

TWENTY FOURTH DAY, FEBRUARY 1, 2023

2023 REGULAR SESSION

TWENTY FOURTH DAY

MORNING SESSION

Senate Chamber, Olympia
Wednesday, February 1, 2023

The Senate was called to order at 10:30 a.m. by the President of the Senate, Lt. Governor Heck presiding. The Secretary called the roll and announced to the President that all Senators were present with the exception of Senator Shewmake.

The Washington State National Guard Color Guard, consisting of Technical Sergeant Robert Valenzuela, Technical Sergeant Rachel Yandon, Senior Airman Jordan Nick-Cornelius, and Airman First Class Christine Krysiak presented the Colors.

The National Anthem was performed by Sergeant Tricia Scheer.

The invocation was offered by Lt. Colonel Brain Banke, Chaplain, 194th Wing, Washington Air National Guard.

MOTIONS

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

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

REPORTS OF STANDING COMMITTEES

January 30, 2023

SB 5032 Prime Sponsor, Senator Padden: Extending the felony driving under the influence lookback to 15 years while providing additional treatment options through the creation of a drug offender sentencing alternative for driving under the influence. Reported by Committee on Transportation

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Liias, Chair; Lovick, Vice Chair; Shewmake, Vice Chair; King, Ranking Member; Holy, Assistant Ranking Member; Cleveland; Fortunato; Hawkins; Kauffman; MacEwen; Nobles; Padden; Randall; Valdez; Wilson, C. and Wilson, J.

Referred to Committee on Ways & Means.

January 31, 2023

SB 5080 Prime Sponsor, Senator Saldaña: Expanding and improving the social equity in cannabis program. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 5080 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Robinson and Stanford.

MINORITY recommendation: Do not pass. Signed by Senators Braun and MacEwen.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Schoesler.

Referred to Committee on Ways & Means.

January 31, 2023

SB 5123 Prime Sponsor, Senator Keiser: Concerning the employment of individuals who lawfully consume cannabis. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 5123 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; Robinson and Stanford.

MINORITY recommendation: Do not pass. Signed by Senators King, Ranking Member; Braun; MacEwen and Schoesler.

Referred to Committee on Rules for second reading.

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SB 5141 Prime Sponsor, Senator Hunt: Granting Washington management service employees the right to collectively bargain. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 5141 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; Robinson and Stanford.

MINORITY recommendation: Do not pass. Signed by Senators King, Ranking Member; Braun and Schoesler.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator MacEwen.

Referred to Committee on Ways & Means.

January 31, 2023

SB 5152 Prime Sponsor, Senator Valdez: Defining synthetic media in campaigns for elective office, and providing relief for candidates and campaigns. Reported by Committee on State Government & Elections

MAJORITY recommendation: That Substitute Senate Bill No. 5152 be substituted therefor, and the substitute bill do pass. Signed by Senators Valdez, Vice Chair; Hunt, Chair; Fortunato; Hasegawa and Kuderer.

MINORITY recommendation: Do not pass. Signed by Senators Wilson, J., Ranking Member and Dozier.

Referred to Committee on Rules for second reading.

January 31, 2023

SB 5189 Prime Sponsor, Senator Trudeau: Establishing behavioral health support specialists. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 5189 be substituted therefor, and the substitute bill do pass. Signed by Senators Robinson, Vice Chair; Rivers, Ranking Member; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Padden; Randall and Van De Wege.

Referred to Committee on Ways & Means.

January 31, 2023

SB 5230 Prime Sponsor, Senator Wilson, C.: Concerning extended foster care services. Reported by Committee on Human Services

MAJORITY recommendation: That Substitute Senate Bill No. 5230 be substituted therefor, and the substitute bill do pass. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Frame and Nguyen.

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

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Boehnke, Ranking Member and Wilson, J.

Referred to Committee on Ways & Means.

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SB 5238 Prime Sponsor, Senator Saldaña: Expanding collective bargaining for employees who are enrolled in academic programs at public institutions of higher education. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; Robinson and Stanford.

MINORITY recommendation: Do not pass. Signed by Senators King, Ranking Member; Braun and MacEwen.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Schoesler.

Referred to Committee on Ways & Means.

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SB 5242 Prime Sponsor, Senator Cleveland: Prohibiting cost sharing for abortion. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Vice Chair; Cleveland, Chair; Conway; Dhingra; Randall and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Senators Muzzall, Assistant Ranking Member; Holy and Padden.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Rivers, Ranking Member.

Referred to Committee on Ways & Means.

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SB 5243 Prime Sponsor, Senator Wellman: Concerning high school and beyond planning. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 5243 be substituted therefor, and the substitute bill do

pass. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; Hunt; McCune and Pedersen.

Referred to Committee on Ways & Means.

January 31, 2023

SB 5256 Prime Sponsor, Senator Saldaña: Making permanent and expanding the child welfare housing assistance program. Reported by Committee on Human Services

MAJORITY recommendation: That Substitute Senate Bill No. 5256 be substituted therefor, and the substitute bill do pass. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Boehnke, Ranking Member; Frame; Nguyen; Warnick and Wilson, J.

Referred to Committee on Ways & Means.

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SB 5284 Prime Sponsor, Senator Nguyen: Concerning campaign finance disclosure. Reported by Committee on State Government & Elections

MAJORITY recommendation: That Substitute Senate Bill No. 5284 be substituted therefor, and the substitute bill do pass. Signed by Senators Valdez, Vice Chair; Hunt, Chair; Hasegawa and Kuderer.

MINORITY recommendation: Do not pass. Signed by Senators Dozier and Fortunato.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Wilson, J., Ranking Member.

Referred to Committee on Rules for second reading.

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SB 5305 Prime Sponsor, Senator Wellman: Establishing the office of career connect Washington. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 5305 be substituted therefor, and the substitute bill do pass. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; Hunt; McCune and Pedersen.

Referred to Committee on Ways & Means.

January 31, 2023

SB 5310 Prime Sponsor, Senator Lovelett: Defining attending provider and clarifying other provider functions for workers' compensation claims, and adding psychologists as attending providers for mental health only claims. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; Robinson and Stanford.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators King, Ranking Member; Braun and MacEwen.

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

Referred to Committee on Ways & Means.

Referred to Committee on Rules for second reading.

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SB 5315 Prime Sponsor, Senator Wilson, C.: Concerning nonpublic agencies operating special education programs for students with disabilities. Reported by Committee on Early Learning & K-12 Education

SB 5405 Prime Sponsor, Senator King: Modifying the liquor and cannabis board's subpoena authority. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 5405 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Braun; MacEwen; Robinson; Schoesler and Stanford.

MAJORITY recommendation: That Substitute Senate Bill No. 5315 be substituted therefor, and the substitute bill do pass. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hunt and Pedersen.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Saldaña, Vice Chair.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Hawkins, Ranking Member; Dozier and McCune.

Referred to Committee on Rules for second reading.

Referred to Committee on Ways & Means.

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SB 5339 Prime Sponsor, Senator Nobles: Providing free school meals for all. Reported by Committee on Early Learning & K-12 Education

SB 5424 Prime Sponsor, Senator Lovick: Concerning flexible work for general and limited authority Washington peace officers. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 5424 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; MacEwen; Robinson; Schoesler and Stanford.

MAJORITY recommendation: That Substitute Senate Bill No. 5339 be substituted therefor, and the substitute bill do pass. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hunt and Pedersen.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Braun.

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

Referred to Committee on Ways & Means.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Hawkins, Ranking Member and Dozier.

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Referred to Committee on Ways & Means.

SB 5429 Prime Sponsor, Senator Stanford: Concerning a motor carrier's ability to access restroom facilities required by rules authorized under chapter 49.17 RCW. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 5429 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Braun; MacEwen; Robinson; Schoesler and Stanford.

SB 5376 Prime Sponsor, Senator Stanford: Allowing the sale of cannabis waste. Reported by Committee on Labor & Commerce

Referred to Committee on Ways & Means.

MAJORITY recommendation: That Substitute Senate Bill No. 5376 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Braun; MacEwen; Robinson; Schoesler and Stanford.

January 31, 2023

Referred to Committee on Ways & Means.

SB 5630 Prime Sponsor, Senator Lovick: Calculating the provider rate for certain community residential services. Reported by Committee on Human Services

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Boehnke, Ranking Member; Frame; Nguyen; Warnick and Wilson, J.

SB 5397 Prime Sponsor, Senator Wilson, C.: Preserving public benefit payments to people in the care of the department of children, youth, and families. Reported by Committee on Human Services

Referred to Committee on Ways & Means.

MAJORITY recommendation: That Substitute Senate Bill No. 5397 be substituted therefor, and the substitute bill do pass. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Boehnke, Ranking Member; Frame; Nguyen; Warnick and Wilson, J.

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SJR 8202 Prime Sponsor, Senator Keiser: Amending the Constitution to address reproductive freedom. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Vice Chair; Cleveland, Chair; Conway; Dhingra; Randall and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Senators Rivers, Ranking Member; Muzzall, Assistant Ranking Member; Holy and Padden.

Referred to Committee on Rules for second reading.

MOTIONS

On motion of Pedersen, all measures listed on the Standing Committee report were referred to the committees as designated with the exception of Senate Bill No. 5429 which had been designated to the Committee on Rules and was referred to the Committee on Ways & Means.

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

MESSAGE FROM THE GOVERNOR GUBERNATORIAL APPOINTMENTS

January 9, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

KERI J. CLARK, reappointed January 9, 2023, for the term ending July 1, 2026, as Member of the Washington State School for the Blind Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Early Learning & K-12 Education as Senate Gubernatorial Appointment No. 9325.

January 19, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

PAUL E. PITRE, appointed January 19, 2023, for the term ending January 12, 2027, as Member of the State Board of Education.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Early Learning & K-12 Education as Senate Gubernatorial Appointment No. 9326.

January 30, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

DOUGLAS T. PICHA, appointed January 30, 2023, for the term ending September 30, 2023, as Member of the Washington State University Board of Regents.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9327.

MOTIONS

On motion of Senator Pedersen, all appointees listed on the Gubernatorial Appointments report were referred to the committees as designated.

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

INTRODUCTION AND FIRST READING

SB 5650 by Senators Rolfes and Robinson

AN ACT Relating to salary inflationary increases for K-12 employees; and amending RCW 28A.400.205.

Referred to Committee on Ways & Means.

SB 5651 by Senators Lovelett and Saldaña

AN ACT Relating to equity and environmental justice in the growth management act; amending RCW 36.70A.020, 36.70A.030, and 36.70A.140; and reenacting and amending RCW 36.70A.070 and 36.70A.130.

Referred to Committee on Local Government, Land Use & Tribal Affairs.

SB 5652 by Senator Lovick

AN ACT Relating to compensation for tow truck operators for keeping the public roadways clear; and amending RCW 46.44.110.

Referred to Committee on Transportation.

SB 5653 by Senator Fortunato

AN ACT Relating to protecting the childhood of children; adding a new section to chapter 28A.320 RCW; adding a new chapter to Title 26 RCW; creating a new section; and prescribing penalties.

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

SB 5654 by Senator Stanford

AN ACT Relating to the unlawful trade of fur products; adding a new chapter to Title 19 RCW; prescribing penalties; and providing an effective date.

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

SB 5655 by Senator Torres

AN ACT Relating to creating the Washington achievers grant program; and adding a new chapter to Title 28B RCW.

Referred to Committee on Higher Education & Workforce Development.

SB 5656 by Senator Torres

AN ACT Relating to establishing the school security and preparedness infrastructure grant program; and adding a new section to chapter 28A.335 RCW.

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

SB 5657 by Senators Wilson, J. and Mullet

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AN ACT Relating to city and town permitting of kit homes; amending RCW 19.27.015; adding a new section to chapter 19.27 RCW; and creating a new section.

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

Referred to Committee on State Government & Elections.

SB 5658 by Senator Hunt

AN ACT Relating to competitive bidding thresholds for institutions of higher education; and amending RCW 28B.10.029.

SB 5665 by Senator Wagoner

AN ACT Relating to allowing courts to order appropriate hospital discharge and transition to long-term care services or residence for an individual in a hospital during the pendency of a guardianship process; and adding a new section to chapter 11.130 RCW.

Referred to Committee on Higher Education & Workforce Development.

Referred to Committee on Law & Justice.

SB 5659 by Senators Boehnke and Liias

AN ACT Relating to incentivizing gas companies to develop and acquire renewable energy resources; amending RCW 80.28.385; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; adding a new section to chapter 80.28 RCW; adding a new section to chapter 19.27A RCW; adding a new section to chapter 70A.65 RCW; creating new sections; and providing expiration dates.

SB 5666 by Senators Randall and Trudeau

AN ACT Relating to a community or technical college student housing pilot program; adding a new section to chapter 28B.50 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Environment, Energy & Technology.

Referred to Committee on Higher Education & Workforce Development.

SB 5660 by Senators Boehnke and Dhingra

AN ACT Relating to establishing a mental health advance directive effective implementation work group; creating a new section; and providing an expiration date.

SB 5667 by Senators Muzzall and Van De Wege

AN ACT Relating to eligibility, enrollment, and compensation of small forestland owners volunteering for participation in the forestry riparian easement program; and amending RCW 76.13.120, 76.13.130, and 76.13.140.

Referred to Committee on Health & Long-Term Care.

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

SB 5661 by Senators Boehnke and Lovelett

AN ACT Relating to skill center class size; amending RCW 28A.150.260 and 28A.150.266; creating a new section; providing an effective date; and providing an expiration date.

SB 5668 by Senators Shewmake and Torres

AN ACT Relating to small districts with less than 2,750 students and significant participation in skill centers; and amending RCW 28A.245.020.

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

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

MOTIONS

SB 5662 by Senator Saldaña

AN ACT Relating to creating the cannabis employee job retention act; adding a new chapter to Title 49 RCW; and prescribing penalties.

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

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

Referred to Committee on Labor & Commerce.

On motion of Senator Pedersen, Senate Rule 20 was suspended for the remainder of the day to allow consideration of floor resolutions received after the cutoff.

SB 5663 by Senator Warnick

AN ACT Relating to abandoned vehicles sold at auctions conducted by registered tow truck operators; amending RCW 82.04.040; adding a new section to chapter 82.04 RCW; adding a new section to chapter 82.08 RCW; creating a new section; repealing 2019 c 357 ss 1 and 3 (uncodified); and providing an effective date.

EDITOR'S NOTE: Senate Rule 20 limits consideration of floor resolutions not turned in to the Secretary twenty-four hours in advance.

Referred to Committee on Ways & Means.

The Vice President Pro Tempore, Senator John Lovick, assumed the chair.

MOTION

SB 5664 by Senators McCune, Wilson, J., Holy, Fortunato, Dozier, Wagoner, Warnick and Padden

AN ACT Relating to salmon labeling for human consumption; and amending RCW 77.140.040.

Senator Nobles moved adoption of the following resolution:

SENATE RESOLUTION 8613

By Senators Nobles, Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins,

Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, C. Wilson, J. Wilson, and L. Wilson

WHEREAS, More than eight thousand men and women of the Washington National Guard continue to serve the country as guardians of American interests at home and abroad; and

WHEREAS, These recognized leaders in state, regional, and national preparedness, who reside in nearly every legislative district throughout Washington, volunteer their time and put personal lives aside when the needs of the people of Washington state arise; and

WHEREAS, The Guard always answers the state's call in response to all emergency efforts such as natural disasters to protect lives, essential infrastructure, and property; and

WHEREAS, For more than 18 months one thousand two hundred service members from the Washington National Guard supported state agencies, local jurisdictions, tribes, and nonprofit organizations in responding to the COVID-19 pandemic in order to save lives and relieve human suffering; and

WHEREAS, In 2022 the Guard deployed to Lewis County to provide support to the communities dealing with rising waters, and just a week later deployed to Leavenworth to assist digging out the small mountain community that was hit with record snow fall; and

WHEREAS, The Guard continues to train for adaptation, capability, and capacity to react to the rising challenges in a rapidly changing world that poses a threat to United States national security at home and abroad, including cyber threats; and

WHEREAS, Washington National Guard soldiers and airmen continue to provide critical support for federal missions with members deployed to Poland, Germany, the Kingdom of Thailand, and Malaysia; and

WHEREAS, The Guard continues to improve the lives of Washington's young adults, many on the brink of dropping out of school, through its Washington Youth Academy; and

WHEREAS, The Guard adds value to communities by opening its Readiness Centers for community and youth activities, and uses these facilities to enhance education, add to quality of life, and increase economic vitality;

NOW, THEREFORE, BE IT RESOLVED, That the Washington state Senate express its thanks and appreciation to the devoted families and dedicated employers of our Washington National Guard soldiers and airmen and airwomen for their support, without whom the Guard's missions could not be successful; and

BE IT FURTHER RESOLVED, That the Senate recognize the value and dedication of a strong Washington National Guard to the viability, economy, safety, security, and well-being of this state, both through the outstanding performance of its state emergency and disaster relief mission, and through the continued benefit to local communities by the presence of productively employed, drug-free, well-equipped, and trained Guard units and the readiness centers and armories that house them; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the Senate to the Adjutant General of the Washington National Guard, the Governor of the state of Washington, the Secretaries of the United States Army and Air Force, and the President of the United States.

Senators Nobles, Warnick, Padden, Fortunato, Wellman, Randall, and Braun spoke in favor of adoption of the resolution.

The Vice President Pro Tempore declared the question before

the Senate to be the adoption of Senate Resolution No. 8613.

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

INTRODUCTION OF SPECIAL GUESTS

The Vice President Pro Tempore welcomed and introduced Brigadier General Gent Welsh, Commander of the Washington Air National Guard, Brigadier General Dan Dent, Commander of the Washington Army National Guard, Lt. Col. Carrie Wentzel, and Command Sergeant Major Eric Honeycutt, who were seated at the rostrum.

The President assumed the chair.

MOTIONS

On motion of Senator Pedersen and without objection, the names of all members were added to Senate Resolution No. 8613.

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

SECOND READING

SENATE CONCURRENT RESOLUTION NO. 8403, by Senators Pedersen, Short, Hunt, Lovelett, Nguyen, Nobles and Wilson, C.

Honoring former members of the Senate and House of Representatives of the State of Washington who have passed from this life.

The measure was read the second time.

MOTION

On motion of Senator Pedersen, the rules were suspended, Senate Concurrent Resolution No. 8403 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

The President declared the question before the Senate to be the final passage of Senate Concurrent Resolution No. 8403.

Senator Pedersen spoke in favor of adoption of the resolution.

SENATE CONCURRENT RESOLUTION NO. 8403 having received a majority was adopted by voice vote.

SECOND READING

SENATE BILL NO. 5210, by Senators Stanford, Gildon and Hasegawa

Concerning the best interest standard for annuity transactions.

MOTIONS

On motion of Senator Stanford, Substitute Senate Bill No. 5210 was substituted for Senate Bill No. 5210 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Stanford, the rules were suspended, Substitute Senate Bill No. 5210 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Stanford and Dozier spoke in favor of passage of the

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bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5210.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5210 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 1; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Absent: Senator Shewmake

SUBSTITUTE SENATE BILL NO. 5210, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Nobles, Senator Shewmake was excused.

SECOND READING

SENATE BILL NO. 5036, by Senators Muzzall, Holy, Van De Wege and Warnick

Concerning telemedicine.

The measure was read the second time.

MOTION

On motion of Senator Muzzall, the rules were suspended, Senate Bill No. 5036 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Muzzall and Cleveland spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5036.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5036 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Shewmake

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SENATE BILL NO. 5036, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5081, by Senators Nobles, Trudeau, Dhingra, Frame, Hasegawa, Keiser, Lovick, Nguyen, Saldaña, Salomon, Shewmake, Stanford, Wagoner, Warnick, Wellman, Wilson, C. and Wilson, J.

Concerning victim notification.

MOTIONS

On motion of Senator Nobles, Substitute Senate Bill No. 5081 was substituted for Senate Bill No. 5081 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Nobles, the rules were suspended, Substitute Senate Bill No. 5081 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5081.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5081 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Shewmake

SUBSTITUTE SENATE BILL NO. 5081, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5121, by Senator Cleveland

Extending the expiration date of the joint select committee on health care oversight. Revised for 1st Substitute: Establishing the joint select committee on health care and behavioral health oversight.

MOTIONS

On motion of Senator Cleveland, Substitute Senate Bill No. 5121 was substituted for Senate Bill No. 5121 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Cleveland, the rules were suspended, Substitute Senate Bill No. 5121 was advanced to third reading, the second reading considered the third and the bill was placed on

final passage.

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

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5121.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5121 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Shewmake

SUBSTITUTE SENATE BILL NO. 5121, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 11:13 a.m., on motion of Senator Pedersen, the Senate was declared to be at ease subject to the call of the President.

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

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

AFTERNOON SESSION

The Senate was called to order at 12:02 p.m. by President Heck.

MOTION

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

MESSAGE FROM THE GOVERNOR

March 31, 2022

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

Ladies and Gentlemen:

I am returning herewith, without my approval, Engrossed Senate Bill No. 5017 entitled:

“AN ACT Relating to clarifying school district procurement requirements for personal service contracts for construction management, value engineering, constructability review, and building commissioning.”

Engrossed Senate Bill 5017 modifies the list of school district purchases and bidding that require public notification. Public notification and transparency of school district purchases are important to maintain. It is not clear that this change meets the

public’s expectation of transparency.

For these reasons I have vetoed Engrossed Senate Bill No. 5017 in its entirety.

Respectfully submitted,
/s/
Jay Inslee
Governor

MOTION

Senator Wellman moved that the Senate pass Engrossed Senate Bill No. 5017, notwithstanding the Governor’s veto.

Senators Wellman and Hawkins spoke in favor of the motion.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 5017 the Governor’s veto notwithstanding.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5017 and the bill passed the Senate by the following vote, the Governor’s veto notwithstanding: Yeas, 47; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting Nay: Senator Liias
Excused: Senator Shewmake

ENGROSSED SENATE BILL NO. 5017, having received the constitutional majority, was declared passed, the Governor’s veto notwithstanding. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE GOVERNOR

March 31, 2022

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

Ladies and Gentlemen:

I am returning herewith, without my approval, Substitute Senate Bill No. 5810 entitled:

“AN ACT Relating to exempting certain prepaid services from insurance regulation.”

Substitute Senate Bill 5810 establishes that legal service contractors are not insurers and legal service plans are not insurance; however, it does so without establishing a clear regulatory framework for this sector. In addition, the definition of “legal service contractor” is overly broad and my capture services beyond the intended scope of the bill. More work needs to be done to ensure that these policy changes address consumer protections.

For these reasons I have vetoed Substitute Senate Bill No. 5810 in its entirety.

Respectfully submitted,
/s/
Jay Inslee
Governor

MOTION

Senator Mullet moved that the Senate pass Substitute Senate Bill No. 5810, notwithstanding the Governor’s Veto.

Senators Mullet and Dozier spoke in favor of the motion.

The President declared the question before the Senate to be the motion by Senator Wellman that Substitute Senate Bill No. 5810 (2022) pass the Senate the Governor’s veto notwithstanding.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5810 and the bill passed the Senate by the following vote, the Governor’s veto notwithstanding: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting Nay: Senator Lias
Excused: Senator Shewmake

SUBSTITUTE SENATE BILL NO. 5810, having received the constitutional majority, was declared passed, the Governor’s veto notwithstanding. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

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

SECOND READING

SENATE BILL NO. 5286, by Senators Robinson, King, Keiser, Lias, Stanford, Wellman and Wilson, C.

Modifying the premium provisions of the paid family and medical leave program.

MOTIONS

On motion of Senator Robinson, Substitute Senate Bill No. 5286 was substituted for Senate Bill No. 5286 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Robinson, the rules were suspended, Substitute Senate Bill No. 5286 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Robinson, King and Keiser spoke in favor of passage of the bill.

The President declared the question before the Senate to be the

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5286 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Shewmake

SUBSTITUTE SENATE BILL NO. 5286, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5087, by Senators Pedersen, Mullet, Billig, Dhingra, Frame, Hasegawa, Hunt, Kauffman, Kuderer, Lias, Lovelett, Nobles, Saldaña, Stanford and Wellman

Removing language from the Revised Code of Washington that has been identified by the justices of the supreme court or judges of the superior courts as defects and omissions in the laws pursuant to Article IV, section 25 of the Washington state Constitution.

MOTION

On motion of Senator Pedersen, Substitute Senate Bill No. 5087 was substituted for Senate Bill No. 5087 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Wagoner moved that the following striking amendment no. 0006 by Senator Wagoner be adopted:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 2.43.040 and 2008 c 291 s 3 are each amended to read as follows:

(1) Interpreters appointed according to this chapter are entitled to a reasonable fee for their services and shall be reimbursed for actual expenses which are reasonable as provided in this section.

(2) In all legal proceedings in which the non-English-speaking person is a party, or is subpoenaed or summoned by the appointing authority or is otherwise compelled by the appointing authority to appear, including criminal proceedings, grand jury proceedings, coroner's inquests, mental health commitment proceedings, and other legal proceedings initiated by agencies of government, the cost of providing the interpreter shall be borne by the governmental body initiating the legal proceedings.

(3) In other legal proceedings, the cost of providing the interpreter shall be borne by the non-English-speaking person unless such person is indigent according to adopted standards of the body. In such a case the cost shall be an administrative cost of the governmental body under the authority of which the legal

proceeding is conducted.

~~(4) ((The cost of providing the interpreter is a taxable cost of any proceeding in which costs ordinarily are taxed.~~

~~(5))~~ Subject to the availability of funds specifically appropriated therefor, the administrative office of the courts shall reimburse the appointing authority for up to one-half of the payment to the interpreter where an interpreter is appointed by a judicial officer in a proceeding before a court at public expense and:

(a) The interpreter appointed is an interpreter certified by the administrative office of the courts or is a qualified interpreter registered by the administrative office of the courts in a noncertified language, or where the necessary language is not certified or registered, the interpreter has been qualified by the judicial officer pursuant to this chapter;

(b) The court conducting the legal proceeding has an approved language assistance plan that complies with RCW 2.43.090; and

(c) The fee paid to the interpreter for services is in accordance with standards established by the administrative office of the courts.

Sec. 2. RCW 2.48.190 and 1987 c 202 s 107 are each amended to read as follows:

No person shall be permitted to practice as an attorney or counselor at law or to do work of a legal nature for compensation, or to represent himself or herself as an attorney or counselor at law or qualified to do work of a legal nature, unless he or she is ~~((a citizen of the United States and))~~ a bona fide resident of this state and has been admitted to practice law in this state: PROVIDED, That any person may appear and conduct his or her own case in any action or proceeding brought by or against him or her, or may appear in his or her own behalf in the small claims department of the district court: AND PROVIDED FURTHER, That an attorney of another state may appear as counselor in a court of this state without admission, upon satisfying the court that his or her state grants the same right to attorneys of this state.

NEW SECTION. **Sec. 3.** RCW 2.48.210 (Oath on admission) and 2013 c 23 s 1 & 1921 c 126 s 12 are each repealed.

Sec. 4. RCW 4.16.190 and 2020 c 312 s 702 are each amended to read as follows:

~~((4))~~ Unless otherwise provided in this section, if a person entitled to bring an action mentioned in this chapter, except for a penalty or forfeiture, or against a sheriff or other officer, for an escape, be at the time the cause of action accrued either under the age of eighteen years, or incompetent or disabled to such a degree that he or she cannot understand the nature of the proceedings, such incompetency or disability as determined according to chapter 11.130 RCW, or imprisoned on a criminal charge prior to sentencing, the time of such disability shall not be a part of the time limited for the commencement of action.

~~((2) Subsection (1) of this section with respect to a person under the age of eighteen years does not apply to the time limited for the commencement of an action under RCW 4.16.350.)~~

NEW SECTION. **Sec. 5.** RCW 4.56.250 (Claims for noneconomic damages—Limitation) and 1986 c 305 s 301 are each repealed.

Sec. 6. RCW 48.140.010 and 2006 c 8 s 201 are each amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Claim" means a demand for monetary damages for injury or death caused by medical malpractice, and a voluntary indemnity payment for injury or death caused by medical malpractice made in the absence of a demand for monetary damages.

(2) "Claimant" means a person, including a decedent's estate, who is seeking or has sought monetary damages for injury or

death caused by medical malpractice.

(3) "Closed claim" means a claim that has been settled or otherwise disposed of by the insuring entity, self-insurer, facility, or provider. A claim may be closed with or without an indemnity payment to a claimant.

(4) "Commissioner" means the insurance commissioner.

~~(5) "Economic damages" ((has the same meaning as in RCW 4.56.250(1)(a)))~~ means objectively verifiable monetary losses, including medical expenses, loss of earnings, burial costs, loss of use of property, cost of replacement or repair, cost of obtaining substitute domestic services, loss of employment, and loss of business or employment opportunities.

(6) "Health care facility" or "facility" means a clinic, diagnostic center, hospital, laboratory, mental health center, nursing home, office, surgical facility, treatment facility, or similar place where a health care provider provides health care to patients, and includes entities described in RCW 7.70.020(3).

(7) "Health care provider" or "provider" has the same meaning as in RCW 7.70.020 (1) and (2).

(8) "Insuring entity" means:

(a) An insurer;

(b) A joint underwriting association;

(c) A risk retention group; or

(d) An unauthorized insurer that provides surplus lines coverage.

(9) "Medical malpractice" means an actual or alleged negligent act, error, or omission in providing or failing to provide health care services that is actionable under chapter 7.70 RCW.

~~(10) "Noneconomic damages" ((has the same meaning as in RCW 4.56.250(1)(b)))~~ means subjective, nonmonetary losses including, but not limited to, pain, suffering, inconvenience, mental anguish, disability or disfigurement incurred by the injured party, emotional distress, loss of society and companionship, loss of consortium, injury to reputation and humiliation, and destruction of the parent-child relationship.

(11) "Self-insurer" means any health care provider, facility, or other individual or entity that assumes operational or financial risk for claims of medical malpractice.

Sec. 7. RCW 6.25.030 and 2011 c 336 s 147 are each amended to read as follows:

The writ of attachment may be issued by the court in which the action is pending on one or more of the following grounds:

(1) That the defendant is a foreign corporation; or

(2) That the defendant is not a resident of this state; or

(3) That the defendant conceals himself or herself so that the ordinary process of law cannot be served upon him or her; or

(4) That the defendant has absconded or absented himself or herself from his or her usual place of abode in this state, so that the ordinary process of law cannot be served upon him or her; or

(5) That the defendant has removed or is about to remove any of his or her property from this state, with intent to delay or defraud his or her creditors; or

(6) That the defendant has assigned, secreted, or disposed of, or is about to assign, secrete, or dispose of, any of his or her property, with intent to delay or defraud his or her creditors; or

(7) That the defendant is about to convert his or her property, or a part thereof, into money, for the purpose of placing it beyond the reach of his or her creditors; or

(8) That the defendant has been guilty of a fraud in contracting the debt or incurring the obligation for which the action is brought; or

(9) That the damages for which the action is brought are for injuries arising from the commission of some felony, gross misdemeanor, or misdemeanor ~~((or~~

~~(10) That the object for which the action is brought is to recover on a contract, express or implied)).~~

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NEW SECTION. Sec. 8. The following acts or parts of acts are each repealed:

(1) RCW 7.48.050 (Moral nuisances—Definitions) and 1990 c 152 s 1, 1979 c 1 s 1 (Initiative Measure No. 335, approved November 8, 1977), & 1913 c 127 s 1;

(2) RCW 7.48.052 (Moral nuisances) and 1990 c 152 s 2, 1988 c 141 s 1, & 1979 c 1 s 2 (Initiative Measure No. 335, approved November 8, 1977);

(3) RCW 7.48.054 (Moral nuisance—Personal property—Effects of notice) and 1990 c 152 s 3 & 1979 c 1 s 3 (Initiative Measure No. 335, approved November 8, 1977);

(4) RCW 7.48.056 (Abate moral nuisance—Enjoin owner) and 1979 c 1 s 4 (Initiative Measure No. 335, approved November 8, 1977);

(5) RCW 7.48.058 (Maintaining action to abate moral nuisance—Bond) and 2011 c 336 s 212 & 1979 c 1 s 5 (Initiative Measure No. 335, approved November 8, 1977);

(6) RCW 7.48.060 (Moral nuisance—Jurisdiction—Filing a complaint) and 1979 c 1 s 6 (Initiative Measure No. 335, approved November 8, 1977) & 1913 c 127 s 2;

(7) RCW 7.48.062 (Moral nuisance—Restraining order—Violations) and 1979 c 1 s 7 (Initiative Measure No. 335, approved November 8, 1977);

(8) RCW 7.48.064 (Moral nuisance—Hearing—Notice—Consolidation with trial) and 1979 c 1 s 8 (Initiative Measure No. 335, approved November 8, 1977);

(9) RCW 7.48.066 (Finding of moral nuisance—Orders) and 1979 c 1 s 9 (Initiative Measure No. 335, approved November 8, 1977);

(10) RCW 7.48.068 (Abatement of moral nuisance by owner—Effect on injunction) and 1979 c 1 s 10 (Initiative Measure No. 335, approved November 8, 1977);

(11) RCW 7.48.070 (Moral nuisance—Priority of action on calendar) and 1979 c 1 s 11 (Initiative Measure No. 335, approved November 8, 1977) & 1913 c 127 s 3;

(12) RCW 7.48.072 (Moral nuisance—Effects of admission or finding of guilt) and 1979 c 1 s 12 (Initiative Measure No. 335, approved November 8, 1977);

(13) RCW 7.48.074 (Moral nuisance—Evidence of reputation—Admissibility) and 1979 c 1 s 13 (Initiative Measure No. 335, approved November 8, 1977);

(14) RCW 7.48.076 (Moral nuisance—Trial—Costs—Dismissal—Judgment) and 2011 c 336 s 213 & 1979 c 1 s 14 (Initiative Measure No. 335, approved November 8, 1977);

(15) RCW 7.48.078 (Moral nuisance—Judgment—Penalties—Disposal of personal property) and 2011 c 336 s 214 & 1979 c 1 s 15 (Initiative Measure No. 335, approved November 8, 1977);

(16) RCW 7.48.080 (Moral nuisance—Violation of injunction—Contempt of court) and 1989 c 373 s 11, 1979 c 1 s 16 (Initiative Measure No. 335, approved November 8, 1977), & 1913 c 127 s 4;

(17) RCW 7.48.085 (Moral nuisance—Property owner may repossess) and 2011 c 336 s 215 & 1979 c 1 s 17 (Initiative Measure No. 335, approved November 8, 1977);

(18) RCW 7.48.090 (Moral nuisance—Contraband—Forfeitures) and 1979 c 1 s 18 (Initiative Measure No. 335, approved November 8, 1977), 1927 c 94 s 1, & 1913 c 127 s 5; and

(19) RCW 7.48.100 (Moral nuisance—Immunity of certain motion picture theater employees) and 2011 c 336 s 216, 1979 c 1 s 19 (Initiative Measure No. 335, approved November 8, 1977), 1927 c 94 s 2, & 1913 c 127 s 6.

Sec. 9. RCW 10.105.900 and 2003 c 39 s 6 are each amended to read as follows:

This chapter does not apply to property subject to forfeiture

under chapter 66.32 RCW, RCW 69.50.505, 9.41.098, 9.46.231, 9A.82.100, 9A.83.030, ((7.48.090,)) or 77.15.070.

NEW SECTION. Sec. 10. RCW 7.70.150 (Actions alleging violation of accepted standard of care—Certificate of merit required) and 2006 c 8 s 304 are each repealed.

NEW SECTION. Sec. 11. The following acts or parts of acts are each repealed:

(1) RCW 9.81.010 (Definitions) and 1953 c 142 s 1 & 1951 c 254 s 1;

(2) RCW 9.81.020 (Subversive activities made felony—Penalty) and 2003 c 53 s 44 & 1951 c 254 s 2;

(3) RCW 9.81.030 (Membership in subversive organization is felony—Penalty) and 2003 c 53 s 45 & 1951 c 254 s 3;

(4) RCW 9.81.040 (Disqualification from voting or holding public office) and 1951 c 254 s 4;

(5) RCW 9.81.050 (Dissolution of subversive organizations—Disposition of property) and 1951 c 254 s 5;

(6) RCW 9.81.060 (Public employment—Subversive person ineligible) and 1951 c 254 s 11;

(7) RCW 9.81.070 (Public employment—Determining eligibility—Inquiries—Oath) and 1955 c 377 s 1 & 1951 c 254 s 12;

(8) RCW 9.81.080 (Public employment—Inquiries may be dispensed with, when) and 1955 c 377 s 2 & 1951 c 254 s 13;

(9) RCW 9.81.082 (Membership in subversive organization described) and 1955 c 377 s 3;

(10) RCW 9.81.083 (Communist party declared a subversive organization) and 1955 c 377 s 4;

(11) RCW 9.81.090 (Public employees—Discharge of subversive persons—Procedure—Hearing—Appeal) and 2011 c 336 s 328, 1971 c 81 s 44, & 1951 c 254 s 15;

(12) RCW 9.81.110 (Misstatements are punishable as perjury—Penalty) and 1951 c 254 s 17; and

(13) RCW 9.81.120 (Constitutional rights—Censorship or infringement) and 1951 c 254 s 19.

NEW SECTION. Sec. 12. RCW 9.91.180 (Violent video or computer games) and 2003 c 365 s 2 are each repealed.

Sec. 13. RCW 7.80.120 and 2022 c 105 s 1 are each amended to read as follows:

(1) A person found to have committed a civil infraction shall be assessed a monetary penalty.

(a) The maximum penalty and the default amount for a class 1 civil infraction shall be \$250, not including statutory assessments, except for an infraction of state law involving (i) potentially dangerous litter as specified in RCW 70A.200.060(4) ((~~or violent video or computer games under RCW 9.91.180~~)), in which case the maximum penalty and default amount is \$500; or (ii) a person's refusal to submit to a test or tests pursuant to RCW 79A.60.040 and 79A.60.700, in which case the maximum penalty and default amount is \$1,000; or (iii) the misrepresentation of service animals under RCW 49.60.214, in which case the maximum penalty and default amount is \$500; or (iv) untraceable firearms pursuant to RCW 9.41.326 or unfinished frames or receivers pursuant to RCW 9.41.327, in which case the maximum penalty and default amount is \$500;

(b) The maximum penalty and the default amount for a class 2 civil infraction shall be \$125, not including statutory assessments;

(c) The maximum penalty and the default amount for a class 3 civil infraction shall be \$50, not including statutory assessments; and

(d) The maximum penalty and the default amount for a class 4 civil infraction shall be \$25, not including statutory assessments.

(2) The supreme court shall prescribe by rule the conditions under which local courts may exercise discretion in assessing fines for civil infractions.

(3) Whenever a monetary penalty is imposed by a court under this chapter it is immediately payable. If the person is unable to pay at that time the court may grant an extension of the period in which the penalty may be paid. If the penalty is not paid on or before the time established for payment, the court may proceed to collect the penalty in the same manner as other civil judgments and may notify the prosecuting authority of the failure to pay.

(4) The court may also order a person found to have committed a civil infraction to make restitution.

NEW SECTION. Sec. 14. RCW 9.92.100 (Prevention of procreation) and 1909 c 249 s 35 are each repealed.

Sec. 15. RCW 9.94A.530 and 2008 c 231 s 4 are each amended to read as follows:

(1) The intersection of the column defined by the offender score and the row defined by the offense seriousness score determines the standard sentence range (see RCW 9.94A.510, (Table 1) and RCW 9.94A.517, (Table 3)). The additional time for deadly weapon findings or for other adjustments as specified in RCW 9.94A.533 shall be added to the entire standard sentence range. The court may impose any sentence within the range that it deems appropriate. All standard sentence ranges are expressed in terms of total confinement.

(2) In determining any sentence other than a sentence above the standard range, the trial court may rely on no more information than is admitted by the plea agreement, or admitted, acknowledged, or proved in a trial or at the time of sentencing, or proven pursuant to RCW 9.94A.537. ~~((Acknowledgment includes not objecting to information stated in the presentence reports and not objecting to criminal history presented at the time of sentencing.))~~ Where the defendant disputes material facts, the court must either not consider the fact or grant an evidentiary hearing on the point. The facts shall be deemed proved at the hearing by a preponderance of the evidence, except as otherwise specified in RCW 9.94A.537. On remand for resentencing following appeal or collateral attack, the parties shall have the opportunity to present and the court to consider all relevant evidence regarding criminal history, including criminal history not previously presented.

(3) In determining any sentence above the standard sentence range, the court shall follow the procedures set forth in RCW 9.94A.537. Facts that establish the elements of a more serious crime or additional crimes may not be used to go outside the standard sentence range except upon stipulation or when specifically provided for in RCW 9.94A.535(3)(d), (e), (g), and (h).

Sec. 16. RCW 9A.46.020 and 2011 c 64 s 1 are each amended to read as follows:

(1) A person is guilty of harassment if:

(a) Without lawful authority, the person knowingly threatens:

(i) To cause bodily injury immediately or in the future to the person threatened or to any other person; or

(ii) To cause physical damage to the property of a person other than the actor; or

(iii) To subject the person threatened or any other person to physical confinement or restraint; or

(iv) Maliciously to do any other act which is intended to substantially harm the person threatened or another with respect to his or her physical ~~(or mental)~~ health or safety; and

(b) The person by words or conduct places the person threatened in reasonable fear that the threat will be carried out. "Words or conduct" includes, in addition to any other form of communication or conduct, the sending of an electronic communication.

(2)(a) Except as provided in (b) of this subsection, a person who harasses another is guilty of a gross misdemeanor.

(b) A person who harasses another is guilty of a class C felony

if any of the following apply: (i) The person has previously been convicted in this or any other state of any crime of harassment, as defined in RCW 9A.46.060, of the same victim or members of the victim's family or household or any person specifically named in a no-contact or no-harassment order; (ii) the person harasses another person under subsection (1)(a)(i) of this section by threatening to kill the person threatened or any other person; (iii) the person harasses a criminal justice participant who is performing his or her official duties at the time the threat is made; or (iv) the person harasses a criminal justice participant because of an action taken or decision made by the criminal justice participant during the performance of his or her official duties. For the purposes of (b)(iii) and (iv) of this subsection, the fear from the threat must be a fear that a reasonable criminal justice participant would have under all the circumstances. Threatening words do not constitute harassment if it is apparent to the criminal justice participant that the person does not have the present and future ability to carry out the threat.

(3) Any criminal justice participant who is a target for threats or harassment prohibited under subsection (2)(b)(iii) or (iv) of this section, and any family members residing with him or her, shall be eligible for the address confidentiality program created under RCW 40.24.030.

(4) For purposes of this section, a criminal justice participant includes any (a) federal, state, or local law enforcement agency employee; (b) federal, state, or local prosecuting attorney or deputy prosecuting attorney; (c) staff member of any adult corrections institution or local adult detention facility; (d) staff member of any juvenile corrections institution or local juvenile detention facility; (e) community corrections officer, probation, or parole officer; (f) member of the indeterminate sentence review board; (g) advocate from a crime victim/witness program; or (h) defense attorney.

(5) The penalties provided in this section for harassment do not preclude the victim from seeking any other remedy otherwise available under law.

Sec. 17. RCW 10.05.030 and 2021 c 215 s 116 are each amended to read as follows:

The arraigning judge upon consideration of the petition ~~((and with the concurrence of the prosecuting attorney))~~ may continue the arraignment and refer such person for a diagnostic investigation and evaluation to:

(1) An approved substance use disorder treatment program as designated in chapter 71.24 RCW if the petition alleges a substance use disorder;

(2) An approved mental health center if the petition alleges a mental problem;

(3) The department of social and health services if the petition is brought under RCW 10.05.020(2); or

(4) An approved state-certified domestic violence treatment provider pursuant to RCW 43.20A.735 if the petition alleges a domestic violence behavior problem.

NEW SECTION. Sec. 18. RCW 10.52.100 (Identity of child victims of sexual assault not to be disclosed) and 1992 c 188 s 9 are each repealed.

NEW SECTION. Sec. 19. RCW 10.58.090 (Sex offenses—Admissibility) and 2008 c 90 s 2 are each repealed.

Sec. 20. RCW 10.95.035 and 2015 c 134 s 7 are each amended to read as follows:

(1) A person, who was sentenced prior to June 1, 2014, under this chapter or any prior law, to a term of life without the possibility of parole for an offense committed prior to their eighteenth birthday, shall be returned to the sentencing court or the sentencing court's successor for sentencing consistent with RCW 10.95.030. Release and supervision of a person who receives a minimum term of less than life will be governed by

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(2) The court shall provide an opportunity for victims and survivors of victims of any crimes for which the offender has been convicted to present a statement personally or by representation.

(3) ~~((The court's order setting a minimum term is subject to review to the same extent as a minimum term decision by the parole board before July 1, 1986.~~

(4)) A resentencing under this section shall not reopen the defendant's conviction to challenges that would otherwise be barred by RCW 10.73.090, 10.73.100, 10.73.140, or other procedural barriers.

Sec. 21. RCW 10.95.030 and 2015 c 134 s 5 are each amended to read as follows:

(1) Except as provided in subsections (2) and (3) of this section, any person convicted of the crime of aggravated first degree murder shall be sentenced to life imprisonment without possibility of release or parole. A person sentenced to life imprisonment under this section shall not have that sentence suspended, deferred, or commuted by any judicial officer and the indeterminate sentence review board or its successor may not parole such prisoner nor reduce the period of confinement in any manner whatsoever including but not limited to any sort of good-time calculation. The department of social and health services or its successor or any executive official may not permit such prisoner to participate in any sort of release or furlough program.

(2) If, pursuant to a special sentencing proceeding held under RCW 10.95.050, the trier of fact finds that there are not sufficient mitigating circumstances to merit leniency, the sentence shall be death. In no case, however, shall a person be sentenced to death if the person had an intellectual disability at the time the crime was committed, under the definition of intellectual disability set forth in (a) of this subsection. A diagnosis of intellectual disability shall be documented by a licensed psychiatrist or licensed psychologist designated by the court, who is an expert in the diagnosis and evaluation of intellectual disabilities. The defense must establish an intellectual disability by a preponderance of the evidence and the court must make a finding as to the existence of an intellectual disability.

(a) "Intellectual disability" means the individual has: (i) Significantly subaverage general intellectual functioning; (ii) existing concurrently with deficits in adaptive behavior; and (iii) both significantly subaverage general intellectual functioning and deficits in adaptive behavior were manifested during the developmental period.

(b) "General intellectual functioning" means the results obtained by assessment with one or more of the individually administered general intelligence tests developed for the purpose of assessing intellectual functioning.

(c) "Significantly subaverage general intellectual functioning" means intelligence quotient seventy or below.

(d) "Adaptive behavior" means the effectiveness or degree with which individuals meet the standards of personal independence and social responsibility expected for his or her age.

(e) "Developmental period" means the period of time between conception and the eighteenth birthday.

(3)(a)(i) Any person convicted of the crime of aggravated first degree murder for an offense committed prior to the person's sixteenth birthday shall be sentenced to a maximum term of life imprisonment and a minimum term of total confinement of twenty-five years.

(ii) Any person convicted of the crime of aggravated first degree murder for an offense committed when the person is at least sixteen years old but less than eighteen years old shall be sentenced to a maximum term of life imprisonment and a

minimum term of total confinement of no less than twenty-five years. ~~((A minimum term of life may be imposed, in which case the person will be ineligible for parole or early release.))~~

(b) In setting a minimum term, the court must take into account mitigating factors that account for the diminished culpability of youth as provided in *Miller v. Alabama*, 132 S.Ct. 2455 (2012) including, but not limited to, the age of the individual, the youth's childhood and life experience, the degree of responsibility the youth was capable of exercising, and the youth's chances of becoming rehabilitated.

(c) A person sentenced under this subsection shall serve the sentence in a facility or institution operated, or utilized under contract, by the state. During the minimum term of total confinement, the person shall not be eligible for community custody, earned release time, furlough, home detention, partial confinement, work crew, work release, or any other form of early release authorized under RCW 9.94A.728, or any other form of authorized leave or absence from the correctional facility while not in the direct custody of a corrections officer. The provisions of this subsection shall not apply: (i) In the case of an offender in need of emergency medical treatment; or (ii) for an extraordinary medical placement when authorized under RCW 9.94A.728~~((3))~~ (1)(c).

(d) Any person sentenced pursuant to this subsection shall be subject to community custody under the supervision of the department of corrections and the authority of the indeterminate sentence review board. As part of any sentence under this subsection, the court shall require the person to comply with any conditions imposed by the board.

(e) No later than five years prior to the expiration of the person's minimum term, the department of corrections shall conduct an assessment of the offender and identify programming and services that would be appropriate to prepare the offender for return to the community. To the extent possible, the department shall make programming available as identified by the assessment.

(f) No later than one hundred eighty days prior to the expiration of the person's minimum term, the department of corrections shall conduct, and the offender shall participate in, an examination of the person, incorporating methodologies that are recognized by experts in the prediction of dangerousness, and including a prediction of the probability that the person will engage in future criminal behavior if released on conditions to be set by the board. The board may consider a person's failure to participate in an evaluation under this subsection in determining whether to release the person. The board shall order the person released, under such affirmative and other conditions as the board determines appropriate, unless the board determines by a preponderance of the evidence that, despite such conditions, it is more likely than not that the person will commit new criminal law violations if released. If the board does not order the person released, the board shall set a new minimum term not to exceed five additional years. The board shall give public safety considerations the highest priority when making all discretionary decisions regarding the ability for release and conditions of release.

(g) In a hearing conducted under (f) of this subsection, the board shall provide opportunities for victims and survivors of victims of any crimes for which the offender has been convicted to present statements as set forth in RCW 7.69.032. The procedures for victim and survivor of victim input shall be provided by rule. To facilitate victim and survivor of victim involvement, county prosecutor's offices shall ensure that any victim impact statements and known contact information for victims of record and survivors of victims are forwarded as part of the judgment and sentence.

(h) An offender released by the board is subject to the supervision of the department of corrections for a period of time to be determined by the board. The department shall monitor the offender's compliance with conditions of community custody imposed by the court or board and promptly report any violations to the board. Any violation of conditions of community custody established or modified by the board are subject to the provisions of RCW 9.95.425 through 9.95.440.

(i) An offender released or discharged under this section may be returned to the institution at the discretion of the board if the offender is found to have violated a condition of community custody. The offender is entitled to a hearing pursuant to RCW 9.95.435. The board shall set a new minimum term of incarceration not to exceed five years.

NEW SECTION. Sec. 22. RCW 18.108.190 (Inspection of premises by law enforcement personnel) and 1975 1st ex.s. c 280 s 20 are each repealed.

NEW SECTION. Sec. 23. RCW 35.13.165 (Termination of annexation proceedings in cities over four hundred thousand—Declarations of termination filed by property owners) and 1989 c 351 s 7 & 1981 c 332 s 2 are each repealed.

NEW SECTION. Sec. 24. The following acts or parts of acts are each repealed:

- (1) RCW 36.105.010 (Purpose) and 1991 c 363 s 99;
- (2) RCW 36.105.020 (Definitions) and 1991 c 363 s 100;
- (3) RCW 36.105.030 (Minimum requirements) and 1991 c 363 s 101;
- (4) RCW 36.105.040 (Creation) and 1991 c 363 s 102;
- (5) RCW 36.105.050 (Election of initial community councilmembers) and 2015 c 53 s 68 & 1991 c 363 s 103;
- (6) RCW 36.105.060 (Community councilmembers—Election—Terms) and 1991 c 363 s 104;
- (7) RCW 36.105.070 (Responsibility of county legislative authority) and 1991 c 363 s 105;
- (8) RCW 36.105.080 (Powers) and 1991 c 363 s 106;
- (9) RCW 36.105.090 (Annexation) and 1991 c 363 s 107; and
- (10) RCW 36.105.100 (Dissolution) and 1991 c 363 s 108.

NEW SECTION. Sec. 25. The following acts or parts of acts are each repealed:

- (1) RCW 39.88.010 (Declaration) and 1982 1st ex.s. c 42 s 2;
- (2) RCW 39.88.020 (Definitions) and 2011 c 336 s 815 & 1982 1st ex.s. c 42 s 3;
- (3) RCW 39.88.030 (Authority—Limitations) and 1982 1st ex.s. c 42 s 4;
- (4) RCW 39.88.040 (Procedure for adoption of public improvement) and 1982 1st ex.s. c 42 s 5;
- (5) RCW 39.88.050 (Notice of public improvement) and 1982 1st ex.s. c 42 s 6;
- (6) RCW 39.88.060 (Disagreements between taxing districts) and 1989 c 378 s 1 & 1982 1st ex.s. c 42 s 7;
- (7) RCW 39.88.070 (Apportionment of taxes) and 1982 1st ex.s. c 42 s 8;
- (8) RCW 39.88.080 (Application of tax allocation revenues) and 1982 1st ex.s. c 42 s 9;
- (9) RCW 39.88.090 (General obligation bonds) and 1982 1st ex.s. c 42 s 10;
- (10) RCW 39.88.100 (Tax allocation bonds) and 1982 1st ex.s. c 42 s 11;
- (11) RCW 39.88.110 (Legal investments) and 1982 1st ex.s. c 42 s 13;
- (12) RCW 39.88.120 (Notice to state) and 1982 1st ex.s. c 42 s 14;
- (13) RCW 39.88.130 (Conclusive presumption of validity) and 1982 1st ex.s. c 42 s 15;
- (14) RCW 39.88.900 (Supplemental nature of chapter) and 1982 1st ex.s. c 42 s 16;

(15) RCW 39.88.905 (Short title) and 1982 1st ex.s. c 42 s 1; and

(16) RCW 39.88.910 (Captions not part of law—1982 1st ex.s. c 42) and 1982 1st ex.s. c 42 s 17.

NEW SECTION. Sec. 26. RCW 41.20.110 (Withdrawal of pension—Grounds) and 2012 c 117 s 30, 1937 c 24 s 5, & 1909 c 39 s 10 are each repealed.

Sec. 27. RCW 41.56.0251 and 2016 c 241 s 137 are each amended to read as follows:

In addition to the entities listed in RCW 41.56.020, this chapter applies to any charter school established under chapter 28A.710 RCW. (~~Any bargaining unit or units established at the charter school must be limited to employees working in the charter school and must be separate from other bargaining units in school districts, educational service districts, or institutions of higher education.~~) Any charter school established under chapter 28A.710 RCW is a separate employer from any school district, including the school district in which it is located.

Sec. 28. RCW 43.135.034 and 2020 c 218 s 4 are each amended to read as follows:

(1) ~~(a) Any action or combination of actions by the legislature that raises taxes may be taken only if approved by a two-thirds vote in both the house of representatives and the senate. Pursuant to the referendum power set forth in Article II, section 1(b) of the state Constitution, tax increases may be referred to the voters for their approval or rejection at an election.~~

~~(b))~~ For the purposes of this chapter, "raises taxes" means any action or combination of actions by the state legislature that increases state tax revenue deposited in any fund, budget, or account, regardless of whether the revenues are deposited into the general fund.

(2) The state or any political subdivision of the state may not impose any tax on intangible property listed in RCW 84.36.070 as that statute exists on January 1, 1993.

NEW SECTION. Sec. 29. RCW 47.44.030 (Removal of facilities—Notice—Reimbursement, when) and 1984 c 7 s 234 & 1961 c 13 s 47.44.030 are each repealed.

NEW SECTION. Sec. 30. The following acts or parts of acts are each repealed:

(1) RCW 49.32.072 (Injunctions—Hearings and findings—Temporary orders—Security) and 2012 c 117 s 130 & 1933 ex.s. c 7 s 7;

(2) RCW 49.32.073 (Injunctions—Complaints, conditions precedent) and 1933 ex.s. c 7 s 8; and

(3) RCW 49.32.074 (Injunctions—Findings and order essential) and 1933 ex.s. c 7 s 9.

NEW SECTION. Sec. 31. RCW 66.24.480 (Bottle clubs—License required) and 2012 c 117 s 281 & 1951 c 120 s 2 (adding a new section to Title 66 RCW) are each repealed.

NEW SECTION. Sec. 32. RCW 66.28.080 (Permit for music and dancing upon licensed premises) and 1969 ex.s. c 178 s 8, 1949 c 5 s 7, & 1937 c 217 s 3 (adding new section 27-A to 1933 ex.s. c 62) are each repealed.

Sec. 33. RCW 35A.66.020 and 1967 ex.s. c 119 s 35A.66.020 are each amended to read as follows:

The qualified electors of any code city may petition for an election upon the question of whether the sale of liquor shall be permitted within the boundaries of such city as provided by chapter 66.40 RCW, and shall be governed by the procedure therein (~~, and may regulate music, dancing and entertainment as authorized by RCW 66.28.080~~); PROVIDED, That every code city shall enforce state laws relating to the investigation and prosecution of all violations of Title 66 RCW relating to control of alcoholic beverages and shall be entitled to retain the fines collected therefrom as therein provided. Every code city shall also share in the allocation and distribution of liquor profits and excise

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as provided in RCW 82.08.170, 66.08.190, and 66.08.210, and make reports of seizure as required by RCW 66.32.090, and otherwise regulate by ordinances not in conflict with state law or liquor and cannabis board regulations.

NEW SECTION. Sec. 34. The following acts or parts of acts are each repealed:

(1) RCW 73.04.050 (Right to peddle, vend, sell goods without license—License fee on business established under act of congress prohibited) and 2012 c 117 s 504, 1945 c 144 s 9, & 1903 c 69 s 1; and

(2) RCW 73.04.060 (Right to peddle, vend, sell goods without license—Issuance of license) and 2012 c 117 s 505, 1945 c 144 s 10, & 1903 c 69 s 2.

NEW SECTION. Sec. 35. RCW 85.05.130 (Assessment of benefited lands formerly omitted—Procedure—Appeals) and 2013 c 23 s 385, 1971 c 81 s 157, 1913 c 89 s 1, 1901 c 111 s 1, & 1895 c 117 s 13 are each repealed.

Sec. 36. RCW 9A.72.160 and 1985 c 327 s 1 are each amended to read as follows:

(1) A person is guilty of intimidating a judge if a person directs a threat to a judge because of a ruling or decision of the judge in any official proceeding, or if by use of a threat directed to a judge, a person attempts to influence a ruling or decision of the judge in any official proceeding.

(2) "Threat" as used in this section means:

(a) To communicate, directly or indirectly, the intent immediately to use force against any person who is present at the time; or

(b) Threats as defined in RCW 9A.04.110(~~((25))~~) (28).

(3) Intimidating a judge is a class B felony."

On page 1, line 5 of the title, after "Constitution;" strike the remainder of the title and insert "amending RCW 2.43.040, 2.48.190, 4.16.190, 48.140.010, 6.25.030, 10.105.900, 7.80.120, 9.94A.530, 9A.46.020, 10.05.030, 10.95.035, 10.95.030, 41.56.0251, 43.135.034, 35A.66.020, and 9A.72.160; and repealing RCW 2.48.210, 4.56.250, 7.48.050, 7.48.052, 7.48.054, 7.48.056, 7.48.058, 7.48.060, 7.48.062, 7.48.064, 7.48.066, 7.48.068, 7.48.070, 7.48.072, 7.48.074, 7.48.076, 7.48.078, 7.48.080, 7.48.085, 7.48.090, 7.48.100, 7.70.150, 9.81.010, 9.81.020, 9.81.030, 9.81.040, 9.81.050, 9.81.060, 9.81.070, 9.81.080, 9.81.082, 9.81.083, 9.81.090, 9.81.110, 9.81.120, 9.91.180, 9.92.100, 10.52.100, 10.58.090, 18.108.190, 35.13.165, 36.105.010, 36.105.020, 36.105.030, 36.105.040, 36.105.050, 36.105.060, 36.105.070, 36.105.080, 36.105.090, 36.105.100, 39.88.010, 39.88.020, 39.88.030, 39.88.040, 39.88.050, 39.88.060, 39.88.070, 39.88.080, 39.88.090, 39.88.100, 39.88.110, 39.88.120, 39.88.130, 39.88.900, 39.88.905, 39.88.910, 41.20.110, 47.44.030, 49.32.072, 49.32.073, 49.32.074, 66.24.480, 66.28.080, 73.04.050, 73.04.060, and 85.05.130."

Senators Wagoner and Padden spoke in favor of adoption of the striking amendment.

Senators Pedersen and Trudeau spoke against adoption of the striking amendment.

The President declared the question before the Senate to be the adoption of striking amendment no. 0006 by Senator Wagoner to Substitute Senate Bill No. 5087.

The motion by Senator Wagoner did not carry and striking amendment no. 0006 was not adopted by voice vote.

MOTION

On motion of Senator Pedersen, the rules were suspended, Substitute Senate Bill No. 5087 was advanced to third reading,

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

Senator Pedersen spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5087.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5087 and the bill passed the Senate by the following vote: Yeas, 34; Nays, 14; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Cleveland, Conway, Dhingra, Frame, Hasegawa, Hawkins, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon, Stanford, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C. and Wilson, J.

Voting nay: Senators Braun, Dozier, Fortunato, Gildon, Holy, MacEwen, McCune, Padden, Rivers, Schoesler, Short, Torres, Van De Wege and Wilson, L.

Excused: Senator Shewmake

SUBSTITUTE SENATE BILL NO. 5087, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5336, by Senators Cleveland, Wilson, L., Frame and Mullet

Concerning population criteria for the main street trust fund tax credit.

The measure was read the second time.

MOTION

Senator Liias moved that the following amendment no. 0005 by Senator Liias be adopted:

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

"**Sec. 2.** RCW 82.73.025 and 2017 3rd sp.s. c 37 s 104 are each amended to read as follows:

(1) A person that was approved for credit as provided in RCW 82.73.020 must (~~(make)~~) send the total approved contribution by November 15th of the calendar year in which the application is approved. If November 15th falls upon a Saturday, Sunday, or legal holiday, the payment of the contribution will be considered timely if (~~(made)~~) sent on the next business day.

(2)(a) A person that does not make a contribution as required in subsection (1) of this section forfeits all credits for the approved contribution.

(b) The department must make credits forfeited as provided in (a) of this subsection available to new applicants.

(3) A person that was approved for credit as provided in RCW 82.73.020 after November 15th must make the total approved contribution by the end of the calendar year in which the contribution was approved."

On page 1, line 1 of the title, after "to" strike "population criteria for"

On page 1, line 2 of the title, after "82.73.030" insert "and 82.73.025"

Senator Lias spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0005 by Senator Lias on page 3, after line 2 to Senate Bill No. 5087.

The motion by Senator Lias carried and amendment no. 0005 was adopted by voice vote.

MOTION

On motion of Senator Cleveland, the rules were suspended, Engrossed Senate Bill No. 5336 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Cleveland spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 5336.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5336 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Shewmake

ENGROSSED SENATE BILL NO. 5336, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5065, by Senators Short, Wellman, Lovick and Valdez

Encouraging public school instruction in awareness of bone marrow donation.

The measure was read the second time.

MOTION

On motion of Senator Short, the rules were suspended, Senate Bill No. 5065 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Short, Wellman and Padden spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5065.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5065 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland,

Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Shewmake

SENATE BILL NO. 5065, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5208, by Senators Trudeau, King, Hunt, Nobles, Randall, Keiser, Kuderer, Lovick, Saldaña, Hasegawa, Lias, Conway, Frame, Nguyen, Pedersen, Stanford, Valdez, Wellman and Wilson, C.

Updating the process for online voter registration by allowing voter applicants to provide the last four digits of social security number for authentication.

MOTIONS

On motion of Senator Trudeau, Substitute Senate Bill No. 5208 was substituted for Senate Bill No. 5208 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Trudeau, the rules were suspended, Substitute Senate Bill No. 5208 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Trudeau spoke in favor of passage of the bill.

Senators Short and Boehnke spoke against passage of the bill.

MOTION

On motion of Senator Wagoner, Senator Wilson, J. was excused.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5208.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5208 and the bill passed the Senate by the following vote: Yeas, 29; Nays, 18; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Gildon, Hasegawa, Hunt, Kauffman, Keiser, Kuderer, Lias, Lovelett, Lovick, Mullet, Nguyen, Nobles, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon, Stanford, Trudeau, Valdez, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Braun, Dozier, Fortunato, Hawkins, Holy, King, MacEwen, McCune, Muzzall, Padden, Rivers, Schoesler, Short, Torres, Wagoner, Warnick and Wilson, L.

Excused: Senators Shewmake and Wilson, J.

SUBSTITUTE SENATE BILL NO. 5208, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

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SENATE BILL NO. 5028, by Senators Pedersen, Wagoner, Dhingra, Frame, Hunt, Keiser, Kuderer, Lias, Nobles, Randall, Saldaña, Shewmake, Stanford, Wellman and Wilson, C.

Revising the process for individuals to request name changes.

MOTIONS

On motion of Senator Pedersen, Substitute Senate Bill No. 5028 was substituted for Senate Bill No. 5028 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Pedersen, the rules were suspended, Substitute Senate Bill No. 5028 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

Senator Padden spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5028.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5028 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 3; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senators Fortunato, McCune and Padden
Excused: Senator Shewmake

SUBSTITUTE SENATE BILL NO. 5028, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5173, by Senators Stanford, Hasegawa, Kuderer, Pedersen, Saldaña and Trudeau

Concerning property exempt from execution.

MOTION

On motion of Senator Stanford, Substitute Senate Bill No. 5173 was substituted for Senate Bill No. 5173 and the substitute bill was placed on the second reading and read the second time.

WITHDRAWAL OF AMENDMENT

On motion of Senator Stanford and without objection, amendment no. 0009 by Senator Stanford on page 4, line 39 to Substitute Senate Bill No. 5173 was withdrawn.

MOTION

Senator Stanford moved that the following amendment no. 0010 by Senator Stanford be adopted:

On page 4, line 38, after "means the consumer price index" insert "seasonally adjusted".

On page 4, line 39, after "for the" strike "Seattle area" and insert "United States".

On page 5, at the beginning of line 1, strike all material through "areas." On line 2

On page 8, line 16, after "means the consumer price index" insert "seasonally adjusted".

On page 8, line 17 after "for the" strike "Seattle area" and insert "United States".

On page 8, at the beginning of line 19, strike all material through "areas." on line 20

Senator Stanford spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0010 by Senator Stanford on page 4, line 38 to Substitute Senate Bill No. 5173.

The motion by Senator Stanford carried and amendment no. 0010 was adopted by voice vote.

MOTION

Senator Wagoner moved that the following amendment no. 0007 by Senator Wagoner be adopted:

Beginning on page 4, line 19, strike all of subsection (4)

Beginning on page 7, line 37, strike all of subsection (4)

Senator Wagoner spoke in favor of adoption of the amendment.

Senator Dhingra spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0007 by Senator Wagoner on page 4, line 19 to Substitute Senate Bill No. 5173.

The motion by Senator Wagoner did not carry and amendment no. 0007 was not adopted by voice vote.

MOTION

On motion of Senator Stanford, the rules were suspended, Engrossed Substitute Senate Bill No. 5173 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Stanford spoke in favor of passage of the bill.

Senator Padden spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5173.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5173 and the bill passed the Senate by the following vote: Yeas, 29; Nays, 19; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Gildon, Hasegawa, Holy, Hunt, Kauffman, Keiser, Kuderer, Lias, Lovelett, Lovick, Nguyen, Nobles, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon, Stanford, Trudeau, Valdez, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Braun, Dozier, Fortunato, Hawkins, King, MacEwen, McCune, Mullet, Muzzall, Padden, Rivers, Schoesler, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

Excused: Senator Shewmake

ENGROSSED SUBSTITUTE SENATE BILL NO. 5173, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5000, by Senators Wagoner, Boehnke, Braun, Conway, Dozier, Frame, Gildon, Hasegawa, Holy, King, Kuderer, MacEwen, Mullet, Muzzall, Pedersen, Rivers, Rolfes, Schoesler, Short, Torres, Warnick, Wellman, Wilson, J. and Wilson, L.

Recognizing contributions of Americans of Chinese descent.

The measure was read the second time.

MOTION

On motion of Senator Wagoner, the rules were suspended, Senate Bill No. 5000 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wagoner, Hunt, Kuderer, Muzzall, Wilson, J., Fortunato, Padden and Saldaña spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5000.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5000 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Shewmake

SENATE BILL NO. 5000, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 1:26 p.m., on motion of Senator Pedersen, the Senate adjourned until 12:30 p.m. Thursday, February 2, 2023.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

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5666		National Guard	1
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