

SIXTY FIFTH LEGISLATURE - REGULAR SESSION

FORTY THIRD DAY

House Chamber, Olympia, Monday, February 19, 2018

The House was called to order at 10:00 a.m. by the Speaker (Representative Lovick presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by the Seattle Buddhist Church Boy Scout and Pack Troup 252. The Speaker (Representative Lovick presiding) led the Chamber in the Pledge of Allegiance. The National Anthem was performed by the Steilacoom High School Advanced Women's Choir. The prayer was offered by Reverend Katsuya Kusunoki, Seattle Betsuin Buddhist Temple, Washington.

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

RESOLUTION

HOUSE RESOLUTION NO. 2018-4673, by Representatives Chopp, Kristiansen, Appleton, Barkis, Bergquist, Blake, Buys, Calder, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Eslick, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Kraft, Kretz, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatner, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Valdez, Van Werven, Vick, Volz, Walsh, Wilcox, Wylie, and Young

WHEREAS, On February 19, 1942, President Franklin D. Roosevelt issued Executive Order 9066, which authorized the United States military to forcibly remove and incarcerate more than 120,000 persons of Japanese ancestry from the West Coast, including 12,000 Japanese-American residents of Washington State; and

WHEREAS, The first civilian evacuation order gave Japanese-Americans from Bainbridge Island less than one week to leave behind homes, personal belongings, farms, businesses, friends, and family and report to hastily constructed detention centers like Camp Harmony on the grounds of the Washington State fair in Puyallup; and

WHEREAS, This drastic course of action allegedly aimed to prevent acts of espionage and sabotage by Japanese-Americans who were deemed untrustworthy and disloyal to the United States; and

WHEREAS, On March 23, 1943, the War Department organized a segregated unit of Japanese-Americans, many of whom reported for military duty from the concentration camps surrounded by barbed wire in which they and their families were detained; and

WHEREAS, More than 12,000 volunteers responded to questions about their loyalty and patriotism by amassing a battle record unparalleled in United States military history with 7 Presidential Unit Citations, 21 Medals of Honor, 29 Distinguished Service Crosses, 1 Distinguished Service Medal, 588 Silver Stars, more than 4,000 Bronze Stars, 22 Legion of Merit Medals, 145 Soldier's Medals, 9,486 Purple Hearts, 16 decorations from France and Italy, and, in 2010, the Congressional Gold Medal; and

WHEREAS, Equally loyal and patriotic Japanese-Americans fought to protect our constitutional rights and liberties through dissent, like University of Washington student Gordon Hirabayashi who was arrested, convicted, and imprisoned for defying the military curfew on select civilians and refusing to evacuate when ordered; and

WHEREAS, In 1982, the Congressional commission on wartime relocation and internment of civilians found "no military or security reason for the internment" of persons of Japanese ancestry, but determined the cause of the incarceration as "racial prejudice, war hysteria, and a failure of political leadership"; and

WHEREAS, Through this travesty of justice, Japanese-Americans suffered immense economic loss of property and assets, immeasurable physical and psychological harm, and were deprived of their constitutional liberties without due process of law; and

WHEREAS, In 1979, Washington State Congressman Mike Lowry introduced H.R. 5977 to provide reparations and an apology to the Japanese-American incarcerated, thus initiating a ten-year legislative quest that ended when President Ronald Reagan signed the Civil Liberties Act of 1988; and

WHEREAS, Throughout Washington State, the last remaining survivors of the European and Asian Pacific battlefields of World War II and of American incarceration camps live their golden years in quiet contrast to their extraordinary acts of conscience and valor while all of America continues to benefit from their heroic patriotism;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives pause to acknowledge the seventy-sixth anniversary of the signing of Executive Order 9066; to recognize and remember Japanese-American veterans, incarcerated, and civil rights activists from the State of Washington, and to honor the lessons and blessings of liberty and justice for all; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to the Nisei Veterans Committee, the Military Intelligence Service-Northwest Association, Densho, the Japanese-American Citizens League, the Japanese Cultural and Community Center of Washington State, and the Wing Luke Museum of the Asian Pacific American Experience.

Representative Santos moved adoption of HOUSE RESOLUTION NO. 4673

Representatives Santos, Johnson, Stonier, Graves and Stambaugh spoke in favor of the adoption of the resolution.

HOUSE RESOLUTION NO. 4673 was adopted.

SPEAKER'S PRIVILEGE

The Speaker (Representative Lovick presiding) introduced Shig Tanagi, World War II Veteran and Takeshi Murasawa, Senior Consul from the Japanese Consulate in Seattle, seated in the South Gallery and asked the members to recognize them.

The Speaker (Representative Lovick presiding) also introduced Members of the Japanese American Citizen League representing the Olympia, Seattle and Puyallup chapters and led by Olympia Chapter President Bob Nakamura and the Seattle Chapter President Joseph Lachman; members of the Nisei Veteran's Committee Led by Commander Brian Takeuchi; members of Keiro Northwest Commission on Asian Pacific American Affairs; and members of the Japanese Cultural and Community Center of Washington and asked the members to acknowledge them.

The Speaker (Representative Lovick presiding) then recognized Washington State Supreme Court Justice Steven Gonzalez, Superintendent of Public Instruction Chris Reykdal, Senator Karen Fraser, Deputy Mayor of the City of Fife Bryan Yambe and Council Member of the City of Federal Way Jesse Johnson.

RESOLUTION

HOUSE RESOLUTION NO. 2018-4674, by Representatives Chopp, Kristiansen, Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Eslick, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Kraft, Kretz, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Valdez,

Van Werven, Vick, Volz, Walsh, Wilcox, Wylie, and Young

WHEREAS, Originally established in 1855 to celebrate George Washington's birthday, the United States celebrates Presidents' Day on the third Monday of February; and

WHEREAS, Washington is the only state named after a president, the first president of the United States, George Washington; and

WHEREAS, George Washington led the Continental Army against the larger and more powerful British army, triumphed in the face of adversity, and thus established the United States of America on the principle of freedom for all; and

WHEREAS, President Abraham Lincoln led the United States of America through the Civil War, and ended slavery by signing the Emancipation Proclamation; and

WHEREAS, The framers crafted this nation and our Constitution to protect the freedoms and liberties of all its citizens, and establish a democratic republic that exemplifies leadership and justice, with a president operating under the rule of law with the consent of the governed instead of a king with unlimited power; and

WHEREAS, The United States was created as a beacon of hope and refuge from tyrannical governments by providing liberty to people of all cultures; and

WHEREAS, The Presidents of the United States exemplify fair-mindedness, determination, and the ability to unite a diverse Congress to pass legislation benefiting every citizen of the United States; and

WHEREAS, No Presidents' Day would be accurately celebrated without recognizing the strengths and successes of the First Ladies of the United States; and

WHEREAS, The First Ladies of the United States are role models to all generations of Americans, and consistently prove to be advocates of equality, even during times of despair; and

WHEREAS, The Presidents of the United States and the First Ladies are protectors of justice for all citizens of the United States; and

WHEREAS, Presidents' Day honors all of those who have and who will sacrifice to lead and protect the United States;

NOW, THEREFORE, BE IT RESOLVED, That on this nineteenth day of February 2018, the House of Representatives of the State of Washington honor George Washington, Abraham Lincoln, and all other presidents for their contributions to the causes of liberty, equality, and the pursuit of happiness.

Representative Pettigrew moved adoption of HOUSE RESOLUTION NO. 4674

Representatives Pettigrew and Graves spoke in favor of the adoption of the resolution.

HOUSE RESOLUTION NO. 4674 was adopted.

SPEAKER'S PRIVILEGE

The Speaker (Representative Lovick presiding) welcomed Danny Glover here on behalf of the Charles Rolland African American Legislative Day and asked him to stand and be recognized.

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

INTRODUCTION & FIRST READING

E2SSB 6029 by Senate Committee on Ways & Means (originally sponsored by Senators Lias, Ranker, Fain, Frockt, Billig, Darneille, Palumbo, Rolfes, Keiser, Cleveland, Pedersen, Hunt, Wellman, Conway, Chase, Saldaña, Kuderer, Hasegawa and Mullet)

AN ACT Relating to establishing a student loan bill of rights; amending RCW 28B.10.285, 43.320.110, 31.04.027, 31.04.035, 31.04.093, 31.04.102, 31.04.145, 31.04.165, 31.04.277, and 31.04.310; reenacting and amending RCW 31.04.015; adding new sections to chapter 28B.77 RCW; adding new sections to chapter 31.04 RCW; and creating new sections.

Referred to Committee on Higher Education.

E2SSB 6362 by Senate Committee on Ways & Means (originally sponsored by Senators Wellman, Rolfes and Billig)

AN ACT Relating to modifying basic education funding provisions; amending RCW 28A.150.260, 28A.150.390, 28A.165.055, 28A.320.330, 28A.150.412, 28A.400.006, 28A.400.200, 28A.400.205, 41.05.740, 41.56.800, 41.59.800, 28A.150.276, 28A.320.330, 28A.500.015, 84.52.053, 84.52.0531, 28A.150.392, 28A.150.415, 28A.505.240, 28A.710.280, 28A.715.040, and 43.09.2856; adding a new section to chapter 28A.160 RCW; adding a new section to chapter 84.52 RCW; adding a new section to chapter 28A.150 RCW; creating new sections; and providing an effective date.

Referred to Committee on Appropriations.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

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

REPORTS OF STANDING COMMITTEES

February 15, 2018

SB 5028

Prime Sponsor, Senator McCoy: Requiring teacher preparation programs to integrate Native American curriculum developed by the office of the superintendent of public instruction into existing Pacific Northwest history and government requirements. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Santos, Chair; Dolan, Vice Chair; Stonier, Vice Chair; Harris, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Bergquist; Johnson; Kilduff; Lovick; Ortiz-Self; Senn; Slatter; Steele; Stokesbary and Valdez.

MINORITY recommendation: Do not pass. Signed by Representatives Hargrove; McCaslin and Volz.

Referred to Committee on Appropriations.

February 15, 2018

SB 6059

Prime Sponsor, Senator Angel: Addressing the insurer corporate governance annual disclosure model act. Reported by Committee on Business & Financial Services

MAJORITY recommendation: Do pass. Signed by Representatives Kirby, Chair; Reeves, Vice Chair; Vick, Ranking Minority Member; Walsh, Assistant Ranking Minority Member; Barkis; Blake; Jenkin; McCabe; Santos and Stanford.

Referred to Committee on Rules for second reading.

February 15, 2018

SB 6073

Prime Sponsor, Senator Takko: Adjusting assessments levied on hardwood processors. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Blake, Chair; Chapman, Vice Chair; Buys, Ranking Minority Member; Dent, Assistant Ranking Minority Member; Chandler; Kretz; Lytton; Orcutt; Robinson; Schmick; Springer; Stanford and Walsh.

Referred to Committee on Rules for second reading.

February 15, 2018

SSB 6133

Prime Sponsor, Committee on Early Learning & K-12 Education: Expanding statewide career and technical education course equivalency options. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Santos, Chair; Dolan, Vice Chair;

Stonier, Vice Chair; Harris, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Bergquist; Hargrove; Johnson; Kilduff; Lovick; McCaslin; Ortiz-Self; Senn; Slatter; Steele; Stokesbary; Valdez and Volz.

Referred to Committee on Rules for second reading.

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

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

MOTIONS

There being no objection the following bills were returned to the Committee on Rules:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1046

HOUSE BILL NO. 1182

HOUSE BILL NO. 1263

SUBSTITUTE HOUSE BILL NO. 1291

HOUSE BILL NO. 1469

HOUSE BILL NO. 1483

HOUSE BILL NO. 1487

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1514

HOUSE BILL NO. 1567

HOUSE BILL NO. 1590

HOUSE BILL NO. 1603

HOUSE BILL NO. 1669

HOUSE BILL NO. 1679

HOUSE BILL NO. 1740

SECOND SUBSTITUTE HOUSE BILL NO. 1789

HOUSE BILL NO. 1800

HOUSE BILL NO. 1855

HOUSE BILL NO. 1860

ENGROSSED HOUSE BILL NO. 1958

HOUSE BILL NO. 2137

HOUSE BILL NO. 2214

HOUSE BILL NO. 2253

HOUSE BILL NO. 2258

HOUSE BILL NO. 2262

HOUSE BILL NO. 2263

HOUSE BILL NO. 2271

HOUSE BILL NO. 2278

HOUSE BILL NO. 2280

HOUSE BILL NO. 2292

HOUSE BILL NO. 2297

HOUSE BILL NO. 2314

HOUSE BILL NO. 2319

HOUSE BILL NO. 2331

HOUSE BILL NO. 2336

HOUSE BILL NO. 2355

HOUSE BILL NO. 2364

HOUSE BILL NO. 2369

HOUSE BILL NO. 2372

HOUSE BILL NO. 2373

HOUSE BILL NO. 2391

HOUSE BILL NO. 2402

HOUSE BILL NO. 2413

HOUSE BILL NO. 2436

HOUSE BILL NO. 2449

HOUSE BILL NO. 2475

HOUSE BILL NO. 2476

HOUSE BILL NO. 2485

HOUSE BILL NO. 2486

HOUSE BILL NO. 2487

HOUSE BILL NO. 2497

HOUSE BILL NO. 2502

HOUSE BILL NO. 2507

HOUSE BILL NO. 2510

HOUSE BILL NO. 2512

HOUSE BILL NO. 2542

HOUSE BILL NO. 2544

HOUSE BILL NO. 2545

HOUSE BILL NO. 2553

HOUSE BILL NO. 2554

HOUSE BILL NO. 2555

HOUSE BILL NO. 2568

HOUSE BILL NO. 2587

HOUSE BILL NO. 2592

HOUSE BILL NO. 2605

HOUSE BILL NO. 2606

HOUSE BILL NO. 2609

HOUSE BILL NO. 2314

HOUSE BILL NO. 2624

HOUSE BILL NO. 2633

HOUSE BILL NO. 2635

HOUSE BILL NO. 2640

HOUSE BILL NO. 2643

HOUSE BILL NO. 2644

HOUSE BILL NO. 2646

HOUSE BILL NO. 2674

HOUSE BILL NO. 2675

HOUSE BILL NO. 2679

HOUSE BILL NO. 2681

HOUSE BILL NO. 2690

HOUSE BILL NO. 2693

HOUSE BILL NO. 2715

HOUSE BILL NO. 2724

HOUSE BILL NO. 2741

HOUSE BILL NO. 2742

HOUSE BILL NO. 2776

HOUSE BILL NO. 2787

HOUSE BILL NO. 2791

HOUSE BILL NO. 2793

HOUSE BILL NO. 2799

HOUSE BILL NO. 2814

HOUSE BILL NO. 2829

HOUSE BILL NO. 2831

HOUSE BILL NO. 2838

HOUSE BILL NO. 2852

HOUSE BILL NO. 2864

HOUSE BILL NO. 2895

HOUSE BILL NO. 2900

HOUSE BILL NO. 2903

HOUSE BILL NO. 2907

HOUSE BILL NO. 2925

HOUSE BILL NO. 2931

HOUSE BILL NO. 2944

HOUSE BILL NO. 2952

HOUSE BILL NO. 2963

HOUSE BILL NO. 2974
HOUSE BILL NO. 2983
HOUSE JOINT RESOLUTION NO. 4210

There being no objection, the Committee on Early Learning & Human Services was relieved of SENATE BILL NO. 6223, and the bill was referred to the Committee on Education.

HOUSE BILL NO. 2816, by Representatives Senn, Dent, Kagi, Muri and Appleton

Transferring the working connections and seasonal child care programs to the department of children, youth, and families.

The bill was read the second time.

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

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

MOTION

On motion of Representative Hayes, Representatives McDonald and Pike were excused. On motion of Representative Riccelli, Representative Morris were excused.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Bill No. 2816.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2816, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Eslick, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jenkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Valdez, Van Werven, Vick, Volz, Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representatives McDonald, Morris and Pike.

HOUSE BILL NO. 2816, having received the necessary constitutional majority, was declared passed.

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

THIRD READING

MESSAGE FROM THE SENATE

January 31, 2018

Mr. Speaker:

The Senate has passed SECOND ENGROSSED SUBSTITUTE HOUSE BILL NO. 1508 with the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) The legislature finds that thoughtful and evidence-based school food programs are associated with improved outcomes for students, including reductions in tardiness, absenteeism, suspensions, and reported illnesses and visits to nurses' offices. The legislature further finds that thoughtful and evidence-based school food programs are also associated with improved student results on standardized tests and improved graduation rates.

(2) The legislature acknowledges that existing school-related farm programs play an important role in helping students to better understand the relationships between academics, food, farming, and good health.

(3) The legislature finds that the purpose of sections 1 through 7 of this act is to achieve the public policy benefits specified in subsection (1) of this section: Improved student outcomes. To do so, the legislature intends to:

(a) Expand opportunities for students to have a healthy breakfast by requiring schools with large populations of qualifying low-income students to offer breakfast after the bell programs, a program model that has increased breakfast participation rates in other states; and

(b) Increase support for school-related farm programs that have proven successful in supporting students through policies that, among other benefits, promote student health and readiness through healthy local foods and school garden projects; and

(c) Conduct an analysis of breakfast after the bell programs established in accordance with section 3 of this act.

NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.235 RCW to read as follows:

The definitions in this section apply throughout sections 3 through 4 of this act unless the context clearly requires otherwise.

(1) "Breakfast after the bell" means a breakfast that is offered to students after the beginning of the school day. Examples of breakfast after the bell models include, but are not limited to:

(a) "Grab and go," where easy-to-eat breakfast foods are available for students to take at the start of the school day or in between morning classes;

(b) "Second chance breakfast," where breakfast foods are available during recess, a nutrition break, or later in the morning, for students who are not hungry first thing in the morning, or who arrive late to school; and

(c) "Breakfast in the classroom," where breakfast is served in the classroom, often during homeroom or first period.

(2) "Eligible for free or reduced-price meals" means a student who is eligible under the national school lunch program or school breakfast program to receive lunch or breakfast at no cost to the student or at a reduced cost to the student.

(3) "High-needs school" means any public school: (a) That has enrollment of seventy percent or more students eligible for free or reduced-price meals in the prior school year; or (b) that is using provision two of the national school lunch act or the community eligibility provision under section 104(a) of the federal healthy, hunger-free kids act of 2010 to provide universal meals and that has a claiming percentage for free or reduced-price meals of seventy percent or more.

(4) "Public school" has the same meaning as provided in RCW 28A.150.010.

(5) "School breakfast program" means a program meeting federal requirements under 42 U.S.C. Sec. 1773.

(6) "School lunch program" means a program meeting federal requirements under 42 U.S.C. Sec. 1751.

NEW SECTION. **Sec. 3.** A new section is added to chapter 28A.235 RCW to read as follows:

(1) (a) In accordance with section 6 of this act and except as provided in subsection (2) of this section, beginning in the 2019-20 school year, each high-needs school shall offer breakfast after the bell to each student and provide adequate time for students to consume the offered food.

(b) Public schools that are not obligated by this section to offer breakfast after the bell are encouraged to do so. Nothing in this section is intended to prevent a high-needs school from implementing a breakfast after the bell program before the 2019-20 school year.

(2) High-needs schools with at least seventy percent of free or reduced-price eligible children participating in both school lunch and school breakfast are exempt from the provisions of subsection (1) of this section. The office of the superintendent of public instruction shall evaluate individual participation rates annually, and make the participation rates publicly available.

(3) Each high-needs school may determine the breakfast after the bell service model that best suits its students. Service models include, but are not limited to, breakfast in the classroom, grab and go breakfast, and second chance breakfast.

(4) All breakfasts served in a breakfast after the bell program must comply with federal meal patterns and nutrition standards for school breakfast programs under the federal healthy, hunger-free kids act of 2010, (P.L. 111-296) and any federal regulations implementing that act. By December 1, 2018, and as needed thereafter, the office of the superintendent of public instruction must develop and distribute best practices and provide technical assistance to school districts on strategies for selecting food items that are low in added sugar. When choosing foods to serve in a breakfast after the bell program, schools must give preference to foods that are healthful and fresh, and if feasible, give preference to Washington-grown food.

(5) Subject to the availability of amounts appropriated for this specific purpose, the superintendent of public instruction shall administer one-time

start-up allocation grants to each high-needs school implementing a breakfast after the bell program under this section. Grant funds provided under this section must be used for the costs associated with launching a breakfast after the bell program, including but not limited to equipment purchases, training, additional staff costs, and janitorial services.

(6) The legislature does not intend to include the breakfast after the bell programs under this section, including the provision of breakfast, within the definition or funding of the program of basic education under Article IX of the state Constitution.

NEW SECTION. **Sec. 4.** A new section is added to chapter 28A.235 RCW to read as follows:

(1) Before January 2, 2019, the office of the superintendent of public instruction shall develop and distribute procedures and guidelines for the implementation of section 3 of this act that comply with federal regulations governing the school breakfast program. The guidelines and procedures must include ways schools and districts can solicit and consider the input of families regarding implementation and continued operation of breakfast after the bell programs. The guidelines and procedures must also include recommendations and best practices for designing, implementing, and operating breakfast after the bell programs that are based upon the implementation and operational experiences of schools of differing sizes and in different geographic regions of the state that have implemented breakfast after the bell programs.

(2) The office of the superintendent of public instruction shall offer training and technical and marketing assistance to all public schools and school districts related to offering breakfast after the bell, including assistance with various funding options available to high-needs schools such as the community eligibility provision under 42 U.S.C. Sec. 1759a(a)(1), programs under provision two of the national school lunch act, and claims for reimbursement under the school breakfast program.

(3) In accordance with this section, the office of the superintendent of public instruction shall collaborate

with nonprofit organizations knowledgeable about equity, the opportunity gap, hunger and food security issues, and best practices for improving student access to school breakfast. The office shall maintain a list of opportunities for philanthropic support of school breakfast programs and make the list available to schools interested in breakfast after the bell programs.

(4) The office of the superintendent of public instruction shall incorporate the annual collection of information about breakfast after the bell delivery models into existing data systems and make the information publicly available.

Sec. 5. RCW 28A.150.205 and 1992 c 141 s 502 are each amended to read as follows:

Unless the context clearly requires otherwise, the definition in this section applies throughout RCW 28A.150.200 through 28A.150.295.

(1) "Instructional hours" means those hours students are provided the opportunity to engage in educational activity planned by and under the direction of school district staff, as directed by the administration and board of directors of the district, inclusive of intermissions for class changes, recess, and teacher/parent-guardian conferences that are planned and scheduled by the district for the purpose of discussing students' educational needs or progress, and exclusive of time actually spent for meals.

(2)(a) If students are provided the opportunity to engage in educational activity that is part of the regular instructional program concurrently with the consumption of breakfast, the period of time designated for student participation in breakfast after the bell, as defined in section 2 of this act, must be considered instructional hours.

(b) Breakfast after the bell programs, as defined in section 2 of this act, including the provision of breakfast, are not considered part of the definition or funding of the program of basic education under Article IX of the state Constitution.

NEW SECTION. **Sec. 6.** A new section is added to chapter 28A.235 RCW to read as follows:

The office of the superintendent of public instruction, school districts, and affected schools shall implement sections 2 through 4, chapter . . . , Laws of 2018 (sections 2 through 4 of this act) only in years in which funding is specifically provided for the purposes of chapter . . . , Laws of 2018 (this act), referencing chapter . . . , Laws of 2018 (this act) by bill or chapter number or statutory references, in a biennial or supplemental operating budget.

Sec. 7. RCW 28A.235.150 and 1993 c 333 s 3 are each amended to read as follows:

(1)(a) To the extent funds are appropriated for this specific purpose, the superintendent of public instruction may award grants to school districts to:

(i) Increase awareness of and participation in school breakfast and lunch programs(~~(,---te)~~), including breakfast after the bell programs;

(ii) Improve program quality(~~(,---and te)~~), including the nutritional content of program food and the promotion of nutritious food choices by students;

(iii) Promote innovative school-based programs, including but not limited to developing gardens that provide produce used in school breakfast or lunch programs; and

(iv) Improve the equipment and facilities used in the programs.

(b) If applicable, school districts shall demonstrate that they have applied for applicable federal funds before applying for funds under this subsection.

(2) To the extent funds are appropriated for this specific purpose, the superintendent of public instruction shall increase the state support for school breakfasts and lunches, including breakfast after the bell programs.

(3) As used in this section, "breakfast after the bell" has the definition in section 2 of this act.

NEW SECTION. Sec. 8. A new section is added to chapter 28A.235 RCW to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, the office of the superintendent of public instruction may coordinate with the department of agriculture to promote and facilitate new and existing regional markets programs, including farm-to-

school initiatives established in accordance with RCW 15.64.060, and small farm direct marketing assistance in accordance with RCW 15.64.050. In coordinating with the department of agriculture, the office of the superintendent of public instruction is encouraged to provide technical assistance, including outreach and best practices strategies, to school districts with farm-to-school initiatives.

(2) Subject to the availability of amounts appropriated for this specific purpose, the regional markets programs of the department of agriculture must be a centralized connection point for schools and other institutions for accessing and sharing information, tools, ideas, and best practices for purchasing Washington-grown food.

(a) In accordance with this subsection (2), program staff from the department of agriculture may provide:

(i) Scale-appropriate information and resources to farms to help them respond to the growing demand for local and direct marketed products; and

(ii) Targeted technical assistance to farmers, food businesses, and buyers, including schools, about business planning, access to markets, product development, distribution infrastructure, and sourcing, procuring, and promoting Washington-grown foods.

(b) In accordance with this subsection (2), program staff from the department of agriculture may provide technical assistance to:

(i) Support new and existing farm businesses;

(ii) Maintain the economic viability of farms;

(iii) Support compliance with applicable federal, state, and local requirements; and

(iv) Support access and preparation efforts for competing in markets that are a good fit for their scale and products, including schools and public institutions, and direct-to-consumer markets that include, but are not limited to, farmers' markets, local retailers, restaurants, value-added product developments, and agritourism opportunities.

(3) Subject to the availability of amounts appropriated for this specific purpose, the regional markets programs of the department of agriculture may support school districts in establishing or expanding farm-to-school initiatives by providing information and guidance to overcome barriers to purchasing Washington-grown food. In accordance with this subsection (3), regional markets program activities may include, but are not limited to:

(a) Connecting schools and other institutions with farmers and distribution chains;

(b) Overcoming seasonality constraints;

(c) Providing budgeting assistance;

(d) Navigating procurement requirements; and

(e) Developing educational materials that can be used in cafeterias, classrooms, and in other educational environments.

(4) Subject to the availability of amounts appropriated for this specific purpose, school districts and other institutions may coordinate with the department of agriculture to promote and facilitate new and existing farm-to-school initiatives. School district representatives involved in these initiatives may include, but not limited to, school nutrition staff, purchasing staff, student representatives, and parent organizations.

(5) Subject to the availability of amounts appropriated for this specific purpose, the office of the superintendent of public instruction may award grants to school districts to collaborate with community-based organizations, food banks, and farms or gardens for reducing high school dropout occurrences through farm engagement projects. Projects established by school districts that receive grants in accordance with this section must:

(a) Primarily target low-income and disengaged youth who have dropped out or who are at risk of dropping out of high school; and

(b) Provide participating youth with opportunities for:

(i) Performing community service, including, but not limited to, building food gardens for low-income families, and

work-based learning and employment during the school year and summer through farm or garden programs;

(ii) Earning core and elective credits applied toward high school graduation, including but not limited to, science, health, and career and technical education credits;

(iii) Receiving development support and services, including social and emotional learning, counseling, leadership training, and career and college guidance; and

(iv) Improving food security for themselves and their community through the project.

NEW SECTION. **Sec. 9.** A new section is added to chapter 28A.235 RCW to read as follows:

(1) The joint legislative audit and review committee shall conduct an analysis of breakfast after the bell programs established in schools in accordance with section 3 of this act. The analysis of the schools establishing breakfast after the bell programs shall include a review of any changes in student:

(a) Tardiness and absenteeism;

(b) Suspensions;

(c) Reported illnesses and visits to nurses' offices;

(d) Results on standardized tests; and

(e) Graduation rates.

(2) The analysis shall also include a review of the outcomes of similar programs or efforts in other states.

(3) The office of the superintendent of public instruction and the education and research data center of the office of financial management shall assist in providing any data required to conduct the analysis. The analysis, including any findings and recommendations, must be completed and submitted to the superintendent of public instruction and, in accordance with RCW 43.01.036, the education committees of the house of representatives and the senate by December 1, 2026.

NEW SECTION. **Sec. 10.** Sections 3, 4, and 6 of this act expire June 30, 2028.

NEW SECTION. **Sec. 11.** This act may be known and cited as the Washington kids ready to learn act of 2018."

2ESHB 1508 - S COMM AMD

By Committee on Ways & Means

ADOPTED 01/31/2018

On page 1, line 2 of the title, after "programs;" strike the remainder of the title and insert "amending RCW 28A.150.205 and 28A.235.150; adding new sections to chapter 28A.235 RCW; creating new sections; and providing an expiration date."

EFFECT: Clarifies that breakfast after the bell programs, including the provision of breakfast, is not intended to be included within the definition or funding of the program of basic education under Article IX of the state Constitution.

Includes this language within the definition of instructional hours.

Removes the requirement that breakfast items served in a breakfast after the bell program contain less than 25 percent, by weight, added sugar.

Requires the Office of the Superintendent of Public Instruction to develop and distribute best practices and provide technical assistance on strategies for selecting food items that are low in added sugar by December 1, 2018.

Removes the word "organic" to describe gardens, which is a type of innovative school-based program that may receive a grant.

and the same is herewith transmitted,

Brad Hendrickson, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SECOND ENGROSSED SUBSTITUTE HOUSE BILL NO. 1508 and advanced the bill as amended by the Senate to final passage.

**FINAL PASSAGE OF HOUSE BILL
AS SENATE AMENDED**

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

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Second Engrossed Substitute House Bill No. 1508, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Second Engrossed Substitute House Bill No. 1508, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 87; Nays, 8; Absent, 0; Excused, 3.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Doglio, Dolan, Eslick, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, Muri, Nealey, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Valdez, Van Werven, Volz, Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Dent, Dye, Kraft, McCaslin, Orcutt, Shea, Taylor and Vick.

Excused: Representatives McDonald, Morris and Pike.

SECOND ENGROSSED SUBSTITUTE HOUSE BILL NO. 1508, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote NAY on Second Engrossed Substitute House Bill No. 1508.

Representative Klippert, 8th District

MESSAGE FROM THE SENATE

January 25, 2018

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1723 with the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 51.32 RCW to read as follows:

(1) The definitions in this section apply throughout this section.

(a) "Hanford nuclear site" and "Hanford site" and "site" means the approximately five hundred sixty square miles in southeastern Washington state, excluding leased land, state-owned lands, and lands owned by the Bonneville Power Administration, which is owned by the United States and which is commonly known as the Hanford reservation.

(b) "United States department of energy Hanford site workers" and "Hanford site worker" means any person, including a contractor or subcontractor, who was engaged in the performance of work, either directly or indirectly, for the United States, regarding projects and contracts at the Hanford nuclear site and who worked on the site at the two hundred east, two hundred west, three hundred area, environmental restoration disposal facility site, central plateau, or the river corridor locations for at least one eight-hour shift while covered under this title.

(2) (a) For United States department of energy Hanford site workers, as defined in this section, who are covered under this title, there exists a prima facie presumption that the diseases and conditions listed in subsection (3) of this section are occupational diseases under RCW 51.08.140.

(b) This presumption of occupational disease may be rebutted by clear and convincing evidence. Such evidence may include, but is not limited to, use of tobacco products, physical fitness and weight, lifestyle, hereditary factors, and exposure from other employment or nonemployment activities.

(3) The prima facie presumption applies to the following:

(a) Respiratory disease;

(b) Any heart problems, experienced within seventy-two hours of exposure to fumes, toxic substances, or chemicals at the site;

(c) Cancer, subject to subsection (4) of this section;

(d) Beryllium sensitization, and acute and chronic beryllium disease; and

(e) Neurological disease.

(4) (a) The presumption established for cancer only applies to any active or former United States department of energy Hanford site worker who has cancer that develops or manifests itself and who was given a qualifying medical examination upon becoming a United States department of energy Hanford site worker that showed no evidence of cancer.

(b) The presumption applies to the following cancers:

(i) Leukemia;

(ii) Primary or secondary lung cancer, including bronchi and trachea, sarcoma of the lung, other than in situ lung cancer that is discovered during or after a postmortem examination, but not including mesothelioma or pleura cancer;

(iii) Primary or secondary bone cancer, including the bone form of solitary plasmacytoma, myelodysplastic syndrome, myelofibrosis with myeloid metaplasia, essential thrombocytosis or essential thrombocythemia, primary polycythemia vera (also called polycythemia rubra vera, P. vera, primary polycythemia, proliferative polycythemia, spent-phase polycythemia, or primary erythremia);

(iv) Primary or secondary renal (kidney) cancer;

(v) Lymphomas, other than Hodgkin's disease;

(vi) Waldenstrom's macroglobulinemia and mycosis fungoides; and

(vii) Primary cancer of the: (A) Thyroid; (B) male or female breast; (C) esophagus; (D) stomach; (E) pharynx, including all three areas, oropharynx, nasopharynx, and hypopharynx and the larynx. The oropharynx includes base of tongue, soft palate and tonsils (the hypopharynx includes the pyriform sinus); (F) small intestine; (G) pancreas; (H) bile ducts, including ampulla of vater; (I) gall bladder; (J) salivary gland; (K) urinary bladder; (L) brain (malignancies only and not including intracranial endocrine glands and other parts of the central nervous system or borderline astrocytomas); (M) colon, including rectum and appendix; (N) ovary, including fallopian tubes if both organs are involved; and (O) liver, except if cirrhosis or hepatitis B is indicated.

(5) (a) The presumption established in this section extends to an applicable United States department of energy Hanford site worker following termination of service for the lifetime of that individual.

(b) A worker or the survivor of a worker who has died as a result of one of the conditions or diseases listed in subsection (3) of this section, and whose claim was denied by order of the department, the board of industrial insurance appeals, or a court, can file a new claim for the same exposure and contended condition or disease.

(c) This section applies to decisions made after the effective date of this section, without regard to the date of last injurious exposure or claim filing.

(6) (a) When a determination involving the presumption established in this section is appealed to the board of industrial insurance appeals and the final decision allows the claim of benefits, the board of industrial insurance appeals shall order that all reasonable costs of the appeal, including attorneys' fees and witness fees, be paid to the worker or his or her beneficiary by the opposing party.

(b) When a determination involving the presumption established in this section is appealed to any court and the final decision allows the claim for benefits, the court shall order that all reasonable costs of appeal, including attorneys' fees and witness fees, be paid to the worker or his or her beneficiary by the opposing party.

NEW SECTION. **Sec. 2.** A new section is added to chapter 51.32 RCW to read as follows:

(1) Five years after the effective date of this section, the department must submit a report to the appropriate labor committees of the legislature by December 1, 2023. The report must include the number of industrial insurance claims which included the presumption provided for in section 1(2)(a) of this act.

(2) This section expires December 1, 2024."

On page 1, line 3 of the title, after "site;" strike the remainder of the title and insert "adding new sections to chapter 51.32 RCW; and providing an expiration date."

and the same is herewith transmitted,

Brad Hendrickson, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 1723 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Haler and Sells spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1723, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1723, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 74; Nays, 21; Absent, 0; Excused, 3.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Doglio, Dolan, Eslick, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Harmsworth, Hayes, Hudgins, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Kraft, Kristiansen, Lovick, Lytton, MacEwen, Macri, McBride, McCabe, Muri, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robison, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stonier, Sullivan, Tarleton, Tharinger, Valdez, Van Werven, Walsh, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Condotta, DeBolt, Dent, Dye, Hargrove, Harris, Holy, Irwin, Kretz, Manweller, Maycumber, McCaslin, Nealey, Orcutt, Schmick, Shea, Stokesbary, Taylor, Vick, Volz and Wilcox.

Excused: Representatives McDonald, Morris and Pike.

SUBSTITUTE HOUSE BILL NO. 1723, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

There being no objection, the House adjourned until 9:55 a.m., February 20, 2018, the 44th Day of the Regular Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

1046-S	Other Action	4	Other Action.....	4
1182	Other Action	4	2280	Other Action.....
1263	Other Action	4	2292	Other Action.....
1291-S	Other Action	4	2297	Other Action.....
1469	Other Action	4	2314	Other Action.....
1483	Other Action	4	2319	Other Action.....
1487	Other Action	4	2331	Other Action.....
1508-S	Final Passage	10	2336	Other Action.....
	Other Action	10	2355	Other Action.....
	Messages.....	5	2364	Other Action.....
1514-S	Other Action	4	2369	Other Action.....
1567	Other Action	4	2372	Other Action.....
1590	Other Action	4	2373	Other Action.....
1603	Other Action	4	2391	Other Action.....
1669	Other Action	4	2402	Other Action.....
1679	Other Action	4	2413	Other Action.....
1723-S	Final Passage	12	2436	Other Action.....
	Other Action	12	2449	Other Action.....
	Messages.....	10	2475	Other Action.....
1740	Other Action	4	2476	Other Action.....
1789-S2	Other Action	4	2485	Other Action.....
1800	Other Action	4	2486	Other Action.....
1855	Other Action	4	2487	Other Action.....
1860	Other Action	4	2497	Other Action.....
1958	Other Action	4	2502	Other Action.....
2137	Other Action	4	2507	Other Action.....
2214	Other Action	4	2510	Other Action.....
2253	Other Action	4	2512	Other Action.....
2258	Other Action	4	2542	Other Action.....
2262	Other Action	4	2544	Other Action.....
2263	Other Action	4	2545	Other Action.....
2271	Other Action	4		
2278				

2553	Other Action	4	2814	Other Action.....	4
2554	Other Action	4	2816	Second Reading.....	5
2555	Other Action	4		Third Reading Final Passage.....	5
2568	Other Action	4	2829	Other Action.....	4
2587	Other Action	4	2831	Other Action.....	4
2592	Other Action	4	2838	Other Action.....	4
2605	Other Action	4	2852	Other Action.....	4
2606	Other Action	4	2864	Other Action.....	4
2609	Other Action	4	2895	Other Action.....	4
2624	Other Action	4	2900	Other Action.....	4
2633	Other Action	4	2903	Other Action.....	4
2635	Other Action	4	2907	Other Action.....	4
2640	Other Action	4	2925	Other Action.....	4
2643	Other Action	4	2931	Other Action.....	4
2644	Other Action	4	2944	Other Action.....	4
2646	Other Action	4	2963	Other Action.....	4
2674	Other Action	4	2974	Other Action.....	5
2675	Other Action	4	2983	Other Action.....	5
2679	Other Action	4	4210	Other Action.....	5
2681	Other Action	4	4673	Introduced	2
2690	Other Action	4		Adopted.....	2
2693	Other Action	4	4674	Introduced	2
2715	Other Action	4		Adopted.....	3
2724	Other Action	4	5028	Committee Report	3
2741	Other Action	4	6029-S2	Introduction & 1st Reading	3
2742	Other Action	4	6059	Committee Report	3
2776	Other Action	4	6073	Committee Report	3
2787	Other Action	4	6133-S	Committee Report	3
2791	Other Action	4	6223	Other Action.....	5
2793	Other Action	4	6362-S2	Introduction & 1st Reading	3
2799	Other Action	4	HOUSE OF REPRESENTATIVES (Representative Lovick presiding)	Statement for the Journal Representative Klippert	10
			SPEAKER OF THE HOUSE (Representative Lovick presiding)		

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