must not require computer proficiency and at least one of the test options must be low cost to the student. At least one of the test options must be fairly normed to the actual academic ability of current high school seniors such that at least sixty percent of high school seniors can pass the high school equivalency test. The state board must identify at least one test option that is appropriate for students who have been in the workforce, need a high school diploma for employment reasons, have been incarcerated, or were in the military. The state board must communicate the availability of the two test options to public and private test administrators. The state board must report to the legislature and the public the number of students who have

received a high school equivalency certificate during the prior month of each year by posting this information on a public page on its web site. The board must also post on a public page on its web site a norming study for every high school equivalency test confirming that the test is within the actual academic ability of recent high school seniors. The norming study must be similar in scope and methods to the norming studies of the 2002 and 2007 GED tests.

Sec. 1506. 2018 c 299 s 602 (uncodified) is amended to read as follows:

FOR THE UNIVERSITY OF WASHINGTON

General Fund—State	Appropriation	(FY 2018)	
			\$310,920,000
General Fund—State	Appropriation	(FY 2019)	
			(\$325,781,000)
			<u>\$325,936,000</u>
Aquatic Lands Enhancement Account—State	Appropriation		\$1,350,000
UW Building Account—State	Appropriation		\$1,052,000
Education Legacy Trust Account—State	Appropriation		\$33,051,000
Economic Development Strategic Reserve Account—State	Appropriation		\$3,034,000
Pension Funding Stabilization Account—State	Appropriation		\$51,068,000
Biotoxin Account—State	Appropriation		\$596,000
Dedicated Marijuana Account—State	Appropriation	(FY 2018)	\$247,000
Dedicated Marijuana Account—State	Appropriation	(FY 2019)	\$247,000
Accident Account—State	Appropriation		\$7,425,000
Medical Aid Account—State	Appropriation		\$7,032,000
Geoduck Aquaculture Research Account—State	Appropriation		\$200,000
	TOTAL APPROPRIATION		<u>\$742,003,000</u>
			<u>\$742,158,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$52,000 of the general fund—state appropriation for fiscal year 2018 and \$52,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the center for international trade in forest products in the college of forest resources.

(2) \$38,807,000 of the general fund—state appropriation for fiscal year 2018 and ~~(\$39,777,000)~~ \$39,932,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the implementation of the college affordability program as set forth in RCW 28B.15.066.

(3) \$200,000 of the general fund—state appropriation for fiscal year 2018 and \$200,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for labor archives of Washington. The university shall work in collaboration with the state board for community and technical colleges.

(4) \$8,000,000 of the education legacy trust account—state appropriation is provided solely for the family medicine residency network at the university to expand the number of residency slots available in Washington.

(5) The university must continue work with the education research and data center to demonstrate progress in computer science and engineering enrollments. By September 1st of each year, the university shall provide a report including but not limited to the cost per student, student completion rates, and the number of low-income students enrolled in each program, any process changes or best-practices implemented by the university,

and how many students are enrolled in computer science and engineering programs above the prior academic year.

(6) \$1,350,000 of the aquatic lands enhancement account—state is provided solely for ocean acidification monitoring, forecasting, and research and for operation of the Washington ocean acidification center. By September 1, 2017, the center must provide a biennial work plan and begin quarterly progress reports to the Washington marine resources advisory council created under RCW 43.06.338.

(7) \$11,000,000 of the education legacy trust account—state appropriation is provided solely for the expansion of degrees in the department of computer science and engineering at the Seattle campus.

(8) \$1,000,000 of the general fund—state appropriation for fiscal year 2018 and \$1,000,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the university to increase resident undergraduate enrollments in science, technology, engineering, and math majors. The university is expected to increase full-time equivalent enrollment by approximately 60 additional students.

(9) \$3,000,000 of the economic development strategic reserve account appropriation is provided solely to support the joint center for aerospace innovation technology.

(10) The University of Washington shall not use funds appropriated in this section to support intercollegiate athletics programs.

(11) \$250,000 of the general fund—state appropriation for fiscal year 2018 and \$250,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the Latino health center.

(12) \$200,000 of the general fund—state appropriation for fiscal year 2018 and \$200,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the climate impacts group in the college of the environment.

(13) \$8,400,000 of the general fund—state appropriation for fiscal year 2018 and \$7,400,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the continued operations and expansion of the Washington, Wyoming, Alaska, Montana, Idaho medical school program.

(14) \$500,000 of the general fund—state appropriation for fiscal year 2018 and \$2,700,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the university to host the Special Olympics USA Games in July 2018.

(15) \$5,000 of the general fund—state appropriation for fiscal year 2018 and \$80,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for implementation of chapter 262, Laws of 2017 (E2SHB 1612) (lethal means, reduce access).

(16) \$400,000 of the general fund—state appropriation for fiscal year 2018 and \$400,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for a contract with the center for sensorimotor neural engineering to advance research on spinal cord injuries.

(17) \$2,250,000 of the general fund—state appropriation for fiscal year 2018 and \$2,250,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the institute for stem cell and regenerative medicine. Funds appropriated in this subsection must be dedicated to research utilizing pluripotent stem cells and related research methods.

(18) \$500,000 of the general fund—state appropriation for fiscal year 2018 and \$500,000 of the general fund—state appropriation for fiscal year 2019 are provided to the University of Washington to support youth and young adults experiencing homelessness in the university district of Seattle. Funding is provided for the university to work with community service providers and university colleges and departments to plan for and

implement a comprehensive one-stop center with navigation services for homeless youth; the university may contract with the department of commerce to expand services that serve homeless youth in the university district.

(19) \$125,000 of the general fund—state appropriation for fiscal year 2018 and \$125,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the University of Washington school of public health to study the air quality implications of air traffic at the international airport in the state that has the highest total annual number of arrivals and departures. The study must include an assessment of the concentrations of ultrafine particulate matter in areas surrounding and directly impacted by air traffic generated by the airport, including areas within ten miles of the airport in the directions of aircraft flight paths and within ten miles of the airport where public agencies operate an existing air monitoring station. The study must attempt to distinguish between aircraft and other sources of ultrafine particulate matter, and must compare concentrations of ultrafine particulate matter in areas impacted by high volumes of air traffic with concentrations of ultrafine particulate matter in areas that are not impacted by high volumes of air traffic. The university must coordinate with local governments in areas addressed by the study to share results and inclusively solicit feedback from community members. By December 1, 2019, the university must report study findings, including any gaps and uncertainties in health information associated with ultrafine particulate matter, and recommend to the legislature whether sufficient information is available to proceed with a second phase of the study.

(20) The appropriations in this section include sufficient funding for the implementation of chapter 154, Laws of 2017 (SSB 5022) (education loan information).

(21) The appropriations in this section include sufficient funding for the implementation of chapter 177, Laws of 2017 (SSB 5100) (financial literacy seminars).

(22) Within the funds appropriated in this section, the University of Washington shall:

(a) Review the scholarly literature on the short-term and long-term effects of marijuana use to assess if other states or private entities are conducting marijuana research in areas that may be useful to the state.

(b) Provide as part of its budget request for the 2019-2021 biennium:

(i) A list of intended state, federal, and privately funded marijuana research, including cost, duration, and scope; and

(ii) Plans for partnerships with other universities, state agencies, or private entities, including entities outside the state, for purposes related to researching short-term and long-term effects of marijuana use.

(23) General fund—state appropriations in this section are reduced to reflect a reduction in state-supported tuition waivers for graduate students. When reducing tuition waivers, the university will not change its practices and procedures for providing eligible veterans with tuition waivers.

(24) \$45,000 of the general fund—state appropriation for fiscal year 2018 is provided solely for the university to conduct research and analysis of military officers who are attending or have completed the command and general staff college, intermediate level education, or advanced operations course as part of their military education. The purpose of the research and analysis is to examine possible graduate level degree programs to be offered in partnership with the university and the U.S. army's command and general staff college. The research and analysis shall include stakeholder meetings with the U.S. army's command and general staff college. The university shall submit a report to the appropriate legislative higher education committees and the joint

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committee on veterans and military affairs by December 31, 2018. The report shall include the results of the research and analysis and plans for possible next steps with other service schools for field grade officers.

(25)(a) \$140,000 of the general fund—state appropriation for fiscal year 2018 is provided solely for the University of Washington school of law to convene a study on the Washington state supreme court decision *Volk v. DeMeerleer*, 386 P.3d 254 (Wash. 2016), and whether or not it substantially changed the law on the duty of care for mental health providers and whether it has had an impact on access to mental health care services in the state. The study shall include:

(i) Comprehensive review of duty to warn and duty to protect case law and laws in the United States, including a description of how Washington state's law compares to other states and to what extent, if any, the *Volk* decision changed the law in this state;

(ii) Comprehensive review and assessment of the involuntary and voluntary treatment capacity available in the state, including information and data available from the select committee on quality improvement in state hospitals, related contractors, and other sources;

(iii) An analysis of lawsuits brought in the state as a result of the *Volk* decision, including the outcome of any such cases and any harm alleged in each lawsuit;

(iv) An analysis of lawsuits brought in the state prior to the issuance of the *Volk* decision, and since the issuance of the decision in *Petersen v. State*, against outpatient mental health providers alleged to have breached either the duty to warn or the duty to take reasonable precautions established in *Petersen*, including the outcome of any such cases and the harm alleged in each lawsuit;

(v) An analysis of insurance claims filed as a result of the *Volk* decision, including the outcome of any such cases and any harm alleged in each claim filed;

(vi) Whether insurance policy provisions and rates have been affected due to the *Volk* decision;

(vii) Assessment of the number of mental health service providers available to provide treatment to voluntary mental health patients in the state, whether that capacity has changed, and whether any such change is a result of the *Volk* decision, and a description of any changes as a result of the *Volk* decision;

(viii) Assessment of whether mental health service providers may be changing practice to limit exposure to the potential risks created by the *Volk* decision;

(ix) Assessment of legal and practice implications state legal standards regarding duty to warn and duty to protect in the voluntary and involuntary treatment context; and

(x) Comprehensive review of practices where the practice has been consistently shown to have achieved the results it seeks to achieve and that those results are superior to those achieved by other means.

(b) When performing the study under this subsection, the University of Washington school of law shall consult with subject-matter experts including, but not limited to, individuals representing the following organizations:

(i) Attorneys with experience representing defendants in personal injury cases or wrongful death cases related to the issues raised by duty to warn cases;

(ii) Washington state association for justice, representing attorneys with experience representing plaintiffs in personal injury cases or wrongful death cases related to the issues raised by duty to warn cases;

(iii) Department of social and health services;

(iv) Washington academy of family physicians;

(v) Washington association for mental health treatment protection;

(vi) Office of the insurance commissioner;

(vii) Washington council for behavioral health;

(viii) Washington state hospital association;

(ix) Washington state medical association;

(x) Washington state psychiatric association;

(xi) Washington state psychological association;

(xii) Washington state society for clinical social work;

(xiii) Washington association of police chiefs and sheriffs;

(xiv) Victim support services;

(xv) NW health law advocates;

(xvi) National alliance on mental illness;

(xvii) American civil liberties union; and

(xviii) A sample of families who testified or presented evidence of their cases to the legislature.

(c) The University of Washington school of law shall consult each listed organization separately. Following collection and analysis of relevant data, they shall hold at least one meeting of all listed organizations to discuss the data, analysis, and recommendations. The University of Washington school of law must submit the final report to the appropriate committees of the legislature by December 1, 2017.

(26) \$85,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for implementation of Engrossed Second Substitute House Bill No. 2009 (gold star families/higher education). If the bill is not enacted by June 30, 2018, the amount provided in this subsection shall lapse.

(27) To ensure transparency and accountability, in the 2017-2019 fiscal biennium the University of Washington shall comply with any and all financial and accountability audits by the Washington state auditor including any and all audits of university services offered to the general public, including those offered through any public-private partnership, business venture, affiliation, or joint venture with a public or private entity, except the government of the United States. The university shall comply with all state auditor requests for the university's financial and business information including the university's governance and financial participation in these public-private partnerships, business ventures, affiliations, or joint ventures with a public or private entity. In any instance in which the university declines to produce the information to the state auditor, the university will provide the state auditor a brief summary of the documents withheld and a citation of the legal or contractual provision that prevents disclosure. The summaries must be compiled into a report by the state auditor and provided on a quarterly basis to the legislature.

(28) \$77,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the University of Washington school of environmental and forest sciences to pilot a program to advise and facilitate the activities of the Olympic peninsula forest collaborative.

(29)(a) \$172,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for a University of Washington study in the south Cascades to determine current wolf use and density, and to gather baseline data to understand the effects of wolf recolonization on predator-prey dynamics of species that currently have established populations in the area. The study objectives shall include:

(i) Determination of whether wolves have started to recolonize a 5,000 square kilometer study area in the south Cascades of Washington, and if so, an assessment of their distribution over the landscape as well as their health and pregnancy rates;

(ii) Baseline data collection, if wolves have not yet established pack territories in this portion of the state, that will allow for the

assessment of how the functional densities and diets of wolves across the landscape will affect the densities and diets in the following predators and prey: Coyote, cougar, black bear, bobcat, red fox, wolverine, elk, white tailed deer, mule deer, moose, caribou, and snowshoe hare;

(iii) Examination of whether the microbiome of each species changes as wolves start to occupy suitable habitat; and

(iv) An assessment of the use of alternative wildlife monitoring tools to cost-effectively monitor size of the wolf population over the long-term.

(b) A report on the findings of the study shall be shared with the Washington department of fish and wildlife.

(30) \$1,000,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the University of Washington's psychiatry integrated care training program.

(31) \$200,000 of the geoduck aquaculture research account—state appropriation is provided solely for the Washington sea grant program at the University of Washington to complete a three-year study to identify best management practices related to shellfish production. The University of Washington must submit an annual report detailing any findings and outline the progress of the study, consistent with RCW 43.01.036, to the office of the governor and the appropriate legislative committees by December 1st of each year.

(32) \$3,000,000 of the general fund—state appropriation for fiscal year 2018 and \$6,000,000 of the general fund—state appropriation for fiscal year 2019 are provided on a one-time basis solely for compensation and central services costs. The funding provided shall temporarily replace a portion of tuition expenditures on central services and salaries and benefits for union-represented and nonrepresented employees. The additional funding provided in this section will permit the university to fund the incremental cost of compensation costs for all general fund—state and tuition-supported employees in equal amounts from general fund—state and tuition for the remainder of the 2017-2019 fiscal biennium.

(33) \$200,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the pre-law pipeline and social justice program at the University of Washington Tacoma.

(34) \$135,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for Washington MESA to continue the First Nations MESA program in the Yakima Valley.

(35) \$150,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for implementation of Substitute Senate Bill No. 6514 (higher education behavioral health). If the bill is not enacted by June 30, 2018, the amount provided in this subsection shall lapse.

(36) \$10,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for implementation of Engrossed House Bill No. 2957 (nonnative finfish escape). If the bill is not enacted by June 30, 2018, the amount provided in this subsection shall lapse.

(37) \$81,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for implementation of Senate Bill No. 5028 (Native American curriculum). If the bill is not enacted by June 30, 2018, the amount provided in this subsection shall lapse.

Sec. 1507. 2018 c 299 s 604 (uncodified) is amended to read as follows:

FOR EASTERN WASHINGTON UNIVERSITY

General Fund—State Appropriation (FY 2018)	\$50,213,000
General Fund—State Appropriation (FY 2019)	(\$52,015,000)
	<u>\$2,055,000</u>

Education Legacy Trust Account—State	Appropriation	\$16,598,000
TOTAL APPROPRIATION		<u>\$118,826,000</u>
		<u>\$118,866,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) At least \$200,000 of the general fund—state appropriation for fiscal year 2018 and at least \$200,000 of the general fund—state appropriation for fiscal year 2019 must be expended on the Northwest autism center.

(2) The university must continue work with the education research and data center to demonstrate progress in computer science and engineering enrollments. By September 1st of each year, the university shall provide a report including but not limited to the cost per student, student completion rates, and the number of low-income students enrolled in each program, any process changes or best-practices implemented by the university, and how many students are enrolled in computer science and engineering programs above the prior academic year.

(3) Eastern Washington University shall not use funds appropriated in this section to support intercollegiate athletics programs.

(4) \$9,909,000 of the general fund—state appropriation for fiscal year 2018 and ~~(\$10,156,000)~~ \$10,196,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the implementation of the college affordability program as set forth in RCW 28B.15.066.

(5) The appropriations in this section include sufficient funding for the implementation of chapter 154, Laws of 2017 (SSB 5022) (education loan information).

(6) The appropriations in this section include sufficient funding for the implementation of chapter 177, Laws of 2017 (SSB 5100) (financial literacy seminars).

(7) Within amounts appropriated in this section, the university is encouraged to increase the number of tenure-track positions created and hired.

(8) \$55,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for implementation of Engrossed Second Substitute House Bill No. 2009 (gold star families/higher education). If the bill is not enacted by June 30, 2018, the amount provided in this subsection shall lapse.

(9) \$20,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for implementation of Senate Bill No. 5028 (Native American curriculum). If the bill is not enacted by June 30, 2018, the amount provided in this subsection shall lapse.

Sec. 1508. 2018 c 299 s 606 (uncodified) is amended to read as follows:

FOR THE EVERGREEN STATE COLLEGE

General Fund—State Appropriation (FY 2018)	\$26,608,000	
General Fund—State Appropriation (FY 2019)	(\$28,126,000)	
	<u>\$28,140,000</u>	
TESC Capital Projects Account—State	Appropriation	\$80,000
Education Legacy Trust Account—State	Appropriation	\$5,450,000
Pension Funding Stabilization Account—State	Appropriation	\$2,000
TOTAL APPROPRIATION		<u>\$60,266,000</u>
		<u>\$60,280,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$3,397,000 of the general fund—state appropriation for fiscal year 2018 and ~~(\$3,482,000)~~ \$3,496,000 of the general

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fund—state appropriation for fiscal year 2019 are provided solely for the implementation of the college affordability program as set forth in RCW 28B.15.066.

(2) Funding provided in this section is sufficient for The Evergreen State College to continue operations of the Longhouse Center and the Northwest Indian applied research institute.

(3) Notwithstanding other provisions in this section, the board of directors for the Washington state institute for public policy may adjust due dates for projects included on the institute's 2017-19 work plan as necessary to efficiently manage workload.

(4) The Evergreen State College shall not use funds appropriated in this section to support intercollegiate athletics programs.

(5) \$33,000 of the general fund—state appropriation for fiscal year 2018 and \$95,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for implementation of chapter 265, Laws of 2017 (SHB 1867) (ext. foster care transitions).

(6) \$62,000 of the general fund—state appropriation for fiscal year 2018 are provided solely for implementation of chapter 237, Laws of 2017 (ESHB 1115) (paraeducators).

(7) \$17,000 of the general fund—state appropriation for fiscal year 2018 and \$41,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the Washington institute for public policy to conduct a study regarding the implementation of certain aspects of the involuntary treatment act, pursuant to chapter 29, Laws of 2016, sp. sess. (E3SHB 1713).

(8) The appropriations in this section include sufficient funding for the implementation of chapter 154, Laws of 2017 (SSB 5022) (education loan information).

(9) The appropriations in this section include sufficient funding for the implementation of chapter 177, Laws of 2017 (SSB 5100) (financial literacy seminars).

(10) \$72,000 of the general fund—state appropriation for fiscal year 2018 and \$43,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the Washington institute for public policy to update its previous meta-analysis on the effect of the national board for professional teaching standards certification on student outcomes by December 15, 2018. The institute shall also report on the following:

(a) Does the certification improve teacher retention in Washington state?;

(b) Has the additional bonus provided under RCW 28A.405.415 to certificated instructional staff who have attained national board certification to work in high poverty schools acted as an incentive for such teachers to actually work in high poverty schools?; and

(c) Have other states provided similar incentives to achieve a more equitable distribution of staff with national board certification?

(11) \$122,000 of the general fund—state appropriation for fiscal year 2018 and \$141,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the implementation of chapter 244, Laws of 2015 (college bound).

(12) \$1,000 of the general fund—state appropriation for fiscal year 2018 and \$7,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the implementation of chapter 7, Laws of 2015, 3rd sp.s. (early start act).

(13) Within amounts appropriated in this section, the college is encouraged to increase the number of tenure-track positions created and hired.

(14) \$16,000 of the general fund—state appropriation for fiscal year 2018 and \$50,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for implementation of

Engrossed Substitute Senate Bill No. 5890 (foster care and adoption). If the bill is not enacted by July 31, 2017, the amounts provided in this subsection shall lapse.

(15) \$100,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the Washington state institute for public policy to conduct a study of single payer and universal coverage health care systems. The institute may seek support from the office of the state actuary. The institute shall provide a report to the appropriate committees of the legislature by December 1, 2018. The study shall:

(a) Summarize the parameters used to define universal coverage, single payer, and other innovative systems;

(b) Compare the characteristics of up to ten universal or single payer models available in the United States or elsewhere; and

(c) Summarize any available research literature that examines the effect of models detailed in (b) of this subsection on outcomes such as overall cost, quality of care, health outcomes, or the uninsured rate. If possible, the institute shall conduct meta-analyses to address this subsection.

(16) \$56,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for data storage and security upgrades at the Washington state institute for public policy.

(17) \$27,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for implementation of Engrossed Second Substitute House Bill No. 2009 (gold star families/higher education). If the bill is not enacted by June 30, 2018, the amount provided in this subsection shall lapse.

(18) \$150,000 of the general fund—state appropriation for fiscal year 2019 is provided to the Washington state institute for public policy solely for additional research related to marijuana. In addition to those activities performed pursuant to Initiative Measure No. 502, the institute must:

(a) Update the inventory of programs for the prevention and treatment of youth cannabis use published in December 2016; and

(b) Examine current data collection methods measuring use of cannabis by youth and report to the legislature on potential ways to improve data collection and comparisons; and

(c) To the extent information is available, identify effective methods used to reduce or eliminate the unlicensed cultivation or distribution of marijuana or marijuana containing products in jurisdictions with existing recreational and/or medical marijuana markets.

(19) \$37,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for implementation of Engrossed Second Substitute House Bill No. 1561 (open educational resources). If the bill is not enacted by June 30, 2018, the amount provided in this subsection shall lapse.

(20) \$111,000 of the general fund—state appropriation for fiscal year 2018 and \$20,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for implementation of chapter 205, Laws of 2016 (2SHB 2449) (truancy reduction).

(21)(a) \$100,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the Washington state institute for public policy shall conduct a statewide study on the needs of dually involved females. To the extent possible, the study must review available data for the following purposes:

(i) Understanding the prevalence and demographics of the dually involved female population and their families;

(ii) Tracking outcomes for this population including, but not limited to, academic, social, and vocational achievement; and

(iii) Surveying other states' systems that address and treat the needs of this population.

(b) To the extent possible, the data should be disaggregated by race and ethnicity, gender, sexual orientation and gender identity, county of residence, and other relevant variables.

(c) The study should include a cost-benefit analysis of programs for dually involved females that would show evidence of avoidance of costs associated with public welfare programs or would demonstrate higher educational attainment.

(d) By July 1, 2019, the Washington state institute for public policy shall submit its study findings to the legislative fiscal and policy committees with responsibility for child welfare and juvenile justice issues.

(22) \$57,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the Washington institute for public policy to conduct a review of the available research literature on step therapy protocol usage, including any rigorous evidence concerning positive or negative health outcomes resulting from step therapy protocol usage. The institute must also review any rigorous evidence regarding the effectiveness of exceptions to the use of step therapy in improving health outcomes and reducing adverse events, and provide a summary of step therapy protocol exceptions that have been codified in other states. The institute must submit a report on its findings to the appropriate committees of the senate and house of representatives by December 1, 2018.

(23) ~~((+))~~ \$25,000 of the general fund—state appropriation for fiscal year 2018 and \$55,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the Washington state institute of public policy to review the higher education funding models in ten states with higher education systems that are similar to Washington state, and report to the legislature by November 1, 2018. The review must include a breakdown of:

~~((+))~~ (a) The method used to determine state funding levels for institutions of higher education;

~~((+))~~ (b) The proportion of state funding that comes from the state general fund or that state’s equivalent accounts for salary and benefit increases at institutions of higher education;

~~((+))~~ (c) The manner in which salary and benefit increases are determined at or on behalf of employees at institutions of higher education;

~~((+))~~ (d) The total proportion of state funding that comes from the state general fund or that state’s equivalent accounts for institutions of higher education.

(24) \$124,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 6029 (student loan bill of rights). If the bill is not enacted by June 30, 2018, the amounts provided in this subsection shall lapse.

Sec. 1509. 2018 c 299 s 607 (uncodified) is amended to read as follows:

FOR WESTERN WASHINGTON UNIVERSITY	
General Fund—State Appropriation (FY 2018)	\$70,475,000
General Fund—State Appropriation (FY 2019)	(\$74,825,000)
	<u>\$74,887,000</u>
Education Legacy Trust Account—State Appropriation	\$13,831,000
Western Washington University Capital Projects Account—State Appropriation (FY 2018)	\$771,000
Western Washington University Capital Projects Account—State Appropriation (FY 2019)	\$712,000
TOTAL APPROPRIATION	<u>\$160,614,000</u>
	<u>\$160,676,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) The university must continue work with the education research and data center to demonstrate progress in computer science and engineering enrollments. By September 1st of each year, the university shall provide a report including but not limited to the cost per student, student completion rates, and the number of low-income students enrolled in each program, any process changes or best-practices implemented by the university, and how many students are enrolled in computer science and engineering programs above the prior academic year.

(2) \$630,000 of the general fund—state appropriation for fiscal year 2018 and \$630,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the computer and information systems security program located at Olympic college - Poulsbo. The university is expected to enroll 30 students each academic year beginning in fiscal year 2017. The university must identify these students separately when providing data to the educational data centers as required in (1) of this section.

(3) Western Washington University shall not use funds appropriated in this section to support intercollegiate athletics programs.

(4) \$15,416,000 of the general fund—state appropriation for fiscal year 2018 and ~~(\$15,801,000)~~ \$15,863,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the implementation of the college affordability program as set forth in RCW 28B.15.066.

(5) The appropriations in this section include sufficient funding for the implementation of chapter 154, Laws of 2017 (SSB 5022) (education loan information).

(6) The appropriations in this section include sufficient funding for the implementation of chapter 177, Laws of 2017 (SSB 5100) (financial literacy seminars).

(7) \$500,000 of the general fund—state appropriation for fiscal year 2018 and \$500,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for programs or initiatives designed to improve student academic success and increase degree completion.

(8) Within amounts appropriated in this section, the university is encouraged to increase the number of tenure-track positions created and hired.

(9) \$39,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for implementation of Engrossed Second Substitute House Bill No. 2009 (gold star families/higher education). If the bill is not enacted by June 30, 2018, the amount provided in this subsection shall lapse.

(10) \$700,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for the creation and implementation of an early childhood education degree program at the western on the peninsulas campus. The university must collaborate with Olympic college. At full implementation, the university is expected to grant approximately 75 bachelor’s degrees in early childhood education per year at the western on the peninsulas campus.

(11) \$70,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for a study of the feasibility of the university creating a four-year degree-granting campus on the Kitsap or Olympic peninsula. The university shall submit a report on the findings of the study to the governor and appropriate committees of the legislature by December 2018.

(12) \$24,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for implementation of Senate Bill No. 5028 (Native American curriculum). If the bill is not enacted by June 30, 2018, the amount provided in this subsection shall lapse.

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(13) \$1,306,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for Western Washington University to develop a new program in marine, coastal, and watershed sciences.

Sec. 1510. 2018 c 299 s 609 (uncodified) is amended to read as follows:

**FOR THE STUDENT ACHIEVEMENT COUNCIL—
OFFICE OF STUDENT FINANCIAL ASSISTANCE**

General Fund—State Appropriation (FY 2018)	\$238,388,000
General Fund—State Appropriation (FY 2019)	\$262,875,000
General Fund—Federal Appropriation	\$11,903,000
General Fund—Private/Local Appropriation	\$300,000
Education Legacy Trust Account—State Appropriation	\$104,291,000
WA Opportunity Pathways Account—State Appropriation	((\$122,350,000)) <u>\$119,892,000</u>
Aerospace Training Student Loan Account—State Appropriation	\$208,000
Health Professionals Loan Repayment and Scholarship Program Account—State Appropriation	\$4,720,000
Pension Funding Stabilization Account—State Appropriation	\$18,000
TOTAL APPROPRIATION	\$745,053,000 <u>\$742,595,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$229,157,000 of the general fund—state appropriation for fiscal year 2018, \$252,428,000 of the general fund—state appropriation for fiscal year 2019, \$69,376,000 of the education legacy trust account—state appropriation, and \$88,000,000 of the Washington opportunity pathways account—state appropriation are provided solely for student financial aid payments under the state need grant and state work study programs, including up to four percent administrative allowance for the state work study program.

(2)(a) For the 2017-2019 fiscal biennium, state need grant awards given to private for-profit institutions shall be the same amount as the prior year.

(b) For the 2017-2019 fiscal biennium, grant awards given to private four-year not-for-profit institutions shall be set at the same level as the average grant award for public research universities. Increases in awards given to private four-year not-for-profit institutions shall align with annual tuition increases for public research institutions.

(3) Changes made to the state work study program in the 2009-2011 and 2011-2013 fiscal biennia are continued in the 2017-2019 fiscal biennium including maintaining the increased required employer share of wages; adjusted employer match rates; discontinuation of nonresident student eligibility for the program; and revising distribution methods to institutions by taking into consideration other factors such as off-campus job development, historical utilization trends, and student need.

(4) Within the funds appropriated in this section, eligibility for the state need grant includes students with family incomes at or below 70 percent of the state median family income (MFI), adjusted for family size, and shall include students enrolled in three to five credit-bearing quarter credits, or the equivalent semester credits. Awards for students with incomes between 51 and 70 percent of the state median shall be prorated at the following percentages of the award amount granted to those with incomes below 51 percent of the MFI: 70 percent for students

with family incomes between 51 and 55 percent MFI; 65 percent for students with family incomes between 56 and 60 percent MFI; 60 percent for students with family incomes between 61 and 65 percent MFI; and 50 percent for students with family incomes between 66 and 70 percent MFI.

(5) Of the amounts provided in subsection (1) of this section, \$100,000 of the general fund—state appropriation for fiscal year 2018 and \$100,000 of the general fund—state appropriation for fiscal year 2019 are provided for the council to process an alternative financial aid application system pursuant to RCW 28B.92.010.

(6) Students who are eligible for the college bound scholarship shall be given priority for the state need grant program. These eligible college bound students whose family incomes are in the 0-65 percent median family income ranges must be awarded the maximum state need grant for which they are eligible under state policies and may not be denied maximum state need grant funding due to institutional policies or delayed awarding of college bound scholarship students. The council shall provide directions to institutions to maximize the number of college bound scholarship students receiving the maximum state need grant for which they are eligible with a goal of 100 percent coordination. Institutions shall identify all college bound scholarship students to receive state need grant priority. If an institution is unable to identify all college bound scholarship students at the time of initial state aid packaging, the institution should reserve state need grant funding sufficient to cover the projected enrollments of college bound scholarship students.

(7) \$15,849,000 of the education legacy trust account—state appropriation and (~~(\$34,350,000)~~) \$31,892,000 of the Washington opportunity pathways account—state appropriation are provided solely for the college bound scholarship program and may support scholarships for summer session. The office of student financial assistance and the institutions of higher education shall consider awards made by the opportunity scholarship program to be state-funded for the purpose of determining the value of an award amount under RCW 28B.118.010.

(8) \$2,236,000 of the general fund—state appropriation for fiscal year 2018 and \$2,795,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the passport to college program. The maximum scholarship award is up to \$5,000. The council shall contract with a nonprofit organization to provide support services to increase student completion in their postsecondary program and shall, under this contract, provide a minimum of \$500,000 in fiscal years 2018 and 2019 for this purpose. Of the amounts in this subsection, \$559,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for implementation of Second Substitute Senate Bill No. 6274 (apprenticeships/foster). If the bill is not enacted by June 30, 2018, this portion of the amount provided in this subsection shall lapse.

(9) \$19,066,000 of the education legacy trust account—state appropriation is provided solely to meet state match requirements associated with the opportunity scholarship program. The legislature will evaluate subsequent appropriations to the opportunity scholarship program based on the extent that additional private contributions are made, program spending patterns, and fund balance.

(10) \$2,325,000 of the general fund—state appropriation for fiscal year 2018 and \$2,325,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for expenditure into the health professionals loan repayment and scholarship program account. These amounts and \$4,720,000 appropriated from the health professionals loan repayment and

scholarship program account must be used to increase the number of licensed primary care health professionals to serve in licensed primary care health professional critical shortage areas. Contracts between the office and program recipients must guarantee at least three years of conditional loan repayments. The office of student financial assistance and the department of health shall prioritize a portion of any nonfederal balances in the health professional loan repayment and scholarship fund for conditional loan repayment contracts with psychiatrists and with advanced registered nurse practitioners for work at one of the state-operated psychiatric hospitals. The office and department shall designate the state hospitals as health professional shortage areas if necessary for this purpose. The office shall coordinate with the department of social and health services to effectively incorporate three conditional loan repayments into the department's advanced psychiatric professional recruitment and retention strategies. The office may use these targeted amounts for other program participants should there be any remaining amounts after eligible psychiatrists and advanced registered nurse practitioners have been served. The office shall also work to prioritize loan repayments to professionals working at health care delivery sites that demonstrate a commitment to serving uninsured clients. It is the intent of the legislature to provide funding to maintain the current number and amount of awards for the program in the 2019-2021 biennium on the basis of these contractual obligations.

(11) \$42,000 of the general fund—state appropriation for fiscal year 2018 and \$42,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for the council to design and implement a program that provides customized information to high-achieving (as determined by local school districts), low-income, high school students. "Low-income" means students who are from low-income families as defined by the education data center in RCW 43.41.400. For the purposes of designing, developing, and implementing the program, the council shall partner with a national entity that offers aptitude tests and shall consult with institutions of higher education with a physical location in Washington. The council shall implement the program no later than fall 2016, giving consideration to spring mailings in order to capture early action decisions offered by institutions of higher education and nonprofit baccalaureate degree-granting institutions. The information packet for students must include at a minimum:

- (a) Materials that help students to choose colleges;
- (b) An application guidance booklet;
- (c) Application fee waivers, if available, for four-year institutions of higher education and independent nonprofit baccalaureate degree-granting institutions in the state that enable students receiving a packet to apply without paying application fees;
- (d) Information on college affordability and financial aid that includes information on the net cost of attendance for each four-year institution of higher education and each nonprofit baccalaureate degree-granting institution, and information on merit and need-based aid from federal, state, and institutional sources; and
- (e) A personally addressed cover letter signed by the governor and the president of each four-year institution of higher education and nonprofit baccalaureate degree-granting institution in the state.

(12) \$500,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for implementation of House Bill No. 1452 (opportunity scholarship program). If the bill is not enacted by June 30, 2018, the amount provided in this subsection shall lapse.

(13) \$500,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for implementation of

Substitute Senate Bill No. 6514 (higher education behavioral health). If the bill is not enacted by June 30, 2018, the amount provided in this subsection shall lapse.

(14) \$100,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for implementation of Engrossed Second Substitute House Bill No. 1561 (open educational resources). If the bill is not enacted by June 30, 2018, the amount provided in this subsection shall lapse.

Sec. 1511. 2018 c 299 s 610 (uncodified) is amended to read as follows:

FOR THE WORKFORCE TRAINING AND EDUCATION COORDINATING BOARD

General Fund—State Appropriation (FY 2018)	\$1,844,000
General Fund—State Appropriation (FY 2019)	(\$1,994,000)
	<u>\$2,024,000</u>
General Fund—Federal Appropriation	\$55,275,000
General Fund—Private/Local Appropriation	\$208,000
Pension Funding Stabilization Account—State Appropriation	\$176,000
TOTAL APPROPRIATION	\$59,497,000
	<u>\$59,527,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) For the 2017-2019 fiscal biennium the board shall not designate recipients of the Washington award for vocational excellence or recognize them at award ceremonies as provided in RCW 28C.04.535.

(2) The health workforce council of the state workforce training and education coordinating board, in partnership with work underway with the office of the governor, shall, within resources available for such purpose, but not to exceed \$250,000, assess workforce shortages across behavioral health disciplines. The board shall create a recommended action plan to address behavioral health workforce shortages and to meet the increased demand for services now, and with the integration of behavioral health and primary care in 2020. The analysis and recommended action plan shall align with the recommendations of the adult behavioral health system task force and related work of the healthier Washington initiative. The board shall consider workforce data, gaps, distribution, pipeline, development, and infrastructure, including innovative high school, postsecondary, and postgraduate programs to evolve, align, and respond accordingly to our state's behavioral health and related and integrated primary care workforce needs. The board will continue its work and submit final recommendations in calendar year 2017.

(3) \$22,000 of the general fund—state appropriation for fiscal year 2018 is provided solely for implementation of chapter 154, Laws of 2017 (SSB 5022) (education loan information).

(4) \$114,000 of the general fund—state appropriation for fiscal year 2018 and \$57,000 of the general fund—state appropriation for fiscal year 2019 are provided solely for implementation of chapter 182, Laws of 2017 (2SSB 5285) (workforce employment sectors study).

(5) \$29,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for implementation of Engrossed Second Substitute House Bill No. 1439 (higher education student protection). If the bill is not enacted by June 30, 2018, the amount provided in this subsection shall lapse.

(6) \$260,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for implementation of Substitute Senate Bill No. 6544 (future of work task force). If the bill is not enacted by June 30, 2018, the amount provided in this subsection shall lapse.

PART XVI
SUPPLEMENTAL
SPECIAL APPROPRIATIONS

Sec. 1601. 2018 c 299 s 701 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR DEBT SUBJECT TO THE DEBT LIMIT

Table with 2 columns: Description and Amount. Includes rows for General Fund—State Appropriation (FY 2018), General Fund—State Appropriation (FY 2019), State Building Construction Account—State Appropriation, Columbia River Basin Water Supply—State Appropriation, State Taxable Building Construction Account—State Appropriation, Watershed Restoration and Enhancement Bond Account—State Appropriation, Debt-Limit Reimbursable Bond Retire Account—State Appropriation, and TOTAL APPROPRIATION.

The appropriations in this section are subject to the following conditions and limitations: The general fund appropriations are for expenditure into the debt-limit general fund bond retirement account.

Sec. 1602. 2017 3rd sp.s. c 1 s 702 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR GENERAL OBLIGATION DEBT TO BE REIMBURSED AS PRESCRIBED BY STATUTE

Table with 2 columns: Description and Amount. Includes rows for General Fund—State Appropriation (FY 2018), General Fund—State Appropriation (FY 2019), School Construction and Skill Centers Building Account—State Appropriation, Nondebt-Limit Reimbursable Bond Retirement Account—State Appropriation, and TOTAL APPROPRIATION.

The appropriations in this section are subject to the following conditions and limitations: The general fund appropriations are for expenditure into the nondebt-limit general fund bond retirement account.

Sec. 1603. 2018 c 299 s 702 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALE EXPENSES

Table with 2 columns: Description and Amount. Includes rows for General Fund—State Appropriation (FY 2018) and General Fund—State Appropriation (FY 2019).

Table with 2 columns: Description and Amount. Includes rows for State Building Construction Account—State Appropriation, Columbia River Basin Water Supply—State Appropriation, Watershed Restoration and Enhancement Bond Account—State Appropriation, School Construction and Skill Centers Building Account—State Appropriation, State Taxable Building Construction Account—State Appropriation, and TOTAL APPROPRIATION.

Sec. 1604. 2018 c 299 s 703 (uncodified) is amended to read as follows:

FOR SUNDRY CLAIMS

The following sums, or so much thereof as may be necessary, are appropriated from the general fund for fiscal year 2018 or fiscal year 2019, unless otherwise indicated, for relief of various individuals, firms, and corporations for sundry claims.

(1) These appropriations are to be disbursed on vouchers approved by the director of the department of enterprise services, except as otherwise provided, for reimbursement of criminal defendants acquitted on the basis of self-defense, pursuant to RCW 9A.16.110, as follows:

- (a) John Weiler, claim number 99970144 \$7,975
(b) Samson Asfaw, claim number 99970145 \$18,873
(c) Kevon Turner, claim number 99970147 \$9,750
(d) Arthur Eshe, claim number 99970148 \$12,900
(e) Woody J. Pierson, claim number 99970235 \$19,789
(f) Steve Sainsbury, claim number 99970236 \$10,000
(g) Alee Meneses, claim number 99970245 \$27,043
(h) Lisa Stanley, claim number 99970247 \$6,522
(i) Daniel Bandy, claim number 99970248 \$19,381
(j) Florentino Crisostomo, claim number 99970250 \$11,558
(k) Vicki Toft, claim number 99970251 \$4,494
(l) Shane Mitts, claim number 99970252 \$14,050
(m) Scott Newsom, claim number 99970243 \$55,339
(n) John Biggs, claim number 99970246 \$2,500
(o) Javierre Jones, claim number 999702 \$31,299
(p) Robert Cook, claim number 99970258 \$5,000

(2) These appropriations are to be disbursed on vouchers approved by the director of the department of enterprise services, except as otherwise provided, for payment of compensation for wrongful convictions pursuant to RCW 4.100.060, as follows:

- (a) Robert Larson, Tyler Gassman, and Paul Statler, claim numbers 99970072-99970074 \$79,000
(b) Ted Bradford \$608,416
(c) Robert Larson, claim number 99970074 \$1,423

NEW SECTION. Sec. 1605. A new section is added to 2018 c 299 (uncodified) to read as follows: FOR THE OFFICE OF FINANCIAL MANAGEMENT—MUNICIPAL CRIMINAL JUSTICE ASSISTANCE ACCOUNT

Table with 2 columns: Description and Amount. Includes row for General Fund—State Appropriation (FY 2019) \$1,063,000

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section, or so much thereof as may be necessary, is provided solely for expenditure into the municipal criminal justice assistance account to ensure the account is not in deficit.

**PART XVII
SUPPLEMENTAL
OTHER TRANSFERS AND APPROPRIATIONS**

Sec. 1701. 2018 c 299 s 801 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—STATE REVENUES FOR DISTRIBUTION

General Fund Appropriation for fire insurance premium distributions	((\$9,730,000)) <u>\$9,818,000</u>
General Fund Appropriation for prosecuting attorney distributions	\$6,643,000
General Fund Appropriation for boating safety and education distributions	\$4,000,000
General Fund Appropriation for public utility district excise tax distributions	((\$30,230,000)) <u>\$31,355,000</u>
Death Investigations Account Appropriation for distribution to counties for publicly funded autopsies	((\$3,135,000)) <u>\$3,556,000</u>
Aquatic Lands Enhancement Account Appropriation for harbor improvement revenue distribution	\$140,000
Timber Tax Distribution Account Appropriation for distribution to "timber" counties	((\$68,009,000)) <u>\$79,248,000</u>
County Criminal Justice Assistance Appropriation	((\$93,628,000)) <u>\$95,002,000</u>
Municipal Criminal Justice Assistance Appropriation	((\$36,908,000)) <u>\$37,565,000</u>
City-County Assistance Appropriation	((\$27,160,000)) <u>\$37,503,000</u>
Liquor Excise Tax Account Appropriation for liquor excise tax distribution	\$56,058,000
Streamlined Sales and Use Tax Mitigation Account Appropriation for distribution to local taxing jurisdictions to mitigate the unintended revenue redistributions effect of sourcing law changes	((\$20,549,000)) <u>\$22,277,000</u>
Columbia River Water Delivery Account Appropriation for the Confederated Tribes of the Colville Reservation	\$8,074,000
Columbia River Water Delivery Account Appropriation for the Spokane Tribe of Indians	\$5,402,000
Liquor Revolving Account Appropriation for liquor profits distribution	\$98,876,000
General Fund Appropriation for other tax distributions	\$80,000
General Fund Appropriation for Marijuana Excise Tax distributions	\$30,000,000
General Fund Appropriation for Habitat Conservation Program distributions	((\$5,347,000)) <u>\$5,150,000</u>
TOTAL APPROPRIATION	<u>\$503,969,000</u> <u>\$524,862,000</u>

The total expenditures from the state treasury under the appropriations in this section shall not exceed the funds available under statutory distributions for the stated purposes.

Sec. 1702. 2018 c 299 s 802 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—TRANSFERS

Criminal Justice Treatment Account: For transfer to the state general fund, \$4,450,000 for fiscal year 2018 and \$4,450,000 for fiscal year 2019 \$8,900,000

Dedicated Marijuana Account: For transfer to the basic health plan trust account, the lesser of the amount determined pursuant to RCW 69.50.540 or this amount plus \$40,494,000 for fiscal year 2018, \$226,654,000 and this amount for fiscal year 2019, ((~~\$194,000,000~~)) \$186,748,000 ((~~\$420,654,000~~))
\$413,402,000

Dedicated Marijuana Account: For transfer to the state general fund, the lesser of the amount determined pursuant to RCW 69.50.540 or this amount for fiscal year 2018, \$130,000,000 and this amount for fiscal year 2019, ((~~\$137,000,000~~)) \$130,000,000 ((~~\$267,000,000~~))
\$260,000,000

Aquatic Lands Enhancement Account: For transfer to the clean up settlement account as repayment of the loan provided in section 3022(2) chapter 2, Laws of 2012, 2nd sp. sess. (ESB 6074 2012 supplemental capital budget), \$620,000 for fiscal year 2018 and \$620,000 for fiscal year 2019 \$1,240,000

Tobacco Settlement Account: For transfer to the state general fund, in an amount not to exceed the actual amount of the annual base payment to the tobacco settlement account for fiscal year 2018 \$101,639,000

Tobacco Settlement Account: For transfer to the state general fund, in an amount not to exceed the actual amount of the annual base payment to the tobacco settlement account for fiscal year 2019 \$101,639,000

State Toxics Control Account: For transfer to the cleanup settlement account as repayment of the loan provided in section 3022(2) chapter 2, Laws of 2012, 2nd sp. sess. (ESB 6074, 2012 supplemental capital budget), \$620,000 for fiscal year 2018 and \$620,000 for fiscal year 2019 \$1,240,000

General Fund: For transfer to the streamlined sales and use tax account, \$12,877,000 for fiscal year 2018 and ((~~\$7,672,000~~)) \$9,970,000 for fiscal year 2019 ((~~\$20,549,000~~))
\$22,847,000

Aerospace Training and Student Loan Account: For transfer to the state general fund, \$750,000 for fiscal year 2018 and \$750,000 for fiscal year 2019 \$1,500,000

Disaster Response Account: For transfer to the state general fund, \$42,000,000 for fiscal year 2018 \$42,000,000

State Treasurer's Service Account: For transfer to the state general fund, \$6,000,000 for fiscal year 2018 and \$6,000,000 for fiscal year 2019 \$12,000,000

Statewide Information Tech System Maintenance and Operations Revolving Account: For transfer to the consolidated technology services revolving account, \$5,500,000 for fiscal year 2018 \$5,500,000

General Fund: For transfer to the family and medical leave insurance account as start-up costs for the family and medical leave insurance program pursuant to enactment of Substitute House Bill No. 1116 (family and medical leave insurance), Senate Bill No. 5975 (paid family and medical leave insurance), or Senate Bill No. 5032 (family and medical leave insurance), \$82,000,000 for fiscal year 2018 \$82,000,000

Family and Medical Leave Insurance Account: For transfer to the General Fund as repayment for start-up costs for the family and medical leave insurance program pursuant to implementation of Substitute House Bill No. 1116 (family and medical leave insurance), Senate Bill No. 5975 (paid family and medical leave insurance), or Senate Bill No. 5032 (family and medical leave insurance), the lesser of the amount determined by the treasurer for full repayment of the \$82,000,000 transferred from the general fund in fiscal year 2018 for start-up costs with any related interest or this amount for fiscal year 2019, \$90,000,000 \$90,000,000

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Public Works Assistance Account: For transfer to the education legacy trust account, \$136,998,000 for fiscal year 2018 and \$117,017,000 for fiscal year 2019 \$254,015,000

General Fund: For transfer to the firearms range account for fiscal year 2018 \$75,000

New Motor Vehicle Arbitration Account: For transfer to the state general fund, \$2,000,000 for fiscal year 2018 \$2,000,000

Local Toxics Control Account: For transfer to the state toxics control account, \$9,000,000 for fiscal year 2018 and \$12,000,000 for fiscal year 2019 \$21,000,000

State Toxics Control Account: For transfer to water pollution control revolving account, \$3,000 for fiscal year 2018 \$3,000

Aquatic Lands Enhancement Account: For transfer to the geoduck aquaculture research account for fiscal year 2019 \$200,000

General Fund: For transfer to the dedicated McCleary penalty account for fiscal year 2018 \$105,200,000

The amount transferred represents the monetary sanctions accrued from August 13, 2015, through June 30, 2018, under the order of the state supreme court of August 13, 2015, in *McCleary v. State*.

General Fund: For transfer to the disaster response account for fiscal year 2018 \$58,535,000

Oil Spill Response Account: For transfer to the oil spill prevention account: \$1,748,000 for fiscal year 2018 and \$2,973,000 for fiscal year 2019 \$4,721,000

General Fund: For transfer to the Washington internet crimes against children account for fiscal year 2018 \$1,500,000

Funeral and Cemetery Account: For transfer to the skeletal human remains assistance account for fiscal year 2018 \$15,000

General Fund: For transfer to the statewide tourism marketing account for fiscal year 2019 \$1,500,000

Public Works Administration Account: For transfer to the state general fund for fiscal year 2018 \$1,500,000

General Fund: For transfer to the fair fund: \$2,000,000 for fiscal year 2018 and \$2,000,000 for fiscal year 2019 \$4,000,000

State Toxics Control Account: For transfer to the state general fund, \$38,000,000 at the end of fiscal year 2019 \$38,000,000

Local Toxics Control Account: For transfer to the state general fund, \$35,000,000 at the end of fiscal year 2019 \$35,000,000

**PART XVIII
SUPPLEMENTAL
MISCELLANEOUS**

Sec. 1801. RCW 70.105D.070 and 2018 c 299 s 911 are each amended to read as follows:

(1) The state toxics control account and the local toxics control account are hereby created in the state treasury.

(2)(a) Moneys collected under RCW 82.21.030 must be deposited as follows: Fifty-six percent to the state toxics control account under subsection (3) of this section and forty-four percent to the local toxics control account under subsection (4) of this section. When the cumulative amount of deposits made to the state and local toxics control accounts under this section reaches the limit during a fiscal year as established in (b) of this subsection, the remainder of the moneys collected under RCW 82.21.030 during that fiscal year must be deposited into the environmental legacy stewardship account created in RCW 70.105D.170.

(b) The limit on distributions of moneys collected under RCW 82.21.030 to the state and local toxics control accounts for the fiscal year beginning July 1, 2013, is one hundred forty million dollars.

(c) In addition to the funds required under (a) of this subsection, the following moneys must be deposited into the state toxics

control account: (i) The costs of remedial actions recovered under this chapter or chapter 70.105A RCW; (ii) penalties collected or recovered under this chapter; and (iii) any other money appropriated or transferred to the account by the legislature.

(3) Moneys in the state toxics control account must be used only to carry out the purposes of this chapter, including but not limited to the following activities:

(a) The state’s responsibility for hazardous waste planning, management, regulation, enforcement, technical assistance, and public education required under chapter 70.105 RCW;

(b) The state’s responsibility for solid waste planning, management, regulation, enforcement, technical assistance, and public education required under chapter 70.95 RCW;

(c) The hazardous waste clean-up program required under this chapter;

(d) State matching funds required under federal cleanup law;

(e) Financial assistance for local programs in accordance with chapters 70.95, 70.95C, 70.95I, and 70.105 RCW;

(f) State government programs for the safe reduction, recycling, or disposal of paint and hazardous wastes from households, small businesses, and agriculture;

(g) Oil and hazardous materials spill prevention, preparedness, training, and response activities;

(h) Water and environmental health protection and monitoring programs;

(i) Programs authorized under chapter 70.146 RCW;

(j) A public participation program;

(k) Public funding to assist potentially liable persons to pay for the costs of remedial action in compliance with clean-up standards under RCW 70.105D.030(2)(e) but only when the amount and terms of such funding are established under a settlement agreement under RCW 70.105D.040(4) and when the director has found that the funding will achieve both: (i) A substantially more expeditious or enhanced cleanup than would otherwise occur; and (ii) the prevention or mitigation of unfair economic hardship;

(l) Development and demonstration of alternative management technologies designed to carry out the hazardous waste management priorities of RCW 70.105.150;

(m) State agriculture and health programs for the safe use, reduction, recycling, or disposal of pesticides;

(n) Stormwater pollution control projects and activities that protect or preserve existing remedial actions or prevent hazardous clean-up sites;

(o) Funding requirements to maintain receipt of federal funds under the federal solid waste disposal act (42 U.S.C. Sec. 6901 et seq.);

(p) Air quality programs and actions for reducing public exposure to toxic air pollution;

(q) Public funding to assist prospective purchasers to pay for the costs of remedial action in compliance with clean-up standards under RCW 70.105D.030(2)(e) if:

(i) The facility is located within a redevelopment opportunity zone designated under RCW 70.105D.150;

(ii) The amount and terms of the funding are established under a settlement agreement under RCW 70.105D.040(5); and

(iii) The director has found the funding meets any additional criteria established in rule by the department, will achieve a substantially more expeditious or enhanced cleanup than would otherwise occur, and will provide a public benefit in addition to cleanup commensurate with the scope of the public funding;

(r) Petroleum-based plastic or expanded polystyrene foam debris cleanup activities in fresh or marine waters;

(s) Appropriations to the local toxics control account or the environmental legacy stewardship account created in RCW

70.105D.170, if the legislature determines that priorities for spending exceed available funds in those accounts;

(t) During the 2015-2017 and 2017-2019 fiscal biennia, the department of ecology's water quality, shorelands, environmental assessment, administration, and air quality programs;

(u) During the 2013-2015 fiscal biennium, actions at the state conservation commission to improve water quality for shellfish;

(v) During the 2013-2015 and 2015-2017 fiscal biennia, actions at the University of Washington for reducing ocean acidification;

(w) During the 2015-2017 and 2017-2019 fiscal biennia, for the University of Washington Tacoma soil remediation project;

(x) For the 2013-2015 fiscal biennium, moneys in the state toxics control account may be spent on projects in section 3160, chapter 19, Laws of 2013 2nd sp. sess. and for transfer to the local toxics control account;

(y) For the 2013-2015 fiscal biennium, moneys in the state toxics control account may be transferred to the radioactive mixed waste account; and

(z) For the 2015-2017 and 2017-2019 fiscal biennia, forest practices regulation at the department of natural resources.

(4)(a) The department shall use moneys deposited in the local toxics control account for grants or loans to local governments for the following purposes in descending order of priority:

(i) Extended grant agreements entered into under ~~((e))~~ (c)(i) of this subsection;

(ii) Remedial actions, including planning for adaptive reuse of properties as provided for under ~~((e))~~ (c)(iv) of this subsection. The department must prioritize funding of remedial actions at:

(A) Facilities on the department's hazardous sites list with a high hazard ranking for which there is an approved remedial action work plan or an equivalent document under federal cleanup law;

(B) Brownfield properties within a redevelopment opportunity zone if the local government is a prospective purchaser of the property and there is a department-approved remedial action work plan or equivalent document under the federal cleanup law;

(iii) Stormwater pollution source projects that: (A) Work in conjunction with a remedial action; (B) protect completed remedial actions against recontamination; or (C) prevent hazardous clean-up sites;

(iv) Hazardous waste plans and programs under chapter 70.105 RCW;

(v) Solid waste plans and programs under chapters 70.95, 70.95C, 70.95I, and 70.105 RCW;

(vi) Petroleum-based plastic or expanded polystyrene foam debris cleanup activities in fresh or marine waters; and

(vii) Appropriations to the state toxics control account or the environmental legacy stewardship account created in RCW 70.105D.170, if the legislature determines that priorities for spending exceed available funds in those accounts.

(b) Funds for plans and programs must be allocated consistent with the priorities and matching requirements established in chapters 70.105, 70.95C, 70.95I, and 70.95 RCW.

(c) During the 2013-2015 fiscal biennium, the local toxics control account may also be used for local government stormwater planning and implementation activities.

(d) During the 2013-2015 fiscal biennium, the legislature may transfer from the local toxics control account to the state general fund, such amounts as reflect the excess fund balance in the account.

(e) To expedite cleanups throughout the state, the department may use the following strategies when providing grants to local governments under this subsection:

(i) Enter into an extended grant agreement with a local government conducting remedial actions at a facility where those

actions extend over multiple biennia and the total eligible cost of those actions exceeds twenty million dollars. The agreement is subject to the following limitations:

(A) The initial duration of such an agreement may not exceed ten years. The department may extend the duration of such an agreement upon finding substantial progress has been made on remedial actions at the facility;

(B) Extended grant agreements may not exceed fifty percent of the total eligible remedial action costs at the facility; and

(C) The department may not allocate future funding to an extended grant agreement unless the local government has demonstrated to the department that funds awarded under the agreement during the previous biennium have been substantially expended or contracts have been entered into to substantially expend the funds;

(ii) Enter into a grant agreement with a local government conducting a remedial action that provides for periodic reimbursement of remedial action costs as they are incurred as established in the agreement;

(iii) Enter into a grant agreement with a local government prior to it acquiring a property or obtaining necessary access to conduct remedial actions, provided the agreement is conditioned upon the local government acquiring the property or obtaining the access in accordance with a schedule specified in the agreement;

(iv) Provide integrated planning grants to local governments to fund studies necessary to facilitate remedial actions at brownfield properties and adaptive reuse of properties following remediation. Eligible activities include, but are not limited to: Environmental site assessments; remedial investigations; health assessments; feasibility studies; site planning; community involvement; land use and regulatory analyses; building and infrastructure assessments; economic and fiscal analyses; and any environmental analyses under chapter 43.21C RCW;

(v) Provide grants to local governments for remedial actions related to area-wide groundwater contamination. To receive the funding, the local government does not need to be a potentially liable person or be required to seek reimbursement of grant funds from a potentially liable person;

(vi) The director may alter grant matching requirements to create incentives for local governments to expedite cleanups when one of the following conditions exists:

(A) Funding would prevent or mitigate unfair economic hardship imposed by the clean-up liability;

(B) Funding would create new substantial economic development, public recreational opportunities, or habitat restoration opportunities that would not otherwise occur; or

(C) Funding would create an opportunity for acquisition and redevelopment of brownfield property under RCW 70.105D.040(5) that would not otherwise occur;

(vii) When pending grant applications under (c)(iv) and (v) of this subsection (4) exceed the amount of funds available, designated redevelopment opportunity zones must receive priority for distribution of available funds.

(f) To expedite multiparty clean-up efforts, the department may purchase remedial action cost-cap insurance. For the 2013-2015 fiscal biennium, moneys in the local toxics control account may be spent on projects in sections 3024, 3035, 3036, and 3059, chapter 19, Laws of 2013 2nd sp. sess.

(5) Except for unanticipated receipts under RCW 43.79.260 through 43.79.282, moneys in the state and local toxics control accounts may be spent only after appropriation by statute.

(6) No moneys deposited into either the state or local toxics control account may be used for: Natural disasters where there is no hazardous substance contamination; high performance buildings; solid waste incinerator facility feasibility studies, construction, maintenance, or operation; or projects designed to

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address the restoration of Puget Sound, funded in a competitive grant process, that are in conflict with the action agenda developed by the Puget Sound partnership under RCW 90.71.310. However, this subsection does not prevent an appropriation from the state toxics control account to the department of revenue to enforce compliance with the hazardous substance tax imposed in chapter 82.21 RCW.

(7) Except during the 2011-2013 and the 2015-2017 fiscal biennia, one percent of the moneys collected under RCW 82.21.030 shall be allocated only for public participation grants to persons who may be adversely affected by a release or threatened release of a hazardous substance and to not-for-profit public interest organizations. The primary purpose of these grants is to facilitate the participation by persons and organizations in the investigation and remedying of releases or threatened releases of hazardous substances and to implement the state's solid and hazardous waste management priorities. No grant may exceed sixty thousand dollars. Grants may be renewed annually. Moneys appropriated for public participation that are not expended at the close of any biennium revert to the state toxics control account.

(8) The department shall adopt rules for grant or loan issuance and performance. To accelerate both remedial action and economic recovery, the department may expedite the adoption of rules necessary to implement chapter 1, Laws of 2013 2nd sp. sess. using the expedited procedures in RCW 34.05.353. The department shall initiate the award of financial assistance by August 1, 2013. To ensure the adoption of rules will not delay financial assistance, the department may administer the award of financial assistance through interpretive guidance pending the adoption of rules through July 1, 2014.

(9) Except as provided under subsection (3)(k) and (q) of this section, nothing in chapter 1, Laws of 2013 2nd sp. sess. affects the ability of a potentially liable person to receive public funding.

(10) During the 2015-2017 fiscal biennium the local toxics control account may also be used for the centennial clean water program and for the stormwater financial assistance program administered by the department of ecology.

(11) During the 2017-2019 fiscal biennium:

(a) The state toxics control account, the local toxics control account, and the environmental legacy stewardship account may be used for interchangeable purposes and funds may be transferred between accounts to accomplish those purposes.

(b) The legislature may direct the state treasurer to make transfers of moneys in the state toxics control account to the water pollution control revolving account.

(c) The legislature may direct the state treasurer to make transfers of money in the state toxics control account and the local toxics control account to the general fund.

NEW SECTION. Sec. 1802. Section 953 of this act expires September 1, 2019.

NEW SECTION. Sec. 1803. Section 954 of this act takes effect September 1, 2019.

NEW SECTION. Sec. 1804. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 1805. Except for section 954 of this act, this act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

On page 1, line 1 of the title, after "matters;" strike the remainder of the title and insert "amending RCW 18.85.061, 28A.410.062, 28A.510.250, 28A.510.250, 28B.15.210,

28B.15.310, 28B.20.476, 28B.35.370, 28B.50.515, 28B.50.360, 28B.92.140, 28B.115.070, 28C.04.535, 38.52.105, 41.26.450, 41.60.050, 41.80.010, 43.08.190, 43.09.475, 43.30.385, 43.43.839, 43.70.250, 43.79.445, 43.101.200, 43.101.220, 43.101.435, 43.372.070, 46.68.350, 50.16.010, 69.50.530, 70.155.120, 76.04.610, 77.12.201, 77.12.203, 79.105.150, 79A.05.059, 28A.400.350, and 70.105D.070; amending 2018 c 299 ss 109, 112, 113, 115, 116, 118, 119, 121, 125, 127, 129, 130, 132, 135, 136, 138, 142, 147, 201, 203, 204, 205, 206, 207, 209, 210, 211, 212, 213, 215, 216, 217, 218, 219, 220, 223, 302, 303, 306, 307, 308, 309, 310, 311, 401, 402, 501, 502, 503, 504, 505, 507, 508, 509, 510, 511, 512, 513, 514, 515, 517, 518, 603, 605, 612, 613, 601, 602, 604, 606, 607, 609, 610, 701, 702, 703, 801, and 802 and 2017 3rd sp.s. c 1 ss 146 and 702 (uncodified); reenacting and amending RCW 43.155.050, 43.320.110, 69.50.540, 71.24.580, 76.09.405, 79.64.040, and 79.64.110; adding a new section to 2018 c 299 (uncodified); creating new sections; making appropriations; providing an effective date; providing an expiration date; and declaring an emergency."

MOTION

Senator Rivers moved that the following amendment no. 493 by Senator Rivers be adopted:

On page 2, after line 4, insert the following:

"The appropriations in this section are subject to the following conditions and limitations:

(1) During the 2019-2021 fiscal biennium, the house of representatives shall require for itself and every agency within the legislative branch of state government to:

(a) Update or develop and disseminate among all its employees and contractors a policy that:

(i) Defines and prohibits sexual harassment in the workplace;

(ii) Includes procedures that describe how the house and each legislative agency will address concerns of employees who are affected by sexual harassment in the workplace; and

(iii) Identifies appropriate sanctions and disciplinary actions;

(b) Respond promptly and effectively to sexual harassment concerns;

(c) Conduct training and education for all employees in order to prevent and eliminate sexual harassment in the organization; and

(d) Inform employees of their right to file a complaint with the Washington state human rights commission under chapter 49.60 RCW, or with the federal equal employment opportunity commission under Title VII of the civil rights act of 1964.

(2)(a) By September 1st of each year, the chief clerk of the house of representatives must report compliance with this section by the house and each legislative agency. The report must include the following information:

(i) The number of sexual harassment reports and complaints made by employees and the change compared to the previous report;

(ii) The number of those complaints that were reviewed and determined not to require an investigation, the number that were investigated, and the number that were determined to be substantiated after investigation;

(iii) The nature of the corrective action taken for each complaint using categories developed by the chief clerk; and

(iv) A narrative of the changes made over this period to the employer's policies and procedures in response to complaint trends and experience.

(b) The initial report must include the data required under this subsection for each of the past three fiscal years.

(3) The chief clerk, working with the secretary of the senate, shall compile the information required in subsection (2) of this section and report annually on the following data of the house and each legislative agency:

(a) The number of sexual harassment claims for violation of state or federal law filed by employees;

(b) The number of claims that have resulted in settlement, judgment, or other payment;

(c) The number of claims that have resulted in work reassignment or other remedial action;

(d) The total cost of the claims including damages, attorneys' fees, and other costs; and

(e) The total cost to the state's liability account.

(4) The report under subsection (3) of this section is due to the legislature no later than December 1st of each year, and must be posted for the public on the house and each legislative agency's web site. The initial report is due December 1, 2019, and must include the data required under subsection (3) of this section for each of the past three fiscal years.

(5) The reports required under this section must exclude personally identifiable information of persons who have filed complaints with the house or a legislative agency. If necessary, the chief clerk may aggregate the information of legislative agencies that employ less than fifty full-time equivalent employees to protect the identity of complainants.

(6) The cost of the training programs and reporting requirements must be accomplished within existing resources."

On page 2, after line 12, after "limitations:" insert "(1)"

On page 2, after line 16, insert the following:

"(2) During the 2019-2021 fiscal biennium, the senate shall require for itself and every agency within the legislative branch of state government to:

(a) Update or develop and disseminate among all its employees and contractors a policy that:

(i) Defines and prohibits sexual harassment in the workplace;

(ii) Includes procedures that describe how the senate and each legislative agency will address concerns of employees who are affected by sexual harassment in the workplace; and

(iii) Identifies appropriate sanctions and disciplinary actions;

(b) Respond promptly and effectively to sexual harassment concerns;

(c) Conduct training and education for all employees in order to prevent and eliminate sexual harassment in the organization; and

(d) Inform employees of their right to file a complaint with the Washington state human rights commission under chapter 49.60 RCW, or with the federal equal employment opportunity commission under Title VII of the civil rights act of 1964.

(3)(a) By September 1st of each year, the secretary of the senate must report compliance with this section by the senate and each legislative agency. The report must include the following information:

(i) The number of sexual harassment reports and complaints made by employees and the change compared to the previous report;

(ii) The number of those complaints that were reviewed and determined not to require an investigation, the number that were investigated, and the number that were determined to be substantiated after investigation;

(iii) The nature of the corrective action taken for each complaint using categories developed by the secretary of the senate; and

(iv) A narrative of the changes made over this period to the employer's policies and procedures in response to complaint trends and experience.

(b) The initial report must include the data required under (a) of this subsection for each of the past three fiscal years.

(4) The secretary of the senate, working with the chief clerk of the house, shall compile the information required in subsection (3)(a) of this section and report annually on the following data of the senate and each legislative agency:

(a) The number of sexual harassment claims for violation of state or federal law filed by employees;

(b) The number of claims that have resulted in settlement, judgment, or other payment of damages;

(c) The number of claims that have resulted in work reassignment or other remedial action;

(d) The total cost of the claims including damages, attorneys' fees, and other costs; and

(e) The total cost to the state's liability account.

(5) The report under subsection (4) of this section is due to the legislature no later than December 1st of each year, and must be posted for the public on the senate and each legislative agency's web site. The initial report is due December 1, 2019, and must include the data required under subsection (4) of this section for each of the past three fiscal years.

(6) The reports required under this section must exclude personally identifiable information of persons who have filed complaints with the senate or a legislative agency. If necessary, the secretary of the senate may aggregate the information of legislative agencies that employ less than fifty full-time equivalent employees to protect the identity of complainants.

(7) The cost of the training programs and reporting requirements must be accomplished within existing resources."

On page 5, after line 18, after "limitations:" insert "(1)"

On page 5, after line 22, insert the following:

"(2) During the 2019-2021 fiscal biennium, the supreme court shall require for itself, every state appellate court, and every agency within the judicial branch of state government to:

(a) Update or develop and disseminate among all its employees and contractors a policy that:

(i) Defines and prohibits sexual harassment in the workplace;

(ii) Includes procedures that describe how the legislative agency will address concerns of employees who are affected by sexual harassment in the workplace;

(iii) Identifies appropriate sanctions and disciplinary actions; and

(iv) Complies with guidelines adopted by the court;

(b) Respond promptly and effectively to sexual harassment concerns;

(c) Conduct training and education for all employees in order to prevent and eliminate sexual harassment in the organization; and

(d) Inform employees of their right to file a complaint with the Washington state human rights commission under chapter 49.60 RCW, or with the federal equal employment opportunity commission under Title VII of the civil rights act of 1964.

(3)(a) By September 1st of each year, the court must report compliance with this section by itself, each state appellate court, and each judicial branch agency. The report must include the following information:

(i) The number of sexual harassment reports and complaints made by employees and the change compared to the previous report;

(ii) The number of those complaints that were reviewed and determined not to require an investigation, the number that were investigated, and the number that were determined to be substantiated after investigation;

(iii) The nature of the corrective action taken for each complaint using categories developed by the court; and

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(iv) A narrative of the changes made over this period to the employer's policies and procedures in response to complaint trends and experience.

(b) The initial report must include the data required under (a) of this subsection for each of the past three fiscal years.

(4) The court shall compile the information required in subsection (3)(a) of this section and report annually on the following data of itself, each state appellate court, and each judicial branch agency:

(a) The number of sexual harassment claims for violation of state or federal law filed by employees;

(b) The number of claims that have resulted in settlement, judgment, or other payment of damages;

(c) The number of claims that have resulted in work reassignment or other remedial action;

(d) The total cost of the claims including damages, attorneys' fees, and other costs; and

(e) The total cost to the state's liability account.

(5) The report under subsection (4) of this section is due to the supreme court and the legislature no later than December 1st of each year, and must be posted for the public on the court, each state appellate court, and each judicial branch agency's web site. The initial report is due December 1, 2019, and must include the data required under subsection (4) of this section for each of the past three fiscal years.

(6) The reports required under this section must exclude personally identifiable information of persons who have filed complaints with the court, a state appellate court, or judicial branch agency. If necessary, the court may aggregate the information of judicial branch agencies that employ less than fifty full-time equivalent employees to protect the identity of complainants.

(7) The cost of the training programs and reporting requirements must be accomplished within existing resources."

On page 254, after line 38, insert the following:

"(8) During the 2019-2021 fiscal biennium, each institution of higher education receiving appropriations under section 605 through section 611 of this act shall:

(a) Update or develop and disseminate among all its employees and contractors a policy that:

(i) Defines and prohibits sexual harassment in the workplace;

(ii) Includes procedures that describe how the legislative agency will address concerns of employees who are affected by sexual harassment in the workplace; and

(iii) Identifies appropriate sanctions and disciplinary actions;

(b) Respond promptly and effectively to sexual harassment concerns;

(c) Conduct training and education for all employees in order to prevent and eliminate sexual harassment in the organization; and

(d) Inform employees of their right to file a complaint with the Washington state human rights commission under chapter 49.60 RCW, or with the federal equal employment opportunity commission under Title VII of the civil rights act of 1964.

(9)(a) By September 1st of each year, each institution must report to the department of enterprise services and division of human resources in the office of financial management on compliance with this section and the following information:

(i) The number of sexual harassment reports and complaints made by employees and the change compared to the previous report;

(ii) The number of those complaints that were reviewed and determined not to require an investigation, the number that were investigated, and the number that were determined to be substantiated after investigation;

(iii) The nature of the corrective action taken for each complaint using categories developed by the director; and

(iv) A narrative of the changes made over this period to the employer's policies and procedures in response to complaint trends and experience.

(b) The initial report must include the data required under this subsection for each of the past three fiscal years.

(10) The director, working with the risk management division in the department of enterprise services, shall compile the information required in subsection (9)(a) of this section and report annually on the following data for each institution:

(a) The number of sexual harassment claims for violation of state or federal law filed by employees;

(b) The number of claims that have resulted in settlement, judgment, or other payment of damages;

(c) The number of claims that have resulted in work reassignment or other remedial action;

(d) The total cost of the claims including damages, attorneys' fees, and other costs; and

(e) The total cost to the state's liability account.

(11) The report under subsection (10) of this section is due to the governor and the appropriate committees of the legislature no later than December 1st of each year, and must be posted for the public on the office of financial management's agency web site. The initial report is due December 1, 2019, and must include the data required under subsection (10) of this section for each of the past three fiscal years.

(12) The reports required under this section must exclude personally identifiable information of persons who have filed complaints with an institution.

(13) The cost of the training programs and reporting requirements shall be borne by the institution within existing resources."

On page 385, after line 35, insert the following:

NEW SECTION. Sec. 995. (1) During the 2019-2021 fiscal biennium, every employer within the executive branch of state government shall:

(a) Update or develop and disseminate among all its employees and contractors a policy that:

(i) Defines and prohibits sexual harassment in the workplace;

(ii) Includes procedures that describe how the employer will address concerns of employees who are affected by sexual harassment in the workplace;

(iii) Identifies appropriate sanctions and disciplinary actions; and

(iv) Complies with guidelines adopted by the director of financial management under RCW 41.06.395;

(b) Respond promptly and effectively to sexual harassment concerns;

(c) Conduct training and education for all employees in order to prevent and eliminate sexual harassment in the organization;

(d) Inform employees of their right to file a complaint with the Washington state human rights commission under chapter 49.60 RCW, or with the federal equal employment opportunity commission under Title VII of the civil rights act of 1964.

(2)(a) By September 1st of each year, report to the department of enterprise services and division of human resources in the office of financial management on compliance with this section and the following information:

(i) The number of sexual harassment reports and complaints made by employees and the change compared to the previous report;

(ii) The number of those complaints that were reviewed and determined not to require an investigation, the number that were

investigated, and the number that were determined to be substantiated after investigation;

(iii) The nature of the corrective action taken for each complaint using categories developed by the director; and

(iv) A narrative of the changes made over this period to the employer's policies and procedures in response to complaint trends and experience.

(b) The initial report must include the data required under this subsection for each of the past three fiscal years.

(3) The director, working with the risk management division in the department of enterprise services, shall compile the information required in subsection (2) of this section and report annually on the following data for each employer:

(a) The number of sexual harassment claims for violation of state or federal law filed by employees;

(b) The number of claims that have resulted in settlement, judgment, or other payment of damages;

(c) The number of claims that have resulted in work reassignment or other remedial action;

(d) The total cost of the claims including damages, attorneys' fees, and other costs; and

(e) The total cost to the state's liability account.

(4) The report under subsection (3) of this section is due to the governor and the appropriate committees of the legislature no later than December 1st of each year, and must be posted for the public on the office of financial management's agency web site. The initial report is due December 1, 2019, and must include the data required under subsection (3) of this section for each of the past three fiscal years.

(5) The reports required under this section must exclude personally identifiable information of persons who have filed complaints with an employer, and if necessary, may aggregate the information of employers that have less than fifty full-time equivalent employees to protect the identity of complainants.

(6) The cost of the training programs and reporting requirements shall be borne by the employer within existing resources."

Senators Rivers and Short spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Rolfes spoke against adoption of the amendment to the committee striking amendment.

Senator Short demanded a roll call.

The President declared that one-sixth of the members supported the demand and the demand was sustained.

The President declared the question before the Senate to be the adoption of the amendment by Senator Rivers on page 2, after line 47, to the committee striking amendment.

ROLL CALL

The Secretary called the roll on the adoption of the amendment by Senator Rivers and the amendment was not adopted by the following vote: Yeas, 21; Nays, 26; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Braun, Brown, Das, Ericksen, Fortunato, Hawkins, Holy, Honeyford, King, O'Ban, Padden, Rivers, Schoesler, Short, Wagoner, Walsh, Warnick, Wilson, C. and Zeiger

Voting nay: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Palumbo, Pedersen, Randall, Rolfes, Saldaña, Salomon, Takko, Van De Wege and Wellman

Excused: Senators Sheldon and Wilson, L.

MOTION

Senator Rivers moved that the following amendment no. 486 by Senator Rivers be adopted:

On page 10, line 32, decrease the general fund—state appropriation for fiscal year 2020 by \$1,241,000

On page 10, line 33, increase the general fund—state appropriation for fiscal year 2021 by \$276,000

On page 10, line 38, correct the total

On page 11, line 31, after "(6)" strike "\$2,000,000" and insert "\$759,000"

On page 11, line 32, after "2020 and" strike "\$2,000,000" and insert "\$2,276,000"

Senator Rivers spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Rolfes spoke against adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 486 by Senator Rivers on page 10, line 32 to the committee striking amendment.

The motion by Senator Rivers did not carry and amendment no. 486 was not adopted by voice vote.

MOTION

Senator Schoesler moved that the following amendment no. 469 by Senator Schoesler be adopted:

On page 13, line 22, decrease the general fund—state appropriation for fiscal year 2020 by \$375,000

On page 13, line 23, decrease the general fund—state appropriation for fiscal year 2021 by \$375,000

On page 13, line 28, correct the total

On page 14, beginning on line 3, strike all of subsection (3)

Renumber the remaining subsections consecutively and correct any internal references accordingly.

On page 178, line 9, increase the general fund—state appropriation for fiscal year 2020 by \$375,000

On page 178, line 10, increase the general fund—state appropriation for fiscal year 2021 by \$375,000

On page 179, line 2, correct the total

On page 182, after line 12, insert the following:

"(21) \$375,000 of the general fund—state appropriation for fiscal year 2020 and \$375,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the department to increase salmon production from hatcheries on the Columbia river system."

Senator Schoesler spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Schoesler demanded a roll call.

The President declared that one-sixth of the members supported the demand and the demand was sustained.

Senator Salomon spoke against adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of the amendment by Senator Schoesler on page 13, line 22 to the committee striking amendment.

ROLL CALL

The Secretary called the roll on the adoption of the amendment by Senator Schoesler and the amendment was not adopted by the following vote: Yeas, 22; Nays, 25; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Braun, Brown, Conway, Ericksen, Fortunato, Hawkins, Holy, Honeyford, King, Lovelett,

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O'Ban, Padden, Rivers, Schoesler, Short, Takko, Wagoner, Walsh, Warnick and Zeiger

Voting nay: Senators Billig, Carlyle, Cleveland, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, McCoy, Mullet, Nguyen, Palumbo, Pedersen, Randall, Rolfes, Saldaña, Salomon, Van De Wege, Wellman and Wilson, C.

Excused: Senators Sheldon and Wilson, L.

MOTION

Senator Schoesler moved that the following amendment no. 470 by Senator Schoesler be adopted:

On page 13, line 22, decrease the general fund—state appropriation for fiscal year 2020 by \$3,729,000

On page 13, line 23, decrease the general fund—state appropriation for fiscal year 2021 by \$364,000

On page 13, line 28, correct the total

Senator Schoesler spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Rolfes spoke against adoption of the amendment to the committee striking amendment.

POINT OF INQUIRY

Senator Schoesler: "Would Senator Rolfes yield to a question?"

President Habib: "Senator Rolfes? No? Senator Rolfes does not yield to a question."

The President declared the question before the Senate to be the adoption of amendment no. 470 by Senator Schoesler on page 13, line 22 to the committee striking amendment.

The motion by Senator Schoesler did not carry and amendment no. 470 was not adopted by voice vote.

MOTION

Senator Brown moved that the following amendment no. 481 by Senator Brown be adopted:

On page 13, line 22, decrease the general fund—state appropriation for fiscal year 2020 by \$2,003,000

On page 13, line 28, correct the total

On page 14, beginning on line 37, strike all of subsection (7) and insert the following:

"(7) Within existing resources, the office will reimburse the Washington state patrol for increased executive protection unit costs."

On page 131, line 9, increase the general fund—state appropriation for fiscal year 2020 by \$2,003,000

On page 132, line 7, correct the total

On page 139, after line 11, insert the following:

"(35) \$2,003,000 of the general fund—state appropriation for fiscal year 2020 is provided solely for additional breast, cervical, and colon cancer screenings."

On page 391, line 16, decrease the general fund—state appropriation for fiscal year 2019 by \$1,471,000

On page 391, line 22, correct the total

On page 392, beginning on line 18, strike all of subsection (6) and insert the following:

"(6) Within existing resources, the office will reimburse the Washington state patrol for increased executive protection unit costs."

On page 550, line 37, increase the general fund—state appropriation for fiscal year 2019 by \$1,471,000

On page 551, line 38, correct the total

On page 564, after line 14, insert the following:

"(52) \$1,471,000 of the general fund—state appropriation for fiscal year 2019 is provided solely for additional breast, cervical, and colon cancer screenings."

Senators Brown, Schoesler, Fortunato, Walsh and Ericksen spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Brown demanded a roll call.

The President declared that one-sixth of the members supported the demand and the demand was sustained.

Senators Schoesler, Fortunato, Walsh and Ericksen spoke in favor of adoption of the amendment to the committee striking amendment.

Senators Liias and Frockt spoke against adoption of the amendment to the committee striking amendment.

REMARKS BY THE PRESIDENT

President Habib: "Okay, we are going to continue this debate Senator Ericksen, and I want to ask everyone who is debating this particular amendment right now. I think we've done, until this last speech, I think we're doing a great job of debating a controversial topic without personalities and I want to point out that we are required, all of you are required of your own rules to debate the amendment that's before you and not to engage in speculation about what is relatively important to the governor one thing versus another that's not even within the scope of the topic of this amendment not to mention the larger issue of amity and appropriateness So what is asked that we continue to be respectful as we continue this debate."

Senator Darneille spoke against adoption of the amendment to the committee striking amendment.

POINT OF ORDER

Senator Short: "Thank you Mr. President. I believe that the gentlelady, although the, how difficult a topic, is impugning one of my members and the amendment that she brought forward today that just simply was discussing about taking funding from something that should be provided out of a campaign and put it into good use into the amendment and I would ask that that cease."

RULING BY THE PRESIDENT

President Habib: "Well Senator Short, I, from what I heard, Senator Darneille was referring to the being put in a position of having to take this vote. We have members talk all the time about how they regrettably vote one way or another but they wish that that was a Sophie's choice that they didn't have to make. I did not hear Senator Darneille suggest that this was brought in in bad faith or that Senator Brown does not wish to have this policy pass but I would ask everyone on both – Senator Short your point, I do I think it's it is well taken in the sense that we all need to be careful to ask everyone on both sides of the aisle to just be delicate We are I think on amendment five of forty five right now. Let's get, let's get through this and debate the topic to debate the policy."

Senators Padden and Becker spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Rolfes spoke against adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of the amendment by Senator Brown on page 13, line 22 to the committee striking amendment.

ROLL CALL

The Secretary called the roll on the adoption of the amendment no. 481 by Senator Brown and the amendment was not adopted by the following vote: Yeas, 20; Nays, 27; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Braun, Brown, Erickson, Fortunato, Hawkins, Holy, Honeyford, King, O'Ban, Padden, Randall, Rivers, Schoesler, Short, Wagoner, Walsh, Warnick and Zeiger

Voting nay: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Palumbo, Pedersen, Rolfes, Saldaña, Salomon, Takko, Van De Wege, Wellman and Wilson, C.

Excused: Senators Sheldon and Wilson, L.

MOTION

Senator Fortunato moved that the following amendment no. 500 by Senator Fortunato be adopted:

On page 16, line 10, increase the General Fund-State Appropriation (FY 2020) by \$640,000.

On page 16, line 11, increase the General Fund-State Appropriation (FY 2021) by \$455,000.

Adjust the total appropriation accordingly.

On page 18, after line 33, insert the following:

"(11) \$640,000 of the general fund-state appropriation for fiscal year 2020 and \$455,000 of the general fund-state appropriation for fiscal year 2021 are provided solely for the productivity board."

On page 343, beginning on line 24, strike all of section 966

Renumber the remaining sections consecutively and correct any internal references accordingly.

Senator Fortunato spoke in favor of adoption of the amendment to the committee striking amendment.

Senators Rolfes and Hunt spoke against adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 500 by Senator Fortunato on page 16, line 10 to the committee striking amendment.

The motion by Senator Fortunato did not carry and amendment no. 500 was not adopted by voice vote.

MOTION

Senator Rivers moved that the following amendment no. 472 by Senator Rivers be adopted:

On page 16, line 11, increase the general fund—state appropriation for fiscal year 2021 by \$7,043,000

On page 16, line 24, correct the total

On page 18, after line 33, insert the following:

"(11) \$7,043,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for reimbursement to counties

for fifty percent of the state's prorated share of election costs for the primary and general elections held in calendar year 2020."

Senator Rivers spoke in favor of adoption of the amendment to the committee striking amendment.

Senators Hunt and Rolfes spoke against adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 472 by Senator Rivers on page 16, line 11 to the committee striking amendment.

The motion by Senator Rivers did not carry and amendment no. 472 was not adopted by voice vote.

MOTION

Senator O'Ban moved that the following amendment no. 494 by Senator O'Ban be adopted:

On page 21, after line 7, insert the following:

"(4) If during the 2019-2021 fiscal biennium the state auditor discovers that the department of social and health services, department of veterans affairs, or department of children, youth, and families has failed to perform the activities required under this act when the conditions or care at an agency operated facility or institution is found by a federal or state agency or court to be inadequate, deficient, or endanger clients, staff, or federal funding, the state auditor must perform those activities on behalf of the agency. The agency must reimburse the state auditor for those costs from its appropriations."

On page 61, after line 19, insert the following:

"(8)(a) During the 2019-2021 fiscal biennium, whenever the conditions or care at a department of social and health services operated facility or institution is found by a federal or state agency or court to be inadequate, deficient, or endanger clients, staff, or federal funding, the department must:

(i) Issue a press release to the media of the findings within five days;

(ii) Produce a plan to the governor and the state auditor detailing a timeline of actions to be taken to address the findings within thirty days;

(iii) Notify all legal representatives or custodians of residents at the facility or institution of the findings and the action plan within forty-five days and provide quarterly updates thereafter of the status of plan until federal or state agency or court ruling reach a final resolution; and

(iv) Identify any alternative residential placement settings that may be available to the client.

(b) If the federal or state agency or court makes additional or revised findings of inadequacy, deficiency, or endangerment, the activities under (a) of this subsection must be performed initially independent from any previous findings. However, the department may combine plans and quarterly updates thereafter to include all findings made by that federal or state agency or court.

(c) The activities required in (a) and (b) of this subsection are supplemental to any other actions required by the department to address the findings of the federal or state agency or court and must be accomplished using amounts appropriated in this act.

(d) If the state auditor is required to perform the activities under this section on behalf of the department, the department must reimburse the state auditor for those costs."

On page 129, after line 30, insert the following:

"(c)(i) During the 2019-2021 fiscal biennium, whenever the conditions or care at a department of veterans affairs operated facility or institution is found by a federal or state agency or court

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to be inadequate, deficient, or endanger clients, staff, or federal funding, the department must:

(A) Issue a press release to the media of the findings within five days;

(B) Produce a plan to the governor and the state auditor detailing a timeline of actions to be taken to address the findings within thirty days;

(C) Notify all legal representatives or custodians of residents at the facility or institution of the findings and the action plan within forty-five days and provide quarterly updates thereafter of the status of plan until federal or state agency or court ruling reach a final resolution; and

(D) Identify any alternative residential placement settings that may be available to the client.

(ii) If the federal or state agency or court makes additional or revised findings of inadequacy, deficiency, or endangerment, the activities under (c)(i) of this subsection must be performed initially independent from any previous findings. However, the department may combine plans and quarterly updates thereafter to include all findings made by that federal or state agency or court.

(iii) The activities required in (c) (i) and (ii) of this subsection are supplemental to any other actions required by the department to address the findings of the federal or state agency or court and must be accomplished using amounts appropriated in this act.

(iv) If the state auditor is required to perform the activities under this section on behalf of the department, the department must reimburse the state auditor for those costs."

On page 157, after line 29, insert the following:

"(k)(i) During the 2019-2021 fiscal biennium, whenever the conditions or care at a department of children, youth, and families operated facility or institution is found by a federal or state agency or court to be inadequate, deficient, or endanger clients, staff, or federal funding, the department must:

(A) Issue a press release to the media of the findings within five days;

(B) Produce a plan to the governor and the state auditor detailing a timeline of actions to be taken to address the findings within thirty days;

(C) Notify all legal representatives or custodians of residents at the facility or institution of the findings and the action plan within forty-five days and provide quarterly updates thereafter of the status of plan until federal or state agency or court ruling reach a final resolution; and

(D) Identify any alternative residential placement settings that may be available to the client.

(ii) If the federal or state agency or court makes additional or revised findings of inadequacy, deficiency, or endangerment, the activities under (k)(i) of this subsection must be performed initially independent from any previous findings. However, the department may combine plans and quarterly updates thereafter to include all findings made by that federal or state agency or court.

(iii) The activities required in (k) (i) and (ii) of this subsection are supplemental to any other actions required by the department to address the findings of the federal or state agency or court and must be accomplished using amounts appropriated in this act.

(iv) If the state auditor is required to perform the activities under this section on behalf of the department, the department must reimburse the state auditor for those costs."

Senator O'Ban spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Rolfes spoke against adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 494 by Senator O'Ban on page 21, after line 7 to the committee striking amendment.

The motion by Senator O'Ban did not carry and amendment no. 494 was not adopted by voice vote.

WITHDRAWAL OF AMENDMENT

On motion of Senator Dhingra and without objection, amendment no. 468 by Senator Dhingra on page 21, line 15 to the committee striking amendment was withdrawn.

MOTION

Senator Zeiger moved that the following amendment no. 490 by Senator Zeiger be adopted:

On page 25, line 14, increase the general fund—state appropriation for fiscal year 2020 by \$1,500,000

On page 25, line 15, increase the general fund—state appropriation for fiscal year 2021 by \$1,500,000

On page 26, line 7, correct the total

On page 35, after line 15, insert the following:

"(54) \$1,500,000 of the general fund—state appropriation for fiscal year 2020 and \$1,500,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for a pilot program for counties to provide diversion services to persons and families at risk of or who are experiencing homelessness. The pilot program must include the three most populous counties in the state.

(a) Each county's program should prioritize providing diversion services for those families and individuals who (i) are at substantial risk of losing stable housing or (ii) became recently homeless and are determined to have a high probability of returning to stable housing.

(b) By December 1, 2021, the counties selected to participate in the pilot program must report to the department the number of persons assisted during the pilot program, the number of such persons maintaining or returning to stable housing overall, and the number of such persons maintaining or returning to stable housing within thirty days of receiving diversion services. By July 1, 2021, the department must report to the legislature the statistics provided by the counties and any best practices for providing services to those persons and families described under (a) of this subsection, and provide any legislative recommendations.

(c) For purposes of this subsection:

(i) "Diversion services" means the employment of at least one diversion specialist to assist persons and families as described in (a) of this subsection find housing options using their own available resources and, if none exist, providing such persons and families with short-term services or one-time financial assistance, or both.

(ii) "Substantial risk" means the person or family has provided documentation that they will lose their housing within the next thirty days or that services will be discontinued within the next thirty days."

Senator Zeiger spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Rolfes spoke against adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 490 by Senator Zeiger on page 25, line 14 to the committee striking amendment.

The motion by Senator Zeiger did not carry and amendment no. 490 was not adopted by voice vote.

MOTION

Senator Zeiger moved that the following amendment no. 491 by Senator Zeiger be adopted:

On page 25, line 14, increase the general fund—state appropriation for fiscal year 2020 by \$4,000,000

On page 25, line 15, increase the general fund—state appropriation for fiscal year 2021 by \$4,000,000

On page 26, line 7, correct the total

On page 35, after line 15, insert:

"(54) \$4,000,000 of the general fund—state appropriation for fiscal year 2020 and \$4,000,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for grants to local government drug and gang task forces."

On page 123, line 1, increase the general fund—state appropriation for fiscal year 2020 by \$5,000,000

On page 123, line 2, increase the general fund—state appropriation for fiscal year 2021 by \$5,000,000

On page 123, line 11, correct the total

On page 124, after line 37, insert the following:

"(9) \$5,000,000 of the general fund—state appropriation for fiscal year 2020 and \$5,000,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the Washington association of sheriffs and police chiefs to develop and implement a proactive policing grant program.

(a) The purpose of the program is to provide additional, non-supplanted funding to law enforcement agencies to address the public safety needs of their individual communities. The grants must be awarded to local law enforcement agencies based on their locally developed proposals, and two or more agencies may submit a joint grant proposal. A peer review panel appointed by the Washington association of sheriffs and police chiefs must review the grant applications, and association may prioritize grant applications that include local matching funds.

(b) To the extent practicable, grants should be awarded on a two-year cycle, and grant proposals must:

- (i) Demonstrate the public safety problem to be addressed;
- (ii) Identify the strategy for addressing the problem; and
- (iii) Identify specific data elements to measure the current state of the problem and whether the actions to address the problem were successful.

(c) By December 1st of each year the program is funded, the Washington association of sheriffs and police chiefs must submit an annual report to the governor and the appropriate committees of the legislature. The report must include information regarding the grant recipients, the use of funds, and feedback from the grant recipients."

Senator Zeiger spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Dhingra spoke against adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 491 by Senator Zeiger on page 25, line 14 to the committee striking amendment.

The motion by Senator Zeiger did not carry and amendment no. 491 was not adopted by voice vote.

MOTION

Senator Braun moved that the following amendment no. 501 by Senator Braun be adopted:

On page 25, line 14, increase the General Fund-State Appropriation (FY 2020) by \$500,000.

On page 25, line 16, increase the General Fund-State Appropriation (FY 2021) by \$500,000.

Adjust the total appropriation accordingly.

On page 35, after line 15, insert the following:

"(54) \$500,000 of the general fund-state appropriation for fiscal year 2020 and \$500,000 of the general fund-state appropriation for fiscal year 2021 are provided solely for grants to city or county chambers of commerce or similar associations administering a business improvement area located in a county with an unsheltered homeless individuals count that exceeds five hundred according to the department's most recent point in time homeless census under RCW 43.185C.030. Grant funds must be used to provide additional security or sanitation services for the protection of persons or property within the boundaries of the chamber or business improvement area."

Renumber the remaining sections consecutively and correct any internal references accordingly.

Senator Braun spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Rolfes spoke against adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 501 by Senator Braun on page 25, line 14 to the committee striking amendment.

The motion by Senator Braun did not carry and amendment no. 501 was not adopted by voice vote.

MOTION

Senator Brown moved that the following amendment no. 482 by Senator Brown be adopted:

On page 42, line 32, increase the general fund—state appropriation for fiscal year 2020 by \$37,000

On page 43, line 8, correct the total

On page 44, after line 17, insert the following:

"(9) \$37,000 of the general fund—state appropriation for fiscal year 2020 is provided solely for the implementation of Senate Bill No. 5147 (feminine hygiene products tax). If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse."

Senator Brown spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Rolfes spoke against adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 482 by Senator Brown on page 42, line 32 to the committee striking amendment.

The motion by Senator Brown did not carry and amendment no. 482 was not adopted by voice vote.

MOTION

Senator Padden moved that the following amendment no. 489 by Senator Padden be adopted:

On page 42, line 32, increase the general fund—state appropriation for fiscal year 2020 by \$30,000

On page 42, line 33, increase the general fund—state appropriation for fiscal year 2021 by \$30,000

On page 43, line 8, correct the total

On page 44, after line 17, insert the following:

"(9) \$30,000 of the general fund—state appropriation for fiscal year 2020 and \$30,000 of the general fund—state appropriation

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for fiscal year 2021 are provided solely for the implementation of Senate Bill No. 5608 (lowering the business and occupation tax rate). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse."

Senators Padden and Short spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Rolfes spoke against adoption of the amendment to the committee striking amendment.

Senator Short demanded a roll call.

The President declared that one-sixth of the members supported the demand and the demand was sustained.

Senators Ericksen and Schoesler spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Palumbo spoke against adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of the amendment by Senator Padden on page 42, line 32 to the committee striking amendment.

ROLL CALL

The Secretary called the roll on the adoption of the amendment by Senator Padden and the amendment was not adopted by the following vote: Yeas, 21; Nays, 26; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Braun, Brown, Ericksen, Fortunato, Hawkins, Holy, Honeyford, King, Mullet, O'Ban, Padden, Rivers, Schoesler, Short, Takko, Wagoner, Walsh, Warnick and Zeiger

Voting nay: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Nguyen, Palumbo, Pedersen, Randall, Rolfes, Saldaña, Salomon, Van De Wege, Wellman and Wilson, C.

Excused: Senators Sheldon and Wilson, L.

MOTION

Senator Fortunato moved that the following amendment no. 507 by Senator Fortunato be adopted:

On page 42, line 32, increase the general fund—state appropriation for fiscal year 2020 by \$591,000

On page 42, line 33, increase the general fund—state appropriation for fiscal year 2021 by \$365,000

On page 43, line 8, correct the total

On page 44, after line 17, insert the following:

"(9) \$591,000 of the general fund—state appropriation for fiscal year 2020 and \$365,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Senate Bill No. 5624 (clothing and prepared food tax). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse."

Senator Fortunato spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Rolfes spoke against adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 507 by Senator Fortunato on page 42, line 32 to the committee striking amendment.

The motion by Senator Fortunato did not carry and amendment no. 507 was not adopted by voice vote.

MOTION

Senator Fortunato moved that the following amendment no. 509 by Senator Fortunato be adopted:

On page 42, line 32, increase the general fund—state appropriation for fiscal year 2020 by \$13,000

On page 43, line 8, correct the total

On page 44, after line 17, insert the following:

"(9) \$13,000 of the general fund—state appropriation for fiscal year 2020 is provided solely for implementation of Senate Bill No. 5743 (vehicle taxation). If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse."

Senator Fortunato spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Hobbs spoke against adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 509 by Senator Fortunato on page 42, line 32 to the committee striking amendment.

The motion by Senator Fortunato did not carry and amendment no. 509 was not adopted by voice vote.

MOTION

Senator Schoesler moved that the following amendment no. 506 by Senator Schoesler be adopted:

On page 44, after line 31, insert the following:

"General Fund-State Appropriation (FY 2020) \$959,000

General Fund-State Appropriation (FY 2021) . . . \$748,000"

Adjust the total appropriation accordingly.

On page 44, after line 34, insert the following:

"The appropriations in this section are subject to the following conditions and limitations: \$959,000 of the general fund-state appropriation for fiscal year 2020 and \$748,000 of the general fund-state appropriation for fiscal year 2021 are provided solely for the implementation of the Governor's subcabinet on business diversity within the office of minority and women's business enterprises."

Re-number the remaining sections consecutively and correct any internal references accordingly.

Senator Schoesler spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Rolfes spoke against adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 506 by Senator Schoesler on page 44, after line 31 to the committee striking amendment.

The motion by Senator Schoesler did not carry and amendment no. 506 was not adopted by voice vote.

MOTION

Senator Short moved that the following amendment no. 471 by Senator Short be adopted:

On page 45, after line 36, insert the following:

"(7) Within the amounts appropriated in this section, the commissioner shall review how pharmacy benefit managers are regulated in other states and report the findings to the governor and appropriate committees of the legislature by September 15, 2019."

Senators Short and Cleveland spoke in favor of adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 471 by Senator Short on page 45, after line 36 to the committee striking amendment.

The motion by Senator Short carried and amendment no. 471 was adopted by voice vote.

MOTION

Senator Hunt moved that the following amendment no. 473 by Senator Hunt be adopted:

On page 53, after line 36, insert the following:

"(9) The department may expend private local funds for new signage designating the Joan Benoit Samuelson marathon park if the private local funds are received for that specific purpose."

Senator Hunt spoke in favor of adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 473 by Senator Hunt on page 53, after line 36 to the committee striking amendment.

The motion by Senator Hunt carried and amendment no. 473 was adopted by voice vote.

MOTION

Senator Bailey moved that the following amendment no. 508 by Senator Bailey be adopted:

On page 66, line 8, increase the general fund—federal appropriation by \$1,818,000

On page 66, line 9, increase the general fund—state appropriation for fiscal year 2020 by \$580,000

On page 66, line 10, increase the general fund—state appropriation for fiscal year 2021 by \$850,000

On page 66, line 13, correct the total

On page 72, line 25, after "(x)" strike "\$251,000" and insert "\$831,000"

On page 72, line 26, after "2020," strike "\$251,000" and insert "\$1,101,000"

On page 72, line 27, after "and" strike "\$640,000" and insert "\$2,458,000"

On page 72, beginning on line 28, after "solely" strike "for a targeted vendor rate increase for adult residential care and enhanced adult residential care" and insert "to increase rates for assisted living facility providers consistent with chapter 225, Laws of 2018 (SHB 2515)"

On page 75, line 14, increase the general fund—state appropriation for fiscal year 2020 by \$15,207,000

On page 75, line 15, increase the general fund—state appropriation for fiscal year 2021 by \$21,695,000

On page 75, line 16, increase the general fund—federal appropriation by \$46,964,000

On page 75, line 23, correct the total

On page 80, line 37, after "(16)" strike "\$4,725,000" and insert "\$19,932,000"

On page 80, line 38, after "2020," strike "4,725,000" and insert "\$26,420,000"

On page 80, line 39, after "and" strike "\$12,030,000" and insert "\$58,994,000"

On page 81, beginning on line 1, after "solely" strike "for a targeted vendor rate increase for assisted living facilities including adult residential care and enhanced adult residential care" and insert "to increase rates for assisted living facility providers consistent with chapter 225, Laws of 2018 (SHB 2515)"

Senator Bailey spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Rolfes spoke against adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 508 by Senator Bailey on page 66, line 8 to the committee striking amendment.

The motion by Senator Bailey did not carry and amendment no. 508 was not adopted by voice vote.

MOTION

Senator Walsh moved that the following amendment no. 487 by Senator Walsh be adopted:

On page 75, line 14, increase the general fund—state appropriation for fiscal year 2020 by \$700,000

On page 75, line 15, increase the general fund—state appropriation for fiscal year 2021 by \$700,000

On page 75, line 23, correct the total

On page 85, after line 10, insert the following:

"(31) \$700,000 of the general fund—state appropriation for fiscal year 2020 and \$700,000 of the general fund—state appropriation for fiscal year 2021 are provided solely to expand nutrition services through the home delivered meals program."

On page 140, line 10, decrease the general fund—state appropriation for fiscal year 2020 by \$700,000

On page 140, line 11, decrease the general fund—state appropriation for fiscal year 2021 by \$700,000

On page 140, line 17, correct the total

Senators Walsh, Schoesler, Padden and Short spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Rolfes spoke against adoption of the amendment to the committee striking amendment.

Senator Short demanded a roll call.

The President declared that one-sixth of the members supported the demand and the demand was sustained.

Senator Darneille spoke against adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of the amendment by Senator Walsh on page 75, line 14 to the committee striking amendment.

ROLL CALL

The Secretary called the roll on the adoption of the amendment no 487 by Senator Walsh and the amendment was not adopted by the following vote: Yeas, 22; Nays, 26; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Braun, Brown, Ericksen, Fortunato, Hawkins, Holy, Honeyford, King, O'Ban, Padden, Randall, Rivers, Schoesler, Sheldon, Short, Takko, Wagoner, Walsh, Warnick and Zeiger

Voting nay: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Palumbo, Pedersen, Rolfes, Saldaña, Salomon, Van De Wege, Wellman and Wilson, C.

Excused: Senator Wilson, L.

MOTION

Senator Rivers moved that the following amendment no. 496 by Senators Rivers and Bailey be adopted:

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On page 75, line 14, increase the general fund—state appropriation for fiscal year 2020 by \$19,907,000

On page 75, line 16, increase the general fund—federal appropriation by \$19,908,000

On page 75, line 23, correct the total

On page 385, after line 31, insert the following:

"Sec. 995. RCW 74.46.561 and 2017 c 286 s 2 are each amended to read as follows:

(1) The legislature adopts a new system for establishing nursing home payment rates beginning July 1, 2016. Any payments to nursing homes for services provided after June 30, 2016, must be based on the new system. The new system must be designed in such a manner as to decrease administrative complexity associated with the payment methodology, reward nursing homes providing care for high acuity residents, incentivize quality care for residents of nursing homes, and establish minimum staffing standards for direct care.

(2) The new system must be based primarily on industry-wide costs, and have three main components: Direct care, indirect care, and capital.

(3) The direct care component must include the direct care and therapy care components of the previous system, along with food, laundry, and dietary services. Direct care must be paid at a fixed rate, based on one hundred percent or greater of statewide case mix neutral median costs, but shall be set so that a nursing home provider's direct care rate does not exceed one hundred eighteen percent of its base year's direct care allowable costs except if the provider is below the minimum staffing standard established in RCW 74.42.360(2). Direct care must be performance-adjusted for acuity every six months, using case mix principles. Direct care must be regionally adjusted using county wide wage index information available through the United States department of labor's bureau of labor statistics. There is no minimum occupancy for direct care. The direct care component rate allocations calculated in accordance with this section must be adjusted to the extent necessary to comply with RCW 74.46.421.

(4) The indirect care component must include the elements of administrative expenses, maintenance costs, and housekeeping services from the previous system. A minimum occupancy assumption of ninety percent must be applied to indirect care. Indirect care must be paid at a fixed rate, based on ninety percent or greater of statewide median costs. The indirect care component rate allocations calculated in accordance with this section must be adjusted to the extent necessary to comply with RCW 74.46.421.

(5) The capital component must use a fair market rental system to set a price per bed. The capital component must be adjusted for the age of the facility, and must use a minimum occupancy assumption of ninety percent.

(a) Beginning July 1, 2016, the fair rental rate allocation for each facility must be determined by multiplying the allowable nursing home square footage in (c) of this subsection by the ~~((RS means))~~ RSMMeans rental rate in (d) of this subsection and by the number of licensed beds yielding the gross unadjusted building value. An equipment allowance of ten percent must be added to the unadjusted building value. The sum of the unadjusted building value and equipment allowance must then be reduced by the average age of the facility as determined by (e) of this subsection using a depreciation rate of one and one-half percent. The depreciated building and equipment plus land valued at ten percent of the gross unadjusted building value before depreciation must then be multiplied by the rental rate at seven and one-half percent to yield an allowable fair rental value for the land, building, and equipment.

(b) The fair rental value determined in (a) of this subsection must be divided by the greater of the actual total facility census

from the prior full calendar year or imputed census based on the number of licensed beds at ninety percent occupancy.

(c) For the rate year beginning July 1, 2016, all facilities must be reimbursed using four hundred square feet. For the rate year beginning July 1, 2017, allowable nursing facility square footage must be determined using the total nursing facility square footage as reported on the medicaid cost reports submitted to the department in compliance with this chapter. The maximum allowable square feet per bed may not exceed four hundred fifty.

(d) Each facility must be paid at eighty-three percent or greater of the median nursing facility ~~((RS means))~~ RSMMeans construction index value per square foot for Washington state. The department may use updated ~~((RS means))~~ RSMMeans construction index information when more recent square footage data becomes available. The statewide value per square foot must be indexed based on facility zip code by multiplying the statewide value per square foot times the appropriate zip code based index. For the purpose of implementing this section, the value per square foot effective July 1, 2016, must be set so that the weighted average ~~((FRV [fair rental value]))~~ fair rental value rate is not less than ten dollars and eighty cents ~~((ppd [per patient day]))~~ per patient day. The capital component rate allocations calculated in accordance with this section must be adjusted to the extent necessary to comply with RCW 74.46.421.

(e) The average age is the actual facility age reduced for significant renovations. Significant renovations are defined as those renovations that exceed two thousand dollars per bed in a calendar year as reported on the annual cost report submitted in accordance with this chapter. For the rate beginning July 1, 2016, the department shall use renovation data back to 1994 as submitted on facility cost reports. Beginning July 1, 2016, facility ages must be reduced in future years if the value of the renovation completed in any year exceeds two thousand dollars times the number of licensed beds. The cost of the renovation must be divided by the accumulated depreciation per bed in the year of the renovation to determine the equivalent number of new replacement beds. The new age for the facility is a weighted average with the replacement bed equivalents reflecting an age of zero and the existing licensed beds, minus the new bed equivalents, reflecting their age in the year of the renovation. At no time may the depreciated age be less than zero or greater than forty-four years.

(f) A nursing facility's capital component rate allocation must be rebased annually, effective July 1, 2016, in accordance with this section and this chapter.

(6) A quality incentive must be offered as a rate enhancement beginning July 1, 2016.

(a) An enhancement no larger than five percent and no less than one percent of the statewide average daily rate must be paid to facilities that meet or exceed the standard established for the quality incentive. All providers must have the opportunity to earn the full quality incentive payment.

(b) The quality incentive component must be determined by calculating an overall facility quality score composed of four to six quality measures. For fiscal year 2017 there shall be four quality measures, and for fiscal year 2018 there shall be six quality measures. Initially, the quality incentive component must be based on minimum data set quality measures for the percentage of long-stay residents who self-report moderate to severe pain, the percentage of high-risk long-stay residents with pressure ulcers, the percentage of long-stay residents experiencing one or more falls with major injury, and the percentage of long-stay residents with a urinary tract infection. Quality measures must be reviewed on an annual basis by a stakeholder work group established by the department. Upon review, quality measures may be added or

changed. The department may risk adjust individual quality measures as it deems appropriate.

(c) The facility quality score must be point based, using at a minimum the facility's most recent available three-quarter average ((~~CMS [centers for medicare and medicaid services]~~)) centers for medicare and medicaid services quality data. Point thresholds for each quality measure must be established using the corresponding statistical values for the quality measure ((~~QM~~)) point determinants of eighty ((~~QM~~)) quality measure points, sixty ((~~QM~~)) quality measure points, forty ((~~QM~~)) quality measure points, and twenty ((~~QM~~)) quality measure points, identified in the most recent available five-star quality rating system technical user's guide published by the center for medicare and medicaid services.

(d) Facilities meeting or exceeding the highest performance threshold (top level) for a quality measure receive twenty-five points. Facilities meeting the second highest performance threshold receive twenty points. Facilities meeting the third level of performance threshold receive fifteen points. Facilities in the bottom performance threshold level receive no points. Points from all quality measures must then be summed into a single aggregate quality score for each facility.

(e) Facilities receiving an aggregate quality score of eighty percent of the overall available total score or higher must be placed in the highest tier (tier V), facilities receiving an aggregate score of between seventy and seventy-nine percent of the overall available total score must be placed in the second highest tier (tier IV), facilities receiving an aggregate score of between sixty and sixty-nine percent of the overall available total score must be placed in the third highest tier (tier III), facilities receiving an aggregate score of between fifty and fifty-nine percent of the overall available total score must be placed in the fourth highest tier (tier II), and facilities receiving less than fifty percent of the overall available total score must be placed in the lowest tier (tier I).

(f) The tier system must be used to determine the amount of each facility's per patient day quality incentive component. The per patient day quality incentive component for tier IV is seventy-five percent of the per patient day quality incentive component for tier V, the per patient day quality incentive component for tier III is fifty percent of the per patient day quality incentive component for tier V, and the per patient day quality incentive component for tier II is twenty-five percent of the per patient day quality incentive component for tier V. Facilities in tier I receive no quality incentive component.

(g) Tier system payments must be set in a manner that ensures that the entire biennial appropriation for the quality incentive program is allocated.

(h) Facilities with insufficient three-quarter average ((~~CMS [centers for medicare and medicaid services]~~)) centers for medicare and medicaid services quality data must be assigned to the tier corresponding to their five-star quality rating. Facilities with a five-star quality rating must be assigned to the highest tier (tier V) and facilities with a one-star quality rating must be assigned to the lowest tier (tier I). The use of a facility's five-star quality rating shall only occur in the case of insufficient ((~~CMS [centers for medicare and medicaid services]~~)) centers for medicare and medicaid services minimum data set information.

(i) The quality incentive rates must be adjusted semiannually on July 1 and January 1 of each year using, at a minimum, the most recent available three-quarter average ((~~CMS [centers for medicare and medicaid services]~~)) centers for medicare and medicaid services quality data.

(j) Beginning July 1, 2017, the percentage of short-stay residents who newly received an antipsychotic medication must be added as a quality measure. The department must determine

the quality incentive thresholds for this quality measure in a manner consistent with those outlined in (b) through (h) of this subsection using the centers for medicare and medicaid services quality data.

(k) Beginning July 1, 2017, the percentage of direct care staff turnover must be added as a quality measure using the centers for medicare and medicaid services' payroll-based journal and nursing home facility payroll data. Turnover is defined as an employee departure. The department must determine the quality incentive thresholds for this quality measure using data from the centers for medicare and medicaid services' payroll-based journal, unless such data is not available, in which case the department shall use direct care staffing turnover data from the most recent medicaid cost report.

(7) Reimbursement of the safety net assessment imposed by chapter 74.48 RCW and paid in relation to medicaid residents must be continued.

(8) The direct care and indirect care components must be rebased in even-numbered years, beginning with rates paid on July 1, 2016. In addition, rates paid beginning July 1, 2019, must be rebased on the 2017 calendar year cost report. Rates paid on July 1, 2016, must be based on the 2014 calendar year cost report. On a percentage basis, after rebasing, the department must confirm that the statewide average daily rate has increased at least as much as the average rate of inflation, as determined by the skilled nursing facility market basket index published by the centers for medicare and medicaid services, or a comparable index. If after rebasing, the percentage increase to the statewide average daily rate is less than the average rate of inflation for the same time period, the department is authorized to increase rates by the difference between the percentage increase after rebasing and the average rate of inflation.

(9) The direct care component provided in subsection (3) of this section is subject to the reconciliation and settlement process provided in RCW 74.46.022(6). Beginning July 1, 2016, pursuant to rules established by the department, funds that are received through the reconciliation and settlement process provided in RCW 74.46.022(6) must be used for technical assistance, specialized training, or an increase to the quality enhancement established in subsection (6) of this section. The legislature intends to review the utility of maintaining the reconciliation and settlement process under a price-based payment methodology, and may discontinue the reconciliation and settlement process after the 2017-2019 fiscal biennium.

(10) Compared to the rate in effect June 30, 2016, including all cost components and rate add-ons, no facility may receive a rate reduction of more than one percent on July 1, 2016, more than two percent on July 1, 2017, or more than five percent on July 1, 2018. To ensure that the appropriation for nursing homes remains cost neutral, the department is authorized to cap the rate increase for facilities in fiscal years 2017, 2018, and 2019."

On page 731, line 9, after "79A.05.059," insert "74.46.561,"

Senator Rivers spoke in favor of adoption of the amendment to the committee striking amendment.

WITHDRAWAL OF AMENDMENT

On motion of Senator Rivers and without objection, amendment no. 496 by Senators Rivers and Bailey on page 75, line 14 to the committee striking amendment was withdrawn.

WITHDRAWAL OF AMENDMENT

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On motion of Senator McCoy and without objection, amendment no. 461 by Senator McCoy on page 94, line 16 to the committee striking amendment was withdrawn.

MOTION

Senator Rivers moved that the following amendment no. 504 by Senators Rivers and Short be adopted:

On page 94, line 16, increase the general fund—state appropriation for fiscal year 2020 by \$955,000

On page 94, line 17, increase the general fund—state appropriation for fiscal year 2021 by \$1,926,000

On page 94, line 18, increase the general fund—federal appropriation by \$2,885,000

On page 94, line 32, correct the total

On page 108, after line 15, insert the following:

"(46) Sufficient amounts are appropriated in this section to increase the hourly rate by ten percent for registered nurses and licensed practical nurses providing skilled nursing services for children who require medically intensive care in a home setting. This rate increase begins on January 1, 2020.

(47) Sufficient amounts are appropriated in this section to increase the daily rate by ten percent for registered nurses and licensed practical nurses providing skilled nursing services to medically intensive children's program clients who reside in a group home setting. This rate increase begins on January 1, 2020."

Senator Rivers spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Rolfes spoke against adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 504 by Senators Rivers and Short on page 94, line 16 to the committee striking amendment.

The motion by Senator Rivers did not carry and amendment no. 504 was not adopted by voice vote.

MOTION

Senator Short moved that the following amendment no. 502 by Senator Short be adopted:

On page 108, after line 15, insert the following:

"(46) Within the amounts appropriated within this section the authority shall conduct an evaluation of purchasing arrangements and paid claims or encounter data for prescription drugs under managed care contracts for plan years 2017 and 2018 and compare these to contract purchasing agreements under the same years for the prescription drug consortium and identify any cost differences. The authority shall report its findings to the governor and appropriate committees of the legislature by November 15, 2019."

Senators Short and Rolfes spoke in favor of adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 502 by Senator Short on page 108, after line 15 to the committee striking amendment.

The motion by Senator Short carried and amendment no. 502 was adopted by voice vote.

MOTION

Senator Mullet moved that the following amendment no. 467 by Senator Mullet be adopted:

On page 108, line 18, increase the state health care authority administrative account—state appropriation by \$25,002,000

On page 108, line 20, correct the total

Beginning on page 109, line 37, strike all material through "limitations:" on page 110, line 5, and insert "(7)"

On page 110, line 8, strike "school employees'" and insert "public employees' and retirees'"

On page 213, line 37, strike "school employees'" and insert "public employees' and retirees'"

On page 215, line 24, decrease the general fund—state appropriation (FY 2020) by \$34,323,000

On page 215, line 25, decrease the general fund—state appropriation (FY 2021) by \$62,938,000

On page 215, line 27, correct the total

On page 220, beginning on line 15, after "below." strike all material through "equivalent." on line 22

On page 220, after line 23, strike all material through "(ii)" on line 26

On page 220, line 27, strike "1.43" and insert "1.152"

On page 227, beginning on line 11, strike all of subsection (22) and insert the following:

"(22) \$476,782,000 of the general fund—state appropriation for fiscal year 2020 and \$832,614,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for expenditure to the public employees' and retirees' insurance account."

On page 228, line 18, decrease the general fund—state appropriation (FY 2020) by \$31,900,000

On page 228, line 19, decrease the general fund—state appropriation (FY 2021) by \$107,147,000

On page 228, line 20, correct the total

On page 230, beginning on line 5, strike all of subsection (7) and insert the following:

"(7) \$85,858,000 of the general fund—state appropriation for fiscal year 2020 and \$155,528,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for expenditure to the public employees' and retirees' insurance account."

On page 230, line 11, decrease the general fund—state appropriation (FY 2020) by \$257,000

On page 230, line 12, decrease the general fund—state appropriation (FY 2021) by \$746,000

On page 230, line 13, correct the total

On page 231, beginning on line 30, strike all of subsection (10) and insert the following:

"(10) \$427,000 of the general fund—state appropriation for fiscal year 2020 and \$769,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for expenditure to the public employees' and retirees' insurance account."

On page 233, line 10, increase the general fund—state appropriation (FY 2020) by \$25,032,000

On page 233, line 11, increase the general fund—state appropriation (FY 2021) by \$81,813,000

On page 233, line 15, correct the total

On page 237, beginning on line 17, strike all of subsection (16) and insert the following:

"(16) \$69,061,000 of the general fund—state appropriation for fiscal year 2020 and \$121,307,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for expenditure to the public employees' and retirees' insurance account."

On page 238, line 19, decrease the general fund—state appropriation (FY 2020) by \$42,000

On page 238, line 20, decrease the general fund—state appropriation (FY 2021) by \$95,000

On page 238, line 21, correct the total

On page 239, beginning on line 31, strike all of subsection (8) and insert the following:

"(8) \$696,000 of the general fund—state appropriation for fiscal year 2020 and \$1,374,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for expenditure to the public employees' and retirees' insurance account."

On page 239, line 37, decrease the general fund—state appropriation (FY 2020) by \$32,000

On page 239, line 38, decrease the general fund—state appropriation (FY 2021) by \$60,000

On page 240, line 1, correct the total

On page 240, beginning on line 26, strike all of subsection (4) and insert the following:

"(4) \$1,723,000 of the general fund—state appropriation for fiscal year 2020 and \$3,005,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for expenditure to the public employees' and retirees' insurance account."

On page 246, line 24, decrease the general fund—state appropriation (FY 2020) by \$215,000

On page 246, line 25, decrease the general fund—state appropriation (FY 2021) by \$396,000

On page 246, line 28, correct the total

On page 248, beginning on line 1, strike all of subsection (7) and insert the following:

"(7) \$11,390,000 of the general fund—state appropriation for fiscal year 2020 and \$19,950,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for expenditure to the public employees' and retirees' insurance account."

On page 248, line 7, decrease the general fund—state appropriation (FY 2020) by \$467,000

On page 248, line 8, decrease the general fund—state appropriation (FY 2021) by \$849,000

On page 248, line 10, correct the total

On page 249, beginning on line 25, strike all of subsection (6) and insert the following:

"(6) \$24,791,000 of the general fund—state appropriation for fiscal year 2020 and \$42,898,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for expenditure to the public employees' and retirees' insurance account."

On page 251, line 4, decrease the Washington opportunity pathways account—state appropriation by \$357,000

On page 251, line 5, correct the total

On page 251, beginning on line 14, strike all of subsection (2) and insert the following:

"(2) \$7,147,000 of the Washington opportunity pathways account—state appropriation is provided solely for expenditure to the public employees' and retirees' insurance account."

On page 288, beginning on line 1, strike all of section 706

Renumber the remaining sections consecutively and correct any internal references accordingly.

Beginning on page 324, line 17, after "41.59 RCW." strike all material through "expenditures." on page 325, line 19, and insert, "The legislature rejects the tentative agreement that has been reached as a whole."

Senators Mullet, Braun and Becker spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Rolfes spoke against adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 467 by Senator Mullet on page 108, line 18 to the committee striking amendment.

The motion by Senator Mullet did not carry and amendment no. 467 was not adopted by a rising vote.

MOTION

Senator Zeiger moved that the following amendment no. 503 by Senator Zeiger be adopted:

On page 122, after line 10, insert the following:

"(48) Within the funds appropriated in this section, the authority shall prepare a gap analysis and implementation plan report for delivery to the governor and the legislature by December 1, 2019, to allow:

(a) Every patient who presents to a hospital, emergency room, or behavioral health facility with an indication of a substance use disorder, opioid overdose, or chronic addiction to receive, with patient consent, prior to discharge: (i) A substance use disorder evaluation; (ii) medically necessary and clinically appropriate services prior to transfer of care, including if applicable medication to relieve opioid withdrawal symptoms; (iii) information about availability of local treatment options; (iv) recovery planning tools; and (v) notification of discharge provided to the patient's emergency contacts and recovery coach; and

(b) Every patient to receive access to recovery coach services from a certified peer counselor when beginning a course of inpatient or outpatient substance use disorder treatment. In addition, the authority shall consult the Rhode Island model for substance use disorder intervention and treatment services in preparing its report and include any anticipated costs associated with the recommended plan."

Senators Zeiger and Short spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Dhingra spoke against adoption of the amendment to the committee striking amendment.

Senator Short demanded a roll call.

The President declared that one-sixth of the members supported the demand and the demand was sustained.

Senator Rolfes spoke against adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of the amendment by Senator Zeiger on page 122, line 10, to the committee striking amendment.

ROLL CALL

The Secretary called the roll on the adoption of the adoption of the amendment no. 503 by Senator Zeiger and the amendment was not adopted by the following vote:

Yeas, 21; Nays, 27; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Braun, Brown, Ericksen, Fortunato, Hawkins, Holy, Honeyford, King, O'Ban, Padden, Palumbo, Rivers, Schoesler, Sheldon, Short, Wagoner, Walsh, Warnick and Zeiger

Voting nay: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Pedersen, Randall, Rolfes, Saldaña, Salomon, Takko, Van De Wege, Wellman and Wilson, C.

Excused: Senator Wilson, L.

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MOTION

Senator Schoesler moved that the following amendment no. 474 by Senator Schoesler be adopted:

On page 125, line 17, increase the accident account—state appropriation by \$500,000

On page 125, line 19, increase the medical aid account—state appropriation by \$500,000

On page 125, line 23, correct the total

On page 128, after line 39, insert the following:

"(18) \$500,000 of the accident account—state appropriation and \$500,000 of the medical aid account—state appropriation are provided solely for the department to contract with a southeastern Washington city's chamber of commerce conducting a Latino workforce project for a research study to identify psychosocial issues impacting Latinos in the state-funded workers' compensation system. The chamber of commerce shall partner with the Pacific Northwest Center for Mestizo and Indigenous Research and Engagement at the Washington State University to conduct the study. The study must identify barriers that impede injured Latino workers from returning to work. The study must also identify linguistically and culturally appropriate safety and return to work initiatives and other tools to minimize industrial injuries and facilitate timely return to work among the Latino workforce. The chamber of commerce shall submit a report on the study's findings to the legislature by June 30, 2021."

Senator Schoesler spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Keiser spoke against adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 474 by Senator Schoesler on page 125, line 17 to the committee striking amendment.

The motion by Senator Schoesler did not carry and amendment no. 474 was not adopted by voice vote.

MOTION

Senator Rivers moved that the following amendment no. 475 by Senator Rivers be adopted:

On page 131, line 9, increase the general fund—state appropriation for fiscal year 2020 by \$1,000,000

On page 131, line 10, increase the general fund—state appropriation for fiscal year 2021 by \$500,000

On page 132, line 7, correct the total

On page 139, after line 11, insert the following:

"(35) \$1,000,000 of the general fund—state appropriation for fiscal year 2020 and \$500,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the department to contract for targeted screening services and linkages in up to eleven high-burden jurisdictions and to expand an existing program to train incarcerated persons as peer health/hepatitis C virus educators in all state prisons as part of an effort to eliminate the public health threat of the hepatitis C virus by 2030 on a one-time basis."

Renumber the remaining sections consecutively and correct any internal references accordingly.

Senator Rivers spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Rolfes spoke against adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 475 by Senator Rivers on page 131, line 9 to the committee striking amendment.

The motion by Senator Rivers did not carry and amendment no. 475 was not adopted by voice vote.

MOTION

Senator Rivers moved that the following amendment no. 476 by Senator Rivers be adopted:

On page 131, line 9, increase the general fund—state appropriation (FY 2020) by \$250,000

On page 132, line 7, correct the total

On page 139, after line 11, insert the following:

"(35) \$250,000 of the general fund—state appropriation for fiscal year 2020 is provided solely for the department to evaluate in-school dental clinics operated in the Seattle public schools to determine whether the clinics should remain in public schools. The department shall assess the health conditions of the clinics and determine if the clinics pose a health risk to students. The department shall submit a report of its findings and recommendations to the appropriate committees of the legislature by December 1, 2019."

Senator Rivers spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Frockt spoke against adoption of the amendment to the committee striking amendment.

REMARKS BY THE PRESIDENT

President Habib: "Before we take the vote, a reminder to all Senators that even if you think that your side is going to prevail, please remember to vote orally during these voice votes. It makes it easier and reduces the time that we'll have to take if it's contested, if I'm not clear on what the outcome has been."

The President declared the question before the Senate to be the adoption of amendment no. 476 by Senator Rivers on page 131, line 9 to the committee striking amendment.

The motion by Senator Rivers did not carry and amendment no. 476 was not adopted by voice vote.

MOTION

Senator Padden moved that the following amendment no. 505 by Senator Padden be adopted:

On page 139, after line 11, insert the following:

"(35) No state moneys may be expended from the appropriations in this section for the purpose of supporting heroin injection sites or safe injection sites."

Renumber the remaining sections consecutively and correct any internal references accordingly.

Senators Padden and Rolfes spoke in favor of adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 505 by Senator Padden on page 139, after line 11 to the committee striking amendment.

The motion by Senator Padden carried and amendment no. 505 was adopted by voice vote.

MOTION

Senator Warnick moved that the following amendment no. 483 by Senator Warnick be adopted:

On page 147, line 4, increase the general fund—state appropriation for fiscal year 2020 by \$500,000

On page 147, line 5, increase the general fund—state appropriation for fiscal year 2021 by \$500,000

On page 147, line 10, correct the total

On page 151, line 32, after "(v)" strike "\$413,000" and insert "\$913,000"

On page 151, line 33, after "2020," strike "\$413,000" and insert "\$913,000"

On page 151, line 34, after ", and" strike "\$826,000" and insert "\$1,826,000"

On page 157, line 31, decrease the general fund—state appropriation for fiscal year 2020 by \$500,000

On page 157, line 32, decrease the general fund—state appropriation for fiscal year 2021 by \$500,000

On page 158, line 2, correct the total

On page 165, beginning on line 1, strike all of subsection (s)

Renumber the remaining subsections consecutively and correct any internal references accordingly.

Senator Warnick spoke in favor of adoption of the amendment to the committee striking amendment.

Senators Wilson, C. and Darneille spoke against adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 483 by Senator Warnick on page 147, line 4 to the committee striking amendment.

The motion by Senator Warnick did not carry and amendment no. 483 was not adopted by voice vote.

MOTION

Senator Carlyle moved that the following amendment no. 484 by Senator Carlyle be adopted:

On page 147, line 4, decrease the general fund—state appropriation for fiscal year 2020 by \$1,500,000

On page 147, line 5, decrease the general fund—state appropriation for fiscal year 2021 by \$2,000,000

On page 147, line 10, correct the total

On page 149, line 19, after "(j)(A)" strike "\$2,039,000" and insert "\$539,000"

On page 149, line 20, after "2020 and" strike "\$2,540,000" and insert "\$540,000"

On page 197, line 5, increase the general fund—state appropriation for fiscal year 2020 by \$1,500,000

On page 197, line 6, increase the general fund—state appropriation for fiscal year 2021 by \$2,000,000

On page 197, line 20, correct the total

On page 206, line 22, after "(34)" strike "\$2,145,000" and insert "\$3,645,000"

On page 206, line 23, after "2020 and" strike "\$2,145,000" and insert "\$4,145,000"

On page 207, after line 4, insert the following:

"(c) Of the amounts provided in this subsection (34), \$684,000 of the general fund—state appropriation for fiscal year 2020 and \$684,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the demonstration site established with funding provided in the 2017-2019 omnibus appropriations act, chapter 1, Laws of 2017, 3rd sp. sess., as amended."

Senator Carlyle spoke in favor of adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 484 by Senator Carlyle on page 147, line 4 to the committee striking amendment.

The motion by Senator Carlyle carried and amendment no. 484 was adopted by voice vote.

MOTION

Senator Fortunato moved that the following amendment no. 492 by Senator Fortunato be adopted:

On page 168, line 19, decrease the general fund—state appropriation for fiscal year 2020 by \$977,000

On page 168, line 20, increase the general fund—state appropriation for fiscal year 2021 by \$850,000

On page 169, line 22, correct the total

On page 172, beginning on line 4, strike all of subsection (18)

Renumber the remaining subsections consecutively and correct any internal references accordingly.

Senator Fortunato spoke in favor of adoption of the amendment to the committee striking amendment.

WITHDRAWAL OF AMENDMENT

On motion of Senator Fortunato and without objection, amendment no. 492 by Senator Fortunato on page 168, line 19 to the committee striking amendment was withdrawn.

MOTION

Senator Schoesler moved that the following amendment no. 477 by Senators Schoesler and Zeiger be adopted:

On page 179, beginning on line 15, strike all of subsection (3)

Renumber the remaining subsections consecutively and correct any internal references accordingly.

Senators Schoesler and Short spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Short demanded a roll call.

The President declared that one-sixth of the members supported the demand and the demand was sustained.

Senator Van De Wege spoke against adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of the amendment by on page 179, line 15, to the committee striking amendment.

ROLL CALL

The Secretary called the roll on the adoption of the amendment no. 477 by Senators Schoesler and Zeiger and the amendment was not adopted by the following vote: Yeas, 23; Nays, 25; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Braun, Brown, Ericksen, Fortunato, Hawkins, Holy, Honeyford, King, Lovelett, O'Ban, Padden, Randall, Rivers, Schoesler, Sheldon, Short, Takko, Wagoner, Walsh, Warnick and Zeiger

Voting nay: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, McCoy, Mullet, Nguyen, Palumbo, Pedersen, Rolfes, Saldaña, Salomon, Van De Wege, Wellman and Wilson, C.

Excused: Senator Wilson, L.

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MOTION

Senator Braun moved that the following amendment no. 499 by Senator Braun be adopted:

On page 182, line 14, increase the general fund—state appropriation for fiscal year 2020 by \$6,067,000

On page 182, line 15, increase the general fund—state appropriation for fiscal year 2021 by \$23,290,000

On page 182, line 24, increase the disaster response account—state appropriation by \$16,050,000

On page 183, line 9, decrease the wildfire prevention and suppression account—state appropriation by \$45,407,000

On page 183, line 12, correct the total

On page 183, line 21, after "(2)" strike all material through "state" on line 23 and insert the following: "\$23,290,000 of the general fund—state appropriation for fiscal year 2020, \$23,290,000 of the general fund—state appropriation for fiscal year 2021, and \$16,050,000 of the disaster response account—state"

Senator Braun spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Van De Wege spoke against adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 499 by Senator Braun on page 182, line 14 to the committee striking amendment.

The motion by Senator Braun did not carry and amendment no. 499 was not adopted by voice vote.

MOTION

Senator Van De Wege moved that the following amendment no. 478 by Senators Van De Wege, Wagoner, Lovelett, Braun, Wellman, Takko and Wilson, C. be adopted:

On page 215, line 25, increase the general fund—state appropriation for fiscal year 2021 by \$10,346,000

On page 215, line 27, correct the total

On page 227, beginning on line 8, strike all of subsection (21) Renumber the remaining subsection consecutively and correct any internal references accordingly.

Beginning on page 331, line 27, strike all of sections 953 and 954

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 731, line 3, after "28A.410.060," strike "28A.510.250, 28A.510.250,"

Senators Van De Wege, Wagoner, Rolfes and Lovelett spoke in favor of adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 478 by Senator Van De Wege on page 215, line 25 to the committee striking amendment.

The motion by Senators Van De Wege, Wagoner, Lovelett, Braun, Wellman, Takko and Wilson, C. carried and amendment no. 478 was adopted by voice vote.

WITHDRAWAL OF AMENDMENT

On motion of Senator Honeyford and without objection, amendment no. 464 by Senator Honeyford on page 256, line 5 to the committee striking amendment was withdrawn.

MOTION

Senator Bailey moved that the following amendment no. 488 by Senator Bailey be adopted:

On page 256, line 5, increase the general fund—state appropriation for fiscal year 2020 by \$5,400,000

On page 256, line 6, increase the general fund—state appropriation for fiscal year 2021 by \$5,400,000

On page 256, line 14, correct the total

On page 274, line 22, decrease the general fund—state appropriation for fiscal year 2020 by \$5,400,000

On page 274, line 23, decrease the general fund—state appropriation for fiscal year 2021 by \$5,400,000

On page 274, line 29, correct the total

POINT OF PARLIAMENTARY INQUIRY

Senator Honeyford: "I had amendment no. 510, which is the same page and line number as the amendment drafted... on..., It's next? Thank you."

Senator Bailey spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Rolfes spoke against adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 488 by Senator Bailey on page 256, line 5 to the committee striking amendment.

The motion by Senator Bailey did not carry and amendment no. 488 was not adopted by voice vote.

MOTION

Senator Honeyford moved that the following amendment no. 510 by Senator Honeyford be adopted:

On page 256, line 5, increase the General Fund-State Appropriation (FY 2020) by \$225,000.

On page 256, line 6, increase the General Fund-State Appropriation (FY 2021) by \$225,000.

Adjust the total appropriation accordingly.

On page 260, after line 21, insert the following:

"(27) \$225,000 of the general fund-state appropriation for fiscal year 2020 and \$225,000 of the general fund-state appropriation for fiscal year 2021 are provided solely for the aerospace and advanced manufacturing center of excellence hosted by Everett Community College for an unmanned autonomous vehicles branch in Sunnyside."

Renumber the remaining sections consecutively and correct any internal references accordingly.

Senator Honeyford spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Rolfes spoke against adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 510 by Senator Honeyford on page 256, line 5 to the committee striking amendment.

The motion by Senator Honeyford did not carry and amendment no. 510 was not adopted by a rising vote.

MOTION

Senator Frockt moved that the following amendment no. 466 by Senator Frockt be adopted:

On page 256, beginning on line 12, strike all material through line 13

On page 256, line 14, correct the total

On page 259, line 29, after "2020" strike "," and insert "and"

On page 259, line 30, after "2021" strike all material through "appropriation" on line 31

Senator Frockt spoke in favor of adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 466 by Senator Frockt on page 256, line 12 to the committee striking amendment.

The motion by Senator Frockt carried and amendment no. 466 was adopted by voice vote.

MOTION

Senator Schoesler moved that the following amendment no. 479 by Senator Schoesler be adopted:

On page 260, line 23, decrease the general fund—state appropriation for fiscal year 2020 by \$100,000

On page 261, line 1, correct the total

On page 264, beginning on line 29, strike all of subsection (23)

Renumber the remaining subsections consecutively and correct any internal references accordingly.

Senator Schoesler spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Rolfes spoke against adoption of the amendment to the committee striking amendment.

Senator Schoesler demanded a roll call.

The President declared that one-sixth of the members supported the demand and the demand was sustained.

Senator Hasegawa spoke against adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of the amendment by Senator Schoesler on page 260, line 23 to the committee striking amendment.

ROLL CALL

The Secretary called the roll on the adoption of the amendment no. 479 by Senator Schoesler and the amendment was not adopted by the following vote: Yeas, 21; Nays, 27; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Braun, Brown, Ericksen, Fortunato, Hawkins, Holy, Honeyford, King, Mullet, O'Ban, Padden, Rivers, Schoesler, Sheldon, Short, Wagoner, Walsh, Warnick and Zeiger

Voting nay: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Nguyen, Palumbo, Pedersen, Randall, Rolfes, Saldaña, Salomon, Takko, Van De Wege, Wellman and Wilson, C.

Excused: Senator Wilson, L.

MOTION

Senator O'Ban moved that the following amendment no. 497 by Senators O'Ban and Becker be adopted:

On page 260, line 23, increase the General Fund-State Appropriation (FY 2020) by \$9,930,000.

On page 260, line 24, increase the General Fund-State Appropriation (FY 2021) by \$1,360,000.

Adjust the total appropriation accordingly.

On page 264, line 7, after "(20)", strike "\$5,600,000" and insert "\$15,530,000"

On page 264, line 8, after "2020 and ", strike "\$9,050,000" and insert "\$10,410,000"

Senators O'Ban and Braun spoke in favor of adoption of the amendment to the committee striking amendment.

Senators Rolfes and Frockt spoke against adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 497 by Senators O'Ban and Becker on page 260, line 23 to the committee striking amendment.

The motion by Senator O'Ban did not carry and amendment no. 497 was not adopted by voice vote.

MOTION

Senator Holy moved that the following amendment no. 457 by Senator Holy be adopted:

On page 267, line 21, increase the general fund—state appropriation for fiscal year 2020 by \$1,200,000

On page 267, line 22, increase the general fund—state appropriation for fiscal year 2021 by \$2,400,000

On page 267, line 30, correct the total

On page 268, line 14, after "(5)" strike "\$10,600,000" and insert "\$11,800,000"

On page 268, line 15, after "2020 and" strike "\$14,200,000" and insert "\$16,600,000"

Senators Holy, Padden and Short spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Rolfes spoke against adoption of the amendment to the committee striking amendment.

Senator Short demanded a roll call.

The President declared that one-sixth of the members supported the demand and the demand was sustained.

The President declared the question before the Senate to be the adoption of the amendment by Senator Holy on page 267, line 21, to the committee striking amendment.

ROLL CALL

The Secretary called the roll on the adoption of the amendment no. 457 by Senator Holy and the amendment was not adopted by the following vote: Yeas, 23; Nays, 25; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Ericksen, Fortunato, Hawkins, Holy, Honeyford, Hunt, King, Liias, O'Ban, Padden, Rivers, Schoesler, Sheldon, Short, Wagoner, Walsh, Warnick and Zeiger

Voting nay: Senators Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Keiser, Kuderer, Lovelett, McCoy, Mullet, Nguyen, Palumbo, Pedersen, Randall, Rolfes, Saldaña, Salomon, Takko, Van De Wege, Wellman and Wilson, C.

Excused: Senator Wilson, L.

MOTION

Senator Holy moved that the following amendment no. 458 by Senator Holy be adopted:

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On page 267, line 21, increase the general fund—state appropriation for fiscal year 2020 by \$600,000

On page 267, line 22, increase the general fund—state appropriation for fiscal year 2021 by \$1,200,000

On page 267, line 30, correct the total

On page 268, line 14, after "(5)" strike "\$10,600,000" and insert "\$11,200,000"

On page 268, line 15, after "2020 and" strike "\$14,200,000" and insert "\$15,400,000"

Senator Holy spoke in favor of adoption of the amendment to the committee striking amendment.

WITHDRAWAL OF AMENDMENT

On motion of Senator Holy and without objection, amendment no. 458 by Senator Holy on page 267, line 21 to the committee striking amendment was withdrawn.

PERSONAL PRIVILEGE

Senator King: "So, we have had discussion here about the University of Washington and WSU, and the medical facilities that are there. I just want to again remind the body that Yakima has Pacific Northwest University of Health Sciences and they graduate somewhere between 155-175 family physicians every year. Thank you Mr. President."

MOTION

Senator Hunt moved that the following amendment no. 495 by Senator Hunt be adopted:

On page 298, line 14, increase the general fund—state appropriation for fiscal year 2020 by \$82,000

On page 298, line 15, increase the general fund—state appropriation for fiscal year 2021 by \$84,000

On page 298, line 16, increase the general fund—federal appropriation by \$51,000

On page 298, line 17, increase the general fund—private/local appropriation by \$8,000

On page 298, line 18, increase other appropriated funds by \$164,000

On page 298, line 19, correct the total

On page 298, line 21, after "limitations:" insert the following: "(1)"

On page 298, after line 27, insert the following:

"(2) \$82,000 of the general fund—state appropriation for fiscal year 2020, \$84,000 of the general fund—state appropriation for fiscal year 2021, \$51,000 of the general fund—federal appropriation, \$8,000 of the general fund—private/local appropriation, and \$164,000 of the other appropriated funds are provided solely for the free-to-schools civic education program."

Senator Hunt spoke in favor of adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 495 by Senator Hunt on page 298, line 14 to the committee striking amendment.

The motion by Senator Hunt carried and amendment no. 495 was adopted by voice vote.

MOTION

Senator Short moved that the following amendment no. 485 by Senator Short be adopted:

On page 302, after line 23, insert the following:

"NEW SECTION. Sec. 734. FOR THE OFFICE OF FINANCIAL MANAGEMENT—COMMUNICATION SERVICES REFORM

General Fund—State Appropriation (FY 2020)	\$5,000,000
General Fund—State Appropriation (FY 2021)	\$5,000,000
TOTAL APPROPRIATION	\$10,000,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section are provided solely for expenditure into the universal communications services fund to fund the temporary universal communications services program."

Senator Short spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Carlyle spoke against adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 485 by Senator Short on page 302, after line 23 to the committee striking amendment.

The motion by Senator Short did not carry and amendment no. 485 was not adopted by voice vote.

MOTION

Senator Holy moved that the following amendment no. 459 by Senator Holy be adopted:

On page 307, after line 18, insert the following:

"NEW SECTION. Sec. 740. COMPENSATION—PERS AND TRS PLAN 1 RETIREE BENEFIT INCREASES

General Fund—State Appropriation (FY 2020)	\$18,400,000
General Fund—State Appropriation (FY 2021)	\$19,900,000
Other Appropriated Funds	\$7,100,000
TOTAL APPROPRIATION	\$45,400,000

The appropriations in this section are provided solely for a plan 1 retiree benefit increase as identified in section 992 of this act and in Senate Bill No. 5400 (plan 1 retiree benefit increases). If the bill is not enacted by June 30, 2019, the amounts provided in this section shall lapse."

On page 385, after line 31, insert the following:

"NEW SECTION. Sec. 995. COMPENSATION—PERS AND TRS PLAN 1 PENSION CONTRIBUTIONS

Appropriations in part VII of this act include funding for an increase in pension contribution rates for several state pension systems attributable to enactment of Senate Bill No. 5400 (plan 1 retiree benefit increases). An increase of twelve one-hundredths of one percent is funded for state employer contributions to the public employees', school employees', and public safety employees' retirement systems and an increase of twenty-eight one-hundredths of one percent for school employer contributions to the teachers' retirement system are funded. These increases are provided for the purpose of a one-time, ongoing three percent pension increase for retirees in the public employees' retirement system plan 1 and teachers' retirement system plan 1, not to exceed \$62.50 for all members who received a monthly benefit on July 1, 2018."

Senators Holy and Walsh spoke in favor of adoption of the amendment to the committee striking amendment.

Senators Rolfes and Conway spoke against adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 459 by Senator Holy on page 307, after line 18 to the committee striking amendment.

The motion by Senator Holy did not carry and amendment no. 459 was not adopted by voice vote.

MOTION

Senator Ericksen moved that the following amendment no. 463 by Senator Ericksen be adopted:

On page 723, beginning on line 26, strike all material through "\$35,000,000" on line 31

Senator Ericksen spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Frockt spoke against adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 463 by Senator Ericksen on page 723, line 26 to the committee striking amendment.

The motion by Senator Ericksen did not carry and amendment no. 463 was not adopted by voice vote.

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Ways & Means as amended to Engrossed Substitute House Bill No. 1109.

The motion by Senator Rolfes carried and the committee striking amendment as amended was adopted by voice vote.

MOTION

On motion of Senator Rolfes, the rules were suspended, Engrossed Substitute House Bill No. 1109 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Rolfes and Braun spoke in favor of passage of the bill.

REMARKS BY THE PRESIDENT

President Habib: "Senator Braun, with your indulgence, if you don't mind, would you mind if we, if we just take this moment, I think Senator Rolfes is right, sometimes people leave quickly after the vote. If you don't mind, can we just pause in the middle of your speech to, for me to ask the Senate to thank all the hardworking men and women, partisan and nonpartisan staff who worked so hard, no matter how you're going to vote on this topic, to make this happen."

Senator Braun: "Certainly."

The senate rose and recognized the senate staff and their efforts in compiling the budget bills.

Senator Braun again spoke in favor of passage of the bill.

Senators Dhingra, Palumbo, Randall, Carlyle, Saldaña and Becker spoke in favor of passage of the bill.

Senators Schoesler, King, Ericksen, Fortunato and Sheldon spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 1109 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 1109 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 31; Nays, 17; Absent, 0; Excused, 1.

Voting yea: Senators Becker, Billig, Braun, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Lias, Lovelett, McCoy, Mullet, Nguyen, Palumbo, Pedersen, Randall, Rolfes, Saldaña, Salomon, Takko, Van De Wege, Walsh, Wellman and Wilson, C.

Voting nay: Senators Bailey, Brown, Ericksen, Fortunato, Hawkins, Holy, Honeyford, King, O'Ban, Padden, Rivers, Schoesler, Sheldon, Short, Wagoner, Warnick and Zeiger

Excused: Senator Wilson, L.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1109, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Lias announced that the Committee on Ways & Means and the Committee on Transportation meetings originally scheduled for 1:30 p.m. would begin at 5:15 p.m.

MOTION

At 4:51 p.m., on motion of Senator Lias, the Senate adjourned until 12:00 o'clock noon Friday, April 5, 2019.

CYRUS HABIB, President of the Senate

BRAD HENDRICKSON, Secretary of the Senate