

**THIRTY SIXTH DAY**

**MORNING SESSION**

Senate Chamber, Olympia  
Monday, February 14, 2022

The Senate was called to order at 11:00 o'clock a.m. by the President of the Senate, Lt. Governor Heck presiding. The Secretary called the roll and announced to the President that all senators were present with the exception of Senator Van De Wege.

The Washington State Patrol Honor Guard presented the Colors.

Miss Emma Decker, niece of Ms. Sarah Bannister, Secretary of the Senate, led the Senate in the Pledge of Allegiance.

The prayer was offered by Pastor Andrew Fix, Centralia Bible Baptist Church.

**MOTIONS**

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

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

**MESSAGES FROM THE HOUSE**

February 11, 2022

MR. PRESIDENT:

The House has passed:

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1688,

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1691,

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1813,

ENGROSSED HOUSE BILL NO. 1851,

ENGROSSED HOUSE BILL NO. 1964,

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

February 12, 2022

MR. PRESIDENT:

The House has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1770,

and the same is herewith transmitted.

BERNARD DEAN, Chief Clerk

February 13, 2022

MR. PRESIDENT:

The House has passed:

SUBSTITUTE HOUSE BILL NO. 1706,

SUBSTITUTE HOUSE BILL NO. 1984,

HOUSE BILL NO. 2007,

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

**MOTION**

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

**INTRODUCTION AND FIRST READING**

SB 5978 by Senator Lovelett

AN ACT Relating to providing a local government option for the funding of essential affordable housing programs; amending RCW 67.28.181 and 82.14.410; and adding a new section to chapter 67.28 RCW.

Referred to Committee on Housing & Local Government.

SHB 1590 by House Committee on Appropriations (originally sponsored by Dolan, Callan, Pollet, Bateman, Ramel, Wicks, Johnson, J., Senn, Ryu, Duerr, Walen, Goehner, Valdez, Davis, Fey, Ramos, Santos, Simmons, Wylie, Slatter, Kloba, Stonier, Riccelli, Hackney and Frame)

AN ACT Relating to enrollment stabilization funding to address enrollment declines due to the COVID-19 pandemic; amending RCW 28A.500.015; reenacting and amending RCW 84.52.0531; creating new sections; and declaring an emergency.

Referred to Committee on Ways & Means.

SHB 1626 by House Committee on Rural Development, Agriculture & Natural Resources (originally sponsored by Chapman, Shewmake, Ryu, Leavitt, Bronoske, Rule and Tharinger)

AN ACT Relating to updating the authority for the fish and wildlife commission to adopt rules implementing electronic licensing practices; and amending RCW 77.32.090.

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

SHB 1717 by House Committee on Local Government (originally sponsored by Pollet, Goehner, Fitzgibbon, Ryu, Leavitt, Berg, Taylor, Robertson, Bateman, Valdez, Duerr, Fey, Ramel, Shewmake, Simmons, Dolan, Macri and Young)

AN ACT Relating to tribal participation in planning under the growth management act; and amending RCW 36.70A.040, 36.70A.085, 36.70A.106, 36.70A.110, 36.70A.190, and 36.70A.210.

Referred to Committee on Housing & Local Government.

SHB 1773 by House Committee on Appropriations (originally sponsored by Taylor, Davis, Leavitt, Callan, Cody, Macri, Ormsby and Harris-Talley)

AN ACT Relating to assisted outpatient treatment for persons with behavioral health disorders; amending RCW 71.05.148, 71.05.150, 71.05.150, 71.05.156, 71.05.212, 71.05.230, 71.05.240, 71.05.240, 71.05.245, 71.05.280, 71.05.290, 71.05.365, 71.05.585, 10.77.175, 71.05.590, 71.05.590, 71.05.595, and 71.24.045; reenacting and amending RCW 71.05.020, 71.05.020, 71.05.201, 71.05.212, 71.05.320, 71.05.320, and 71.29.045; reenacting and amending 2021 c 264 s 24 and 2021 c 263 s 21 (uncodified); adding a new section to chapter 71.34 RCW; creating a new section; providing effective dates; providing a contingent effective date; and providing expiration dates.

Referred to Committee on Health & Long Term Care.

E2SHB 1799 by House Committee on Appropriations (originally sponsored by Fitzgibbon, Berry, Duerr, Riccelli and Harris-Talley)

AN ACT Relating to organic materials management; amending RCW 70A.205.040, 70A.205.015, 69.80.031, 69.80.040, 89.08.615, 43.155.020, 36.70.330, 39.30.040, 70A.455.010, 70A.455.020, 70A.455.040, 70A.455.050, 70A.455.060, 70A.455.070, 70A.455.080, 70A.455.090, 70A.455.100, and 70A.455.030; reenacting and amending RCW 43.21B.110 and 43.21B.300; adding new sections to chapter 70A.205 RCW; adding a new section to chapter 15.04 RCW; adding a new section to chapter 36.70A RCW; adding a new section to chapter 35.63 RCW; adding a new section to chapter 35A.63 RCW; adding new sections to chapter 43.19A RCW; adding a new section to chapter 70A.455 RCW; adding a new chapter to Title 70A RCW; creating new sections; repealing RCW 70A.455.110 and 70A.455.900; and prescribing penalties.

Referred to Committee on Environment, Energy & Technology.

2SHB 1835 by House Committee on Appropriations (originally sponsored by Hansen, Leavitt, Santos, Simmons, Chopp, Slatter, Bergquist, Valdez, Pollet and Ormsby)

AN ACT Relating to outreach and completion initiatives to increase postsecondary enrollment; amending RCW 28B.92.200, 74.04.060, and 28B.120.040; reenacting and amending RCW 43.79A.040; adding a new section to chapter 28B.77 RCW; adding a new section to chapter 28B.50 RCW; adding new sections to chapter 28B.92 RCW; adding a new section to chapter 28B.120 RCW; creating new sections; and repealing RCW 28B.120.005, 28B.120.010, 28B.120.020, 28B.120.025, 28B.120.030, and 28B.120.900.

Referred to Committee on Higher Education & Workforce Development.

ESHB 1877 by House Committee on Health Care & Wellness (originally sponsored by Chambers, Gilday, Jacobsen, Simmons, Corry, Graham, Dolan, Riccelli, Eslick, Lekanoff and Wicks)

AN ACT Relating to expired certifications for certain health professions; and adding a new section to chapter 18.88B RCW.

Referred to Committee on Health & Long Term Care.

ESHB 1930 by House Committee on Consumer Protection & Business (originally sponsored by Jacobsen, Sutherland, Dolan, Dent, Griffey, Chase, Riccelli, Chambers, Ryu and Graham)

AN ACT Relating to license renewals for cosmetologists, hair designers, barbers, manicurists, and estheticians; amending RCW 18.16.110; and creating a new section.

Referred to Committee on Business, Financial Services & Trade.

HB 1975 by Representatives Wylie, Harris, Berry, Chopp, Stonier, Ryu, Peterson and Macri

AN ACT Relating to property management services provided to housing authority properties; amending RCW 35.82.070; and creating a new section.

Referred to Committee on Housing & Local Government.

SHB 2001 by House Committee on Local Government (originally sponsored by McCaslin, Graham, Jacobsen, Chase and Sutherland)

AN ACT Relating to expanding the ability to build tiny houses; amending RCW 36.70A.540; and creating new sections.

Referred to Committee on Housing & Local Government.

2SHB 2008 by House Committee on Appropriations (originally sponsored by Taylor, Fitzgibbon, Peterson, Ramel, Santos, Sells, Shewmake, Valdez, Ryu, Macri, Berg, Bateman, Ormsby, Frame, Davis, Lekanoff and Pollet)

AN ACT Relating to eliminating the use of intelligence quotient scores in determining eligibility for programs and services for individuals with developmental disabilities; amending RCW 71A.16.020; reenacting and amending RCW 71A.10.020; adding a new section to chapter 71A.10 RCW; and creating a new section.

Referred to Committee on Human Services, Reentry & Rehabilitation.

2SHB 2044 by House Committee on Appropriations (originally sponsored by Boehnke, Hackney, Fitzgibbon, Kloba, Ormsby, Sutherland, Ramel and Young)

AN ACT Relating to the protection of critical constituent and state operational data against the financial and personal harm caused by ransomware and other malicious cyber activities; amending RCW 43.105.054 and 43.105.220; reenacting and amending RCW 43.105.020; adding new sections to chapter 43.105 RCW; adding a new section to chapter 42.56 RCW; and creating new sections.

Referred to Committee on Environment, Energy & Technology.

HB 2097 by Representatives Donaghy, Ryu, Macri, Ramel, Walen, Paul, Frame and Taylor

AN ACT Relating to changing the definition of first-time home buyer; and amending RCW 43.185A.010.

Referred to Committee on Housing & Local Government.

#### MOTIONS

On motion of Senator Pedersen, all measures listed on the Introduction and First Reading report were referred to the committees as designated with the exception of Second Substitute House Bill No. 2044 which had been designated to the Committee on State Government & Elections and was referred to the Committee on Environment, Energy & Technology.

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

#### MOTION

Senator Fortunato moved adoption of the following resolution:

#### SENATE RESOLUTION

8627

By Senator Fortunato

WHEREAS, The Democratic Republic of Congo has been embroiled in a civil war since 1996 resulting in untold trauma and human rights abuses; and

WHEREAS, International observers have concluded over 4,000,000 people have lost their lives between 1998 and now, and more than 2,000,000 Congolese people have been displaced from their homes; and

WHEREAS, Few have been able to escape the conflict, survivors have experienced brutal violence, forced displacement, and economic and social destruction; and

WHEREAS, Washington State has warmly received these immigrants who number in the top 5 of resettled populations to our state and top 1 nationally; and

WHEREAS, An estimated 8,000 Congolese refugees live, work and call Washington state home, they are served by the Congolese Integration Network; and

WHEREAS, The Congolese Integration Network was founded 5 years ago to facilitate the social, economic, cultural, and spiritual integration of Congolese immigrants and refugees into American society by providing access to critical resources to empower this community; and

WHEREAS, The Congolese Integration Network continues to advocate for resources to support the refugee community in the construction of a Healing Center where those suffering from trauma can feel safe and recover from their mental, physical, and spiritual wounds;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate recognize the work of the Congolese Integration Network, their efforts to support refugees in Washington fleeing violence and oppression, and individuals working to alleviate their plight, fighting for justice and peace.

Senators Fortunato, Padden, Keiser, Warnick, Wagoner, Braun and Wilson, J. spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8627.

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

MOTION

At 11:24 a.m., on motion of Senator Pedersen, the Senate was declared to be at ease subject to the call of the President.

Senator Hasegawa announced a meeting of the Democratic Caucus.

Senator Warnick announced a meeting of the Republican Caucus.

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AFTERNOON SESSION

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The Senate was called to order at 2:00 p.m. by the President of the Senate, Lt. Governor Heck presiding.

MOTION

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

THIRD READING  
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Holy moved that Shain Wright, Senate Gubernatorial Appointment No. 9309, be confirmed as a member of the Washington State Board of Regents.

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

APPOINTMENT OF SHAIN WRIGHT

MOTION

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

The President declared the question before the Senate to be the confirmation of Shain Wright, Senate Gubernatorial Appointment No. 9309, as a member of the Washington State Board of Regents.

The Secretary called the roll on the confirmation of Shain Wright, Senate Gubernatorial Appointment No. 9309, as a member of the Washington State Board of Regents and the appointment was confirmed by the following vote: Yeas, 48; Nays, 0; Absent, 1; Excused, 0.

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

Absent: Senator Van De Wege

Shain Wright, Senate Gubernatorial Appointment No. 9309, having received the constitutional majority was declared confirmed as a member of the Washington State Board of Regents.

THIRD READING  
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Salomon moved that Djelli Berisha, Senate Gubernatorial Appointment No. 9301, be confirmed as a member of the University of Washington Board of Regents.

Senator Salomon spoke in favor of the motion.

APPOINTMENT OF DJELLI BERISHA

The President declared the question before the Senate to be the confirmation of Djelli Berisha, Senate Gubernatorial Appointment No. 9301, as a member of the University of Washington Board of Regents.

The Secretary called the roll on the confirmation of Djelli Berisha, Senate Gubernatorial Appointment No. 9301, as a member of the University of Washington Board of Regents and the appointment was confirmed by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Braun, Brown, Carlyle, Cleveland, Conway, Das, Dhingra, Dozier, Fortunato, Frockt, Gildon, Hasegawa, Hawkins, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, Lovick, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Sefzik, Sheldon, Short,

Stanford, Trudeau, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Van De Wege

Djelli Berisha, Senate gubernatorial Appointment No. 9301, having received the constitutional majority was declared confirmed as a member of the University of Washington Board of Regents.

#### MOTION

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

#### SECOND READING

SENATE BILL NO. 5662, by Senators Kuderer, Trudeau, Hasegawa, Lovelett, Nguyen, Saldaña, Stanford and Wilson, C.

Concerning intergovernmental coordination to address transitioning persons encamped on state public rights-of-way to permanent housing solutions.

#### MOTION

On motion of Senator Kuderer, Second Substitute Senate Bill No. 5662 was substituted for Senate Bill No. 5662 and the substitute bill was placed on the second reading and read the second time.

#### WITHDRAWAL OF AMENDMENT

On motion of Senator Gildon and without objection, amendment no. 1109 by Senator Gildon on page 2, line 2 to Second Substitute Senate Bill No. 5662 was withdrawn.

#### MOTION

Senator Gildon moved that the following amendment no. 1151 by Senator Gildon be adopted:

On page 2, line 5, after "stability." insert "The legislature recognizes the need to ensure taxpayer dollars are used for maximum effect and, therefore, intends to closely monitor actions taken to engage with persons experiencing homelessness to remediate primary drivers of homelessness."

On page 4, line 14, after "system." insert "The team must create and maintain a report for each encampment engaged. The report must include, at a minimum, the date and time of the engagement, the location of the encampment, and a summary of the engagement, including the number of encamped persons at that location, the number of encamped persons contacted, any services offered to such encamped persons, and any other data deemed relevant by the office. The report must not reveal the personally identifiable information of encamped persons."

Senators Gildon and Kuderer spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 1151 by Senator Gildon on page 2, line 5 to Second Substitute Senate Bill No. 5662.

The motion by Senator Gildon carried and amendment no. 1151 was adopted by voice vote.

#### MOTION

Senator Kuderer moved that the following amendment no. 1024 by Senator Kuderer be adopted:

On page 2, after line 28, insert the following:

"(c) The legislature recognizes the lack of shelter capacity and affordable housing throughout the state and has invested operating and capital funds to increase stock and provide supportive services. To this end, the legislature intends that a portion of newly acquired or built shelter and housing capacity be prioritized toward reducing the number of persons encamped in the public rights-of-way by transitioning them into these units."

On page 3, at the beginning of line 13, strike "community, and" and insert "community. Recognizing and accommodating partners, families, and pets is a critical component of shelter and housing solutions. Shelter or housing plans should be complete"

On page 3, line 25, after "rights-of-way." insert "Prioritization for engaging encampments should be based on those that present the greatest health and safety risk to the encamped population, the public, or workers on the rights-of-way."

On page 4, line 5, after "solutions." insert "These plans should maintain cohesion among partners, families, and pets."

Senator Kuderer spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 1024 by Senator Kuderer on page 2, after line 28 to Second Substitute Senate Bill No. 5662.

The motion by Senator Kuderer carried and amendment no. 1024 was adopted by voice vote.

#### MOTION

Senator Fortunato moved that the following striking amendment no. 1107 by Senator Fortunato be adopted:

Strike everything after the enacting clause and insert the following:

**NEW SECTION. Sec. 1.** (1) The legislature finds that many individuals experience homelessness as a result of a lack of available and affordable housing, increasing rents, insufficient income, complex and long-term behavioral health conditions, substance addiction, or disabilities, or as a result of domestic violence. Every night thousands of Washingtonians go to sleep in places not meant for human habitation, such as cars, parks, sidewalks, abandoned buildings, and spaces on public land. More than 1,750 unsanctioned encampments exist on public rights-of-way managed by state agencies. Public right-of-way encampments present increasing concerns for the health and safety of those encamped in this space, the public, and those workers who are responsible to maintain and improve public lands.

(2)(a) The legislature intends that persons experiencing homelessness be treated with dignity, care, and compassion. The legislature recognizes that the primary drivers of homelessness stem from a lack of investment in affordable housing, behavioral health, and other supports that provide economic stability.

(b) Furthermore, the legislature intends that local jurisdictions and providers engage persons experiencing homelessness with teams of multidisciplinary experts focused on trauma-informed care and provision of services with the goal of transitioning persons experiencing homelessness into permanent housing solutions. The legislature further intends that every effort must be made to avoid furthering existing trauma to persons experiencing homelessness by causing displacement that does not result in a transition to permanent housing. To that end, the legislature intends that a multidisciplinary team within state government be established to coordinate across state agencies, and collaborate

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with local governments, nonprofit organizations, and persons encamped on state rights-of-way to find housing solutions.

**NEW SECTION. Sec. 2.** A new section is added to chapter 43.20A RCW to read as follows:

(1) There is created the office of intergovernmental coordination on public right-of-way homeless encampments within the department. For purposes of this section, "public right-of-way" includes public roads, sidewalks, and parks.

(2) Activities of the office must be carried out by a director and supervised by the secretary of the department or his or her designee.

(3) The office is responsible for leading efforts under this section to coordinate the spectrum of ongoing and future funding, policy, and practice efforts related to reducing the number of persons in unsanctioned encampments on state public rights-of-way. This includes coordination across state agencies, through local governments, and with persons in unsanctioned encampments on state public rights-of-way with the goal of reducing the number of encamped persons through transition to a permanent housing solution so that the encampment is closed with the site either restored to original conditions or preserved for future use.

(4) The office shall establish:

(a) Regional coordination teams charged with state agency, local government, and nonprofit organization collaboration on identifying or creating solutions that bring persons encamped on public rights-of-way into permanent housing to include traditional and nontraditional housing options. Collaboration partners will provide regional knowledge and support to address specific and unique regional needs. Collaboration partners may include the health care authority, the health benefit exchange, the department of health, the department of transportation, the department of ecology, the department of commerce, the department of veterans' affairs, tribal authorities, counties and cities, and private not-for-profit agencies;

(b) Regional outreach teams charged with outreach with the homeless population. Each team will include state, local, and private partners in addition to a core team from the department. Outreach teams are part of an intergovernmental team for initial assessment to identify and target individual needs, such as medical issues and treatment, mental health treatment, acquisition of medication, identification acquisition (such as birth certificates and social security cards), poly-substance abuse treatment, housing needs, need for immediate sheltering, need for social services (including supplemental nutrition assistance program benefits, women, infants, and children benefits, supplemental security income acquisition, medicaid, medicare, and social security benefits), and reengagement with family and relatives; and

(c) A data analysis team charged with data infrastructure development to create a performance monitoring infrastructure, establish a baseline, and then track outcomes for individuals experiencing homelessness in locales around encampments on public rights-of-way. The team shall also estimate the impact on client outcomes and services as well as estimate public program cost savings, where applicable. The data analysis team must provide a report to the governor and appropriate legislative committees by December 1, 2023, and annually thereafter.

**NEW SECTION. Sec. 3.** A new section is added to chapter 43.185C RCW to read as follows:

The department shall collaborate with the office of intergovernmental coordination on public right-of-way homeless encampments created in section 2 of this act on developing and implementing a statewide effort to reduce the number of persons encamped on the state public rights-of-way by transitioning to

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permanent housing solutions. The department shall use any funds appropriated by the legislature for this purpose to provide grants to local governments or nonprofit organizations to meet the individual needs of persons encamped on state public rights-of-way in order to facilitate their transition to permanent housing. Such grants must include graduated rental assistance programs in which recipients must contribute either a percentage of their income to rent or perform community service in exchange for rental assistance.

**NEW SECTION. Sec. 4.** A new section is added to chapter 36.01 RCW to read as follows:

(1)(a) In coordination with the office of intergovernmental coordination on public right-of-way homeless encampments created in section 2 of this act, every county and each city with a population over 50,000 must establish and operate at least one emergency overnight shelter site in its respective jurisdiction. Counties and each eligible city within the county's geographic boundary must coordinate to ensure that there are enough cumulative shelter beds to accommodate, at a minimum, the sheltered and unsheltered portions of the county's most recent point-in-time homeless count.

(b) Counties and each eligible city must make available employment, mental health, and drug counseling services at each shelter location with funding made available from the state operating budget or local funds as appropriated for these purposes. Accommodations at each shelter must be prioritized for persons who participate in available services. Each shelter may prohibit the possession and use of alcohol and unprescribed drugs on its premises contingent upon evaluation for and compliance with treatment as recommended. Each shelter must provide a secure space for each person or family's belongings and provide personal security during shelter operating hours.

(2) Any county or city establishing a shelter under this section may utilize assistance under the housing trust fund pursuant to RCW 43.185.050 to acquire or build shelter. Any application for assistance under this section must receive priority.

**NEW SECTION. Sec. 5.** A new section is added to chapter 36.70A RCW to read as follows:

(1) Each county that is required or chooses to plan under RCW 36.70A.040, and each city within such county, that purchases a hotel, as defined in RCW 19.48.010, with public funds for purposes of providing emergency housing or emergency shelter must limit the use and occupancy of such housing and shelters to the following:

(a) Persons with disabilities experiencing homelessness;

(b) Families experiencing homelessness including, but not limited to, pregnant women;

(c) Persons aged 60 years or more experiencing homelessness;

or

(d) Other persons subject to the following conditions:

(i) Payment of no more than 30 percent of their annual median income toward rent or providing at least 24 hours of community service; and

(ii) Stays are limited for no longer than 90 days except between November and February.

(2) Each planning county and each city within such county must provide employment, mental health, drug counseling service, and job training opportunities and services at each emergency housing and shelter described under subsection (1) of this section.

**NEW SECTION. Sec. 6.** (1) The department of commerce must convene a work group to make recommendations on the creation of a statewide registration program for the purpose of registering persons experiencing homelessness who take advantage of housing, substance abuse treatment, mental health,

or employment services.

(2) The work group must include relevant stakeholders including, but not limited to, homeless rights representatives, service provider representatives, and representatives from cities and counties.

(3) The work group must meet at least three times and evaluate the following:

(a) How to collect, organize, and protect demographic information;

(b) Which information should be collected and made disclosable in a database accessible by service providers;

(c) The need to implement a registration requirement over time and across specific state regions, and challenges in identifying persons who travel from region to region;

(d) Which types of persons experiencing homelessness should be exempted from a statewide registration requirement;

(e) The use of a statewide registration program database to prioritize provision of services to persons most likely to benefit;

(f) The feasibility of requiring service providers to report participation data as part of such a registration program;

(g) How to collect data regarding the number of persons:

(i) With mental health disorders who are offered services and accept or decline such services;

(ii) With substance abuse disorders who are offered sobriety programs and accept or decline such program services;

(iii) Offered employment services and who accept or decline such services; and

(iv) With active warrants and probation requirements and the outcome of contact with services; and

(h) Any other relevant factors or considerations discussed by the work group.

(4) The department of commerce must issue a final report, including any work group findings and recommendations, to the appropriate committees of the legislature by December 1, 2022.

(5) This section expires January 1, 2023.

**NEW SECTION. Sec. 7.** (1) This section is the tax preference performance statement for the tax preferences contained in sections 8 and 9, chapter . . . , Laws of 2022 (sections 8 and 9 of this act). This performance statement is only intended to be used for subsequent evaluation of the tax preference. It is not intended to create a private right of action by any party or be used to determine eligibility for preferential tax treatment.

(2) The legislature categorizes these tax preferences as ones intended to induce certain designated behavior by taxpayers and create or retain jobs, as indicated in RCW 82.32.808(2) (a) and (c).

(3) It is the legislature's specific public policy objective to encourage the employment of certain unemployed persons, such as persons convicted of a felony and homeless persons. It is the legislature's intent to provide employers a credit against the business and occupation tax or public utility tax for hiring certain unemployed persons which would reduce an employer's tax burden thereby inducing employers to hire and create jobs for such persons. Pursuant to chapter 43.136 RCW, the joint legislative audit and review committee must review the business and occupation tax and public utility tax credit established under sections 8 and 9, chapter . . . , Laws of 2022 (sections 8 and 9 of this act) by December 31, 2031.

(4) If a review finds that the number of unemployed persons who meet the criteria in section 8(7)(c)(i) or 9(7)(c)(i) of this act decreased by 30 percent, then the legislature intends for the legislative auditor to recommend extending the expiration date of the tax preference.

(5) In order to obtain the data necessary to perform the review in subsection (4) of this section, the joint legislative audit and review committee should refer to unemployment rates available

from the employment security department and the bureau of labor statistics.

**NEW SECTION. Sec. 8.** A new section is added to chapter 82.04 RCW to read as follows:

(1) A person is allowed a credit against the tax due under this chapter as provided in this section. The credit equals the lesser of 10 percent or \$500 of wages and benefits paid to or on behalf of a qualifying employee, with a maximum of a \$500 credit for each qualifying employee hired on or after October 1, 2022.

(2) No credit may be claimed under this section until a qualifying employee has been employed for at least three consecutive full calendar quarters.

(3) Unused credit may be carried over and used in subsequent tax reporting periods, except as provided in subsection (8) of this section. No refunds may be granted for credits under this section.

(4) If an employer discharges a qualifying employee for whom the employer has claimed a credit under this section, the employer may not claim a new credit under this section for a period of one year from the date the qualifying employee was discharged. However, this subsection (4) does not apply if the qualifying employee was discharged for misconduct, as defined in RCW 50.04.294, connected with his or her work or discharged due to a felony or gross misdemeanor conviction, and the employer contemporaneously documents the reason for discharge.

(5) Credits earned under this section may be claimed only on returns filed electronically with the department using the department's online tax filing service or other method of electronic reporting as the department may authorize. No application is required to claim the credit, but the taxpayer must keep records necessary for the department to determine eligibility under this section including records establishing the person's status as a qualifying employee under subsection (7)(c)(i) and (ii) of this section when hired by the taxpayer.

(6) No person may claim a credit against taxes due under both this chapter and chapter 82.16 RCW for the same qualifying employee.

(7) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Homeless person" has the same meaning as provided in RCW 43.185C.010.

(b) "Person convicted of a felony" means a person, including a juvenile as defined in RCW 13.40.020, convicted of a felony under state or federal statute who is hired within one calendar year after the last date that the person was convicted or released from a juvenile rehabilitation facility or prison.

(c) "Qualifying employee" means a person who meets all of the following requirements:

(i) Is a homeless person or a person convicted of a felony;

(ii) Was unemployed as defined in RCW 50.04.310 for at least 30 days immediately preceding the date that the person was hired by the person claiming the credit under this section; and

(iii) Is employed in a permanent full-time position for at least three consecutive full calendar quarters by the person claiming the credit under this section. For seasonal employers, "qualifying employee" also includes the equivalent of a full-time employee in work hours for two consecutive full calendar quarters. For purposes of this subsection (7)(c)(iii), "full-time" means a normal workweek of at least 35 hours.

(8) Credits allowed under this section can be earned for tax reporting periods through June 30, 2031. No credits can be claimed after June 30, 2032.

(9) This section expires July 1, 2032.

**NEW SECTION. Sec. 9.** A new section is added to chapter 82.16 RCW to read as follows:

(1) A person is allowed a credit against the tax due under this chapter as provided in this section. The credit equals the lesser of

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10 percent or \$500 of wages and benefits paid to or on behalf of a qualifying employee, with a maximum of a \$500 credit for each qualifying employee hired on or after October 1, 2022.

(2) No credit may be claimed under this section until a qualifying employee has been employed for at least three consecutive full calendar quarters.

(3) Unused credit may be carried over and used in subsequent tax reporting periods, except as provided in subsection (8) of this section. No refunds may be granted for credits under this section.

(4) If an employer discharges a qualifying employee for whom the employer has claimed a credit under this section, the employer may not claim a new credit under this section for a period of one year from the date the qualifying employee was discharged. However, this subsection (4) does not apply if the qualifying employee was discharged for misconduct, as defined in RCW 50.04.294, connected with his or her work or discharged due to a felony or gross misdemeanor conviction, and the employer contemporaneously documents the reason for discharge.

(5) Credits earned under this section may be claimed only on returns filed electronically with the department using the department's online tax filing service or other method of electronic reporting as the department may authorize. No application is required to claim the credit, but the taxpayer must keep records necessary for the department to determine eligibility under this section including records establishing the person's status as a qualifying employee under subsection (7)(c)(i) and (ii) of this section when hired by the taxpayer.

(6) No person may claim a credit against taxes due under both chapter 82.04 RCW and this chapter for the same qualifying employee.

(7) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Homeless person" has the same meaning as provided in RCW 43.185C.010.

(b) "Person convicted of a felony" means a person, including a juvenile as defined in RCW 13.40.020, convicted of a felony under state or federal statute who is hired within one calendar year after the last date that the person was convicted or released from a juvenile rehabilitation facility or prison.

(c) "Qualifying employee" means a person who meets all of the following requirements:

- (i) Is a homeless person or a person convicted of a felony;
- (ii) Was unemployed as defined in RCW 50.04.310 for at least 30 days immediately preceding the date that the person was hired by the person claiming the credit under this section; and
- (iii) Is employed in a permanent full-time position for at least three consecutive full calendar quarters by the person claiming the credit under this section. For seasonal employers, "qualifying employee" also includes the equivalent of a full-time employee in work hours for two consecutive full calendar quarters. For purposes of this subsection (7)(c)(iii), "full-time" means a normal workweek of at least 35 hours.

(8) Credits allowed under this section can be earned for tax reporting periods through June 30, 2031. No credits can be claimed after June 30, 2032.

(9) This section expires July 1, 2032.

**NEW SECTION. Sec. 10.** (1) The department of commerce must establish a pilot program for cities to provide job opportunities to and hire persons experiencing homelessness for the purposes of local beautification projects. The pilot program must include three cities, two on the west side and one on the east side of the Cascade mountain range. The cities selected are strongly encouraged to administer their programs during the summer months.

(2) Persons experiencing homelessness who are hired under

this pilot program must be paid at least the local minimum wage and be connected with organizations that provide wraparound housing services.

(3) The pilot program expires July 1, 2025. The cities selected to participate in the pilot program must provide a report to the appropriate committees of the legislature by December 1, 2025, that includes at least the following information: The number of persons experiencing homelessness hired during the pilot program, the number of such persons connected with wraparound housing services, strategies for hiring persons experiencing homelessness for other local projects, and any legislative recommendations.

(4) Persons experiencing homelessness who are hired under this pilot program are not considered state employees. Other provisions of law relating to civil service, hours of work, rate of compensation, sick leave, unemployment compensation, state retirement plans, and vacation leave do not apply to this pilot program, except for project supervisors, who must be city employees, and other administrative and supervisory personnel.

(5) The pilot program is considered an unemployment work-relief or work-training program as provided in RCW 50.44.040(4) and, as such, the services of persons experiencing homelessness under this pilot program are excluded from the term "unemployment" and unemployment compensation coverage. The department of commerce must advise the cities selected under the pilot program to notify such persons hired under the pilot program of this exclusion.

(6) For purposes of this section, "persons experiencing homelessness" means individuals living outside or in a building not meant for human habitation or which they have no legal right to occupy, in an emergency shelter, or in a temporary housing program that may include a transitional and supportive housing program if habitation time limits exist.

(7) This section expires January 1, 2027."

On page 1, line 3 of the title, after "solutions;" strike the remainder of the title and insert "adding a new section to chapter 43.20A RCW; adding a new section to chapter 43.185C RCW; adding a new section to chapter 36.01 RCW; adding a new section to chapter 36.70A RCW; adding a new section to chapter 82.04 RCW; adding a new section to chapter 82.16 RCW; creating new sections; and providing expiration dates."

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

Senator Kuderer spoke against adoption of the striking amendment.

The President declared the question before the Senate to be the adoption of striking amendment no. 1107 by Senator Fortunato to Second Substitute Senate Bill No. 5662.

The motion by Senator Fortunato did not carry and striking amendment no. 1107 was not adopted by voice vote.

#### MOTION

On motion of Senator Kuderer, the rules were suspended, Engrossed Second Substitute Senate Bill No. 5662 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Kuderer, Liias and Trudeau spoke in favor of passage of the bill.

Senators Fortunato, Gildon, Wilson, L. and Wilson, J. spoke against passage of the bill.

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

5662.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5662 and the bill passed the Senate by the following vote: Yeas, 36; Nays, 12; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Das, Dhingra, Frockt, Gildon, Hasegawa, Hawkins, Hunt, Keiser, King, Kuderer, Lias, Lovelett, Lovick, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Sefzik, Sheldon, Stanford, Trudeau, Wagoner, Warnick, Wellman and Wilson, C.

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

Excused: Senator Van De Wege

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5662, 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. 5796, by Senators Saldaña, Stanford, Keiser, Lias and Wilson, C.

Restructuring cannabis revenue appropriations.

## MOTION

On motion of Senator Saldaña, Second Substitute Senate Bill No. 5796 was substituted for Senate Bill No. 5796 and the substitute bill was placed on the second reading and read the second time.

## MOTION

Senator Mullet moved that the following amendment no. 1146 by Senator Mullet be adopted:

On page 10, beginning on line 17, after "fund" strike all material through "act" on line 19

Beginning on page 10, line 20, strike all of section 3

On page 1, beginning on line 3 of the title, after "investment," strike the remainder of the title and insert "and amending RCW 69.50.530 and 69.50.540."

Senator Mullet spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 1146 by Senator Mullet on page 10, line 17 to Second Substitute Senate Bill No. 5796.

The motion by Senator Mullet carried and amendment no. 1146 was adopted by voice vote.

## MOTION

On motion of Senator Saldaña, the rules were suspended, Engrossed Second Substitute Senate Bill No. 5796 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Saldaña, King and Wagoner spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 5796.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5796 and the bill passed the Senate by the following vote: Yeas, 41; Nays, 7; Absent, 0; Excused, 1.

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

Voting nay: Senators Braun, Gildon, Honeyford, McCune, Muzzall, Padden and Schoesler

Excused: Senator Van De Wege

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5796, 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. 5783, by Senators Conway, Hasegawa, Hunt, Keiser, Kuderer, Mullet, Stanford and Van De Wege

Reestablishing the underground economy task force.

## MOTIONS

On motion of Senator Conway, Substitute Senate Bill No. 5783 was substituted for Senate Bill No. 5783 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Conway, the rules were suspended, Substitute Senate Bill No. 5783 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

Senator Schoesler spoke against passage of the bill.

## REMARKS BY THE PRESIDENT

President Heck: "The President would like to remind members that according to our own rules adopted by the body that you must press the request to speak button, and if present, also stand. The president is unable to ascertain who wants to continue to speak if they are remote if they have not pressed their request to speak button."

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5783.

## ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5783 and the bill passed the Senate by the following vote: Yeas, 36; Nays, 12; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Braun, Carlyle, Cleveland, Conway, Das, Dhingra, Frockt, Gildon, Hasegawa, Hawkins, Holy, Hunt, Keiser, King, Kuderer, Lias, Lovelett, Lovick,



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Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Sefzik, Stanford, Trudeau, Warnick, Wellman and Wilson, C.

Voting nay: Senators Brown, Dozier, Fortunato, Honeyford, McCune, Padden, Schoesler, Sheldon, Short, Wagoner, Wilson, J. and Wilson, L.

Excused: Senator Van De Wege

SUBSTITUTE SENATE BILL NO. 5783, 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. 5723, by Senators Rivers, Keiser and Lovick

Concerning improving diversity in clinical trials.

MOTIONS

On motion of Senator Rivers, Substitute Senate Bill No. 5723 was substituted for Senate Bill No. 5723 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Rivers, the rules were suspended, Substitute Senate Bill No. 5723 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Rivers, Cleveland, Honeyford and Wellman 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. 5723.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5723 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Van De Wege

SUBSTITUTE SENATE BILL NO. 5723, 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. 5765, by Senators Randall, Keiser, Conway, Das, Hasegawa, Lovelett, Mullet, Nobles, Robinson, Saldaña, Stanford, Trudeau and Wilson, C.

Concerning the practice of midwifery.

MOTION

On motion of Senator Randall, Substitute Senate Bill No. 5765 was substituted for Senate Bill No. 5765 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Holy moved that the following amendment no. 1149 by Senator Holy be adopted:

On page 4, line 11, after "care" insert ". or extend the scope of licensed midwives to include abortion"

Senators Holy and Fortunato spoke in favor of adoption of the amendment.

Senator Randall spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 1149 by Senator Holy on page 4, line 11 to Substitute Senate Bill No. 5765.

The motion by Senator Holy did not carry and amendment no. 1149 was not adopted by voice vote.

MOTION

On motion of Senator Randall, the rules were suspended, Substitute Senate Bill No. 5765 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Randall, Lovelett and Mullet spoke in favor of passage of the bill.

Senators Holy, Fortunato and Muzzall spoke against passage of the bill.

MOTION

On motion of Senator Randall, Senator Carlyle was excused.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5765.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5765 and the bill passed the Senate by the following vote: Yeas, 27; Nays, 20; Absent, 0; Excused, 2.

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

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

Excused: Senators Carlyle and Van De Wege

SUBSTITUTE SENATE BILL NO. 5765, 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. 5920, by Senator Warnick

Concerning parenting plans.

## MOTIONS

On motion of Senator Warnick, Substitute Senate Bill No. 5920 was substituted for Senate Bill No. 5920 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Warnick, the rules were suspended, Substitute Senate Bill No. 5920 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Warnick, 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. 5920.

## ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5920 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Carlyle and Van De Wege

SUBSTITUTE SENATE BILL NO. 5920, 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. 5072, by Senators Short, Kuderer, Frockt, Rolfes, Wagoner and Wilson, C.

Concerning the government issuance of a certificate of birth resulting in stillbirth.

## MOTION

On motion of Senator Trudeau, Second Substitute Senate Bill No. 5702 was substituted for Senate Bill No. 5702 and the substitute bill was placed on the second reading and read the second time.

## MOTION

Senator Trudeau moved that the following amendment no. 1099 by Senator Trudeau be adopted:

On page 1, beginning on line 12, after "international" strike "lactation consultant association" and insert "board of lactation consultant examiners"

On page 2, line 24, after "may" strike "require an enrollee to obtain expedited" and insert "not require an enrollee to obtain"

On page 3, line 11, after "international" strike "lactation consultant association" and insert "board of lactation consultant examiners"

Senator Trudeau spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 1099 by Senator Trudeau on page 1, line 12 to Second Substitute Senate Bill No. 5702.

The motion by Senator Trudeau carried and amendment no. 1099 was adopted by voice vote.

## MOITON

On motion of Senator Trudeau, the rules were suspended, Engrossed Second Substitute Senate Bill No. 5702 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 5702.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5702 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Carlyle and Van De Wege

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5702, 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. 5703, by Senators Das, Cleveland, Kuderer, Lovelett, Nobles, Randall, Robinson, Rolfes, Saldaña, Stanford, Trudeau, Wellman and Wilson, C.

Concerning the use and disclosure of toxic chemicals in cosmetic products.

## MOTION

On motion of Senator Das, Second Substitute Senate Bill No. 5703 was substituted for Senate Bill No. 5703 and the substitute bill was placed on the second reading and read the second time.

SECOND SUBSTITUTE SENATE BILL NO. 5703, by Committee on Ways & Means (originally sponsored by Senators Das, Cleveland, Kuderer, Lovelett, Nobles, Randall, Robinson, Rolfes, Saldaña, Stanford, Trudeau, Wellman and Wilson, C.)

Revised for Second Substitute: Concerning the use of toxic chemicals in cosmetic products.

## MOTION

Senator Short moved that the following striking amendment

no. 1108 by Senator Short be adopted:

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 1.** (1) The department of ecology must conduct an evaluation of the amount of cosmetic products sold or distributed for commerce in the state that contain any of the following intentionally added chemicals or chemical classes:

- (a) Ortho-phthalates;
- (b) Perfluoroalkyl and polyfluoroalkyl substances;
- (c) Formaldehyde (CAS 50-00-0) and formaldehyde releasing agents;
- (d) Lead or lead compounds (CAS 7439-92-1);
- (e) Methylene glycol (CAS 463-57-0);
- (f) Mercury and mercury compounds (CAS 7439-97-6);
- (g) Triclosan (CAS 3380-34-5);
- (h) M-phenylenediamine and its salts (CAS 108-45-2); and
- (i) O-phenylenediamine and its salts (CAS 95-54-5).

(2) The department of ecology must submit a report of the evaluation to the appropriate committees of the legislature by December 1, 2022."

On page 1, line 2 of the title, after "products;" strike the remainder of the title and insert "and creating a new section."

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

Senator Das spoke against adoption of the striking amendment.

The President declared the question before the Senate to be the adoption of striking amendment no. 1108 by Senator Short to Second Substitute Senate Bill No. 5703.

The motion by Senator Short did not carry and striking amendment no. 1108 was not adopted by voice vote.

MOTION

On motion of Senator Das, the rules were suspended, Second Substitute Senate Bill No. 5703 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

Senator Short spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 5703.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 5703 and the bill passed the Senate by the following vote: Yeas, 26; Nays, 21; Absent, 0; Excused, 2.

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

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

Excused: Senators Carlyle and Van De Wege

SECOND SUBSTITUTE SENATE BILL NO. 5703, 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. 5745, by Senators Liias, Keiser, Conway, Nobles and Wilson, C.

Increasing the personal needs allowance for persons receiving state financed care.

MOTIONS

On motion of Senator Liias, Substitute Senate Bill No. 5745 was substituted for Senate Bill No. 5745 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Liias, the rules were suspended, Substitute Senate Bill No. 5745 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5745.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5745 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 1; Absent, 0; Excused, 2.

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

Voting nay: Senator Mullet

Excused: Senators Carlyle and Van De Wege

SUBSTITUTE SENATE BILL NO. 5745, 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. 5790, by Senators Braun, Conway, Fortunato, Frockt, King, Lovelett, Lovick, Muzzall, Randall, Rivers, Short and Wilson, L.

Strengthening critical community support services for individuals with intellectual and developmental disabilities.

MOTIONS

On motion of Senator Braun, Substitute Senate Bill No. 5790 was substituted for Senate Bill No. 5790 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Braun, the rules were suspended, Substitute Senate Bill No. 5790 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Braun, Cleveland, Muzzall and Keiser 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. 5790.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5790 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Carlyle and Van De Wege

SUBSTITUTE SENATE BILL NO. 5790, 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. 5848, by Senators Cleveland, Keiser, Conway, Lovick, Muzzall, Nobles, Robinson and Wilson, C.

Concerning licensure for music therapists.

#### MOTIONS

On motion of Senator Cleveland, Substitute Senate Bill No. 5848 was substituted for Senate Bill No. 5848 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. 5848 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5848.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5848 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 1; Absent, 0; Excused, 2.

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

Voting nay: Senator Schoesler

Excused: Senators Carlyle and Van De Wege

SUBSTITUTE SENATE BILL NO. 5848, 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. 5900, by Senators Van De Wege, Keiser, Conway, Hasegawa, Lovick, Randall and Saldaña

Creating a provisional paramedic or emergency medical technician license.

#### MOTIONS

On motion of Senator Keiser, Substitute Senate Bill No. 5900 was substituted for Senate Bill No. 5900 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 5900, by Committee on Health & Long Term Care (originally sponsored by Senators Van De Wege, Keiser, Conway, Hasegawa, Lovick, Randall and Saldaña)

Revised for Substitute: Creating a provisional certification for emergency medical services providers under chapters 18.71 and 18.73 RCW.

On motion of Senator Keiser, the rules were suspended, Substitute Senate Bill No. 5900 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Keiser and Muzzall 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. 5900.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5900 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Carlyle and Van De Wege

SUBSTITUTE SENATE BILL NO. 5900, 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. 5585, by Senators Rolfes and Das

Setting domestic wastewater discharge fees.

The measure was read the second time.

#### MOTION

Senator Short moved that the following amendment no. 1100 by Senator Short be adopted:

THIRTY SIXTH DAY, FEBRUARY 14, 2022

2022 REGULAR SESSION

## MOTIONS

On page 2, beginning on line 4, after "(2)" strike all material through "(3))" on line 9 and insert "The annual fee paid by a municipality, as defined in 33 U.S.C. Sec. 1362, for all domestic wastewater facility permits issued under RCW 90.48.162 and 90.48.260 shall not exceed the total of a maximum of eighteen cents per month per residence or residential equivalent contributing to the municipality's wastewater system. Beginning in 2023, these fees may rise in accordance with the fiscal growth factor as provided in chapter 43.135 RCW.

(3)"

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

Beginning on page 3, line 7, strike all of section 2

On page 1, line 1 of the title, after "fees;" strike the remainder of the title and insert "and reenacting and amending RCW 90.48.465."

Senator Short spoke in favor of adoption of the amendment.

Senator Lovelett spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 1100 by Senator Short on page 2, line 4 to Senate Bill No. 5585.

The motion by Senator Short did not carry and amendment no. 1100 was not adopted by voice vote.

## MOTION

On motion of Senator Rolfes, the rules were suspended, Senate Bill No. 5585 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Rolfes spoke in favor of passage of the bill.

Senator Short spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5585.

## ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5585 and the bill passed the Senate by the following vote: Yeas, 27; Nays, 20; Absent, 0; Excused, 2.

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

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

Excused: Senators Carlyle and Van De Wege

SENATE BILL NO. 5585, 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. 5860, by Senators Warnick, Dozier and Schoesler

Concerning water policy in regions with regulated reductions in aquifer levels.

On motion of Senator Warnick, Substitute Senate Bill No. 5860 was substituted for Senate Bill No. 5860 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Warnick, the rules were suspended, Substitute Senate Bill No. 5860 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Warnick and Salomon 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. 5860.

## ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5860 and the bill passed the Senate by the following vote: Yeas, 43; Nays, 4; Absent, 0; Excused, 2.

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

Voting nay: Senators Kuderer, Saldaña, Stanford and Wellman  
Excused: Senators Carlyle and Van De Wege

SUBSTITUTE SENATE BILL NO. 5860, 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'm not speaking of pending legislation; I'm speaking of great pride. Mr. President, since I've been a member of this body, only one college in the Spokane area has won a NCAA championship.

President Heck: "You're right on the edge there, you're right, you're right on the edge. Senator Billig is about to object if you go one step further."

Senator Schoesler: "Well, due to the fact that the Eastern Eagles do have a Spokane presence, I am sure he won't. They are the only national championship team of course. But from that Eastern Eagle pride came Cooper Kupp. And yesterday, Cooper Kupp of Yakima, Cooper Kupp of the Eastern Eagles, was the MVP in the Super Bowl, something that all of us can be proud of in this state. And I commend Cooper Kupp for his honors yesterday."

EDITOR'S NOTE: Mr. Cooper Kupp of Yakima, member and wide receiver of the Los Angeles Rams football team, was named Most Valuable Player of the National Football League's Super Bowl LVI following the Rams' 23-20 win over the Cincinnati Bengals played on Sunday, February 13, 2022.

## MOTION

At 4:34 p.m., on motion of Senator Pedersen, the Senate adjourned until 10:00 o'clock a.m. Tuesday, February 15, 2022.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

1590-S		Third Reading Final Passage .....	13
Introduction & 1st Reading.....	1	5662	
1626-S		Second Reading .....	4
Introduction & 1st Reading.....	1	5662-S2	
1688-S2E		Other Action.....	4
Messages.....	1	Second Reading .....	4
1691-S2E		5662-S2E	
Messages.....	1	Third Reading Final Passage .....	8
1706-S		5702	
Messages.....	1	Second Reading .....	10
1717-S		5702-S2	
Introduction & 1st Reading.....	1	Second Reading .....	10
1770-SE		5702-S2E	
Messages.....	1	Third Reading Final Passage .....	10
1773-S		5703	
Introduction & 1st Reading.....	1	Second Reading .....	11
1799-S2E		5703-S2	
Introduction & 1st Reading.....	2	Second Reading .....	11
1813-SE		Third Reading Final Passage .....	11
Messages.....	1	5723	
1835-S2		Second Reading .....	9
Introduction & 1st Reading.....	2	5723-S	
1851-E		Second Reading .....	9
Messages.....	1	Third Reading Final Passage .....	9
1877-SE		5745	
Introduction & 1st Reading.....	2	Second Reading .....	11
1930-SE		5745-S	
Introduction & 1st Reading.....	2	Second Reading .....	11
1964-E		Third Reading Final Passage .....	12
Messages.....	1	5765	
1975		Second Reading .....	9
Introduction & 1st Reading.....	2	5765-S	
1984-S		Second Reading .....	9
Messages.....	1	Third Reading Final Passage .....	10
2001-S		5783	
Introduction & 1st Reading.....	2	Second Reading .....	8
2007		5783-S	
Messages.....	1	Second Reading .....	9
2008-S2		Third Reading Final Passage .....	9
Introduction & 1st Reading.....	2	5790	
2044-S2		Second Reading .....	12
Introduction & 1st Reading.....	2	5790-S	
Other Action.....	3	Second Reading .....	12
2097		Third Reading Final Passage .....	12
Introduction & 1st Reading.....	3	5796	
5585		Second Reading .....	8
Second Reading .....	13	5796-S2	

Second Reading .....	8	Introduction & 1st Reading.....	1
5796-S2E		8627	
Third Reading Final Passage .....	8	Adopted.....	3
5848		Introduced .....	3
Second Reading .....	12	9301 Berisha, Djelli	
5848-S		Confirmed .....	4
Second Reading .....	12	9309 Wright, Shain	
Third Reading Final Passage .....	12	Confirmed .....	3
5860		CHAPLAIN OF THE DAY	
Second Reading .....	13	Fix, Rev. Andrew, Pastor, Centralia Bible	
5860-S		Baptist Church .....	1
Second Reading .....	13	FLAG BEARERS	
Third Reading Final Passage .....	14	Washington State Patrol Honor Guard .....	1
5900		GUESTS	
Second Reading .....	12	Decker, Miss Emma, Pledge of Allegiance ..	1
5900-S		PRESIDENT OF THE SENATE	
Second Reading .....	13	Remarks by the President – Recognizing	
Third Reading Final Passage .....	13	members.....	9
5920		WASHINGTON STATE SENATE	
Second Reading .....	10	Bannister, Ms. Sarah, family recognized .....	1
5920-S		Kupp, Mr. Cooper, Recognized .....	14
Second Reading .....	10	Personal Privilege, Senator Schoesler.....	14
Third Reading Final Passage .....	10		
5978			