

**FIFTY SECOND DAY**

**MORNING SESSION**

Senate Chamber, Olympia  
Wednesday, March 2, 2016

The Senate was called to order at 10:00 o'clock a.m. by the President of the Senate, Lt. Governor Owen presiding.

The Secretary called the roll and announced to the President that all Senators were present, with the exception of Senator Darneille.

The Sergeant at Arms Color Guard consisting of Pages Mr. Brandon Lustig and Miss Mackenzie Tibbs, grandchildren of Senator Warnick, presented the Colors.

The prayer was offered by Pastor Bill Knepper of Mountain View Baptist Church, Centralia.

**MOTION**

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

**MOTION**

Pursuant to Rule 46, on motion of Senator Fain, and without objection, the Committee on Ways & Means was granted special leave to meet during the day's floor session.

**MOTION**

There being no objection, the Senate advanced to the first order of business.

**REPORTS OF STANDING COMMITTEES**

February 25, 2016

SHB 2417 Prime Sponsor, Committee on Transportation: Modifying certain driver's license requirements. Reported by Committee on Transportation

**MAJORITY recommendation:** Do pass as amended. Signed by Senators King, Chair; Benton, Vice Chair; Fain, Vice Chair, Budget; Liias; Baumgartner; Ericksen; Miloscia and Rivers.

**MINORITY recommendation:** Do not pass. Signed by Senators Carlyle; Cleveland; Jayapal; Sheldon and Takko.

**MINORITY recommendation:** That it be referred without recommendation. Signed by Senator Litzow.

Passed to Committee on Rules for second reading.

**MOTION**

On motion of Fain, and without objection, the measure listed on the Standing Committee report was held at the desk.

**MOTION**

On motion of Senator Fain, and without objection, the Senate advanced to the fourth order of business.

**MESSAGE FROM THE HOUSE**

March 1, 2016

MR. PRESIDENT:

The House has passed:  
ENGROSSED SUBSTITUTE SENATE BILL NO. 5145,  
SUBSTITUTE SENATE BILL NO. 5864,  
SENATE BILL NO. 6148,  
SENATE BILL NO. 6162,  
SENATE BILL NO. 6170,  
SUBSTITUTE SENATE BILL NO. 6177,  
SENATE BILL NO. 6196,  
SENATE BILL NO. 6202,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 6206,  
SUBSTITUTE SENATE BILL NO. 6281,  
SENATE BILL NO. 6282,  
SUBSTITUTE SENATE BILL NO. 6284,  
SUBSTITUTE SENATE BILL NO. 6290,  
SUBSTITUTE SENATE BILL NO. 6295,  
SUBSTITUTE SENATE BILL NO. 6326,  
SUBSTITUTE SENATE BILL NO. 6342,  
SENATE BILL NO. 6376,  
SENATE BILL NO. 6398  
and the same are herewith transmitted.

BERNARD DEAN, Deputy Chief Clerk

**MOTION**

On motion of Senator Fain, and without objection, the Senate advanced to the fifth order of business.

**INTRODUCTION AND FIRST READING**

SB 6673 by Senators Carlyle, Frockt, Liias, Mullet and Litzow  
AN ACT Relating to implementing section 605(7) of the 2015 operating budget and authorizing a baccalaureate of science degree at Bellevue College; amending RCW 28B.50.140; reenacting and amending RCW 28B.15.069; and adding a new section to chapter 28B.50 RCW.

Referred to Committee on Ways & Means.

**MOTION**

On motion of Senator Fain, and without objection, the measure listed on the Introduction and First Reading report was referred to the committee as designated.

**MOTION**

At 10:06 a.m., on motion of Senator Fain, the Senate was declared to be at ease subject to the call of the President.

The Senate was called to order at 11:14 a.m. by the President of the Senate, Lt. Governor Owen presiding.

**MOTION**

On motion of Senator Fain, and without objection, the Senate

advanced to the eighth order of business.

### MOTION

Senator Parlette moved adoption of the following resolution:

#### SENATE RESOLUTION 8728

By Senators Parlette, O'Ban, Bailey, Rolfes, Conway, Chase, Pedersen, Becker, Fraser, and Dammeier

WHEREAS, Washington's apple industry is a major contributor to the economic health of both the state and its people; and

WHEREAS, The city of Wenatchee is preparing to celebrate the 97th annual Washington State Apple Blossom Festival to take place from April 28th through May 8th, 2016; and

WHEREAS, The Apple Blossom Festival, which began as a one-day gathering of poetry and song in Wenatchee's Memorial Park, is one of the oldest major festivals in the state, first celebrated in 1919 when Mrs. E. Wagner organized the first Blossom Day; and

WHEREAS, The Apple Blossom Festival celebrates the importance of the apple industry in the Wenatchee Valley and its environs; and

WHEREAS, The Apple Blossom Festival recognizes three young women who by their superior and distinctive efforts have exemplified the spirit and meaning of the Apple Blossom Festival; and

WHEREAS, These three young women are selected to reign over the Apple Blossom Festival and serve as ambassadors to the outlying communities as princesses and queen; and

WHEREAS, Emily Holmes has been selected to represent her community as a 2016 Apple Blossom Princess, in part for her strong academic performance and extracurricular activities, including being a member of the National Honor Society and a cheerleading captain, a third-year American Sign Language student who participates in deaf community outreach, a fundraiser for cancer, and a singer of the National Anthem at football games and the Wenatchee Wild hockey games, and for her everlasting commitment to her community; and

WHEREAS, Sami Everhart has been selected to represent her community as a 2016 Apple Blossom Princess, in part for her community service, including being an assistant coordinator on ASB and being the president of the National Honor Society; her extracurricular activities, including participating in drama club musicals, working as a hostess at the Wok-About Grill, and being an active participant in productions of the Music Theatre of Wenatchee; and her long-standing support of the community she has always lived in; and

WHEREAS, Kori Martin has been selected to represent her community as the 2016 Apple Blossom Queen, in part for her achievements as the senior class president, a marketing intern for the Town Toyota Center, and the Washington State DECA State President, as well as her volunteering for the Lighthouse Ministries, her passion as a softball player, taking care of her dogs, and her love for the people of Wenatchee Valley; and

WHEREAS, These three young women all desire to share their proven talents and leadership ambition to serve their community and be an encouragement to those they encounter;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate honor the accomplishments of the members of the Apple Blossom Festival Court and join the city of Wenatchee and the people of the state of Washington in

celebrating the Washington State Apple Blossom Festival; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the Senate to Queen Kori Martin, Princess Emily Holmes, Princess Sami Everhart, and the board of directors and chairpeople of the Washington State Apple Blossom Festival.

Senator Parlette spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8728.

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

### INTRODUCTION OF GUESTS

The President welcomed and introduced members of the 2016 Apple Blossom Festival Court, Queen Kori Martin, Princess Emily Holmes and Princess Sami Everhart, who were seated in the gallery.

### MOTION

On motion of Senator Fain, and without objection, the Senate reverted to the seventh order of business.

### THIRD READING CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

### MOTION

Senator Parlette moved that June A. Darling, Gubernatorial Appointment No. 9255, be confirmed as a member of the Wenatchee Valley College Board of Trustees.

Senator Parlette spoke in favor of the motion.

### MOTION

On motion of Senator Rivers, and without objection, Senator Braun was excused.

### MOTION

On motion of Senator Billig, and without objection, Senator Darneille was excused.

### APPOINTMENT OF JUNE A. DARLING

The President declared the question before the Senate to be the confirmation of June A. Darling, Gubernatorial Appointment No. 9255, as a member of the Wenatchee Valley College Board of Trustees.

The Secretary called the roll on the confirmation of June A. Darling, Gubernatorial Appointment No. 9255, as a member of the Wenatchee Valley College Board of Trustees and the appointment was confirmed by the following vote: Yeas, 46; Nays, 0; Absent, 1; Excused, 2.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dassel, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Absent: Senator McAuliffe

Excused: Senators Braun and Darneille

June A. Darling, Gubernatorial Appointment No. 9255, having received the constitutional majority was declared confirmed as a member of the Wenatchee Valley College Board of Trustees.

MOTION

Senator Takko moved that Denise J. Portmann, Gubernatorial Appointment No. 9291, be confirmed as a member of the Grays Harbor College Board of Trustees.

Senator Takko spoke in favor of the motion.

MOTION

On motion of Senator Mullet, and without objection, Senator McAuliffe was excused.

APPOINTMENT OF DENISE J. PORTMANN

The President declared the question before the Senate to be the confirmation of Denise J. Portmann, Gubernatorial Appointment No. 9291, as a member of the Grays Harbor College Board of Trustees.

The Secretary called the roll on the confirmation of Denise J. Portmann, Gubernatorial Appointment No. 9291, as a member of the Grays Harbor College Board of Trustees and the appointment was confirmed by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dandel, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senators Braun, Darneille and McAuliffe

Denise J. Portmann, Gubernatorial Appointment No. 9291, having received the constitutional majority was declared confirmed as a member of the Grays Harbor College Board of Trustees.

INTRODUCTION OF GUESTS

The President welcomed and introduced employees of Alcoa Intalco Works, led by Mr. Glenn Farmer, guests of Senator Ericksen, who were seated in the gallery.

INTRODUCTION OF GUEST

The President welcomed and introduced 2016 Miss Newaukum Valley Olivia Alvord, guest of Senators Takko and Braun, who was seated in the gallery.

MOTION

On motion of Senator Fain, and without objection, the Senate reverted to the sixth order of business.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 2765, by House Committee on Public Safety (originally sponsored by Representatives Kretz, Moscoso, Griffey, Hayes and Holy)

Clarifying the limited authority of park rangers.

The measure was read the second time.

MOTION

On motion of Senator Padden, the rules were suspended, Substitute House Bill No. 2765 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Padden spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 2765.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2765 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 1; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dandel, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senator Hasegawa

Excused: Senators Braun and Darneille

SUBSTITUTE HOUSE BILL NO. 2765, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 2356, by Representatives Kirby and Vick

Concerning employer agreements to reimburse certain employee costs for the use of personal vehicles for business purposes.

The measure was read the second time.

MOTION

Senator Benton moved that the following committee striking amendment by the Committee on Financial Institutions & Insurance be adopted:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 48.110.015 and 2006 c 274 s 2 and 2006 c 36 s 16 are each reenacted and amended to read as follows:

(1) The following are exempt from this title:

(a) Warranties;

(b) Maintenance agreements;

(c) Service contracts:

(i) Paid for with separate and additional consideration;

(ii) Issued at the point of sale, or within sixty days of the original purchase date of the property; and

(iii) On tangible property when the tangible property for which the service contract is sold has a purchase price of fifty dollars or less, exclusive of sales tax; and

(d) Agreements whereby a third party contracted by an employer provides mileage reimbursement and incidental maintenance and repairs to the employer's employees for personal vehicles used for business purposes, provided that such agreement does not provide indemnification or repairs for a loss caused by theft, collision, fire, or other peril typically covered in the comprehensive section of an automobile insurance policy.

(2) This chapter does not apply to:

(a) Vehicle mechanical breakdown insurance;

(b) Service contracts on tangible personal property purchased by persons who are not consumers; and

(c) Home heating fuel service contracts offered by home heating energy providers."

On page 1, line 3 of the title, after "purposes;" strike the remainder of the title and insert "and reenacting and amending RCW 48.110.015."

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Financial Institutions & Insurance to House Bill No. 2356.

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

#### MOTION

On motion of Senator Benton, the rules were suspended, House Bill No. 2356, as amended by the Senate, was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of House Bill No. 2356, as amended by the Senate.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2356, as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senator Darneille

HOUSE BILL NO. 2356, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

ENGROSSED HOUSE BILL NO. 2971, by Representatives McBride and Nealey

Addressing real estate as it concerns the local government authority in the use of real estate excise tax revenues and regulating real estate transactions.

The measure was read the second time.

#### MOTION

Senator Fain moved that the following committee striking amendment by the Committee on Ways & Means be adopted:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 64.06.080 and 2015 2nd sp.s. c 10 s 4 are each amended to read as follows:

(1) Any ordinance, resolution, or policy adopted by a city or county that imposes a requirement on landlords or sellers of real property, or their agents, to provide information to a buyer or tenant pertaining to the subject property or the surrounding area is effective only after:

(a) A summary of the ordinance, resolution, or policy is posted electronically in accordance with RCW 43.110.030(2)(e); and

(b) An internet link to the ordinance, resolution, or policy, or the relevant portion of the actual language of the ordinance, resolution, or policy, is posted electronically in accordance with RCW 43.110.030(2)(e).

(2) If, prior to ((September 26, 2015)) the effective date of this act, a city or county adopted an ordinance, resolution, or policy that imposes a requirement on landlords or sellers of real property, or their agents, to provide information to a buyer or tenant pertaining to the subject property or the surrounding area, the city or county must cause, within ninety days of the effective date of this act:

(a) A summary of the ordinance, resolution, or policy to be posted electronically in accordance with RCW 43.110.030(2)(e); and

(b) An internet link to the ordinance, resolution, or policy, or the relevant portion of the actual language of the ordinance, resolution, or policy, to be posted electronically in accordance with RCW 43.110.030(2)(e) ((within ninety days of September 26, 2015, or the requirement shall)). If the requirement is not electronically posted as required by this subsection, the requirement must thereafter cease to be in effect.

Sec. 2. RCW 43.110.030 and 2015 2nd sp.s. c 10 s 5 are each amended to read as follows:

(1) The department of commerce must contract for the provision of municipal research and services to cities, towns, and counties. Contracts for municipal research and services must be made with state agencies, educational institutions, or private consulting firms, that in the judgment of the department are qualified to provide such research and services. Contracts for staff support may be made with state agencies, educational institutions, or private consulting firms that in the judgment of the department are qualified to provide such support.

(2) Municipal research and services consists of:

(a) Studying and researching city, town, and county government and issues relating to city, town, and county government;

(b) Acquiring, preparing, and distributing publications related to city, town, and county government and issues relating to city, town, and county government;

(c) Providing educational conferences relating to city, town, and county government and issues relating to city, town, and county government;

(d) Furnishing legal, technical, consultative, and field services to cities, towns, and counties concerning planning, public health, utility services, fire protection, law enforcement, public works, and other issues relating to city, town, and county government; and

(e) ((Providing a list of all requirements imposed by all cities, towns, and counties)) (i) For any ordinance, resolution, or policy adopted by a city, town, or county that imposes a requirement on landlords or sellers of real property to provide information to a

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buyer or tenant pertaining to the subject property or the surrounding area((. The list)), posting:

(A) A summary of the ordinance, resolution, or policy; and

(B) An internet link to the ordinance, resolution, or policy, or the relevant portion of the actual language of the ordinance, resolution, or policy.

(ii) Information provided by cities, towns, and counties regarding an ordinance, resolution, or policy under (e)(i) of this subsection must be posted in a specific section on a web site maintained by the entity with which the department of commerce contracts for the provision of municipal research and services under this section, and must list by jurisdiction all applicable requirements. Cities, towns, and counties must provide information for posting on the web site in accordance with RCW 64.06.080.

(3) Requests for legal services by county officials must be sent to the office of the county prosecuting attorney. Responses by the department of commerce to county requests for legal services must be provided to the requesting official and the county prosecuting attorney.

(4) The department of commerce must coordinate with the association of Washington cities and the Washington state association of counties in carrying out the activities in this section.

Sec. 3. RCW 82.46.015 and 2015 2nd sp.s. c 10 s 2 are each amended to read as follows:

(1) A city or county that meets the requirements of subsection (2) of this section may use the greater of one hundred thousand dollars or twenty-five percent of available funds, but not to exceed one million dollars per year, from revenues collected under RCW 82.46.010 for the maintenance of capital projects, as defined in RCW 82.46.010(6)(b).

(2) A city or county may use revenues pursuant to subsection (1) of this section if:

(a) The city or county prepares a written report demonstrating that it has or will have adequate funding from all sources of public funding to pay for all capital projects, as defined in RCW 82.46.010, identified in its capital facilities plan for the succeeding two-year period. Cities or counties not required to prepare a capital facilities plan may satisfy this provision by using a document that, at a minimum, identifies capital project needs and available public funding sources for the succeeding two-year period; and

(b)(i) The city or county has not enacted, after ((September 26, 2015,)) the effective date of this act: Any requirement on the listing((, leasing,)) or sale of real property((, unless the requirement is either)); or any requirement on landlords, at the time of executing a lease, to perform or provide physical improvements or modifications to real property or fixtures, except if necessary to address an immediate threat to health or safety; or

(ii) Any local requirement adopted by the city or county under (b)(i) of this subsection is: Specifically authorized by RCW 35.80.030, 35A.11.020, chapter 7.48 RCW, or chapter 19.27 RCW; specifically authorized by other state or federal law; or ((is)) a seller or landlord disclosure requirement pursuant to RCW 64.06.080.

(3) The report prepared under subsection (2)(a) of this section must: (a) Include information necessary to determine compliance with the requirements of subsection (2)(a) of this section; (b) identify how revenues collected under RCW 82.46.010 were used by the city or county during the prior two-year period; (c) identify how funds authorized under subsection (1) of this section will be used during the succeeding two-year period; and (d) identify what percentage of funding for capital projects within the city or county is attributable to revenues under RCW 82.46.010 compared to all

other sources of capital project funding. The city or county must prepare and adopt the report as part of its regular, public budget process.

(4) The authority to use funds as authorized in this section is in addition to the authority to use funds pursuant to RCW 82.46.010(7), which remains in effect through December 31, 2016.

(5) For purposes of this section, "maintenance" means the use of funds for labor and materials that will preserve, prevent the decline of, or extend the useful life of a capital project. "Maintenance" does not include labor or material costs for routine operations of a capital project.

Sec. 4. RCW 82.46.037 and 2015 2nd sp.s. c 10 s 3 are each amended to read as follows:

(1) A city or county that meets the requirements of subsection (2) of this section may use the greater of one hundred thousand dollars or twenty-five percent of available funds, but not to exceed one million dollars per year, from revenues collected under RCW 82.46.035 for:

(a) The maintenance of capital projects, as defined in RCW 82.46.035(5); or

(b) The planning, acquisition, construction, reconstruction, repair, replacement, rehabilitation, improvement, or maintenance of capital projects as defined in RCW 82.46.010(6)(b) that are not also included within the definition of capital projects in RCW 82.46.035(5).

(2) A city or county may use revenues pursuant to subsection (1) of this section if:

(a) The city or county prepares a written report demonstrating that it has or will have adequate funding from all sources of public funding to pay for all capital projects, as defined in RCW 82.46.035(5), identified in its capital facilities plan for the succeeding two-year period; and

(b)(i) The city or county has not enacted, after ((September 26, 2015,)) the effective date of this act, any requirement on the listing((, leasing,)) or sale of real property((, unless the requirement is either)); or any requirement on landlords, at the time of executing a lease, to perform or provide physical improvements or modifications to real property or fixtures, except if necessary to address an immediate threat to health or safety; or

(ii) Any local requirement adopted by the city or county under (b)(i) of this subsection is: Specifically authorized by RCW 35.80.030, 35A.11.020, chapter 7.48 RCW, or chapter 19.27 RCW; specifically authorized by other state or federal law; or ((is)) a seller or landlord disclosure requirement pursuant to RCW 64.06.080.

(3) The report prepared under subsection (2)(a) of this section must: (a) Include information necessary to determine compliance with the requirements of subsection (2)(a) of this section; (b) identify how revenues collected under RCW 82.46.035 were used by the city or county during the prior two-year period; (c) identify how funds authorized under subsection (1) of this section will be used during the succeeding two-year period; and (d) identify what percentage of funding for capital projects within the city or county is attributable to revenues under RCW 82.46.035 compared to all other sources of capital project funding. The city or county must prepare and adopt the report as part of its regular, public budget process.

(4) The authority to use funds as authorized in this section is in addition to the authority to use funds pursuant to RCW 82.46.035(7), which remains in effect through December 31, 2016.

(5) For purposes of this section, "maintenance" means the use of funds for labor and materials that will preserve, prevent the decline of, or extend the useful life of a capital project.

"Maintenance" does not include labor or material costs for routine operations of a capital project."

On page 1, line 3 of the title, after "transactions;" strike the remainder of the title and insert "and amending RCW 64.06.080, 43.110.030, 82.46.015, and 82.46.037."

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Ways & Means to Engrossed House Bill No. 2971.

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

#### MOTION

On motion of Senator Fain, the rules were suspended, Engrossed House Bill No. 2971 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Fain spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed House Bill No. 2971, as amended by the Senate.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 2971, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senator Darneille

ENGROSSED HOUSE BILL NO. 2971, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SECOND SUBSTITUTE HOUSE BILL NO. 1448, by House Committee on Judiciary (originally sponsored by Representatives Riccelli, Holy, Parker, Ormsby, Caldier, Hayes, Jinkins, Walkinshaw, Gregerson, Appleton, Ryu, McBride and Shea)

Providing procedures for responding to reports of threatened or attempted suicide.

The measure was read the second time.

#### MOTION

Senator O'Ban moved that the following committee striking amendment by the Committee on Ways & Means be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature finds that law enforcement officers may respond to situations in which an individual has threatened harm to himself or herself, but that

individual does not meet the criteria to be taken into custody for an evaluation under the involuntary treatment act. In these situations, officers are encouraged to facilitate contact between the individual and a mental health professional in order to protect the individual and the community. While the legislature acknowledges that some law enforcement officers receive mental health training, law enforcement officers are not mental health professionals. It is the intent of the legislature that mental health incidents are addressed by mental health professionals.

NEW SECTION. Sec. 2. A new section is added to chapter 71.05 RCW to read as follows:

When funded, the Washington association of sheriffs and police chiefs, in consultation with the criminal justice training commission, must develop and adopt a model policy for use by law enforcement agencies relating to a law enforcement officer's referral of a person to a mental health agency after receiving a report of threatened or attempted suicide. The model policy must complement the criminal justice training commission's crisis intervention training curriculum.

NEW SECTION. Sec. 3. A new section is added to chapter 71.05 RCW to read as follows:

By July 1, 2017, all general authority Washington law enforcement agencies must adopt a policy establishing criteria and procedures for a law enforcement officer to refer a person to a mental health agency after receiving a report of threatened or attempted suicide.

Sec. 4. RCW 71.05.120 and 2000 c 94 s 4 are each amended to read as follows:

(1) No officer of a public or private agency, nor the superintendent, professional person in charge, his or her professional designee, or attending staff of any such agency, nor any public official performing functions necessary to the administration of this chapter, nor peace officer responsible for detaining a person pursuant to this chapter, nor any county designated mental health professional, nor the state, a unit of local government, or an evaluation and treatment facility shall be civilly or criminally liable for performing duties pursuant to this chapter with regard to the decision of whether to admit, discharge, release, administer antipsychotic medications, or detain a person for evaluation and treatment: PROVIDED, That such duties were performed in good faith and without gross negligence.

(2) Peace officers and their employing agencies are not liable for the referral of a person, or the failure to refer a person, to a mental health agency pursuant to a policy adopted pursuant to section 3 of this act if such action or inaction is taken in good faith and without gross negligence.

(3) This section does not relieve a person from giving the required notices under RCW 71.05.330(2) or 71.05.340(1)(b), or the duty to warn or to take reasonable precautions to provide protection from violent behavior where the patient has communicated an actual threat of physical violence against a reasonably identifiable victim or victims. The duty to warn or to take reasonable precautions to provide protection from violent behavior is discharged if reasonable efforts are made to communicate the threat to the victim or victims and to law enforcement personnel.

NEW SECTION. Sec. 5. A new section is added to chapter 71.05 RCW to read as follows:

As soon as possible, but no later than twenty-four hours from receiving a referral from a law enforcement officer or law enforcement agency, excluding Saturdays, Sundays, and holidays, a mental health professional contacted by the designated mental health professional agency must attempt to contact the referred person to determine whether additional mental health intervention is necessary including, if needed, an assessment by a designated mental health professional for initial detention under

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RCW 71.05.150 or 71.05.153. Documentation of the mental health professional's attempt to contact and assess the person must be maintained by the designated mental health professional agency.

NEW SECTION. Sec. 6. If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2016, in the omnibus appropriations act, this act is null and void."

On page 1, line 2 of the title, after "suicide;" strike the remainder of the title and insert "amending RCW 71.05.120; adding new sections to chapter 71.05 RCW; and creating new sections."

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Ways & Means to Second Substitute House Bill No. 1448.

The motion by Senator O'Ban carried and the committee striking amendment was adopted by voice vote.

#### MOTION

On motion of Senator O'Ban, the rules were suspended, Second Substitute House Bill No. 1448, as amended by the Senate, was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator O'Ban spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Second Substitute House Bill No. 1448, as amended by the Senate.

#### ROLL CALL

The Secretary called the roll on the final passage of Second Substitute House Bill No. 1448, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dandel, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senator Darneille

SECOND SUBSTITUTE HOUSE BILL NO. 1448, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### INTRODUCTION OF GUESTS

The President welcomed and introduced eighth grade students from Griffin Middle School, Olympia, and their advisor, Mr. Greg Woods, guests of Senator Sheldon, who were seated in the gallery.

#### SECOND READING

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2061, by House Committee on Environment (originally sponsored by Representatives Short and Kretz)

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Authorizing county legislative authorities to approve certain group B water systems based upon their delivery of water meeting safe drinking water standards.

The measure was read the second time.

#### MOTION

Senator Ericksen moved that the following striking amendment no. 688 by Senator Ericksen be adopted: Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 43.20.050 and 2011 c 27 s 1 are each amended to read as follows:

(1)(a) The state board of health shall provide a forum for the development of public health policy in Washington state. It is authorized to recommend to the secretary means for obtaining appropriate citizen and professional involvement in all public health policy formulation and other matters related to the powers and duties of the department. It is further empowered to hold hearings and explore ways to improve the health status of the citizenry.

(b) In fulfilling its responsibilities under this subsection, the state board may create ad hoc committees or other such committees of limited duration as necessary.

(2) In order to protect public health, the state board of health shall:

(a) Adopt rules for group A public water systems, as defined in RCW 70.119A.020, necessary to ((assure)) ensure safe and reliable public drinking water and to protect the public health. Such rules shall establish requirements regarding:

(i) The design and construction of public water system facilities, including proper sizing of pipes and storage for the number and type of customers;

(ii) Drinking water quality standards, monitoring requirements, and laboratory certification requirements;

(iii) Public water system management and reporting requirements;

(iv) Public water system planning and emergency response requirements;

(v) Public water system operation and maintenance requirements;

(vi) Water quality, reliability, and management of existing but inadequate public water systems; and

(vii) Quality standards for the source or supply, or both source and supply, of water for bottled water plants;

(b)(i) Adopt rules as necessary for group B public water systems, as defined in RCW 70.119A.020. The rules shall, at a minimum, establish requirements regarding the initial design and construction of a public water system. The state board of health rules may waive some or all requirements for group B public water systems with fewer than five connections.

(ii) Irrespective of the rules adopted pursuant to (b)(i) of this subsection and consistent with section 2 of this act, until January 1, 2021, a county legislative authority of a county east of the crest of the Cascade mountains that is contiguous with the border with Canada and that has a population of less than fifty thousand residents may act to approve the operation of a group B public water system, as defined in RCW 70.119A.020, serving nine or fewer connections. A county legislative authority may choose to seek the advice of a local health jurisdiction, as defined in RCW 70.119A.020, in determining whether to approve the operation of a group B public water system under this section;

(c) Adopt rules and standards for prevention, control, and abatement of health hazards and nuisances related to the disposal of human and animal excreta and animal remains;

(d) Adopt rules controlling public health related to environmental conditions including but not limited to heating, lighting, ventilation, sanitary facilities, and cleanliness in public facilities including but not limited to food service establishments, schools, recreational facilities, and transient accommodations;

(e) Adopt rules for the imposition and use of isolation and quarantine;

(f) Adopt rules for the prevention and control of infectious and noninfectious diseases, including food and vector borne illness, and rules governing the receipt and conveyance of remains of deceased persons, and such other sanitary matters as may best be controlled by universal rule; and

(g) Adopt rules for accessing existing databases for the purposes of performing health related research.

(3) The state board shall adopt rules for the design, construction, installation, operation, and maintenance of those on-site sewage systems with design flows of less than three thousand five hundred gallons per day.

(4) The state board may delegate any of its rule-adopting authority to the secretary and rescind such delegated authority.

(5) All local boards of health, health authorities and officials, officers of state institutions, police officers, sheriffs, constables, and all other officers and employees of the state, or any county, city, or township thereof, shall enforce all rules adopted by the state board of health. In the event of failure or refusal on the part of any member of such boards or any other official or person mentioned in this section to so act, he or she shall be subject to a fine of not less than fifty dollars, upon first conviction, and not less than one hundred dollars upon second conviction.

(6) The state board may advise the secretary on health policy issues pertaining to the department of health and the state.

NEW SECTION. Sec. 2. A new section is added to chapter 36.01 RCW to read as follows:

(1)(a) The county legislative authority of a county east of the crest of the Cascade mountains that is contiguous with the border with Canada and that has a population of less than fifty thousand residents may act to approve the operation of a group B public water system, as defined in RCW 70.119A.020, serving nine or fewer connections if:

(i) The raw groundwater source does not meet local water quality standards; and

(ii) The system has provided evidence to the county legislative authority that the water provided meets local potable water quality standards at the point at which the water is delivered for potable use.

(b) A group B public water system that was authorized under the rules adopted pursuant to RCW 43.20.050, as of the effective date of this section, and that adds connections to the group B public water system, may receive approval from the county legislative authority pursuant to (a) of this section to expand the number of connections in the group B public water system, but only if the total number of connections does not exceed nine connections.

(2)(a) A group B public water system must submit test results to the county legislative authority by December 15th of each year demonstrating that the potable water delivered meets local potable water standards, if the group B public water system was approved by the county legislative authority under subsection (1) of this section. By December 15th of each year, a group B public water system must also provide a copy of the test results submitted to the county legislative authority to each customer connection served by the group B public water system. The county legislative authority must provide submitted test results to the local health jurisdiction.

(b) The county legislative authority must designate at least one county employee as a point of contact for questions, problems,

and other issues relating to group B public water systems. The county legislative authority must provide a notice identifying the county's point of contact to a group B public water system owner and operator upon the system's approval under this section, and either party must notify the other if there is a change in ownership, operator, or the county's point of contact.

(3) Prior to a county's approval of a group B public water system where raw groundwater does not meet water quality standards under this section, the group B public water system must review alternate sources of water and share that review with its owners and the county. The alternative sources that a group B public water system should consider includes, but is not limited to, rainwater collection, truck and storage systems, or other nontraditional conveyance methods. The county legislative authority may require that a group B public water system treat any alternative water sources that it relies upon.

(4) By January 15, 2019, a county that approves a group B public water system under the authority granted in this section must submit a report to the appropriate fiscal and policy committees of the legislature consistent with RCW 43.01.036. The report must summarize information pertinent to the county's implementation of this section, including but not limited to:

(a) The number of group B public water systems and associated new connections that were approved by the county legislative authority after January 1, 2016, under the authority granted in this section;

(b) The test results submitted to the county legislative authority under subsection (2) of this section and analysis of whether those test results indicate that group B public water systems delivered water that met local potable water quality standards; and

(c) The contaminants that were present in water sources used by the group B public water systems approved under this section and the types of treatment used to address each contaminant by the group B public water systems.

(5) For the purposes of this section "local potable water quality standards" means water quality standards that apply to private water wells exempted under RCW 90.44.050 that are located in the same county as the group B public water system, including but not limited to standards for known contaminants identified by and in consultation with a local health jurisdiction.

(6) The authority established in this section for a county legislative authority to approve a group B public water system expires January 1, 2021."

On page 1, line 3 of the title, after "standards;" strike the remainder of the title and insert "amending RCW 43.20.050; and adding a new section to chapter 36.01 RCW."

Senator Ericksen spoke in favor of adoption of the amendment.

#### MOTION

Senator McCoy moved that the following amendment no. 695 by Senator McCoy to the striking amendment be adopted:

On page 3, line 23 of the amendment, after "standards" insert "as required under RCW 43.20.050(2)(b)(i)"

On page 3, beginning on line 25 of the amendment, after "provided" strike all material through "use" on line 27 and insert "at the point at which the water is delivered for potable use meets water quality standards as required under RCW 43.20.050(2)(b)(i)"

On page 3, line 35 of the amendment, after "must" strike "submit" and insert ": (i) Submit"

Beginning on page 3, line 37 of the amendment, after "meets" strike all material through "also" on page 4, line 2, and insert "water standards as required under RCW 43.20.050(2)(b)(i), if the group B public water system was approved by the county



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legislative authority under subsection (1) of this section.

(ii) Provide evidence to the county legislative authority that treatment is in place to provide drinking water that meets water quality requirements for primary contaminants under WAC 246-291-170;

(iii) Issue an advisory for the water system when there is an exceedance of the maximum contaminant level requirements under (a)(ii) of this subsection and notify customers of the risks and steps to take to protect their health; and

(iv) By December 15th of each year,"

On page 4, line 36 of the amendment, after "met" strike "local potable water quality standards" and insert "water quality standards as required under RCW 43.20.050(2)(b)(i)"

On page 5, beginning on line 1 of the amendment, after "(5)" strike all material through "(6)" on line 7"

Senators McCoy and Rolfes spoke in favor of adoption of the amendment to the striking amendment.

Senators Ericksen and Dinsel spoke against adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 695 to the striking amendment by Senator McCoy to Engrossed Second Substitute House Bill No. 2061.

The motion by Senator McCoy failed and the amendment was not adopted by voice vote.

The President declared the question before the Senate to be the adoption of striking amendment no. 688 by Senator Ericksen, as amended, to Engrossed Second Substitute House Bill No. 2061.

The motion by Senator Ericksen carried and striking amendment no. 688, as amended, was adopted by voice vote.

MOTION

On motion of Senator Mullet, and without objection, Senator Liias was excused.

MOTION

On motion of Senator Ericksen, the rules were suspended, Engrossed Second Substitute House Bill No. 2061, as amended by the Senate, was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Ericksen, Dinsel and Sheldon spoke in favor of passage of the bill.

Senators McCoy, Rolfes and Keiser spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute House Bill No. 2061, as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute House Bill No. 2061, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 28; Nays, 19; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Braun, Brown, Dammeier, Dinsel, Ericksen, Fain, Frockt, Hewitt, Hill, Honeyford, King, Litzow, Miloscia, O'Ban, Padden, Parlette, Pearson, Rivers, Roach, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senators Billig, Carlyle, Chase, Cleveland, Conway, Fraser, Habib, Hargrove, Hasegawa, Hobbs, Jayapal, Keiser, McAuliffe, McCoy, Mullet, Nelson, Pedersen, Ranker and Rolfes

Excused: Senators Darneille and Liias

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2061, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2847, by House Committee on Environment (originally sponsored by Representative Rossetti)

Creating an exemption to the definition of substantial development in chapter 90.58 RCW relating to the retrofitting of existing structures to accommodate physical access by individuals with disabilities.

The measure was read the second time.

MOTION

Senator Ericksen moved that the following committee striking amendment by the Committee on Energy, Environment & Telecommunications be adopted:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 90.58.030 and 2014 c 23 s 1 are each amended to read as follows:

As used in this chapter, unless the context otherwise requires, the following definitions and concepts apply:

(1) Administration:

(a) "Department" means the department of ecology;

(b) "Director" means the director of the department of ecology;

(c) "Hearings board" means the shorelines hearings board established by this chapter;

(d) "Local government" means any county, incorporated city, or town which contains within its boundaries any lands or waters subject to this chapter;

(e) "Person" means an individual, partnership, corporation, association, organization, cooperative, public or municipal corporation, or agency of the state or local governmental unit however designated.

(2) Geographical:

(a) "Extreme low tide" means the lowest line on the land reached by a receding tide;

(b) "Floodway" means the area, as identified in a master program, that either: (i) Has been established in federal emergency management agency flood insurance rate maps or floodway maps; or (ii) consists of those portions of a river valley lying streamward from the outer limits of a watercourse upon which flood waters are carried during periods of flooding that occur with reasonable regularity, although not necessarily annually, said floodway being identified, under normal condition, by changes in surface soil conditions or changes in types or quality of vegetative ground cover condition, topography, or other indicators of flooding that occurs with reasonable regularity, although not necessarily annually. Regardless of the method used to identify the floodway, the floodway shall not include those lands that can reasonably be expected to be protected from flood

waters by flood control devices maintained by or maintained under license from the federal government, the state, or a political subdivision of the state;

(c) "Ordinary high water mark" on all lakes, streams, and tidal water is that mark that will be found by examining the bed and banks and ascertaining where the presence and action of waters are so common and usual, and so long continued in all ordinary years, as to mark upon the soil a character distinct from that of the abutting upland, in respect to vegetation as that condition exists on June 1, 1971, as it may naturally change thereafter, or as it may change thereafter in accordance with permits issued by a local government or the department: PROVIDED, That in any area where the ordinary high water mark cannot be found, the ordinary high water mark adjoining salt water shall be the line of mean higher high tide and the ordinary high water mark adjoining fresh water shall be the line of mean high water;

(d) "Shorelands" or "shoreland areas" means those lands extending landward for two hundred feet in all directions as measured on a horizontal plane from the ordinary high water mark; floodways and contiguous floodplain areas landward two hundred feet from such floodways; and all wetlands and river deltas associated with the streams, lakes, and tidal waters which are subject to the provisions of this chapter; the same to be designated as to location by the department of ecology.

(i) Any county or city may determine that portion of a one-hundred-year-flood plain to be included in its master program as long as such portion includes, as a minimum, the floodway and the adjacent land extending landward two hundred feet therefrom.

(ii) Any city or county may also include in its master program land necessary for buffers for critical areas, as defined in chapter 36.70A RCW, that occur within shorelines of the state, provided that forest practices regulated under chapter 76.09 RCW, except conversions to nonforest land use, on lands subject to the provisions of this subsection (2)(d)(ii) are not subject to additional regulations under this chapter;

(e) "Shorelines" means all of the water areas of the state, including reservoirs, and their associated shorelands, together with the lands underlying them; except (i) shorelines of statewide significance; (ii) shorelines on segments of streams upstream of a point where the mean annual flow is twenty cubic feet per second or less and the wetlands associated with such upstream segments; and (iii) shorelines on lakes less than twenty acres in size and wetlands associated with such small lakes;

(f) "Shorelines of statewide significance" means the following shorelines of the state:

(i) The area between the ordinary high water mark and the western boundary of the state from Cape Disappointment on the south to Cape Flattery on the north, including harbors, bays, estuaries, and inlets;

(ii) Those areas of Puget Sound and adjacent salt waters and the Strait of Juan de Fuca between the ordinary high water mark and the line of extreme low tide as follows:

(A) Nisqually Delta—from DeWolf Bight to Tatsolo Point,

(B) Birch Bay—from Point Whitehorn to Birch Point,

(C) Hood Canal—from Tala Point to Foulweather Bluff,

(D) Skagit Bay and adjacent area—from Brown Point to Yokeko Point, and

(E) Padilla Bay—from March Point to William Point;

(iii) Those areas of Puget Sound and the Strait of Juan de Fuca and adjacent salt waters north to the Canadian line and lying seaward from the line of extreme low tide;

(iv) Those lakes, whether natural, artificial, or a combination thereof, with a surface acreage of one thousand acres or more measured at the ordinary high water mark;

(v) Those natural rivers or segments thereof as follows:

(A) Any west of the crest of the Cascade range downstream of

a point where the mean annual flow is measured at one thousand cubic feet per second or more,

(B) Any east of the crest of the Cascade range downstream of a point where the annual flow is measured at two hundred cubic feet per second or more, or those portions of rivers east of the crest of the Cascade range downstream from the first three hundred square miles of drainage area, whichever is longer;

(vi) Those shorelands associated with (f)(i), (ii), (iv), and (v) of this subsection (2);

(g) "Shorelines of the state" are the total of all "shorelines" and "shorelines of statewide significance" within the state;

(h) "Wetlands" means areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. Wetlands do not include those artificial wetlands intentionally created from nonwetland sites, including, but not limited to, irrigation and drainage ditches, grass-lined swales, canals, detention facilities, wastewater treatment facilities, farm ponds, and landscape amenities, or those wetlands created after July 1, 1990, that were unintentionally created as a result of the construction of a road, street, or highway. Wetlands may include those artificial wetlands intentionally created from nonwetland areas to mitigate the conversion of wetlands.

(3) Procedural terms:

(a) "Development" means a use consisting of the construction or exterior alteration of structures; dredging; drilling; dumping; filling; removal of any sand, gravel, or minerals; bulkheading; driving of piling; placing of obstructions; or any project of a permanent or temporary nature which interferes with the normal public use of the surface of the waters overlying lands subject to this chapter at any state of water level;

(b) "Guidelines" means those standards adopted to implement the policy of this chapter for regulation of use of the shorelines of the state prior to adoption of master programs. Such standards shall also provide criteria to local governments and the department in developing master programs;

(c) "Master program" ((shall)) means the comprehensive use plan for a described area, and the use regulations together with maps, diagrams, charts, or other descriptive material and text, a statement of desired goals, and standards developed in accordance with the policies enunciated in RCW 90.58.020. "Comprehensive master program update" means a master program that fully achieves the procedural and substantive requirements of the department guidelines effective January 17, 2004, as now or hereafter amended;

(d) "State master program" is the cumulative total of all master programs approved or adopted by the department of ecology;

(e) "Substantial development" ((shall)) means any development of which the total cost or fair market value exceeds five thousand dollars, or any development which materially interferes with the normal public use of the water or shorelines of the state. The dollar threshold established in this subsection (3)(e) must be adjusted for inflation by the office of financial management every five years, beginning July 1, 2007, based upon changes in the consumer price index during that time period. "Consumer price index" means, for any calendar year, that year's annual average consumer price index, Seattle, Washington area, for urban wage earners and clerical workers, all items, compiled by the bureau of labor and statistics, United States department of labor. The office of financial management must calculate the new dollar threshold and transmit it to the office of the code reviser for publication in the Washington State Register at least one month before the new dollar threshold is to take effect. The following

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shall not be considered substantial developments for the purpose of this chapter:

(i) Normal maintenance or repair of existing structures or developments, including damage by accident, fire, or elements;

(ii) Construction of the normal protective bulkhead common to single-family residences;

(iii) Emergency construction necessary to protect property from damage by the elements;

(iv) Construction and practices normal or necessary for farming, irrigation, and ranching activities, including agricultural service roads and utilities on shorelands, and the construction and maintenance of irrigation structures including but not limited to head gates, pumping facilities, and irrigation channels. A feedlot of any size, all processing plants, other activities of a commercial nature, alteration of the contour of the shorelands by leveling or filling other than that which results from normal cultivation, shall not be considered normal or necessary farming or ranching activities. A feedlot shall be an enclosure or facility used or capable of being used for feeding livestock hay, grain, silage, or other livestock feed, but shall not include land for growing crops or vegetation for livestock feeding and/or grazing, nor shall it include normal livestock wintering operations;

(v) Construction or modification of navigational aids such as channel markers and anchor buoys;

(vi) Construction on shorelands by an owner, lessee, or contract purchaser of a single-family residence for his own use or for the use of his or her family, which residence does not exceed a height of thirty-five feet above average grade level and which meets all requirements of the state agency or local government having jurisdiction thereof, other than requirements imposed pursuant to this chapter;

(vii) Construction of a dock, including a community dock, designed for pleasure craft only, for the private noncommercial use of the owner, lessee, or contract purchaser of single and multiple family residences. This exception applies if either: (A) In salt waters, the fair market value of the dock does not exceed two thousand five hundred dollars; or (B) in fresh waters, the fair market value of the dock does not exceed: (I) Twenty thousand dollars for docks that are constructed to replace existing docks, are of equal or lesser square footage than the existing dock being replaced, and are located in a county, city, or town that has updated its master program consistent with the master program guidelines in chapter 173-26 WAC as adopted in 2003; or (II) ten thousand dollars for all other docks constructed in fresh waters. However, if subsequent construction occurs within five years of completion of the prior construction, and the combined fair market value of the subsequent and prior construction exceeds the amount specified in either (e)(vii)(A) or (B) of this subsection (3), the subsequent construction shall be considered a substantial development for the purpose of this chapter. All dollar thresholds under (e)(vii)(B) of this subsection (3) must be adjusted for inflation by the office of financial management every five years, beginning July 1, 2018, based upon changes in the consumer price index during that time period. "Consumer price index" means, for any calendar year, that year's annual average consumer price index, Seattle, Washington area, for urban wage earners and clerical workers, all items, compiled by the bureau of labor and statistics, United States department of labor. The office of financial management must calculate the new dollar thresholds, rounded to the nearest hundred dollar, and transmit them to the office of the code reviser for publication in the Washington State Register at least one month before the new dollar thresholds are to take effect;

(viii) Operation, maintenance, or construction of canals, waterways, drains, reservoirs, or other facilities that now exist or

are hereafter created or developed as a part of an irrigation system for the primary purpose of making use of system waters, including return flow and artificially stored groundwater for the irrigation of lands;

(ix) The marking of property lines or corners on state owned lands, when such marking does not significantly interfere with normal public use of the surface of the water;

(x) Operation and maintenance of any system of dikes, ditches, drains, or other facilities existing on September 8, 1975, which were created, developed, or utilized primarily as a part of an agricultural drainage or diking system;

(xi) Site exploration and investigation activities that are prerequisite to preparation of an application for development authorization under this chapter, if:

(A) The activity does not interfere with the normal public use of the surface waters;

(B) The activity will have no significant adverse impact on the environment including, but not limited to, fish, wildlife, fish or wildlife habitat, water quality, and aesthetic values;

(C) The activity does not involve the installation of a structure, and upon completion of the activity the vegetation and land configuration of the site are restored to conditions existing before the activity;

(D) A private entity seeking development authorization under this section first posts a performance bond or provides other evidence of financial responsibility to the local jurisdiction to ensure that the site is restored to preexisting conditions; and

(E) The activity is not subject to the permit requirements of RCW 90.58.550;

(xii) The process of removing or controlling an aquatic noxious weed, as defined in RCW 17.26.020, through the use of an herbicide or other treatment methods applicable to weed control that are recommended by a final environmental impact statement published by the department of agriculture or the department jointly with other state agencies under chapter 43.21C RCW;

(xiii) The external or internal retrofitting of an existing structure with the exclusive purpose of compliance with the Americans with disabilities act of 1990 (42 U.S.C. Sec. 12101 et seq.) or to otherwise provide physical access to the structure by individuals with disabilities."

On page 1, line 4 of the title, after "disabilities;" strike the remainder of the title and insert "and amending RCW 90.58.030."

#### MOTION

Senator McCoy moved that the following amendment no. 696 by Senator McCoy to the committee striking amendment be adopted:

On page 7, at the beginning of line 37 of the amendment, strike "structure" and insert "building"

On page 7, line 39 of the amendment, after "to the" strike "structure" and insert "building"

Senators McCoy and Fraser spoke in favor of adoption of the amendment to the committee striking amendment.

Senators Ericksen and Dassel spoke against adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 696 by Senator McCoy on page 7, line 37 to the committee striking amendment.

The motion by Senator McCoy failed and amendment no. 696 was not adopted by voice vote.

The President declared the question before the Senate to be the adoption of the committee amendment by the Committee on Energy, Environment & Telecommunications to Engrossed Substitute House Bill No. 2847.

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

#### MOTION

On motion of Senator Ericksen, the rules were suspended, Engrossed Substitute House Bill No. 2847, as amended by the Senate, was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Ericksen, Sheldon and Takko spoke in favor of passage of the bill.

Senators McCoy, Ranker and Hasegawa spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 2847, as amended by the Senate.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 2847, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 33; Nays, 14; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Braun, Brown, Dammeier, Dansel, Ericksen, Fain, Habib, Hargrove, Hewitt, Hill, Hobbs, Honeyford, King, Litzow, McAuliffe, Miloscia, Mullet, O'Ban, Padden, Parlette, Pearson, Ranker, Rivers, Roach, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senators Billig, Carlyle, Chase, Cleveland, Conway, Fraser, Frockt, Hasegawa, Jayapal, Keiser, McCoy, Nelson, Pedersen and Rolfes

Excused: Senators Darneille and Liias

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2847, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### INTRODUCTION OF GUESTS

The President welcomed and introduced fourth grade students from Evergreen Elementary School, Shelton, and their advisor Ms. Elizabeth Ward, guests of Senator Sheldon, who were seated in the gallery.

Senator Fain announced a meeting of the Majority Coalition Caucus at 1:30 p.m.

Senator Fraser announced a meeting of the Democratic Caucus immediately upon going at ease.

#### MOTION

At 12:34 p.m., on motion of Senator Fain, the Senate was declared to be at ease subject to the call of the President.

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#### AFTERNOON SESSION

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The Senate was called to order at 3:56 p.m. by the President of the Senate, Lt. Governor Owen presiding.

#### MOTION

On motion of Senator Fain, and without objection, the Senate reverted to the third order of business.

#### MESSAGE FROM THE GOVERNOR

February 29, 2016

To the Honorable President and Members,  
The Senate of the State of Washington

Ladies and Gentlemen:

I have the honor to advise you that on February 29, 2016, Governor Inslee approved the following Senate Bill entitled:

E2SSB No. 6195 Relating to basic education obligations.

Sincerely,  
Miguel Perez-Gibson,  
Executive Director of Legislative Affairs

#### MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the sixth order of business.

#### SECOND READING

ENGROSSED HOUSE BILL NO. 1409, by Representatives Walkinshaw, Hayes, Clibborn, Hargrove, Fey, Farrell, Zeiger, Orcutt and Tarleton

Concerning the disclosure of vessel owner information.

The measure was read the second time.

#### MOTION

On motion of Senator King, the rules were suspended, Engrossed House Bill No. 1409 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator King spoke in favor of passage of the bill.

#### MOTION

On motion of Senator Mullet, and without objection, Senator Habib was excused.

The President declared the question before the Senate to be the final passage of Engrossed House Bill No. 1409.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 1409 and the bill passed the Senate by the following vote: Yeas, 43; Nays, 3; Absent, 0; Excused, 3.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Ericksen, Fain, Fraser, Frockt, Hargrove, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler,

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Sheldon, Takko and Warnick

of the bill was ordered to stand as the title of the act.

Voting nay: Senators Benton, Dansel and Hasegawa  
Excused: Senators Darneille, Habib and Liias

SECOND READING

ENGROSSED HOUSE BILL NO. 1409, 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.

HOUSE BILL NO. 2332, by Representative Kirby

Removing an expiration date concerning the filing and public disclosure of health care provider compensation.

PERSONAL PRIVILEGE

The measure was read the second time.

Senator Dansel: "Thank you, Mr. President. I wanted to rise and thank you. It was conveyed to me by my staff that over the past three years you've taken time out of your schedule to host my legislative assistant, my session aide, every single one of my pages, my family members. I wanted to say thank you personally for taking time out of your schedule and opening up for young people that come from the other side of the state. You've illustrated to them what it is to be a public servant. You've also opened the door to the opposing party and I think in a time where Republican vs. Democrat is at an all-time high, it's nice to see someone working across the aisle. I wanted to thank you very much for always taking time for kids that come over here that are trying to learn something, as well as session aides, that have had the ability now to meet you and learn from you and your office. Thank you very much."

MOTION

On motion of Senator Becker, the rules were suspended, House Bill No. 2332 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of House Bill No. 2332.

SECOND READING

ROLL CALL

HOUSE BILL NO. 2280, by Representatives Klippert and Hayes

The Secretary called the roll on the final passage of House Bill No. 2332 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Making felony driving under the influence of intoxicating liquor, marijuana, or any drug a class B felony.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Ericksen, Fain, Fraser, Frockt, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

The measure was read the second time.

Excused: Senators Darneille and Habib

MOTION

HOUSE BILL NO. 2332, 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.

On motion of Senator Padden, the rules were suspended, House Bill No. 2280 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Padden spoke in favor of passage of the bill.

SECOND READING

The President declared the question before the Senate to be the final passage of House Bill No. 2280.

HOUSE BILL NO. 2360, by Representatives Lytton, Magendanz, Sullivan, Reykdal, Rossetti, Santos and Chandler

Eliminating the quality education council.

ROLL CALL

The measure was read the second time.

The Secretary called the roll on the final passage of House Bill No. 2280 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

MOTION

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Ericksen, Fain, Fraser, Frockt, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

On motion of Senator Litzow, the rules were suspended, House Bill No. 2360 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Litzow and McAuliffe spoke in favor of passage of the bill.

Excused: Senators Darneille and Habib

The President declared the question before the Senate to be the final passage of House Bill No. 2360.

ROLL CALL

HOUSE BILL NO. 2280, having received the constitutional majority, was declared passed. There being no objection, the title

The Secretary called the roll on the final passage of House Bill No. 2360 and the bill passed the Senate by the following vote:

Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Ericksen, Fain, Fraser, Frockt, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senators Darneille and Habib

HOUSE BILL NO. 2360, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

HOUSE BILL NO. 2384, by Representatives Buys, Wylie, Orwall and Rodne

Clarifying the meaning of mobile telecommunications service provider.

The measure was read the second time.

#### MOTION

On motion of Senator Padden, the rules were suspended, House Bill No. 2384 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Padden spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 2384.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2384 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Ericksen, Fain, Fraser, Frockt, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senators Darneille and Habib

HOUSE BILL NO. 2384, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

HOUSE BILL NO. 2403, by Representatives Kochmar, Senn, Griffey, Appleton, Walsh, Wylie, Scott, Ryu, McCabe, Stambaugh, Short, Magendanz, Caldier, Hickel, Wilson, Zeiger, Muri, Kilduff and McBride

Concerning Down syndrome resources.

The measure was read the second time.

#### MOTION

On motion of Senator Becker, the rules were suspended, House Bill No. 2403 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of House Bill No. 2403.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2403 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Ericksen, Fain, Fraser, Frockt, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senators Darneille and Habib

HOUSE BILL NO. 2403, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

HOUSE BILL NO. 2565, by Representatives Vick, Reykdal, Orcutt, Wilson, Springer, Robinson, Nealey, Wilcox, Manweller, Stokesbary, Condotta, Pike, Haler, Frame, Hargrove and Muri

Reducing the frequency of local sales and use tax changes.

The measure was read the second time.

#### MOTION

On motion of Senator Fain, the rules were suspended, House Bill No. 2565 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Fain spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 2565.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2565 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Ericksen, Fain, Fraser, Frockt, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senators Darneille and Habib

HOUSE BILL NO. 2565, having received the constitutional

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

## SECOND READING

SUBSTITUTE HOUSE BILL NO. 2580, by House Committee on Health Care & Wellness (originally sponsored by Representatives Cody, Rodne, Robinson, Johnson and Jinkins)

Establishing a public registry for the transparency of blood establishments.

The measure was read the second time.

## MOTION

Senator Becker moved that the following committee striking amendment by the Committee on Health Care be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature finds that maintaining public trust and confidence in the safety of the community blood supply is important to the health care system. Patients in Washington needing lifesaving transfusions rightly expect safe blood and blood donors in Washington rightly expect their contributions will be managed with diligent care and compliance with all regulatory standards and expectations so their donation will benefit patients in need. The United States food and drug administration establishes regulations, good manufacturing practices, and guidance that defines the minimum standards for blood establishments and, in cases of repeated violations and noncompliance by licensed blood establishments, may impose measures that include fines, judicial consent decrees, and suspension or revocation of licensure. It is therefore the intent of the legislature that blood-collecting or distributing establishments be registered with the department of health to help ensure public transparency.

NEW SECTION. Sec. 2. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Blood-collecting or distributing establishment" or "establishment" means any organization that collects or distributes blood for allogeneic transfusion in Washington. This chapter does not apply to a hospital licensed under chapter 70.41 or 71.12 RCW unless the hospital collects blood directly from donors for the purpose of allogeneic transfusions. For the purposes of this chapter, "blood-collecting or distributing establishment" or "establishment" does not include organizations that collect source plasma for the production of plasma derivatives by fractionation.

(2) "Change in standing" means that a blood-collecting or distributing establishment is the subject of titled letters, fines, suspensions, or revocations of its United States food and drug administration license, or judicial consent decrees.

(3) "Department" means the Washington state department of health.

NEW SECTION. Sec. 3. (1) A blood-collecting or distributing establishment may not collect or distribute blood for transfusion in Washington, unless it is registered by the department.

(2) A blood-collecting or distributing establishment shall submit an application for registration to the department on a form prescribed by the department. The application must, at a minimum, contain the following information:

(a) The name, address, and telephone number of the blood-

collecting or distributing establishment;

(b) A copy of the establishment's United States food and drug administration license, unless the applicant is a hospital that meets the criteria in section 2(1) of this act;

(c) A list of the establishment's clients in Washington;

(d) Any of the following issued upon, or active against, the establishment in the two years prior to the application:

(i) Titled letters, fines, or license suspensions or revocations issued by the United States food and drug administration; or

(ii) Judicial consent decrees; and

(e) Any other information required by the department.

(3) The department shall register a blood-collecting or distributing establishment if it holds a license issued by the United States food and drug administration, or if the applicant is a hospital that meets the criteria in section 2(1) of this act, and submits an application and fees as required by this section.

(4) The department shall deny or revoke the registration of an establishment upon a determination that it no longer holds a license issued by the United States food and drug administration.

(5) The department shall issue a summary suspension of the registration if the blood-collecting or distributing establishment no longer holds a license issued by the United States food and drug administration. The summary suspension remains in effect until proceedings under RCW 43.70.115 have been completed by the department. The issue in the proceedings is limited to whether the blood-collecting or distributing establishment is qualified to hold a registration under this section.

(6) A registration expires annually on the date specified on the registration. The department shall establish the administrative procedures and requirements for registration renewals, including a requirement that the establishment update the information provided under subsection (2) of this section both annually and within fourteen days of a change in standing of the establishment's United States food and drug administration license.

(7) An establishment applying for or renewing a registration under this section shall pay a fee in an amount set by the department in rule. In no case may the fee exceed the amount necessary to defray the costs of administering this chapter.

(8) This section does not apply in the case of individual patient medical need, as determined by a qualified provider.

NEW SECTION. Sec. 4. (1) The department shall create and maintain an online public registry of all registered blood-collecting or distributing establishments that supply blood products for transfusion in Washington.

(2) The department shall, within fourteen days of receipt, publish in the public registry the information received from each registered blood-collecting or distributing establishment under section 3 of this act, including changes in the standing of the establishment's United States food and drug administration license.

(3) The department shall notify all of a blood-collecting or distributing establishment's Washington clients within fourteen days of receiving notice under section 3 of this act that the establishment has experienced a change in standing in its United States food and drug administration license or no longer holds a license issued by the United States food and drug administration.

NEW SECTION. Sec. 5. The department may, in the manner provided by law and upon the advice of the attorney general, who shall represent the department in the proceedings, maintain an action in the name of the state for an injunction or other process against any blood-collecting or distributing establishment to restrain or prevent the operation of the establishment without a registration issued under this chapter.

NEW SECTION. Sec. 6. Sections 1 through 5 of this act constitute a new chapter in Title 70 RCW."

On page 1, line 2 of the title, after "establishments;" strike the remainder of the title and insert "and adding a new chapter to Title 70 RCW."

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Health Care to Substitute House Bill No. 2580.

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

#### MOTION

On motion of Senator Becker, the rules were suspended, Substitute House Bill No. 2580, as amended by the Senate, was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 2580, as amended by the Senate.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2580, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Ericksen, Fain, Fraser, Frockt, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senators Darneille and Habib

SUBSTITUTE HOUSE BILL NO. 2580, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SUBSTITUTE HOUSE BILL NO. 2598, by House Committee on Transportation (originally sponsored by Representatives Orcutt and Clibborn)

Authorizing the use of certain cargo extensions that connect to a recreational vehicle frame. Revised for 1st Substitute: Authorizing the use of certain cargo extensions that connect to a motor home or travel trailer frame.

The measure was read the second time.

#### MOTION

On motion of Senator King, the rules were suspended, Substitute House Bill No. 2598 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator King spoke in favor of passage of the bill.

The President declared the question before the Senate to be the

final passage of Substitute House Bill No. 2598.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2598 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Ericksen, Fain, Fraser, Frockt, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senators Darneille and Habib

SUBSTITUTE HOUSE BILL NO. 2598, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

HOUSE BILL NO. 2599, by Representatives Orcutt, Clibborn, Moscoso, Harmsworth, Tarleton, Zeiger, Hayes, Hargrove, Rossetti, McBride and Wilson

Authorizing the freight mobility strategic investment board to remove funding allocation for projects after a certain number of years without construction occurring.

The measure was read the second time.

#### MOTION

On motion of Senator King, the rules were suspended, House Bill No. 2599 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator King spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 2599.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2599 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Ericksen, Fain, Fraser, Frockt, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senators Darneille and Habib

HOUSE BILL NO. 2599, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2540, by



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House Committee on Finance (originally sponsored by Representatives Nealey, Tharinger, Harris, Walsh, Ryu, Griffey, Hayes, Manweller, Pike, Smith, Stokesbary, MacEwen, Van De Wege, Johnson, Magendanz, Wilson, McBride, Hargrove, Schmick, Pollet and Van Werven)

Modifying the penalty for taxpayers that do not submit an annual survey or report.

The measure was read the second time.

MOTION

On motion of Senator Fain, the rules were suspended, Engrossed Substitute House Bill No. 2540 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Fain spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 2540.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 2540 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Ericksen, Fain, Fraser, Frockt, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senators Darneille and Habib

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2540, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 2605, by Representatives Kirby, Vick, Blake and Rossetti

Creating a special permit by a manufacturer of beer to hold a private event for the purpose of tasting and selling beer of its own production.

The measure was read the second time.

MOTION

On motion of Senator Baumgartner, the rules were suspended, House Bill No. 2605 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Baumgartner spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 2605.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2605 and the bill passed the Senate by the following vote: Yeas, 43; Nays, 4; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dansel, Ericksen, Fain, Fraser, Frockt, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senators Dammeier, Hargrove, Liias and Pearson  
Excused: Senators Darneille and Habib

HOUSE BILL NO. 2605, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 2440, by House Committee on Early Learning & Human Services (originally sponsored by Representatives Kagi, Smith, McBride, Hargrove, McCaslin, Dent, Clibborn, Walsh, Walkinshaw, Scott, Sawyer, Ortiz-Self, Caldier, Hudgins, Senn, Robinson, Ormsby, Cody, Jinkins, Fey, Zeiger, Frame, Kilduff, Bergquist and Goodman)

Concerning host home programs for youth.

The measure was read the second time.

MOTION

Senator O'Ban moved that the following committee striking amendment by the Committee on Human Services, Mental Health & Housing be adopted:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 74.15.020 and 2013 c 105 s 2 are each amended to read as follows:

The definitions in this section apply throughout this chapter and RCW 74.13.031 unless the context clearly requires otherwise.

(1) "Agency" means any person, firm, partnership, association, corporation, or facility which receives children, expectant mothers, or persons with developmental disabilities for control, care, or maintenance outside their own homes, or which places, arranges the placement of, or assists in the placement of children, expectant mothers, or persons with developmental disabilities for foster care or placement of children for adoption, and shall include the following irrespective of whether there is compensation to the agency or to the children, expectant mothers, or persons with developmental disabilities for services rendered:

(a) "Child-placing agency" means an agency which places a child or children for temporary care, continued care, or for adoption;

(b) "Community facility" means a group care facility operated for the care of juveniles committed to the department under RCW 13.40.185. A county detention facility that houses juveniles committed to the department under RCW 13.40.185 pursuant to a contract with the department is not a community facility;

(c) "Crisis residential center" means an agency which is a temporary protective residential facility operated to perform the duties specified in chapter 13.32A RCW, in the manner provided in RCW 74.13.032 through 74.13.036;

(d) "Emergency respite center" is an agency that may be

commonly known as a crisis nursery, that provides emergency and crisis care for up to seventy-two hours to children who have been admitted by their parents or guardians to prevent abuse or neglect. Emergency respite centers may operate for up to twenty-four hours a day, and for up to seven days a week. Emergency respite centers may provide care for children ages birth through seventeen, and for persons eighteen through twenty with developmental disabilities who are admitted with a sibling or siblings through age seventeen. Emergency respite centers may not substitute for crisis residential centers or HOPE centers, or any other services defined under this section, and may not substitute for services which are required under chapter 13.32A or 13.34 RCW;

(e) "Foster-family home" means an agency which regularly provides care on a twenty-four hour basis to one or more children, expectant mothers, or persons with developmental disabilities in the family abode of the person or persons under whose direct care and supervision the child, expectant mother, or person with a developmental disability is placed;

(f) "Group-care facility" means an agency, other than a foster-family home, which is maintained and operated for the care of a group of children on a twenty-four hour basis;

(g) "HOPE center" means an agency licensed by the secretary to provide temporary residential placement and other services to street youth. A street youth may remain in a HOPE center for thirty days while services are arranged and permanent placement is coordinated. No street youth may stay longer than thirty days unless approved by the department and any additional days approved by the department must be based on the unavailability of a long-term placement option. A street youth whose parent wants him or her returned to home may remain in a HOPE center until his or her parent arranges return of the youth, not longer. All other street youth must have court approval under chapter 13.34 or 13.32A RCW to remain in a HOPE center up to thirty days;

(h) "Maternity service" means an agency which provides or arranges for care or services to expectant mothers, before or during confinement, or which provides care as needed to mothers and their infants after confinement;

(i) "Resource and assessment center" means an agency that provides short-term emergency and crisis care for a period up to seventy-two hours, excluding Saturdays, Sundays, and holidays to children who have been removed from their parent's or guardian's care by child protective services or law enforcement;

(j) "Responsible living skills program" means an agency licensed by the secretary that provides residential and transitional living services to persons ages sixteen to eighteen who are dependent under chapter 13.34 RCW and who have been unable to live in his or her legally authorized residence and, as a result, the minor lived outdoors or in another unsafe location not intended for occupancy by the minor. Dependent minors ages fourteen and fifteen may be eligible if no other placement alternative is available and the department approves the placement;

(k) "Service provider" means the entity that operates a community facility.

(2) "Agency" shall not include the following:

(a) Persons related to the child, expectant mother, or person with developmental disability in the following ways:

(i) Any blood relative, including those of half-blood, and including first cousins, second cousins, nephews or nieces, and persons of preceding generations as denoted by prefixes of grand, great, or great-great;

(ii) Stepfather, stepmother, stepbrother, and stepsister;

(iii) A person who legally adopts a child or the child's parent as well as the natural and other legally adopted children of such persons, and other relatives of the adoptive parents in accordance

with state law;

(iv) Spouses of any persons named in (a)(i), (ii), or (iii) of this subsection (2), even after the marriage is terminated;

(v) Relatives, as named in (a)(i), (ii), (iii), or (iv) of this subsection (2), of any half sibling of the child; or

(vi) Extended family members, as defined by the law or custom of the Indian child's tribe or, in the absence of such law or custom, a person who has reached the age of eighteen and who is the Indian child's grandparent, aunt or uncle, brother or sister, brother-in-law or sister-in-law, niece or nephew, first or second cousin, or stepparent who provides care in the family abode on a twenty-four-hour basis to an Indian child as defined in 25 U.S.C. Sec. 1903(4);

(b) Persons who are legal guardians of the child, expectant mother, or persons with developmental disabilities;

(c) Persons who care for a neighbor's or friend's child or children, with or without compensation, where the parent and person providing care on a twenty-four-hour basis have agreed to the placement in writing and the state is not providing any payment for the care;

(d) A person, partnership, corporation, or other entity that provides placement or similar services to exchange students or international student exchange visitors or persons who have the care of an exchange student in their home;

(e) A person, partnership, corporation, or other entity that provides placement or similar services to international children who have entered the country by obtaining visas that meet the criteria for medical care as established by the United States citizenship and immigration services, or persons who have the care of such an international child in their home;

(f) Schools, including boarding schools, which are engaged primarily in education, operate on a definite school year schedule, follow a stated academic curriculum, accept only school-age children and do not accept custody of children;

(g) Hospitals licensed pursuant to chapter 70.41 RCW when performing functions defined in chapter 70.41 RCW, nursing homes licensed under chapter 18.51 RCW and assisted living facilities licensed under chapter 18.20 RCW;

(h) Licensed physicians or lawyers;

(i) Facilities approved and certified under chapter 71A.22 RCW;

(j) Any agency having been in operation in this state ten years prior to June 8, 1967, and not seeking or accepting moneys or assistance from any state or federal agency, and is supported in part by an endowment or trust fund;

(k) Persons who have a child in their home for purposes of adoption, if the child was placed in such home by a licensed child-placing agency, an authorized public or tribal agency or court or if a replacement report has been filed under chapter 26.33 RCW and the placement has been approved by the court;

(l) An agency operated by any unit of local, state, or federal government or an agency licensed by an Indian tribe pursuant to RCW 74.15.190;

(m) A maximum or medium security program for juvenile offenders operated by or under contract with the department;

(n) An agency located on a federal military reservation, except where the military authorities request that such agency be subject to the licensing requirements of this chapter;

(o) A host home program, and host home, operated by a tax exempt organization for youth not in the care of or receiving services from the department, if that program: (i) Recruits and screens potential homes in the program, including performing background checks on individuals over the age of eighteen residing in the home through the Washington state patrol or equivalent law enforcement agency and performing physical inspections of the home; (ii) screens and provides case

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management services to youth in the program; (iii) obtains a notarized permission slip or limited power of attorney from the parent or legal guardian of the youth authorizing the youth to participate in the program and the authorization is updated every six months when a youth remains in a host home longer than six months; (iv) obtains insurance for the program through an insurance provider authorized under Title 48 RCW; (v) provides mandatory reporter and confidentiality training; (vi) receives no local, state, or federal government funding; and (vii) registers with the secretary of state as provided in section 3 of this act. A host home is a private home that volunteers to host youth in need of temporary placement that is associated with a host home program.

(3) "Department" means the state department of social and health services.

(4) "Juvenile" means a person under the age of twenty-one who has been sentenced to a term of confinement under the supervision of the department under RCW 13.40.185.

(5) "Performance-based contracts" or "contracting" means the structuring of all aspects of the procurement of services around the purpose of the work to be performed and the desired results with the contract requirements set forth in clear, specific, and objective terms with measurable outcomes. Contracts may also include provisions that link the performance of the contractor to the level and timing of the reimbursement.

(6) "Probationary license" means a license issued as a disciplinary measure to an agency that has previously been issued a full license but is out of compliance with licensing standards.

(7) "Requirement" means any rule, regulation, or standard of care to be maintained by an agency.

(8) "Secretary" means the secretary of social and health services.

(9) "Street youth" means a person under the age of eighteen who lives outdoors or in another unsafe location not intended for occupancy by the minor and who is not residing with his or her parent or at his or her legally authorized residence.

(10) "Supervising agency" means an agency licensed by the state under RCW 74.15.090 or an Indian tribe under RCW 74.15.190 that has entered into a performance-based contract with the department to provide child welfare services.

(11) "Transitional living services" means at a minimum, to the extent funds are available, the following:

(a) Educational services, including basic literacy and computational skills training, either in local alternative or public high schools or in a high school equivalency program that leads to obtaining a high school equivalency degree;

(b) Assistance and counseling related to obtaining vocational training or higher education, job readiness, job search assistance, and placement programs;

(c) Counseling and instruction in life skills such as money management, home management, consumer skills, parenting, health care, access to community resources, and transportation and housing options;

(d) Individual and group counseling; and

(e) Establishing networks with federal agencies and state and local organizations such as the United States department of labor, employment and training administration programs including the workforce investment act which administers private industry councils and the job corps; vocational rehabilitation; and volunteer programs.

NEW SECTION. Sec. 2. By July 1, 2017, the department of commerce must report to the governor and the legislature recommendations and best practices for host home programs.

NEW SECTION. Sec. 3. A new section is added to chapter 24.03 RCW to read as follows:

(1) Host home programs have the same meaning as described in RCW 74.15.020.

(2) Host home programs shall register with the secretary of state's office. This registration may occur when the host home program files articles of incorporation or registers as a nonprofit organization under this chapter.

(3) The host home program registration must include a notarized statement by the host home program that it meets all of the statutory requirements as provided for in RCW 74.15.020.

(4) The secretary of state has no duty to confirm that a host home program is meeting its statutory requirements.

(5) Any filing under this section does not imply an endorsement by the secretary of state.

(6) The secretary of state may adopt rules as necessary to carry out its duties under this section.

Sec. 4. RCW 26.44.030 and 2015 1st sp.s. c 6 s 1 are each amended to read as follows:

(1)(a) When any practitioner, county coroner or medical examiner, law enforcement officer, professional school personnel, registered or licensed nurse, social service counselor, psychologist, pharmacist, employee of the department of early learning, licensed or certified child care providers or their employees, employee of the department, juvenile probation officer, placement and liaison specialist, responsible living skills program staff, HOPE center staff, ((or) state family and children's ombuds or any volunteer in the ombuds's office, or host home program has reasonable cause to believe that a child has suffered abuse or neglect, he or she shall report such incident, or cause a report to be made, to the proper law enforcement agency or to the department as provided in RCW 26.44.040.

(b) When any person, in his or her official supervisory capacity with a nonprofit or for-profit organization, has reasonable cause to believe that a child has suffered abuse or neglect caused by a person over whom he or she regularly exercises supervisory authority, he or she shall report such incident, or cause a report to be made, to the proper law enforcement agency, provided that the person alleged to have caused the abuse or neglect is employed by, contracted by, or volunteers with the organization and coaches, trains, educates, or counsels a child or children or regularly has unsupervised access to a child or children as part of the employment, contract, or voluntary service. No one shall be required to report under this section when he or she obtains the information solely as a result of a privileged communication as provided in RCW 5.60.060.

Nothing in this subsection (1)(b) shall limit a person's duty to report under (a) of this subsection.

For the purposes of this subsection, the following definitions apply:

(i) "Official supervisory capacity" means a position, status, or role created, recognized, or designated by any nonprofit or for-profit organization, either for financial gain or without financial gain, whose scope includes, but is not limited to, overseeing, directing, or managing another person who is employed by, contracted by, or volunteers with the nonprofit or for-profit organization.

(ii) "Organization" includes a sole proprietor, partnership, corporation, limited liability company, trust, association, financial institution, governmental entity, other than the federal government, and any other individual or group engaged in a trade, occupation, enterprise, governmental function, charitable function, or similar activity in this state whether or not the entity is operated as a nonprofit or for-profit entity.

(iii) "Reasonable cause" means a person witnesses or receives a credible written or oral report alleging abuse, including sexual contact, or neglect of a child.

(iv) "Regularly exercises supervisory authority" means to act in his or her official supervisory capacity on an ongoing or continuing basis with regards to a particular person.

(v) "Sexual contact" has the same meaning as in RCW 9A.44.010.

(c) The reporting requirement also applies to department of corrections personnel who, in the course of their employment, observe offenders or the children with whom the offenders are in contact. If, as a result of observations or information received in the course of his or her employment, any department of corrections personnel has reasonable cause to believe that a child has suffered abuse or neglect, he or she shall report the incident, or cause a report to be made, to the proper law enforcement agency or to the department as provided in RCW 26.44.040.

(d) The reporting requirement shall also apply to any adult who has reasonable cause to believe that a child who resides with them, has suffered severe abuse, and is able or capable of making a report. For the purposes of this subsection, "severe abuse" means any of the following: Any single act of abuse that causes physical trauma of sufficient severity that, if left untreated, could cause death; any single act of sexual abuse that causes significant bleeding, deep bruising, or significant external or internal swelling; or more than one act of physical abuse, each of which causes bleeding, deep bruising, significant external or internal swelling, bone fracture, or unconsciousness.

(e) The reporting requirement also applies to guardians ad litem, including court-appointed special advocates, appointed under Titles 11((,)) and 13((,)) RCW and ((26 RCW)) this title, who in the course of their representation of children in these actions have reasonable cause to believe a child has been abused or neglected.

(f) The reporting requirement in (a) of this subsection also applies to administrative and academic or athletic department employees, including student employees, of institutions of higher education, as defined in RCW 28B.10.016, and of private institutions of higher education.

(g) The report must be made at the first opportunity, but in no case longer than forty-eight hours after there is reasonable cause to believe that the child has suffered abuse or neglect. The report must include the identity of the accused if known.

(2) The reporting requirement of subsection (1) of this section does not apply to the discovery of abuse or neglect that occurred during childhood if it is discovered after the child has become an adult. However, if there is reasonable cause to believe other children are or may be at risk of abuse or neglect by the accused, the reporting requirement of subsection (1) of this section does apply.

(3) Any other person who has reasonable cause to believe that a child has suffered abuse or neglect may report such incident to the proper law enforcement agency or to the department of social and health services as provided in RCW 26.44.040.

(4) The department, upon receiving a report of an incident of alleged abuse or neglect pursuant to this chapter, involving a child who has died or has had physical injury or injuries inflicted upon him or her other than by accidental means or who has been subjected to alleged sexual abuse, shall report such incident to the proper law enforcement agency, including military law enforcement, if appropriate. In emergency cases, where the child's welfare is endangered, the department shall notify the proper law enforcement agency within twenty-four hours after a report is received by the department. In all other cases, the department shall notify the law enforcement agency within seventy-two hours after a report is received by the department. If the department makes an oral report, a written report must also be made to the proper law enforcement agency within five days thereafter.

(5) Any law enforcement agency receiving a report of an

incident of alleged abuse or neglect pursuant to this chapter, involving a child who has died or has had physical injury or injuries inflicted upon him or her other than by accidental means, or who has been subjected to alleged sexual abuse, shall report such incident in writing as provided in RCW 26.44.040 to the proper county prosecutor or city attorney for appropriate action whenever the law enforcement agency's investigation reveals that a crime may have been committed. The law enforcement agency shall also notify the department of all reports received and the law enforcement agency's disposition of them. In emergency cases, where the child's welfare is endangered, the law enforcement agency shall notify the department within twenty-four hours. In all other cases, the law enforcement agency shall notify the department within seventy-two hours after a report is received by the law enforcement agency.

(6) Any county prosecutor or city attorney receiving a report under subsection (5) of this section shall notify the victim, any persons the victim requests, and the local office of the department, of the decision to charge or decline to charge a crime, within five days of making the decision.

(7) The department may conduct ongoing case planning and consultation with those persons or agencies required to report under this section, with consultants designated by the department, and with designated representatives of Washington Indian tribes if the client information exchanged is pertinent to cases currently receiving child protective services. Upon request, the department shall conduct such planning and consultation with those persons required to report under this section if the department determines it is in the best interests of the child. Information considered privileged by statute and not directly related to reports required by this section must not be divulged without a valid written waiver of the privilege.

(8) Any case referred to the department by a physician licensed under chapter 18.57 or 18.71 RCW on the basis of an expert medical opinion that child abuse, neglect, or sexual assault has occurred and that the child's safety will be seriously endangered if returned home, the department shall file a dependency petition unless a second licensed physician of the parents' choice believes that such expert medical opinion is incorrect. If the parents fail to designate a second physician, the department may make the selection. If a physician finds that a child has suffered abuse or neglect but that such abuse or neglect does not constitute imminent danger to the child's health or safety, and the department agrees with the physician's assessment, the child may be left in the parents' home while the department proceeds with reasonable efforts to remedy parenting deficiencies.

(9) Persons or agencies exchanging information under subsection (7) of this section shall not further disseminate or release the information except as authorized by state or federal statute. Violation of this subsection is a misdemeanor.

(10) Upon receiving a report of alleged abuse or neglect, the department shall make reasonable efforts to learn the name, address, and telephone number of each person making a report of abuse or neglect under this section. The department shall provide assurances of appropriate confidentiality of the identification of persons reporting under this section. If the department is unable to learn the information required under this subsection, the department shall only investigate cases in which:

(a) The department believes there is a serious threat of substantial harm to the child;

(b) The report indicates conduct involving a criminal offense that has, or is about to occur, in which the child is the victim; or

(c) The department has a prior founded report of abuse or neglect with regard to a member of the household that is within three years of receipt of the referral.

(11)(a) Upon receiving a report of alleged abuse or neglect, the

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department shall use one of the following discrete responses to reports of child abuse or neglect that are screened in and accepted for departmental response:

- (i) Investigation; or
- (ii) Family assessment.

(b) In making the response in (a) of this subsection the department shall:

(i) Use a method by which to assign cases to investigation or family assessment which are based on an array of factors that may include the presence of: Imminent danger, level of risk, number of previous child abuse or neglect reports, or other presenting case characteristics, such as the type of alleged maltreatment and the age of the alleged victim. Age of the alleged victim shall not be used as the sole criterion for determining case assignment;

(ii) Allow for a change in response assignment based on new information that alters risk or safety level;

(iii) Allow families assigned to family assessment to choose to receive an investigation rather than a family assessment;

(iv) Provide a full investigation if a family refuses the initial family assessment;

(v) Provide voluntary services to families based on the results of the initial family assessment. If a family refuses voluntary services, and the department cannot identify specific facts related to risk or safety that warrant assignment to investigation under this chapter, and there is not a history of reports of child abuse or neglect related to the family, then the department must close the family assessment response case. However, if at any time the department identifies risk or safety factors that warrant an investigation under this chapter, then the family assessment response case must be reassigned to investigation;

(vi) Conduct an investigation, and not a family assessment, in response to an allegation that, the department determines based on the intake assessment:

(A) Poses a risk of "imminent harm" consistent with the definition provided in RCW 13.34.050, which includes, but is not limited to, sexual abuse and sexual exploitation as defined in this chapter;

(B) Poses a serious threat of substantial harm to a child;

(C) Constitutes conduct involving a criminal offense that has, or is about to occur, in which the child is the victim;

(D) The child is an abandoned child as defined in RCW 13.34.030;

(E) The child is an adjudicated dependent child as defined in RCW 13.34.030, or the child is in a facility that is licensed, operated, or certified for care of children by the department under chapter 74.15 RCW, or by the department of early learning.

(c) The department may not be held civilly liable for the decision to respond to an allegation of child abuse or neglect by using the family assessment response under this section unless the state or its officers, agents, or employees acted with reckless disregard.

(12)(a) For reports of alleged abuse or neglect that are accepted for investigation by the department, the investigation shall be conducted within time frames established by the department in rule. In no case shall the investigation extend longer than ninety days from the date the report is received, unless the investigation is being conducted under a written protocol pursuant to RCW 26.44.180 and a law enforcement agency or prosecuting attorney has determined that a longer investigation period is necessary. At the completion of the investigation, the department shall make a finding that the report of child abuse or neglect is founded or unfounded.

(b) If a court in a civil or criminal proceeding, considering the same facts or circumstances as are contained in the report being investigated by the department, makes a judicial finding by a

preponderance of the evidence or higher that the subject of the pending investigation has abused or neglected the child, the department shall adopt the finding in its investigation.

(13) For reports of alleged abuse or neglect that are responded to through family assessment response, the department shall:

(a) Provide the family with a written explanation of the procedure for assessment of the child and the family and its purposes;

(b) Collaborate with the family to identify family strengths, resources, and service needs, and develop a service plan with the goal of reducing risk of harm to the child and improving or restoring family well-being;

(c) Complete the family assessment response within forty-five days of receiving the report; however, upon parental agreement, the family assessment response period may be extended up to ninety days;

(d) Offer services to the family in a manner that makes it clear that acceptance of the services is voluntary;

(e) Implement the family assessment response in a consistent and cooperative manner;

(f) Have the parent or guardian sign an agreement to participate in services before services are initiated that informs the parents of their rights under family assessment response, all of their options, and the options the department has if the parents do not sign the consent form.

(14)(a) In conducting an investigation or family assessment of alleged abuse or neglect, the department or law enforcement agency:

(i) May interview children. If the department determines that the response to the allegation will be family assessment response, the preferred practice is to request a parent's, guardian's, or custodian's permission to interview the child before conducting the child interview unless doing so would compromise the safety of the child or the integrity of the assessment. The interviews may be conducted on school premises, at day-care facilities, at the child's home, or at other suitable locations outside of the presence of parents. If the allegation is investigated, parental notification of the interview must occur at the earliest possible point in the investigation that will not jeopardize the safety or protection of the child or the course of the investigation. Prior to commencing the interview the department or law enforcement agency shall determine whether the child wishes a third party to be present for the interview and, if so, shall make reasonable efforts to accommodate the child's wishes. Unless the child objects, the department or law enforcement agency shall make reasonable efforts to include a third party in any interview so long as the presence of the third party will not jeopardize the course of the investigation; and

(ii) Shall have access to all relevant records of the child in the possession of mandated reporters and their employees.

(b) The Washington state school directors' association shall adopt a model policy addressing protocols when an interview, as authorized by this subsection, is conducted on school premises. In formulating its policy, the association shall consult with the department and the Washington association of sheriffs and police chiefs.

(15) If a report of alleged abuse or neglect is founded and constitutes the third founded report received by the department within the last twelve months involving the same child or family, the department shall promptly notify the office of the family and children's ombuds of the contents of the report. The department shall also notify the ombuds of the disposition of the report.

(16) In investigating and responding to allegations of child abuse and neglect, the department may conduct background checks as authorized by state and federal law.

(17)(a) The department shall maintain investigation records and conduct timely and periodic reviews of all founded cases of abuse and neglect. The department shall maintain a log of screened-out nonabusive cases.

(b) In the family assessment response, the department shall not make a finding as to whether child abuse or neglect occurred. No one shall be named as a perpetrator and no investigative finding shall be entered in the department's child abuse or neglect database.

(18) The department shall use a risk assessment process when investigating alleged child abuse and neglect referrals. The department shall present the risk factors at all hearings in which the placement of a dependent child is an issue. Substance abuse must be a risk factor.

(19) Upon receipt of a report of alleged abuse or neglect the law enforcement agency may arrange to interview the person making the report and any collateral sources to determine if any malice is involved in the reporting.

(20) Upon receiving a report of alleged abuse or neglect involving a child under the court's jurisdiction under chapter 13.34 RCW, the department shall promptly notify the child's guardian ad litem of the report's contents. The department shall also notify the guardian ad litem of the disposition of the report. For purposes of this subsection, "guardian ad litem" has the meaning provided in RCW 13.34.030.

(21) The department shall make efforts as soon as practicable to determine the military status of parents whose children are subject to abuse or neglect allegations. If the department determines that a parent or guardian is in the military, the department shall notify a department of defense family advocacy program that there is an allegation of abuse and neglect that is screened in and open for investigation that relates to that military parent or guardian."

On page 1, line 1 of the title, after "youth;" strike the remainder of the title and insert "amending RCW 74.15.020 and 26.44.030; adding a new section to chapter 24.03 RCW; and creating a new section."

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Human Services, Mental Health & Housing to Substitute House Bill No. 2440.

The motion by Senator O'Ban carried and the committee striking amendment was adopted by voice vote.

#### MOTION

On motion of Senator O'Ban, the rules were suspended, Substitute House Bill No. 2440, as amended by the Senate, was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator O'Ban spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 2440, as amended by the Senate.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2440, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Ericksen, Fain, Fraser, Frockt,

Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senators Darneille and Habib

SUBSTITUTE HOUSE BILL NO. 2440, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

HOUSE BILL NO. 2886, by Representative Manweller

Concerning electrical scope of practice.

The measure was read the second time.

#### MOTION

On motion of Senator Baumgartner, the rules were suspended, House Bill No. 2886 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Baumgartner spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 2886.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2886 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Ericksen, Fain, Fraser, Frockt, Habib, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senator Hargrove

Excused: Senator Darneille

HOUSE BILL NO. 2886, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SECOND SUBSTITUTE HOUSE BILL NO. 2877, by House Committee on Early Learning & Human Services (originally sponsored by Representatives Hickel, Zeiger, Riccelli, Sawyer, Wilcox, Kochmar, Stanford, Gregerson and Ormsby)

Expanding distribution dates for supplemental nutrition assistance program benefits.

The measure was read the second time.

#### MOTION

Senator O'Ban moved that the following committee striking

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amendment by the Committee on Ways & Means be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 74.04 RCW to read as follows:

The department must develop options for extending the duration of distribution of supplemental nutrition assistance program (SNAP) benefits beyond the current duration of the first ten days of the month. The department must recommend a preferred option that minimizes the costs to implement the changes, minimizes the disruption for existing families receiving SNAP benefits, and increases the duration of distribution as close to the first twenty days as feasible. The department must submit a report to the appropriate committees of the legislature describing the options and recommendation on or before October 1, 2016. The department may implement the recommended option at the earliest feasible date if it can do so within current appropriations. If additional funding is required to implement the recommended option, the department must submit a budget request to the office of financial management as part of the 2017 supplemental budget request or as part of the 2017-2019 biennial budget request."

On page 1, line 2 of the title, after "benefits;" strike the remainder of the title and insert "and adding a new section to chapter 74.04 RCW."

Senator O'Ban spoke in favor of adoption of the committee striking amendment.

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Ways & Means to Second Substitute House Bill No. 2877.

The motion by Senator O'Ban carried and the committee striking amendment was adopted by voice vote.

#### MOTION

On motion of Senator O'Ban, the rules were suspended, Second Substitute House Bill No. 2877, as amended by the Senate, was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator O'Ban spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Second Substitute House Bill No. 2877, as amended by the Senate.

#### ROLL CALL

The Secretary called the roll on the final passage of Second Substitute House Bill No. 2877 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senator Darneille

SECOND SUBSTITUTE HOUSE BILL NO. 2877, as amended by the Senate, having received the constitutional

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

#### SECOND READING

SUBSTITUTE HOUSE BILL NO. 2884, by House Committee on Transportation (originally sponsored by Representatives Clibborn, Fey and Moscoso)

Modifying the business and occupation tax and public utility tax credits for alternative fuel commercial vehicles.

The measure was read the second time.

#### MOTION

On motion of Senator King, the rules were suspended, Substitute House Bill No. 2884 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator King spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 2884.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2884 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senator Darneille

SUBSTITUTE HOUSE BILL NO. 2884, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

HOUSE BILL NO. 2322, by Representative Zeiger

Concerning the vehicle license cost recovery fee charged for certain rental car transactions.

The measure was read the second time.

#### MOTION

On motion of Senator King, the rules were suspended, House Bill No. 2322 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator King spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 2322.

## ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2322 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senator Benton

Excused: Senator Darneille

HOUSE BILL NO. 2322, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2458, by House Committee on Health Care & Wellness (originally sponsored by Representatives Parker, Cody, Riccelli, Holy and Tharinger)

Concerning participation in the prescription drug donation program.

The measure was read the second time.

## MOTION

Senator Becker moved that the following committee striking amendment by the Committee on Health Care be adopted:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 69.70.010 and 2013 c 260 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) "Department" means the department of health.

(2) "Drug manufacturer" means a facility licensed by the ((board of)) pharmacy quality assurance commission under chapter 18.64 RCW that engages in the manufacture of drugs or devices.

(3) "Drug wholesaler" means a facility licensed by the ((board of)) pharmacy quality assurance commission under chapter 18.64 RCW that buys drugs or devices for resale and distribution to corporations, individuals, or entities other than consumers.

(4) "Medical facility" means a hospital, pharmacy, nursing home, boarding home, adult family home, or medical clinic where the prescription drugs are under the control of a practitioner.

(5) "Person" means an individual, corporation, business trust, estate, trust, partnership, association, joint venture, government, governmental subdivision or agency, or any other legal or commercial entity.

(6) "Pharmacist" means a person licensed by the ((board of)) pharmacy quality assurance commission under chapter 18.64 RCW to practice pharmacy.

(7) "Pharmacy" means a facility licensed by the ((board of)) pharmacy quality assurance commission under chapter 18.64 RCW in which the practice of pharmacy is conducted.

(8) "Practitioner" has the same meaning as in RCW 69.41.010.

(9) "Prescribing practitioner" means a person authorized to

issue orders or prescriptions for legend drugs as listed in RCW 69.41.030.

(10) "Prescription drugs" has the same meaning as "legend drugs" as defined in RCW 69.41.010. The term includes cancer drugs and antirejection drugs. The term does not include controlled substances.

(11) "Supplies" means the supplies necessary to administer prescription drugs that are donated under the prescription drug redistribution program.

(12) "Time temperature indicator" means a device or smart label that shows the accumulated time-temperature history of a product by providing a nonreversible, accurate record of temperature exposure through the entire supply chain.

(13) "Uninsured" means a person who:

(a) Does not have private or public health insurance; or

(b) Has health insurance, but the health insurance does not provide coverage for a particular drug that has been prescribed to the person.

Sec. 2. RCW 69.70.020 and 2013 c 260 s 2 are each amended to read as follows:

(1) Any practitioner, pharmacist, medical facility, drug manufacturer, or drug wholesaler may donate prescription drugs and supplies to a pharmacy for redistribution without compensation or the expectation of compensation to individuals who meet the prioritization criteria established in RCW 69.70.040. Donations of prescription drugs and supplies may be made on the premises of a pharmacy that elects to participate in the provisions of this chapter. A pharmacy that receives prescription drugs or supplies may distribute the prescription drugs or supplies to another pharmacy, pharmacist, or prescribing practitioner for use pursuant to the program.

(2) The person to whom a prescription drug was prescribed, or the person's representative, may donate prescription drugs under subsection (1) of this section if, as determined by the professional judgment of a pharmacist, the prescription drugs were stored under required temperature conditions using the prescription drugs' time temperature indicator information and the person, or the person's representative, has completed and signed a donor form, adopted by the department, to release the prescription drug for distribution under this chapter and certifying that the donated prescription drug has never been opened, used, adulterated, or misbranded.

Sec. 3. RCW 69.70.040 and 2013 c 260 s 4 are each amended to read as follows:

Pharmacies, pharmacists, and prescribing practitioners that elect to dispense donated prescription drugs and supplies under this chapter shall give priority to individuals who are uninsured ((and at or below two hundred percent of the federal poverty level)). If an uninsured ((and low-income)) individual has not been identified as in need of available prescription drugs and supplies, those prescription drugs and supplies may be dispensed to other individuals expressing need.

Sec. 4. RCW 69.70.050 and 2013 c 260 s 5 are each amended to read as follows:

(1) Prescription drugs or supplies may be accepted and dispensed under this chapter if all of the following conditions are met:

(a) The prescription drug is in:

(i) Its original sealed and tamper evident packaging; or

(ii) An opened package if it contains single unit doses that remain intact;

(b) The prescription drug bears an expiration date that is more than six months after the date the prescription drug was donated;

(c) The prescription drug or supplies are inspected before the prescription drug or supplies are dispensed by a pharmacist employed by or under contract with the pharmacy, and the



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pharmacist determines that the prescription drug or supplies are not adulterated or misbranded;

(d) The prescription drug or supplies are prescribed by a practitioner for use by an eligible individual and are dispensed by a pharmacist; and

(e) Any other safety precautions established by the department have been satisfied.

(2)(a) If a person who donates prescription drugs or supplies to a pharmacy under this chapter receives a notice that the donated prescription drugs or supplies have been recalled, the person shall notify the pharmacy of the recall.

(b) If a pharmacy that receives and distributes donated prescription drugs to another pharmacy, pharmacist, or prescribing practitioner under this chapter receives notice that the donated prescription drugs or supplies have been recalled, the pharmacy shall notify the other pharmacy, pharmacist, or prescribing practitioner of the recall.

(c) If a person collecting or distributing donated prescription drugs or supplies under this chapter receives a recall notice from the drug manufacturer or the federal food and drug administration for donated prescription drugs or supplies, the person shall immediately remove all recalled medications from stock and comply with the instructions in the recall notice.

(3) Prescription drugs and supplies donated under this chapter may not be resold.

(4) Prescription drugs and supplies dispensed under this chapter shall not be eligible for reimbursement of the prescription drug or any related dispensing fees by any public or private health care payer.

(5) A prescription drug that can only be dispensed to a patient registered with the manufacturer of that drug, in accordance with the requirements established by the federal food and drug administration, may not be ((accepted or)) distributed under the program, unless the patient receiving the prescription drug is registered with the manufacturer at the time the drug is dispensed and the amount dispensed does not exceed the duration of the registration period.

Sec. 5. RCW 69.70.060 and 2013 c 260 s 6 are each amended to read as follows:

((1) The department must adopt rules establishing forms and procedures to: Reasonably verify eligibility and prioritize patients seeking to receive donated prescription drugs and supplies; and inform a person receiving prescription drugs donated under this program that the prescription drugs have been donated for the purposes of redistribution. A patient's eligibility may be determined by a form signed by the patient certifying that the patient is uninsured and at or below two hundred percent of the federal poverty level.

(2) The department may establish any other rules necessary to implement this chapter.)) The department shall develop a form for persons to use when releasing prescription drugs for distribution and certifying the condition of the drugs, as provided in RCW 69.70.020(2).

Sec. 6. RCW 69.70.070 and 2013 c 260 s 7 are each amended to read as follows:

(1) A drug manufacturer acting in good faith may not, in the absence of a finding of gross negligence, be subject to criminal prosecution or liability in tort or other civil action, for injury, death, or loss to person or property for matters relating to the donation, acceptance, or dispensing of ((a)) any drug manufactured by the drug manufacturer that is donated by any person under the program including, but not limited to((,)):

(a) Liability for failure to transfer or communicate product or consumer information or the expiration date of the donated prescription drug; and

(b) Liability related to prescription drugs that can only be dispensed to a patient registered with the manufacturer of that drug, in accordance with the requirements established by the federal food and drug administration.

(2) Any person or entity, other than a drug manufacturer subject to subsection (1) of this section, acting in good faith in donating, accepting, or distributing prescription drugs under this chapter is immune from criminal prosecution, professional discipline, or civil liability of any kind for any injury, death, or loss to any person or property relating to such activities other than acts or omissions constituting gross negligence or willful or wanton misconduct.

(3) The immunity provided under subsection (1) of this section does not absolve a drug manufacturer of a criminal or civil liability that would have existed but for the donation, nor does such donation increase the liability of the drug manufacturer in such an action.

NEW SECTION. Sec. 7. This act may be known and cited as the cancer can't charitable pharmacy act.

NEW SECTION. Sec. 8. This act takes effect January 1, 2017."

On page 1, line 2 of the title, after "program;" strike the remainder of the title and insert "amending RCW 69.70.010, 69.70.020, 69.70.040, 69.70.050, 69.70.060, and 69.70.070; creating a new section; and providing an effective date."

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Health Care to Engrossed Substitute House Bill No. 2458.

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

MOTION

On motion of Senator Becker, the rules were suspended, Engrossed Substitute House Bill No. 2458, as amended by the Senate, was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

MOTION

On motion of Senator Habib, and without objection, Senator Hargrove was excused.

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 2458, as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 2458, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dandel, Erickson, Fain, Fraser, Frockt, Habib, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senators Darneille and Hargrove

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2458, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### PERSONAL PRIVILEGE

Senator Becker: "Thank you. I just wanted to say what an honor and a privilege it is to serve down here today especially when we're looking at what we just passed in two pieces of legislation. Today we actually helped families know what Down Syndrome is about before they deliver their baby. We also now just allowed people to share very, very, very costly drugs. You know, when you're talking about health care, every time I talk about health care in this way it sends a shiver up my spine because of my past history but, health care is about helping people become well. Helping people get through sicknesses and illnesses that none of us actually ever want to go through. What we demonstrated today in passing these two bills, has just been the epitome of what we should be doing in health care. I wanted to take a moment and say thank you to my ranking member, Senator Cleveland. She has been a delight to work with. She tells me what she truly thinks, but we have worked together so well. I just had to point that out because it's been a real honor and a privilege there as well. Thank you."

#### SECOND READING

HOUSE BILL NO. 2651, by Representatives Rossetti and Orcutt

Concerning vehicle maximum gross weight values.

The measure was read the second time.

#### MOTION

On motion of Senator King, the rules were suspended, House Bill No. 2651 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator King spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 2651.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2651 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 1; Excused, 2.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Ericksen, Fain, Fraser, Frockt, Habib, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Absent: Senator Parlette

Excused: Senators Darneille and Hargrove

HOUSE BILL NO. 2651, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2274, by House Committee on Transportation (originally sponsored by Representatives Harmsworth, Bergquist, Hayes, Morris, Moscoso, Pollet, Vick, Wilson, Van Werven and Haler)

Concerning the filing of abandoned vehicle reports of sale. Revised for 1st Substitute: Concerning the filing of vehicle reports of sale.

The measure was read the second time.

#### MOTION

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

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 46.12.650 and 2015 3rd sp.s. c 44 s 214 are each amended to read as follows:

(1) Releasing interest. An owner releasing interest in a vehicle shall:

(a) Sign the release of interest section provided on the certificate of title or on a release of interest document or form approved by the department;

(b) Give the certificate of title or most recent evidence of ownership to the person gaining the interest in the vehicle;

(c) Give the person gaining interest in the vehicle an odometer disclosure statement if one is required; and

(d) Report the vehicle sold as provided in subsection (2) of this section.

(2) Report of sale. An owner shall notify the department, county auditor or other agent, or subagent appointed by the director in writing within ((twenty-one)) five business days after a vehicle is or has been:

(a) Sold;

(b) Given as a gift to another person;

(c) Traded, either privately or to a dealership;

(d) Donated to charity;

(e) Turned over to an insurance company or wrecking yard; or

(f) Disposed of.

(3) Report of sale properly filed. A report of sale is properly filed if it is received by the department, county auditor or other agent, or subagent appointed by the director within ((twenty-one)) five business days after the date of sale or transfer and it includes:

(a) The date of sale or transfer;

(b) The owner's full name and complete, current address;

(c) The full name and complete, current address of the person acquiring the vehicle, including street name and number, and apartment number if applicable, or post office box number, city or town, and postal code;

(d) The vehicle identification number and license plate number;

(e) A date or stamp by the department showing it was received on or before the ((twenty-first)) fifth business day after the date of sale or transfer; and

(f) Payment of the fees required under RCW 46.17.050.

(4) Report of sale - administration. (a) The department shall:

(i) Provide or approve reports of sale forms;

(ii) Provide a system enabling an owner to submit reports of sale electronically;

(iii) Immediately update the department's vehicle record when a report of sale has been filed;

(iv) Provide instructions on release of interest forms that allow the seller of a vehicle to release their interest in a vehicle at the same time a financial institution, as defined in RCW 30A.22.040,

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releases its lien on the vehicle; and

(v) Send a report to the department of revenue that lists vehicles for which a report of sale has been received but no transfer of ownership has taken place. The department shall send the report once each quarter.

(b) ((A report of sale that is received by the department, county auditor or other agent, or subagent appointed by the director after the twenty-first day becomes effective on the day it is received by the department, county auditor or other agent, or subagent appointed by the director.)) A report of sale is not proof of a completed vehicle transfer for purposes of the collection of expenses related to towing, storage, and auction of an abandoned vehicle in situations where there is no evidence indicating the buyer knew of or was a party to acceptance of the vehicle transfer. A contract signed by the prior owner and the new owner, a certificate of title, a receipt, a purchase order or wholesale order, or other legal proof or record of acceptance of the vehicle by the new owner may be provided to establish legal responsibility for the abandoned vehicle.

(5)(a) Transferring ownership. A person who has recently acquired a vehicle by purchase, exchange, gift, lease, inheritance, or legal action shall apply to the department, county auditor or other agent, or subagent appointed by the director for a new certificate of title within fifteen days of delivery of the vehicle. A secured party who has possession of the certificate of title shall either:

(i) Apply for a new certificate of title on behalf of the owner and pay the fee required under RCW 46.17.100; or

(ii) Provide all required documents to the owner, as long as the transfer was not a breach of its security agreement, to allow the owner to apply for a new certificate of title.

(b) Compliance with this subsection does not affect the rights of the secured party.

(6) Certificate of title delivered to secured party. The certificate of title must be kept by or delivered to the person who becomes the secured party when a security interest is reserved or created at the time of the transfer of ownership. The parties must comply with RCW 46.12.675.

(7) Penalty for late transfer. A person who has recently acquired a motor vehicle by purchase, exchange, gift, lease, inheritance, or legal action who does not apply for a new certificate of title within fifteen calendar days of delivery of the vehicle is charged a penalty, as described in RCW 46.17.140, when applying for a new certificate of title. It is a misdemeanor to fail or neglect to apply for a transfer of ownership within forty-five days after delivery of the vehicle. The misdemeanor is a single continuing offense for each day that passes regardless of the number of days that have elapsed following the forty-five day time period.

(8) Penalty for late transfer - exceptions. The penalty is not charged if the delay in application is due to at least one of the following:

(a) The department requests additional supporting documents;

(b) The department, county auditor or other agent, or subagent fails to perform or is neglectful;

(c) The owner is prevented from applying due to an illness or extended hospitalization;

(d) The legal owner fails or neglects to release interest;

(e) The owner did not know of the filing of a report of sale by the previous owner and signs an affidavit to the fact; or

(f) The department finds other conditions exist that adequately explain the delay.

(9) Review and issue. The department shall review applications for certificates of title and issue certificates of title when it has determined that all applicable provisions of law have

been complied with.

(10) Rules. The department may adopt rules as necessary to implement this section.

Sec. 2. RCW 46.55.105 and 2010 c 161 s 1119 are each amended to read as follows:

(1) Except as provided in subsection (4) of this section, the abandonment of any vehicle creates a prima facie presumption that the last registered owner of record is responsible for the abandonment and is liable for costs incurred in removing, storing, and disposing of the abandoned vehicle, less amounts realized at auction.

(2) If an unauthorized vehicle is found abandoned under subsection (1) of this section and removed at the direction of law enforcement, the last registered owner of record is guilty of the traffic infraction of "littering—abandoned vehicle," unless the vehicle is redeemed as provided in RCW 46.55.120. In addition to any other monetary penalty payable under chapter 46.63 RCW, the court shall not consider all monetary penalties as having been paid until the court is satisfied that the person found to have committed the infraction has made restitution in the amount of the deficiency remaining after disposal of the vehicle under RCW 46.55.140.

(3) A vehicle theft report filed with a law enforcement agency relieves the last registered owner of liability under subsection (2) of this section for failure to redeem the vehicle. However, the last registered owner remains liable for the costs incurred in removing, storing, and disposing of the abandoned vehicle under subsection (1) of this section. Nothing in this section limits in any way the registered owner's rights in a civil action or as restitution in a criminal action against a person responsible for the theft of the vehicle.

(4) Properly filing a report of sale or transfer regarding the vehicle involved in accordance with RCW 46.12.650 (1) through (3) relieves the last registered owner of liability under subsections (1) and (2) of this section. However, if there is a reason to believe that a report of sale has been filed in which the reported buyer did not know of the alleged transfer or did not accept the vehicle transfer, the liability remains with the last registered owner to prove the vehicle transfer was made pursuant to a legal transfer or accepted by the person reported as the new owner on the report of sale. If the date of sale as indicated on the report of sale is ((on or)) before the date of impoundment, the buyer identified on the latest properly filed report of sale with the department is assumed liable for the costs incurred in removing, storing, and disposing of the abandoned vehicle, less amounts realized at auction. If the date of sale is after the date of impoundment, the previous registered owner is assumed to be liable for such costs. A licensed vehicle dealer is not liable under subsections (1) and (2) of this section if the dealer, as transferee or assignee of the last registered owner of the vehicle involved, has complied with the requirements of RCW 46.70.122 upon selling or otherwise disposing of the vehicle, or if the dealer has timely filed a transitional ownership record or report of sale under RCW 46.12.660. In that case the person to whom the licensed vehicle dealer has sold or transferred the vehicle is assumed liable for the costs incurred in removing, storing, and disposing of the abandoned vehicle, less amounts realized at auction.

(5) For the purposes of reporting notices of traffic infraction to the department under RCW 46.20.270 and 46.52.101, and for purposes of reporting notices of failure to appear, respond, or comply regarding a notice of traffic infraction to the department under RCW 46.63.070(6), a traffic infraction under subsection (2) of this section is not considered to be a standing, stopping, or parking violation.

(6) A notice of infraction for a violation of this section may be

filed with a court of limited jurisdiction organized under Title 3, 35, or 35A RCW, or with a violations bureau subject to the court's jurisdiction.

(7)(a) A person named as a buyer in a report of sale filed under RCW 46.12.650(3) in which there was no acceptance of the transfer has a cause of action against the person who filed the report to recover costs associated with towing, storage, auction, or any other damages incurred as a result of being named as the buyer in the report of sale, including reasonable attorneys' fees and litigation costs. The cause of action provided in this subsection (7)(a) is in addition to any other remedy available to the person at law or in equity.

(b) A person named as a seller in a report of sale filed under RCW 46.12.650(3) in which the named buyer falsely alleges that there was no acceptance of the transfer has a cause of action against the named buyer to recover damages incurred as a result of the allegation, including reasonable attorneys' fees and litigation costs. The cause of action in this subsection (7)(b) is in addition to any other remedy available to the person at law or in equity.

**NEW SECTION. Sec. 3.** A new section is added to chapter 46.64 RCW to read as follows:

If a court has declared that a fraudulent report of sale has been filed with the department, county auditor or other agent, or subagent appointed by the director, the court must notify the department in writing with a copy of the court order. Once notified, the department may remove the fraudulent report of sale from the vehicle record.

**Sec. 4.** RCW 19.16.250 and 2013 c 148 s 2 are each amended to read as follows:

No licensee or employee of a licensee shall:

(1) Directly or indirectly aid or abet any unlicensed person to engage in business as a collection agency in this state or receive compensation from such unlicensed person: **PROVIDED**, That nothing in this chapter shall prevent a licensee from accepting, as forwarder, claims for collection from a collection agency or attorney whose place of business is outside the state.

(2) Collect or attempt to collect a claim by the use of any means contrary to the postal laws and regulations of the United States postal department.

(3) Publish or post or cause to be published or posted, any list of debtors commonly known as "bad debt lists" or threaten to do so. For purposes of this chapter, a "bad debt list" means any list of natural persons alleged to fail to honor their lawful debts. However, nothing herein shall be construed to prohibit a licensee from communicating to its customers or clients by means of a coded list, the existence of a check dishonored because of insufficient funds, not sufficient funds or closed account by the financial institution servicing the debtor's checking account: **PROVIDED**, That the debtor's identity is not readily apparent: **PROVIDED FURTHER**, That the licensee complies with the requirements of subsection (10)(e) of this section.

(4) Have in his or her possession or make use of any badge, use a uniform of any law enforcement agency or any simulation thereof, or make any statements which might be construed as indicating an official connection with any federal, state, county, or city law enforcement agency, or any other governmental agency, while engaged in collection agency business.

(5) Perform any act or acts, either directly or indirectly, constituting the unauthorized practice of law.

(6) Advertise for sale or threaten to advertise for sale any claim as a means of endeavoring to enforce payment thereof or agreeing to do so for the purpose of soliciting claims, except where the licensee has acquired claims as an assignee for the benefit of creditors or where the licensee is acting under court order.

(7) Use any name while engaged in the making of a demand

for any claim other than the name set forth on his or her or its current license issued hereunder.

(8) Give or send to any debtor or cause to be given or sent to any debtor, any notice, letter, message, or form, other than through proper legal action, process, or proceedings, which represents or implies that a claim exists unless it shall indicate in clear and legible type:

(a) The name of the licensee and the city, street, and number at which he or she is licensed to do business;

(b) The name of the original creditor to whom the debtor owed the claim if such name is known to the licensee or employee: **PROVIDED**, That upon written request of the debtor, the licensee shall provide this name to the debtor or cease efforts to collect on the debt until this information is provided;

(c) If the notice, letter, message, or form is the first notice to the debtor or if the licensee is attempting to collect a different amount than indicated in his or her or its first notice to the debtor, an itemization of the claim asserted must be made including:

(i) Amount owing on the original obligation at the time it was received by the licensee for collection or by assignment;

(ii) Interest or service charge, collection costs, or late payment charges, if any, added to the original obligation by the original creditor, customer or assignor before it was received by the licensee for collection, if such information is known by the licensee or employee: **PROVIDED**, That upon written request of the debtor, the licensee shall make a reasonable effort to obtain information on such items and provide this information to the debtor;

(iii) Interest or service charge, if any, added by the licensee or customer or assignor after the obligation was received by the licensee for collection;

(iv) Collection costs, if any, that the licensee is attempting to collect;

(v) Attorneys' fees, if any, that the licensee is attempting to collect on his or her or its behalf or on the behalf of a customer or assignor; and

(vi) Any other charge or fee that the licensee is attempting to collect on his or her or its own behalf or on the behalf of a customer or assignor;

(d) If the notice, letter, message, or form concerns a judgment obtained against the debtor, no itemization of the amounts contained in the judgment is required, except postjudgment interest, if claimed, and the current account balance;

(e) If the notice, letter, message, or form is the first notice to the debtor, an itemization of the claim asserted must be made including the following information:

(i) The original account number or redacted original account number assigned to the debt, if known to the licensee or employee: **PROVIDED**, That upon written request of the debtor, the licensee must make a reasonable effort to obtain this information or cease efforts to collect on the debt until this information is provided; and

(ii) The date of the last payment to the creditor on the subject debt by the debtor, if known to the licensee or employee: **PROVIDED**, That upon written request of the debtor, the licensee must make a reasonable effort to obtain this information or cease efforts to collect on the debt until this information is provided.

(9) Communicate in writing with a debtor concerning a claim through a proper legal action, process, or proceeding, where such communication is the first written communication with the debtor, without providing the information set forth in subsection (8)(c) of this section in the written communication.

(10) Communicate or threaten to communicate, the existence of a claim to a person other than one who might be reasonably expected to be liable on the claim in any manner other than through proper legal action, process, or proceedings except under

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the following conditions:

(a) A licensee or employee of a licensee may inform a credit reporting bureau of the existence of a claim. If the licensee or employee of a licensee reports a claim to a credit reporting bureau, the licensee shall, upon receipt of written notice from the debtor that any part of the claim is disputed, notify the credit reporting bureau of the dispute by written or electronic means and create a record of the fact of the notification and when the notification was provided;

(b) A licensee or employee in collecting or attempting to collect a claim may communicate the existence of a claim to a debtor's employer if the claim has been reduced to a judgment;

(c) A licensee or employee in collecting or attempting to collect a claim that has not been reduced to judgment, may communicate the existence of a claim to a debtor's employer if:

(i) The licensee or employee has notified or attempted to notify the debtor in writing at his or her last known address or place of employment concerning the claim and the debtor after a reasonable time has failed to pay the claim or has failed to agree to make payments on the claim in a manner acceptable to the licensee, and

(ii) The debtor has not in writing to the licensee disputed any part of the claim: PROVIDED, That the licensee or employee may only communicate the existence of a claim which has not been reduced to judgment to the debtor's employer once unless the debtor's employer has agreed to additional communications.

(d) A licensee may for the purpose of locating the debtor or locating assets of the debtor communicate the existence of a claim to any person who might reasonably be expected to have knowledge of the whereabouts of a debtor or the location of assets of the debtor if the claim is reduced to judgment, or if not reduced to judgment, when:

(i) The licensee or employee has notified or attempted to notify the debtor in writing at his or her last known address or last known place of employment concerning the claim and the debtor after a reasonable time has failed to pay the claim or has failed to agree to make payments on the claim in a manner acceptable to the licensee, and

(ii) The debtor has not in writing disputed any part of the claim.

(e) A licensee may communicate the existence of a claim to its customers or clients if the claim is reduced to judgment, or if not reduced to judgment, when:

(i) The licensee has notified or attempted to notify the debtor in writing at his or her last known address or last known place of employment concerning the claim and the debtor after a reasonable time has failed to pay the claim or has failed to agree to make payments on the claim in a manner acceptable to the licensee, and

(ii) The debtor has not in writing disputed any part of the claim.

(11) Threaten the debtor with impairment of his or her credit rating if a claim is not paid: PROVIDED, That advising a debtor that the licensee has reported or intends to report a claim to a credit reporting agency is not considered a threat if the licensee actually has reported or intends to report the claim to a credit reporting agency.

(12) Communicate with the debtor after notification in writing from an attorney representing such debtor that all further communications relative to a claim should be addressed to the attorney: PROVIDED, That if a licensee requests in writing information from an attorney regarding such claim and the attorney does not respond within a reasonable time, the licensee may communicate directly with the debtor until he or she or it again receives notification in writing that an attorney is representing the debtor.

(13) Communicate with a debtor or anyone else in such a

manner as to harass, intimidate, threaten, or embarrass a debtor, including but not limited to communication at an unreasonable hour, with unreasonable frequency, by threats of force or violence, by threats of criminal prosecution, and by use of offensive language. A communication shall be presumed to have been made for the purposes of harassment if:

(a) It is made with a debtor or spouse in any form, manner, or place, more than three times in a single week, unless the licensee is responding to a communication from the debtor or spouse;

(b) It is made with a debtor at his or her place of employment more than one time in a single week, unless the licensee is responding to a communication from the debtor;

(c) It is made with the debtor or spouse at his or her place of residence between the hours of 9:00 p.m. and 7:30 a.m. A call to a telephone is presumed to be received in the local time zone to which the area code of the number called is assigned for landline numbers, unless the licensee reasonably believes the telephone is located in a different time zone. If the area code is not assigned to landlines in any specific geographic area, such as with toll-free telephone numbers, a call to a telephone is presumed to be received in the local time zone of the debtor's last known place of residence, unless the licensee reasonably believes the telephone is located in a different time zone.

(14) Communicate with the debtor through use of forms or instruments that simulate the form or appearance of judicial process, the form or appearance of government documents, or the simulation of a form or appearance of a telegraphic or emergency message.

(15) Communicate with the debtor and represent or imply that the existing obligation of the debtor may be or has been increased by the addition of attorney fees, investigation fees, service fees, or any other fees or charges when in fact such fees or charges may not legally be added to the existing obligation of such debtor.

(16) Threaten to take any action against the debtor which the licensee cannot legally take at the time the threat is made.

(17) Send any telegram or make any telephone calls to a debtor or concerning a debt or for the purpose of demanding payment of a claim or seeking information about a debtor, for which the charges are payable by the addressee or by the person to whom the call is made: PROVIDED, That:

(a) This subsection does not prohibit a licensee from attempting to communicate by way of a cellular telephone or other wireless device: PROVIDED, That a licensee cannot cause charges to be incurred to the recipient of the attempted communication more than three times in any calendar week when the licensee knows or reasonably should know that the number belongs to a cellular telephone or other wireless device, unless the licensee is responding to a communication from the debtor or the person to whom the call is made.

(b) The licensee is not in violation of (a) of this subsection if the licensee at least monthly updates its records with information provided by a commercial provider of cellular telephone lists that the licensee in good faith believes provides reasonably current and comprehensive data identifying cellular telephone numbers, calls a number not appearing in the most recent list provided by the commercial provider, and does not otherwise know or reasonably should know that the number belongs to a cellular telephone.

(c) This subsection may not be construed to increase the number of communications permitted pursuant to subsection (13)(a) of this section.

(18) Call, or send a text message or other electronic communication to, a cellular telephone or other wireless device more than twice in any day when the licensee knows or reasonably should know that the number belongs to a cellular

telephone or other wireless device, unless the licensee is responding to a communication from the debtor or the person to whom the call, text message, or other electronic communication is made. The licensee is not in violation of this subsection if the licensee at least monthly updates its records with information provided by a commercial provider of cellular telephone lists that the licensee in good faith believes provides reasonably current and comprehensive data identifying cellular telephone numbers, calls a number not appearing in the most recent list provided by the commercial provider, and does not otherwise know or reasonably should know that the number belongs to a cellular telephone. Nothing in this subsection may be construed to increase the number of communications permitted pursuant to subsection (13)(a) of this section.

(19) Intentionally block its telephone number from displaying on a debtor's telephone.

(20) In any manner convey the impression that the licensee is vouched for, bonded to or by, or is an instrumentality of the state of Washington or any agency or department thereof.

(21) Collect or attempt to collect in addition to the principal amount of a claim any sum other than allowable interest, collection costs or handling fees expressly authorized by statute, and, in the case of suit, attorney's fees and taxable court costs. A licensee may collect or attempt to collect collection costs and fees, including contingent collection fees, as authorized by a written agreement or contract, between the licensee's client and the debtor, in the collection of a commercial claim. The amount charged to the debtor for collection services shall not exceed thirty-five percent of the commercial claim.

(22) Procure from a debtor or collect or attempt to collect on any written note, contract, stipulation, promise or acknowledgment under which a debtor may be required to pay any sum other than principal, allowable interest, except as noted in subsection (21) of this section, and, in the case of suit, attorney's fees and taxable court costs.

(23) Bring an action or initiate an arbitration proceeding on a claim when the licensee knows, or reasonably should know, that such suit or arbitration is barred by the applicable statute of limitations.

(24) Upon notification by a debtor that the debtor disputes all debts arising from a series of dishonored checks, automated clearinghouse transactions on a demand deposit account, or other preprinted written instruments, initiate oral contact with a debtor more than one time in an attempt to collect from the debtor debts arising from the identified series of dishonored checks, automated clearinghouse transactions on a demand deposit account, or other preprinted written instruments when: (a) Within the previous one hundred eighty days, in response to the licensee's attempt to collect the initial debt assigned to the licensee and arising from the identified series of dishonored checks, automated clearinghouse transactions on a demand deposit account, or other preprinted written instruments, the debtor in writing notified the licensee that the debtor's checkbook or other series of preprinted written instruments was stolen or fraudulently created; (b) the licensee has received from the debtor a certified copy of a police report referencing the theft or fraudulent creation of the checkbook, automated clearinghouse transactions on a demand deposit account, or series of preprinted written instruments; (c) in the written notification to the licensee or in the police report, the debtor identified the financial institution where the account was maintained, the account number, the magnetic ink character recognition number, the full bank routing and transit number, and the check numbers of the stolen checks, automated clearinghouse transactions on a demand deposit account, or other preprinted written instruments, which check numbers included the number of the check that is the subject of the licensee's collection efforts;

(d) the debtor provides, or within the previous one hundred eighty days provided, to the licensee a legible copy of a government-issued photo identification, which contains the debtor's signature and which was issued prior to the date of the theft or fraud identified in the police report; and (e) the debtor advised the licensee that the subject debt is disputed because the identified check, automated clearinghouse transaction on a demand deposit account, or other preprinted written instrument underlying the debt is a stolen or fraudulently created check or instrument.

The licensee is not in violation of this subsection if the licensee initiates oral contact with the debtor more than one time in an attempt to collect debts arising from the identified series of dishonored checks, automated clearinghouse transactions on a demand deposit account, or other preprinted written instruments when: (i) The licensee acted in good faith and relied on their established practices and procedures for batching, recording, or packaging debtor accounts, and the licensee inadvertently initiates oral contact with the debtor in an attempt to collect debts in the identified series subsequent to the initial debt assigned to the licensee; (ii) the licensee is following up on collection of a debt assigned to the licensee, and the debtor has previously requested more information from the licensee regarding the subject debt; (iii) the debtor has notified the licensee that the debtor disputes only some, but not all the debts arising from the identified series of dishonored checks, automated clearinghouse transactions on a demand deposit account, or other preprinted written instruments, in which case the licensee shall be allowed to initiate oral contact with the debtor one time for each debt arising from the series of identified checks, automated clearinghouse transactions on a demand deposit account, or written instruments and initiate additional oral contact for those debts that the debtor acknowledges do not arise from stolen or fraudulently created checks or written instruments; (iv) the oral contact is in the context of a judicial, administrative, arbitration, mediation, or similar proceeding; or (v) the oral contact is made for the purpose of investigating, confirming, or authenticating the information received from the debtor, to provide additional information to the debtor, or to request additional information from the debtor needed by the licensee to accurately record the debtor's information in the licensee's records.

(25) Bring an action or initiate an arbitration proceeding on a claim for any amounts related to a transfer of sale of a vehicle when:

(a) The licensee has been informed or reasonably should know that the department of licensing transfer of sale form was filed in accordance with RCW 46.12.650 (1) through (3);

(b) The licensee has been informed or reasonably should know that the transfer of the vehicle either (i) was not made pursuant to a legal transfer or (ii) was not voluntarily accepted by the person designated as the purchaser/transferee; and

(c) Prior to the commencement of the action or arbitration, the licensee has received from the putative transferee a copy of a police report referencing that the transfer of sale of the vehicle either (i) was not made pursuant to a legal transfer or (ii) was not voluntarily accepted by the person designated as the purchaser/transferee.

(26) Submit an affidavit or other request pursuant to chapter 6.32 RCW asking a superior or district court to transfer a bond posted by a debtor subject to a money judgment to the licensee, when the debtor has appeared as required.

Sec. 5. RCW 9.94A.753 and 2003 c 379 s 16 are each amended to read as follows:

This section applies to offenses committed after July 1, 1985.

(1) When restitution is ordered, the court shall determine the amount of restitution due at the sentencing hearing or within one hundred eighty days except as provided in subsection (7) of this

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section. The court may continue the hearing beyond the one hundred eighty days for good cause. The court shall then set a minimum monthly payment that the offender is required to make towards the restitution that is ordered. The court should take into consideration the total amount of the restitution owed, the offender's present, past, and future ability to pay, as well as any assets that the offender may have.

(2) During the period of supervision, the community corrections officer may examine the offender to determine if there has been a change in circumstances that warrants an amendment of the monthly payment schedule. The community corrections officer may recommend a change to the schedule of payment and shall inform the court of the recommended change and the reasons for the change. The sentencing court may then reset the monthly minimum payments based on the report from the community corrections officer of the change in circumstances.

(3) Except as provided in subsection (6) of this section, restitution ordered by a court pursuant to a criminal conviction shall be based on easily ascertainable damages for injury to or loss of property, actual expenses incurred for treatment for injury to persons, and lost wages resulting from injury. Restitution shall not include reimbursement for damages for mental anguish, pain and suffering, or other intangible losses, but may include the costs of counseling reasonably related to the offense. The amount of restitution shall not exceed double the amount of the offender's gain or the victim's loss from the commission of the crime.

(4) For the purposes of this section, for an offense committed prior to July 1, 2000, the offender shall remain under the court's jurisdiction for a term of ten years following the offender's release from total confinement or ten years subsequent to the entry of the judgment and sentence, whichever period ends later. Prior to the expiration of the initial ten-year period, the superior court may extend jurisdiction under the criminal judgment an additional ten years for payment of restitution. For an offense committed on or after July 1, 2000, the offender shall remain under the court's jurisdiction until the obligation is completely satisfied, regardless of the statutory maximum for the crime. The portion of the sentence concerning restitution may be modified as to amount, terms, and conditions during any period of time the offender remains under the court's jurisdiction, regardless of the expiration of the offender's term of community supervision and regardless of the statutory maximum sentence for the crime. The court may not reduce the total amount of restitution ordered because the offender may lack the ability to pay the total amount. The offender's compliance with the restitution shall be supervised by the department only during any period which the department is authorized to supervise the offender in the community under RCW 9.94A.728, 9.94A.501, or in which the offender is in confinement in a state correctional institution or a correctional facility pursuant to a transfer agreement with the department, and the department shall supervise the offender's compliance during any such period. The department is responsible for supervision of the offender only during confinement and authorized supervision and not during any subsequent period in which the offender remains under the court's jurisdiction. The county clerk is authorized to collect unpaid restitution at any time the offender remains under the jurisdiction of the court for purposes of his or her legal financial obligations.

(5) Restitution shall be ordered whenever the offender is convicted of an offense which results in injury to any person or damage to or loss of property or as provided in subsection (6) of this section unless extraordinary circumstances exist which make restitution inappropriate in the court's judgment and the court sets forth such circumstances in the record. In addition, restitution shall be ordered to pay for an injury, loss, or damage if the

offender pleads guilty to a lesser offense or fewer offenses and agrees with the prosecutor's recommendation that the offender be required to pay restitution to a victim of an offense or offenses which are not prosecuted pursuant to a plea agreement.

(6) Restitution for the crime of rape of a child in the first, second, or third degree, in which the victim becomes pregnant, shall include: (a) All of the victim's medical expenses that are associated with the rape and resulting pregnancy; and (b) child support for any child born as a result of the rape if child support is ordered pursuant to a civil superior court or administrative order for support for that child. The clerk must forward any restitution payments made on behalf of the victim's child to the Washington state child support registry under chapter 26.23 RCW. Identifying information about the victim and child shall not be included in the order. The offender shall receive a credit against any obligation owing under the administrative or superior court order for support of the victim's child. For the purposes of this subsection, the offender shall remain under the court's jurisdiction until the offender has satisfied support obligations under the superior court or administrative order for the period provided in RCW 4.16.020 or a maximum term of twenty-five years following the offender's release from total confinement or twenty-five years subsequent to the entry of the judgment and sentence, whichever period is longer. The court may not reduce the total amount of restitution ordered because the offender may lack the ability to pay the total amount. The department shall supervise the offender's compliance with the restitution ordered under this subsection.

(7) Regardless of the provisions of subsections (1) through (6) of this section, the court shall order restitution in all cases where the victim is entitled to benefits under the crime victims' compensation act, chapter 7.68 RCW. If the court does not order restitution and the victim of the crime has been determined to be entitled to benefits under the crime victims' compensation act, the department of labor and industries, as administrator of the crime victims' compensation program, may petition the court within one year of entry of the judgment and sentence for entry of a restitution order. Upon receipt of a petition from the department of labor and industries, the court shall hold a restitution hearing and shall enter a restitution order.

(8) In addition to any sentence that may be imposed, an offender who has been found guilty of an offense involving fraud or other deceptive practice or an organization which has been found guilty of any such offense may be ordered by the sentencing court to give notice of the conviction to the class of persons or to the sector of the public affected by the conviction or financially interested in the subject matter of the offense by mail, by advertising in designated areas or through designated media, or by other appropriate means.

(9) This section does not limit civil remedies or defenses available to the victim, survivors of the victim, or offender including support enforcement remedies for support ordered under subsection (6) of this section for a child born as a result of a rape of a child victim. The court shall identify in the judgment and sentence the victim or victims entitled to restitution and what amount is due each victim. The state or victim may enforce the court-ordered restitution in the same manner as a judgment in a civil action. Restitution collected through civil enforcement must be paid through the registry of the court and must be distributed proportionately according to each victim's loss when there is more than one victim.

(10) If a person has caused a victim to lose money or property through the filing of a vehicle report of sale in which the designated buyer had no knowledge of the vehicle transfer or the fraudulent filing of the report of sale, upon conviction or when

the offender pleads guilty and agrees with the prosecutor's recommendation that the offender be required to pay restitution to a victim, the court may order the defendant to pay an amount, fixed by the court, not to exceed double the amount of the defendant's gain or victim's loss from the filing of the vehicle report of sale in which the designated buyer had no knowledge of the vehicle transfer or the fraudulent filing of the report of sale. Such an amount may be used to provide restitution to the victim at the order of the court. It is the duty of the prosecuting attorney to investigate the alternative of restitution, and to recommend it to the court, when the prosecuting attorney believes that restitution is appropriate and feasible. If the court orders restitution, the court must make a finding as to the amount of the victim's loss due to the filing of the report of sale in which the designated buyer had no knowledge of the vehicle transfer or the fraudulent filing of the report of sale, and if the record does not contain sufficient evidence to support such finding, the court may conduct a hearing upon the issue. For purposes of this section, "loss" refers to the amount of money or the value of property or services lost."

On page 1, line 2 of the title, after "vehicle;" strike the remainder of the title and insert "amending RCW 46.12.650, 46.55.105, 19.16.250, and 9.94A.753; and adding a new section to chapter 46.64 RCW."

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Transportation to Engrossed Substitute House Bill No. 2274.

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

#### MOTION

On motion of Senator King, the rules were suspended, Engrossed Substitute House Bill No. 2274, as amended by the Senate, was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator King spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 2274, as amended by the Senate.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 2274, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 43; Nays, 4; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Fain, Fraser, Frockt, Habib, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senators Benton, Dansel, Ericksen and Padden

Excused: Senators Darneille and Hargrove

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2274, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2591, by House Committee on Early Learning & Human Services (originally sponsored by Representatives Hargrove, Kagi, Walsh, Dent, Caldier, Senn, Frame, Muri, Zeiger, McBride, Ormsby and Gregerson)

Notifying foster parents of dependency hearings and their opportunity to be heard in those hearings.

The measure was read the second time.

#### MOTION

On motion of Senator O'Ban, the rules were suspended, Engrossed Substitute House Bill No. 2591 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator O'Ban spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 2591.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 2591 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Ericksen, Fain, Fraser, Frockt, Habib, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senators Darneille and Hargrove

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2591, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

HOUSE BILL NO. 2432, by Representatives Riccelli, Harris, Cody, Caldier and Tarleton

Concerning substance abuse monitoring for licensed veterinarians, osteopathic physicians and surgeons, and osteopathic physician assistants.

The measure was read the second time.

#### MOTION

On motion of Senator Becker, the rules were suspended, House Bill No. 2432 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of House Bill No. 2432.

#### ROLL CALL



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The Secretary called the roll on the final passage of House Bill No. 2432 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 2; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senators Dansel and Ericksen

Excused: Senator Darneille

HOUSE BILL NO. 2432, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 2808, by Representatives Jinkins and Kilduff

Amending the process for a person's immediate family member, guardian, or conservator to petition the court for the person's initial detention under the involuntary treatment act.

The measure was read the second time.

MOTION

Senator O'Ban moved that the following committee striking amendment by the Committee on Human Services, Mental Health & Housing be adopted:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 71.05.201 and 2015 c 258 s 2 are each amended to read as follows:

(1) If a designated mental health professional decides not to detain a person for evaluation and treatment under RCW 71.05.150 or 71.05.153 or forty-eight hours have elapsed since a designated mental health professional received a request for investigation and the designated mental health professional has not taken action to have the person detained, an immediate family member or guardian or conservator of the person may petition the superior court for the person's initial detention.

(2)(a) The petition must be filed in the county in which the designated mental health professional investigation occurred or was requested to occur and must be submitted on forms developed by the administrative office of the courts for this purpose. The petition must be accompanied by a sworn declaration from the petitioner, and other witnesses if desired, describing why the person should be detained for evaluation and treatment. The description of why the person should be detained may contain, but is not limited to, the information identified in RCW 71.05.212.

(b) The petition must contain:

(i) A description of the relationship between the petitioner and the person; and

(ii) The date on which an investigation was requested from the designated mental health professional.

(3) The court shall, within one judicial day, review the petition to determine whether the petition raises sufficient evidence to support the allegation. If the court so finds, it shall provide a copy of the petition to the designated mental health professional agency with an order for the agency to provide the court, within one

judicial day, with a written sworn statement describing the basis for the decision not to seek initial detention and a copy of all information material to the designated mental health professional's current decision.

(4) Following the filing of the petition and before the court reaches a decision, any person, including a mental health professional, may submit a sworn declaration to the court in support of or in opposition to initial detention.

(5) The court shall dismiss the petition at any time if it finds that a designated mental health professional has filed a petition for the person's initial detention under RCW 71.05.150 or 71.05.153 or that the person has voluntarily accepted appropriate treatment.

(6) The court must issue a final ruling on the petition within five judicial days after it is filed. After reviewing all of the information provided to the court, the court may enter an order for initial detention if the court finds that: (a) There is probable cause to support a petition for detention; and (b) the person has refused or failed to accept appropriate evaluation and treatment voluntarily. The court shall transmit its final decision to the petitioner.

(7) If the court enters an order for initial detention, it shall provide the order to the designated mental health professional agency, which shall execute the order without delay. An order for initial detention under this section expires one hundred eighty days from issuance.

(8) Except as otherwise expressly stated in this chapter, all procedures must be followed as if the order had been entered under RCW 71.05.150. RCW 71.05.160 does not apply if detention was initiated under the process set forth in this section.

(9) For purposes of this section, "immediate family member" means a spouse, domestic partner, child, stepchild, parent, stepparent, grandparent, or sibling."

On page 1, line 3 of the title, after "act;" strike the remainder of the title and insert "and amending RCW 71.05.201."

Senator O'Ban spoke in favor of adoption of the committee striking amendment.

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Human Services, Mental Health & Housing to House Bill No. 2808.

The motion by Senator O'Ban carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator O'Ban, the rules were suspended, House Bill No. 2808, as amended by the Senate, was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator O'Ban spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 2808, as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2808, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland,

Conway, Dammeier, Dansel, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senator Darneille

HOUSE BILL NO. 2808, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

HOUSE BILL NO. 2773, by Representatives Klippert, Appleton, Haler, Hayes, Dent and Nealey

Repealing the warrant authority of coroners.

The measure was read the second time.

#### MOTION

On motion of Senator Padden, the rules were suspended, House Bill No. 2773 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Padden spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 2773.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2773 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 1; Absent, 1; Excused, 1.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Ericksen, Fain, Fraser, Frockt, Habib, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senator Braun

Absent: Senator Hargrove

Excused: Senator Darneille

HOUSE BILL NO. 2773, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SUBSTITUTE HOUSE BILL NO. 2539, by House Committee on Finance (originally sponsored by Representatives Nealey, Manweller, Hansen, Tharinger, Harris, Walsh, Magendanz, Wilson, Haler, Springer, Johnson, Muri, Hayes and Dent)

Concerning the inheritance exemption for the real estate excise tax.

The measure was read the second time.

#### MOTION

On motion of Senator Fain, the rules were suspended, Substitute House Bill No. 2539 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Fain spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 2539.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2539 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senator Darneille

SUBSTITUTE HOUSE BILL NO. 2539, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### PERSONAL PRIVILEGE

Senator Fain: "Thank you, Mr. President. It's my father's birthday today. He's on the line. I'm waiting to take off to come home and he doesn't want anyone to know how old he is. But I did want to wish him a happy birthday."

(The Senate recognized Mr. Fain with a chorus of "Happy Birthday.")

#### PERSONAL PRIVILEGE

Senator Rolfes: "How did Senator Fain's father hear us?"

EDITOR'S NOTE: Senate Rule 7 prohibits the use of cellular phones within the Senate chamber.

#### SECOND READING

SUBSTITUTE HOUSE BILL NO. 2498, by House Committee on Health Care & Wellness (originally sponsored by Representatives Caldier, Cody, DeBolt, Manweller, Walsh, Johnson, Pike, Appleton, Jinkins, Kilduff and Gregerson)

Concerning prior authorization for dental services and supplies in medical assistance programs.

The measure was read the second time.

#### MOTION

On motion of Senator Becker, the rules were suspended, Substitute House Bill No. 2498 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 2498.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2498 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 1; Excused, 1.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Ericksen, Fain, Fraser, Frockt, Habib, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Absent: Senator Hargrove

Excused: Senator Darneille

SUBSTITUTE HOUSE BILL NO. 2498, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Habib, and without objection, Senator Hargrove was excused.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 2448, by House Committee on Health Care & Wellness (originally sponsored by Representatives Robinson, Harris and Stanford)

Concerning the practice of certain East Asian medicine therapies.

The measure was read the second time.

MOTION

On motion of Senator Becker, the rules were suspended, Substitute House Bill No. 2448 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 2448.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2448 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia,

Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senator Dansel

Excused: Senator Darneille

SUBSTITUTE HOUSE BILL NO. 2448, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 2694, by Representatives DeBolt, Johnson, Condotta, Sells, Wilson, S. Hunt and Pettigrew

Concerning background checks in emergency placement situations requested by tribes.

The measure was read the second time.

MOTION

Senator O'Ban moved that the following committee striking amendment by the Committee on Human Services, Mental Health & Housing be adopted:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 26.44.240 and 2008 c 232 s 2 are each amended to read as follows:

(1) During an emergency situation when a child must be placed in out-of-home care due to the absence of appropriate parents or custodians, the department shall, or an authorized agency of a federally recognized tribe may, request a federal name-based criminal history record check of each adult residing in the home of the potential placement resource. Upon receipt of the results of the name-based check, the department shall, or an authorized agency of a federally recognized tribe may, provide a complete set of each adult resident's fingerprints to the Washington state patrol for submission to the federal bureau of investigation within ((fourteen)) fifteen calendar days from the date the name search was conducted. The child shall be removed from the home immediately if any adult resident fails to provide fingerprints and written permission to perform a federal criminal history record check when requested.

(2) When placement of a child in a home is denied as a result of a name-based criminal history record check of a resident, and the resident contests that denial, the resident shall, within fifteen calendar days, submit to the department or an authorized agency of a federally recognized tribe a complete set of the resident's fingerprints with written permission allowing the department or an authorized agency of a federally recognized tribe to forward the fingerprints to the Washington state patrol for submission to the federal bureau of investigation.

(3) The Washington state patrol and the federal bureau of investigation may each charge a reasonable fee for processing a fingerprint-based criminal history record check.

(4) As used in this section, "emergency placement" refers to those limited instances when the department or an authorized agency of a federally recognized tribe is placing a child in the home of private individuals, including neighbors, friends, or relatives, as a result of a sudden unavailability of the child's primary caretaker."

On page 1, line 2 of the title, after "tribes;" strike the remainder of the title and insert "and amending RCW 26.44.240."

Senator O'Ban spoke in favor of adoption of the committee striking amendment.

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Human Services, Mental Health & Housing to House Bill No. 2694.

The motion by Senator O'Ban carried and the committee striking amendment was adopted by voice vote.

#### MOTION

On motion of Senator O'Ban, the rules were suspended, House Bill No. 2694, as amended by the Senate, was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator O'Ban spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 2694, as amended by the Senate.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2694, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senator Darneille

HOUSE BILL NO. 2694, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

HOUSE BILL NO. 2768, by Representatives Schmick, Cody, Tharinger, Jinkins, Harris and Robinson

Addressing taxes and service charges on certain qualified stand-alone dental plans offered in the individual or small group markets.

The measure was read the second time.

#### MOTION

On motion of Senator Becker, the rules were suspended, House Bill No. 2768 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of House Bill No. 2768.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2768 and the bill passed the Senate by the following vote: Yeas, 44; Nays, 4; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senators Baumgartner, Dansel, Ericksen and Padden

Excused: Senator Darneille

HOUSE BILL NO. 2768, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2928, by House Committee on Agriculture & Natural Resources (originally sponsored by Representatives Kretz, Blake, Schmick, Dunshee, Short, Haler, Stanford and Chandler)

Ensuring that restrictions on outdoor burning for air quality reasons do not impede measures necessary to ensure forest resiliency to catastrophic fires.

The measure was read the second time.

#### MOTION

Senator Pearson moved that the following committee striking amendment by the Committee on Natural Resources & Parks be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) The department of natural resources shall conduct a forest resiliency burning pilot project. The goal of the pilot project is to monitor and evaluate the benefits of forest resiliency burning and the impacts on ambient air quality. The department of natural resources is responsible for establishing the processes and procedures necessary to administer the pilot project, including the review and approval of qualifying forest resiliency burning proposals. The department of natural resources may consider forest resiliency burning proposals that include treatments to reduce fuel loads prior to burning, including the thinning of forest stands and grazing to clear brush.

(2) The department of natural resources must, as the primary focus of the pilot project, arrange with interested third parties to perform forest resiliency burning on land prone to forest or wildland fires in coordination with the following forest health collaboratives as recognized by the United States forest service:

- (a) North Central Washington forest health collaborative;
- (b) Northeast Washington forestry collaborative; and
- (c) Tapash sustainable forest collaborative.

(3)(a) The department of natural resources must, as part of the pilot project, approve single day or multiple day forest resiliency burns if the burning is unlikely to significantly contribute to an exceedance of air quality standards established by chapter 70.94 RCW. Once approved, forest resiliency burns spanning multiple days may only be revoked or postponed midway through the duration of the approved burn if necessary for the safety of adjacent property or upon a determination by the department of natural resources or the department of ecology that the burn has

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significantly contributed to an exceedance of air quality standards under chapter 70.94 RCW.

(b) Approved forest resiliency burning must be initiated no later than twenty-four hours after being approved by the department of natural resources.

(4) Forest resiliency burning, when conducted under the pilot project authorized by this section, is not subject to the outdoor burning restrictions in RCW 70.94.6512 and 70.94.6514.

(5) The implementation of the pilot project authorized in this section is not:

(a) Intended to require the department of natural resources to update the smoke management plan defined in RCW 70.94.6536. However, information obtained through the pilot project's implementation may be used to inform any future updates to the smoke management plan; and

(b) Subject to the provisions of chapter 43.21C RCW.

(6) Forest resiliency burning, and the implementation of the pilot project authorized in this section, must not be conducted at a scale that would require a revision to the state implementation plan under the federal clean air act.

(7) The department of natural resources shall submit a report to the legislature, consistent with RCW 43.01.036, by December 1, 2018. The report must include information and analyses regarding the following elements:

(a) The amount of forest resiliency burns proposed, approved, and conducted;

(b) The quantity and severity of air quality exceedances by pollutant type;

(c) A comparative analysis between the predicted smoke conditions and the actual smoke conditions observed on location by qualified meteorological personnel or trained prescribed burning professionals during the forest resiliency burn; and

(d) Recommendations relating to continuing or expanding forest resiliency burning and creating forest resiliency burning as a new type of outdoor burning permitted by the department of natural resources.

(8) The report to the legislature required by this section may include recommendations for the updating of the smoke management plan defined in RCW 70.94.6536.

(9) For the purposes of this section, "forest resiliency burning" means silvicultural burning carried out under the supervision of qualified silvicultural, ecological, or fire management professionals and used to improve fire dependent ecosystems, mitigate wildfire potential, decrease forest susceptibility to forest insect or disease as defined in RCW 76.06.020, or otherwise enhance forest resiliency to fire.

(10) This section expires July 1, 2019.

NEW SECTION. Sec. 2. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

On page 1, line 3 of the title, after "fires;" strike the remainder of the title and insert "creating a new section; providing an expiration date; and declaring an emergency."

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

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Natural Resources & Parks to Engrossed Substitute House Bill No. 2928.

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

## MOTION

On motion of Senator Pearson, the rules were suspended, Engrossed Substitute House Bill No. 2928, as amended by the Senate, was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Pearson, Jayapal, Dangel and Parlette spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 2928, as amended by the Senate.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 2928, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dangel, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senator Darneille

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2928, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTION

On motion of Senator Chase, and without objection, Senator Fraser was excused.

## SECOND READING

SUBSTITUTE HOUSE BILL NO. 2357, by Representatives Peterson, Young, S. Hunt, Fitzgibbon, Kirby, Buys, Pollet and Kretz

Concerning the authority of the pollution liability insurance agency.

The measure was read the second time.

## MOTION

On motion of Senator Ericksen, the rules were suspended, Substitute House Bill No. 2357 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Ericksen spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 2357.

## ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2357 and the bill passed the Senate by the

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

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Ericksen, Fain, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senators Darneille and Fraser

SUBSTITUTE HOUSE BILL NO. 2357, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SUBSTITUTE HOUSE BILL NO. 2938, by House Committee on Finance (originally sponsored by Representatives Orcutt and Walkinshaw)

Encouraging participation in Washington trade conventions by modifying tax provisions related to establishing substantial nexus.

The measure was read the second time.

#### MOTION

Senator Lias moved that the following amendment no. 705 by Senator Lias be adopted:

On page 6, at the beginning of line 18, strike "consider" and insert "make a determination of nexus based solely on"

Senators Lias and Brown spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 705 by Senator Lias on page 6, line 18 to Substitute House Bill No. 2938.

The motion by Senator Lias carried and amendment no. 705 was adopted by voice vote.

#### MOTION

On motion of Senator Brown, the rules were suspended, Substitute House Bill No. 2938, as amended by the Senate, was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Brown and Chase spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 2938, as amended by the Senate.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2938, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Ericksen, Fain, Frockt, Habib,

Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senators Darneille and Fraser

SUBSTITUTE HOUSE BILL NO. 2938, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

HOUSE BILL NO. 2317, by Representatives Van De Wege, Tharinger, Pettigrew, Moeller and Magendanz

Expanding the use of neighborhood and medium-speed electric vehicles.

The measure was read the second time.

#### MOTION

On motion of Senator King, the rules were suspended, House Bill No. 2317 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator King spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 2317.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2317 and the bill passed the Senate by the following vote: Yeas, 44; Nays, 3; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Fain, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Sheldon, Takko and Warnick

Voting nay: Senators Dansel, Ericksen and Schoesler  
Excused: Senators Darneille and Fraser

HOUSE BILL NO. 2317, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

HOUSE BILL NO. 2371, by Representatives Kuderer, Magendanz, Hudgins, McBride, Goodman, Senn, Jinkins, Appleton and Kilduff

Requiring a court that consults the judicial information system in order to render a decision to file a copy of the information used in the court file upon request of a party.

The measure was read the second time.

#### MOTION

On motion of Senator Padden, the rules were suspended,

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House Bill No. 2371 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Padden spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 2371.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2371 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Ericksen, Fain, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senators Darneille and Fraser

HOUSE BILL NO. 2371, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

HOUSE BILL NO. 2394, by Representatives Walsh, Senn, Kagi, Moscoso, Kilduff, Kochmar, Dent, Holy, Sawyer, Jinkins, Tharinger, Magendanz, Fey, Tarleton, Zeiger, Sells, McBride, Bergquist, Pollet, Santos, S. Hunt and Goodman

Creating the parent to parent program for individuals with developmental disabilities.

The measure was read the second time.

#### MOTION

Senator O'Ban moved that the following committee striking amendment by the Committee on Human Services, Mental Health & Housing be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. For over thirty years, parent to parent programs for individuals with either developmental disabilities, or special health care needs, or both, have been providing emotional and informational support by matching parents seeking support with an experienced and trained support parent.

The parent to parent program currently exists in thirty-one counties: Adams, Asotin, Benton, Chelan, Clallam, Clark, Columbia, Cowlitz, Douglas, Franklin, Garfield, Grant, Grays Harbor, Island, Jefferson, King, Kitsap, Kittitas, Lewis, Lincoln, Mason, Pacific, Pierce, Skagit, Snohomish, Spokane, Thurston, Walla Walla, Whatcom, Whitman, and Yakima. It is the legislature's goal to continue, support, and enhance the programs in these counties and expand these programs statewide by 2021.

NEW SECTION. Sec. 2. A new section is added to chapter 71A.14 RCW to read as follows:

The goals of the parent to parent program are to:

(1) Provide early outreach, support, and education to parents who have a child with special health care needs;

(2) Match a trained volunteer support parent with a new parent who has a child with similar needs to the child of the support parent; and

(3) Provide parents with tools and resources to be successful as they learn to understand the support and advocacy needs of their children.

NEW SECTION. Sec. 3. A new section is added to chapter 71A.14 RCW to read as follows:

Subject to the availability of funds appropriated for this specific purpose, activities of the parent to parent program may include:

(1) Outreach and support to newly identified parents of children with special health care needs;

(2) Trainings that educate parents in ways to support their child and navigate the complex health, educational, and social systems;

(3) Ongoing peer support from a trained volunteer support parent; and

(4) Regular communication with other local programs to ensure consistent practices.

NEW SECTION. Sec. 4. A new section is added to chapter 71A.14 RCW to read as follows:

(1) Subject to the availability of funds appropriated for this specific purpose, the parent to parent program must be funded through the department and centrally administered through a pass-through to a Washington state lead organization that has extensive experience supporting and training support parents.

(2) Through the contract with the lead organization, each local program must be locally administered by an organization that shall serve as the host organization.

(3) Parents shall serve as advisors to the host organizations.

(4) A parent or grandparent of a child with developmental disabilities or special health care needs shall provide program coordination and local program information.

(5) The lead organization shall provide ongoing training to the host organizations and statewide program oversight and maintain statewide program information.

(6) For the purpose of this act, "special health care needs" means disabilities, chronic illnesses or conditions, health related educational or behavioral problems, or the risk of developing such disabilities, conditions, illnesses or problems."

On page 1, line 2 of the title, after "disabilities;" strike the remainder of the title and insert "adding new sections to chapter 71A.14 RCW; and creating a new section."

Senator O'Ban spoke in favor of adoption of the committee striking amendment.

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Human Services, Mental Health & Housing to House Bill No. 2394.

The motion by Senator O'Ban carried and the committee striking amendment was adopted by voice vote.

#### MOTION

On motion of Senator O'Ban, the rules were suspended, House Bill No. 2394, as amended by the Senate, was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator O'Ban spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 2394, as amended by the Senate.

## ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2394, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Ericksen, Fain, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senators Darneille and Fraser

HOUSE BILL NO. 2394, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTION

At 7:01 p.m., on motion of Senator Fain, the Senate adjourned until 11:00 o'clock a.m., Thursday, March 3, 2016.

BRAD OWEN, President of the Senate

HUNTER G. GOODMAN, Secretary of the Senate



1409-E	Other Action.....	40
Second Reading .....	Second Reading .....	40
Third Reading Final Passage .....	Third Reading Final Passage .....	40
1448-2S	2403	
Other Action.....	Second Reading .....	14
Second Reading .....	Third Reading Final Passage .....	15
Third Reading Final Passage .....	2417-S	
2061-E2S	Committee Report.....	1
Second Reading .....	Other Action.....	1
Third Reading Final Passage .....	2432	
2061-S2	Second Reading .....	33
Other Action.....	Third Reading Final Passage .....	33
2274-ES	2440-S	
Second Reading .....	Other Action.....	22
2274-S	Second Reading .....	18
Other Action.....	Third Reading Final Passage .....	22
Second Reading .....	2448-S	
Third Reading Final Passage .....	Second Reading .....	36
2280	Third Reading Final Passage .....	36
Second Reading .....	2458-ES	
Third Reading Final Passage .....	Other Action.....	26
2317	Second Reading .....	24
Second Reading .....	2458-S	
Third Reading Final Passage .....	Third Reading Final Passage .....	26
2322	2498-S	
Second Reading .....	Second Reading .....	35
Third Reading Final Passage .....	Third Reading Final Passage .....	35
2332	2539-S	
Second Reading .....	Second Reading .....	35
Third Reading Final Passage .....	Third Reading Final Passage .....	35
2356	2540-ES	
Other Action.....	Second Reading .....	17
Second Reading .....	Third Reading Final Passage .....	17
Third Reading Final Passage .....	2565	
2357-S	Second Reading .....	15
Second Reading .....	Third Reading Final Passage .....	15
Third Reading Final Passage .....	2580	
2360	Other Action.....	16
Second Reading .....	2580-S	
Third Reading Final Passage .....	Second Reading .....	15
2371	Third Reading Final Passage .....	16
Second Reading .....	2591-ES	
Third Reading Final Passage .....	Second Reading .....	33
2384	Third Reading Final Passage .....	33
Second Reading .....	2598-S	
Third Reading Final Passage .....	Second Reading .....	16
2394	Third Reading Final Passage .....	17

2599		2971-E	
Second Reading .....	17	Other Action.....	6
Third Reading Final Passage .....	17	Second Reading .....	4
2605		Third Reading Final Passage .....	6
Second Reading .....	17	5145-ES	
Third Reading Final Passage .....	18	Messages .....	1
2651		5864-S	
Second Reading .....	26	Messages .....	1
Third Reading Final Passage .....	26	6148	
2694		Messages .....	1
Second Reading .....	36	6162	
Third Reading Final Passage .....	36	Messages .....	1
2765-S		6170	
Second Reading .....	3	Messages .....	1
Third Reading Final Passage .....	3	6177-S	
2768		Messages .....	1
Second Reading .....	37	6195-E2S	
Third Reading Final Passage .....	37	Other Action.....	12
2773		6196	
Second Reading .....	34	Messages .....	1
Third Reading Final Passage .....	34	6202	
2808		Messages .....	1
Other Action.....	34	6206-ES	
Second Reading .....	33	Messages .....	1
Third Reading Final Passage .....	34	6281-S	
2847-ES		Messages .....	1
Other Action.....	12	6282	
Second Reading .....	9, 10, 12	Messages .....	1
Third Reading Final Passage .....	12	6284-S	
2877-2S		Messages .....	1
Other Action.....	23	6290-S	
Second Reading .....	23	Messages .....	1
Third Reading Final Passage .....	23	6295-S	
2884-S		Messages .....	1
Second Reading .....	23, 24	6326-S	
Third Reading Final Passage .....	24	Messages .....	1
2886		6342-S	
Second Reading .....	23	Messages .....	1
Third Reading Final Passage .....	23	6376	
2928-ES		Messages .....	1
Other Action.....	38	6398	
Second Reading .....	37	Messages .....	1
Third Reading Final Passage .....	38	6673	
2928-S		Introduction & 1st Reading.....	1
Second Reading .....	37	8728	
2938-S		Adopted.....	2
Second Reading .....	38, 39	Introduced .....	2
Third Reading Final Passage .....	39	9255 June A. Darling	

Confirmed ..... 2  
 9291 Denise J. Portmann  
 Confirmed ..... 3  
 CHAPLAIN OF THE DAY  
 Knepper, Pastor Bill..... 1  
 FLAG BEARER  
 Lustig, Mr. Brandon..... 1  
 Tibbs, Miss Mackenzie ..... 1  
 GUESTS  
 Alvord, Olivia, Miss Newaukum Valley ..... 3  
 Evergreen Elementary School..... 12  
 Everhart, Princess Sami ..... 2  
 Farmer, Mr. Glenn and employees of Alcoa

Intalco Works..... 3  
 Griffin Middle School..... 7  
 Holmes, Princess Emily ..... 2  
 Martin, Queen Kori..... 2  
 Ward, Ms. Elizabeth ..... 12  
 Woods, Mr. Greg ..... 7  
 MESSAGE FROM GOVERNOR ..... 12  
 6195..... 12  
 WASHINGTON STATE SENATE  
 Personal Privilege, Senator Becker..... 26  
 Personal Privilege, Senator Dandel ..... 13  
 Personal Privilege, Senator Fain ..... 35  
 Personal Privilege, Senator Rolfes..... 35

DRAFT