

FIFTY THIRD DAY

MORNING SESSION

Senate Chamber, Olympia
Thursday, March 6, 2025

The Senate was called to order at 10 o'clock a.m. by the President of the Senate, Lt. Governor Heck presiding. The Secretary called the roll and announced to the President that all Senators were present.

The Sergeant at Arms Color Guard consisting of Pages Miss Maya Richards and Mr. Kelly McCausland, presented the Colors.

Page Miss Tatum Hill led the Senate in the Pledge of Allegiance.

The prayer was offered by Pastor Tito Lyro of Bible Presbyterian Church, Olympia.

MOTIONS

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

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

**MESSAGE FROM THE GOVERNOR
GUBERNATORIAL APPOINTMENTS**

March 4, 2025

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

TIMOTHY J. FARRELL, reappointed March 3, 2025, for the term ending December 26, 2028, as Member of the Board of Pilotage Commissioners.

Sincerely,
BOB FERGUSON, Governor

Referred to Committee on Transportation as Senate Gubernatorial Appointment No. 9226.

March 4, 2025

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

EDISON A. VALERIO, appointed March 3, 2025, for the term ending September 30, 2028, as Member of the Columbia Basin College Board of Trustees.

Sincerely,
BOB FERGUSON, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9227.

MOTIONS

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

On motion of Senator Riccelli, the Senate advanced to the

fourth order of business.

MESSAGES FROM THE HOUSE

March 4, 2025

MR. PRESIDENT:

The House has passed:

ENGROSSED HOUSE BILL NO. 1185,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1201,
ENGROSSED HOUSE BILL NO. 1393,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1439,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1483,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1562,

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

March 5, 2025

MR. PRESIDENT:

The House has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1233,
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1440,

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1829,

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

March 5, 2025

MR. PRESIDENT:

The House has passed:

HOUSE BILL NO. 1167,
SUBSTITUTE HOUSE BILL NO. 1260,
SUBSTITUTE HOUSE BILL NO. 1264,
SECOND SUBSTITUTE HOUSE BILL NO. 1391,
SECOND SUBSTITUTE HOUSE BILL NO. 1524,

HOUSE BILL NO. 1731,
SECOND SUBSTITUTE HOUSE BILL NO. 1788,

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

March 5, 2025

MR. PRESIDENT:

The House has passed:

SUBSTITUTE HOUSE BILL NO. 1281,
SUBSTITUTE HOUSE BILL NO. 1418,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1551,
HOUSE BILL NO. 1556,
HOUSE BILL NO. 1633,
HOUSE BILL NO. 1760,
HOUSE BILL NO. 1936,

SUBSTITUTE HOUSE BILL NO. 1980,

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

March 5, 2025

MR. PRESIDENT:

The House has passed:

HOUSE BILL NO. 1064,
SUBSTITUTE HOUSE BILL NO. 1079,
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1102,

SECOND SUBSTITUTE HOUSE BILL NO. 1162,
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.

1174,
 SECOND SUBSTITUTE HOUSE BILL NO. 1359,
 HOUSE BILL NO. 1361,
 ENGROSSED HOUSE BILL NO. 1382,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1385,
 HOUSE BILL NO. 1494,
 HOUSE BILL NO. 1553,
 HOUSE BILL NO. 1640,
 SUBSTITUTE HOUSE BILL NO. 1784,
 SUBSTITUTE HOUSE BILL NO. 1833,
 HOUSE BILL NO. 1970,

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

March 5, 2025

MR. PRESIDENT:

The House has passed:

SECOND SUBSTITUTE HOUSE BILL NO. 1154,
 SECOND SUBSTITUTE HOUSE BILL NO. 1285,
 SUBSTITUTE HOUSE BILL NO. 1294,
 HOUSE BILL NO. 1314,
 SECOND SUBSTITUTE HOUSE BILL NO. 1462,
 THIRD SUBSTITUTE HOUSE BILL NO. 1491,
 HOUSE BILL NO. 1757,

and the same are herewith transmitted.

BERNARD DEAN, Chief Clerk

MOTIONS

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

Senator Wilson, C. moved adoption of the following resolution:

SENATE RESOLUTION 8626

By Senators C. Wilson, Chapman, Cleveland, Cortes, Dhingra, Fortunato, Lovelett, Lovick, Nobles, Orwall, Bateman, Boehnke, Hasegawa, and Valdez

WHEREAS, Young people across Washington state represent the future of our communities, bringing creativity, resilience, and leadership to every corner of the state; and

WHEREAS, Students participating in the Boundless Washington, Compassion Scholars, Legislative Youth Advisory Council (LYAC), SAM sports mentoring program, and Washington World Fellows programs administered by the Office of the Lieutenant Governor and the Washington State Leadership Board have demonstrated exceptional dedication to personal growth, leadership development, civic engagement, and community service; and

WHEREAS, The achievements of these young leaders exemplify the power of investing in education, leadership training, and inclusive opportunities, inspiring their peers and uplifting communities statewide and beyond; and

WHEREAS, 2025 marks the 20th Anniversary of LYAC, a program that has empowered students to engage directly with the legislative process, amplify the voices of their peers, and advocate for policies that improve the lives of young people across Washington; and

WHEREAS, Through their hard work, determination, and commitment to making a difference, these students embody the values of service, leadership, and perseverance, setting an example for generations to come;

NOW, THEREFORE, BE IT RESOLVED, That the Senate of

the State of Washington honor and celebrate the students who have participated in the Legislative Youth Advisory Council and the Washington State Leadership Board programs for their extraordinary contributions, leadership, and dedication to shaping a brighter future for Washington state and beyond.

Senators Wilson, C. and Warnick spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8626.

The motion by Senator Wilson, C. carried and the resolution was adopted by voice vote.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced Mr. Kai Bjordahl, Mr. Kieran Powell and Mr. Gabriel Linares from the Washington State Leadership Board who were seated in the gallery.

MOTION

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

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Wellman moved that Richard E. Leigh, Jr., Senate Gubernatorial Appointment No. 9005, be confirmed as a member of the Bellevue College Board of Trustees.

Senator Wellman spoke in favor of the motion.

APPOINTMENT OF RICHARD E. LEIGH, JR.

The President declared the question before the Senate to be the confirmation of Richard E. Leigh, Jr., Senate Gubernatorial Appointment No. 9005, as a member of the Bellevue College Board of Trustees.

The Secretary called the roll on the confirmation of Richard E. Leigh, Jr., Senate Gubernatorial Appointment No. 9005, as a member of the Bellevue College Board of Trustees and the appointment was confirmed by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Alvarado, Bateman, Boehnke, Braun, Chapman, Christian, Cleveland, Conway, Cortes, Dhingra, Dozier, Fortunato, Frame, Gildon, Goehner, Hansen, Harris, Hasegawa, Holy, Kauffman, King, Krishnadasan, Liias, Lovelett, Lovick, MacEwen, McCune, Muzzall, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Slatter, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C. and Wilson, J.

Richard E. Leigh, Jr., Senate Gubernatorial Appointment No. 9005, having received the constitutional majority was declared confirmed as a member of the Bellevue College Board of Trustees.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Kauffman moved that Arlene M. Pierini, Senate

FIFTY THIRD DAY, MARCH 6, 2025

2025 REGULAR SESSION

Gubernatorial Appointment No. 9006, be confirmed as a member of the Green River College Board of Trustees.

MOTION

Senator Kauffman spoke in favor of the motion.

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

APPOINTMENT OF ARLENE M. PIERINI

SECOND READING

The President declared the question before the Senate to be the confirmation of Arlene M. Pierini, Senate Gubernatorial Appointment No. 9006, as a member of the Green River College Board of Trustees.

SENATE BILL NO. 5420, by Senators Lovick, Wagoner, Chapman, Dozier, and Nobles

Ensuring access to state benefits and opportunities for veterans, uniformed service members, and military spouses.

The Secretary called the roll on the confirmation of Arlene M. Pierini, Senate Gubernatorial Appointment No. 9006, as a member of the Green River College Board of Trustees and the appointment was confirmed by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

The measure was read the second time.

MOTION

Voting yea: Senators Alvarado, Bateman, Boehnke, Braun, Chapman, Christian, Cleveland, Conway, Cortes, Dhingra, Dozier, Fortunato, Frame, Gildon, Goehner, Hansen, Harris, Hasegawa, Holy, Kauffman, King, Krishnadasan, Liias, Lovelett, Lovick, MacEwen, McCune, Muzzall, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Slatter, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C. and Wilson, J.

On motion of Senator Lovick, the rules were suspended, Senate Bill No. 5420 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

Senator Hasegawa spoke against passage of the bill.

Arlene M. Pierini, Senate Gubernatorial Appointment No. 9006, having received the constitutional majority was declared confirmed as a member of the Green River College Board of Trustees.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5420.

ROLL CALL

THIRD READING
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

The Secretary called the roll on the final passage of Senate Bill No. 5420 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 1; Absent, 0; Excused, 0.

MOTION

Senator Wilson, J. moved that James R. Sayce, Senate Gubernatorial Appointment No. 9007, be confirmed as a member of the Grays Harbor College Board of Trustees.

Senator Wilson, J. spoke in favor of the motion.

Voting yea: Senators Alvarado, Bateman, Boehnke, Braun, Chapman, Christian, Cleveland, Conway, Cortes, Dhingra, Dozier, Fortunato, Frame, Gildon, Goehner, Hansen, Harris, Holy, Kauffman, King, Krishnadasan, Liias, Lovelett, Lovick, MacEwen, McCune, Muzzall, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Slatter, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C. and Wilson, J.

Voting nay: Senator Hasegawa

APPOINTMENT OF JAMES R. SAYCE

The President declared the question before the Senate to be the confirmation of James R. Sayce, Senate Gubernatorial Appointment No. 9007, as a member of the Grays Harbor College Board of Trustees.

SENATE BILL NO. 5420, 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

The Secretary called the roll on the confirmation of James R. Sayce, Senate Gubernatorial Appointment No. 9007, as a member of the Grays Harbor College Board of Trustees and the appointment was confirmed by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

SENATE BILL NO. 5298, by Senators Frame, Bateman, Conway, Hasegawa, Nobles, Stanford, Trudeau, Valdez, and Wilson, C.

Concerning the notice of sale or lease of manufactured/mobile home communities.

Voting yea: Senators Alvarado, Bateman, Boehnke, Braun, Chapman, Christian, Cleveland, Conway, Cortes, Dhingra, Dozier, Fortunato, Frame, Gildon, Goehner, Hansen, Harris, Hasegawa, Holy, Kauffman, King, Krishnadasan, Liias, Lovelett, Lovick, MacEwen, McCune, Muzzall, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Slatter, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C. and Wilson, J.

MOTION

On motion of Senator Frame, Substitute Senate Bill No. 5298 was substituted for Senate Bill No. 5298 and the substitute bill was placed on the second reading and read the second time.

SECOND READING

James R. Sayce, Senate Gubernatorial Appointment No. 9007, having received the constitutional majority was declared confirmed as a member of the Grays Harbor College Board of Trustees.

SUBSTITUTE SENATE BILL NO. 5298, by Senate Committee on Housing (originally sponsored by Frame, Bateman, Conway, Hasegawa, Nobles, Stanford, Trudeau,

Valdez, and Wilson, C.)

Concerning the notice of sale or lease of manufactured/mobile home communities.

The measure was read the second time.

MOTION

On motion of Senator Frame, the rules were suspended, Substitute Senate Bill No. 5298 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Frame and Goehner spoke in favor of passage of the bill.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced students from The Meridian School in Seattle who were seated in the gallery. The students were guests of Senator Valdez.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5298.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5298 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Alvarado, Bateman, Boehnke, Braun, Chapman, Christian, Cleveland, Conway, Cortes, Dhingra, Dozier, Fortunato, Frame, Gildon, Goehner, Hansen, Harris, Hasegawa, Holy, Kauffman, King, Krishnadasan, Liias, Lovelett, Lovick, MacEwen, McCune, Muzzall, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Slatter, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C. and Wilson, J.

SUBSTITUTE SENATE BILL NO. 5298, 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. 5235, by Senators Wellman, Harris, Nobles, Saldaña, and Wilson, C.

Repealing and reorganizing outdated statutes concerning public schools.

The measure was read the second time.

MOTION

Senator Wellman moved that the following floor amendment no. 0122 by Senator Wellman be adopted:

On page 5, line 32, after "402;" insert "and"

Beginning on page 5, line 34, after "401" strike all material through "6" on page 6, line 5

On page 1, beginning on line 7 of the title, after "28A.655.130," strike the remainder of the title and insert "and 28A.655.280."

Senator Wellman spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 0122 by Senator Wellman on page 5, line 32 to Senate Bill No. 5235.

The motion by Senator Wellman carried and floor amendment no. 0122 was adopted by voice vote.

MOTION

On motion of Senator Wellman, the rules were suspended, Engrossed Senate Bill No. 5235 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 5235.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5235 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Senators Alvarado, Bateman, Boehnke, Braun, Chapman, Christian, Cleveland, Conway, Cortes, Dhingra, Dozier, Fortunato, Frame, Gildon, Goehner, Hansen, Harris, Holy, Kauffman, King, Krishnadasan, Liias, Lovelett, Lovick, MacEwen, McCune, Muzzall, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Slatter, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C. and Wilson, J.

Voting nay: Senator Hasegawa

ENGROSSED SENATE BILL NO. 5235, 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. 5542, by Senators Boehnke, Slatter, Hasegawa, Nobles, Ramos, and Valdez

Expanding tuition waivers for high school completers at community and technical colleges.

The measure was read the second time.

MOTION

On motion of Senator Boehnke, the rules were suspended, Senate Bill No. 5542 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Boehnke and Nobles 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. 5542.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5542 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Alvarado, Bateman, Boehnke, Braun,

FIFTY THIRD DAY, MARCH 6, 2025

2025 REGULAR SESSION

Chapman, Christian, Cleveland, Conway, Cortes, Dhingra, Dozier, Fortunato, Frame, Gildon, Goehner, Hansen, Harris, Hasegawa, Holy, Kauffman, King, Krishnadasan, Liias, Lovelett, Lovick, MacEwen, McCune, Muzzall, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Slatter, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C. and Wilson, J.

the act.

SENATE BILL NO. 5542, 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.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced students from The Meridian School in Seattle who were seated in the gallery. The students were guests of Senator Valdez.

SECOND READING

SECOND READING

SENATE BILL NO. 5292, by Senators Conway, Saldaña, Cortes, Nobles, Salomon, and Wilson, C.

SENATE BILL NO. 5509, by Senators Alvarado, Salomon, Bateman, Conway, Nobles, Saldaña, Trudeau, Valdez, and Wilson, C.

Concerning paid family and medical leave rates.

Concerning the siting of child care centers.

MOTION

MOTION

On motion of Senator Conway, Substitute Senate Bill No. 5292 was substituted for Senate Bill No. 5292 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Alvarado, Substitute Senate Bill No. 5509 was substituted for Senate Bill No. 5509 and the substitute bill was placed on the second reading and read the second time.

SECOND READING

SECOND READING

SUBSTITUTE SENATE BILL NO. 5292, by Senate Committee on Labor & Commerce (originally sponsored by Conway, Saldaña, Cortes, Nobles, Salomon, and Wilson, C.)

SUBSTITUTE SENATE BILL NO. 5509, by Senate Committee on Local Government (originally sponsored by Alvarado, Salomon, Bateman, Conway, Nobles, Saldaña, Trudeau, Valdez, and Wilson, C.)

Concerning paid family and medical leave rates.

Concerning the siting of child care centers.

The measure was read the second time.

The measure was read the second time.

MOTION

WITHDRAWAL OF AMENDMENT

On motion of Senator Conway, the rules were suspended, Substitute Senate Bill No. 5292 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

On motion of Senator Braun and without objection, floor amendment no. 0131 by Senator Braun on page 2, line 3 to Substitute Senate Bill No. 5509 was withdrawn.

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

MOTION

Senator Braun moved that the following floor amendment no. 0132 by Senator Braun be adopted:

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5292.

On page 2, line 3, after "zones." insert "A city must provide for a conditional use approval of an on-site child care center in industrial or light industrial zones, except in or around high hazard facilities."

ROLL CALL

On page 2, line 24, after "zones." insert "A code city must provide for a conditional use approval of an on-site child care center in industrial or light industrial zones, except in or around high hazard facilities."

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5292 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 4; Absent, 0; Excused, 0.

Senators Braun and Salomon spoke in favor of adoption of the amendment.

Voting yea: Senators Alvarado, Bateman, Boehnke, Braun, Chapman, Cleveland, Conway, Cortes, Dhingra, Dozier, Fortunato, Frame, Gildon, Goehner, Hansen, Harris, Hasegawa, Holy, Kauffman, King, Krishnadasan, Liias, Lovelett, Lovick, McCune, Muzzall, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Shewmake, Short, Slatter, Stanford, Torres, Trudeau, Valdez, Warnick, Wellman, Wilson, C. and Wilson, J.

The President declared the question before the Senate to be the adoption of floor amendment no. 0132 by Senator Braun on page 2, line 3 to Substitute Senate Bill No. 5509.

Voting nay: Senators Christian, MacEwen, Schoesler and Wagoner

The motion by Senator Braun carried and floor amendment no. 0132 was adopted by voice vote.

MOTION

SUBSTITUTE SENATE BILL NO. 5292, 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

On motion of Senator Alvarado, the rules were suspended, Engrossed Substitute Senate Bill No. 5509 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Alvarado, Torres and Braun spoke in favor of passage of the bill.

Senator Wagoner 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. 5509.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5509 and the bill passed the Senate by the following vote: Yeas, 42; Nays, 7; Absent, 0; Excused, 0.

Voting yea: Senators Alvarado, Bateman, Braun, Chapman, Cleveland, Conway, Cortes, Dhingra, Dozier, Frame, Gildon, Goehner, Hansen, Harris, Hasegawa, Holy, Kauffman, King, Krishnadasan, Liias, Lovelett, Lovick, Muzzall, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Slatter, Stanford, Torres, Trudeau, Valdez, Warnick, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Christian, Fortunato, MacEwen, McCune, Wagoner and Wilson, J.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5509, 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. 5193, by Senators Cortes, Chapman, Krishnadasan, Liias, Nobles, Salomon, Shewmake, and Wilson, C.

Supporting remote testing options for students enrolled in online school programs.

MOTION

On motion of Senator Cortes, Substitute Senate Bill No. 5193 was substituted for Senate Bill No. 5193 and the substitute bill was placed on the second reading and read the second time.

SECOND READING

SUBSTITUTE SENATE BILL NO. 5193, by Senate Committee on Early Learning & K-12 Education (originally sponsored by Cortes, Chapman, Krishnadasan, Liias, Nobles, Salomon, Shewmake, and Wilson, C.)

Supporting remote testing options for students enrolled in online school programs.

The measure was read the second time.

MOTION

On motion of Senator Cortes, the rules were suspended, Substitute Senate Bill No. 5193 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Cortes and Harris 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. 5193.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5193 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Alvarado, Bateman, Boehnke, Braun, Chapman, Christian, Cleveland, Conway, Cortes, Dhingra, Dozier, Fortunato, Frame, Gildon, Goehner, Hansen, Harris, Hasegawa, Holy, Kauffman, King, Krishnadasan, Liias, Lovelett, Lovick, MacEwen, McCune, Muzzall, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Slatter, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C. and Wilson, J.

SUBSTITUTE SENATE BILL NO. 5193, 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. 5358, by Senators Braun, Chapman, Christian, Cortes, Liias, MacEwen, Nobles, Salomon, Wellman, and Wilson, C.

Concerning career and technical education in sixth grade.

MOTION

On motion of Senator Braun, Second Substitute Senate Bill No. 5358 was substituted for Senate Bill No. 5358 and the substitute bill was placed on the second reading and read the second time.

SECOND READING

SECOND SUBSTITUTE SENATE BILL NO. 5358, by Senate Committee on Ways & Means (originally sponsored by Braun, Chapman, Christian, Cortes, Liias, MacEwen, Nobles, Salomon, Wellman, and Wilson, C.)

Concerning career and technical education in sixth grade.

The measure was read the second time.

MOTION

On motion of Senator Braun, the rules were suspended, Second Substitute Senate Bill No. 5358 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Braun, Wellman, Cortes and Christian 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. 5358.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 5358 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Senators Alvarado, Bateman, Boehnke, Braun, Chapman, Christian, Cleveland, Conway, Cortes, Dhingra, Dozier, Fortunato, Frame, Gildon, Goehner, Hansen, Harris, Holy, Kauffman, King, Krishnadasan, Liias, Lovelett, Lovick, MacEwen, McCune, Muzzall, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Schoesler, Shewmake,

FIFTY THIRD DAY, MARCH 6, 2025

Short, Slatter, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C. and Wilson, J.

Voting nay: Senator Hasegawa

SECOND SUBSTITUTE SENATE BILL NO. 5358, 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.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced students from St. Joseph Catholic School in Vancouver who were seated in the gallery. The students were guests of Senator Cleveland.

SECOND READING

SENATE BILL NO. 5192, by Senators Nobles, Wellman, Chapman, Cortes, Dhingra, Hasegawa, Krishnadasan, Pedersen, Slatter, Stanford, Trudeau, and Wilson, C.

Concerning school district materials, supplies, and operating costs.

MOTION

On motion of Senator Nobles, Substitute Senate Bill No. 5192 was substituted for Senate Bill No. 5192 and the substitute bill was placed on the second reading and read the second time.

SECOND READING

SUBSTITUTE SENATE BILL NO. 5192, by Senate Committee on Ways & Means (originally sponsored by Nobles, Wellman, Chapman, Cortes, Dhingra, Hasegawa, Krishnadasan, Pedersen, Slatter, Stanford, Trudeau, and Wilson, C.)

Concerning school district materials, supplies, and operating costs.

The measure was read the second time.

MOTION

Senator Braun moved that the following floor amendment no. 0130 by Senator Braun be adopted:

On page 7, beginning on line 20, after "The" strike all material through "purpose" on line 27 and insert "~~((increased allocation amount of \$21 per annual average full-time equivalent student for materials, supplies, and operating costs provided under (a) of this subsection is intended to address growing costs in the enumerated categories and may not be expended for any other purpose))~~ amounts provided under (a) and (b) of this subsection are intended to address materials, supplies, and operating costs and may only be expended on those categories listed in (d) of this subsection"

On page 8, after line 31, insert the following:

"(c) The amounts provided under this subsection (9) are intended to address materials, supplies, and operating costs and may only be expended on those categories listed in subsection (8)(d) of this section."

Senators Braun, Harris, Muzzall and Dozier spoke in favor of adoption of the amendment.

Senator Nobles spoke against adoption of the amendment.

The President declared the question before the Senate to be the

2025 REGULAR SESSION

adoption of floor amendment no. 0130 by Senator Braun on page 7, line 20 to Substitute Senate Bill No. 5192.

The motion by Senator Braun did not carry and floor amendment no. 0130 was not adopted by voice vote.

MOTION

Senator Nobles moved that the following floor amendment no. 0115 by Senator Nobles be adopted:

On page 7, line 21, after "~~average~~)" strike "\$88.22" and insert "\$77.49"

On page 7, line 23, after "~~and~~" strike "\$16.37" and insert "\$14.94"

Beginning on page 7, line 28, after "~~(d)~~" strike all material through "~~administration~~" on page 8, line 12 and insert "(i) Beginning in the 2026-27 school year, each school district shall annually report all expenditures for materials, supplies, and operating costs including, but not limited to, expenditures in the following disaggregated categories, to the office of the superintendent of public instruction:

(A) Technology, including further disaggregation within this category for technology devices, technology support staff, software licensing, and technology or software maintenance and repair;

(B) Election fees associated with school district board of directors elections;

(C) Utilities;

(D) Insurance;

(E) Curriculum and textbooks not included under the technology category;

(F) Library materials not included under the technology category;

(G) Other supplies not included under other categories;

(H) Nontechnology-related contracted instructional professional development for certificated and classified staff;

(I) Facilities maintenance materials, supplies, and operating costs not funded by transfers from other funds;

(J) Security and central office administration;

(K) Dues and fees; and

(L) Property and equipment not funded by transfers from other funds.

(ii) The office of the superintendent of public instruction shall report additional categories as determined necessary to meet other state and federal reporting requirements"

Senators Nobles and Harris spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 0115 by Senator Nobles on page 1, line 21 to Substitute Senate Bill No. 5192.

The motion by Senator Nobles carried and floor amendment no. 0115 was adopted by voice vote.

MOTION

On motion of Senator Nobles, the rules were suspended, Engrossed Substitute Senate Bill No. 5192 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Nobles, Harris, Cortes, Wellman, Braun and Krishnadasan 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. 5192.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5192 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 2; Absent, 0; Excused, 0.

Voting yea: Senators Alvarado, Bateman, Boehnke, Braun, Chapman, Christian, Cleveland, Conway, Cortes, Dhingra, Dozier, Frame, Gildon, Goehner, Hansen, Harris, Hasegawa, Holy, Kauffman, King, Krishnadasan, Lias, Lovelett, Lovick, MacEwen, Muzzall, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Slatter, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C. and Wilson, J.

Voting nay: Senators Fortunato and McCune

ENGROSSED SUBSTITUTE SENATE BILL NO. 5192, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 11:46 a.m., on motion of Senator Riccelli, the Senate was declared to be at ease subject to the call of the President.

Senator Hasegawa announced a meeting of the Democratic Caucus immediately.

Senator Warnick announced a meeting of the Republican Caucus at 12:30 p.m.

The Senate was called to order at 2:41 p.m. by President Heck.

SECOND READING

SENATE BILL NO. 5253, by Senators Cortes, Chapman, Conway, Frame, Krishnadasan, Lias, Nobles, Shewmake, Trudeau, Valdez, and Wilson, C.

Extending special education services to students with disabilities until the end of the school year in which the student turns 22.

MOTION

On motion of Senator Cortes, Substitute Senate Bill No. 5253 was substituted for Senate Bill No. 5253 and the substitute bill was placed on the second reading and read the second time.

SECOND READING

SUBSTITUTE SENATE BILL NO. 5253, by Senate Committee on Early Learning & K-12 Education (originally sponsored by Cortes, Chapman, Conway, Frame, Krishnadasan, Lias, Nobles, Shewmake, Trudeau, Valdez, and Wilson, C.)

Extending special education services to students with disabilities until the end of the school year in which the student turns 22.

The measure was read the second time.

MOTION

On motion of Senator Cortes, the rules were suspended, Substitute Senate Bill No. 5253 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Cortes and Harris spoke in favor of passage of the bill.

MOTION

On motion of Senator Nobles, Senator Hansen was excused.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5253.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5253 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Alvarado, Bateman, Boehnke, Braun, Chapman, Christian, Cleveland, Conway, Cortes, Dhingra, Dozier, Fortunato, Frame, Gildon, Goehner, Harris, Hasegawa, Holy, Kauffman, King, Krishnadasan, Lias, Lovelett, Lovick, MacEwen, McCune, Muzzall, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Slatter, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C. and Wilson, J.

Excused: Senator Hansen

SUBSTITUTE SENATE BILL NO. 5253, 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. 5627, by Senators Ramos, Harris, Wellman, Shewmake, Wilson, J., Hasegawa, and Nobles

Improving safe excavation practices and preventing damage to underground utilities.

MOTION

On motion of Senator Ramos, Substitute Senate Bill No. 5627 was substituted for Senate Bill No. 5627 and the substitute bill was placed on the second reading and read the second time.

SECOND READING

SUBSTITUTE SENATE BILL NO. 5627, by Senate Committee on Environment, Energy & Technology (originally sponsored by Ramos, Harris, Wellman, Shewmake, Wilson, J., Hasegawa, and Nobles)

Improving safe excavation practices and preventing damage to underground utilities.

The measure was read the second time.

MOTION

Senator Ramos moved that the following striking floor amendment no. 0112 by Senator Ramos be adopted:

Strike everything after the enacting clause and insert the following:

FIFTY THIRD DAY, MARCH 6, 2025

2025 REGULAR SESSION

"Sec. 1. RCW 19.122.010 and 2011 c 263 s 1 are each amended to read as follows:

In this chapter, the underground utility damage prevention act, the legislature intends to protect public health and safety and prevent disruption of vital utility services through a comprehensive damage prevention program that includes:

- (1) Assigning responsibility for providing notice of proposed excavation, free locating and marking underground utilities, and reporting and repairing damage;
- (2) Setting safeguards for construction and excavation near hazardous liquid and gas pipelines;
- (3) Improving worker safety and public knowledge of safe practices;
- (4) Collecting and analyzing damage data;
- (5) Reviewing alleged violations; and
- (6) Enforcing this chapter.

"Sec. 2. RCW 19.122.020 and 2020 c 162 s 1 are each amended to read as follows:

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

(1) "Bar hole" means a hole made in the soil or pavement with a hand-operated bar for the specific purpose of testing the subsurface atmosphere with a combustible gas indicator.

(2) "Business day" means any day other than Saturday, Sunday, or a legal local, state, or federal holiday.

(3) "Commission" means the utilities and transportation commission.

(4) "Damage" includes the substantial weakening of structural or lateral support of an underground facility, penetration, impairment, or destruction of any underground protective coating, housing, or other protective device, or the severance, partial or complete, of any underground facility to the extent that the project owner or the affected facility operator determines that repairs are required.

(5) "Emergency" means any condition constituting a clear and present danger to life, health, or property, or a customer service outage due to an unplanned utility outage that requires immediate action where an excavator or facility operator has a crew on-site or en route.

(6) "End user" means any utility customer or consumer of utility services or commodities provided by a facility operator.

(7) "Equipment operator" means an individual conducting an excavation.

(8) "Excavation" and "excavate" means any operation, including the installation of signs, in which earth, rock, or other material on or below the ground is moved or otherwise displaced by any means.

(9) "Excavation confirmation code" means a code or ticket issued by a one-number locator service for the site where an excavation is planned. The code must be accompanied by the date and time it was issued and the work-to-begin date on the notice as provided in RCW 19.122.030(2). The excavation confirmation code is not valid until the work-to-begin date.

(10) "Excavator" means any person who engages directly in excavation.

(11) "Facility operator" means any person who owns an underground facility or is in the business of supplying any utility service or commodity for compensation. "Facility operator" does not include a utility customer who owns a service lateral that terminates at a facility operator's main utility line.

(12) "Gas" means natural gas, flammable gas, or toxic or corrosive gas.

(13) "Hazardous liquid" means:

(a) Petroleum, petroleum products, or anhydrous ammonia as those terms are defined in 49 C.F.R. Part 195 as in effect on

March 1, 1998;

(b) Carbon dioxide; and

(c) Other substances designated as hazardous by the secretary of transportation and incorporated by reference by the commission by rule.

(14) "Identified but unlocatable underground facility" means an underground facility which has been identified but cannot be located with reasonable accuracy.

(15) "Large project" means a project that exceeds seven hundred linear feet.

(16) "Locatable underground facility" means an underground facility which can be marked with reasonable accuracy.

(17) "Marking" means the use of stakes, paint, or other clearly identifiable materials to show the field location of underground facilities, in accordance with the current color code standard of the American public works association. Markings shall include identification letters indicating the specific type, best known width, and identification of the operator of the underground facility. Locate marks are not required to indicate the depth of the underground facility given the potential change of topography over time.

(18) "Notice" or "notify" means contact in person or by telephone or other electronic method, and, with respect to contact of a one-number locator service, also results in the receipt of ((a valid)) an excavation confirmation code.

(19) "One-number locator service" means a service through which a person can notify facility operators and request marking of underground facilities and includes the web-based platform required under RCW 19.122.027(1).

(20) "Person" means an individual, partnership, franchise holder, association, corporation, the state, a city, a county, a town, or any subdivision or instrumentality of the state, including any unit of local government, and its employees, agents, or legal representatives.

(21) "Pipeline" or "pipeline system" means all or parts of a pipeline facility through which hazardous liquid or gas moves in transportation, including, but not limited to, line pipe, valves, and other appurtenances connected to line pipe, pumping units, fabricated assemblies associated with pumping or compressor units, metering and delivery stations and fabricated assemblies therein, and breakout tanks. "Pipeline" or "pipeline system" does not include process or transfer pipelines.

(22) "Pipeline company" means a person or entity constructing, owning, or operating a pipeline for transporting hazardous liquid or gas. "Pipeline company" does not include:

(a) Distribution systems owned and operated under franchise for the sale, delivery, or distribution of natural gas at retail; or

(b) Excavation contractors or other contractors that contract with a pipeline company.

(23) "Reasonable accuracy" means location within twenty-four inches of the outside dimensions of both sides of an underground facility.

(24) "Service lateral" means an underground water, stormwater, or sewer facility located in a public right-of-way or utility easement that connects an end user's building or property to a facility operator's underground facility, and terminates beyond the public right-of-way or utility easement.

(25) "Transfer pipeline" means a buried or aboveground pipeline used to carry hazardous liquid between a tank vessel or transmission pipeline and the first valve inside secondary containment at a facility, provided that any discharge on the facility side of the first valve will not directly impact waters of the state. "Transfer pipeline" includes valves and other appurtenances connected to the pipeline, pumping units, and fabricated assemblies associated with pumping units. "Transfer

pipeline" does not include process pipelines, pipelines carrying ballast or bilge water, transmission pipelines, or tank vessel or storage tanks.

(26) "Transmission pipeline" means a pipeline that transports hazardous liquid or gas within a storage field, or transports hazardous liquid or gas from an interstate pipeline or storage facility to a distribution main or a large volume hazardous liquid or gas user, or operates at a hoop stress of twenty percent or more of the specified minimum yield strength.

(27) "Underground facility" means any item buried or placed below ground for use in connection with the storage or conveyance of water, sewage, electronic, telephonic or telegraphic communications, cablevision, electric energy, petroleum products, gas, gaseous vapors, hazardous liquids, or other substances and including but not limited to pipes, sewers, conduits, cables, valves, lines, wires, manholes, attachments, and those parts of poles or anchors that are below ground. This definition does not include pipelines as defined in subsection (21) of this section, but does include distribution systems owned and operated under franchise for the sale, delivery, or distribution of natural gas at retail.

(28) "Unlocatable underground facility" means, subject to the provisions of RCW 19.122.030, an underground facility that cannot be marked with reasonable accuracy using available information to designate the location of an underground facility. "Unlocatable underground facility" includes, but is not limited to, service laterals, storm drains, and nonconductive and nonmetallic underground facilities that do not contain trace wires.

(29) "Utility easement" means a right held by a facility operator to install, maintain, and access an underground facility or pipeline.

(30) "Blind boring" means engaging in directional underground boring without potholing the underground facility, relying on surface markings only to approximate the location of underground utilities in three dimensions.

(31) "Design locating" means locating for planning purposes. "Design locating" does not include locating for excavation purposes.

(32) "Force majeure" means: Natural disasters, including fire, flood, earthquake, windstorm, avalanche, mudslide, and other similar events; acts of war or civil unrest when an emergency has been declared by appropriate governmental officials; acts of civil or military authority; embargoes; epidemics; terrorist acts; riots; insurrections; explosions; and nuclear accidents.

(33) "General contractor" has the same meaning as defined in RCW 18.27.010.

(34) "Hard surface" means an area covered with asphalt, concrete, interlocking brick or block solid stone, wood, or any similar impervious or nonporous material on the surface of the ground.

(35) "Physical exposure" means processes, such as potholing or daylighting.

(36) "Positive response" means a notification from the owner or operator of the underground facility, or the owner's or operator's authorized locating contractor, to the one-number locator service confirming that the facility owner, operator, or contracted locator has completed marking or provided location information regarding unlocatable facilities in response to a notice.

(37) "Potholing" means an excavation process that involves making a series of small test holes to accurately locate underground lines. Potholing is also known as daylighting.

(38) "Safe and careful work methods" means methods of excavation, including pot holing, hand digging when practical, vacuum excavation methods, pneumatic hand tools, or other technical methods that may be developed.

(39) "White lining" means the use of any white paint, flags, stakes, whiskers, or other locally accepted method that is distinguishable from the surrounding area.

(40) "Work-to-begin date" means an identified date not less than two full business days and not more than 10 full business days, not including Saturdays, Sundays, legal local, state, or federal holidays, from the date notice is given to a one-number locator service.

Sec. 3. RCW 19.122.027 and 2011 c 263 s 3 are each amended to read as follows:

(1) The commission must establish a single statewide toll-free telephone number to be used for referring excavators to the appropriate one-number locator service. The one-number locator service shall maintain a web-based platform that provides the same services as the toll-free telephone number online. The web-based platform must meet the requirements outlined in RCW 19.122.030 (1) and (2). The web-based platform must be free of charge to those requesting location of underground facilities and operated in the same manner as the toll-free telephone number.

(a) The one-number locator service may permit multiple excavators on a single notice, so long as each excavator is provided with an individual and unique confirmation code.

(b) The one-number locator service must require that an excavator provide a work-to-begin date in the notice.

(2) The commission, in consultation with the (~~Washington utilities coordinating council~~) entity administering the one-number locator service, must establish minimum standards and best management practices for one-number locator services.

(3) One-number locator services must be operated by nongovernmental agencies.

(4) All facility operators within a one-number locator service area must subscribe to the service.

(5) Failure to subscribe to a one-number locator service constitutes willful intent to avoid compliance with this chapter.

Sec. 4. RCW 19.122.030 and 2011 c 263 s 4 are each amended to read as follows:

(1)(a) Unless exempted under RCW 19.122.031, before commencing any excavation, an excavator must mark the boundary of the excavation area with white (~~paint~~) lining or, when necessary, white pin flags, applied on the ground of the worksite, then provide notice of the scheduled commencement of excavation to all facility operators through a one-number locator service. An excavator shall provide the work-to-begin date in the notice provided to the one-number locator service.

(b) If boundary marking required by (a) of this subsection is infeasible, an excavator must (~~communicate directly with affected facility operators to ensure that the boundary of the excavation area is accurately identified~~) provide notice electronically to a one-number locator service.

(c) Excavators and facility operators are encouraged to incorporate best practices for underground damage prevention, improve worker safety, protect vital underground infrastructure, and ensure public safety during excavation activities conducted in the vicinity of existing underground facilities.

(2)(a) An excavator must provide the notice required by subsection (1) of this section to a one-number locator service not less than two full business days and not more than (~~ten~~) 10 full business days before the scheduled work-to-begin date (~~for commencement of excavation~~), unless otherwise agreed by the excavator and facility operators in writing. If an excavator intends to work at multiple sites or at a large project, the excavator must take reasonable steps to confer with facility operators to enable them to locate underground facilities reasonably in advance of the start of excavation for each phase of the work.

(b) A general contractor may provide the notice required by subsection (1) of this section on behalf of an excavator. A general

FIFTY THIRD DAY, MARCH 6, 2025

2025 REGULAR SESSION

contractor may list multiple excavators in the notice if the notice contains, for each excavator, the excavator's full legal name, phone number, physical address, and company name, if applicable. The general contractor must provide each excavator with an individual and unique confirmation code. The excavator engaging in excavation is liable for all costs and penalties resulting from damage caused by excavation, including failure to follow the notice. If damage was the result of a flaw in the notice, the general contractor who submitted the notice is liable for all costs and penalties resulting from the damage.

(3) Upon receipt of the notice provided for in subsection (1) of this section, a facility operator must, with respect to:

(a)(i) The facility operator's locatable underground facilities, provide the excavator with reasonably accurate information by marking ~~((their))~~ facility location. Hazardous liquid and gas pipeline operators are required to locate all facilities in accordance with Title 49 C.F.R. Secs. 195.442(c)(4) through (6) and 192.614(c)(4) through (6) as they existed on the effective date of this section, or such subsequent date as may be provided by the commission by rule, consistent with the purpose of this section. This information must be provided free of charge subject to the limitations in subsections (6)(b) and (8) of this section, and the grant of authority in subsection (11) of this section;

(ii) In the event of force majeure, the facility operator's deadline to mark underground facilities as provided in subsection (4)(a) of this section, must be extended by an agreement in writing between the affected parties. The facility operator shall notify the excavator of the need for extension of the deadline as soon as reasonable, but no later than the expiration of the deadline established in subsection (4)(a) of this section;

(b) The facility operator's unlocatable or identified but unlocatable underground facilities, provide the excavator with available information as to their location prior to the work-to-begin date provided in the notice under subsection (1) of this section. For any gas or hazardous liquid pipeline, locate all facilities in accordance with Title 49 C.F.R. Secs. 195.442(c)(4) through (6) and 192.614(c)(4) through (6) as they existed on the effective date of this section, or such subsequent date as may be provided by the commission by rule, consistent with the purpose of this section; and

(c) Service laterals, designate their presence or location, if the service laterals:

(i) Connect end users to the facility operator's main utility line; and

(ii) Are within a public right-of-way or utility easement and the boundary of the excavation area identified under subsection (1) of this section.

(4)(a) A facility operator must provide information to an excavator pursuant to subsection (3) of this section no later than ~~((two business days after the receipt of the notice provided for in subsection (1) of this section or before excavation commences, at the option of the facility operator, unless otherwise agreed by the parties))~~ the work-to-begin date on the notice provided for in subsection (1) and (2)(a) of this section, unless otherwise agreed by written agreement between the facility operator and excavator.

(b) A facility operator complying with subsection (3)(b) and (c) of this section may do so in a manner that includes any of the following methods:

(i) Placing within a proposed excavation area a triangular mark at the main utility line pointing at the building, structure, or property in question, indicating the presence of an unlocatable or identified but unlocatable underground facility, including a service lateral;

(ii) Arranging to meet an excavator at a worksite to provide available information about the location of service laterals; or

(iii) Providing copies of the best reasonably available records by electronic message, mail, facsimile, or other delivery method.

(c) A facility operator's good faith attempt to comply with subsection (3)(b) and (c) of this section:

(i) Constitutes full compliance with the requirements of this section, and no person may be found liable for damages or injuries that may result from such compliance, apart from liability for arranging for repairs or relocation as provided in RCW 19.122.050(2); and

(ii) Does not constitute any assertion of ownership or operation of a service lateral by the facility operator.

(d) An end user is responsible for determining the location of a service lateral on their property or a service lateral that they own. An end user is responsible for locating on their own property the underground facilities that they own. The one-number locator service shall maintain a list of private-line locate service providers who may be hired at the cost of the end user for the location of service laterals. Nothing in this section may be interpreted to require an end user to subscribe to a one-number locator service or to locate a service lateral within a right-of-way or utility easement, except an end user who is an owner, operator, or responsible party of an underground facility in a public right-of-way shall subscribe to a one-number locator service and comply with subsection (3) of this section.

(e) Facility operators may direct the one-number locator service to send notices provided for in subsection (1) of this section to a contract locator. The facility operator retains all legal responsibility for compliance with this section.

(5) An excavator must not excavate until all known facility operators have marked ~~((or provided information regarding))~~ their locatable underground facilities or, in the case of nonhazardous liquid or nongas pipeline facilities, provided information regarding their unlocatable underground facilities as provided in this section. An excavator may not commence excavation until the excavator has received positive response from all operators with underground facilities in the area identified in the notice.

(6)(a) Once marked by a facility operator, an excavator is responsible for maintaining the accuracy of the facility operator's markings of underground facilities for the lesser of:

(i) Forty-five calendar days from the date that the excavator provided notice to a one-number locator service pursuant to subsection (1) of this section; or

(ii) The duration of the excavation portion of the project.

(b) An excavator that makes repeated requests for location of underground facilities due to its failure to maintain the accuracy of a facility operator's markings as required by this subsection (6) may be charged by the facility operator for services provided.

(c) A facility operator's markings of underground utilities expire forty-five calendar days from the date that the excavator provided notice to a one-number locator service pursuant to subsection (1) of this section. For excavation occurring after that date, an excavator must provide additional notice to a one-number locator service pursuant to subsection (1) of this section.

(7) An excavator has the right to receive reasonable compensation from a facility operator for costs incurred by the excavator if the facility operator does not locate its underground facilities in accordance with the requirements specified in this section.

(8) A facility operator has the right to receive reasonable compensation from an excavator for costs incurred by the facility operator if the excavator does not comply with the requirements specified in this section.

(9) A facility operator is not required to comply with subsection (4) of this section with respect to service laterals conveying only

water if their presence can be determined from other visible water facilities, such as water meters, water valve covers, and junction boxes in or adjacent to the boundary of an excavation area identified under subsection (1) of this section.

(10) If an excavator discovers underground facilities that are not identified, the excavator must cease excavating in the vicinity of the underground facilities and immediately notify the facility operator ~~((~~¶~~))~~ through a one-number locator service. If an excavator discovers identified but unlocatable underground facilities, the excavator must notify the facility operator through a one-number locator service. Upon notification by a one-number locator service or an excavator, a facility operator must allow for location of the uncovered portion of an underground facility identified by the excavator, and may accept location information from the excavator for marking of the underground facility.

(11) Each facility operator shall provide to a one-number locator service directions on how a requestor may obtain, for design locating, information regarding the location of underground facilities. For the purpose of this subsection, a "requestor" is any person seeking the location of underground facilities for design locating. Facility operators may attach fees for design locating. However, the fees under this subsection may not be imposed on the department of transportation.

(12) Design locating is required whenever any individual applies for a development permit of any type within 700 feet of a transmission pipeline.

(a) Prior to any activity that involves grade modification, excavation, or additional loading of the soil on property within 700 feet of a transmission pipeline, the requestor must contact the transmission pipeline operator and provide documentation detailing the proposed activity.

(b) The transmission pipeline operator must respond to the requestor within 30 days to confirm a review of the documents describing the proposed activity and indicate any potential impacts from the activity on the transmission line.

(c) If after 30 days, the transmission pipeline operator does not respond to the requestor, then development activity may resume without violation.

(13) Except as provided in subsections (6)(b), (8), and (11) of this section, facility operators are prohibited from charging a fee for locating and marking their underground facilities.

(14) Nothing in this section limits a facility operator regulated by the commission from seeking recovery of costs for locating and marking its underground facilities as part of rates.

Sec. 5. RCW 19.122.031 and 2011 c 263 s 5 are each amended to read as follows:

(1) The requirements specified in RCW 19.122.030 do not apply to any of the following activities:

(a) An emergency excavation, but only with respect to ~~((boundary marking))~~ white lining and notice requirements specified in RCW 19.122.030 (1) and (2), and provided that the excavator provides notice to a one-number locator service at the earliest practicable opportunity. Facility operators must promptly respond to a notice of emergency excavation. Prompt means to dispatch locating personnel without undue delay;

(b) An excavation of less than twelve inches in depth on private noncommercial property, if the excavation is performed by the person or an employee of the person who owns or occupies the property on which the excavation is being performed;

(c) The tilling of soil for agricultural purposes less than:

(i) Twelve inches in depth within a utility easement; and

(ii) Twenty inches in depth outside of a utility easement;

(d) The replacement of an official traffic sign installed prior to January 1, 2013, no deeper than the depth at which it was installed;

(e) Road maintenance activities involving excavation less than

six inches in depth below the original road grade and ditch maintenance activities involving excavation less than six inches in depth below the original ditch flowline, or alteration of the original ditch horizontal alignment;

(f) The creation of bar holes less than twelve inches in depth, or of any depth during emergency leak investigations, provided that the excavator takes reasonable measures to eliminate electrical arc hazards; ~~((~~¶~~))~~

(g) Construction, operation, or maintenance activities by an irrigation district on rights-of-way, easements, or facilities owned by the federal bureau of reclamation in federal reclamation projects; or

(h) Any facility operator using safe and careful work methods to physically expose an unlocatable facility in response to a one-call notification.

(2) Any activity described in subsection (1) of this section is subject to the requirements specified in RCW 19.122.050.

Sec. 6. RCW 19.122.040 and 2011 c 263 s 8 are each amended to read as follows:

(1) Project owners shall indicate in bid or contract documents the existence of underground facilities known by the project owner to be located within the proposed area of excavation. The following are deemed to be changed or differing site conditions:

(a) An underground facility not identified as required by this chapter or other provision of law; or

(b) An underground facility not located, as required by this chapter or other provision of law, by the project owner, facility operator, or excavator if the project owner or excavator is also a facility operator.

(2) An excavator shall use reasonable care to avoid damaging underground facilities. An excavator must:

(a) Determine the precise location of underground facilities which have been marked pursuant to RCW 19.122.030;

(b) Plan the excavation to avoid damage to or minimize interference with underground facilities in and near the excavation area; ~~((and))~~

(c) Provide such support for underground facilities in and near the construction area, including during backfill operations, as may be reasonably necessary for the protection of such facilities;

(d) Use safe and careful work methods, taking into consideration the known and unknown underground facilities and the surface and subsurface to be excavated. If the marking is on a hard surface, methods of excavation may include pneumatic hand tools or other excavation methods that are commonly accepted as permissible for the type of surface encountered; and

(e) When directional boring will be implemented as a method of underground excavation, supplement white lining with physical exposure to avoid blind boring.

(3) If an underground facility is damaged and such damage is the consequence of the failure to fulfill an obligation under this chapter, the party failing to perform that obligation is liable for any damages. Any clause in an excavation contract which attempts to allocate liability, or requires indemnification to shift the economic consequences of liability, that differs from the provisions of this chapter is against public policy and unenforceable. Nothing in this chapter prevents the parties to an excavation contract from contracting with respect to the allocation of risk for changed or differing site conditions.

(4) In any action brought under this section, the prevailing party is entitled to reasonable attorneys' fees.

Sec. 7. RCW 19.122.050 and 2020 c 162 s 2 are each amended to read as follows:

(1) An excavator who, in the course of excavation, contacts or damages an underground facility shall notify the facility operator directly, if the facility operator is known, and a one-number locator service, and report the damage as required under RCW

FIFTY THIRD DAY, MARCH 6, 2025

2025 REGULAR SESSION

19.122.053. If the damage causes an emergency condition, the excavator causing the damage shall also call 911 to alert the appropriate local public safety agencies and take all appropriate steps to ensure the public safety. No damaged underground facility may be buried until it is repaired or relocated.

(2) A facility operator notified in accordance with subsection (1) of this section shall arrange for repairs or relocation as soon as is practical, or permit the excavator to do necessary repairs or relocation at a mutually acceptable price.

Sec. 8. RCW 19.122.055 and 2011 c 263 s 10 are each amended to read as follows:

(1)(a) Any excavator who (~~fails to notify a one-number locator service~~) violates any provision of this chapter and causes damage to a hazardous liquid or gas underground facility is subject to a civil penalty of not more than (~~ten thousand dollars~~) \$25,000 for each violation.

(b) The civil penalty in this subsection may also be imposed on any excavator who violates RCW 19.122.090.

(2) Any hazardous liquid or gas pipeline operator who (a): (i) Fails to accurately locate the underground facility as required under RCW 19.122.030 (3) and (4); or (ii) fails to mark its underground facilities as required under RCW 19.122.030(1), and (b) whose underground facility is damaged as a result of the failure in (a) of this subsection is subject to a civil penalty of not more than \$25,000 for each violation.

(3) A civil penalty of up to \$5,000 for each violation may be imposed on any excavator or facility operator that violates any provision of this chapter involving an underground pipeline facility, but does not cause damage to an underground pipeline facility.

(4) All civil penalties recovered under this section must be deposited into the damage prevention account created in RCW 19.122.160.

Sec. 9. RCW 19.122.090 and 2005 c 448 s 5 are each amended to read as follows:

(1) Any excavator who excavates, without (~~a valid~~) an excavation confirmation code when required under this chapter, within (~~thirty-five~~) 35 feet of a transmission pipeline is guilty of a misdemeanor.

(2) Any excavator who excavates within 35 feet of a transmission pipeline, prior to the work-to-begin date on the notice when required under this chapter, is guilty of a misdemeanor.

(3) Any excavator who excavates within 35 feet of a transmission pipeline, prior to receiving positive response from the facility operator of the transmission pipeline when required under this chapter, is guilty of a misdemeanor.

Sec. 10. RCW 19.122.100 and 2011 c 263 s 16 are each amended to read as follows:

If charged with a violation of RCW 19.122.090, an equipment operator is deemed to have established an affirmative defense to such charges if:

(1) The equipment operator was provided (~~a valid~~) an excavation confirmation code;

(2) The excavation was performed in an emergency situation;

(3) The equipment operator was provided a false confirmation code by an identifiable third party; or

(4) Notice of the excavation was not required under this chapter.

Sec. 11. RCW 19.122.130 and 2020 c 162 s 3 are each amended to read as follows:

(1) The commission must contract with a statewide, nonprofit entity whose purpose is to reduce damages to underground and above ground facilities, promote safe excavation practices, and review complaints of alleged violations of this chapter. The

contract must not obligate funding by the commission for activities performed by the nonprofit entity or the safety committee under this section.

(2) The contracting entity must create a safety committee to:

(a) Advise the commission and other state agencies, the legislature, and local governments on best practices and training to prevent damage to underground utilities, and policies to enhance worker and public safety; and

(b) Review complaints alleging violations of this chapter involving practices related to underground facilities.

(3)(a) The safety committee will consist of thirteen members, who must be nominated by represented groups and appointed by the contracting entity to staggered three-year terms. The safety committee must include representatives of:

(i) Local governments;

(ii) A natural gas utility subject to regulation under Titles 80 and 81 RCW;

(iii) Contractors;

(iv) Excavators;

(v) An electric utility subject to regulation under Title 80 RCW;

(vi) A consumer-owned utility, as defined in RCW 19.27A.140;

(vii) A pipeline company;

(viii) A water-sewer district subject to regulation under Title 57 RCW;

(ix) The commission; (~~and~~)

(x) A telecommunications company; and

(xi) A labor organization.

(b) The safety committee may pass bylaws and provide for those organizational processes that are necessary to complete the safety committee's tasks.

(4) The safety committee must meet at least once every three months.

(5) The safety committee may review complaints of alleged violations of this chapter involving practices related to underground facilities, except for those complaints relating to damage to pipeline facilities or which involve violations of RCW 19.122.075 or 19.122.090. Any person may bring a complaint to the safety committee regarding an alleged violation occurring on or after January 1, 2013.

(6) To review complaints of alleged violations, the safety committee must first receive sufficient evidence that a probable violation occurred. Once sufficient evidence has been received, the safety committee must appoint at least three and not more than five members as a review committee. The review committee must be a balanced group, including at least one excavator and one facility operator.

(7) Before reviewing a complaint alleging a violation of this chapter, the review committee must (~~notify the person making the complaint and the alleged violator of its review and of~~) provide all complaint forms, materials, and supporting evidence that will be presented or used by the person or company making the complaint, to the alleged violator no less than 30 days prior to the scheduled date of review. Both parties must be notified of the review and be provided the opportunity to participate.

(8) The safety committee may provide written notification to the commission, with supporting documentation, that a person has likely committed a violation of this chapter, and recommend remedial action that may include a penalty amount, training, or education to improve public safety, or some combination thereof.

Sec. 12. RCW 19.122.150 and 2017 c 20 s 3 are each amended to read as follows:

(1) The commission may investigate and enforce violations of (~~RCW 19.122.055, 19.122.075, and 19.122.090~~) any provision of this chapter relating to pipeline facilities without initial referral

to the safety committee created under RCW 19.122.130.

(2) If the commission's investigation of notifications received pursuant to RCW 19.122.140 or subsection (1) of this section substantiates violations of this chapter, the commission may impose penalties authorized by RCW 19.122.055, 19.122.070, 19.122.075, and 19.122.090, and require training, education, or any combination thereof.

(3) With respect to referrals from the safety committee, the commission must consider any recommendation by the committee regarding enforcement and remedial actions involving an alleged violator.

(4) In an action to impose a penalty initiated by the commission under subsection (1) or (2) of this section, the penalty is due and payable when the person incurring the penalty receives a notice of penalty in writing from the commission describing the violation and advising the person that the penalty is due. The person incurring the penalty has fifteen days from the date the person receives the notice of penalty to file with the commission a request for mitigation or a request for a hearing. The commission must include this time limit information in the notice of penalty. After receiving a timely request for mitigation or hearing, the commission must suspend collection of the penalty until it issues a final order concerning the penalty or mitigation of that penalty. A person aggrieved by the commission's final order may seek judicial review, subject to provisions of the administrative procedure act, chapter 34.05 RCW.

(5) If a penalty imposed by the commission is not paid, the attorney general may, on the commission's behalf, file a civil action in superior court to collect the penalty."

On page 1, line 2 of the title, after "utilities;" strike the remainder of the title and insert "amending RCW 19.122.010, 19.122.020, 19.122.027, 19.122.030, 19.122.031, 19.122.040, 19.122.050, 19.122.055, 19.122.090, 19.122.100, 19.122.130, and 19.122.150; and prescribing penalties."

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

The President declared the question before the Senate to be the adoption of striking floor amendment no. 0112 by Senator Ramos to Substitute Senate Bill No. 5627.

The motion by Senator Ramos carried and striking floor amendment no. 0112 was adopted by voice vote.

MOTION

On motion of Senator Ramos, the rules were suspended, Engrossed Substitute Senate Bill No. 5627 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Ramos, Boehnke and Shewmake 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. 5627.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5627 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Senators Alvarado, Bateman, Boehnke, Braun, Chapman, Cleveland, Conway, Cortes, Dhingra, Dozier, Fortunato, Frame, Gildon, Goehner, Hansen, Harris, Hasegawa, Holy, Kauffman, King, Krishnadasan, Lias, Lovelett, Lovick, MacEwen, McCune, Muzzall, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Schoesler, Shewmake,

Short, Slatter, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C. and Wilson, J.

Voting nay: Senator Christian

ENGROSSED SUBSTITUTE SENATE BILL NO. 5627, 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. 5388, by Senators Dhingra, Nobles, Saldaña, Trudeau, and Wilson, C.

Concerning department of corrections behavioral health certification.

MOTIONS

On motion of Senator Dhingra, Substitute Senate Bill No. 5388 was substituted for Senate Bill No. 5388 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. 5388 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Dhingra spoke in favor of passage of the bill.

Senator Christian spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5388.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5388 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 4; Absent, 0; Excused, 0.

Voting yea: Senators Alvarado, Bateman, Braun, Chapman, Cleveland, Conway, Cortes, Dhingra, Dozier, Frame, Gildon, Goehner, Hansen, Harris, Hasegawa, Holy, Kauffman, King, Krishnadasan, Lias, Lovelett, Lovick, MacEwen, Muzzall, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Slatter, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C. and Wilson, J.

Voting nay: Senators Boehnke, Christian, Fortunato and McCune

SUBSTITUTE SENATE BILL NO. 5388, 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. 5629, by Senators Harris, Chapman, Dozier, Frame, Hasegawa, Lias, Slatter, Trudeau, and Valdez

Concerning coverage requirements for prosthetic limbs and custom orthotic braces.

MOTIONS

On motion of Senator Harris, Substitute Senate Bill No. 5629 was substituted for Senate Bill No. 5629 and the substitute bill

FIFTY THIRD DAY, MARCH 6, 2025

2025 REGULAR SESSION

was placed on the second reading and read the second time.

Senator Harris moved that the following striking floor amendment no. 0125 by Senator Harris be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 48.43 RCW to read as follows:

(1) Nongrandfathered group health plans, other than small group health plans and health plans offered to public employees and dependents under chapter 41.05 RCW, issued or renewed on or after January 1, 2026, must include coverage for one or more prostheses per limb and custom orthotic braces per limb when medically necessary for the enrollee to participate in any of the following:

(a) Completing activities of daily living or essential job-related activities; and

(b) Performing physical activities, including but not limited to running, biking, swimming, and strength training, for maximizing the enrollee's lower limb function, upper limb function, or both.

(2) The coverage required under this section must also include coverage for:

(a) Materials, components, and related services necessary to use the devices for their intended purposes;

(b) Instruction to the enrollee on using the devices; and

(c) Reasonable repair or replacement of the devices.

(3)(a) Coverage under this section includes coverage for the replacement or repair of a prosthetic limb or custom orthotic brace or for the replacement or repair of any part of such devices, without regard to continuous use or useful lifetime restrictions, if medically necessary because:

(i) Of a change in the physiological condition of the patient;

(ii) Of an irreparable change in the condition of the device or a part of the device; or

(iii) The device, or any part of the device, requires repairs and the cost of such repairs would be more than 60 percent of the cost of a replacement device or of the part being replaced.

(b) Confirmation from the prescribing health care provider may be required if the prosthetic limb or custom orthotic brace or part being replaced is less than three years old.

(4) A health plan subject to this section may not deny coverage for a prosthetic limb or custom orthotic brace for an enrollee with a disability if health care services would otherwise be covered for a nondisabled person seeking medical or surgical intervention to restore or maintain the ability to perform the same physical activity.

(5) For coverage under this section, a health plan subject to this section may apply normal utilization management and prior authorization practices. Any denial of coverage must be issued in writing with an explanation for determining coverage was not medically necessary.

(6) A health plan subject to this section shall provide payment for coverage under this section that is at least equal to the payment and coverage for prosthetic limbs and custom orthotic braces provided under federal laws and regulations for the aged and disabled pursuant to 42 U.S.C. Sec. 1395k, 1395l, and 1395m and 42 C.F.R. Sec. 414.202, 414.210, 414.228, and 410.100.

(7) No later than July 1, 2028, each carrier that issues a health plan subject to this section shall report to the office of the insurance commissioner, in a form and manner determined by the commissioner, the number of claims and the total amount of claims paid in the state for the services required by this section for plan years 2026 and 2027. The commissioner shall aggregate this data by plan year in a report and submit the report to the relevant committees of the legislature by December 1, 2028.

(8) For the purposes of this section:

(a) "Prosthetic limb" or "prosthesis" means an external medical device that is used to replace or restore a missing limb or portion of a limb and is deemed medically necessary for an individual with a mobility impairing health condition or disability.

(b) "Custom orthotic brace" means an external medical device that is custom-fabricated or custom-fitted to support, correct, or alleviate neuromuscular or musculoskeletal dysfunction, disease, injury, or deformity, is needed to improve the safety and efficiency of functional mobility, is patient-specific based on the patient's unique physical condition, and is deemed medically necessary for individuals with a mobility impairing health condition or disability."

On page 1, line 2 of the title, after "braces;" strike the remainder of the title and insert "and adding a new section to chapter 48.43 RCW."

Senators Harris and Cleveland spoke in favor of adoption of the striking amendment.

The President declared the question before the Senate to be the adoption of striking floor amendment no. 0125 by Senator Harris to Substitute Senate Bill No. 5629.

The motion by Senator Harris carried and striking floor amendment no. 0125 was adopted by voice vote.

MOTION

On motion of Senator Harris, the rules were suspended, Engrossed Substitute Senate Bill No. 5629 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Harris, Cleveland and Wellman spoke in favor of passage of the bill.

Senator Muzzall spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5629.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5629 and the bill passed the Senate by the following vote: Yeas, 43; Nays, 6; Absent, 0; Excused, 0.

Voting yea: Senators Alvarado, Bateman, Braun, Chapman, Cleveland, Conway, Cortes, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Harris, Hasegawa, Holy, Kauffman, King, Krishnadasan, Liias, Lovelett, Lovick, MacEwen, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Shewmake, Short, Slatter, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C. and Wilson, J.

Voting nay: Senators Boehnke, Christian, Goehner, McCune, Muzzall and Schoesler

ENGROSSED SUBSTITUTE SENATE BILL NO. 5629, 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. 5653, by Senators Chapman, Hasegawa, MacEwen, and Nobles

Concerning collective bargaining by fish and wildlife officers.

The measure was read the second time.

MOTION

On motion of Senator Chapman, the rules were suspended, Senate Bill No. 5653 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Chapman and King 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. 5653.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5653 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Alvarado, Bateman, Boehnke, Braun, Chapman, Christian, Cleveland, Conway, Cortes, Dhingra, Dozier, Fortunato, Frame, Gildon, Goehner, Hansen, Harris, Hasegawa, Holy, Kauffman, King, Krishnadasan, Liias, Lovelett, Lovick, MacEwen, McCune, Muzzall, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Slatter, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C. and Wilson, J.

SENATE BILL NO. 5653, 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. 5123, by Senators Nobles, Wilson, C., Hasegawa, Liias, Lovelett, Saldaña, Slatter, Stanford, and Valdez

Expanding protections for certain students to promote inclusivity in public schools.

MOTION

On motion of Senator Nobles, Substitute Senate Bill No. 5123 was substituted for Senate Bill No. 5123 and the substitute bill was placed on the second reading and read the second time.

SECOND READING

SUBSTITUTE SENATE BILL NO. 5123, by Senate Committee on Early Learning & K-12 Education (originally sponsored by Nobles, Wilson, C., Hasegawa, Liias, Lovelett, Saldaña, Slatter, Stanford, and Valdez)

Expanding protections for certain students to promote inclusivity in public schools.

The measure was read the second time.

MOTION

On motion of Senator Nobles, the rules were suspended, Substitute Senate Bill No. 5123 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Nobles, Alvarado, Liias and Wilson, C. spoke in favor of passage of the bill.

Senators Harris, McCune, Christian, Short and Fortunato spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5123.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5123 and the bill passed the Senate by the following vote: Yeas, 30; Nays, 19; Absent, 0; Excused, 0.

Voting yea: Senators Alvarado, Bateman, Chapman, Cleveland, Conway, Cortes, Dhingra, Frame, Hansen, Hasegawa, Kauffman, Krishnadasan, Liias, Lovelett, Lovick, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Shewmake, Slatter, Stanford, Trudeau, Valdez, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Braun, Christian, Dozier, Fortunato, Gildon, Goehner, Harris, Holy, King, MacEwen, McCune, Muzzall, Schoesler, Short, Torres, Wagoner, Warnick and Wilson, J.

SUBSTITUTE SENATE BILL NO. 5123, 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. 5570, by Senators Kauffman, Wellman, Hasegawa, Nobles, Riccelli, Stanford, Valdez, and Wilson, C.

Supporting public school instruction in tribal sovereignty and federally recognized Indian tribes.

MOTION

On motion of Senator Kauffman, Substitute Senate Bill No. 5570 was substituted for Senate Bill No. 5570 and the substitute bill was placed on the second reading and read the second time.

SECOND READING

SUBSTITUTE SENATE BILL NO. 5570, by Senate Committee on Ways & Means (originally sponsored by Kauffman, Wellman, Hasegawa, Nobles, Riccelli, Stanford, Valdez, and Wilson, C.)

Supporting public school instruction in tribal sovereignty and federally recognized Indian tribes.

The measure was read the second time.

MOTION

On motion of Senator Kauffman, the rules were suspended, Substitute Senate Bill No. 5570 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Kauffman and Shewmake spoke in favor of passage of the bill.

Senator Harris spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5570.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5570 and the bill passed the Senate by the following vote: Yeas, 35; Nays, 14; Absent, 0; Excused, 0.

Voting yea: Senators Alvarado, Bateman, Braun, Chapman, Cleveland, Conway, Cortes, Dhingra, Frame, Gildon, Hansen, Hasegawa, Kauffman, Krishnadasan, Liias, Lovelett, Lovick, Muzzall, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Shewmake, Slatter, Stanford, Torres, Trudeau, Valdez, Warnick, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Christian, Dozier, Fortunato, Goehner, Harris, Holy, King, MacEwen, McCune, Schoesler, Short, Wagoner and Wilson, J.

SUBSTITUTE SENATE BILL NO. 5570, 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. 5729, by Senators Gildon, Dozier, and Fortunato

Encouraging construction of affordable housing by streamlining the permitting process.

The measure was read the second time.

MOTION

Senator Gildon moved that the following striking floor amendment no. 0108 by Senator Gildon be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature finds that there is a housing crisis in Washington state. There is a need to expedite the permit approval process. Permitting buildings is one area that has been identified as a hindrance to increasing the number of housing units. The legislature finds that streamlining processing of building permits is a powerful way to combat the lack of housing in this state.

Sec. 2. RCW 36.70B.070 and 2023 c 338 s 6 are each amended to read as follows:

(1)(a) Within 28 days after receiving a project permit application, a local government planning pursuant to RCW 36.70A.040 shall provide a written determination to the applicant.

(b) The written determination must state either:

(i) That the application is complete; or

(ii) That the application is incomplete and that the procedural submission requirements of the local government have not been met. The determination shall outline what is necessary to make the application procedurally complete.

(c) The number of days shall be calculated by counting every calendar day.

(d) To the extent known by the local government, the local government shall identify other agencies of local, state, or federal governments that may have jurisdiction over some aspect of the application.

(2) A project permit application is complete for purposes of this section when it meets the procedural submission requirements of the local government, as outlined on the project permit application. Additional information or studies may be required or

project modifications may be undertaken subsequent to the procedural review of the application by the local government. The determination of completeness shall not preclude the local government from requesting additional information or studies either at the time of the notice of completeness or subsequently if new information is required or substantial changes in the proposed action occur. However, if the procedural submission requirements, as outlined on the project permit application have been provided, the need for additional information or studies may not preclude a completeness determination.

(3) The determination of completeness may include or be combined with the following:

(a) A preliminary determination of those development regulations that will be used for project mitigation;

(b) A preliminary determination of consistency, as provided under RCW 36.70B.040;

(c) Other information the local government chooses to include; or

(d) The notice of application pursuant to the requirements in RCW 36.70B.110.

(4)(a) An application shall be deemed procedurally complete on the 29th day after receiving a project permit application under this section if the local government does not provide a written determination to the applicant that the application is procedurally incomplete as provided in subsection (1)(b)(ii) of this section. When the local government does not provide a written determination, they may still seek additional information or studies as provided for in subsection (2) of this section.

(b) Within 14 days after an applicant has submitted to a local government additional information identified by the local government as being necessary for a complete application, the local government shall notify the applicant whether the application is complete or what additional information is necessary.

(c) The notice of application shall be provided within 14 days after the determination of completeness pursuant to RCW 36.70B.110.

(5)(a) Any project permit applications submitted with plans, computations, or specifications prepared, stamped, and signed by a professional engineer or architect meeting the requirements under (b) of this subsection, licensed under the laws of the state of Washington, in the specific discipline as appropriate, is deemed complete under this section by the city or county building department with authority under RCW 19.27.050. Additional information or studies may be required or project modifications undertaken subsequent to the procedural review of the application by the local government. The determination of completeness may not preclude the local government from requesting additional information or studies either at the time of the notice of completeness or subsequently if new information is required or substantial changes in the proposed action occur. If the procedural submission requirements as outlined on the project permit application have been provided, the need for additional information or studies may not preclude a completeness determination.

(b) The professional engineer or architect must maintain professional liability errors and omissions insurance in an amount of not less than \$1,000,000 executed by an insurer authorized to do business in the state of Washington, as determined by rule by the board of registration for professional engineers and land surveyors.

(c)(i) A county or city may not approve a building permit application that does not comply with the development regulations in effect, including those required by state or federal law.

(ii) A county or city may not approve a building permit application that does not comply with the housing affordability requirements adopted by a county or city.

(d) The department may review the application for compliance and consistency with the current building codes, zoning, critical areas, shoreline master plan documentation, or other land use control ordinances in effect.

Sec. 3. RCW 36.70B.050 and 1995 c 347 s 406 are each amended to read as follows:

(1) Not later than March 31, 1996, each local government shall provide by ordinance or resolution for review of project permit applications to achieve the following objectives:

~~((1))~~ (a) Combine the environmental review process, both procedural and substantive, with the procedure for review of project permits; and

~~((2))~~ (b) Except for the appeal of a determination of significance as provided in RCW 43.21C.075, provide for no more than one open record hearing and one closed record appeal.

(2) A project permit application that is consistent with adopted development regulations, including critical area ordinances, and within the capacity of public facilities is deemed approved following six reviews or requests for additional information by the local government unless clear violation of substantive and procedural requirements is demonstrated by the reviewing local government. Nothing in this subsection removes a local government's requirements to comply with the remainder of this chapter. This subsection does not apply to:

(a) Project permit applications required to be approved by hearing examiners or legislative bodies; or

(b) Project permit applications required by state or federal law.

Sec. 4. RCW 36.70B.140 and 2023 c 338 s 1 are each amended to read as follows:

(1) A local government by ordinance or resolution may exclude the following project permits from the provisions of RCW 36.70B.060 through 36.70B.090 and 36.70B.110 through 36.70B.130: Landmark designations, street vacations, or other approvals relating to the use of public areas or facilities, or other project permits, whether administrative or quasi-judicial, that the local government by ordinance or resolution has determined present special circumstances that warrant a review process or time periods for approval which are different from that provided in RCW 36.70B.060 through 36.70B.090 and 36.70B.110 through 36.70B.130.

(2) A local government by ordinance or resolution also may exclude the following project permits from the provisions of RCW 36.70B.060 and 36.70B.110 through 36.70B.130: Lot line or boundary adjustments and building and other construction permits, or similar administrative approvals, categorically exempt from environmental review under chapter 43.21C RCW, or for which environmental review has been completed in connection with other project permits.

(3) A local government must exclude project permits for interior alterations from site plan review, provided that the interior alterations do not result in the following:

(a) Additional sleeping quarters or bedrooms;

(b) Nonconformity with federal emergency management agency substantial improvement thresholds; or

(c) Increase the total square footage or valuation of the structure thereby requiring upgraded fire access or fire suppression systems.

(4) A local government, by ordinance or resolution, must exclude the following project permits from the provisions of chapter 36.70B RCW:

(a) The expansion or remodeling of existing buildings, structures, or development provided:

(i) The alterations do not modify the existing site layout;

(ii) The expansion or remodeling of existing buildings, structures, or development is outside the critical area or critical area buffers; or

(iii) In cases where two or more duplexes will be built on the same lot;

(b) The project involves no exterior work adding to the building footprint;

(c) The door or window adjustments or replacements are allowed with no site plan needed; and

(d) Total additions and alterations and detached accessory structures are less than 2,000 square feet in area without new vehicular access.

(5) Nothing in this section exempts interior alterations from otherwise applicable building, plumbing, mechanical, or electrical codes.

~~((5))~~ (6) For purposes of this section, "interior alterations" include construction activities that do not modify the existing site layout or its current use and involve no exterior work adding to the building footprint.

Sec. 5. RCW 18.43.035 and 2020 c 47 s 1 are each amended to read as follows:

(1) The board may adopt and amend bylaws establishing its organization and method of operation, including but not limited to meetings, maintenance of books and records, publication of reports, code of ethics, and rosters, and adoption and use of a seal.

(2) Four members of the board shall constitute a quorum for the conduct of any business of the board.

(3) The board shall appoint its director, who must hold a valid Washington license as a professional engineer or professional land surveyor.

(4) The board may employ such persons as are necessary to carry out its duties under this chapter.

(5) It may adopt rules reasonably necessary to administer the provisions of this chapter and RCW 36.70B.070(5)(b). The board shall submit to the governor periodic reports as may be required. A roster, showing the names and places of business of all registered professional engineers and land surveyors may be published for distribution, upon request, to professional engineers and land surveyors registered under this chapter and to the public."

On page 1, line 2 of the title, after "process;" strike the remainder of the title and insert "amending RCW 36.70B.070, 36.70B.050, 36.70B.140, and 18.43.035; and creating a new section."

Senators Gildon and Bateman spoke in favor of adoption of the striking amendment.

The President declared the question before the Senate to be the adoption of striking floor amendment no. 0108 by Senator Gildon to Senate Bill No. 5729.

The motion by Senator Gildon carried and striking floor amendment no. 0108 was adopted by voice vote.

MOTION

On motion of Senator Gildon, the rules were suspended, Engrossed Senate Bill No. 5729 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 5729.

ROLL CALL

FIFTY THIRD DAY, MARCH 6, 2025

2025 REGULAR SESSION

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5729 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 2; Absent, 0; Excused, 0.

Voting yea: Senators Alvarado, Bateman, Boehnke, Braun, Chapman, Christian, Cleveland, Conway, Cortes, Dhingra, Dozier, Fortunato, Frame, Gildon, Goehner, Hansen, Harris, Holy, Kauffman, King, Krishnadasan, Lias, Lovick, MacEwen, McCune, Muzzall, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Slatter, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C. and Wilson, J.

Voting nay: Senators Hasegawa and Lovelett

ENGROSSED SENATE BILL NO. 5729, 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.

Senator Hasegawa announced a meeting of the Democratic Caucus.

Senator Warnick announced there would be no meeting of the Republican Caucus.

MOTION

At 4:01 p.m., on motion of Senator Riccelli, the Senate adjourned until 10 o'clock a.m. Friday, March 7, 2025.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

1064		1440-S2E	
Messages	1	Messages	1
1079-S		1462-S2	
Messages	1	Messages	2
1102-S2E		1483-SE	
Messages	1	Messages	1
1154-S2		1491-S3	
Messages	2	Messages	2
1162-S2		1494	
Messages	1	Messages	2
1167		1524-S2	
Messages	1	Messages	1
1174-S2E		1551-SE	
Messages	2	Messages	1
1185-E		1553	
Messages	1	Messages	2
1201-SE		1556	
Messages	1	Messages	1
1233-SE		1562-SE	
Messages	1	Messages	1
1260-S		1633	
Messages	1	Messages	1
1264-S		1640	
Messages	1	Messages	2
1281-S		1731	
Messages	1	Messages	1
1285-S2		1757	
Messages	2	Messages	2
1294-S		1760	
Messages	2	Messages	1
1314		1784-S	
Messages	2	Messages	2
1359-S2		1788-S2	
Messages	2	Messages	1
1361		1829-SE	
Messages	2	Messages	1
1382-E		1833-S	
Messages	2	Messages	2
1385-SE		1936	
Messages	2	Messages	1
1391-S2		1970	
Messages	1	Messages	2
1393-E		1980-S	
Messages	1	Messages	1
1418-S		5123	
Messages	1	Second Reading	16
1439-SE		5123-S	
Messages	1	Second Reading	16

Third Reading Final Passage	16	Third Reading Final Passage	6
5192		5542	
Second Reading	7	Second Reading	4
5192-S		Third Reading Final Passage	4
Second Reading	7	5570	
5192-SE		Second Reading	16
Third Reading Final Passage	8	5570-S	
5193		Second Reading	16
Second Reading	6	Third Reading Final Passage	17
5193-S		5627	
Second Reading	6	Second Reading	8
Third Reading Final Passage	6	5627-S	
5235		Second Reading	8
Second Reading	4	5627-SE	
5235-E		Third Reading Final Passage	14
Third Reading Final Passage	4	5629-S	
5253		Second Reading	14
Second Reading	8	5629-SE	
5253-S		Third Reading Final Passage	15
Second Reading	8	5639-S	
Third Reading Final Passage	8	Second Reading	15
5292		5653	
Second Reading	5	Second Reading	15
5292-S		Third Reading Final Passage	16
Second Reading	5	5729	
Third Reading Final Passage	5	Second Reading	17
5298		5729-E	
Second Reading	3	Third Reading Final Passage	19
5298-S		8626	
Second Reading	3, 4	Adopted.....	2
Third Reading Final Passage	4	Introduced	2
5358		9005 Leigh, Richard E., Jr.	
Second Reading	6	Confirmed	2
5358-S2		9006 Pierini, Arlene M.	
Second Reading	6	Confirmed	2
Third Reading Final Passage	7	9007 Sayce, James R.	
5388-S		Confirmed	3
Second Reading	14	9226 Farrell, Timothy J.	
Third Reading Final Passage	14	Introduction.....	1
5420		9227 Valerio, Edison A.	
Second Reading	3	Introduction.....	1
Third Reading Final Passage	3	CHAPLAIN OF THE DAY	
5509		Lyro, Mr. Tito, Pastor, Bible Presbyterian	
Second Reading	5	Church, Olympia.....	1
5509-S		FLAG BEARERS	
Other Action.....	5	McCausland, Mr. Kelly.....	1
Second Reading	5	Richards, Miss Maya	1
5509-SE		GUESTS	

Bjordahl, Mr. Kai, Washington State
 Leadership Board 2
 Hill, Miss Tatum, Pledge of Allegiance..... 1
 Linares, Mr. Gabriel, Washington State
 Leadership Board 2
 Powell, Mr. Kiernan, Washington State

Leadership Board 2
 Students from The Meridian School, Seattle4,
 5
 MESSAGE FROM GOVERNOR
 Gubernatorial Appointments..... 1

Draft