

FIFTY FIRST DAY**MORNING SESSION**

Senate Chamber, Olympia
Tuesday, March 1, 2022

The Senate was called to order at 10:00 o'clock 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.

The Washington State Patrol Honor Guard presented the Colors.

Mr. Srish Pathangi led the Senate in the Pledge of Allegiance. Mr. Pathangi, first grade student at Margaret Mead School in Sammamish, was a guest of Senator Dhingra.

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

MOTIONS

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

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

INTRODUCTION AND FIRST READING

ESHB 1530 by House Committee on Transportation (originally sponsored by Chambers, Springer, Klicker, Jacobsen, Sutherland and Eslick)

AN ACT Relating to creating Washington wine special license plates; reenacting and amending RCW 46.17.220, 46.18.200, and 46.68.420; adding a new section to chapter 46.04 RCW; and providing an effective date.

Referred to Committee on Transportation.

2SHB 1814 by House Committee on Finance (originally sponsored by Shewmake, Berry, Bateman, Duerr, Macri, Ramel, Paul, Bergquist, Fitzgibbon, Pollet, Harris-Talley and Kloba)

AN ACT Relating to expanding equitable access to the benefits of renewable energy through community solar projects; amending RCW 82.16.130 and 82.16.170; adding new sections to chapter 82.16 RCW; creating new sections; providing expiration dates; and declaring an emergency.

Referred to Committee on Ways & Means.

HB 2024 by Representatives Fey, Valdez, Macri and Pollet

AN ACT Relating to a sales and use tax deferral for projects to improve the state route number 520 corridor; amending RCW 47.01.412; creating a new section; and providing an effective date.

Referred to Committee on Transportation.

SHB 2099 by House Committee on Finance (originally sponsored by Berg, Frame and Sutherland)

AN ACT Relating to improving tax administration by waiving penalties and imposing interest in certain situations involving delayed tax payments, and by extending a statute

of limitations period for certain egregious tax crimes; amending RCW 82.32.050; reenacting and amending RCW 9A.04.080; adding a new section to chapter 82.32 RCW; creating a new section; and providing an effective date.

Referred to Committee on Ways & Means.

MOTIONS

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.

MOTION

Senator Gildon moved adoption of the following resolution:

SENATE RESOLUTION

8641

By Senators Gildon and Conway

WHEREAS, For 89 years the annual Daffodil Festival has been a cherished tradition for the people of Pierce County; and

WHEREAS, The Daffodil Festival has been an anticipated event that continues to bring communities together to celebrate unity within our diverse community; and

WHEREAS, Since its inception in the 1920s as a modest garden party, it has grown into the festival that we all know and love today and this year celebrates its 89th anniversary; and

WHEREAS, Each year, 23 young women pass through a rigorous selection process to represent their schools as well as Pierce County communities through ambassadorship, community service, and civic pride; and

WHEREAS, Members of the Daffodil Festival royal court serve as role models for youth around our region. Their volunteerism, civic responsibility, and willingness to be ambassadors for Pierce County serve as a light for youth to look up to; and

WHEREAS, This year's Daffodil Festival royal court includes: Darya Booker, Puyallup High School; Willow Warren, Lakes High School; Kaitlyn Bolland, Bonney Lake High School; Maeson Sterenburg, Sumner High School; Amber Burgess, Orting High School; Clara Blakeslee, Curtis High School; Julia Schmidt, White River High School; Aiysha Ali, Foss High School; Samantha Calland, Fife High School; Caitlyn Ye, Stadium High School; Andrea Galvin, Silas High School; Julia Odhiambo, Rogers High School; Arin Havenstrite, Emerald Ridge High School; Victoria Plom, Franklin Pierce High School; Zana Stewart, Bethel High School; Alexis Powell, Eatonville High School; Isha Hussein, Lincoln High School; Lilly Nonamaker, Clover Park High School; Kaely Harding, Graham Kapowsin High School; Sydney Brickey, Spanaway Lake High School; Nakiya-Rene Jastillana, Washington High School; Thien-Ha Ngo, Mount Tahoma High School; and Faith Hudson, Chief Leschi High School. In recognition of the three princesses who were not included on the 2021 Daffodil Royal Court resolution, we would like to acknowledge: Livy Sanders, Bethel High School; Mackenzie Sunde, Spanaway Lake High School; and

Hailee Englehart, Emerald Ridge High School;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate recognize and honor the many contributions made to our state by the Daffodil Festival, its organizers, and its royal court for the past 89 years; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the Senate to the 2022 Daffodil Festival officers and to the 23 members of the 2022 Daffodil Festival royalty.

Senators Gildon and Conway spoke in favor of adoption of the resolution.

MOTION

On motion of Senator Wagoner, Senator McCune was excused.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8641.

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

MOTION

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

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Nguyen moved that Allen W. Hayward, Senate Gubernatorial Appointment No. 9358, be confirmed as a member of the Public Disclosure Commission.

Senators Nguyen and Padden spoke in favor of passage of the motion.

APPOINTMENT OF ALLEN W. HAYWARD

The President declared the question before the Senate to be the confirmation of Allen W. Hayward, Senate Gubernatorial Appointment No. 9358, as a member of the Public Disclosure Commission.

The Secretary called the roll on the confirmation of Allen W. Hayward, Senate Gubernatorial Appointment No. 9358, as a member of the Public Disclosure Commission and the appointment was confirmed by the following vote: Yeas, 45; Nays, 0; Absent, 3; Excused, 1.

Voting yea: Senators Billig, Braun, Brown, Carlyle, Cleveland, Conway, Das, Dhingra, Dozier, Fortunato, Frockt, Gildon, Hasegawa, Hawkins, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, Lovick, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Saldaña, Salomon, Schoesler, Sefzik, Sheldon, Short, Stanford, Trudeau, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Absent: Senators Robinson, Rolfes and Van De Wege
Excused: Senator McCune

Allen W. Hayward, Senate Gubernatorial Appointment No. 9358, having received the constitutional majority was declared confirmed as a member of the Public Disclosure Commission.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Randall moved that Rozanne E. Garman, Senate Gubernatorial Appointment No. 9345, be confirmed as a member of the South Puget Sound Community College Board of Trustees.

Senators Randall and Holy spoke in favor of passage of the motion.

APPOINTMENT OF ROZANNE E. GARMAN

The President declared the question before the Senate to be the confirmation of Rozanne E. Garman, Senate Gubernatorial Appointment No. 9345, as a member of the South Puget Sound Community College Board of Trustees.

The Secretary called the roll on the confirmation of Rozanne E. Garman, Senate Gubernatorial Appointment No. 9345, as a member of the South Puget Sound Community College Board of Trustees and the appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 1; Excused, 1.

Voting yea: Senators Billig, Braun, Brown, Carlyle, Cleveland, Conway, Das, Dhingra, Dozier, Fortunato, Frockt, Gildon, Hasegawa, Hawkins, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, Lovick, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Sefzik, Sheldon, Short, Stanford, Trudeau, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Absent: Senator Van De Wege
Excused: Senator McCune

Rozanne E. Garman, Senate Gubernatorial Appointment No. 9345, having received the constitutional majority was declared confirmed as a member of the South Puget Sound Community College Board of Trustees.

MOTION

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

SECOND READING

HOUSE BILL NO. 1122, by Representatives Lovick, Klippert, Ryu, Goodman, MacEwen and Orwall

Concerning the retirement age for state guard members.

The measure was read the second time.

MOTION

On motion of Senator Lovick, the rules were suspended, House Bill No. 1122 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Lovick spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 1122.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1122 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 1; Excused, 1.

FIFTY FIRST DAY, MARCH 1, 2022

2022 REGULAR SESSION

Voting yea: Senators Billig, Braun, Brown, Carlyle, Cleveland, Conway, Das, Dhingra, Dozier, Fortunato, Frockt, Gildon, Hasegawa, Hawkins, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, Lovick, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Sefzik, Sheldon, Short, Stanford, Trudeau, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Hawkins, Holy, Hunt, Keiser, Kuderer, Liias, Lovelett, Lovick, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Sefzik, Sheldon, Short, Stanford, Trudeau, Van De Wege, Wagoner, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Absent: Senator Van De Wege
Excused: Senator McCune

Voting nay: Senators Gildon, Honeyford, King, Schoesler and Warnick
Excused: Senator McCune

HOUSE BILL NO. 1122, 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.

ENGROSSED HOUSE BILL NO. 1165, 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.

The President noted that senators need not wait for another senator to complete remarks before using the request-to-speak button. Senators can request to speak as soon as their name has been cleared. A button had been used as voting opened and the member could not be recognized in a timely manner.

SIGNED BY THE PRESIDENT

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

PARLIAMENTARY INQUIRY

SUBSTITUTE SENATE BILL NO. 5252,
SUBSTITUTE SENATE BILL NO. 5546,
and SUBSTITUTE SENATE BILL NO. 5564.

Senator Padden: “My point of inquiry is a point of information and I confess, Mr. President, I apologize, I was the senator you were speaking about here. But I did wonder, Mr. President, how a senator in our chamber could be a sponsor of a bill in the other chamber and still speak on it in this chamber.”

SECOND READING

HOUSE BILL NO. 1612, by Representatives Sells, Berry, Wicks, Simmons and Harris-Talley

REPLY BY THE PRESIDENT

Making technical cross-reference corrections in statutes governing unemployment insurance.

President Heck: “Asked and answered.”

The measure was read the second time.

MOTION

MOTION

On motion of Senator Randall, Senator Van De Wege was excused.

On motion of Senator Keiser, the rules were suspended, House Bill No. 1612 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

SECOND READING

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

ENGROSSED HOUSE BILL NO. 1165, by Representatives Ryu, Vick, Santos, Hoff and Harris-Talley

The President declared the question before the Senate to be the final passage of House Bill No. 1612.

Concerning the Washington credit union act.

ROLL CALL

The measure was read the second time.

The Secretary called the roll on the final passage of House Bill No. 1612 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

MOTION

On motion of Senator Mullet, the rules were suspended, Engrossed House Bill No. 1165 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Voting yea: Senators Billig, Braun, Brown, Carlyle, Cleveland, Conway, Das, Dhingra, Dozier, Fortunato, Frockt, Gildon, Hasegawa, Hawkins, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, Lovick, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Sefzik, Sheldon, Short, Stanford, Trudeau, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Senators Mullet and Dozier spoke in favor of passage of the bill.

Excused: Senator McCune

The President declared the question before the Senate to be the final passage of Engrossed House Bill No. 1165.

ROLL CALL

HOUSE BILL NO. 1612, 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.

The Secretary called the roll on the final passage of Engrossed House Bill No. 1165 and the bill passed the Senate by the following vote: Yeas, 43; Nays, 5; Absent, 0; Excused, 1.

SECOND READING

Voting yea: Senators Billig, Braun, Brown, Carlyle, Cleveland, Conway, Das, Dhingra, Dozier, Fortunato, Frockt, Hasegawa,

SUBSTITUTE HOUSE BILL NO. 1794, by House Committee on Labor & Workplace Standards (originally sponsored by Hoff,

Sells, Berry, Sutherland, Wylie, Simmons, Pollet and Young)

Requiring an employer to reimburse employee fees when a paycheck is dishonored by nonacceptance or nonpayment.

The measure was read the second time.

MOTION

On motion of Senator Keiser, the rules were suspended, Substitute House Bill No. 1794 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1794.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1794 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Braun, Brown, Carlyle, Cleveland, Conway, Das, Dhingra, Dozier, Fortunato, Frockt, Gildon, Hasegawa, Hawkins, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, Lovick, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Sefzik, Sheldon, Short, Stanford, Trudeau, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator McCune

SUBSTITUTE HOUSE BILL NO. 1794, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 1834, by Representatives Callan, Rude, Johnson, J., Davis, Macri, Ramos, Rule, Santos, Senn, Paul, Simmons, Bergquist, Thai, Stonier, Riccelli, Frame and Harris-Talley

Concerning student excused absences for mental health reasons.

The measure was read the second time.

MOTION

On motion of Senator Wellman, the rules were suspended, House Bill No. 1834 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wellman and Hawkins spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 1834.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1834 and the bill passed the Senate by the following vote:

Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Braun, Brown, Carlyle, Cleveland, Conway, Das, Dhingra, Dozier, Fortunato, Frockt, Gildon, Hasegawa, Hawkins, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, Lovick, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Sefzik, Sheldon, Short, Stanford, Trudeau, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator McCune

HOUSE BILL NO. 1834, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 1785, by Representatives Fey, Barkis, Goodman, Robertson, Rule, Sullivan, Paul and Riccelli

Concerning the minimum monthly salary paid to Washington state patrol troopers and sergeants.

The measure was read the second time.

MOTION

Senator Liias moved that the following committee striking amendment by the Committee on Transportation be adopted:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 43.43.380 and 2018 c 140 s 1 are each amended to read as follows:

(1)(a) The minimum monthly salary paid to state patrol troopers and sergeants must be competitive with law enforcement agencies within the boundaries of the state of Washington, guided by the results of a survey undertaken in the collective bargaining process during each biennium. ~~((The salary levels must be guided by the average of compensation paid to the corresponding rank from the Seattle police department, King county sheriff's office, Tacoma police department, Snohomish county sheriff's office, Spokane police department, and Vancouver police department.))~~ Compensation must be calculated using base salary, premium pay (a pay received by more than a majority of employees), education pay, and longevity pay. The compensation comparison data is based on the Washington state patrol and the law enforcement agencies listed in this section. Increases ~~((~~that~~))~~ ~~for sergeants will be extended to the salary levels for captains and lieutenants~~ ~~((that are collectively bargained must be proportionate to the))~~ through the collective bargaining process to ensure proportionality of increases ~~((in salaries for troopers and sergeants as a result of the survey described in this section)).~~

(b)(i) Until July 1, 2028, the comparisons for determining competitiveness with other law enforcement agency salary levels must be guided by the average of compensation paid to the corresponding rank from the Seattle police department, King county sheriff's office, Tacoma police department, Snohomish county sheriff's office, Spokane police department, and Vancouver police department.

(ii) Beginning July 1, 2028, the comparisons for determining competitiveness with other law enforcement agency salary levels must be guided by the average of compensation paid to the corresponding rank from the Seattle police department, King county sheriff's office, Tacoma police department, Snohomish county sheriff's office, Spokane police department, and

FIFTY FIRST DAY, MARCH 1, 2022

2022 REGULAR SESSION

Vancouver police department, unless the office of financial management determines that one or more agencies should be replaced in this comparison with another law enforcement agency pursuant to the periodic evaluation process specified in (b)(iii) of this subsection.

(iii) By January 1, 2028, and each decade thereafter, the office of financial management must conduct an evaluation of the six agencies that are relevant for comparison to ensure state patrol troopers and sergeant salary levels are competitive with other law enforcement agencies within the boundaries of the state of Washington. If the office of financial management determines that one or more agencies specified in (b)(ii) of this subsection should be replaced in this comparison with a different law enforcement agency that is more relevant to ensure salary competitiveness, the office of financial management may utilize that revised compensation comparison data in the survey undertaken in the collective bargaining process during each biennium.

(2) By December 1, 2024, as part of the salary survey required in this section, the office of financial management must report to the governor and transportation committees of the legislature on the efficacy of Washington state patrol recruitment and retention efforts. Using the results of the 2016 salary survey as the baseline data, the report must include an analysis of voluntary resignations of state patrol troopers and sergeants and a comparison of state patrol academy class sizes and trooper graduations.

~~((3) This section expires June 30, 2025.)~~

Sec. 2. RCW 41.56.475 and 2008 c 149 s 1 are each amended to read as follows:

In addition to the classes of employees listed in RCW 41.56.030~~((7))~~ (14), the provisions of RCW 41.56.430 through 41.56.452 and 41.56.470, 41.56.480, and 41.56.490 also apply to Washington state patrol officers appointed under RCW 43.43.020 as provided in this section, subject to the following:

(1) Within ~~((ten))~~ 10 working days after the first Monday in September of every odd-numbered year, the state's bargaining representative and the bargaining representative for the appropriate bargaining unit shall attempt to agree on an interest arbitration panel consisting of three members to be used if the parties are not successful in negotiating a comprehensive collective bargaining agreement. Each party shall name one person to serve as its arbitrator on the arbitration panel. The two members so appointed shall meet within seven days following the appointment of the later appointed member to attempt to choose a third member to act as the neutral chair of the arbitration panel. Upon the failure of the arbitrators to select a neutral chair within seven days, the two appointed members shall use one of the two following options in the appointment of the third member, who shall act as chair of the panel: (a) By mutual consent, the two appointed members may jointly request the commission to, and the commission shall, appoint a third member within two days of such a request. Costs of each party's appointee shall be borne by each party respectively; other costs of the arbitration proceedings shall be borne by the commission; or (b) either party may apply to the commission, the federal mediation and conciliation service, or the American arbitration association to provide a list of five qualified arbitrators from which the neutral chair shall be chosen. Each party shall pay the fees and expenses of its arbitrator, and the fees and expenses of the neutral chair shall be shared equally between the parties. Immediately upon selecting an interest arbitration panel, the parties shall cooperate to reserve dates with the arbitration panel for potential arbitration between August 1st and September 15th of the following even-numbered year. The parties shall also prepare a schedule of at least five negotiation dates for the following year, absent an agreement to the contrary.

The parties shall execute a written agreement before November 1st of each odd-numbered year setting forth the names of the members of the arbitration panel and the dates reserved for bargaining and arbitration. This subsection imposes minimum obligations only and is not intended to define or limit a party's full, good faith bargaining obligation under other sections of this chapter.

(2) The mediator or arbitration panel may consider only matters that are subject to bargaining under RCW 41.56.473.

(3) The decision of an arbitration panel is not binding on the legislature and, if the legislature does not approve the funds necessary to implement provisions pertaining to wages and wage-related matters of an arbitrated collective bargaining agreement, is not binding on the state or the Washington state patrol.

(4) In making its determination, the arbitration panel shall be mindful of the legislative purpose enumerated in RCW 41.56.430 and, as additional standards or guidelines to aid it in reaching a decision, shall take into consideration the following factors:

- (a) The constitutional and statutory authority of the employer;
- (b) Stipulations of the parties;

(c) Comparison of the hours and conditions of employment of personnel involved in the proceedings with the hours and conditions of employment of ~~((like personnel of))~~ like employers of similar size ~~((on the west coast of the United States))~~ identified in RCW 43.43.380;

(d) Changes in any of the foregoing circumstances during the pendency of the proceedings; and

(e) Such other factors, not confined to the foregoing, which are normally or traditionally taken into consideration in the determination of matters that are subject to bargaining under RCW 41.56.473."

On page 1, line 2 of the title, after "sergeants;" strike the remainder of the title and insert "and amending RCW 43.43.380 and 41.56.475."

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Transportation to House Bill No. 1785.

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

MOTION

On motion of Senator Liias, the rules were suspended, House Bill No. 1785 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Liias and King spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 1785 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1785 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Braun, Brown, Carlyle, Cleveland, Conway, Das, Dhingra, Dozier, Fortunato, Frockt, Gildon, Hasegawa, Hawkins, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, Lovick, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Sefzik, Sheldon, Short, Stanford, Trudeau, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator McCune

HOUSE BILL NO. 1785 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 10:45 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.

Senator Warnick announced a meeting of the Republican Caucus.

AFTERNOON SESSION

The Senate was called to order at 1:47 p.m. by the President of the Senate, Lt. Governor Heck presiding.

MOTION

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

THIRD READING CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Randall moved that Sharonne A. Navas, Senate Gubernatorial Appointment No. 9019, be confirmed as a member of the Green River College Board of Trustees.

Senators Randall and Holy spoke in favor of passage of the motion.

APPOINTMENT OF SHARONNE A. NAVAS

The President declared the question before the Senate to be the confirmation of Sharonne A. Navas, Senate Gubernatorial Appointment No. 9019, as a member of the Green River College Board of Trustees.

The Secretary called the roll on the confirmation of Sharonne A. Navas, Senate Gubernatorial Appointment No. 9019, as a member of the Green River College Board of Trustees and the appointment was confirmed by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

Sharonne A. Navas, Senate Gubernatorial Appointment No. 9019, having received the constitutional majority was declared confirmed as a member of the Green River College Board of Trustees.

THIRD READING CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Rolfes moved that Claire Hesselholt, Senate Gubernatorial Appointment No. 9289, be confirmed as a member of the Board of Tax Appeals.

Senator Rolfes spoke in favor of the motion.

APPOINTMENT OF CLAIRE HESSELHOLT

The President declared the question before the Senate to be the confirmation of Claire Hesselholt, Senate Gubernatorial Appointment No. 9289, as a member of the Board of Tax Appeals.

The Secretary called the roll on the confirmation of Claire Hesselholt, Senate Gubernatorial Appointment No. 9289, as a member of the Board of Tax Appeals and the appointment was confirmed by the following vote: Yeas, 48; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Braun, Brown, Carlyle, Cleveland, Conway, Das, Dhingra, Dozier, Fortunato, Frockt, Gildon, Hasegawa, Hawkins, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, Lovick, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Sefzik, Sheldon, Short, Stanford, Trudeau, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senator Schoesler

Claire Hesselholt, Senate Gubernatorial Appointment No. 9289, having received the constitutional majority was declared confirmed as a member of the Board of Tax Appeals.

MOTION

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

SECOND READING

SUBSTITUTE HOUSE BILL NO. 2046, by House Committee on State Government & Tribal Relations (originally sponsored by Stonier, Abbarno and Senn)

Concerning ethics in public service rules governing certain legislative activity.

The measure was read the second time.

MOTION

On motion of Senator Hunt, the rules were suspended, Substitute House Bill No. 2046 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Hunt and Wilson, J. spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 2046.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2046 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 1; Absent, 0; Excused, 0.

FIFTY FIRST DAY, MARCH 1, 2022

2022 REGULAR SESSION

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

Voting nay: Senator Honeyford

SUBSTITUTE HOUSE BILL NO. 2046, 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 Pedersen, the Senate reverted to the fourth order of business.

MESSAGE FROM THE HOUSE

March 1, 2022

MR. PRESIDENT:

The Speaker has signed:

SUBSTITUTE HOUSE BILL NO. 1286,
HOUSE BILL NO. 1719,
SUBSTITUTE HOUSE BILL NO. 1735,
HOUSE BILL NO. 1798,
SUBSTITUTE HOUSE BILL NO. 1878,
HOUSE BILL NO. 1899,

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

March 1, 2022

MR. PRESIDENT:

The Speaker has signed:

SUBSTITUTE SENATE BILL NO. 5252,
SUBSTITUTE SENATE BILL NO. 5546,
SUBSTITUTE SENATE BILL NO. 5564,

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

MOTION

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

SECOND READING

HOUSE BILL NO. 1894, by Representatives Harris-Talley, Frame, Leavitt, Simmons, Johnson, J., Goodman, Walen, Dolan, Ryu, Taylor, Fey, Fitzgibbon, Davis, Bateman, Macri, Valdez and Pollet

Concerning the period for juvenile diversion agreements.

The measure was read the second time.

MOTION

On motion of Senator Wilson, C., the rules were suspended, House Bill No. 1894 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wilson, C. and Gildon spoke in favor of passage of

the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 1894.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1894 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

HOUSE BILL NO. 1894, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SIGNED BY THE PRESIDENT

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

SUBSTITUTE HOUSE BILL NO. 1286,
HOUSE BILL NO. 1719,
SUBSTITUTE HOUSE BILL NO. 1735,
HOUSE BILL NO. 1798,
SUBSTITUTE HOUSE BILL NO. 1878,
and HOUSE BILL NO. 1899.

SECOND READING

HOUSE BILL NO. 2061, by Representatives Ormsby, Santos, Valdez, Morgan, Chopp, Pollet, Harris-Talley, Bergquist and Lekanoff

Adding permanently affordable housing to the definition of public improvements.

The measure was read the second time.

MOTION

On motion of Senator Kuderer, the rules were suspended, House Bill No. 2061 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Kuderer and Fortunato spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 2061.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2061 and the bill passed the Senate by the following vote: Yeas, 35; Nays, 14; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Das, Dhingra, Fortunato, Frockt, Gildon, Hasegawa, Hunt, Keiser, Kuderer, Lias, Lovelett, Lovick, Mullet, Muzzall, Nguyen,

Nobles, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Sefzik, Sheldon, Stanford, Trudeau, Van De Wege, Warnick, Wellman and Wilson, C.

Voting nay: Senators Braun, Brown, Dozier, Hawkins, Holy, Honeyford, King, McCune, Padden, Schoesler, Short, Wagoner, Wilson, J. and Wilson, L.

HOUSE BILL NO. 2061, 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

SECOND READING

ENGROSSED HOUSE BILL NO. 1851, by Representatives Thai, Macri, Fitzgibbon, Bateman, Berry, Cody, Duerr, Peterson, Ramel, Santos, Senn, Simmons, Chopp, Slatter, Bergquist, Valdez, Pollet, Taylor, Ormsby and Harris-Talley

Preserving a pregnant individual's ability to access abortion care.

The measure was read the second time.

MOTION

Senator Cleveland moved that the following committee striking amendment by the Committee on Health & Long Term Care be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature affirms that:

(1) It is the longstanding public policy of this state to promote access to affordable, high quality sexual and reproductive health care, including abortion care, without unnecessary burdens or restrictions on patients or providers. In 1970 Washington was one of the first states to decriminalize abortion before Roe v. Wade; and in 1991 the people of Washington passed Initiative Measure 120, the reproductive privacy act, further protecting access to abortion services;

(2) It has been 30 years since the passage of the reproductive privacy act. It is time that we modernize and update the language to reflect current medical practice;

(3) In 2004 and 2019, respectively, Washington attorneys general Christine Gregoire and Robert W. Ferguson issued opinions clarifying that Washington state law allows certain qualified advanced practice clinicians to provide early in-clinic and medication abortion care and recommended that Washington statutes be updated to provide further clarity;

(4) Although the abortion rights movement has historically centered on women in our advocacy, that must no longer be the case and it is critical that we recognize that transgender, nonbinary, and gender expansive people also get pregnant and require abortion care. Washington's law should reflect the most inclusive understanding of who needs abortions and be updated with gender neutral language. All people deserve access to qualified providers in their community who can provide whatever method of abortion care works for them and no individual who chooses to manage their own abortion should fear arrest or prosecution because of their pregnancy decision or outcome; and

(5) All people deserve to make their own decisions about their pregnancies, including deciding to end a pregnancy. It is the public policy of the state of Washington to continue to protect and advance equal rights to access abortion care that meets each

individual's needs, regardless of gender or gender identity, race, ethnicity, income level, or place of residence.

Sec. 2. RCW 9.02.100 and 1992 c 1 s 1 are each amended to read as follows:

The sovereign people hereby declare that every individual possesses a fundamental right of privacy with respect to personal reproductive decisions.

Accordingly, it is the public policy of the state of Washington that:

(1) Every individual has the fundamental right to choose or refuse birth control;

(2) Every ~~((woman))~~ pregnant individual has the fundamental right to choose or refuse to have an abortion, except as specifically limited by RCW 9.02.100 through 9.02.170 and 9.02.900 through 9.02.902;

(3) Except as specifically permitted by RCW 9.02.100 through 9.02.170 and 9.02.900 through 9.02.902, the state shall not deny or interfere with a ~~((woman's))~~ pregnant individual's fundamental right to choose or refuse to have an abortion; and

(4) The state shall not discriminate against the exercise of these rights in the regulation or provision of benefits, facilities, services, or information.

Sec. 3. RCW 9.02.110 and 1992 c 1 s 2 are each amended to read as follows:

The state may not deny or interfere with a ~~((woman's))~~ pregnant individual's right to choose to have an abortion prior to viability of the fetus, or to protect ~~((her))~~ the pregnant individual's life or health.

A physician, physician assistant, advanced registered nurse practitioner, or other health care provider acting within the provider's scope of practice may terminate and a health care provider may assist a physician, physician assistant, advanced registered nurse practitioner, or other health care provider acting within the provider's scope of practice in terminating a pregnancy as permitted by this section.

Sec. 4. RCW 9.02.130 and 1992 c 1 s 4 are each amended to read as follows:

The good faith judgment of a physician, physician assistant, advanced registered nurse practitioner, or other health care provider acting within the provider's scope of practice as to viability of the fetus or as to the risk to life or health of a ~~((woman))~~ pregnant individual and the good faith judgment of a health care provider as to the duration of pregnancy shall be a defense in any proceeding in which a violation of this chapter is an issue.

Sec. 5. RCW 9.02.140 and 1992 c 1 s 5 are each amended to read as follows:

Any regulation promulgated by the state relating to abortion shall be valid only if:

(1) The regulation is medically necessary to protect the life or health of the ~~((woman))~~ pregnant individual who is terminating ~~((her))~~ the pregnancy,

(2) The regulation is consistent with established medical practice, and

(3) Of the available alternatives, the regulation imposes the least restrictions on the ~~((woman's))~~ pregnant individual's right to have an abortion as defined by RCW 9.02.100 through 9.02.170 and 9.02.900 through 9.02.902.

Sec. 6. RCW 9.02.160 and 1992 c 1 s 7 are each amended to read as follows:

If the state provides, directly or by contract, maternity care benefits, services, or information ~~((to women))~~ through any program administered or funded in whole or in part by the state, the state shall also provide ~~((women))~~ pregnant individuals otherwise eligible for any such program with substantially equivalent benefits, services, or information to permit them to

FIFTY FIRST DAY, MARCH 1, 2022

2022 REGULAR SESSION

voluntarily terminate their pregnancies.

Sec. 7. RCW 9.02.170 and 1992 c 1 s 8 are each amended to read as follows:

For purposes of this chapter:

(1) "Viability" means the point in the pregnancy when, in the judgment of the physician, physician assistant, advanced registered nurse practitioner, or other health care provider acting within the provider's scope of practice on the particular facts of the case before such physician, physician assistant, advanced registered nurse practitioner, or other health care provider acting within the provider's scope of practice, there is a reasonable likelihood of the fetus's sustained survival outside the uterus without the application of extraordinary medical measures.

(2) "Abortion" means any medical treatment intended to induce the termination of a pregnancy except for the purpose of producing a live birth.

(3) "Pregnancy" means the reproductive process beginning with the implantation of an embryo.

(4) "Physician" means a physician licensed to practice under chapter 18.57 or 18.71 RCW in the state of Washington.

(5) "Physician assistant" means a physician assistant licensed to practice under chapter 18.71A RCW in the state of Washington.

(6) "Advanced registered nurse practitioner" means an advanced registered nurse practitioner licensed under chapter 18.79 RCW.

(7) "Health care provider" means a ~~((physician or a))~~ person ((acting under the general direction of a physician)) regulated under Title 18 RCW to practice health or health-related services or otherwise practicing health care services in this state consistent with state law.

~~((6))~~ (8) "State" means the state of Washington and counties, cities, towns, municipal corporations, and quasi-municipal corporations in the state of Washington.

~~((7))~~ (9) "Private medical facility" means any medical facility that is not owned or operated by the state.

Sec. 8. RCW 9.02.120 and 1992 c 1 s 3 are each amended to read as follows:

Unless authorized by RCW 9.02.110, any person who performs an abortion on another person shall be guilty of a class C felony punishable under chapter 9A.20 RCW. The state shall not penalize, prosecute, or otherwise take adverse action against an individual based on their actual, potential, perceived, or alleged pregnancy outcomes. Nor shall the state penalize, prosecute, or otherwise take adverse action against someone for aiding or assisting a pregnant individual in exercising their right to reproductive freedom with their voluntary consent.

On page 1, line 2 of the title, after "care;" strike the remainder of the title and insert "amending RCW 9.02.100, 9.02.110, 9.02.130, 9.02.140, 9.02.160, 9.02.170, and 9.02.120; and creating a new section."

MOTION

Senator Warnick moved that the following amendment no. 1279 by Senator Warnick be adopted:

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

"A physician assistant, advanced registered nurse practitioner, or other health care provider acting within the provider's scope of practice may not terminate a pregnancy or assist in terminating a pregnancy unless they furnish proof in a form satisfactory to their disciplining authority that they meet the qualifications adopted pursuant to section 9 of this act."

On page 5, after line 2, insert the following:

"NEW SECTION. Sec. 9. A new section is added to chapter 9.02 RCW to read as follows:

(1) The Washington medical commission and the nursing care quality assurance commission shall jointly adopt rules establishing the minimum academic and experiential qualifications necessary for a physician assistant, advanced registered nurse practitioner, or other health care provider acting within the provider's scope of practice to terminate a pregnancy or assist in terminating a pregnancy. The qualifications established in rule must, to the extent possible, be identical to the training and experience in abortions necessary for a physician to be board certified in obstetrics-gynecology.

(2) The Washington medical commission and the nursing care quality assurance commission shall adopt the rules required by subsection (1) of this section no later than January 1, 2023."

On page 5, line 5, after "9.02.120;" insert "adding a new section to chapter 9.02 RCW;"

Senators Warnick, Fortunato, Padden, Short and Sefzik spoke in favor of adoption of the amendment to the committee striking amendment.

Senators Cleveland, Randall and Trudeau spoke against adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 1279 by Senator Warnick on page 3, after line 2 to the committee striking amendment.

The motion by Senator Warnick did not carry and amendment no. 1279 was not adopted by voice vote.

MOTION

Senator Short moved that the following amendment no. 1281 by Senator Short be adopted:

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

"A physician assistant, advanced registered nurse practitioner, or other health care provider acting within the provider's scope of practice may not terminate a pregnancy unless a physician is physically present during the procedure."

Senators Short and Fortunato spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Cleveland spoke against adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 1281 by Senator Short on page 3, after line 2 to committee striking amendment.

The motion by Senator Short did not carry and amendment no. 1281 was not adopted by voice vote.

MOTION

Senator Fortunato moved that the following amendment no. 1285 by Senator Fortunato be adopted:

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

"No termination of pregnancy by a physician assistant, advanced registered nurse practitioner, or other health care provider acting within the provider's scope of practice as permitted by this section shall be performed except with the informed consent from the patient upon whom the procedure is to be performed. The consent to the termination of pregnancy is informed when:

(1) The physician assistant, advanced registered nurse practitioner, or other health care provider acting within the

provider's scope of practice has informed the patient of the procedure's risks, which includes uterine perforation, potential involvement with the bile duct or bladder, and the possibility of postprocedural hemorrhage; and

(2) The patient has stated the patient has been informed of the risks as outlined."

Senator Fortunato spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Cleveland spoke against adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 1285 by Senator Fortunato on page 3, after line 2 to committee striking amendment.

The motion by Senator Fortunato did not carry and amendment no. 1285 was not adopted by voice vote.

MOTION

Senator Fortunato moved that the following amendment no. 1280 by Senator Fortunato be adopted:

On page 4, line 38, after "outcomes." strike "Nor shall the state penalize, prosecute, or otherwise take adverse action against someone for aiding or assisting a pregnant individual in exercising their right to reproductive freedom with their voluntary consent."

Senators Fortunato and Sefzik spoke in favor of adoption of the amendment to the committee striking amendment.

Senators Cleveland and Van De Wege spoke against adoption of the amendment to the committee striking amendment.

MOTION

Senator Van De Wege demanded a roll call.

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

The President declared the question before the Senate to be the adoption of the amendment by Senator Fortunato on page 4, line 38 to committee striking amendment.

ROLL CALL

The Secretary called the roll on the adoption of the amendment by Senator Fortunato and the amendment was not adopted by the following vote: Yeas, 21; Nays, 28; Absent, 0; Excused, 0.

Voting yea: Senators Braun, Brown, Dozier, Fortunato, Gildon, Hawkins, Holy, Honeyford, King, McCune, Muzzall, Padden, Rivers, Schoesler, Sefzik, Sheldon, Short, Wagoner, Warnick, Wilson, J. and Wilson, L.

Voting nay: Senators Billig, Carlyle, Cleveland, Conway, Das, Dhingra, Frockt, Hasegawa, Hunt, Keiser, Kuderer, Liias, Lovelett, Lovick, Mullet, Nguyen, Nobles, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon, Stanford, Trudeau, Van De Wege, Wellman and Wilson, C.

MOTION

Senator Short moved that the following amendment no. 1282 by Senator Short be adopted:

On page 5, after line 2, insert the following:
"NEW SECTION. Sec. 9. The department of health shall conduct a sunrise review under chapter 18.120 RCW to evaluate

all licensed health professions and determine the health professions where a licensed health care provider in that health profession may terminate a pregnancy when acting within that licensed health care provider's scope of practice.

NEW SECTION. Sec. 10. (1) Sections 1 through 8 of this act take effect when the department of health has completed the sunrise review as outlined in section 9 of this act and the results have been made publicly available.

(2) The department of health must provide written notice of the effective date of sections 1 through 8 of this act to affected parties, the chief clerk of the house of representatives, the secretary of the senate, the office of the code reviser, and others as deemed appropriate by the department."

On page 5, beginning on line 5, after "9.02.120;" strike "and creating a new section." and insert "creating new sections; and providing a contingent effective date."

Senator Short spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Cleveland spoke against adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 1282 by Senator Short on page 5, after line 2 to committee striking amendment.

The motion by Senator Short did not carry and amendment no. 1282 was not adopted by voice vote.

MOTION

Senator Padden moved that the following amendment no. 1289 by Senator Padden be adopted:

On page 5, line 2, after "consent" insert "except in cases where the person offering aid or assistance acts with gross negligence causing injury or harm to the pregnant individual"

Senators Padden, Fortunato and Sefzik spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Cleveland spoke against adoption of the amendment to the committee striking amendment.

MOTION

Senator Padden demanded a roll call.

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

The President declared the question before the Senate to be the adoption of the amendment by Senator Padden on page 5, line 2 to committee striking amendment.

ROLL CALL

The Secretary called the roll on the adoption of the amendment by Senator Padden and the amendment was not adopted by the following vote: Yeas, 21; Nays, 28; Absent, 0; Excused, 0.

Voting yea: Senators Braun, Brown, Dozier, Fortunato, Gildon, Hawkins, Holy, Honeyford, King, McCune, Muzzall, Padden, Rivers, Schoesler, Sefzik, Sheldon, Short, Wagoner, Warnick, Wilson, J. and Wilson, L.

Voting nay: Senators Billig, Carlyle, Cleveland, Conway, Das, Dhingra, Frockt, Hasegawa, Hunt, Keiser, Kuderer, Liias, Lovelett, Lovick, Mullet, Nguyen, Nobles, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon, Stanford, Trudeau, Van De Wege, Wellman and Wilson, C.

FIFTY FIRST DAY, MARCH 1, 2022

2022 REGULAR SESSION

Senator Randall spoke in favor of adoption of the committee striking amendment.

Senator Warnick spoke against adoption of the committee striking amendment.

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Health & Long Term Care to Engrossed House Bill No. 1851.

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

MOTION

On motion of Senator Cleveland, the rules were suspended, Engrossed House Bill No. 1851 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Cleveland, Randall and Lias spoke in favor of passage of the bill.

Senators Warnick, Short, Fortunato and Sefzik spoke against passage of the bill.

POINT OF ORDER

Senator Billig: "Several times in the gentleman's speech he has impugned the motives of other members, talking about bait and switch in the comments he was just making, and I would ask you to remind the member of the prohibition on impugning the motives of other members on the floor. Thank you."

RULING BY THE PRESIDENT

President Heck: "The rules are clear on this point. There is to be no impugning of motives of one another irrespective of philosophy or party.

Senators Sefzik, McCune and Padden spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed House Bill No. 1851 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 1851 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 28; Nays, 21; Absent, 0; Excused, 0.

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

Voting nay: Senators Braun, Brown, Dozier, Fortunato, Gildon, Hawkins, Holy, Honeyford, King, McCune, Muzzall, Padden, Rivers, Schoesler, Sefzik, Sheldon, Short, Wagoner, Warnick, Wilson, J. and Wilson, L.

ENGROSSED HOUSE BILL NO. 1851 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 1761, by Representatives Schmick,

Bateman, Bronoske, Cody, Dufault, Jacobsen, Macri, Pollet, Donaghy, Graham, Davis and Chambers

Allowing nurses to dispense opioid overdose reversal medication in the emergency department.

The measure was read the second time.

MOTION

On motion of Senator Frockt, the rules were suspended, House Bill No. 1761 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of House Bill No. 1761.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1761 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

HOUSE BILL NO. 1761, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 1755, by Representatives Peterson, Leavitt, Bateman, Davis, Gregerson, Wylie, Sullivan, Simmons, Slatter, Bergquist, Pollet, Riccelli, Ormsby and Kloba

Concerning temporary assistance for needy families time limit extensions during times of high unemployment.

The measure was read the second time.

MOTION

On motion of Senator Wilson, C., the rules were suspended, House Bill No. 1755 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wilson, C. and Gildon spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 1755.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1755 and the bill passed the Senate by the following vote: Yeas, 42; Nays, 7; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Braun, Brown, Carlyle, Cleveland,

Conway, Das, Dhingra, Dozier, Frockt, Gildon, Hasegawa, Hawkins, Holy, Hunt, Keiser, King, Kuderer, Lias, Lovelett, Lovick, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Sefzik, Sheldon, Stanford, Trudeau, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C. and Wilson, L.

Voting nay: Senators Fortunato, Honeyford, McCune, Padden, Schoesler, Short and Wilson, J.

HOUSE BILL NO. 1755, 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

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1881, by House Committee on Health Care & Wellness (originally sponsored by Harris-Talley, Entenman, Berry, Johnson, J., Ortiz-Self, Ryu, Simmons, Stonier, Wicks, Senn, Peterson, Chopp, Ormsby, Goodman, Berg, Ramel, Chase, Taylor, Frame, Davis, Macri and Pollet)

Creating a new health profession for birth doulas.

The measure was read the second time.

MOTION

Senator Cleveland moved that the following committee striking amendment by the Committee on Health & Long Term Care be adopted:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Department" means the department of health.

(2) "Birth doula" means a person that is a nonmedical birth coach or support person trained to provide physical, emotional, and informational support to birthing persons during pregnancy, antepartum, labor, birth, and the postpartum period. Birth doulas advocate for and support birthing people and families to self-advocate by helping them to know their rights and make informed decisions. Birth doulas do not provide medical care.

(3) "Postpartum period" means the 12-month period beginning on the last day of the pregnancy.

(4) "Secretary" means the secretary of health.

NEW SECTION. Sec. 2. (1) A birth doula may voluntarily apply for certification from the department under this section.

(2) The department shall issue a certification to any applicant who has met the following requirements:

(a) Submitted a completed application as required by the department;

(b) Satisfactorily completed competencies that meet the requirements established by the secretary;

(c) Has not engaged in unprofessional conduct as defined in RCW 18.130.180;

(d) Is not currently subject to any disciplinary proceedings; and

(e) Paid a certification fee established by the secretary in rule.

(3) The uniform disciplinary act, chapter 18.130 RCW, governs the issuance and denial of certifications and the discipline of certified birth doulas under this chapter.

NEW SECTION. Sec. 3. (1) The secretary shall:

(a) In collaboration with community partners who advance equitable access to improve perinatal outcomes and care through

holistic services for black and brown communities, adopt rules establishing the competency-based requirements that a birth doula must meet to obtain certification. The rules must establish processes that allow for applicants to meet the competency-based requirements through the following pathways:

(i) Successful completion of training and education programs approved by the secretary; and

(ii) Submission of proof of successful completion of culturally congruent ancestral practices, training, and education that the secretary must review and determine whether the training and education meet the competency-based requirements;

(b) Establish certification and renewal fees, administrative procedures, continuing education, administrative requirements, and forms necessary to implement this chapter in accordance with RCW 43.70.250 and 43.70.280;

(c) Maintain a record of all applicants and certifications under this chapter; and

(d) Hire clerical, administrative, and investigative staff as needed to implement and administer this chapter.

(2) All fees collected under this chapter must be credited to the health professions account as required under RCW 43.70.320.

NEW SECTION. Sec. 4. (1) Nothing in this chapter prohibits a person from practicing as a birth doula without obtaining certification under this chapter.

(2) No person may use the title "state-certified birth doula" in connection with the person's name to indicate or imply, directly or indirectly, that the person is a state-certified birth doula without being certified in accordance with this chapter as a birth doula.

Sec. 5. RCW 18.130.040 and 2021 c 179 s 7 are each amended to read as follows:

(1) This chapter applies only to the secretary and the boards and commissions having jurisdiction in relation to the professions licensed under the chapters specified in this section. This chapter does not apply to any business or profession not licensed under the chapters specified in this section.

(2)(a) The secretary has authority under this chapter in relation to the following professions:

(i) Dispensing opticians licensed and designated apprentices under chapter 18.34 RCW;

(ii) Midwives licensed under chapter 18.50 RCW;

(iii) Ocularists licensed under chapter 18.55 RCW;

(iv) Massage therapists and businesses licensed under chapter 18.108 RCW;

(v) Dental hygienists licensed under chapter 18.29 RCW;

(vi) Acupuncturists or acupuncture and Eastern medicine practitioners licensed under chapter 18.06 RCW;

(vii) Radiologic technologists certified and X-ray technicians registered under chapter 18.84 RCW;

(viii) Respiratory care practitioners licensed under chapter 18.89 RCW;

(ix) Hypnotherapists and agency affiliated counselors registered and advisors and counselors certified under chapter 18.19 RCW;

(x) Persons licensed as mental health counselors, mental health counselor associates, marriage and family therapists, marriage and family therapist associates, social workers, social work associates—advanced, and social work associates—independent clinical under chapter 18.225 RCW;

(xi) Persons registered as nursing pool operators under chapter 18.52C RCW;

(xii) Nursing assistants registered or certified or medication assistants endorsed under chapter 18.88A RCW;

(xiii) Dietitians and nutritionists certified under chapter 18.138 RCW;

(xiv) Substance use disorder professionals, substance use disorder professional trainees, or co-occurring disorder specialists

FIFTY FIRST DAY, MARCH 1, 2022

2022 REGULAR SESSION

certified under chapter 18.205 RCW;

(xv) Sex offender treatment providers and certified affiliate sex offender treatment providers certified under chapter 18.155 RCW;

(xvi) Persons licensed and certified under chapter 18.73 RCW or RCW 18.71.205;

(xvii) Orthotists and prosthetists licensed under chapter 18.200 RCW;

(xviii) Surgical technologists registered under chapter 18.215 RCW;

(xix) Recreational therapists under chapter 18.230 RCW;

(xx) Animal massage therapists certified under chapter 18.240 RCW;

(xxi) Athletic trainers licensed under chapter 18.250 RCW;

(xxii) Home care aides certified under chapter 18.88B RCW;

(xxiii) Genetic counselors licensed under chapter 18.290 RCW;

(xxiv) Reflexologists certified under chapter 18.108 RCW;

(xxv) Medical assistants-certified, medical assistants-hemodialysis technician, medical assistants-phlebotomist, forensic phlebotomist, and medical assistants-registered certified and registered under chapter 18.360 RCW; (~~and~~)

(xxvi) Behavior analysts, assistant behavior analysts, and behavior technicians under chapter 18.380 RCW; and

(xxvii) Birth doulas certified under chapter 18.--- RCW (the new chapter created in section 7 of this act).

(b) The boards and commissions having authority under this chapter are as follows:

(i) The podiatric medical board as established in chapter 18.22 RCW;

(ii) The chiropractic quality assurance commission as established in chapter 18.25 RCW;

(iii) The dental quality assurance commission as established in chapter 18.32 RCW governing licenses issued under chapter 18.32 RCW, licenses and registrations issued under chapter 18.260 RCW, and certifications issued under chapter 18.350 RCW;

(iv) The board of hearing and speech as established in chapter 18.35 RCW;

(v) The board of examiners for nursing home administrators as established in chapter 18.52 RCW;

(vi) The optometry board as established in chapter 18.54 RCW governing licenses issued under chapter 18.53 RCW;

(vii) The board of osteopathic medicine and surgery as established in chapter 18.57 RCW governing licenses issued under chapter 18.57 RCW;

(viii) The pharmacy quality assurance commission as established in chapter 18.64 RCW governing licenses issued under chapters 18.64 and 18.64A RCW;

(ix) The Washington medical commission as established in chapter 18.71 RCW governing licenses and registrations issued under chapters 18.71 and 18.71A RCW;

(x) The board of physical therapy as established in chapter 18.74 RCW;

(xi) The board of occupational therapy practice as established in chapter 18.59 RCW;

(xii) The nursing care quality assurance commission as established in chapter 18.79 RCW governing licenses and registrations issued under that chapter;

(xiii) The examining board of psychology and its disciplinary committee as established in chapter 18.83 RCW;

(xiv) The veterinary board of governors as established in chapter 18.92 RCW;

(xv) The board of naturopathy established in chapter 18.36A RCW, governing licenses and certifications issued under that chapter; and

(xvi) The board of denturists established in chapter 18.30 RCW.

(3) In addition to the authority to discipline license holders, the disciplining authority has the authority to grant or deny licenses. The disciplining authority may also grant a license subject to conditions.

(4) All disciplining authorities shall adopt procedures to ensure substantially consistent application of this chapter, the uniform disciplinary act, among the disciplining authorities listed in subsection (2) of this section.

NEW SECTION. Sec. 6. The secretary may adopt any rules necessary to implement this chapter.

NEW SECTION. Sec. 7. Sections 1 through 4 and 6 of this act constitute a new chapter in Title 18 RCW.

NEW SECTION. Sec. 8. Sections 1 through 5 of this act take effect October 1, 2023."

On page 1, line 2 of the title, after "doulas;" strike the remainder of the title and insert "amending RCW 18.130.040; adding a new chapter to Title 18 RCW; and providing an effective date."

Senator Cleveland spoke in favor of adoption of the committee striking amendment.

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Health & Long Term Care to Engrossed Substitute House Bill No. 1881.

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

MOTION

On motion of Senator Cleveland, the rules were suspended, Engrossed Substitute House Bill No. 1881 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 1881 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 1881 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1881 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED HOUSE BILL NO. 1744, by Representatives Dolan, Harris, Leavitt, Senn, Ryu, Johnson, J., Chambers, Davis, Macri, Corry, Tharinger, Valdez and Frame

Concerning collaborative arrangements between institutions of higher education and nonprofit private entities that provide comprehensive cancer care.

The measure was read the second time.

MOTION

On motion of Senator Hunt, the rules were suspended, Engrossed House Bill No. 1744 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Hunt, Wilson, J. and Carlyle spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed House Bill No. 1744.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 1744 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Braun, Brown, Carlyle, Cleveland, Conway, Das, Dhingra, Dozier, Fortunato, Frockt, Gildon, Hawkins, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Lias, Lovelett, Lovick, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Sefzik, Sheldon, Short, Stanford, Trudeau, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senator Hasegawa

ENGROSSED HOUSE BILL NO. 1744, 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

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1821, by House Committee on Health Care & Wellness (originally sponsored by Schmick, Riccelli, Cody and Graham)

Concerning the definition of established relationship for purposes of audio-only telemedicine.

The measure was read the second time.

MOTION

Senator Cleveland moved that the following committee striking amendment by the Committee on Health & Long Term Care be adopted:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 41.05.700 and 2021 c 157 s 1 are each amended to read as follows:

(1)(a) A health plan offered to employees, school employees, and their covered dependents under this chapter issued or renewed on or after January 1, 2017, shall reimburse a provider

for a health care service provided to a covered person through telemedicine or store and forward technology if:

(i) The plan provides coverage of the health care service when provided in person by the provider;

(ii) The health care service is medically necessary;

(iii) The health care service is a service recognized as an essential health benefit under section 1302(b) of the federal patient protection and affordable care act in effect on January 1, 2015;

(iv) The health care service is determined to be safely and effectively provided through telemedicine or store and forward technology according to generally accepted health care practices and standards, and the technology used to provide the health care service meets the standards required by state and federal laws governing the privacy and security of protected health information; and

(v) Beginning January 1, 2023, for audio-only telemedicine, the covered person has an established relationship with the provider.

(b)(i) Except as provided in (b)(ii) of this subsection, a health plan offered to employees, school employees, and their covered dependents under this chapter issued or renewed on or after January 1, 2021, shall reimburse a provider for a health care service provided to a covered person through telemedicine the same amount of compensation the carrier would pay the provider if the health care service was provided in person by the provider.

(ii) Hospitals, hospital systems, telemedicine companies, and provider groups consisting of eleven or more providers may elect to negotiate an amount of compensation for telemedicine services that differs from the amount of compensation for in-person services.

(iii) For purposes of this subsection (1)(b), the number of providers in a provider group refers to all providers within the group, regardless of a provider's location.

(2) For purposes of this section, reimbursement of store and forward technology is available only for those covered services specified in the negotiated agreement between the health plan and health care provider.

(3) An originating site for a telemedicine health care service subject to subsection (1) of this section includes a:

(a) Hospital;

(b) Rural health clinic;

(c) Federally qualified health center;

(d) Physician's or other health care provider's office;

(e) Licensed or certified behavioral health agency;

(f) Skilled nursing facility;

(g) Home or any location determined by the individual receiving the service; or

(h) Renal dialysis center, except an independent renal dialysis center.

(4) Except for subsection (3)(g) of this section, any originating site under subsection (3) of this section may charge a facility fee for infrastructure and preparation of the patient. Reimbursement for a facility fee must be subject to a negotiated agreement between the originating site and the health plan. A distant site, a hospital that is an originating site for audio-only telemedicine, or any other site not identified in subsection (3) of this section may not charge a facility fee.

(5) The plan may not distinguish between originating sites that are rural and urban in providing the coverage required in subsection (1) of this section.

(6) The plan may subject coverage of a telemedicine or store and forward technology health service under subsection (1) of this section to all terms and conditions of the plan including, but not limited to, utilization review, prior authorization, deductible, copayment, or coinsurance requirements that are applicable to

FIFTY FIRST DAY, MARCH 1, 2022

2022 REGULAR SESSION

coverage of a comparable health care service provided in person.

(7) This section does not require the plan to reimburse:

(a) An originating site for professional fees;

(b) A provider for a health care service that is not a covered benefit under the plan; or

(c) An originating site or health care provider when the site or provider is not a contracted provider under the plan.

(8)(a) If a provider intends to bill a patient or the patient's health plan for an audio-only telemedicine service, the provider must obtain patient consent for the billing in advance of the service being delivered.

(b) If the health care authority has cause to believe that a provider has engaged in a pattern of unresolved violations of this subsection (8), the health care authority may submit information to the appropriate disciplining authority, as defined in RCW 18.130.020, for action. Prior to submitting information to the appropriate disciplining authority, the health care authority may provide the provider with an opportunity to cure the alleged violations or explain why the actions in question did not violate this subsection (8).

(c) If the provider has engaged in a pattern of unresolved violations of this subsection (8), the appropriate disciplining authority may levy a fine or cost recovery upon the provider in an amount not to exceed the applicable statutory amount per violation and take other action as permitted under the authority of the disciplining authority. Upon completion of its review of any potential violation submitted by the health care authority or initiated directly by an enrollee, the disciplining authority shall notify the health care authority of the results of the review, including whether the violation was substantiated and any enforcement action taken as a result of a finding of a substantiated violation.

(9) For purposes of this section:

(a)(i) "Audio-only telemedicine" means the delivery of health care services through the use of audio-only technology, permitting real-time communication between the patient at the originating site and the provider, for the purpose of diagnosis, consultation, or treatment.

(ii) For purposes of this section only, "audio-only telemedicine" does not include:

(A) The use of facsimile or email; or

(B) The delivery of health care services that are customarily delivered by audio-only technology and customarily not billed as separate services by the provider, such as the sharing of laboratory results;

(b) "Disciplining authority" has the same meaning as in RCW 18.130.020;

(c) "Distant site" means the site at which a physician or other licensed provider, delivering a professional service, is physically located at the time the service is provided through telemedicine;

(d) "Established relationship" means the provider providing audio-only telemedicine has access to sufficient health records to ensure safe, effective, and appropriate care services and:

(i) For health care services included in the essential health benefits category of mental health and substance use disorder services, including behavioral health treatment:

(A) The covered person has had, within the past three years, at least one in-person appointment (~~(within the past year)~~), or at least one real-time interactive appointment using both audio and video technology, with the provider providing audio-only telemedicine or with a provider employed at the same medical group, at the same clinic, or by the same integrated delivery system operated by a carrier licensed under chapter 48.44 or 48.46 RCW as the provider providing audio-only telemedicine; or ~~((the))~~

(B) The covered person was referred to the provider providing audio-only telemedicine by another provider who has had, within the past three years, at least one in-person appointment, or at least one real-time interactive appointment using both audio and video technology, with the covered person (~~(within the past year)~~) and has provided relevant medical information to the provider providing audio-only telemedicine;

(ii) For any other health care service:

(A) The covered person has had, within the past two years, at least one in-person appointment, or at least one real-time interactive appointment using both audio and video technology, with the provider providing audio-only telemedicine or with a provider employed at the same medical group, at the same clinic, or by the same integrated delivery system operated by a carrier licensed under chapter 48.44 or 48.46 RCW as the provider providing audio-only telemedicine; or

(B) The covered person was referred to the provider providing audio-only telemedicine by another provider who has had, within the past two years, at least one in-person appointment, or at least one real-time interactive appointment using both audio and video technology, with the covered person and has provided relevant medical information to the provider providing audio-only telemedicine;

(e) "Health care service" has the same meaning as in RCW 48.43.005;

(f) "Hospital" means a facility licensed under chapter 70.41, 71.12, or 72.23 RCW;

(g) "Originating site" means the physical location of a patient receiving health care services through telemedicine;

(h) "Provider" has the same meaning as in RCW 48.43.005;

(i) "Store and forward technology" means use of an asynchronous transmission of a covered person's medical information from an originating site to the health care provider at a distant site which results in medical diagnosis and management of the covered person, and does not include the use of audio-only telephone, facsimile, or email; and

(j) "Telemedicine" means the delivery of health care services through the use of interactive audio and video technology, permitting real-time communication between the patient at the originating site and the provider, for the purpose of diagnosis, consultation, or treatment. For purposes of this section only, "telemedicine" includes audio-only telemedicine, but does not include facsimile or email.

Sec. 2. RCW 48.43.735 and 2021 c 157 s 2 are each amended to read as follows:

(1)(a) For health plans issued or renewed on or after January 1, 2017, a health carrier shall reimburse a provider for a health care service provided to a covered person through telemedicine or store and forward technology if:

(i) The plan provides coverage of the health care service when provided in person by the provider;

(ii) The health care service is medically necessary;

(iii) The health care service is a service recognized as an essential health benefit under section 1302(b) of the federal patient protection and affordable care act in effect on January 1, 2015;

(iv) The health care service is determined to be safely and effectively provided through telemedicine or store and forward technology according to generally accepted health care practices and standards, and the technology used to provide the health care service meets the standards required by state and federal laws governing the privacy and security of protected health information; and

(v) Beginning January 1, 2023, for audio-only telemedicine, the covered person has an established relationship with the

provider.

(b)(i) Except as provided in (b)(ii) of this subsection, for health plans issued or renewed on or after January 1, 2021, a health carrier shall reimburse a provider for a health care service provided to a covered person through telemedicine the same amount of compensation the carrier would pay the provider if the health care service was provided in person by the provider.

(ii) Hospitals, hospital systems, telemedicine companies, and provider groups consisting of eleven or more providers may elect to negotiate an amount of compensation for telemedicine services that differs from the amount of compensation for in-person services.

(iii) For purposes of this subsection (1)(b), the number of providers in a provider group refers to all providers within the group, regardless of a provider's location.

(2) For purposes of this section, reimbursement of store and forward technology is available only for those covered services specified in the negotiated agreement between the health carrier and the health care provider.

(3) An originating site for a telemedicine health care service subject to subsection (1) of this section includes a:

- (a) Hospital;
- (b) Rural health clinic;
- (c) Federally qualified health center;
- (d) Physician's or other health care provider's office;
- (e) Licensed or certified behavioral health agency;
- (f) Skilled nursing facility;
- (g) Home or any location determined by the individual receiving the service; or
- (h) Renal dialysis center, except an independent renal dialysis center.

(4) Except for subsection (3)(g) of this section, any originating site under subsection (3) of this section may charge a facility fee for infrastructure and preparation of the patient. Reimbursement for a facility fee must be subject to a negotiated agreement between the originating site and the health carrier. A distant site, a hospital that is an originating site for audio-only telemedicine, or any other site not identified in subsection (3) of this section may not charge a facility fee.

(5) A health carrier may not distinguish between originating sites that are rural and urban in providing the coverage required in subsection (1) of this section.

(6) A health carrier may subject coverage of a telemedicine or store and forward technology health service under subsection (1) of this section to all terms and conditions of the plan in which the covered person is enrolled including, but not limited to, utilization review, prior authorization, deductible, copayment, or coinsurance requirements that are applicable to coverage of a comparable health care service provided in person.

(7) This section does not require a health carrier to reimburse:

- (a) An originating site for professional fees;
- (b) A provider for a health care service that is not a covered benefit under the plan; or
- (c) An originating site or health care provider when the site or provider is not a contracted provider under the plan.

(8)(a) If a provider intends to bill a patient or the patient's health plan for an audio-only telemedicine service, the provider must obtain patient consent for the billing in advance of the service being delivered.

(b) If the commissioner has cause to believe that a provider has engaged in a pattern of unresolved violations of this subsection (8), the commissioner may submit information to the appropriate disciplining authority, as defined in RCW 18.130.020, for action. Prior to submitting information to the appropriate disciplining authority, the commissioner may provide the provider with an opportunity to cure the alleged violations or explain why the

actions in question did not violate this subsection (8).

(c) If the provider has engaged in a pattern of unresolved violations of this subsection (8), the appropriate disciplining authority may levy a fine or cost recovery upon the provider in an amount not to exceed the applicable statutory amount per violation and take other action as permitted under the authority of the disciplining authority. Upon completion of its review of any potential violation submitted by the commissioner or initiated directly by an enrollee, the disciplining authority shall notify the commissioner of the results of the review, including whether the violation was substantiated and any enforcement action taken as a result of a finding of a substantiated violation.

(9) For purposes of this section:

(a)(i) "Audio-only telemedicine" means the delivery of health care services through the use of audio-only technology, permitting real-time communication between the patient at the originating site and the provider, for the purpose of diagnosis, consultation, or treatment.

(ii) For purposes of this section only, "audio-only telemedicine" does not include:

- (A) The use of facsimile or email; or
- (B) The delivery of health care services that are customarily delivered by audio-only technology and customarily not billed as separate services by the provider, such as the sharing of laboratory results;

(b) "Disciplining authority" has the same meaning as in RCW 18.130.020;

(c) "Distant site" means the site at which a physician or other licensed provider, delivering a professional service, is physically located at the time the service is provided through telemedicine;

(d) "Established relationship" means the provider providing audio-only telemedicine has access to sufficient health records to ensure safe, effective, and appropriate care services and:

(i) For health care services included in the essential health benefits category of mental health and substance use disorder services, including behavioral health treatment:

(A) The covered person has had, within the past three years, at least one in-person appointment ((within the past year)), or at least one real-time interactive appointment using both audio and video technology, with the provider providing audio-only telemedicine or with a provider employed at the same medical group, at the same clinic, or by the same integrated delivery system operated by a carrier licensed under chapter 48.44 or 48.46 RCW as the provider providing audio-only telemedicine; or ((the))

(B) The covered person was referred to the provider providing audio-only telemedicine by another provider who has had, within the past three years, at least one in-person appointment, or at least one real-time interactive appointment using both audio and video technology, with the covered person ((within the past year)) and has provided relevant medical information to the provider providing audio-only telemedicine;

(ii) For any other health care service:

(A) The covered person has had, within the past two years, at least one in-person appointment, or at least one real-time interactive appointment using both audio and video technology, with the provider providing audio-only telemedicine or with a provider employed at the same medical group, at the same clinic, or by the same integrated delivery system operated by a carrier licensed under chapter 48.44 or 48.46 RCW as the provider providing audio-only telemedicine; or

(B) The covered person was referred to the provider providing audio-only telemedicine by another provider who has had, within the past two years, at least one in-person appointment, or at least one real-time interactive appointment using both audio and video technology, with the covered person and has provided relevant

FIFTY FIRST DAY, MARCH 1, 2022

2022 REGULAR SESSION

medical information to the provider providing audio-only telemedicine;

(e) "Health care service" has the same meaning as in RCW 48.43.005;

(f) "Hospital" means a facility licensed under chapter 70.41, 71.12, or 72.23 RCW;

(g) "Originating site" means the physical location of a patient receiving health care services through telemedicine;

(h) "Provider" has the same meaning as in RCW 48.43.005;

(i) "Store and forward technology" means use of an asynchronous transmission of a covered person's medical information from an originating site to the health care provider at a distant site which results in medical diagnosis and management of the covered person, and does not include the use of audio-only telephone, facsimile, or email; and

(j) "Telemedicine" means the delivery of health care services through the use of interactive audio and video technology, permitting real-time communication between the patient at the originating site and the provider, for the purpose of diagnosis, consultation, or treatment. For purposes of this section only, "telemedicine" includes audio-only telemedicine, but does not include facsimile or email.

~~((9)-(10))~~ (10) The commissioner may adopt any rules necessary to implement this section.

Sec. 3. RCW 71.24.335 and 2021 c 157 s 4 and 2021 c 100 s 1 are each reenacted and amended to read as follows:

(1) Upon initiation or renewal of a contract with the authority, behavioral health administrative services organizations and managed care organizations shall reimburse a provider for a behavioral health service provided to a covered person through telemedicine or store and forward technology if:

(a) The behavioral health administrative services organization or managed care organization in which the covered person is enrolled provides coverage of the behavioral health service when provided in person by the provider;

(b) The behavioral health service is medically necessary; and

(c) Beginning January 1, 2023, for audio-only telemedicine, the covered person has an established relationship with the provider.

(2)(a) If the service is provided through store and forward technology there must be an associated visit between the covered person and the referring provider. Nothing in this section prohibits the use of telemedicine for the associated office visit.

(b) For purposes of this section, reimbursement of store and forward technology is available only for those services specified in the negotiated agreement between the behavioral health administrative services organization, or managed care organization, and the provider.

(3) An originating site for a telemedicine behavioral health service subject to subsection (1) of this section means an originating site as defined in rule by the department or the health care authority.

(4) Any originating site, other than a home, under subsection (3) of this section may charge a facility fee for infrastructure and preparation of the patient. Reimbursement must be subject to a negotiated agreement between the originating site and the behavioral health administrative services organization, or managed care organization, as applicable. A distant site, a hospital that is an originating site for audio-only telemedicine, or any other site not identified in subsection (3) of this section may not charge a facility fee.

(5) Behavioral health administrative services organizations and managed care organizations may not distinguish between originating sites that are rural and urban in providing the coverage required in subsection (1) of this section.

(6) Behavioral health administrative services organizations and

managed care organizations may subject coverage of a telemedicine or store and forward technology behavioral health service under subsection (1) of this section to all terms and conditions of the behavioral health administrative services organization or managed care organization in which the covered person is enrolled, including, but not limited to, utilization review, prior authorization, deductible, copayment, or coinsurance requirements that are applicable to coverage of a comparable behavioral health care service provided in person.

(7) This section does not require a behavioral health administrative services organization or a managed care organization to reimburse:

(a) An originating site for professional fees;

(b) A provider for a behavioral health service that is not a covered benefit; or

(c) An originating site or provider when the site or provider is not a contracted provider.

(8)(a) If a provider intends to bill a patient, a behavioral health administrative services organization, or a managed care organization for an audio-only telemedicine service, the provider must obtain patient consent for the billing in advance of the service being delivered.

(b) If the health care authority has cause to believe that a provider has engaged in a pattern of unresolved violations of this subsection (8), the health care authority may submit information to the appropriate disciplining authority, as defined in RCW 18.130.020, for action. Prior to submitting information to the appropriate disciplining authority, the health care authority may provide the provider with an opportunity to cure the alleged violations or explain why the actions in question did not violate this subsection (8).

(c) If the provider has engaged in a pattern of unresolved violations of this subsection (8), the appropriate disciplining authority may levy a fine or cost recovery upon the provider in an amount not to exceed the applicable statutory amount per violation and take other action as permitted under the authority of the disciplining authority. Upon completion of its review of any potential violation submitted by the health care authority or initiated directly by an enrollee, the disciplining authority shall notify the health care authority of the results of the review, including whether the violation was substantiated and any enforcement action taken as a result of a finding of a substantiated violation.

(9) For purposes of this section:

(a)(i) "Audio-only telemedicine" means the delivery of health care services through the use of audio-only technology, permitting real-time communication between the patient at the originating site and the provider, for the purpose of diagnosis, consultation, or treatment.

(ii) For purposes of this section only, "audio-only telemedicine" does not include:

(A) The use of facsimile or email; or

(B) The delivery of health care services that are customarily delivered by audio-only technology and customarily not billed as separate services by the provider, such as the sharing of laboratory results;

(b) "Disciplining authority" has the same meaning as in RCW 18.130.020;

(c) "Distant site" means the site at which a physician or other licensed provider, delivering a professional service, is physically located at the time the service is provided through telemedicine;

(d) "Established relationship" means the provider providing audio-only telemedicine has access to sufficient health records to ensure safe, effective, and appropriate care services and:

(i) The covered person has had, within the past three years, at

least one in-person appointment (~~(within the past year)~~), or at least one real-time interactive appointment using both audio and video technology, with the provider providing audio-only telemedicine or with a provider employed at the same medical group, at the same clinic, or by the same integrated delivery system operated by a carrier licensed under chapter 48.44 or 48.46 RCW as the provider providing audio-only telemedicine; or ~~(the)~~

(ii) The covered person was referred to the provider providing audio-only telemedicine by another provider who has had, within the past three years, at least one in-person appointment, or at least one real-time interactive appointment using both audio and video technology, with the covered person (~~(within the past year)~~) and has provided relevant medical information to the provider providing audio-only telemedicine;

(e) "Hospital" means a facility licensed under chapter 70.41, 71.12, or 72.23 RCW;

(f) "Originating site" means the physical location of a patient receiving behavioral health services through telemedicine;

(g) "Provider" has the same meaning as in RCW 48.43.005;

(h) "Store and forward technology" means use of an asynchronous transmission of a covered person's medical or behavioral health information from an originating site to the provider at a distant site which results in medical or behavioral health diagnosis and management of the covered person, and does not include the use of audio-only telephone, facsimile, or email; and

(i) "Telemedicine" means the delivery of health care or behavioral health services through the use of interactive audio and video technology, permitting real-time communication between the patient at the originating site and the provider, for the purpose of diagnosis, consultation, or treatment. For purposes of this section only, "telemedicine" includes audio-only telemedicine, but does not include facsimile or email.

~~((9) ((10)))~~ (10) The authority must adopt rules as necessary to implement the provisions of this section.

Sec. 4. RCW 74.09.325 and 2021 c 157 s 5 are each amended to read as follows:

(1)(a) Upon initiation or renewal of a contract with the Washington state health care authority to administer a medicaid managed care plan, a managed health care system shall reimburse a provider for a health care service provided to a covered person through telemedicine or store and forward technology if:

(i) The medicaid managed care plan in which the covered person is enrolled provides coverage of the health care service when provided in person by the provider;

(ii) The health care service is medically necessary;

(iii) The health care service is a service recognized as an essential health benefit under section 1302(b) of the federal patient protection and affordable care act in effect on January 1, 2015;

(iv) The health care service is determined to be safely and effectively provided through telemedicine or store and forward technology according to generally accepted health care practices and standards, and the technology used to provide the health care service meets the standards required by state and federal laws governing the privacy and security of protected health information; and

(v) Beginning January 1, 2023, for audio-only telemedicine, the covered person has an established relationship with the provider.

(b)(i) Except as provided in (b)(ii) of this subsection, upon initiation or renewal of a contract with the Washington state health care authority to administer a medicaid managed care plan, a managed health care system shall reimburse a provider for a health care service provided to a covered person through

telemedicine the same amount of compensation the managed health care system would pay the provider if the health care service was provided in person by the provider.

(ii) Hospitals, hospital systems, telemedicine companies, and provider groups consisting of eleven or more providers may elect to negotiate an amount of compensation for telemedicine services that differs from the amount of compensation for in-person services.

(iii) For purposes of this subsection (1)(b), the number of providers in a provider group refers to all providers within the group, regardless of a provider's location.

(iv) A rural health clinic shall be reimbursed for audio-only telemedicine at the rural health clinic encounter rate.

(2) For purposes of this section, reimbursement of store and forward technology is available only for those services specified in the negotiated agreement between the managed health care system and health care provider.

(3) An originating site for a telemedicine health care service subject to subsection (1) of this section includes a:

(a) Hospital;

(b) Rural health clinic;

(c) Federally qualified health center;

(d) Physician's or other health care provider's office;

(e) Licensed or certified behavioral health agency;

(f) Skilled nursing facility;

(g) Home or any location determined by the individual receiving the service; or

(h) Renal dialysis center, except an independent renal dialysis center.

(4) Except for subsection (3)(g) of this section, any originating site under subsection (3) of this section may charge a facility fee for infrastructure and preparation of the patient. Reimbursement for a facility fee must be subject to a negotiated agreement between the originating site and the managed health care system. A distant site, a hospital that is an originating site for audio-only telemedicine, or any other site not identified in subsection (3) of this section may not charge a facility fee.

(5) A managed health care system may not distinguish between originating sites that are rural and urban in providing the coverage required in subsection (1) of this section.

(6) A managed health care system may subject coverage of a telemedicine or store and forward technology health service under subsection (1) of this section to all terms and conditions of the plan in which the covered person is enrolled including, but not limited to, utilization review, prior authorization, deductible, copayment, or coinsurance requirements that are applicable to coverage of a comparable health care service provided in person.

(7) This section does not require a managed health care system to reimburse:

(a) An originating site for professional fees;

(b) A provider for a health care service that is not a covered benefit under the plan; or

(c) An originating site or health care provider when the site or provider is not a contracted provider under the plan.

(8)(a) If a provider intends to bill a patient or a managed health care system for an audio-only telemedicine service, the provider must obtain patient consent for the billing in advance of the service being delivered and comply with all rules created by the authority related to restrictions on billing medicaid recipients. The authority may submit information on any potential violations of this subsection to the appropriate disciplining authority, as defined in RCW 18.130.020(~~(1))~~), or take contractual actions against the provider's agreement for participation in the medicaid program, or both.

(b) If the health care authority has cause to believe that a provider has engaged in a pattern of unresolved violations of this

FIFTY FIRST DAY, MARCH 1, 2022

subsection (8), the health care authority may submit information to the appropriate disciplining authority for action. Prior to submitting information to the appropriate disciplining authority, the health care authority may provide the provider with an opportunity to cure the alleged violations or explain why the actions in question did not violate this subsection (8).

(c) If the provider has engaged in a pattern of unresolved violations of this subsection (8), the appropriate disciplining authority may levy a fine or cost recovery upon the provider in an amount not to exceed the applicable statutory amount per violation and take other action as permitted under the authority of the disciplining authority. Upon completion of its review of any potential violation submitted by the health care authority or initiated directly by an enrollee, the disciplining authority shall notify the health care authority of the results of the review, including whether the violation was substantiated and any enforcement action taken as a result of a finding of a substantiated violation.

(9) For purposes of this section:

(a)(i) "Audio-only telemedicine" means the delivery of health care services through the use of audio-only technology, permitting real-time communication between the patient at the originating site and the provider, for the purpose of diagnosis, consultation, or treatment.

(ii) For purposes of this section only, "audio-only telemedicine" does not include:

(A) The use of facsimile or email; or

(B) The delivery of health care services that are customarily delivered by audio-only technology and customarily not billed as separate services by the provider, such as the sharing of laboratory results;

(b) "Disciplining authority" has the same meaning as in RCW 18.130.020;

(c) "Distant site" means the site at which a physician or other licensed provider, delivering a professional service, is physically located at the time the service is provided through telemedicine;

(d) "Established relationship" means the provider providing audio-only telemedicine has access to sufficient health records to ensure safe, effective, and appropriate care services and:

(i) For health care services included in the essential health benefits category of mental health and substance use disorder services, including behavioral health treatment:

(A) The covered person has had, within the past three years, at least one in-person appointment ((within the past year)), or at least one real-time interactive appointment using both audio and video technology, with the provider providing audio-only telemedicine or with a provider employed at the same medical group, at the same clinic, or by the same integrated delivery system operated by a carrier licensed under chapter 48.44 or 48.46 RCW as the provider providing audio-only telemedicine; or ((the))

(B) The covered person was referred to the provider providing audio-only telemedicine by another provider who has had, within the past three years, at least one in-person appointment, or at least one real-time interactive appointment using both audio and video technology, with the covered person ((within the past year)) and has provided relevant medical information to the provider providing audio-only telemedicine;

(ii) For any other health care service:

(A) The covered person has had, within the past two years, at least one in-person appointment, or at least one real-time interactive appointment using both audio and video technology, with the provider providing audio-only telemedicine or with a provider employed at the same medical group, at the same clinic, or by the same integrated delivery system operated by a carrier

2022 REGULAR SESSION

licensed under chapter 48.44 or 48.46 RCW as the provider providing audio-only telemedicine; or

(B) The covered person was referred to the provider providing audio-only telemedicine by another provider who has had, within the past two years, at least one in-person appointment, or at least one real-time interactive appointment using both audio and video technology, with the covered person and has provided relevant medical information to the provider providing audio-only telemedicine;

(e) "Health care service" has the same meaning as in RCW 48.43.005;

(f) "Hospital" means a facility licensed under chapter 70.41, 71.12, or 72.23 RCW;

(g) "Managed health care system" means any health care organization, including health care providers, insurers, health care service contractors, health maintenance organizations, health insuring organizations, or any combination thereof, that provides directly or by contract health care services covered under this chapter and rendered by licensed providers, on a prepaid capitated basis and that meets the requirements of section 1903(m)(1)(A) of Title XIX of the federal social security act or federal demonstration waivers granted under section 1115(a) of Title XI of the federal social security act;

(h) "Originating site" means the physical location of a patient receiving health care services through telemedicine;

(i) "Provider" has the same meaning as in RCW 48.43.005;

(j) "Store and forward technology" means use of an asynchronous transmission of a covered person's medical information from an originating site to the health care provider at a distant site which results in medical diagnosis and management of the covered person, and does not include the use of audio-only telephone, facsimile, or email; and

(k) "Telemedicine" means the delivery of health care services through the use of interactive audio and video technology, permitting real-time communication between the patient at the originating site and the provider, for the purpose of diagnosis, consultation, or treatment. For purposes of this section only, "telemedicine" includes audio-only telemedicine, but does not include facsimile or email.

NEW SECTION. Sec. 5. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 6. If any part of this act is found to be in conflict with federal requirements that are a prescribed condition to the allocation of federal funds to the state, the conflicting part of this act is inoperative solely to the extent of the conflict and with respect to the agencies directly affected, and this finding does not affect the operation of the remainder of this act in its application to the agencies concerned. Rules adopted under this act must meet federal requirements that are a necessary condition to the receipt of federal funds by the state."

On page 1, line 2 of the title, after "telemedicine;" strike the remainder of the title and insert "amending RCW 41.05.700, 48.43.735, and 74.09.325; reenacting and amending RCW 71.24.335; and creating a new section."

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Health & Long Term Care to Engrossed Substitute House Bill No. 1821.

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

MOTION

On motion of Senator Cleveland, the rules were suspended, Engrossed Substitute House Bill No. 1821 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 1821 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 1821 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1821 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1779, by House Committee on Labor & Workplace Standards (originally sponsored by Callan, Bronoske, Sells, Dolan and Ramos)

Requiring policies addressing surgical smoke.

The measure was read the second time.

MOTION

Senator King moved that the following amendment no. 1198 by Senator Keiser be adopted:

On page 2, line 20, strike "and"

On page 2, line 22, after "hospitals" insert "; and

(4) Hospitals that qualify as a medicare dependent hospital"

On page 2, after line 22, insert the following:

"NEW SECTION. Sec. 3. (1) The surgical smoke evacuation account is created in the custody of the state treasurer. Revenues to the account consist of appropriations and transfers by the legislature and all other funding directed for deposit into the account. Only the director of the department of labor and industries or the director's designee may authorize expenditures from the account. The account is subject to the allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures. Expenditures from the account may be used only for purposes provided in subsection (3) of this section.

(2) By July 1, 2025, the director of the department of labor and industries must certify to the state treasurer the amount of any unobligated moneys in the surgical smoke evacuation account that were appropriated by the legislature from the general fund during the 2023-2025 fiscal biennium, and the treasurer must

transfer those moneys back to the general fund.

(3)(a) Subject to the funds available in the surgical smoke evacuation account and beginning January 2, 2025, a hospital described in (b) of this subsection may apply to the department of labor and industries for reimbursement for the costs incurred by the hospital on or before January 1, 2025, to purchase and install smoke evacuation systems as defined in section 1 of this act. The reimbursement may not exceed \$1,000 for each operating room in the hospital. The reimbursements under this subsection are only available until moneys contained in the account are exhausted.

(b) Only the following hospitals may apply for reimbursement:

(i) Hospitals certified as critical access hospitals under 42 U.S.C. Sec. 1395i-4;

(ii) Hospitals with fewer than 25 acute care beds in operation;

(iii) Hospitals certified by the centers for medicare and medicaid services as sole community hospitals; and

(iv) Hospitals that qualify as a medicare dependent hospital.

(c) The department of labor and industries must determine the process for making an application for reimbursement."

On page 1, line 2 of the title, after "49.17 RCW;" insert "creating a new section;"

Senators King and Keiser spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 1198 by Senator Keiser on page 2, line 20 to Substitute House Bill No. 1779.

The motion by Senator King carried and amendment no. 1198 was adopted by voice vote.

MOTION

On motion of Senator Keiser, the rules were suspended, Substitute House Bill No. 1779 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1779 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1779 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 44; Nays, 5; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Braun, Brown, Carlyle, Cleveland, Conway, Das, Dhingra, Dozier, Fortunato, Frockt, Gildon, Hasegawa, Hawkins, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, Lovick, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Sefzik, Sheldon, Stanford, Trudeau, Van De Wege, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senators McCune, Padden, Schoesler, Short and Wagoner

SUBSTITUTE HOUSE BILL NO. 1779 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SECOND SUBSTITUTE HOUSE BILL NO. 1210, by House

FIFTY FIRST DAY, MARCH 1, 2022

Committee on Commerce & Gaming (originally sponsored by Morgan, Peterson, Kloba, Johnson, J., Ryu, Santos, Ortiz-Self, Ormsby, Simmons, Gregerson, Riccelli, Macri, Frame and Harris-Talley)

Replacing the term "marijuana" with the term "cannabis" throughout the Revised Code of Washington.

The measure was read the second time.

MOTION

On motion of Senator Keiser, the rules were suspended, Second Substitute House Bill No. 1210 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Second Substitute House Bill No. 1210.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute House Bill No. 1210 and the bill passed the Senate by the following vote: Yeas, 41; Nays, 8; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Braun, Brown, Carlyle, Cleveland, Conway, Das, Dhingra, Frockt, Gildon, Hasegawa, Hawkins, Holy, Hunt, Keiser, King, Kuderer, Liias, Lovelett, Lovick, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Sheldon, Short, Stanford, Trudeau, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C. and Wilson, L.

Voting nay: Senators Dozier, Fortunato, Honeyford, McCune, Padden, Schoesler, Sefzik and Wilson, J.

SECOND SUBSTITUTE HOUSE BILL NO. 1210, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 1769, by Representatives Duerr, Springer, Fitzgibbon, Gregerson, Walen, Macri and Slatter

Concerning community municipal corporations.

The measure was read the second time.

MOTION

Senator Fortunato moved that the following amendment no. 1256 by Senator Fortunato be adopted:

On page 1, at the beginning of line 9, insert "(1)"

On page 3, after line 5, insert the following:

"(2) At least seven months prior to the expiration of a community municipal corporation, the community municipal corporation council must publish its decision to either:

(a) Initiate a resolution to be annexed all or in part to another city or town, pursuant to chapter 35.10 RCW; or

(b) Propose the incorporation of a city or town covering the service area of the existing community municipal corporation, pursuant to chapter 35.02 RCW. A community municipal corporation that publishes its decision to incorporate as a city or

2022 REGULAR SESSION

town pursuant to chapter 35.02 RCW is exempt from the provisions of RCW 35.02.010 and may be reincorporated with a simple majority of voters residing within its service area.

(3) If the community municipal corporation does not publish its decision to incorporate or annex to another city or town at least seven months prior to its expiration, the community municipal corporation must consolidate with the city or town in which its service area resides upon the expiration of its term."

Senator Fortunato spoke in favor of adoption of the amendment.

Senator Kuderer spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 1256 by Senator Fortunato on page 1, line 9 to House Bill No. 1769.

The motion by Senator Fortunato did not carry and amendment no. 1256 was not adopted by voice vote.

MOTION

Senator Fortunato moved that the following amendment no. 1257 by Senator Fortunato be adopted:

On page 1, beginning on line 12, after "city))" strike all material through "sooner" on line 13 and insert "or until the expiration of the community municipal corporation councilmember terms, whichever is sooner"

Senator Fortunato spoke in favor of adoption of the amendment.

Senator Kuderer spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 1257 by Senator Fortunato on page 1, line 12 to House Bill No. 1769.

The motion by Senator Fortunato did not carry and amendment no. 1257 was not adopted by voice vote.

MOTION

On motion of Senator Kuderer, the rules were suspended, House Bill No. 1769 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Kuderer spoke in favor of passage of the bill.

Senator Fortunato spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 1769.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1769 and the bill passed the Senate by the following vote: Yeas, 31; Nays, 17; Absent, 1; Excused, 0.

Voting yea: Senators Billig, Braun, Carlyle, Cleveland, Conway, Das, Dhingra, Frockt, Hasegawa, Hawkins, Hunt, Keiser, King, Kuderer, Liias, Lovelett, Lovick, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Sefzik, Stanford, Trudeau, Van De Wege and Wilson, C.

Voting nay: Senators Brown, Dozier, Fortunato, Gildon, Holy, Honeyford, McCune, Mullet, Muzzall, Padden, Schoesler, Short, Wagoner, Warnick, Wellman, Wilson, J. and Wilson, L.

Absent: Senator Sheldon

HOUSE BILL NO. 1769, having received the constitutional

majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 1669, by Representatives Stokesbary, Fitzgibbon, Leavitt, Robertson, Graham, Bronoske, Jacobsen, Sullivan, Griffey and Young

Concerning disability benefits in the public safety employees' retirement system.

The measure was read the second time.

MOTION

On motion of Senator Pedersen, the rules were suspended, House Bill No. 1669 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Conway and Wilson, L. spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 1669.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1669 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 1; Excused, 0.

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

Absent: Senator Sheldon

HOUSE BILL NO. 1669, 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

SUBSTITUTE HOUSE BILL NO. 1675, by House Committee on Health Care & Wellness (originally sponsored by Bateman, Maycumber, Leavitt, Graham, Dolan, Cody, Griffey and Riccelli)

Exempting a manufacturer of certain dialysate and dialysis devices used by home dialysis patients or a manufacturer's agent from the pharmacy practices act and legend drug act.

The measure was read the second time.

MOTION

On motion of Senator Cleveland, the rules were suspended, Substitute House Bill No. 1675 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

MOTION

On motion of Senator Wagoner, Senator Sheldon was excused.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1675.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1675 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Sheldon

SUBSTITUTE HOUSE BILL NO. 1675, 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 4:38 p.m., on motion of Senator Pedersen, the Senate was declared to be at ease subject to the call of the President.

EVENING SESSION

The Senate was called to order at 6:33 p.m. by the President of the Senate, Lt. Governor Heck presiding.

MOTION

On motion of Senator Padden, the Senate advanced to the seventh order of business.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Dhingra moved that Kimberly N. Gordon, Senate Gubernatorial Appointment No. 9236, be confirmed as a member of the Sentencing Guidelines Commission.

Senator Dhingra spoke in favor of the motion.

MOTION

On motion of Senator Wagoner, Senator Schoesler was excused.

APPOINTMENT OF KIMBERLY N. GORDON

The President declared the question before the Senate to be the confirmation of Kimberly N. Gordon, Senate Gubernatorial Appointment No. 9236, as a member of the Sentencing Guidelines Commission.

The Secretary called the roll on the confirmation of Kimberly

FIFTY FIRST DAY, MARCH 1, 2022

2022 REGULAR SESSION

N. Gordon, Senate Gubernatorial Appointment No. 9236, as a member of the Sentencing Guidelines Commission and the appointment was confirmed by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Braun, Brown, Carlyle, Cleveland, Conway, Das, Dhingra, Dozier, Fortunato, Frockt, Gildon, Hasegawa, Hawkins, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, Lovick, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Sefzik, Sheldon, Short, Stanford, Trudeau, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Schoesler

Kimberly N. Gordon, Senate Gubernatorial Appointment No. 9236, having received the constitutional majority was declared confirmed as a member of the Sentencing Guidelines Commission.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Dhingra moved that Jon Tunheim, Senate Gubernatorial Appointment No. 9238, be confirmed as a member of the Sentencing Guidelines Commission.

Senators Dhingra and Padden spoke in favor of passage of the motion.

APPOINTMENT OF JON TUNHEIM

The President declared the question before the Senate to be the confirmation of Jon Tunheim, Senate Gubernatorial Appointment No. 9238, as a member of the Sentencing Guidelines Commission.

The Secretary called the roll on the confirmation of Jon Tunheim, Gubernatorial Appointment No. 9238, as a member of the Sentencing Senate Guidelines Commission and the appointment was confirmed by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Braun, Brown, Carlyle, Cleveland, Conway, Das, Dhingra, Dozier, Fortunato, Frockt, Gildon, Hasegawa, Hawkins, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, Lovick, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Sefzik, Sheldon, Short, Stanford, Trudeau, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Schoesler

Jon Tunheim, Senate Gubernatorial Appointment No. 9238, having received the constitutional majority was declared confirmed as a member of the Sentencing Guidelines Commission.

MOTION

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

SECOND READING

SUBSTITUTE HOUSE BILL NO. 2068, by House Committee on Children, Youth & Families (originally sponsored by Stonier,

Abbarno, Bronoske, Dolan, Ryu, Santos, Sells, Wylie, Orwall, Rule, Harris-Talley, Wicks, Gilday, Valdez, Bateman, Taylor and Kloba)

Creating the imagination library of Washington program.

The measure was read the second time.

MOTION

On motion of Senator Wilson, C., the rules were suspended, Substitute House Bill No. 2068 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wilson, C. and Gildon spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 2068.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2068 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Braun, Brown, Carlyle, Cleveland, Conway, Das, Dhingra, Dozier, Fortunato, Frockt, Gildon, Hasegawa, Hawkins, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, Lovick, McCune, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Sefzik, Sheldon, Short, Stanford, Trudeau, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senator Padden

SUBSTITUTE HOUSE BILL NO. 2068, 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

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1619, by House Committee on Environment & Energy (originally sponsored by Fitzgibbon, Hackney, Ryu, Berry, Wicks, Duerr, Ramel, Valdez, Fey, Goodman, Gregerson, Macri, Simmons, Kloba, Pollet, Riccelli, Ormsby and Harris-Talley)

Concerning appliance efficiency standards.

The measure was read the second time.

MOTION

Senator Short moved that the following amendment no. 1295 by Senator Short be adopted:

On page 4, beginning on line 17, strike all of subsection (28) Renumber the remaining subsections consecutively and correct any internal references accordingly.

On page 4, beginning on line 34, strike all of subsection (31) Correct any internal references accordingly.

On page 8, beginning on line 3, strike all of subsection (28) Renumber the remaining subsections consecutively and correct any internal references accordingly.

On page 8, beginning on line 20, strike all of subsection (31)

Correct any internal references accordingly.

On page 9, line 12, strike all of subsection (1)(s)

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

Beginning on page 13, line 39, strike all of subsection (18)

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

On page 15, line 17, strike all of subsection (4)(a)

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

Senator Short spoke in favor of adoption of the amendment.

Senator Carlyle spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 1295 by Senator Short on page 4, line 17 to Engrossed Substitute House Bill No. 1619.

The motion by Senator Short did not carry and amendment no. 1295 was not adopted by voice vote.

MOTION

Senator Fortunato moved that the following amendment no. 1296 by Senator Fortunato be adopted:

On page 9, line 24, after "(c)" insert "Used products:

Table G-5
Standards for Portable Electric Spas

<u>Appliance</u>	<u>Normalized Standby Power (Pnorm) Condition</u>	<u>Maximum Standby Power (Watts)</u>
<u>Standard spas and the standard spa portion of combination spas</u>	<u>Where: ΔTstd = 37 degrees Fahrenheit (21 degrees Celsius)</u>	<u>3.75V^{2/3}+40</u>
<u>Exercise spas and the exercise spa portion of combination spas</u>	<u>Where: ΔTstd = 22 degrees Fahrenheit (12.2 degrees Celsius)</u>	<u>3.75V^{2/3}+40</u>
<u>Exercise spas and the exercise spa portion of combination spas capable of maintaining a minimum water temperature of 100°F for the duration of the test</u>	<u>Where: ΔTstd = 37 degrees Fahrenheit (21 degrees Celsius)</u>	<u>3.75V^{2/3}+40</u>
<u>Inflatable spas</u>	<u>Where: ΔTstd = 37 degrees Fahrenheit (21 degrees Celsius)</u>	<u>7(V^{2/3})</u>

Where:
Pnorm = normalized standby power = Pmeas (ΔTstd/ΔTmeas),
in Watts;
Pmeas = E/t;
E = total energy use during the test, in Watt-hours;
t = length of test, in hours;
ΔTmeas = Twater avg - Tair avg;
Twater avg = average water temperature during test;

(d)"

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

Senator Fortunato spoke in favor of adoption of the amendment.

Senator Carlyle spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 1296 by Senator Fortunato on page 9, line 24 to Engrossed Substitute House Bill No. 1619.

The motion by Senator Fortunato did not carry and amendment no. 1296 was not adopted by voice vote.

MOTION

Senator Fortunato moved that the following amendment no. 1297 by Senator Fortunato be adopted:

On page 10, line 35, after "~~2009.))~~" insert "(i)"

On page 11, line 2, after "~~2022~~" insert ";

(ii) The normalized standby power (Pnorm), as defined in Table G-5, of portable electric spas manufactured on or after June 1, 2019, shall be no greater than the applicable values shown in Table G-5.

Tair avg = average air temperature during test;

V = the fill volume, in gallons"

On page 11, line 6, after "(b)" insert "(i)"

On page 11, line 12, after "~~2022~~" insert ";

(ii) The normalized standby power (Pnorm), as defined in Table G-5, of portable electric spas manufactured on or after June 1, 2019, shall be no greater than the applicable values shown in Table G-5.

Table G-5
Standards for Portable Electric Spas

<u>Appliance</u>	<u>Normalized Standby Power (Pnorm) Condition</u>	<u>Maximum Standby Power (Watts)</u>
<u>Standard spas and the standard spa portion of combination spas</u>	<u>Where: ΔTstd = 37 degrees Fahrenheit (21 degrees Celsius)</u>	<u>3.75V^{2/3}+40</u>

<u>Exercise spas and the exercise spa portion of combination spas</u>	<u>Where: $\Delta T_{std} = 22$ degrees Fahrenheit (12.2 degrees Celsius)</u>	<u>$3.75V^{2/3}+40$</u>
<u>Exercise spas and the exercise spa portion of combination spas capable of maintaining a minimum water temperature of 100°F for the duration of the test</u>	<u>Where: $\Delta T_{std} = 37$ degrees Fahrenheit (21 degrees Celsius)</u>	<u>$3.75V^{2/3}+40$</u>
<u>Inflatable spas</u>	<u>Where: $\Delta T_{std} = 37$ degrees Fahrenheit (21 degrees Celsius)</u>	<u>$7(V^{2/3})$</u>

Where:
 $P_{norm} = \text{normalized standby power} = P_{meas} (\Delta T_{std}/\Delta T_{meas})$,
in Watts:
 $P_{meas} = E/t$
 $E = \text{total energy use during the test, in Watt-hours}$
 $t = \text{length of test, in hours}$
 $\Delta T_{meas} = T_{water\ avg} - T_{air\ avg}$
 $T_{water\ avg} = \text{average water temperature during test}$
 $T_{air\ avg} = \text{average air temperature during test}$
 $V = \text{the fill volume, in gallons}$

Senator Fortunato spoke in favor of adoption of the amendment.
 Senator Carlyle spoke against adoption of the amendment.
 The President declared the question before the Senate to be the adoption of amendment no. 1297 by Senator Fortunato on page 10, line 35 to Engrossed Substitute House Bill No. 1619.
 The motion by Senator Fortunato did not carry and amendment no. 1297 was not adopted by voice vote.

MOTION

On motion of Senator Carlyle, the rules were suspended, Engrossed Substitute House Bill No. 1619 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.
 Senator Carlyle spoke in favor of passage of the bill.
 Senator Short spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 1619.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 1619 and the bill passed the Senate by the following vote: Yeas, 28; Nays, 21; Absent, 0; Excused, 0.
 Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Das, Dhingra, Frockt, Hasegawa, Hunt, Keiser, Kuderer, Lias, Lovelett, Lovick, Mullet, Nguyen, Nobles, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon, Sheldon, Stanford, Trudeau, Wellman and Wilson, C.
 Voting nay: Senators Braun, Brown, Dozier, Fortunato, Gildon, Hawkins, Holy, Honeyford, King, McCune, Muzzall, Padden, Rivers, Schoesler, Sefzik, Short, Van De Wege, Wagoner, Warnick, Wilson, J. and Wilson, L.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1619, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 1280, by Representatives Ramel, Duerr, Bateman, Fitzgibbon, Berry, Peterson, Goodman, Hackney, Frame, Macri, Pollet and Harris-Talley

Concerning greenhouse gas emissions reductions in the design of public facilities.

The measure was read the second time.

MOTION

Senator Fortunato moved that the following amendment no. 1299 by Senator Fortunato be adopted:

On page 2, line 26, after "1975." insert "The policy of the state to pursue energy conservation and greenhouse gas emissions reduction practices in the design of major publicly owned or leased facilities must be balanced with a consideration of stress on the electricity system and the pursuit of low-cost and least-risk design that ensures that Washington taxpayers derive the most longevity and utility from public facilities for the taxes they pay."

Senator Fortunato spoke in favor of adoption of the amendment.

Senator Carlyle spoke against adoption of the amendment.
 The President declared the question before the Senate to be the adoption of amendment no. 1299 by Senator Fortunato on page 2, line 26 to House Bill No. 1280.

The motion by Senator Fortunato did not carry and amendment no. 1299 was not adopted by voice vote.

MOTION

On motion of Senator Carlyle, the rules were suspended, House Bill No. 1280 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Carlyle spoke in favor of passage of the bill.
 Senators Short, Wagoner and Schoesler spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 1280.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1280 and the bill passed the Senate by the following vote: Yeas, 29; Nays, 20; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Das, Dhingra, Frockt, Hasegawa, Hunt, Keiser, Kuderer, Lias,

Lovelett, Lovick, Mullet, Nguyen, Nobles, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon, Sheldon, Stanford, Trudeau, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Braun, Brown, Dozier, Fortunato, Gildon, Hawkins, Holy, Honeyford, King, McCune, Muzzall, Padden, Rivers, Schoesler, Sefzik, Short, Wagoner, Warnick, Wilson, J. and Wilson, L.

HOUSE BILL NO. 1280, 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

SUBSTITUTE HOUSE BILL NO. 1623, by House Committee on Environment & Energy (originally sponsored by Mosbrucker, Fitzgibbon, Leavitt, Ryu, Duerr, Graham, Wicks, Callan, Fey, Paul, Ramos, Wylie, Slatter, Kloba and Harris-Talley)

Addressing the extent to which Washington residents are at risk of rolling blackouts and power supply inadequacy events.

The measure was read the second time.

MOTION

On motion of Senator Carlyle, the rules were suspended, Substitute House Bill No. 1623 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Carlyle and Short spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1623.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1623 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SUBSTITUTE HOUSE BILL NO. 1623, 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

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1793, by House Committee on Civil Rights & Judiciary (originally sponsored by Hackney, Fitzgibbon, Berry, Bateman, Macri, Ramel, Senn, Wylie, Bergquist, Valdez, Pollet and Kloba)

Concerning electric vehicle charging stations in common interest communities.

The measure was read the second time.

MOTION

On motion of Senator Dhingra, the rules were suspended, Engrossed Substitute House Bill No. 1793 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Dhingra 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 House Bill No. 1793.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 1793 and the bill passed the Senate by the following vote: Yeas, 32; Nays, 17; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Das, Dhingra, Frockt, Hasegawa, Hunt, Keiser, Kuderer, Liias, Lovelett, Lovick, Mullet, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Sefzik, Sheldon, Stanford, Trudeau, Van De Wege, Wagoner, Wellman and Wilson, C.

Voting nay: Senators Braun, Brown, Dozier, Fortunato, Gildon, Hawkins, Holy, Honeyford, King, McCune, Muzzall, Padden, Schoesler, Short, Warnick, Wilson, J. and Wilson, L.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1793, 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

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1630, by House Committee on Civil Rights & Judiciary (originally sponsored by Senn, Berg, Ryu, Berry, Wicks, Bateman, Ramel, Fitzgibbon, Sells, Walen, Valdez, Callan, Cody, Davis, Goodman, Taylor, Macri, Peterson, Ramos, Santos, Slatter, Bergquist, Tharinger, Kloba, Pollet, Harris-Talley, Hackney and Frame)

Establishing restrictions on the possession of weapons in certain locations.

The measure was read the second time.

WITHDRAWAL OF AMENDMENT

On motion of Senator Holy and without objection, amendment no. 1304 by Senator Holy on page 2, line 13 to Engrossed Substitute House Bill No. 1630 was withdrawn.

MOTION

Senator Holy moved that the following amendment no. 1319 by Senator Holy be adopted:

On page 2, line 13, after "guilty of a" strike "gross" and insert "~~((gross))~~"

On page 2, line 13, after "misdemeanor." insert "Second and subsequent violations of subsection (1) of this section are a gross misdemeanor."

On page 5, line 33, after "guilty of a" strike "gross" and insert "~~((gross))~~"

On page 5, line 34, after "misdemeanor." insert "Second and"

FIFTY FIRST DAY, MARCH 1, 2022

2022 REGULAR SESSION

subsequent violations of this section are a gross misdemeanor."

On page 6, line 27, after "guilty of a" strike "gross"

On page 6, line 27, after "misdemeanor." insert "Second and subsequent violations of this section are a gross misdemeanor."

On page 8, line 31, after "guilty of a" strike "gross"

On page 8, line 31, after "misdemeanor." insert "Second and subsequent violations of subsection (1) of this section are a gross misdemeanor."

Senators Holy and Padden 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. 1319 by Senator Holy on page 2, line 13 to Engrossed Substitute House Bill No. 1630.

The motion by Senator Holy carried and amendment no. 1319 was adopted by voice vote.

MOTION

Senator Padden moved that the following amendment no. 1310 by Senator Padden be adopted:

On page 2, beginning on line 13, after "misdemeanor." strike all material through "license." on line 20 and insert "~~((If any person is convicted of a violation of subsection (1)(a) of this section, the person shall have his or her concealed pistol license, if any revoked for a period of three years. Anyone convicted under this subsection is prohibited from applying for a concealed pistol license for a period of three years. The court shall send notice of the revocation to the department of licensing, and the city, town, or county which issued the license.))~~"

Beginning on page 6, line 27, after "misdemeanor." strike all material through "license." on page 7, line 2

On page 8, beginning on line 31, after "misdemeanor." strike all material through "license." on line 38

Senators Padden and Fortunato 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. 1310 by Senator Padden on page 2, line 13 to Engrossed Substitute House Bill No. 1630.

The motion by Senator Padden did not carry and amendment no. 1310 was not adopted by voice vote.

MOTION

Senator Fortunato moved that the following amendment no. 1303 by Senator Fortunato be adopted:

On page 3, beginning on line 39, after "while" strike all material through "student" on line 40 and insert "~~((picking))~~;

(i) Picking up or dropping off a student; or

(ii) Attending official meetings of a school district board of directors"

On page 4, line 19, after "(c)," insert "(e)(ii)."

On page 10, beginning on line 17, after "while" strike all material through "student" on line 18 and insert ":

(i) Picking up or dropping off a student; or

(ii) Attending official meetings of a school district board of directors"

On page 10, line 37, after "(c)," insert "(e)(ii)."

Senator Fortunato 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. 1303 by Senator Fortunato on page 3, line 39 to Engrossed Substitute House Bill No. 1630.

The motion by Senator Fortunato did not carry and amendment no. 1303 was not adopted by voice vote.

MOTION

Senator Van De Wege moved that the following amendment no. 1318 by Senator Van De Wege be adopted:

On page 3, beginning on line 39, after "while" strike all material through "student" on line 40 and insert "~~((picking))~~;

(i) Picking up or dropping off a student; or

(ii) Attending official meetings of a school district board of directors held off school district-owned or leased property"

On page 10, beginning on line 17, after "while" strike all material through "student" on line 18 and insert ":

(i) Picking up or dropping off a student; or

(ii) Attending official meetings of a school district board of directors held off school district-owned or leased property"

Senators Van De Wege and Dhingra spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 1318 by Senator Van De Wege on page 3, line 39 to Engrossed Substitute House Bill No. 1630.

The motion by Senator Van De Wege carried and amendment no. 1318 was adopted by voice vote.

MOTION

Senator Wagoner moved that the following amendment no. 1305 by Senator Wagoner be adopted:

Beginning on page 4, line 29, strike all of section 2

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

On page 1, line 2 of the title, after "9.41.280" strike "and 9.41.305"

Senators Wagoner, Fortunato and Wilson, L. 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. 1305 by Senator Wagoner on page 4, line 29 to Engrossed Substitute House Bill No. 1630.

The motion by Senator Wagoner did not carry and amendment no. 1305 was not adopted by voice vote.

MOTION

Senator Short moved that the following amendment no. 1314 by Senator Short be adopted:

On page 5, line 32, after "duty." insert "Fully uniformed color guard and honor guard affiliated with a veterans' service organization recognized by the Washington department of veterans affairs, or affiliated with the national sons of the American revolution or sons of union veterans of the civil war, are exempt from this section when carrying a firearm or other weapon while actively participating in, walking to, and leaving permitted events. The department of enterprise services may

make such reasonable rules and orders necessary for the proper administration and enforcement of this subsection."

Senator Short 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. 1314 by Senator Short on page 5, line 32 to Engrossed Substitute House Bill No. 1630.

The motion by Senator Short did not carry and amendment no. 1314 was not adopted by voice vote.

MOTION

On motion of Senator Dhingra, the rules were suspended, Engrossed Substitute House Bill No. 1630 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Dhingra and Kuderer spoke in favor of passage of the bill.

Senators Padden, Fortunato, Dozier, Wagoner and Wilson, J. spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 1630 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 1630 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 28; Nays, 20; Absent, 1; Excused, 0.

Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Das, Dhingra, Frockt, Hasegawa, Hunt, Keiser, Kuderer, Liias, Lovelett, Lovick, Mullet, Nguyen, Nobles, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon, Stanford, Trudeau, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Braun, Brown, Dozier, Fortunato, Gildon, Hawkins, Holy, Honeyford, King, McCune, Muzzall, Padden, Schoesler, Sefzik, Sheldon, Short, Wagoner, Warnick, Wilson, J. and Wilson, L.

Absent: Senator Rivers

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1630 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

STATEMENT FOR THE JOURNAL

When the final passage vote come on ESHB 1630 this evening, I was busy with other legislative business and inadvertently missed the vote. I would have voted Nay.

SENATOR ANN RIVERS, 18th Legislative District

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1705, by House Committee on Civil Rights & Judiciary (originally sponsored by Berry, Valdez, Ryu, Fitzgibbon, Berg, Bateman, Duerr, Walen, Callan, Davis, Taylor, Macri, Peterson, Ramel, Ramos, Santos, Senn, Simmons, Slatter, Bergquist, Tharinger, Pollet, Frame, Harris-Talley, Hackney and Kloba)

Concerning ghost guns.

The measure was read the second time.

MOTION

Senator Fortunato moved that the following amendment no. 1316 by Senator Fortunato be adopted:

On page 1, line 1 of the title, after "limiting" strike "ghost guns, including"

Senator Fortunato 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. 1316 by Senator Fortunato on page 1, line 1 to Engrossed Substitute House Bill No. 1705.

The motion by Senator Fortunato did not carry and amendment no. 1316 was not adopted by voice vote.

MOTION

Senator Fortunato moved that the following amendment no. 1306 by Senator Fortunato be adopted:

On page 2, beginning on line 5, after "act" strike all material through "act" on line 6

Beginning on page 8, line 19, after "(((34)))" strike all of subsection (39)

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

On page 10, beginning on line 26, strike all of subsection (1)

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

On page 10, line 29, after "firearm" insert "that was originally lawfully purchased if its serial numbers were subsequently removed or altered"

On page 10, line 34, after "firearm" insert "that was originally lawfully purchased if its serial numbers were subsequently removed or altered"

Beginning on page 11, line 22, strike all of section 5

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

On page 12, line 26, after "firearm" strike "or unfinished frame or receiver"

On page 12, line 27, after "firearm" strike "or unfinished frame or receiver"

On page 12, line 38, after "firearm" strike "or unfinished frame or receiver"

On page 13, line 2, after "firearm" strike "or unfinished frame or receiver"

On page 1, line 2 of the title, after "firearms" strike "and untraceable unfinished frames or receivers"

Senator Fortunato 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. 1306 by Senator Fortunato on page 2, line 5 to Engrossed Substitute House Bill No. 1705.

The motion by Senator Fortunato did not carry and amendment no. 1306 was not adopted by voice vote.

MOTION

Senator Honeyford moved that the following amendment no. 1313 by Senator Honeyford be adopted:

FIFTY FIRST DAY, MARCH 1, 2022

2022 REGULAR SESSION

On page 6, line 27, after "Semiautomatic" strike "assault" and insert "~~((assault))~~"

On page 6, line 31, after "Semiautomatic" strike "assault" and insert "~~((assault))~~"

Senators Honeyford, Wagoner and Fortunato 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. 1313 by Senator Honeyford on page 6, line 27 to Engrossed Substitute House Bill No. 1705.

The motion by Senator Honeyford did not carry and amendment no. 1313 was not adopted by voice vote.

MOTION

Senator Wagoner moved that the following amendment no. 1302 by Senator Wagoner be adopted:

On page 9, line 8, after "July 1," strike "2019" and insert "~~((2019))~~ 2022"

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. 1302 by Senator Wagoner on page 9, line 8 to Engrossed Substitute House Bill No. 1705.

The motion by Senator Wagoner did not carry and amendment no. 1302 was not adopted by voice vote.

MOTION

Senator Fortunato moved that the following amendment no. 1307 by Senator Fortunato be adopted:

On page 10, line 26, after "(1)" strike "No" and insert "(a) No prohibited"

On page 10, after line 27, insert the following:

"(b) For purposes of this subsection (1), "prohibited person" means an individual whose constitutional rights are impaired by this act."

Senators Fortunato and Padden 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. 1307 by Senator Fortunato on page 10, line 26 to Engrossed Substitute House Bill No. 1705.

The motion by Senator Fortunato did not carry and amendment no. 1307 was not adopted by voice vote.

MOTION

Senator Fortunato moved that the following amendment no. 1308 by Senator Fortunato be adopted:

On page 11, after line 21, insert the following:

"(6) This section does not apply to any person in possession of an untraceable firearm who has been issued a license under RCW 9.41.070."

On page 11, beginning on line 29, after "receiver" strike all material through "dealer" on line 31 and insert "is imprinted with a serial number within five business days of receipt by the purchaser"

On page 11, beginning on line 36, after "receiver" strike all material through "dealer" on line 38 and insert "is imprinted with a serial number within five business days of receipt by the purchaser"

On page 12, after line 21, insert the following:

"(5) This section does not apply to any person in possession of an untraceable frame or receiver who has been issued a license under RCW 9.41.070."

Senator Fortunato 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. 1308 by Senator Fortunato on page 11, after line 21 to Engrossed Substitute House Bill No. 1705.

The motion by Senator Fortunato did not carry and amendment no. 1308 was not adopted by voice vote.

MOTION

Senator Wagoner moved that the following amendment no. 1301 by Senator Wagoner be adopted:

On page 11, beginning on line 29, after "receiver" strike all material through "dealer" on line 31 and insert "is imprinted with a serial number within five business days of receipt by the purchaser"

On page 11, beginning on line 36, after "receiver" strike all material through "dealer" on line 38 and insert "is imprinted with a serial number within five business days of receipt by the purchaser"

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. 1301 by Senator Wagoner on page 11, line 29 to Engrossed Substitute House Bill No. 1705.

The motion by Senator Wagoner did not carry and amendment no. 1301 was not adopted by voice vote.

MOTION

Senator Wagoner moved that the following amendment no. 1300 by Senator Wagoner be adopted:

On page 15, after line 24, insert the following:

"**Sec. 8.** RCW 9.94A.533 and 2020 c 330 s 1 and 2020 c 141 s 1 are each reenacted and amended to read as follows:

(1) The provisions of this section apply to the standard sentence ranges determined by RCW 9.94A.510 or 9.94A.517.

(2) For persons convicted of the anticipatory offenses of criminal attempt, solicitation, or conspiracy under chapter 9A.28 RCW, the standard sentence range is determined by locating the sentencing grid sentence range defined by the appropriate offender score and the seriousness level of the completed crime, and multiplying the range by ~~((seventy-five))~~ 75 percent.

(3) The following additional times shall be added to the standard sentence range for felony crimes committed after July 23, 1995, if the offender or an accomplice was armed with a firearm as defined in RCW 9.41.010 and the offender is being sentenced for one of the crimes listed in this subsection as eligible for any firearm enhancements based on the classification of the completed felony crime. If the offender is being sentenced for more than one offense, the firearm enhancement or enhancements must be added to the total period of confinement for all offenses,

regardless of which underlying offense is subject to a firearm enhancement. If the offender or an accomplice was armed with a firearm as defined in RCW 9.41.010 and the offender is being sentenced for an anticipatory offense under chapter 9A.28 RCW to commit one of the crimes listed in this subsection as eligible for any firearm enhancements, the following additional times shall be added to the standard sentence range determined under subsection (2) of this section based on the felony crime of conviction as classified under RCW 9A.28.020:

(a) Five years for any felony defined under any law as a class A felony or with a statutory maximum sentence of at least ~~((twenty))~~ 20 years, or both, and not covered under (f) of this subsection;

(b) Three years for any felony defined under any law as a class B felony or with a statutory maximum sentence of ~~((ten))~~ 10 years, or both, and not covered under (f) of this subsection;

(c) Eighteen months for any felony defined under any law as a class C felony or with a statutory maximum sentence of five years, or both, and not covered under (f) of this subsection;

(d) If the offender is being sentenced for any firearm enhancements under (a), (b), and/or (c) of this subsection and the offender has previously been sentenced for any deadly weapon enhancements after July 23, 1995, under (a), (b), and/or (c) of this subsection or subsection (4)(a), (b), and/or (c) of this section, or both, all firearm enhancements under this subsection shall be twice the amount of the enhancement listed;

(e) Notwithstanding any other provision of law, all firearm enhancements under this section are mandatory, shall be served in total confinement, and shall run consecutively to all other sentencing provisions, including other firearm or deadly weapon enhancements, for all offenses sentenced under this chapter. However, whether or not a mandatory minimum term has expired, an offender serving a sentence under this subsection may be:

(i) Granted an extraordinary medical placement when authorized under RCW 9.94A.728(1)(c); or

(ii) Released under the provisions of RCW 9.94A.730;

(f) The firearm enhancements in this section shall apply to all felony crimes except the following: Possession of a machine gun or bump-fire stock, possessing a stolen firearm, drive-by shooting, theft of a firearm, unlawful possession of a firearm in the first and second degree, and use of a machine gun or bump-fire stock in a felony;

(g) If the standard sentence range under this section exceeds the statutory maximum sentence for the offense, the statutory maximum sentence shall be the presumptive sentence unless the offender is a persistent offender. If the addition of a firearm enhancement increases the sentence so that it would exceed the statutory maximum for the offense, the portion of the sentence representing the enhancement may not be reduced.

(4) The following additional times shall be added to the standard sentence range for felony crimes committed after July 23, 1995, if the offender or an accomplice was armed with a deadly weapon other than a firearm as defined in RCW 9.41.010 and the offender is being sentenced for one of the crimes listed in this subsection as eligible for any deadly weapon enhancements based on the classification of the completed felony crime. If the offender is being sentenced for more than one offense, the deadly weapon enhancement or enhancements must be added to the total period of confinement for all offenses, regardless of which underlying offense is subject to a deadly weapon enhancement. If the offender or an accomplice was armed with a deadly weapon other than a firearm as defined in RCW 9.41.010 and the offender is being sentenced for an anticipatory offense under chapter 9A.28 RCW to commit one of the crimes listed in this subsection as eligible for any deadly weapon enhancements, the following additional times shall be added to the standard sentence range

determined under subsection (2) of this section based on the felony crime of conviction as classified under RCW 9A.28.020:

(a) Two years for any felony defined under any law as a class A felony or with a statutory maximum sentence of at least ~~((twenty))~~ 20 years, or both, and not covered under (f) of this subsection;

(b) One year for any felony defined under any law as a class B felony or with a statutory maximum sentence of ~~((ten))~~ 10 years, or both, and not covered under (f) of this subsection;

(c) Six months for any felony defined under any law as a class C felony or with a statutory maximum sentence of five years, or both, and not covered under (f) of this subsection;

(d) If the offender is being sentenced under (a), (b), and/or (c) of this subsection for any deadly weapon enhancements and the offender has previously been sentenced for any deadly weapon enhancements after July 23, 1995, under (a), (b), and/or (c) of this subsection or subsection (3)(a), (b), and/or (c) of this section, or both, all deadly weapon enhancements under this subsection shall be twice the amount of the enhancement listed;

(e) Notwithstanding any other provision of law, all deadly weapon enhancements under this section are mandatory, shall be served in total confinement, and shall run consecutively to all other sentencing provisions, including other firearm or deadly weapon enhancements, for all offenses sentenced under this chapter. However, whether or not a mandatory minimum term has expired, an offender serving a sentence under this subsection may be:

(i) Granted an extraordinary medical placement when authorized under RCW 9.94A.728(1)(c); or

(ii) Released under the provisions of RCW 9.94A.730;

(f) The deadly weapon enhancements in this section shall apply to all felony crimes except the following: Possession of a machine gun or bump-fire stock, possessing a stolen firearm, drive-by shooting, theft of a firearm, unlawful possession of a firearm in the first and second degree, and use of a machine gun or bump-fire stock in a felony;

(g) If the standard sentence range under this section exceeds the statutory maximum sentence for the offense, the statutory maximum sentence shall be the presumptive sentence unless the offender is a persistent offender. If the addition of a deadly weapon enhancement increases the sentence so that it would exceed the statutory maximum for the offense, the portion of the sentence representing the enhancement may not be reduced.

(5) The following additional times shall be added to the standard sentence range if the offender or an accomplice committed the offense while in a county jail or state correctional facility and the offender is being sentenced for one of the crimes listed in this subsection. If the offender or an accomplice committed one of the crimes listed in this subsection while in a county jail or state correctional facility, and the offender is being sentenced for an anticipatory offense under chapter 9A.28 RCW to commit one of the crimes listed in this subsection, the following additional times shall be added to the standard sentence range determined under subsection (2) of this section:

(a) Eighteen months for offenses committed under RCW 69.50.401(2) (a) or (b) or 69.50.410;

(b) Fifteen months for offenses committed under RCW 69.50.401(2) (c), (d), or (e);

(c) Twelve months for offenses committed under RCW 69.50.4013.

For the purposes of this subsection, all of the real property of a state correctional facility or county jail shall be deemed to be part of that facility or county jail.

(6) An additional ~~((twenty-four))~~ 24 months shall be added to the standard sentence range for any ranked offense involving a violation of chapter 69.50 RCW if the offense was also a violation

FIFTY FIRST DAY, MARCH 1, 2022

2022 REGULAR SESSION

of RCW 69.50.435 or 9.94A.827. All enhancements under this subsection shall run consecutively to all other sentencing provisions, for all offenses sentenced under this chapter.

(7) An additional two years shall be added to the standard sentence range for vehicular homicide committed while under the influence of intoxicating liquor or any drug as defined by RCW 46.61.502 for each prior offense as defined in RCW 46.61.5055.

Notwithstanding any other provision of law, all impaired driving enhancements under this subsection are mandatory, shall be served in total confinement, and shall run consecutively to all other sentencing provisions, including other impaired driving enhancements, for all offenses sentenced under this chapter.

An offender serving a sentence under this subsection may be granted an extraordinary medical placement when authorized under RCW 9.94A.728(1)(c).

(8)(a) The following additional times shall be added to the standard sentence range for felony crimes committed on or after July 1, 2006, if the offense was committed with sexual motivation, as that term is defined in RCW 9.94A.030. If the offender is being sentenced for more than one offense, the sexual motivation enhancement must be added to the total period of total confinement for all offenses, regardless of which underlying offense is subject to a sexual motivation enhancement. If the offender committed the offense with sexual motivation and the offender is being sentenced for an anticipatory offense under chapter 9A.28 RCW, the following additional times shall be added to the standard sentence range determined under subsection (2) of this section based on the felony crime of conviction as classified under RCW 9A.28.020:

(i) Two years for any felony defined under the law as a class A felony or with a statutory maximum sentence of at least ~~((twenty))~~ 20 years, or both;

(ii) Eighteen months for any felony defined under any law as a class B felony or with a statutory maximum sentence of ~~((ten))~~ 10 years, or both;

(iii) One year for any felony defined under any law as a class C felony or with a statutory maximum sentence of five years, or both;

(iv) If the offender is being sentenced for any sexual motivation enhancements under (a)(i), (ii), and/or (iii) of this subsection and the offender has previously been sentenced for any sexual motivation enhancements on or after July 1, 2006, under (a)(i), (ii), and/or (iii) of this subsection, all sexual motivation enhancements under this subsection shall be twice the amount of the enhancement listed;

(b) Notwithstanding any other provision of law, all sexual motivation enhancements under this subsection are mandatory, shall be served in total confinement, and shall run consecutively to all other sentencing provisions, including other sexual motivation enhancements, for all offenses sentenced under this chapter. However, whether or not a mandatory minimum term has expired, an offender serving a sentence under this subsection may be:

(i) Granted an extraordinary medical placement when authorized under RCW 9.94A.728(1)(c); or

(ii) Released under the provisions of RCW 9.94A.730;

(c) The sexual motivation enhancements in this subsection apply to all felony crimes;

(d) If the standard sentence range under this subsection exceeds the statutory maximum sentence for the offense, the statutory maximum sentence shall be the presumptive sentence unless the offender is a persistent offender. If the addition of a sexual motivation enhancement increases the sentence so that it would exceed the statutory maximum for the offense, the portion of the sentence representing the enhancement may not be reduced;

(e) The portion of the total confinement sentence which the offender must serve under this subsection shall be calculated before any earned early release time is credited to the offender;

(f) Nothing in this subsection prevents a sentencing court from imposing a sentence outside the standard sentence range pursuant to RCW 9.94A.535.

(9) An additional one-year enhancement shall be added to the standard sentence range for the felony crimes of RCW 9A.44.073, 9A.44.076, 9A.44.079, 9A.44.083, 9A.44.086, or 9A.44.089 committed on or after July 22, 2007, if the offender engaged, agreed, or offered to engage the victim in the sexual conduct in return for a fee. If the offender is being sentenced for more than one offense, the one-year enhancement must be added to the total period of total confinement for all offenses, regardless of which underlying offense is subject to the enhancement. If the offender is being sentenced for an anticipatory offense for the felony crimes of RCW 9A.44.073, 9A.44.076, 9A.44.079, 9A.44.083, 9A.44.086, or 9A.44.089, and the offender attempted, solicited another, or conspired to engage, agree, or offer to engage the victim in the sexual conduct in return for a fee, an additional one-year enhancement shall be added to the standard sentence range determined under subsection (2) of this section. For purposes of this subsection, "sexual conduct" means sexual intercourse or sexual contact, both as defined in chapter 9A.44 RCW.

(10)(a) For a person age ~~((eighteen))~~ 18 or older convicted of any criminal street gang-related felony offense for which the person compensated, threatened, or solicited a minor in order to involve the minor in the commission of the felony offense, the standard sentence range is determined by locating the sentencing grid sentence range defined by the appropriate offender score and the seriousness level of the completed crime, and multiplying the range by one hundred twenty-five percent. If the standard sentence range under this subsection exceeds the statutory maximum sentence for the offense, the statutory maximum sentence is the presumptive sentence unless the offender is a persistent offender.

(b) This subsection does not apply to any criminal street gang-related felony offense for which involving a minor in the commission of the felony offense is an element of the offense.

(c) The increased penalty specified in (a) of this subsection is unavailable in the event that the prosecution gives notice that it will seek an exceptional sentence based on an aggravating factor under RCW 9.94A.535.

(11) An additional ~~((twelve))~~ 12 months and one day shall be added to the standard sentence range for a conviction of attempting to elude a police vehicle as defined by RCW 46.61.024, if the conviction included a finding by special allegation of endangering one or more persons under RCW 9.94A.834.

(12) An additional ~~((twelve))~~ 12 months shall be added to the standard sentence range for an offense that is also a violation of RCW 9.94A.831.

(13) An additional ~~((twelve))~~ 12 months shall be added to the standard sentence range for vehicular homicide committed while under the influence of intoxicating liquor or any drug as defined by RCW 46.61.520 or for vehicular assault committed while under the influence of intoxicating liquor or any drug as defined by RCW 46.61.522, or for any felony driving under the influence (RCW 46.61.502(6)) or felony physical control under the influence (RCW 46.61.504(6)) for each child passenger under the age of ~~((sixteen))~~ 16 who is an occupant in the defendant's vehicle. These enhancements shall be mandatory, shall be served in total confinement, and shall run consecutively to all other sentencing provisions, including other minor child enhancements,

for all offenses sentenced under this chapter. If the addition of a minor child enhancement increases the sentence so that it would exceed the statutory maximum for the offense, the portion of the sentence representing the enhancement shall be mandatory, shall be served in total confinement, and shall run consecutively to all other sentencing provisions.

(14) An additional (~~twelve~~) 12 months shall be added to the standard sentence range for an offense that is also a violation of RCW 9.94A.832.

(15) An additional 12 months shall be added to the standard sentence range for a violent offense that involved the use of an untraceable firearm as defined in RCW 9.41.010.

(16) Regardless of any provisions in this section, if a person is being sentenced in adult court for a crime committed under age (~~eighteen~~) 18, the court has full discretion to depart from mandatory sentencing enhancements and to take the particular circumstances surrounding the defendant's youth into account.

NEW SECTION. Sec. 9. A new section is added to chapter 9.94A RCW to read as follows:

(1) In a prosecution of a violent offense, the prosecution may file a special allegation that the offense involved the use of an untraceable firearm as defined in RCW 9.41.010.

(2) The state has the burden of proving a special allegation made under this section beyond a reasonable doubt. If a jury is had, the jury shall, if it finds the defendant guilty, also find a special verdict whether the offense involved the use of an untraceable firearm. If no jury is had, the court shall make a finding of fact whether the offense involved the use of an untraceable firearm."

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

On page 1, line 7 of the title, after "43.43.580;" insert "reenacting and amending RCW 9.94A.533;"

On page 1, line 8 of the title, after "9.41 RCW;" insert "adding a new section to chapter 9.94A RCW;"

Senators Wagoner, Rivers, Short and Fortunato spoke in favor of adoption of the amendment.

Senator Dhingra spoke against adoption of the amendment.

MOTION

Senator Short demanded a roll call.

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

The President declared the question before the Senate to be the adoption of the amendment by Senator Wagoner on page 15, after line 24 to Engrossed Substitute House Bill No. 1705.

ROLL CALL

The Secretary called the roll on the adoption of the amendment by Senator Wagoner and the amendment was not adopted by the following vote: Yeas, 23; Nays, 26; Absent, 0; Excused, 0.

Voting yea: Senators Braun, Brown, Dozier, Fortunato, Frockt, Gildon, Hawkins, Holy, Honeyford, King, McCune, Muzzall, Padden, Randall, Rivers, Schoesler, Sefzik, Sheldon, Short, Wagoner, Warnick, Wilson, J. and Wilson, L.

Voting nay: Senators Billig, Carlyle, Cleveland, Conway, Das, Dhingra, Hasegawa, Hunt, Keiser, Kuderer, Lias, Lovelett, Lovick, Mullet, Nguyen, Nobles, Pedersen, Robinson, Rolfes, Saldaña, Salomon, Stanford, Trudeau, Van De Wege, Wellman and Wilson, C.

MOTION

On motion of Senator Dhingra, the rules were suspended, Engrossed Substitute House Bill No. 1705 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Dhingra spoke in favor of passage of the bill.

Senator Muzzall spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 1705.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 1705 and the bill passed the Senate by the following vote: Yeas, 26; Nays, 23; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Das, Dhingra, Frockt, Hasegawa, Hunt, Keiser, Kuderer, Lias, Lovelett, Lovick, Mullet, Nguyen, Nobles, Pedersen, Robinson, Rolfes, Saldaña, Salomon, Stanford, Trudeau, Wellman and Wilson, C.

Voting nay: Senators Braun, Brown, Dozier, Fortunato, Gildon, Hawkins, Holy, Honeyford, King, McCune, Muzzall, Padden, Randall, Rivers, Schoesler, Sefzik, Sheldon, Short, Van De Wege, Wagoner, Warnick, Wilson, J. and Wilson, L.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1705, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 1874, by Representatives Vick, Dufault, Hoff, Jacobsen, Leavitt, Simmons, Corry, Senn, Peterson, Goodman, Riccelli, Davis, Macri and Young

Reducing barriers to professional licensure for individuals with previous arrests or criminal convictions.

The measure was read the second time.

MOTION

On motion of Senator Mullet, the rules were suspended, House Bill No. 1874 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Mullet spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 1874.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1874 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

FIFTY FIRST DAY, MARCH 1, 2022

HOUSE BILL NO. 1874, 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

SUBSTITUTE HOUSE BILL NO. 1074, by House Committee on Health Care & Wellness (originally sponsored by Peterson, Rude, Leavitt, Wylie, Kloba, Ortiz-Self, Callan, Riccelli, Davis and Pollet)

Concerning overdose and suicide fatality reviews.

The measure was read the second time.

MOTION

Senator Frockt moved that the following committee striking amendment by the Behavioral Health Subcommittee to the Committee on Health & Long Term Care be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 70.05 RCW to read as follows:

(1) The legislature finds that the mortality rate in Washington state due to overdose, withdrawal related to substance abuse such as opiates, benzodiazepines, and alcohol, and suicide is unacceptably high and that such mortality may be preventable. The legislature further finds that, through the performance of overdose, withdrawal, and suicide fatality reviews, preventable causes of mortality can be identified and addressed, thereby reducing the number of overdose, withdrawal, and suicide fatalities in Washington state.

(2)(a) A local health department may establish multidisciplinary overdose, withdrawal, and suicide fatality review teams to review overdose, withdrawal, and suicide deaths and to develop strategies for the prevention of overdose, withdrawal, and suicide fatalities.

(b) The department shall assist local health departments to collect the reports of any overdose, withdrawal, and suicide fatality reviews conducted by local health departments and assist with entering the reports into a database to the extent that the data is not protected under subsection (3) of this section. Notwithstanding subsection (3) of this section, the department shall respond to any requests for data from the database to the extent permitted for health care information under chapters 70.02 and 70.225 RCW. In addition, the department shall provide technical assistance to local health departments and overdose, withdrawal, and suicide fatality review teams conducting overdose, withdrawal, and suicide fatality reviews and encourage communication among overdose, withdrawal, and suicide fatality review teams.

(c) All overdose, withdrawal, or suicide fatality reviews undertaken under this section shall be shared with the department, subject to the same confidentiality restrictions described in this section.

(3)(a) All health care information collected as part of an overdose, withdrawal, and suicide fatality review is confidential, subject to the restrictions on disclosure provided for in chapter 70.02 RCW. When documents are collected as part of an overdose, withdrawal, and suicide fatality review, the records may be used solely by local health departments for the purposes of the review.

(b) Information, documents, proceedings, records, and opinions created, collected, or maintained by the overdose,

2022 REGULAR SESSION

withdrawal, and suicide fatality review team or the local health department in support of the review team are confidential and are not subject to public inspection or copying under chapter 42.56 RCW and are not subject to discovery or introduction into evidence in any civil or criminal action.

(c) Any person who was in attendance at a meeting of the review team or who participated in the creation, collection, or maintenance of the review team's information, documents, proceedings, records, or opinions may not be permitted or required to testify in any civil or criminal action as to the content of such proceedings, or the review team's information, documents, records, or opinions. This subsection does not prevent a member of the review team from testifying in a civil or criminal action concerning facts which form the basis for the overdose, withdrawal, and suicide fatality review team's proceedings of which the review team member had personal knowledge acquired independently of the overdose, withdrawal, and suicide fatality review team or which is public information.

(d) Any person who, in substantial good faith, participates as a member of the review team or provides information to further the purposes of the review team may not be subject to an action for civil damages or other relief as a result of the activity or its consequences.

(e) All meetings, proceedings, and deliberations of the overdose, withdrawal, and suicide fatality review team must be confidential and may be conducted in executive session.

(4) This section does not prevent a local health department from publishing statistical compilations and reports related to the overdose, withdrawal, and suicide fatality review. Any portions of such compilations and reports that identify individual cases and sources of information must be redacted.

(5) To aid in an overdose, withdrawal, and suicide fatality review, the local health department has the authority to:

(a) Request and receive data for specific overdose, withdrawal, and suicide fatalities including, but not limited to, all medical records related to the overdose, withdrawal, and suicide, autopsy reports, medical examiner reports, coroner reports, schools, criminal justice, law enforcement, and social services records; and

(b) Request and receive data as described in (a) of this subsection from health care providers, health care facilities, clinics, schools, criminal justice, law enforcement, laboratories, medical examiners, coroners, professions and facilities licensed by the department of health, local health jurisdictions, the health care authority and its licensees and providers, the department of health and its licensees, the department of social and health services and its licensees and providers, and the department of children, youth, and families and its licensees and providers.

(6) Upon request by the local health department, health care providers, health care facilities, clinics, schools, criminal justice, law enforcement, laboratories, medical examiners, coroners, professions and facilities licensed by the department of health, local health jurisdictions, the health care authority and its licensees and providers, the department of health and its licensees, the department of social and health services and its licensees and providers, and the department of children, youth, and families and its licensees and providers must provide all medical records related to the overdose, withdrawal, and suicide, autopsy reports, medical examiner reports, coroner reports, social services records, and other data requested for specific overdose, withdrawal, and suicide fatalities to perform an overdose, withdrawal, and suicide fatality review to the local health department.

(7) For the purposes of this section, "overdose, withdrawal, and suicide fatality review" means a confidential process to review

minor or adult overdose, withdrawal, and suicide deaths as identified through a death certificate; by a medical examiner or coroner; or by a process defined by the local department of health. The process may include a systematic review of medical, clinical, and hospital records related to the overdose, withdrawal, and suicide; confidential interviews conducted with the protections established in subsection (3) of this section; analysis of individual case information; and review of this information by a team of professionals in order to identify modifiable medical, socioeconomic, public health, behavioral, administrative, educational, and environmental factors associated with each death."

On page 1, line 1 of the title, after "Relating to" strike the remainder of the title and insert "overdose, withdrawal, and suicide fatality reviews; and adding a new section to chapter 70.05 RCW."

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Behavioral Health Subcommittee to the Committee on Health & Long Term Care to Substitute House Bill No. 1074.

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

MOTION

On motion of Senator Frockt, the rules were suspended, Substitute House Bill No. 1074 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1074 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1074 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SUBSTITUTE HOUSE BILL NO. 1074 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 8:50 p.m., on motion of Senator Pedersen, the Senate adjourned until 10:00 o'clock a.m. Wednesday, March 2, 2022.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

1074-S	President Signed.....	7
Other Action.....		34
Second Reading		33
Third Reading Final Passage		34
1122		
Second Reading		2
Third Reading Final Passage		3
1165-E		
Second Reading		3
Third Reading Final Passage		3
1210-S2		
Second Reading		21
Third Reading Final Passage		21
1280		
Second Reading		25
Third Reading Final Passage		25
1286-S		
Messages		7
President Signed.....		7
1360-SE		
Second Reading		27
1530-SE		
Introduction & 1st Reading.....		1
1612		
Second Reading		3
Third Reading Final Passage		3
1619-SE		
Second Reading		23, 24
Third Reading Final Passage		25
1623-S		
Second Reading		25
Third Reading Final Passage		26
1630-SE		
Other Action.....		26
Second Reading		26, 27
Third Reading Final Passage		28
1669		
Second Reading		22
Third Reading Final Passage		22
1675-S		
Second Reading		22
Third Reading Final Passage		22
1705-SE		
Second Reading		28, 29
Third Reading Final Passage		32
1719		
Messages		7
President Signed.....		7
1735-S		
Messages		7
President Signed.....		7
1744-E		
Second Reading		13
Third Reading Final Passage		14
1755		
Second Reading		11
Third Reading Final Passage		11
1761		
Second Reading		11
Third Reading Final Passage		11
1769		
Second Reading		21
Third Reading Final Passage		21
1779-S		
Second Reading		20
Third Reading Final Passage		20
1785		
Other Action.....		5
Second Reading		4
Third Reading Final Passage		6
1793-SE		
Second Reading		26
Third Reading Final Passage		26
1794-S		
Second Reading		4
Third Reading Final Passage		4
1798		
Messages		7
President Signed.....		7
1814-S2		
Introduction & 1st Reading.....		1
1821-SE		
Other Action.....		19
Second Reading		14
Third Reading Final Passage		19
1834		
Second Reading		4
Third Reading Final Passage		4
1851-E		
Other Action.....		10
Second Reading		8, 9, 10
Third Reading Final Passage		11
1874		
Second Reading		32

Third Reading Final Passage	32	President Signed.....	3
1878-S		8641	
Messages	7	Adopted.....	2
President Signed.....	7	Introduced	1
1881-SE		9019 Navas, Sharonne	
Other Action.....	13	Confirmed	6
Second Reading	12	9236 Gordon, Kimberly	
Third Reading Final Passage	13	Confirmed	22
1894		9238 Tunheim, Jon	
Second Reading	7	Confirmed	23
Third Reading Final Passage	7	9289 Hesselholt, Claire	
1899		Confirmed	6
Messages	7	9345 Garman, Rozanne	
President Signed.....	7	Confirmed	2
2024		9358 Hayward, Allen	
Introduction & 1st Reading.....	1	Confirmed	2
2061		CHAPLAIN OF THE DAY	
Second Reading	7	Goldstein, Rabbi. Seth, Temple Beth	
Third Reading Final Passage	7	Hatfiloh, Olympia	1
2068-S		FLAG BEARERS	
Second Reading	23	Washington State Patrol Honor Guard	1
Third Reading Final Passage	23	GUESTS	
2099-S		Pathangi, Mr. Srish, Pledge of Allegiance....	1
Introduction & 1st Reading.....	1	PRESIDENT OF THE SENATE	
5252-S		Reply by the President	3
Messages	7	Ruling by the President – Breach of propriety	
President Signed.....	3	11
5546-S		WASHINGTON STATE SENATE	
Messages	7	Parliamentary Inquiry, Senator Padden	3
President Signed.....	3	Point of Order, Senator Billig	11
5564-S		Statement for the Jounal, Senator Rivers	28
Messages	7		