

THIRTY THIRD DAY, FEBRUARY 14, 2020

2020 REGULAR SESSION

THIRTY THIRD DAY**MORNING SESSION**Senate Chamber, Olympia
Friday, February 14, 2020

The Senate was called to order at 9:03 a.m. by the President of the Senate, Lt. Governor Habib presiding. The Secretary called the roll and announced to the President that all Senators were present with the exceptions of Senators Ericksen and Fortunato.

The Sergeant at Arms Color Guard consisting of Pages Miss Dani Madan and Mr. Dylan Kleis, presented the Colors. Page, Mr. Fynn Goodin led the Senate in the Pledge of Allegiance. The prayer was offered by Pastor Doug Knutson-Kelter of Gloria Dei Lutheran Church, Olympia.

MOTION

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

MOTION

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

INTRODUCTION AND FIRST READING

SB 6689 by Senators Stanford, Wellman and Kuderer

AN ACT Relating to protecting consumers against mechanisms of addiction in certain video games; adding a new chapter to Title 19 RCW; and providing an expiration date.

Referred to Committee on Labor & Commerce.

SHB 1009 by House Committee on State Government & Tribal Relations (originally sponsored by Dolan, Kirby and Jinkins)

AN ACT Relating to the state auditor's duties and procedures; amending RCW 43.09.185, 43.09.186, 43.09.230, and 43.09.420; repealing RCW 43.09.265, 43.09.430, 43.09.435, 43.09.440, 43.09.445, 43.09.450, 43.09.455, 43.09.460, and 43.88.162; and repealing 2012 c 164 s 709, 2012 c 1 s 201, and 2005 c 385 s 1 (uncodified).

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

HB 1079 by Representatives Pollet, Kloba, Stanford and Frame

AN ACT Relating to adding a faculty member to the board of regents at the research universities; and amending RCW 28B.20.100 and 28B.30.100.

Referred to Committee on Higher Education & Workforce Development.

EHB 1187 by Representatives Dent, Blake, Chandler, Kretz, Schmick and Bergquist

AN ACT Relating to revising hydraulic project eligibility standards under RCW 77.55.181 for conservation district-sponsored fish habitat enhancement projects; and amending RCW 77.55.181.

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

SHB 1255 by House Committee on Transportation (originally sponsored by Lovick, Orwall, Sells, Stanford, Dufault and Irwin)

AN ACT Relating to creating Patches pal 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.

ESHB 1261 by House Committee on Environment & Energy (originally sponsored by Peterson, Fitzgibbon, Stanford, Tarleton, Ortiz-Self, Lekanoff, Doglio, Macri and Pollet)

AN ACT Relating to ensuring compliance with the federal clean water act by prohibiting certain discharges into waters of the state; amending RCW 77.55.021; reenacting and amending RCW 77.55.011; adding a new section to chapter 90.48 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Environment, Energy & Technology.

HB 1278 by Representatives Hudgins, Valdez, Sells, Bergquist, Appleton, Slatter, Wylie, Santos and Doglio

AN ACT Relating to room and board for college bound scholarship students; and adding a new section to chapter 28B.15 RCW.

Referred to Committee on Higher Education & Workforce Development.

SHB 1293 by House Committee on Appropriations (originally sponsored by Tharinger, Blake, Kretz and Mosbrucker)

AN ACT Relating to the distribution of monetary penalties to local courts and state agencies paid for failure to comply with discover pass requirements; and amending RCW 7.84.100.

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

HB 1347 by Representatives Barkis, Kirby, Volz, Vick and Springer

AN ACT Relating to vehicle reseller permits; amending RCW 82.12.045; and adding a new section to chapter 46.04 RCW.

Referred to Committee on Ways & Means.

ESHB 1551 by House Committee on Health Care & Wellness (originally sponsored by Cody, Stonier, Fey, Appleton and Pollet)

AN ACT Relating to modernizing the control of certain communicable diseases; amending RCW 70.24.015,

70.24.017, 70.24.024, 70.24.080, 70.24.110, 70.24.120, 70.24.130, 70.24.220, 70.24.290, 70.24.325, 70.24.340, 70.24.360, 70.24.370, 9A.36.011, 18.35.040, 49.44.180, 49.60.172, 70.02.220, 43.150.050, and 74.39.005; adding new sections to chapter 70.24 RCW; repealing RCW 70.24.095, 70.24.100, 70.24.107, 70.24.125, 70.24.140, 70.24.200, 70.24.210, 70.24.240, 70.24.250, 70.24.260, 70.24.270, 70.24.280, 70.24.300, 70.24.310, 70.24.320, 70.24.350, 70.24.380, 70.24.400, and 70.24.410; and prescribing penalties.

Referred to Committee on Health & Long Term Care.

3SHB 1660 by House Committee on Education (originally sponsored by Bergquist, Harris, Hudgins, Young, Tarleton, Ybarra, Slatter, Santos, Jinkins, Doglio, Fey, Leavitt, Ormsby and Valdez)

AN ACT Relating to the participation of students who are low income in extracurricular activities; amending RCW 28A.325.010 and 28A.325.050; adding new sections to chapter 28A.320 RCW; adding a new section to chapter 28A.600 RCW; and creating a new section.

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

EHB 1687 by Representatives Stanford, Doglio, Macri, Hansen, Orwall, Appleton, Jinkins, Ormsby, Valdez and Davis

AN ACT Relating to limiting defenses based on victim identity; adding a new section to chapter 9A.08 RCW; and adding a new section to chapter 9A.16 RCW.

Referred to Committee on Law & Justice.

HB 1750 by Representatives Mosbrucker and Lovick
AN ACT Relating to filling vacancies in county sheriff offices; and amending RCW 41.14.060 and 41.14.130.

Referred to Committee on Local Government.

HB 1983 by Representatives Maycumber, Kretz and Walsh
AN ACT Relating to natural resource management activities; amending RCW 77.12.037; and adding a new section to chapter 43.21C RCW.

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

EHB 2008 by Representatives Hudgins, Gregerson and Tarleton

AN ACT Relating to alternate methods of ballot security; and amending RCW 29A.40.091.

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

HB 2109 by Representative Blake
AN ACT Relating to membership of the Chehalis board; and amending RCW 43.21A.731.

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

HB 2189 by Representatives Leavitt, Irwin, Sells, MacEwen, Fitzgibbon, Wylie, Corry, Tharinger, Kilduff, Callan,

Davis, Robinson, Doglio, Slatter, Ryu, Griffey, Ormsby and Harris

AN ACT Relating to including specified competency restoration workers at department of social and health services institutional and residential sites in the public safety employees retirement system; and amending RCW 41.37.010.

Referred to Committee on Ways & Means.

HB 2217 by Representatives Eslick, Leavitt, Chambers, Callan, Dent, Walsh, Corry, Jenkin, Van Werven, Shewmake, Young and Wylie

AN ACT Relating to cottage food product labeling requirements; and amending RCW 69.22.020.

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

HB 2218 by Representatives Eslick, Leavitt, Chambers, Callan, Dent, Walsh, Corry, Jenkin, Van Werven, Ryu, Shewmake, Thai, Young and Wylie

AN ACT Relating to increasing the cap on gross sales for cottage food operations; and amending RCW 69.22.050.

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

HB 2229 by Representatives Sullivan, Stokesbary, Bergquist, Gildon and Wylie

AN ACT Relating to clarifying the scope of taxation on land development or management services; amending RCW 82.04.051; and amending 1999 c 212 s 1 (uncodified).

Referred to Committee on Housing Stability & Affordability.

HB 2242 by Representatives Wylie, Orcutt, Chapman, Bergquist, Dufault, Blake, Shewmake, Gildon and Irwin

AN ACT Relating to travel trailers; and amending RCW 46.44.030.

Referred to Committee on Transportation.

SHB 2250 by House Committee on Rural Development, Agriculture, & Natural Resources (originally sponsored by Blake, Fitzgibbon, Lekanoff and Tharinger)

AN ACT Relating to coastal crab derelict gear recovery; and amending RCW 77.70.500.

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

HB 2266 by Representatives Doglio, Dolan, Leavitt, Ryu, Tarleton, Appleton, Paul, Ormsby, Sells, Macri, Wylie, Senn, Cody, Kloba, Hudgins and Pollet

AN ACT Relating to reasonable accommodation for the expression of breast milk without requiring written certification from a health care professional; and amending RCW 43.10.005.

Referred to Committee on Labor & Commerce.

HB 2271 by Representatives Duerr and Rude
AN ACT Relating to correcting a reference to an omnibus transportation appropriations act within a prior authorization

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of general obligation bonds for transportation funding; and amending RCW 47.10.873.

Referred to Committee on Transportation.

SHB 2287 by House Committee on Transportation (originally sponsored by Leavitt, Kilduff, Barkis, Lovick, Ramel and Pollet)

AN ACT Relating to the assessment of rail safety governance in Washington state; creating new sections; and providing expiration dates.

Referred to Committee on Transportation.

HB 2315 by Representatives Orwall, Fitzgibbon and Pellicciotti
AN ACT Relating to repairing and replacing mitigation equipment installed as part of a remedial program within an impacted area; and amending RCW 53.54.030.

Referred to Committee on Local Government.

SHB 2320 by House Committee on Consumer Protection & Business (originally sponsored by Leavitt, Van Werven, Orwall, Eslick, Barkis, Shewmake, Lovick, Harris, Sells, Kilduff, Tarleton, Fey, Irwin, Wylie, Doglio, Pellicciotti, Kloba and Riccelli)

AN ACT Relating to requiring training on human trafficking; amending RCW 70.62.260; adding a new section to chapter 70.62 RCW; and creating a new section.

Referred to Committee on Law & Justice.

HB 2340 by Representatives Fitzgibbon, Leavitt, Lovick, Ormsby and Volz

AN ACT Relating to the definition of index for the Washington state patrol retirement system; and reenacting and amending RCW 43.43.260.

Referred to Committee on Ways & Means.

HB 2348 by Representatives Duerr, Ormsby and Macri
AN ACT Relating to streamlining reporting for recipients of housing-related state funding by removing Washington state quality award program requirements; and amending RCW 43.185C.210.

Referred to Committee on Housing Stability & Affordability.

SHB 2374 by House Committee on Consumer Protection & Business (originally sponsored by Kirby, Vick, Ryu, Barkis, Young, Wylie, Doglio, Goodman and Pollet)

AN ACT Relating to preserving the ability of auto dealers to offer consumers products not supplied by an auto manufacturer; amending RCW 63.14.043; and adding a new section to chapter 46.96 RCW.

Referred to Committee on Labor & Commerce.

HB 2402 by Representatives Hudgins, Gregerson and Wylie
AN ACT Relating to streamlining legislative operations by repealing and amending selected statutory committees; amending RCW 28A.175.075, 28A.657.100, 28B.15.067, 43.15.020, 43.216.572, 43.216.574, 44.04.325, 44.68.010, 44.68.040, 44.68.050, 44.68.060, 44.68.065, 44.68.085,

44.68.090, 44.68.100, and 44.68.105; repealing RCW 28A.657.130, 28B.95.170, 44.55.010, 44.55.020, 44.55.030, 44.55.040, 44.55.050, 44.55.060, 44.68.020, and 44.68.035; and providing an effective date.

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

ESHB 2411 by House Committee on Health Care & Wellness (originally sponsored by Orwall, Kilduff, Gildon, Leavitt, Paul, Cody, Davis, Pollet, Goodman, Wylie, Doglio and Morgan)

AN ACT Relating to suicide prevention; reenacting and amending RCW 43.70.442; adding a new section to chapter 18.92 RCW; and providing an effective date.

Referred to Committee on Health & Long Term Care.

HB 2449 by Representatives Griffey and Gregerson
AN ACT Relating to water-sewer district commissioner compensation; and amending RCW 57.12.010.

Referred to Committee on Local Government.

SHB 2473 by House Committee on Public Safety (originally sponsored by Goodman and Wylie)

AN ACT Relating to domestic violence; amending RCW 7.77.060, 7.77.080, 9.41.340, 9.41.345, 9A.36.041, 10.14.055, 10.22.010, 10.66.010, 10.95.020, 26.09.015, 41.04.655, 48.18.550, 70.83C.010, and 74.34.145; reenacting and amending RCW 9.41.010, 9.41.040, 10.31.100, and 9.96.060; prescribing penalties; and declaring an emergency.

Referred to Committee on Law & Justice.

SHB 2476 by House Committee on Civil Rights & Judiciary (originally sponsored by Walen, Duerr, Kloba, Kilduff, Leavitt, Lekanoff, Orwall, Davis, Doglio, Frame, Macri, Goodman and Ormsby)

AN ACT Relating to debt buyers; amending RCW 19.16.100, 19.16.260, 19.16.440, and 19.16.450; and creating a new section.

Referred to Committee on Law & Justice.

HB 2508 by Representatives Wylie and Vick
AN ACT Relating to simplifying the process for donating low-value surplus property owned by a city-owned utility; and amending RCW 35.94.040.

Referred to Committee on Local Government.

SHB 2527 by House Committee on State Government & Tribal Relations (originally sponsored by Ramos, Kilduff, Gregerson, Valdez, Slatter, Ortiz-Self, Tarleton, Davis, Doglio, Callan, Ramel, Pollet, Hudgins, Ormsby and Santos)

AN ACT Relating to protecting the rights of Washingtonians during the United States census; adding a new section to chapter 43.62 RCW; adding a new section to chapter 9A.60 RCW; prescribing penalties; and declaring an emergency.

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

HB 2545 by Representatives Davis, Klippert, Goodman, Robinson, Macri, Griffey, Cody, Sutherland, Graham, Pellicciotti, Leavitt and Ormsby

AN ACT Relating to making jail records available to managed health care systems; and amending RCW 70.48.100.

Referred to Committee on Human Services, Reentry & Rehabilitation.

ESHB 2551 by House Committee on State Government & Tribal Relations (originally sponsored by Lekanoff, Ramel, Rude, Leavitt, Valdez, Davis, Doglio, Walen, Pollet, Macri, Ormsby and Santos)

AN ACT Relating to permitting students to wear traditional tribal regalia and objects of cultural significance at graduation ceremonies and related events; adding a new section to chapter 28A.600 RCW; adding a new section to chapter 28B.10 RCW; creating new sections; and declaring an emergency.

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

HB 2579 by Representatives Dye, Eslick, Klippert and Ormsby
AN ACT Relating to establishing a wild horse holding and training program at Coyote Ridge corrections center; and creating new sections.

Referred to Committee on Human Services, Reentry & Rehabilitation.

HB 2587 by Representatives Ramel, Shewmake, Duerr, Stonier, Dufault, Doglio, Mead, Thai, Lekanoff, Fitzgibbon, Pollet, Leavitt and Davis

AN ACT Relating to establishing a program for the designation of state scenic bikeways; and adding a new section to chapter 79A.05 RCW.

Referred to Committee on Transportation.

SHB 2589 by House Committee on Education (originally sponsored by Callan, Rude, Pollet, Orwall, Doglio, Steele, Kilduff, Caldier, Davis, Corry, Senn, Ybarra, Thai, Ramos, Ryu, Santos, Leavitt, Gildon, Bergquist, J. Johnson, Frame and Macri)

AN ACT Relating to requiring contact information for suicide prevention and crisis intervention organizations on student and staff identification cards; adding a new section to chapter 28A.210 RCW; adding a new section to chapter 28B.10 RCW; creating new sections; and providing an expiration date.

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

HB 2602 by Representatives Morgan, Thai, Pettigrew, Entenman, Lovick, Slatter, Santos, Ryu, Duerr, Appleton, Bergquist, Stonier, Ramos, Leavitt, Corry, Orwall, Dolan, Frame, Valdez, Gregerson, Ortiz-Self, Peterson, Davis, Riccelli, Callan, J. Johnson, Fey, Ramel, Hudgins, Kilduff, Robinson, Irwin, Doglio, Ormsby, Pollet and Macri

AN ACT Relating to hair discrimination; and amending RCW 49.60.040.

Referred to Committee on Law & Justice.

SHB 2632 by House Committee on Public Safety (originally sponsored by Valdez, Griffey, Ryu, Pellicciotti, Pollet, Orwall, Gregerson, Goodman, Irwin, Ramos, Slatter, Entenman, Davis and Macri)

AN ACT Relating to false reporting of a crime or emergency; amending RCW 9A.84.040; reenacting and amending RCW 9.94A.515; adding a new section to chapter 4.24 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Law & Justice.

HB 2640 by Representatives Fey, Kirby, Doglio, Fitzgibbon, Orwall, Gregerson, Valdez, Peterson and Ryu

AN ACT Relating to clarifying that facilities that are operated by a private entity in which persons are detained in custody under process of law pending the outcome of legal proceedings are not essential public facilities under the growth management act; amending RCW 36.70A.200; creating a new section; and declaring an emergency.

Referred to Committee on Local Government.

HB 2664 by Representatives Lovick, Klippert, Goodman and Fey

AN ACT Relating to sheriff's office qualifications; amending RCW 29A.24.091 and 36.28.025; and adding a new section to chapter 43.101 RCW.

Referred to Committee on Law & Justice.

HB 2701 by Representatives Ormsby, Eslick and Riccelli

AN ACT Relating to inspection and testing of fire and smoke control systems and dampers; amending RCW 43.43.944; adding new sections to chapter 19.27 RCW; prescribing penalties; and providing an effective date.

Referred to Committee on Local Government.

EHB 2811 by Representatives J. Johnson, Steele, Santos, Ramel, Thai, Mead, Frame, Davis, Valdez, Bergquist, Doglio, Kirby, Lovick, Tarleton, Dolan, Goodman, Gregerson, Slatter, Macri, Hudgins, Pollet, Ryu and Stonier

AN ACT Relating to establishing a statewide environmental sustainability education program; adding a new section to chapter 28A.300 RCW; and creating a new section.

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

HJM 4012 by Representatives Lekanoff, Stokesbary, DeBolt, Irwin, Stonier, Chapman, Kilduff, Wylie, Pellicciotti, Orwall, Sullivan, Pettigrew, Peterson, Paul, Slatter, Blake, Shewmake, Tharinger, Doglio, Goodman, Cody, Ormsby, Pollet, Valdez, Callan, Ramos, Leavitt, Stanford, Sells and Appleton

Recognizing the international year of the salmon.

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

MOTION

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On motion of Senator Liias, all measures listed on the Introduction and First Reading report were referred to the committees as designated with the exception of House Bill No. 2476 which was designated to the Committee on Financial Institutions, Economic Development & Trade and referred to the Committee on Law & Justice.

MOTION

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

MOTION

Senator Darneille moved adoption of the following resolution:

SENATE RESOLUTION
8681

By Senators Darneille, Keiser, Becker, Cleveland, Short, Warnick, Rivers, Brown, Walsh, Das, Saldaña, Randall, Lovelett, Wilson, C., Kuderer, Dhingra, Wellman, Rolfes, Wilson, L., Wagoner, Muzzall, and Conway

WHEREAS, This year, 2020, is the 100th anniversary of the 1920 ratification of the 19th Amendment to the United States Constitution stating that "The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex"; and

WHEREAS, Today marks the 100th anniversary of the founding of the National League of Women Voters, and the inception of the League of Women Voters of Washington; and

WHEREAS, The National Council of Women Voters, a nonpartisan educational organization headquartered in Tacoma, Washington, was the first national organization of voting women, led by Emma Smith DeVoe, who emphasized the importance of voting on issues rather than by party; and

WHEREAS, Emma Smith DeVoe led the charge to enfranchise women in the state of Washington, and helped transform the face of suffragist politics in the United States; and

WHEREAS, The State of Washington granted the right to vote to women a full decade earlier in 1910, inspiring a nationwide campaign that led to the enfranchisement of women throughout the country; and

WHEREAS, 100 years ago today, on February 14, 1920, the National Council of Women Voters merged with the National American Woman Suffrage Association, headed by president Carrie Chapman Catt, Susan B. Anthony's successor, forming one national suffragist organization, the League of Women Voters; and

WHEREAS, For 100 years, the Seattle and Tacoma chapters of the League have been at the forefront of civic engagement in Washington State, educating millions of our residents in order for them to become informed participants in government; and

WHEREAS, For 100 years, the League has lived its conviction that "the vote is the emblem of equality" through its campaigns, focusing on policies to increase access to voting, combating voter discrimination, opposing voter photo identification laws, and promoting provoter reforms; and

WHEREAS, The nonpartisan Voters Pamphlet that precedes each election in Washington is an example of the League's ongoing educational effort; and

WHEREAS, In 1993, the League was a key player in passing the National Voter Registration Act, also known as the Motor Voter Act, making registration fast and easy; and

WHEREAS, In 2018 alone, 4.2 million voters' rights were protected through the League's education, advocacy, and litigation efforts to create an informed and educated electorate; and

WHEREAS, From the beginning, equal rights and social reform have been the bedrock for the League's work addressing child welfare, maternal and child health programs, child labor protections and discriminatory laws against women; and

WHEREAS, Within the societal unrest of the 1960s, the League focused its efforts on civil rights issues of equal access to education, housing and employment; and

WHEREAS, With the support of the League in Washington state, the Housing Trust Fund, amendments to welfare reform, and increased appropriations for children's services led to the establishment of a governor's commission for children in the 1980s; and

WHEREAS, In the 1990s, the League took positions in support of LGBTQ rights, supported protections from discrimination based on sexual orientation in employment and lobbied for antiharassment policies and training guidelines in the "save schools bill"; and

WHEREAS, The League has historically been concerned with conservation of natural resources, and protection of public lands, and is currently focused on initiatives, task forces, and studies that concentrate on climate change, resource management, and environmental planning and incentives; and

WHEREAS, The League continue to study, adopt positions, advocate, and serve the community, and register educated voters to this day; and

WHEREAS, From voters' rights, to child labor laws, to climate change, to government restructuring; the League of Women Voters is not only a leader in addressing these issues, but a reflection of the needs of our community and a protector of our democratic processes;

NOW, THEREFORE, BE IT RESOLVED, That on this day, February 14, 2020, the League of Women Voters of the United States, as the organization came to be called, is celebrating 100 years of empowering voters through education, nonpartisanship, inclusion, collaboration, and grassroots democracy; and

BE IT FURTHER RESOLVED, that we do now commend and honor the League of Women Voters for continuously strengthening democracy through shaping public policy on equal rights and social reforms; and

BE IT FURTHER RESOLVED, The League that began as a "mighty political experiment" designed to help millions of women to become responsible voters is truly a hallmark of our democracy.

Senator Darneille spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8681.

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

MOTION

At 9:20 a.m., on motion of Senator Liias, the Senate was declared to be at ease subject to the call of the President.

AFTERNOON SESSION

The Senate was called to order at 12:38 p.m. by President Habib.

MOTION

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

MESSAGES FROM THE HOUSE

February 13, 2020

MR. PRESIDENT:

The House has passed:

HOUSE BILL NO. 1201,
 HOUSE BILL NO. 1242,
 SECOND SUBSTITUTE HOUSE BILL NO. 1633,
 SECOND SUBSTITUTE HOUSE BILL NO. 1661,
 SUBSTITUTE HOUSE BILL NO. 2017,
 SUBSTITUTE HOUSE BILL NO. 2200,
 HOUSE BILL NO. 2230,
 SECOND SUBSTITUTE HOUSE BILL NO. 2277,
 SUBSTITUTE HOUSE BILL NO. 2302,
 SUBSTITUTE HOUSE BILL NO. 2393,
 SUBSTITUTE HOUSE BILL NO. 2394,
 SUBSTITUTE HOUSE BILL NO. 2417,
 SUBSTITUTE HOUSE BILL NO. 2456,
 HOUSE BILL NO. 2484,
 SUBSTITUTE HOUSE BILL NO. 2525,
 HOUSE BILL NO. 2542,
 SUBSTITUTE HOUSE BILL NO. 2543,
 SUBSTITUTE HOUSE BILL NO. 2544,
 SUBSTITUTE HOUSE BILL NO. 2556,
 SUBSTITUTE HOUSE BILL NO. 2614,
 HOUSE BILL NO. 2619,
 SUBSTITUTE HOUSE BILL NO. 2622,
 HOUSE BILL NO. 2624,
 SUBSTITUTE HOUSE BILL NO. 2684,
 HOUSE BILL NO. 2691,
 SUBSTITUTE HOUSE BILL NO. 2711,
 SUBSTITUTE HOUSE BILL NO. 2725,
 SUBSTITUTE HOUSE BILL NO. 2730,
 HOUSE BILL NO. 2762,
 SUBSTITUTE HOUSE BILL NO. 2787,
 HOUSE BILL NO. 2809,
 HOUSE BILL NO. 2848,
 SECOND SUBSTITUTE HOUSE BILL NO. 2864,
 SUBSTITUTE HOUSE BILL NO. 2865,
 SUBSTITUTE HOUSE BILL NO. 2868,
 SUBSTITUTE HOUSE BILL NO. 2873,
 HOUSE BILL NO. 2926,
 HOUSE JOINT MEMORIAL NO. 4016,

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

February 13, 2020

MR. PRESIDENT:

The House has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1598,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2231,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2318,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2327,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2421,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2455,
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.
 2467,

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2638,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2722,

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

MOTION

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

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Liias moved that Shannon L. Childs, Senate Gubernatorial Appointment No. 9124, be confirmed as a member of the Olympia College Board of Trustees.

Senator Liias spoke in favor of the motion.

APPOINTMENT OF SHANNON L. CHILDS

The President declared the question before the Senate to be the confirmation of Shannon L. Childs, Senate Gubernatorial Appointment No. 9124, as a member of the Olympia College Board of Trustees.

The Secretary called the roll on the confirmation of Shannon L. Childs, Senate Gubernatorial Appointment No. 9124, as a member of the Olympia College Board of Trustees and the appointment was confirmed by the following vote: Yeas, 46; Nays, 0; Absent, 1; Excused, 2.

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

Absent: Senator Carlyle

Excused: Senators Ericksen and Fortunato

Shannon L. Childs, Senate Gubernatorial Appointment No. 9124, having received the constitutional majority was declared confirmed as a member of the Olympia College Board of Trustees.

MOTION

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

MOTION

On motion of Senator Wilson, C., Senator Carlyle was excused.

SECOND READING

SENATE BILL NO. 6309, by Senators Lovelett, Wagoner, Nguyen, Walsh, Das, Salomon, Randall, Billig, Dhingra, Hasegawa, Saldaña, Wilson and C.

Expanding access to nutritious food.

MOTIONS

On motion of Senator Lovelett, Second Substitute Senate Bill No. 6309 was substituted for Senate Bill No. 6309 and the substitute bill was placed on the second reading and read the second time.

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On motion of Senator Lovelett, the rules were suspended, Second Substitute Senate Bill No. 6309 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Lovelett spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 6309.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 6309 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

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

Excused: Senators Carlyle, Ericksen and Fortunato

SECOND SUBSTITUTE SENATE BILL NO. 6309, 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 Liias, and without objection, Senate Bill No. 5494, Senate Bill No. 6128, Senate Bill No. 6212 and Senate Bill No. 6385 were moved from the Consent Calendar to the Second Reading Calendar.

SECOND READING

SENATE BILL NO. 5144, by Senators Dhingra, O'Ban, Wilson, C., Keiser, Darneille and Frockt

Implementing child support pass-through payments.

MOTIONS

On motion of Senator Dhingra, Second Substitute Senate Bill No. 5144 was substituted for Senate Bill No. 5144 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Dhingra, the rules were suspended, Second Substitute Senate Bill No. 5144 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 5144.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 5144 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 0; Absent, 1; Excused, 3.

Voting yea: Senators Becker, Braun, Brown, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias,

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Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Absent: Senator Billig

Excused: Senators Carlyle, Ericksen and Fortunato

SECOND SUBSTITUTE SENATE BILL NO. 5144, 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 Wilson, C., Senator Billig was excused.

SECOND READING

SENATE BILL NO. 6074, by Senators Dhingra, Rivers, Padden, Mullet, Van De Wege, Randall, Salomon, Keiser, Conway, Pedersen, Kuderer, Das and Stanford

Reauthorizing and expanding the financial fraud and identity theft crimes investigation and prosecution program.

MOTIONS

On motion of Senator Dhingra, Substitute Senate Bill No. 6074 was substituted for Senate Bill No. 6074 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Dhingra, the rules were suspended, Substitute Senate Bill No. 6074 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6074.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6074 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Ericksen and Fortunato

SUBSTITUTE SENATE BILL NO. 6074, 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.

REMARKS BY SENATOR LIAS

Senator Liias: "Thank you Mr. President. I just wanted, for the information of members, that last bill had a minority report from the Ways & Means Committee, and unfortunately it appears that

both our Democratic and Republican counsel had not seen that minority report when they prepared the consent calendar yesterday. So, we are going to be more vigilant on Ways & Means committee reports and make sure we have unanimous bills on the consent calendar. that was an accident. I apologize for it.”

SECOND READING

SENATE BILL NO. 6495, by Senator Walsh

Regarding essential needs and housing support eligibility.

MOTIONS

On motion of Senator Walsh, Substitute Senate Bill No. 6495 was substituted for Senate Bill No. 6495 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Walsh, the rules were suspended, Substitute Senate Bill No. 6495 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Walsh spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6495.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6495 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Ericksen and Fortunato

SUBSTITUTE SENATE BILL NO. 6495, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6181, by Senators Padden, Pedersen, O'Ban, Warnick and Kuderer

Concerning compensation for parents of minor victims of crime. Revised for 2nd Substitute: Concerning crime victims' compensation.

MOTIONS

On motion of Senator Padden, Second Substitute Senate Bill No. 6181 was substituted for Senate Bill No. 6181 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Padden, the rules were suspended, Second Substitute Senate Bill No. 6181 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Padden and Pedersen spoke in favor of passage of the

bill.

The President declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 6181.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 6181 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Ericksen and Fortunato

SUBSTITUTE SENATE BILL NO. 6181, 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 Liias, the Senate advanced to the seventh order of business.

THIRD READING

SUBSTITUTE SENATE BILL NO. 5164, by Senate Committee on Ways & Means (originally sponsored by Saldaña, Hasegawa, Frockt, Palumbo, Keiser, Nguyen, Wilson, C. and Darneille)

Providing public assistance to certain victims of human trafficking. Revised for 3rd Substitute: Providing public assistance to victims of certain crimes including human trafficking.

The bill was read on Third Reading.

MOTIONS

On motion of Senator Saldaña, the rules were suspended and Substitute Senate Bill No. 5164 was returned to second reading for the purpose of amendment.

On motion of Senator Saldaña, Third Substitute Senate Bill No. 5164 was substituted for Substitute Senate Bill No. 5164 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Saldaña, the rules were suspended, Third Substitute Senate Bill No. 5164 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Saldaña spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Third Substitute Senate Bill No. 5164.

ROLL CALL

The Secretary called the roll on the final passage of Third Substitute Senate Bill No. 5164 and the bill passed the Senate by

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the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Ericksen and Fortunato

THIRD SUBSTITUTE SENATE BILL NO. 5164, 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 Liias, the Senate reverted to the sixth order of business.

SECOND READING

SENATE BILL NO. 6521, by Senators Wellman, Hunt, Mullet, Wilson and C.

Creating an innovative learning pilot program.

MOTIONS

On motion of Senator Wellman, Substitute Senate Bill No. 6521 was substituted for Senate Bill No. 6521 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Wellman, the rules were suspended, Substitute Senate Bill No. 6521 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 Substitute Senate Bill No. 6521.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6521 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Ericksen and Fortunato

SUBSTITUTE SENATE BILL NO. 6521, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6556, by Senators Cleveland, Darneille, Wilson and C.

Expanding reporting options for mandated reporters of child abuse and neglect.

The measure was read the second time.

MOTION

On motion of Senator Cleveland, the rules were suspended, Senate Bill No. 6556 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Cleveland spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 6556.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6556 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 1; Excused, 2.

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

Absent: Senator Walsh

Excused: Senators Ericksen and Fortunato

SENATE BILL NO. 6556, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6229, by Senators Kuderer, Wilson and C.

Streamlining reporting for recipients of housing-related state funding by removing Washington state quality award program requirements.

The measure was read the second time.

MOTION

On motion of Senator Kuderer, the rules were suspended, Senate Bill No. 6229 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 Zeiger spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 6229.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6229 and the bill passed the Senate by the following vote: Yeas, 31; Nays, 16; Absent, 0; Excused, 2.

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

Voting nay: Senators Becker, Braun, Brown, Holy, Honeyford, King, O'Ban, Padden, Rivers, Schoesler, Sheldon, Short, Wagoner, Warnick, Wilson, L. and Zeiger

Excused: Senators Ericksen and Fortunato

SENATE BILL NO. 6229, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6473, by Senators Stanford, Frockt, Conway, Keiser, Hasegawa, Liias, Van De Wege, Billig, Hunt and Saldaña

Concerning asbestos-containing building materials.

MOTION

On motion of Senator Stanford, Substitute Senate Bill No. 6473 was substituted for Senate Bill No. 6473 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Stanford moved that the following floor amendment no. 1054 by Senators Stanford and King be adopted:

On page 2, beginning on line 32, strike all material from "(8)" through "basement," on line 40

On page 4, after line 2, insert the following:

"(3) For the purposes of this section, "interested party" means any contractor, subcontractor, or worker that performs, or is reasonably expected to perform, work at a facility covered under section 3 of this act or any organization whose members perform, or are reasonably expected to perform, work at a facility covered under this section.

(4) For the purposes of this section, "residential construction" means construction, alteration, repair, improvement, or maintenance of single-family dwellings, duplexes, apartments, condominiums, and other residential structures not to exceed four stories in height, including the basement."

On page 4, after line 2, insert the following:

"NEW SECTION. Sec. 4. Section 1 of this act takes effect January 1, 2025."

Senator Stanford spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1054 by Senators Stanford and King on page 2, line 32 to Substitute Senate Bill No. 6473.

The motion by Senator Stanford carried and floor amendment no. 1054 was adopted by voice vote.

MOTION

On motion of Senator Stanford, the rules were suspended, Engrossed Substitute Senate Bill No. 6473 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Stanford spoke in favor of passage of the bill.

Senators Liias, King, Frockt, Takko and Lovelett spoke on passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 6473.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6473 and the bill passed the Senate by the following vote: Yeas, 41; Nays, 6; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Braun, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Stanford, Takko, Van De Wege, Walsh, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senators Becker, Brown, Honeyford, Short, Wagoner and Warnick

Excused: Senators Ericksen and Fortunato

ENGROSSED SUBSTITUTE SENATE BILL NO. 6473, 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.

PERSONAL PRIVILEGE

Senator Stanford: "Thank you Mr. President. I'd like to thank the body for the warm welcome that I have received during my transition here. It helps, I think, that I worked with many of the members of this body in my nine years in the other body across the rotunda. I'd like to just take a brief moment to recognize those who proceeded me in this position. Senator Guy Palumbo; Senator Rosemary MacAuliffe; Senator Patty Murray, who is better known to us now as Senator Patty Murray; Senator Bill Kiskaddon; and Senator Ray von Hollenbeck; and that goes back to when I was born so I'll stop there. Following tradition, I have brought a gift from my family, my beloved Uncle Bob, who is the proprietor of Benishs Bakery. And this is some biscotti, some excellent biscotti from his bakery. I understand that some members may not know what that is, I will explain that later. But, I hope you enjoy it. And, in closing, I'll mention in addition to the wonderful things said about me earlier, which I appreciate, I hope I bring my reputation for being succinct and with that I will end."

The President thanked and congratulated Senator Stanford.

SECOND READING

SENATE BILL NO. 5011, by Senators Honeyford, Frockt, Keiser and Wagoner

Concerning a community aviation revitalization loan program.

MOTIONS

On motion of Senator Honeyford, Substitute Senate Bill No. 5011 was substituted for Senate Bill No. 5011 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Honeyford, the rules were suspended, Substitute Senate Bill No. 5011 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the

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final passage of Substitute Senate Bill No. 5011.

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ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5011 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Ericksen and Fortunato

SUBSTITUTE SENATE BILL NO. 5011, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6123, by Senators Hunt, Kuderer, Nguyen, Stanford, Van De Wege, Wilson, C. and Sheldon

Allowing state employee leave for organ donation.

The measure was read the second time.

MOTION

On motion of Senator Hunt, the rules were suspended, Senate Bill No. 6123 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Hunt and Zeiger spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 6123.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6123 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Ericksen and Fortunato

SENATE BILL NO. 6123, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6078, by Senator Mullet

Clarifying reimbursement for certain clean-up or removal actions by fire protection jurisdictions.

The measure was read the second time.

MOTION

On motion of Senator Mullet, the rules were suspended, Senate Bill No. 6078 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

Senator Hasegawa spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 6078.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6078 and the bill passed the Senate by the following vote: Yeas, 37; Nays, 10; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Braun, Brown, Cleveland, Darneille, Das, Dhingra, Frockt, Hawkins, Hobbs, Holy, Hunt, Keiser, Lias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Takko, Wagoner, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senators Becker, Carlyle, Conway, Hasegawa, Honeyford, King, Kuderer, Padden, Van De Wege and Walsh

Excused: Senators Ericksen and Fortunato

SENATE BILL NO. 6078, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6281, by Senators Carlyle, Nguyen, Rivers, Short, Sheldon, Wellman, Lovelett, Das, Van De Wege, Billig, Randall, Pedersen, Dhingra, Hunt, Salomon, Lias, Mullet, Wilson, C., Frockt, Cleveland and Keiser

Concerning the management and oversight of personal data.

MOTION

On motion of Senator Carlyle, Second Substitute Senate Bill No. 6281 was substituted for Senate Bill No. 6281 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Hasegawa moved that the following floor amendment no. 1055 by Senator Hasegawa be adopted:

On page 1, after line 4, insert the following:

"Part I"

On page 4, beginning on line 22, strike all of subsections (11) through (13)

Re-number the remaining subsections consecutively and correct any internal references accordingly.

On page 5, beginning on line 1, strike all of subsection (17)

Re-number the remaining subsections consecutively and correct any internal references accordingly.

On page 5, beginning on line 11, strike all of subsection (21)

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

On page 5, beginning on line 17, strike all of subsections (23) and (24)

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

On page 6, beginning on line 25, strike all of subsection (31)

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

On page 7, beginning on line 17, strike all of subsection (35)

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

On page 8, beginning on line 1, strike all of subsection (40)

Correct any internal references accordingly.

On page 17, beginning on line 21, after "purpose." strike all material through "program." on line 24

Beginning on page 22, line 33, strike all of section 17

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

On page 26, after line 11, insert the following:

"Part II

NEW SECTION. Sec. 20. (1) It is unlawful for any Washington state or local government agency or any official thereof to obtain, retain, request, access, or use:

(a) Any facial recognition technology; or

(b) Any personal data obtained from or by use of facial recognition.

(2) Inadvertent or unintentional receipt, access, or use of any personal data obtained from facial recognition is not a violation of this chapter, provided that:

(a) The personal data was not requested or solicited by a state or local agency or any official thereof; and

(b) The personal data is permanently deleted upon discovery.

(3) For purposes of this chapter, "facial recognition" means:

(a) An automated or semiautomated process by which a person is identified or attempted to be identified based on the characteristics of the person's face; or

(b) An automated or semiautomated process by which the characteristics of a person's face are analyzed to determine the person's sentiment, state of mind, or other propensities including, but not limited to, the person's level of dangerousness.

(4) This section expires July 1, 2023.

NEW SECTION. Sec. 21. (1) No personal data obtained from or by use of facial recognition may be received in evidence in any trial, hearing, or other proceeding in or before any court, grand jury, department, officer, agency, regulatory body, legislative committee, or other authority subject to the jurisdiction of the state of Washington.

(2) Any violation of section 20 of this act constitutes an injury and any person may institute proceedings for injunctive relief, declaratory relief, or writ of mandate in any court of competent jurisdiction to enforce section 20 of this act. An action instituted under this subsection may be brought against the appropriate state or local government agency or state or local government official and, if necessary, to effectuate compliance with this chapter, any other government agency with possession, custody, or control of personal data obtained from or by use of facial recognition.

(3) Any person who has been subjected to facial recognition in violation of section 20 of this act, or about whom personal data has been obtained, retained, accessed, or used in violation of section 20 of this act, may institute proceedings in any court of competent jurisdiction against the state and is entitled to recover actual damages, but not less than statutory damages of one thousand dollars per violation, whichever is greater.

(4) A court shall award costs and reasonable attorneys' fees to a plaintiff who prevails in an action brought under subsection (2)

or (3) of this section.

(5) This section expires July 1, 2023.

NEW SECTION. Sec. 22. (1) Nothing in this chapter applies to the use of a facial recognition matching system by the department of licensing pursuant to RCW 46.20.037.

(2) Nothing in this chapter applies to the use of facial recognition for the purpose of redacting a recording for release or disclosure outside a law enforcement agency to protect the privacy of a subject depicted in the recording, if the process does not generate or result in the retention of any biometric data or surveillance information.

(3) This section expires July 1, 2023.

NEW SECTION. Sec. 23. (1) A person may not operate, install, or commission the operation or installation of equipment incorporating facial recognition in any place of public resort, accommodation, assemblage, or amusement, as defined in RCW 49.60.040.

(2) For purposes of this section, "facial recognition" means:

(a) An automated or semiautomated process by which a person is identified or attempted to be identified based on the characteristics of the person's face; or

(b) An automated or semiautomated process by which the characteristics of a person's face are analyzed to determine the person's sentiment, state of mind, or other propensities including, but not limited to, the person's level of dangerousness.

(3) This section expires July 1, 2023.

NEW SECTION. Sec. 24. (1) The legislature finds that the practices covered by this chapter are matters vitally affecting the public interest for the purpose of applying the consumer protection act, chapter 19.86 RCW. A violation of this chapter is not reasonable in relation to the development and preservation of business and is an unfair or deceptive act in trade or commerce and an unfair method of competition for the purpose of applying the consumer protection act, chapter 19.86 RCW.

(2) The attorney general may bring an action in the name of the state, or as parens patriae on behalf of persons residing in the state, to enforce this chapter. In any action brought by the attorney general to enforce this chapter, a violation of this chapter is subject to a civil penalty of one thousand dollars for each violation of this chapter.

(3) A consumer prevailing in an action under this chapter may recover actual damages, but not less than statutory damages of one thousand dollars per violation, whichever is greater.

(4) A court must award costs and reasonable attorneys' fees to a plaintiff who prevails in an action under this chapter.

(5) This section expires July 1, 2023.

NEW SECTION. Sec. 25. (1)(a) A joint legislative task force on facial recognition technology is established, with members as provided in this subsection.

(i) The president of the senate shall appoint one member from each of the two largest caucuses of the senate;

(ii) The speaker of the house of representatives shall appoint one member from each of the two largest caucuses of the house of representatives;

(iii) The president of the senate and the speaker of the house of representatives jointly shall appoint members as follows:

(A) Fifteen representatives from advocacy organizations that represent consumers or protected classes of communities historically impacted by surveillance technologies including, but not limited to, African American, Hispanic American, Native American, and Asian American communities, religious minorities, protest and activist groups, and other vulnerable communities;

(B) One member from law enforcement;

(C) One representative from a retailer or other company who deploys facial recognition technology in physical premises open

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to the public;

(D) One representative from a company that develops and provides facial recognition technology; and

(E) Two representatives from universities or research institutions who are experts in either facial recognition technology or technology ethics, or both.

(b) The task force shall choose two cochairs from among its legislative membership.

(2) The task force shall:

(a) Review the existing research on the quality, accuracy, and efficacy of facial recognition technology, including its quality, accuracy, and efficacy across different subpopulations;

(b) Document the potential abuses and threats posed by the use of facial recognition technology to civil liberties and freedoms, privacy and security, discrimination, and other potential harm; and

(c) Provide recommendations regarding appropriate regulation of facial recognition technology.

(3) The expenses of the task force must be paid jointly by the senate and the house of representatives. Task force expenditures are subject to approval by the senate facilities and operations committee and the house of representatives executive rules committee, or their successor committees. Staff support for the task force must be provided by the senate committee services and the house of representatives office of program research.

(4) Legislative members of the task force are reimbursed for travel expenses in accordance with RCW 44.04.120. Nonlegislative members are not entitled to be reimbursed for travel expenses if they are elected officials or are participating on behalf of an employer, governmental entity, or other organization. Any reimbursement for other nonlegislative members is subject to chapter 43.03 RCW.

(5) The task force shall report its findings and recommendations to the governor and the appropriate committees of the legislature by September 30, 2021.

(6) This section expires July 1, 2023.

NEW SECTION. Sec. 26. (1) Sections 20 through 22 of this act constitute a new chapter in Title 10 RCW.

(2) Sections 23 and 24 of this act constitute a new chapter in Title 19 RCW."

On page 26, line 12, after "**20.**" strike "This act takes" and insert "Sections 1 through 19 of this act take"

On page 1, beginning on line 1 of the title, after "data;" strike the remainder of the title and insert "adding new chapters to Title 19 RCW; adding a new chapter to Title 10 RCW; creating a new section; prescribing penalties; providing an effective date; and providing expiration dates."

Senator Hasegawa spoke in favor of adoption of the amendment.

Senators Carlyle and Rivers spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1055 by Senator Hasegawa on page 1, after line 4 to Second Substitute Senate Bill No. 6281.

The motion by Senator Hasegawa did not carry and floor amendment no. 1055 was not adopted by voice vote.

MOTION

On motion of Senator Carlyle, the rules were suspended, Second Substitute Senate Bill No. 6281 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Carlyle, Rivers, Stanford, Conway and Nguyen spoke

in favor of passage of the bill.

Senator Hasegawa spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 6281.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 6281 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 1; Absent, 0; Excused, 2.

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

Voting nay: Senator Hasegawa

Excused: Senators Ericksen and Fortunato

SECOND SUBSTITUTE SENATE BILL NO. 6281, 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.

PERSONAL PRIVILEGE

Senator Hasegawa: "Thank you Mr. President. Well, in my previous floor speech, I got distracted and was trying to recall the name of a film clip we saw at the TVW event last night. And, it was actually Representative Barkis who got distracted as he was talking and he lost track of where he was at, and thought and thought, and I guess that just comes with being ADHD because you just get distracted so easily. Oh, look at the pretty lights up there."

SECOND READING

SENATE BILL NO. 6086, by Senators Hasegawa, Keiser, Kuderer and Nguyen

Increasing access to medications for opioid use disorder.

MOTIONS

On motion of Senator Hasegawa, Substitute Senate Bill No. 6086 was substituted for Senate Bill No. 6086 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Hasegawa, the rules were suspended, Substitute Senate Bill No. 6086 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Hasegawa 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 Senate Bill No. 6086.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6086 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senators Ericksen and Fortunato

SUBSTITUTE SENATE BILL NO. 6086, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6397, by Senators Frockt, Rolfes and Keiser

Concerning nonparticipating providers.

MOTIONS

On motion of Senator Frockt, Substitute Senate Bill No. 6397 was substituted for Senate Bill No. 6397 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Frockt, the rules were suspended, Substitute Senate Bill No. 6397 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Frockt spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6397.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6397 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Ericksen and Fortunato

SUBSTITUTE SENATE BILL NO. 6397, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6429, by Senators Brown, Walsh, Schoesler, Rivers, Van De Wege and Becker

Providing a designation on a driver's license or identicaid that a person has a developmental disability.

MOTIONS

On motion of Senator Brown, Substitute Senate Bill No. 6429

was substituted for Senate Bill No. 6429 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Brown, the rules were suspended, Substitute Senate Bill No. 6429 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Brown spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6429.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6429 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Ericksen and Fortunato

SUBSTITUTE SENATE BILL NO. 6429, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6526, by Senators Cleveland, Hasegawa, Keiser, Van De Wege, Wilson and C.

Reusing and donating unexpired prescription drugs.

MOTIONS

On motion of Senator Cleveland, Substitute Senate Bill No. 6526 was substituted for Senate Bill No. 6526 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Cleveland, the rules were suspended, Substitute Senate Bill No. 6526 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Cleveland and O'Ban spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6526.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6526 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

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Excused: Senators Ericksen and Fortunato

MOTION

SUBSTITUTE SENATE BILL NO. 6526, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6302, by Senators Rolfes, Saldaña, Randall, Takko, Das, Hasegawa, Hunt, Lovelett, Nguyen, Wilson and C.

Prohibiting local governments from limiting the number of unrelated persons occupying a home.

MOTIONS

On motion of Senator Kuderer, Substitute Senate Bill No. 6302 was substituted for Senate Bill No. 6302 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Kuderer, the rules were suspended, Substitute Senate Bill No. 6302 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 Zeiger spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6302.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6302 and the bill passed the Senate by the following vote: Yeas, 27; Nays, 20; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Carlyle, Cleveland, Darneille, Das, Dhingra, Frocht, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Lias, Lovelett, McCoy, Mullet, Nguyen, Pedersen, Randall, Rolfes, Saldaña, Salomon, Stanford, Takko, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Becker, Braun, Brown, Conway, Hawkins, Holy, Honeyford, King, Muzzall, O'Ban, Padden, Rivers, Schoesler, Sheldon, Short, Wagoner, Walsh, Warnick, Wilson, L. and Zeiger

Excused: Senators Ericksen and Fortunato

SUBSTITUTE SENATE BILL NO. 6302, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6324, by Senators Takko and Carlyle

Concerning special purpose district financial reporting.

MOTION

On motion of Senator Takko, Engrossed Substitute Senate Bill No. 6324 was substituted for Senate Bill No. 6324 and the substitute bill was placed on the second reading and read the second time.

Senator Takko moved that the following floor amendment no. 1049 by Senators Takko and Short be adopted:

On page 1, line 8, after "section" strike "special" and insert "

(a) "Special"

On page 1, after line 14, insert the following:

"(b) "Unauditable" means a special purpose district that the state auditor has determined to be incapable of being audited because the special purpose district has improperly maintained, failed to maintain, or failed to submit adequate accounts, records, files, or reports for an audit to be completed for three years."

On page 2, beginning on line 28, after "have" strike all material through "section" on line 29 and insert "been determined to be unauditabile"

On page 3, beginning on line 2, after "districts" strike all material through "section" on line 3 and insert "have been determined to be unauditabile"

On page 3, beginning on line 36, after "has" strike all material through "years" on line 38 and insert "been determined to be unauditabile by the state auditor:"

(4) "Unauditable" means a special purpose district that the state auditor has determined to be incapable of being audited because the special purpose district has improperly maintained, failed to maintain, or failed to submit adequate accounts, records, files, or reports for an audit to be completed for three years"

Senators Takko and Short spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1049 by Senators Takko and Short on page 1, line 8 to Substitute Senate Bill No. 6324.

The motion by Senator Takko carried and floor amendment no. 1049 was adopted by voice vote.

MOTION

Senator Takko moved that the following floor amendment no. 957 by Senator Takko be adopted:

On page 2, after line 38, insert the following:

"(iii) Notwithstanding (a)(ii) of this subsection (3), a county may authorize the special purpose district and the county auditor to issue warrants against the funds of the special purpose district:

(A) In order to prevent the discontinuation or interruption of any district services;

(B) For emergency or public health purposes; or

(C) To allow the district to carry out any district duties or responsibilities."

Senators Takko and Short spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 957 by Senator Takko on page 2, after line 38 to Substitute Senate Bill No. 6324.

The motion by Senator Takko carried and floor amendment no. 957 was adopted by voice vote.

MOTION

Senator Takko moved that the following floor amendment no. 956 by Senator Takko be adopted:

Strike everything after the enacting clause and insert the following:

"Sec. 27. RCW 48.43.735 and 2017 c 219 s 1 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:

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

((b)) (ii) The health care service is medically necessary;

((c)) (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; and

((d)) (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.

(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 at the same rate as 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 a reimbursement rate for telemedicine services that differs from the reimbursement rate 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)((a) If the service is provided through store and forward technology there must be an associated office visit between the covered person and the referring health care 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 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) Community mental health center;
- (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 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) For purposes of this section:

(a) "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;

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

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

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

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

(f) "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

(g) "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" does not include the use of audio-only telephone, facsimile, or email.

Sec. 28. RCW 41.05.700 and 2018 c 260 s 30 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:

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

((b)) (ii) The health care service is medically necessary;

((c)) (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; and

((d)) (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.

(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 at the same rate as if the health care service was provided in person by the provider.

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(ii) Hospitals, hospital systems, telemedicine companies, and provider groups consisting of eleven or more providers may elect to negotiate a reimbursement rate for telemedicine services that differs from the reimbursement rate 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)((a) If the service is provided through store and forward technology there must be an associated office visit between the covered person and the referring health care 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 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) Community mental health center;
- (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 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 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) For purposes of this section:

- (a) "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;
- (b) "Health care service" has the same meaning as in RCW 48.43.005;
- (c) "Hospital" means a facility licensed under chapter 70.41, 71.12, or 72.23 RCW;
- (d) "Originating site" means the physical location of a patient receiving health care services through telemedicine;
- (e) "Provider" has the same meaning as in RCW 48.43.005;
- (f) "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

(g) "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" does not include the use of audio-only telephone, facsimile, or email.

Sec. 29. RCW 74.09.325 and 2017 c 219 s 3 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:

~~((a))~~ (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;

~~((b))~~ (ii) The health care service is medically necessary;

~~((c))~~ (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; and

~~((d))~~ (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.

(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 at the same rate as 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 a reimbursement rate for telemedicine services that differs from the reimbursement rate 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)((a) If the service is provided through store and forward technology there must be an associated visit between the covered person and the referring health care 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 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) Community mental health center;
- (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 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) For purposes of this section:

(a) "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;

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

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

(d) "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;

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

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

(g) "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

(h) "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" does not include the use of audio-only telephone, facsimile, or email.

(9) To measure the impact on access to care for underserved communities and costs to the state and the medicaid managed health care system for reimbursement of telemedicine services, the Washington state health care authority, using existing data and resources, shall provide a report to the appropriate policy and fiscal committees of the legislature no later than December 31, 2018.

Sec. 30. RCW 28B.20.830 and 2018 c 256 s 1 are each amended to read as follows:

(1) The collaborative for the advancement of telemedicine is created to enhance the understanding and use of health services provided through telemedicine and other similar models in Washington state. The collaborative shall be hosted by the University of Washington telehealth services and shall be comprised of one member from each of the two largest caucuses of the senate and the house of representatives, and representatives from the academic community, hospitals, clinics, and health care providers in primary care and specialty practices, carriers, and other interested parties.

(2) By July 1, 2016, the collaborative shall be convened. The collaborative shall develop recommendations on improving reimbursement and access to services, including originating site restrictions, provider to provider consultative models, and technologies and models of care not currently reimbursed; identify the existence of telemedicine best practices, guidelines, billing requirements, and fraud prevention developed by recognized medical and telemedicine organizations; and explore other priorities identified by members of the collaborative. After review of existing resources, the collaborative shall explore and make recommendations on whether to create a technical assistance center to support providers in implementing or expanding services delivered through telemedicine technologies.

(3) The collaborative must submit an initial progress report by December 1, 2016, with follow-up policy reports including recommendations by December 1, 2017, December 1, 2018, and December 1, 2021. The reports shall be shared with the relevant professional associations, governing boards or commissions, and the health care committees of the legislature.

(4) The collaborative shall study store and forward technology, with a focus on:

(a) Utilization;

(b) Whether store and forward technology should be paid for at parity with in-person services;

(c) The potential for store and forward technology to improve rural health outcomes in Washington state; and

(d) Ocular services.

(5) The meetings of the board shall be open public meetings, with meeting summaries available on a web page.

~~((§))~~ (6) The future of the collaborative shall be reviewed by the legislature with consideration of ongoing technical assistance needs and opportunities. The collaborative terminates December 31, 2021.

NEW SECTION. **Sec. 31.** This act takes effect January 1, 2021."

On page 1, line 1 of the title, after "Relating to" strike the remainder of the title and insert "reimbursing for telemedicine services at the same rate as in person; amending RCW 48.43.735, 41.05.700, 74.09.325, and 28B.20.830; and providing an effective date."

Senators Takko and Short spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 956 by Senator Takko on page 6, after line 20 to Substitute Senate Bill No. 6324.

The motion by Senator Takko carried and floor amendment no. 956 was adopted by voice vote.

MOTION

On motion of Senator Takko, the rules were suspended, Engrossed Substitute Senate Bill No. 6324 was advanced to third reading, the second reading considered the third and the bill was

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placed on final passage.

Senators Takko, Short 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 Substitute Senate Bill No. 6324.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6324 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 2; Absent, 0; Excused, 2.

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

Voting nay: Senators Honeyford and Lovelett

Excused: Senators Ericksen and Fortunato

ENGROSSED SUBSTITUTE SENATE BILL NO. 6324, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6440, by Senators Stanford, Hunt, Keiser, McCoy, Das and Conway

Concerning industrial insurance medical examinations.

MOTION

On motion of Senator Stanford, Substitute Senate Bill No. 6440 was substituted for Senate Bill No. 6440 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Stanford moved that the following striking floor amendment no. 1042 by Senator Stanford be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 32. A new section is added to chapter 51.08 RCW to read as follows:

"New medical issue" means a medical issue not covered by a previous medical examination requested by the department or the self-insurer such as an issue regarding medical causation, medical treatment, work restrictions, or evaluating permanent partial disability.

Sec. 33. RCW 51.32.110 and 1997 c 325 s 3 are each amended to read as follows:

(1) ~~((Any))~~ As required under RCW 51.36.070, any worker entitled to receive any benefits or claiming such under this title shall, if requested by the department or self-insurer, submit himself or herself for medical examination, ~~((at a time and from time to time,))~~ at a place reasonably convenient for the worker ~~((and as may be provided by the rules of the department)).~~ An injured worker, whether an alien or other injured worker, who is not residing in the United States at the time that a medical examination is requested may be required to submit to an

examination at any location in the United States determined by the department or self-insurer.

(2) If the worker refuses to submit to medical examination, or obstructs the same, or, if any injured worker shall persist in unsanitary or injurious practices which tend to imperil or retard his or her recovery, or shall refuse to submit to such medical or surgical treatment as is reasonably essential to his or her recovery or refuse or obstruct evaluation or examination for the purpose of vocational rehabilitation or does not cooperate in reasonable efforts at such rehabilitation, the department or the self-insurer upon approval by the department, with notice to the worker may suspend any further action on any claim of such worker so long as such refusal, obstruction, noncooperation, or practice continues and reduce, suspend, or deny any compensation for such period: PROVIDED, That ~~((the))~~ (a) The department or the self-insurer shall not suspend any further action on any claim of a worker or reduce, suspend, or deny any compensation if a worker has good cause for refusing to submit to or to obstruct any examination, evaluation, treatment or practice requested by the department or required under this section and (b) the department or self-insurer may not assess a no-show fee against the worker if the worker gives at least five business days' notice of the worker's intent not to attend the examination.

(3) If the worker necessarily incurs traveling expenses in attending the examination pursuant to the request of the department, such traveling expenses shall be repaid to him or her out of the accident fund upon proper voucher and audit or shall be repaid by the self-insurer, as the case may be.

(4)(a) If the medical examination required by this section causes the worker to be absent from his or her work without pay:

(i) In the case of a worker insured by the department, the worker shall be paid compensation out of the accident fund in an amount equal to his or her usual wages for the time lost from work while attending the medical examination; or

(ii) In the case of a worker of a self-insurer, the self-insurer shall pay the worker an amount equal to his or her usual wages for the time lost from work while attending the medical examination.

(b) This subsection (4) shall apply prospectively to all claims regardless of the date of injury.

Sec. 34. RCW 51.36.070 and 2001 c 152 s 2 are each amended to read as follows:

(1)(a) Whenever the ~~((director))~~ department or the self-insurer deems it necessary in order to ~~((resolve any))~~ (i) make a decision regarding claim allowance or reopening, (ii) resolve a new medical issue, an appeal, or case progress, or (iii) evaluate the worker's permanent disability or work restriction, a worker shall submit to examination by a physician or physicians selected by the ~~((director))~~ department, with the rendition of a report to the person ordering the examination, the attending physician, and the injured worker.

(b) The examination must be at a place reasonably convenient to the injured worker, or alternatively utilize telemedicine. For purposes of this subsection, "reasonably convenient" means at a place where residents in the injured worker's community would normally travel to seek medical care for the same specialty as the examiner.

(2) The department or self-insurer shall provide the physician performing an examination with all relevant medical records from the worker's claim file. The director, in his or her discretion, may charge the cost of such examination or examinations to the self-insurer or to the medical aid fund as the case may be. The cost of said examination shall include payment to the worker of reasonable expenses connected therewith.

(3) For purposes of this section, "examination" means a

physical or mental examination by a medical care provider licensed to practice medicine, osteopathy, podiatry, chiropractic, dentistry, or psychiatry at the request of the department or self-insured employer or by order of the board of industrial insurance appeals.

(4) The department may adopt rules to implement this section.

(5) This section applies prospectively to all claims regardless of the date of injury.

NEW SECTION. Sec. 35. (1) An independent medical examination work group is established within the department of labor and industries, with members as provided in this subsection.

(a) The speaker of the house of representatives shall appoint two members from the house of representatives, with one member appointed from each of the two largest caucuses of the house of representatives;

(b) The president of the senate shall appoint two members from the senate, with one member appointed from each of the two largest caucuses of the senate;

(c) The department of labor and industries shall appoint one business representative representing employers participating in the state fund;

(d) The department of labor and industries shall appoint one business representative representing employers who are self-insured for purposes of workers' compensation insurance;

(e) The department of labor and industries shall appoint two labor representatives;

(f) The department of labor and industries shall appoint one representative of both an association representing physicians who perform examinations for purposes of workers' compensation insurance and the panel companies that work with them; and

(g) The department of labor and industries shall appoint one attorney who represents injured workers.

(2) The work group must:

(a) Develop strategies for reducing the number of medical examinations per claim while considering claim duration and medical complexity;

(b) Develop strategies for improving access to medical records, including records and reports created during the course of or pursuant to an examination;

(c) Consider whether the department of labor and industries should do all the scheduling of independent medical examinations;

(d) Consider the circumstances for which independent medical examiners should be randomly selected or specified;

(e) Consider workers' rights in the independent medical examination process including attendance, specialist consultations, the audio or video recording of examinations, and the distance and location of examinations;

(f) Recommend changes to improve the efficiency of the independent medical examination process; and

(g) Identify barriers to increasing the supply of in-state physicians willing to do independent medical examinations in the workers' compensation system.

(3) The department of labor and industries must report its findings and recommendations to the legislature by December 11, 2020.

(4) This section expires December 31, 2020."

On page 1, line 1 of the title, after "examinations;" strike the remainder of the title and insert "amending RCW 51.32.110 and 51.36.070; adding a new section to chapter 51.08 RCW; creating a new section; and providing an expiration date."

The President declared the question before the Senate to be the adoption of striking floor amendment no. 1042 by Senator Stanford to Substitute Senate Bill No. 6440.

The motion by Senator Stanford carried and striking floor

amendment no. 1042 was adopted by voice vote.

MOTION

On motion of Senator Stanford, the rules were suspended, Engrossed Substitute Senate Bill No. 6440 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

POINT OF INQUIRY

Senator Liias: "Mr. President, I wondered if the prime sponsor would yield to a question?"

Senator Stanford: "Absolutely not."

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 6440.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6440 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 2; Absent, 0; Excused, 2.

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

Voting nay: Senators Honeyford and Schoesler

Excused: Senators Ericksen and Fortunato

ENGROSSED SUBSTITUTE SENATE BILL NO. 6440, 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.

PERSONAL PRIVILEGE

Senator Schoesler: "Thank you Mr. President. I would like to welcome four members that voted for this to serving on this committee in the interim. Have fun. Thank you."

SECOND READING

SENATE BILL NO. 5522, by Senator Takko

Providing code cities with the ability to annex unincorporated areas pursuant to a jointly approved interlocal agreement with the county.

MOTION

On motion of Senator Takko, Substitute Senate Bill No. 5522 was substituted for Senate Bill No. 5522 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Takko moved that the following striking floor amendment no. 1006 by Senator Takko be adopted:

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Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 36. The legislature finds that city annexations of unincorporated areas within urban growth areas will be more efficient and effective if the county and city develop a jointly approved interlocal agreement so as not to create illogical boundaries or islands of unincorporated territory.

NEW SECTION. Sec. 37. A new section is added to chapter 35A.14 RCW to read as follows:

(1) A code city as provided in subsection (2) of this section may annex unincorporated territory pursuant to an interlocal agreement. This method of annexation shall be an alternative method and is additional to all other methods provided for in this chapter.

(2) The county legislative authority of a county and the governing body of a code city may jointly initiate an annexation process for unincorporated territory by adopting an interlocal agreement as provided in chapter 39.34 RCW and under this section between the county and code city within the county. If a code city is proposing to annex territory where the sole access or majority of egress and ingress for the territory proposed for annexation is served by the transportation network of an adjacent city, or that will include areas in a fire protection district under Title 52 RCW, regional fire protection service authority under chapter 52.26 RCW, water-sewer district under Title 57 RCW, or transportation benefit district under chapter 36.73 RCW, the code city must provide written notice to the governing authority of such adjacent city, regional fire protection service authority, fire protection district, water-sewer district, or transportation benefit district. Such adjacent city or notified district shall have thirty calendar days from the date of the notice to provide written notice of its interest in being a party to the interlocal agreement. If timely notice is provided, such city or district shall be included as a party to the interlocal agreement. If the adjacent city or district does not approve the interlocal agreement, the annexation may not proceed under this section. For purposes of this subsection, "adjacent" means that the territory proposed for annexation is contiguous with the existing city limits of the nonannexing city. The interlocal agreement must ensure that for a period of five years after the annexation any parcel zoned for residential development within the annexed area shall:

(a) Maintain a zoning designation that provides for residential development; and

(b) Not have its minimum gross residential density reduced below the density allowed for by the zoning designation for that parcel prior to annexation.

(3) The county and code city shall jointly agree on the boundaries of the annexation and its effective date. The interlocal agreement shall describe the boundaries of the territory to be annexed and set a date for a public hearing on such agreement for annexation. An interlocal agreement may include phased annexation of territory, and may be amended following the same process as initial approval, including adding additional territory. A public hearing shall be held by each legislative body, separately or jointly, before the agreement is executed. Each legislative body holding a public hearing shall:

(a) Separately or jointly, publish a notice of availability of the agreement at least once a week for four weeks before the date of the hearing in one or more newspapers of general circulation within the code city and one or more newspapers of general circulation within the territory proposed for annexation; and

(b) If the legislative body has the ability to do so, post the notice of availability of the agreement on its web site for the same four weeks that the notice is published in the newspapers under (a) of this subsection. The notice shall describe where the public may

review the agreement and the territory to be annexed.

(4) On the date set for hearing, the public shall be afforded an opportunity to be heard. Following the hearing, if the legislative body determines to effect the annexation, they shall do so by ordinance. If the annexation agreement includes phased annexation of territory, the legislative body shall adopt a separate ordinance at the time of each phase of annexation. Upon the date fixed in the ordinance of annexation the area annexed shall become part of the city. If the annexation ordinance provides for assumption of indebtedness or adoption of a proposed zoning regulation, the notice shall include a statement of such requirements. Upon passage of the annexation ordinance a certified copy shall be filed with the board of county commissioners of the county in which the annexed property is located."

On page 1, line 3 of the title, after "county;" strike the remainder of the title and insert "adding a new section to chapter 35A.14 RCW; and creating a new section."

The President declared the question before the Senate to be the adoption of striking floor amendment no. 1006 by Senator Takko to Substitute Senate Bill No. 5522.

The motion by Senator Takko carried and striking floor amendment no. 1006 was adopted by voice vote.

MOTION

On motion of Senator Takko, the rules were suspended, Engrossed Substitute Senate Bill No. 5522 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Takko and Hunt spoke in favor of passage of the bill.

Senators Short, Sheldon, Becker, Honeyford, Wagoner and Schoesler spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5522.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5522 and the bill passed the Senate by the following vote: Yeas, 25; Nays, 22; Absent, 0; Excused, 2.

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

Voting nay: Senators Becker, Braun, Brown, Hasegawa, Hawkins, Holy, Honeyford, King, Muzzall, O'Ban, Padden, Randall, Rivers, Rolfes, Schoesler, Sheldon, Short, Wagoner, Walsh, Warnick, Wilson, L. and Zeiger

Excused: Senators Ericksen and Fortunato

ENGROSSED SUBSTITUTE SENATE BILL NO. 5522, 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 Liias, the Senate advanced to the seventh order of business.

THIRD READING

ENGROSSED SENATE BILL NO. 5294, by Senators Hunt, Hasegawa, Pedersen, Kuderer, Zeiger, Takko, Keiser and Saldaña

Creating leave provisions for legislative service.

The bill was read on Third Reading.

Senators Hunt, Zeiger and Hasegawa spoke in favor of passage of the bill.

POINT OF ORDER

Senator Sheldon: "Thank you for recognizing me Mr. President at this last second in this bill. But, I just wondered, maybe you could give me an idea. Is this within our ethics to vote on something that affects us all? Perhaps? Many of us have another job, so I think there is some kind of concern here we ought to have about voting for something that may directly benefit the members themselves."

RULING BY THE PRESIDENT

President Habib: "The bill before you does not concern any particular legislator and not even the 147 members of the legislature that currently serve but, in fact, any eligible potential legislator now and in the future. And so, there are many laws on the books that relate to the functioning of the state legislature and legislators. Those have been passed by legislators and do not constitute conflict of interest. There is no conflict of interest with respect to this question."

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

Senators Padden, Wilson, L., Becker and Sheldon spoke against passage of the bill.

MOTION

Senator Sheldon moved the Senate defer consideration of Engrossed Senate Bill No. 5294

Senator Sheldon spoke for the motion to defer consideration.

Senator Liias against the motion to defer consideration.

The President declared the question before the Senate to be the motion by Senator Sheldon to defer further consideration of Engrossed Senate Bill No. 5294 and the motion did not carry by voice vote.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 5294.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5294 and the bill passed the Senate by the following vote: Yeas, 31; Nays, 16; Absent, 0; Excused, 2.

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

Voting nay: Senators Becker, Braun, Brown, Holy, Honeyford, King, Muzzall, O'Ban, Padden, Rivers, Schoesler, Sheldon, Short, Wagoner, Warnick and Wilson, L.

Excused: Senators Ericksen and Fortunato

ENGROSSED SENATE BILL NO. 5294, 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 Liias, the Senate reverted to the sixth order of business.

SECOND READING

SENATE BILL NO. 6660, by Senators Rolfes, Braun and Mullet

Improving fiscal responsibility and budget discipline by replacing the spending limit with additional four-year balanced budget requirements.

MOTIONS

On motion of Senator Rolfes, Substitute Senate Bill No. 6660 was substituted for Senate Bill No. 6660 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Rolfes, the rules were suspended, Substitute Senate Bill No. 6660 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Rolfes and Braun spoke in favor of passage of the bill. Senator Conway spoke on passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6660.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6660 and the bill passed the Senate by the following vote: Yeas, 42; Nays, 5; Absent, 0; Excused, 2.

Voting yea: Senators Becker, Billig, Braun, Brown, Carlyle, Cleveland, Darneille, Das, Dhingra, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Pedersen, Randall, Rivers, Rolfes, Salomon, Schoesler, Sheldon, Short, Stanford, Takko, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senators Conway, Keiser, Padden, Saldaña and Van De Wege

Excused: Senators Ericksen and Fortunato

SUBSTITUTE SENATE BILL NO. 6660, 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.

PERSONAL PRIVILEGE

Senator Becker: "I want to wish my grandson a very Happy Birthday. He is turning, well, he turned sixteen today. He's the one I always talk about that was born a 2 pounds, 7 ounces. Um, they lost him, they got him back and my daughter was in a situation where it was deliver the baby or she was going to die. So, this is a day that is extremely important to me and something that I want to recognize. Happy Birthday to Master Kai."

MOTION

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

REMARKS BY SENATOR LIAS

MESSAGE FROM THE HOUSE

February 14, 2020

MR. PRESIDENT:

The House has passed:

SECOND SUBSTITUTE HOUSE BILL NO. 1888,

HOUSE BILL NO. 2305,

SUBSTITUTE HOUSE BILL NO. 2326,

HOUSE BILL NO. 2345,

HOUSE BILL NO. 2380,

SECOND SUBSTITUTE HOUSE BILL NO. 2386,

SUBSTITUTE HOUSE BILL NO. 2419,

SUBSTITUTE HOUSE BILL NO. 2426,

SUBSTITUTE HOUSE BILL NO. 2441,

SUBSTITUTE HOUSE BILL NO. 2448,

SUBSTITUTE HOUSE BILL NO. 2621,

SECOND SUBSTITUTE HOUSE BILL NO. 2737,

SUBSTITUTE HOUSE BILL NO. 2883,

SUBSTITUTE HOUSE JOINT MEMORIAL NO. 4014,

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

Senator Liias: “Thank you Mr. President, and I appreciate Senator Sheldon reminding me to remind all of our members that Monday is Children’s Day and we will have special commemoration of that beginning at 9:00 o’clock in the morning. And, since Senator Becker highlighted her rich anniversary this week, I just want to congratulate my parents on celebrating their 40th wedding anniversary last Sunday. And I left the 40 roses there for them and then promptly left to Olympia to come back here to work. So, it is a special weekend for them and Congrats to Senator Becker again.”

MOTION

At 4:15 p.m., on motion of Senator Liias, the Senate adjourned until 9:00 o’clock a.m. Monday, February 17, 2020.

CYRUS HABIB, President of the Senate

BRAD HENDRICKSON, Secretary of the Senate

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