

SEVENTY FIFTH DAY, MARCH 29, 2019

2019 REGULAR SESSION

SEVENTY FIFTH DAY

MORNING SESSION

Senate Chamber, Olympia
Friday, March 29, 2019

The Senate was called to order at 10:02 a.m. by the President of the Senate, Lt. Governor Habib presiding. The Secretary called the roll and announced to the President that all senators were present with the exceptions of Senators Ericksen and Wilson, L.

The Sergeant at Arms Color Guard consisting of Pages Mr. William Alexander and Mr. William Kite III, presented the Colors. Page Miss Jackie Fluornoy led the Senate in the Pledge of Allegiance.

The prayer was offered by Rev. Tyler Sollie, Senior Pastor, Life Center Church, Tacoma.

The President called upon the Secretary to read the journal of the preceding day.

MOTION

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

MOTION

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

REPORTS OF STANDING COMMITTEES

March 28, 2019

SHB 1041 Prime Sponsor, Committee on Public Safety: Promoting successful reentry by modifying the process for obtaining certificates of discharge and vacating conviction records. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass as amended. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; Holy; Kuderer and Salomon.

Referred to Committee on Rules for second reading.

March 28, 2019

2SHB 1048 Prime Sponsor, Committee on Appropriations: Modifying the process for prevailing parties to recover judgments in small claims court. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Salomon; Kuderer; Dhingra, Vice Chair Pedersen, Chair.

MINORITY recommendation: Do not pass. Signed by Senators Padden, Ranking Member and Holy.

Referred to Committee on Ways & Means.

March 28, 2019

ESHB 1094 Prime Sponsor, Committee on Health Care & Wellness: Establishing compassionate care renewals for medical marijuana qualifying patients. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass as amended. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Braun; Saldaña; Walsh and Wellman.

Referred to Committee on Ways & Means.

March 28, 2019

E3SHB 1324 Prime Sponsor, Committee on Appropriations: Creating the Washington rural development and opportunity zone act. Reported by Committee on Financial Institutions, Economic Development & Trade

MAJORITY recommendation: Do pass as amended. Signed by Senators Mullet, Chair; Das; Ericksen; Hobbs and Braun.

MINORITY recommendation: Do not pass. Signed by Senator Hasegawa, Vice Chair.

Referred to Committee on Ways & Means.

March 28, 2019

SHB 1326 Prime Sponsor, Committee on Public Safety: Collecting DNA samples. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass as amended. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; Holy; Kuderer and Salomon.

Referred to Committee on Ways & Means.

March 28, 2019

SHB 1350 Prime Sponsor, Committee on Civil Rights & Judiciary: Issuing temporary protection orders. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Salomon; Kuderer; Dhingra, Vice Chair Pedersen, Chair.

MINORITY recommendation: Do not pass. Signed by Senator Holy.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Padden, Ranking Member.

Referred to Committee on Rules for second reading.

March 28, 2019

ESHB 1440 Prime Sponsor, Committee on Civil Rights & Judiciary: Providing longer notice of rent increases. Reported by Committee on Financial Institutions, Economic Development & Trade

MAJORITY recommendation: Do pass. Signed by Senators Ericksen; Das; Hasegawa, Vice Chair Mullet, Chair.

Referred to Committee on Rules for second reading.

March 28, 2019

HB 1462 Prime Sponsor, Representative Barkis: Providing notice of plans to demolish, substantially rehabilitate, or change use of residential premises. Reported by Committee on Financial Institutions, Economic Development & Trade

MAJORITY recommendation: Do pass as amended. Signed by Senators Braun; Hobbs; Mullet, Chair; Hasegawa, Vice Chair; Das and Ericksen.

Referred to Committee on Rules for second reading.

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EHB 1465 Prime Sponsor, Representative Goodman: Concerning requirements for pistol sales or transfers. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Dhingra, Vice Chair; Kuderer; Salomon Pedersen, Chair.

MINORITY recommendation: Do not pass. Signed by Senators Padden, Ranking Member and Holy.

Referred to Committee on Rules for second reading.

March 28, 2019

ESHB 1504 Prime Sponsor, Committee on Public Safety: Concerning impaired driving. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass as amended. Signed by Senators Holy; Padden, Ranking Member; Dhingra, Vice Chair; Pedersen, Chair; Salomon and Kuderer.

Referred to Committee on Ways & Means.

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HB 1561 Prime Sponsor, Representative Dent: Ensuring participation on the oversight board for children, youth, and families by current or former foster youth, individuals with current or previous experience in the juvenile justice system, a physician with experience working with children or youth, and individuals residing east of the Cascade mountain range. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: Do pass as amended. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; Cleveland; O'Ban; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

March 28, 2019

SHB 1575 Prime Sponsor, Committee on Labor & Workplace Standards: Strengthening the rights of workers through collective bargaining by addressing authorizations and revocations, certifications, and the authority to deduct and accept union dues and fees. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass as amended. Signed by Senators Wellman; Saldaña; Conway, Vice Chair; Keiser, Chair.

MINORITY recommendation: Do not pass. Signed by

Senators Braun; King, Ranking Member and Walsh.

Referred to Committee on Rules for second reading.

March 28, 2019

SHB 1594 Prime Sponsor, Committee on Labor & Workplace Standards: Clarifying the exemption for wiring and equipment associated with telecommunication installations. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Braun; Saldaña; Walsh and Wellman.

Referred to Committee on Rules for second reading.

March 28, 2019

SHB 1607 Prime Sponsor, Committee on Civil Rights & Judiciary: Concerning notice of material changes to the operations or governance structure of participants in the health care marketplace. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Kuderer and Salomon.

MINORITY recommendation: Do not pass. Signed by Senator Holy.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Padden, Ranking Member.

Referred to Committee on Rules for second reading.

March 28, 2019

HB 1672 Prime Sponsor, Representative Steele: Allowing recorking wine at wineries and tasting rooms. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass as amended. Signed by Senators Walsh; Saldaña; Braun; King, Ranking Member; Conway, Vice Chair; Keiser, Chair and Wellman.

Referred to Committee on Rules for second reading.

March 28, 2019

ESHB 1696 Prime Sponsor, Committee on Appropriations: Concerning wage and salary information. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass as amended. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Braun and Walsh.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator King, Ranking Member.

Referred to Committee on Rules for second reading.

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HB 1727 Prime Sponsor, Representative Walen: Concerning

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gift cards. Reported by Committee on Financial Institutions, Economic Development & Trade

MAJORITY recommendation: Do pass as amended. Signed by Senators Braun; Hobbs; Ericksen; Das; Hasegawa, Vice Chair Mullet, Chair.

Referred to Committee on Rules for second reading.

March 28, 2019

ESHB 1732 Prime Sponsor, Committee on Public Safety: Concerning identifying and responding to bias-based criminal offenses. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass as amended. Signed by Senators Salomon; Kuderer; Dhingra, Vice Chair Pedersen, Chair.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Holy Padden, Ranking Member.

Referred to Committee on Rules for second reading.

March 28, 2019

SHB 1739 Prime Sponsor, Committee on Civil Rights & Judiciary: Addressing undetectable and untraceable firearms. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Kuderer and Salomon.

MINORITY recommendation: Do not pass. Signed by Senators Holy Padden, Ranking Member.

Referred to Committee on Rules for second reading.

March 28, 2019

SHB 1742 Prime Sponsor, Committee on Human Services & Early Learning: Concerning juvenile offenses that involve depictions of minors. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Salomon; Kuderer; Dhingra, Vice Chair Pedersen, Chair.

MINORITY recommendation: Do not pass. Signed by Senators Padden, Ranking Member and Holy.

Referred to Committee on Rules for second reading.

March 28, 2019

SHB 1746 Prime Sponsor, Committee on Local Government: Incentivizing the development of commercial office space in cities in a county with a population of less than one million five hundred thousand. Reported by Committee on Financial Institutions, Economic Development & Trade

MAJORITY recommendation: Do pass as amended. Signed by Senators Braun; Mullet, Chair; Das; Ericksen and Hobbs.

MINORITY recommendation: Do not pass. Signed by Senator Hasegawa, Vice Chair.

Referred to Committee on Rules for second reading.

March 28, 2019

EHB 1756 Prime Sponsor, Representative Orwall: Concerning the safety and security of adult entertainers. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass as amended. Signed by Senators Wellman; Walsh; Saldaña; Braun; King, Ranking Member; Conway, Vice Chair Keiser, Chair.

Referred to Committee on Rules for second reading.

March 28, 2019

SHB 1786 Prime Sponsor, Committee on Civil Rights & Judiciary: Improving procedures and strengthening laws relating to protection orders, no-contact orders, and restraining orders. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass as amended. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Kuderer and Salomon.

MINORITY recommendation: Do not pass. Signed by Senators Holy Padden, Ranking Member.

Referred to Committee on Rules for second reading.

March 28, 2019

ESHB 1788 Prime Sponsor, Committee on Civil Rights & Judiciary: Concerning the Washington state bar association. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass as amended. Signed by Senators Salomon; Kuderer; Holy; Padden, Ranking Member; Dhingra, Vice Chair Pedersen, Chair.

Referred to Committee on Rules for second reading.

March 28, 2019

ESHB 1794 Prime Sponsor, Committee on Commerce & Gaming: Concerning agreements between licensed marijuana businesses and other people and businesses, including royalty and licensing agreements relating to the use of intellectual property. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Saldaña; Walsh and Wellman.

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

Referred to Committee on Rules for second reading.

March 28, 2019

SHB 1798 Prime Sponsor, Committee on Consumer Protection & Business: Concerning short-term rentals. Reported by Committee on Financial Institutions, Economic Development & Trade

MAJORITY recommendation: Do pass as amended. Signed by Senators Mullet, Chair; Hobbs; Ericksen; Das; Braun Hasegawa, Vice Chair.

Referred to Committee on Rules for second reading.

March 28, 2019

ESHB 1817 Prime Sponsor, Committee on Labor & Workplace Standards: Ensuring for a skilled and trained workforce in high hazard facilities. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass as amended. Signed by Senators Wellman; Walsh; Saldaña; Conway, Vice Chair Keiser, Chair.

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

MINORITY recommendation: Do not pass. Signed by Senator King, Ranking Member.

Referred to Committee on Rules for second reading.

March 28, 2019

ESHB 1916 Prime Sponsor, Committee on Civil Rights & Judiciary: Improving the delivery of child support services to families by increasing flexibility and efficiency. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; Holy; Salomon and Kuderer.

Referred to Committee on Ways & Means.

March 28, 2019

HB 2052 Prime Sponsor, Representative Stanford: Clarifying marijuana product testing by revising provisions concerning marijuana testing laboratory accreditation and establishing a cannabis science task force. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass as amended. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Saldaña; Walsh and Wellman.

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

Referred to Committee on Ways & Means.

March 28, 2019

SGA 9151 SKYLEE SAHLSTROM, reappointed on February 16, 2018, for the term ending June 17, 2021, as Member of the Human Rights Commission. Reported by Committee on Law & Justice

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Salomon; Kuderer; Holy; Padden, Ranking Member; Dhingra, Vice Chair Pedersen, Chair.

Referred to Committee on Rules for second reading.

MOTION

On motion of Liias, all measures listed on the Standing Committee report were referred to the committees as designated

with the exception of Engrossed Third Substitute House Bill No. 1324 which had been designated to the Committee on Rules and was referred to the Committee on Ways & Means.

MOTION

Pursuant to Rule 46, on motion of Senator Liias, and without objection, the Committee on Health & Long Term Care was granted special leave to meet during the day's session.

MOTION

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

MESSAGE FROM THE GOVERNOR GUBERNATORIAL APPOINTMENTS

March 27, 2019

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

PATRICK J. OSHIE, appointed April 1, 2019, for the term ending January 15, 2022, as Member of the Northwest Power and Conservation Council.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Environment, Energy & Technology as Senate Gubernatorial Appointment No. 9285.

March 27, 2019

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

ED ZUCKERMAN, appointed March 22, 2019, for the term ending September 30, 2024, as Member of the The Evergreen State College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9286.

MOTION

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

MESSAGE FROM OTHER STATE OFFICERS

Children, Youth, and Families, Department of – *“Foster Parent and Adoptive Home Recruitments Report for 2018”*, pursuant to 74.13.031 RCW;

Commerce, Department of – *“Impact Fee Deferral Report”*, pursuant to 43.31.980 RCW; *“Foreclosure Fairness Program Annual Report 2019”*, pursuant to 61.24.163 RCW;

Ecology, Department of – *“Average Time to Complete Environmental Impact Statements (EIS)”*, pursuant to 43.21C.031 RCW;

Health Care Authority – *“Medicaid Transformation Project (MTP) Demonstration, Section 1115 Waiver Quarterly Report for October - December 2018”*, in accordance with Substitute Senate

The reports listed were submitted to the Secretary of the Senate and made available online by the Office of the Secretary.

SENATE RESOLUTION
 8637

By Senator Warnick

MOTION

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

INTRODUCTION AND FIRST READING

SB 5996 by Senators Van De Wege, Rolfes, Frockt, Billig, Keiser and Liias

AN ACT Relating to funding fire prevention and suppression activities; amending RCW 48.14.020; adding new sections to chapter 76.04 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Ways & Means.

SB 5997 by Senator Rolfes

AN ACT Relating to eliminating or narrowing certain tax preferences to increase state revenue for essential public services; amending RCW 82.08.0273 and 82.04.260; prescribing penalties; providing an effective date; and declaring an emergency.

Referred to Committee on Ways & Means.

SB 5998 by Senators Nguyen, Lovelett, Hasegawa and Salomon

AN ACT Relating to establishing a graduated real estate excise tax; amending RCW 82.45.060; providing an effective date; and declaring an emergency.

Referred to Committee on Ways & Means.

SB 5999 by Senators Braun and Mullet

AN ACT Relating to making expenditures from the budget stabilization account for public employer unfunded actuarially accrued liabilities; creating a new section; making an appropriation; and declaring an emergency.

Referred to Committee on Ways & Means.

SJM 8013 by Senators Honeyford, Ericksen and Bailey

Requesting that Congress ratify the United States-Mexico-Canada Agreement.

Referred to Committee on Financial Institutions, Economic Development & Trade.

MOTION

On motion of Senator Liias, all measures listed on the Introduction and First Reading report were referred to the committees as designated.

MOTION

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

MOTION

Senator Warnick moved adoption of the following resolution:

WHEREAS, It is the policy of the Washington State Legislature to recognize excellence in all fields of endeavor; and

WHEREAS, The Kittitas Secondary School boys' basketball team exhibited the highest level of excellence in overcoming the competition and winning the Washington State 2B Championship game on March 2, 2019, by a score of 79 to 51; and

WHEREAS, The Coyotes demonstrated spirited play and exemplary leadership in achieving this outstanding accomplishment; and

WHEREAS, The team surpassed the Saint George's High School Dragons for the second consecutive time at the annual Washington State 2B Championship tournament, and became the third team to achieve a 2B basketball "three-peat"; and

WHEREAS, Guard Brock Ravet was named the 2B tournament's Most Outstanding Player for the third time, and finished his career as a Coyote by becoming the state's first high school player to reach 3,000 career points, and assuming the title of the state's all-time scoring leader; and

WHEREAS, Head Coach Tim Ravet and all the Coyote players, Caleb Harris, Justin Hudson, Treyden Wilson, Jesus Velazquez, Bailey Gibson, Christian Mata, Cody Van Dorn, Beau Bryant, Blake Catlin, Dawson Byers, Martin Arreola, Brock Ravet, Kolten Udager, and Nick Patteson share in the team's success by combining outstanding coaching with outstanding sportsmanship; and

WHEREAS, The inspiring individual and team achievements of the 2019 Kittitas Secondary School Coyotes boys' basketball team will always be remembered as a source of great pride by all the citizens of their community and of the state of Washington;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate honor the 2019 Kittitas Secondary School boys' basketball team; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the Senate to the Kittitas Secondary School boys' basketball team coach Tim Ravet, Assistant Coaches Rocky Gibson and Dusty Hutchinson, Kittitas Secondary School boys' basketball team members, Kittitas Secondary School principal Heather Burfeind, and Kittitas Secondary School athletic director Austin Brothers.

Senators Warnick and Honeyford spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8637.

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

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced the 2019 Kittitas Secondary School boys' basketball team, students and representatives who were seated in the gallery.

PERSONAL PRIVILEGE

Senator Honeyford: "Thank you Mr. President. I am very concerned about the apparent lack of respect for the members of this body. This past Wednesday, our session ran until approximately 2:15 p.m. We had no advance notice that the

session would run so long. We had no lunch break. I had a school superintendent and a board member in a meeting in my office at 1:00, which I could not attend. I had a hearing in the House at 1:30 which I had to attend and miss votes here in the Senate. Without advance notice I don't know how we can plan. And Mr. President, this is my twenty-fifth year in the Legislature and I have never seen such a total disregard of members. And I ask that in the future the Senate receive advance notification of the approximate length of the session so that we may plan accordingly. Thank you Mr. President and I hope that you will support this request."

PERSONAL PRIVILEGE

Senator Frockt: "Thank you Mr. President. On Wednesday afternoon, while many of us were in the Ways & Means Committee, hearing the capital budget, I received a text from my legislative assistant informing me that there was an active shooter incident occurring in Lake City in the heart of the 46th District, an area that I know very well. And, I wanted to just take a moment, if I could, to ask the Senate to think of the victims of this random act of violence and also briefly commemorate some of the notable people that were involved in it and what they did. A gunman had come out into the street and, apparently in a deranged fashion, had started shooting. Shot at a bus. It is a bus route that I know very well. My nephew and my daughter sometimes ride that route and sometimes her friends have ridden that route. It is on Sandpoint Way, which is an area that is a main thoroughfare that I'm on. You know, anytime that I am not in Olympia, there is a good chance I am on that road, up in that part of north Seattle. My wife is on there. And it just so happens that there were, unfortunately, other people who just happened to be at the wrong place at the wrong time. Dr. Robert Hassan was carjacked and was a retired Air Force Colonel and was shot and killed by the gunman. And then, when he commandeered the vehicle, another individual was killed when the car ran over the line and killed a gentleman who was a long-time Lake City resident, Mr. Lee, Richard Lee, who was apparently on, I think, back on his way home – totally normal thing. It brought back very poor memories because something like this happened to my own grandparents twenty-five years ago and when they were killed in an incident like this. There was a second-grade teacher who was also shot in this incident at Laurelhurst Elementary, Ms. Judd. The story in the paper this morning, in *The Seattle Times*, she indicated she wanted to make sure her story was out so that her second-graders would know that she was okay and that even though bad things can happen that it's, ... Try not to be afraid, I think, was her message. And then of course, there was Eric Stark, the heroic metro bus driver, that drove his passengers out of harms way. And I think Senator Salomon will be offering a resolution soon, I just found out this morning, to more formally honor him and bus drivers for their very great work that they do for our communities in many instances. He was actually shot and backed his bus up and out of the way. So, I was wondering if we could just take a very brief moment to remember those and to think, in any way you feel fit and is consistent with your values and your traditions, to ask that we get to a better place in our community, in our country and try to stop these senseless acts of gun violence, and violence generally, that hurt so many in our communities? Thank you Mr. President."

MOMENT OF SILENCE

The Senate rose and observed a moment of silence in memory of Mr. Richard Lee and Dr. Robert Hassan, who were killed during a random act of violence in Seattle and in solidarity with

Ms. Deborah Judd and Mr. Eric Stark who were recovering from injuries received during the attack.

PERSONAL PRIVILEGE

Senator Frockt: "Briefly, I forgot in my remarks, I just wanted to also commend the Seattle Police Department and the EMTs, but in particular the police department, who took this deranged individual into custody without any further shots fired after these horrible incidents. They did a terrific job. Thank you Mr. President."

EDITOR'S NOTE: Mr. Richard T. Lee, of Seattle's Lake City neighborhood, was shot and killed during a random act of violence on the afternoon of Wednesday, March 27, 2019, in Seattle. Dr. Robert M. "Bob" Hassan, a retired physician and Air Force colonel died as a result of injuries received during a vehicle collision caused by the suspect in an attempt to flee Seattle Police officers in Mr. Lee's vehicle. Ms. Deborah Judd, second-grade teacher at Laurelhurst Elementary School, was also shot multiple times during the incident but survived her injuries. The attack also injured Mr. Eric Stark, a Metro bus driver, who, despite his wounds, heroically backed the Route 75 bus out of the area, driving his passengers to safety.

MOTIONS

On motion of Senator Rivers, Senators Ericksen and Wilson, L. were excused.

At 10:22 a.m., on motion of Senator Liias, the Senate was declared to be at ease subject to the call of the President for the purposes of caucuses.

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

Senator Short announced a meeting of the Republican Caucus immediately upon going at ease.

The Senate was called to order at 11:37 a.m. by President Habib.

MOTION

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

THIRD READING CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Billig moved that Lisa Brown, Senate Gubernatorial Appointment No. 9279, be confirmed as a Director of the Department of Commerce - Agency Head.

Senators Billig and Schoesler spoke in favor of passage of the motion.

APPOINTMENT OF LISA BROWN

The President declared the question before the Senate to be the confirmation of Lisa Brown, Senate Gubernatorial Appointment No. 9279, as a Director of the Department of Commerce - Agency Head.

The Secretary called the roll on the confirmation of Lisa Brown, Senate gubernatorial appointment No. 9279, as a Director of the Department of Commerce - Agency Head and the appointment was confirmed by the following vote: Yeas, 46; Nays, 0; Absent, 1; Excused, 2.

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

Absent: Senator Conway

Excused: Senators Ericksen and Wilson, L.

Lisa Brown, Senate gubernatorial appointment No. 9279, having received the constitutional majority was declared confirmed as a Director of the Department of Commerce - Agency Head.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced former Senator Lisa Brown and former Senator Brian Hatfield, who were seated in the gallery.

REMARKS BY SENATOR LIAS

Senator Lias: "Thank you Mr. President. I won't purport to recognize him, but I do understand that Director Brown's husband is here as well, and we all appreciate the sacrifices that the families of our public servants make as well."

MOTIONS

On motion of Senator Lias, Senator Conway was excused.

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

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1919, by House Committee on Public Safety (originally sponsored by Mosbrucker, Appleton, Smith, Ybarra, Dye, Ormsby and Stanford)

Preventing and responding to animal abuse.

The measure was read the second time.

MOTION

Senator Padden moved that the following committee striking amendment by the Committee on Law & Justice be adopted:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 16.52.117 and 2015 c 235 s 3 are each amended to read as follows:

(1) A person commits the crime of animal fighting if the person knowingly does any of the following or causes a minor to do any of the following:

(a) Owns, possesses, keeps, breeds, trains, buys, sells, or advertises or offers for sale any animal with the intent that the animal shall be engaged in an exhibition of fighting with another

animal;

(b) Promotes, organizes, conducts, participates in, is a spectator of, advertises, prepares, or performs any service in the furtherance of, an exhibition of animal fighting, transports spectators to an animal fight, or provides or serves as a stakeholder for any money wagered on an animal fight;

(c) Keeps or uses any place for the purpose of animal fighting, or manages or accepts payment of admission to any place kept or used for the purpose of animal fighting;

(d) Suffers or permits any place over which the person has possession or control to be occupied, kept, or used for the purpose of an exhibition of animal fighting; ((e))

(e) Steals, takes, leads away, possesses, confines, sells, transfers, or receives an animal with the intent of using the animal for animal fighting, or for training or baiting for the purpose of animal fighting; or

(f) Owns, possesses, buys, sells, transfers, or manufactures animal fighting paraphernalia for the purpose of engaging in, promoting, or facilitating animal fighting, or for baiting a live animal for the purpose of animal fighting.

(2)(a) Except as provided in (b) of this subsection, a person who violates this section is guilty of a class C felony punishable under RCW 9A.20.021;

(b) A person who intentionally mutilates an animal in furtherance of an animal fighting offense as described in subsection (1) of this section is guilty of a class B felony punishable under RCW 9A.20.021.

(3) Nothing in this section prohibits the following:

(a) The use of dogs in the management of livestock, as defined by chapter 16.57 RCW, by the owner of the livestock or the owner's employees or agents or other persons in lawful custody of the livestock;

(b) The use of dogs in hunting as permitted by law; or

(c) The training of animals or the use of equipment in the training of animals for any purpose not prohibited by law.

(4) For the purposes of this section, "animal fighting paraphernalia" includes equipment, products, implements, or materials of any kind that are used, intended for use, or designed for use in the training, preparation, conditioning, or furtherance of animal fighting, and includes, but is not limited to: Cat mills; fighting pits; springpoles; unprescribed veterinary medicine; treatment supplies; and gaffs, slashers, heels, and any other sharp implement designed to be attached in place of the natural spur of a cock or game fowl.

Sec. 2. RCW 16.52.207 and 2011 c 172 s 5 are each amended to read as follows:

(1) A person is guilty of animal cruelty in the second degree if, under circumstances not amounting to first degree animal cruelty((7));

(a) The person knowingly, recklessly, or with criminal negligence inflicts unnecessary suffering or pain upon an animal; or

(b) The person takes control, custody, or possession of an animal that was involved in animal fighting as described in RCW 16.52.117 and knowingly, recklessly, or with criminal negligence abandons the animal, and (i) as a result of being abandoned, the animal suffers bodily harm; or (ii) abandoning the animal creates an imminent and substantial risk that the animal will suffer substantial bodily harm.

(2) An owner of an animal is guilty of animal cruelty in the second degree if, under circumstances not amounting to first degree animal cruelty, the owner knowingly, recklessly, or with criminal negligence:

(a) Fails to provide the animal with necessary shelter, rest, sanitation, space, or medical attention and the animal suffers

unnecessary or unjustifiable physical pain as a result of the failure;

(b) Under circumstances not amounting to animal cruelty in the second degree under (c) of this subsection, abandons the animal; or

(c) Abandons the animal and (i) as a result of being abandoned, the animal suffers bodily harm; or (ii) abandoning the animal creates an imminent and substantial risk that the animal will suffer substantial bodily harm.

(3) Animal cruelty in the second degree is a gross misdemeanor.

(4) In any prosecution of animal cruelty in the second degree under subsection (1)(a) or (2)(a) of this section, it shall be an affirmative defense, if established by the defendant by a preponderance of the evidence, that the defendant's failure was due to economic distress beyond the defendant's control.

Sec. 3. RCW 16.52.011 and 2017 c 65 s 2 are each amended to read as follows:

(1) Principles of liability as defined in chapter 9A.08 RCW apply to this chapter.

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

(a) "Abandons" means the knowing or reckless desertion of an animal by its owner, or by a person who has taken control, custody, or possession of an animal that was involved in animal fighting as described in RCW 16.52.117, or the causing of the animal to be deserted by its owner, in any place, without making provisions for the animal's adequate care.

(b) "Animal" means any nonhuman mammal, bird, reptile, or amphibian.

(c) "Animal care and control agency" means any city or county animal control agency or authority authorized to enforce city or county municipal ordinances regulating the care, control, licensing, or treatment of animals within the city or county, and any corporation organized under RCW 16.52.020 that contracts with a city or county to enforce the city or county ordinances governing animal care and control.

(d) "Animal control officer" means any individual employed, contracted, or appointed pursuant to RCW 16.52.025 by an animal care and control agency or humane society to aid in the enforcement of ordinances or laws regulating the care and control of animals. For purposes of this chapter, the term "animal control officer" shall be interpreted to include "humane officer" as defined in (h) of this subsection and RCW 16.52.025.

(e) "Dog" means an animal of the species *Canis lupus familiaris*.

(f) "Euthanasia" means the humane destruction of an animal accomplished by a method that involves instantaneous unconsciousness and immediate death, or by a method that causes painless loss of consciousness, and death during the loss of consciousness.

(g) "Food" means food or feed appropriate to the species for which it is intended.

(h) "Humane officer" means any individual employed, contracted, or appointed by an animal care and control agency or humane society as authorized under RCW 16.52.025.

(i) "Law enforcement agency" means a general authority Washington law enforcement agency as defined in RCW 10.93.020.

(j) "Livestock" includes, but is not limited to, horses, mules, cattle, sheep, swine, goats, and bison.

(k) "Malice" has the same meaning as provided in RCW 9A.04.110, but applied to acts against animals.

(l) "Necessary food" means the provision at suitable intervals of wholesome foodstuff suitable for the animal's age, species, and

condition, and that is sufficient to provide a reasonable level of nutrition for the animal and is easily accessible to the animal or as directed by a veterinarian for medical reasons.

(m) "Necessary shelter" means a structure sufficient to protect a dog from wind, rain, snow, cold, heat, or sun that has bedding to permit a dog to remain dry and reasonably clean and maintain a normal body temperature.

(n) "Necessary water" means water that is in sufficient quantity and of appropriate quality for the species for which it is intended and that is accessible to the animal or as directed by a veterinarian for medical reasons.

(o) "Owner" means a person who has a right, claim, title, legal share, or right of possession to an animal or a person having lawful control, custody, or possession of an animal.

(p) "Person" means individuals, corporations, partnerships, associations, or other legal entities, and agents of those entities.

(q) "Similar animal" means: (i) For a mammal, another animal that is in the same taxonomic order; or (ii) for an animal that is not a mammal, another animal that is in the same taxonomic class.

(r) "Substantial bodily harm" means substantial bodily harm as defined in RCW 9A.04.110.

(s) "Tether" means: (i) To restrain an animal by tying or securing the animal to any object or structure; and (ii) a device including, but not limited to, a chain, rope, cable, cord, tie-out, pulley, or trolley system for restraining an animal."

On page 1, line 1 of the title, after "abuse;" strike the remainder of the title and insert "amending RCW 16.52.117, 16.52.207, and 16.52.011; and prescribing penalties."

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Law & Justice to Substitute House Bill No. 1919.

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

MOTION

On motion of Senator Padden, the rules were suspended, Substitute House Bill No. 1919 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 Padden and Pedersen spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1919 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1919 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 44; Nays, 2; Absent, 0; Excused, 3.

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

Voting nay: Senators Darneille and Saldaña

Excused: Senators Conway, Ericksen and Wilson, L.

SUBSTITUTE HOUSE BILL NO. 1919, as amended by the Senate, having received the constitutional majority, was declared

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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. 2049, by House Committee on Rural Development, Agriculture, & Natural Resources (originally sponsored by Blake)

Concerning commercial egg layer operations.

The measure was read the second time.

MOTION

Senator Van De Wege moved that the following committee striking amendment by the Committee on Agriculture, Water, Natural Resources & Parks be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature finds that the purpose of this act is to improve the regulation of egg production and sales in order to protect the health and welfare of consumers, promote food safety, advance animal welfare, and protect against the negative fiscal effects on the state associated with the lack of effective regulation of egg production and sales.

Sec. 2. RCW 69.25.010 and 1975 1st ex.s. c 201 s 2 are each amended to read as follows:

Eggs and egg products are an important source of the state's total supply of food, and are used in food in various forms. They are consumed throughout the state and the major portion thereof moves in intrastate commerce. It is essential, in the public interest, that the health and welfare of consumers be protected by the adoption of measures prescribed herein for assuring that eggs and egg products distributed to them and used in products consumed by them are wholesome, otherwise not adulterated, and properly labeled and packaged. Lack of effective regulation for the handling or disposition of unwholesome, otherwise adulterated, or improperly labeled or packaged egg products and certain qualities of eggs is injurious to the public welfare and destroys markets for wholesome, unadulterated, and properly labeled and packaged eggs and egg products and results in sundry losses to producers and processors, as well as injury to consumers. Unwholesome, otherwise adulterated, or improperly labeled or packaged products can be sold at lower prices and compete unfairly with the wholesome, unadulterated, and properly labeled and packaged products, to the detriment of consumers and the public generally. It is also essential to protect the health and welfare of consumers, promote food safety, advance animal welfare, and protect against the negative fiscal effects on the state associated with the lack of effective regulation of egg production and sales. It is hereby found that all egg products and the qualities of eggs which are regulated under this chapter are either in intrastate commerce, or substantially affect such commerce, and that regulation by the director, as contemplated by this chapter, is appropriate to protect the health and welfare of consumers.

Sec. 3. RCW 69.25.020 and 2013 c 144 s 44 are each reenacted and amended to read as follows:

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

(1) "Adulterated" applies to any egg or egg product under one or more of the following circumstances:

(a) If it bears or contains any poisonous or deleterious

substance that may render it injurious to health; but in case the substance is not an added substance, such article is not considered adulterated under this clause if the quantity of such substance in or on such article does not ordinarily render it injurious to health;

(b) If it bears or contains any added poisonous or added deleterious substance (other than one which is: (i) A pesticide chemical in or on a raw agricultural commodity; (ii) a food additive; or (iii) a color additive) which may, in the judgment of the director, make such article unfit for human food;

(c) If it is, in whole or in part, a raw agricultural commodity and such commodity bears or contains a pesticide chemical (~~which is unsafe within the meaning of RCW 69.04.392, as enacted or hereafter amended~~) that renders it adulterated within the meaning of RCW 15.130.200(2);

(d) If it bears or contains any food additive (~~which is unsafe within the meaning of RCW 69.04.394, as enacted or hereafter amended~~) that renders it adulterated within the meaning of RCW 15.130.200(2);

(e) If it bears or contains any color additive (~~which is unsafe within the meaning of RCW 69.04.396~~) that renders it adulterated within the meaning of RCW 15.130.200(2); however, an article which is not otherwise deemed adulterated under (c), (d), or (e) of this subsection are nevertheless deemed adulterated if use of the pesticide chemical, food additive, or color additive, in or on such article, is prohibited by regulations of the director in official plants;

(f) If it consists in whole or in part of any filthy, putrid, or decomposed substance, or if it is otherwise unfit for human food;

(g) If it consists in whole or in part of any damaged egg or eggs to the extent that the egg meat or white is leaking, or it has been contacted by egg meat or white leaking from other eggs;

(h) If it has been prepared, packaged, or held under insanitary conditions whereby it may have become contaminated with filth, or whereby it may have been rendered injurious to health;

(i) If it is an egg which has been subjected to incubation or the product of any egg which has been subjected to incubation;

(j) If its container is composed, in whole or in part, of any poisonous or deleterious substance which may render the contents injurious to health;

(k) If it has been intentionally subjected to radiation, unless the use of the radiation was in conformity with a regulation or exemption in effect (~~pursuant to RCW 69.04.394~~) under chapter 15.130 RCW; or

(l) If any valuable constituent has been in whole or in part omitted or abstracted therefrom; or if any substance has been substituted, wholly or in part therefor; or if damage or inferiority has been concealed in any manner; or if any substance has been added thereto or mixed or packed therewith so as to increase its bulk or weight, or reduce its quality or strength, or make it appear better or of greater value than it is.

(2) "Ambient temperature" means the atmospheric temperature surrounding or encircling shell eggs.

(3) "At retail" means any transaction in intrastate commerce between a retailer and a consumer.

(4) "Business licensing system" means the mechanism established by chapter 19.02 RCW by which business licenses, endorsed for individual state-issued licenses, are issued and renewed utilizing a business license application and a business license expiration date common to each renewable license endorsement.

(5) "Candling" means the examination of the interior of eggs by the use of transmitted light used in a partially dark room or place.

(6) "Capable of use as human food" applies to any egg or egg product unless it is denatured, or otherwise identified, as required

by regulations prescribed by the director, to deter its use as human food.

(7) "Check" means an egg that has a broken shell or crack in the shell but has its shell membranes intact and contents not leaking.

(8) "Clean and sound shell egg" means any egg whose shell is free of adhering dirt or foreign material and is not cracked or broken.

(9) "Consumer" means any person who purchases eggs or egg products for his or her own family use or consumption; or any restaurant, hotel, boarding house, bakery, or other institution or concern which purchases eggs or egg products for serving to guests or patrons thereof, or for its own use in cooking or baking.

(10) "Container" or "package" includes any box, can, tin, plastic, or other receptacle, wrapper, or cover.

(11) "Department" means the department of agriculture of the state of Washington.

(12) "Director" means the director of the department or his duly authorized representative.

(13) "Dirty egg" means an egg that has a shell that is unbroken and has adhering dirt or foreign material.

(14) "Egg" means the shell egg of the domesticated chicken, turkey, duck, goose, or guinea, or any other specie of fowl.

(15) "Egg handler" or "dealer" means any person who produces, contracts for or obtains possession or control of any eggs or egg products for the purpose of sale to another dealer or retailer, or for processing and sale to a dealer, retailer or consumer. For the purpose of this chapter, "sell" or "sale" includes the following: Offer for sale, expose for sale, have in possession for sale, exchange, barter, trade, or as an inducement for the sale of another product.

(16)(a) "Egg product" means any dried, frozen, or liquid eggs, with or without added ingredients, excepting products which contain eggs only in a relatively small proportion, or historically have not been, in the judgment of the director, considered by consumers as products of the egg food industry, and which may be exempted by the director under such conditions as the director may prescribe to assure that the egg ingredients are not adulterated and are not represented as egg products.

(b) The following products are not included in the definition of "egg product" if they are prepared from eggs or egg products that have been either inspected by the United States department of agriculture or by the department under a cooperative agreement with the United States department of agriculture: Freeze-dried products, imitation egg products, egg substitutes, dietary foods, dried no-bake custard mixes, eggnog mixes, acidic dressings, noodles, milk and egg dip, cake mixes, French toast, balut and other similar ethnic delicacies, and sandwiches containing eggs or egg products.

(17) "Immediate container" means any consumer package, or any other container in which egg products, not consumer-packaged, are packed.

(18) "Incubator reject" means an egg that has been subjected to incubation and has been removed from incubation during the hatching operations as infertile or otherwise unhatchable.

(19) "Inedible" means eggs of the following descriptions: Black rots, yellow rots, white rots, mixed rots (addled eggs), sour eggs, eggs with green whites, eggs with stuck yolks, moldy eggs, musty eggs, eggs showing blood rings, and eggs containing embryo chicks (at or beyond the blood ring stage).

(20) "Inspection" means the application of such inspection methods and techniques as are deemed necessary by the director to carry out the provisions of this chapter.

(21) "Inspector" means any employee or official of the department authorized to inspect eggs or egg products under the authority of this chapter.

(22) "Intrastate commerce" means any eggs or egg products in intrastate commerce, whether such eggs or egg products are intended for sale, held for sale, offered for sale, sold, stored, transported, or handled in this state in any manner and prepared for eventual distribution in this state, whether at wholesale or retail.

(23) "Leaker" means an egg that has a crack or break in the shell and shell membranes to the extent that the egg contents are exposed or are exuding or free to exude through the shell.

(24) "Loss" means an egg that is unfit for human food because it is smashed or broken so that its contents are leaking; or overheated, frozen, or contaminated; or an incubator reject; or because it contains a bloody white, large meat spots, a large quantity of blood, or other foreign material.

(25) "Misbranded" applies to egg products that are not labeled and packaged in accordance with the requirements prescribed by regulations of the director under RCW 69.25.100.

(26) "Official certificate" means any certificate prescribed by regulations of the director for issuance by an inspector or other person performing official functions under this chapter.

(27) "Official device" means any device prescribed or authorized by the director for use in applying any official mark.

(28) "Official inspection legend" means any symbol prescribed by regulations of the director showing that egg products were inspected in accordance with this chapter.

(29) "Official mark" means the official inspection legend or any other symbol prescribed by regulations of the director to identify the status of any article under this chapter.

(30) "Official plant" means any plant which is licensed under the provisions of this chapter, at which inspection of the processing of egg products is maintained by the United States department of agriculture or by the state under cooperative agreements with the United States department of agriculture or by the state.

(31) "Official standards" means the standards of quality, grades, and weight classes for eggs, adopted under the provisions of this chapter.

(32) "Pasteurize" means the subjecting of each particle of egg products to heat or other treatments to destroy harmful, viable microorganisms by such processes as may be prescribed by regulations of the director.

(33) "Person" means any natural person, firm, partnership, exchange, association, trustee, receiver, corporation, and any member, officer, or employee thereof, or assignee for the benefit of creditors.

(34) "Pesticide chemical," "food additive," "color additive," and "raw agricultural commodity" have the same meaning for purposes of this chapter as ~~((prescribed in chapter 69.04 RCW))~~ defined in chapter 15.130 RCW.

(35) "Plant" means any place of business where egg products are processed.

(36) "Processing" means manufacturing egg products, including breaking eggs or filtering, mixing, blending, pasteurizing, stabilizing, cooling, freezing, drying, or packaging egg products.

(37) "Restricted egg" means any check, dirty egg, incubator reject, inedible, leaker, or loss.

(38) "Retailer" means any person in intrastate commerce who sells eggs or egg products to a consumer.

(39) "Shipping container" means any container used in packaging a product packed in an immediate container.

(40) "Cage-free housing system" means an indoor or outdoor controlled environment for egg-laying hens within which:

(a) Hens are free to roam unrestricted except by external walls;

(b) Hens are provided enrichments that allow them to exhibit natural behaviors including, at a minimum, scratch areas, perches,

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nest boxes, and dust bathing areas; and

(c) Farm employees can provide care while standing somewhere within the hens' usable floor space.

(41) "Egg-laying hen" means any female domesticated chicken, turkey, duck, goose, or guinea fowl kept for the purpose of egg production.

(42) "Usable floor space" means the total square footage of floor space provided to each egg-laying hen, calculated by dividing the total square footage of floor space in an enclosure by the number of hens in that enclosure. "Usable floor space" includes ground space and elevated level or nearly level platforms to accommodate egg flow upon which hens can roost, but does not include perches or ramps.

Sec. 4. RCW 69.25.065 and 2011 c 306 s 3 are each amended to read as follows:

(1) All new and renewal applications submitted under RCW 69.25.050 before January 1, ~~((2026))~~ 2024, must include proof that all eggs and egg products provided in intrastate commerce by the applicant are produced by commercial egg layer operations:

(a) With a current certification under the 2010 version of the united egg producers animal husbandry guidelines for United States egg laying flocks for conventional cage systems or cage-free housing systems or a subsequent version of the guidelines recognized by the department in rule; or

(b) Operated in strict compliance with any standards, adopted by the department in rule, that are equivalent to or more stringent than the standards identified in (a) of this subsection.

(2) All new and renewal applications submitted under RCW 69.25.050 before January 1, 2017, must, in addition to complying with subsection (1) of this section, include proof that all eggs and egg products provided in intrastate commerce by the applicant are produced by commercial egg layer operations whose housing facilities, if built between January 1, 2012, and December 31, 2016, are either:

(a) Approved under, or convertible to, the American humane association facility system plan for enriched colony housing in effect on January 1, 2011, or a subsequent version of the plan recognized by the department in rule and, in addition, are convertible to the standards identified in RCW 69.25.107; or

(b) Operated in strict compliance with any standards, adopted by the department in rule, that are equivalent to or more stringent than the standards identified in (a) of this subsection.

(3) All new and renewal applications submitted under RCW 69.25.050 between January 1, 2017, and December 31, ~~((2025))~~ 2023, must, in addition to complying with subsection (1) of this section, include proof that all eggs and egg products provided in intrastate commerce by the applicant are produced by commercial egg layer operations whose housing facilities, if built on or after January 1, 2012, are either:

(a) Approved under the American humane association facility system plan and audit protocol for enriched colony housing in effect on January 1, 2011, or a subsequent version of the plan recognized by the department in rule and, in addition, are operated to the standards identified in RCW 69.25.107; or

(b) Operated in strict compliance with any standards, adopted by the department in rule, that are equivalent to or more stringent than the standards identified in (a) of this subsection.

(4) All new and renewal applications submitted under RCW 69.25.050 on or after January 1, ~~((2026))~~ 2024, must include proof that all eggs and egg products provided in intrastate commerce by the applicant are produced by commercial egg layer operations that are either:

(a) ~~((Approved under the American humane association facility system plan and audit protocol for enriched colony housing in effect on January 1, 2011))~~ Housing egg-laying hens with at a

minimum the amount of usable floor space per hen required by the 2017 edition of the united egg producers' Animal Husbandry Guidelines for United States Egg-Laying Flocks: Guidelines for Cage-Free Housing, or a subsequent version of the plan recognized by the department in rule as providing equal or more usable floor space per egg-laying hen and, in addition, are operated to the standards identified in RCW 69.25.107; or

(b) Operated in strict compliance with any standards, adopted by the department in rule, that are equivalent to or more stringent than the standards identified in (a) of this subsection.

(5) The following are exempt from the requirements of subsections (2) and (3) of this section:

(a) Applicants with fewer than three thousand laying chickens; and

(b) Commercial egg layer operations when producing eggs or egg products from turkeys, ducks, geese, guineas, or other species of fowl other than domestic chickens.

Sec. 5. RCW 69.25.070 and 1975 1st ex.s. c 201 s 8 are each amended to read as follows:

The department ~~((may))~~ shall deny, suspend, or revoke ~~((or issue))~~ a license or a conditional license if it determines that an applicant or licensee has committed any of the following acts:

(1) That the applicant or licensee is violating or has violated any of the provisions of this chapter or rules and regulations adopted thereunder.

(2) That the application contains any materially false or misleading statement or involves any misrepresentation by any officer, agent, or employee of the applicant.

(3) That the applicant or licensee has concealed or withheld any facts regarding any violation of this chapter by any officer, agent, or employee of the applicant or licensee.

Sec. 6. RCW 69.25.103 and 2011 c 306 s 4 are each amended to read as follows:

Any egg handler or dealer involved with the in-state production of eggs or egg products only intended for sale outside of the state of Washington must ensure that the associated commercial egg layer operation is in compliance with the applicable standards as provided in RCW 69.25.065 and 69.25.107.

Sec. 7. RCW 69.25.107 and 2011 c 306 s 5 are each amended to read as follows:

(1) All commercial egg layer operations required under RCW 69.25.065 to meet the American humane association facility system plan, or an equivalent to the plan, must also ensure that all hens in the operation are provided with:

(a) No less than one hundred sixteen and three-tenths square inches of space per hen; and

(b) Access to areas for nesting, scratching, and perching.

(2) All commercial egg layer operations required under RCW 69.25.065 to house egg-laying hens with at a minimum the amount of usable floor space per hen required by the 2017 edition of the united egg producers' Animal Husbandry Guidelines for United States Egg-Laying Flocks: Guidelines for Cage-Free Housing, or a subsequent version of the plan recognized by the department in rule as providing equal or more useable floor space per egg-laying hen, must ensure that the hens are housed in a cage-free housing system.

(3) Subsection (2) of this section does not apply:

(a) During medical research;

(b) During examination, testing, individual treatment, or operation for veterinary purposes;

(c) During transportation, or depopulation operations for periods of no more than seven days in any eighteen-month period;

(d) During rodeo exhibitions, state or county fair exhibitions, 4-H programs, and similar exhibitions;

(e) During the slaughter of an egg-laying hen in accordance with applicable laws and regulations; or

(f) During temporary periods for animal husbandry purposes of no more than six hours in any twenty-four-hour period, and no more than twenty-four hours in any thirty-day period.

(4) The requirements of this section apply for any commercial egg layer operation on the same dates that RCW 69.25.065 requires compliance with the American humane association facility system plan or an equivalent to the plan, or requires housing egg-laying hens with at a minimum the amount of usable floor space per hen required by the united egg producers' Animal Husbandry Guidelines for United States Egg-Laying Flocks: Guidelines for Cage-Free Housing or an equivalent to the guidelines.

Sec. 8. RCW 69.25.110 and 2012 c 117 s 348 are each amended to read as follows:

(1) No person shall buy, sell, or transport, or offer to buy or sell, or offer or receive for transportation, in any business in intrastate commerce any restricted eggs, capable of use as human food, except as authorized by regulations of the director under such conditions as he or she may prescribe to assure that only eggs fit for human food are used for such purpose.

(2) No egg handler shall possess with intent to use, or use, any restricted eggs in the preparation of human food for intrastate commerce except that such eggs may be so possessed and used when authorized by regulations of the director under such conditions as he or she may prescribe to assure that only eggs fit for human food are used for such purpose.

(3) No person shall process any egg products for intrastate commerce at any plant except in compliance with the requirements of this chapter.

(4) No person shall buy, sell, or transport, or offer to buy or sell, or offer or receive for transportation, in intrastate commerce any egg or egg product that was not produced in compliance with the standards required by RCW 69.25.065 and 69.25.107. This prohibition shall not apply to any sale undertaken at an official plant at which mandatory inspection is maintained under the federal egg products inspection act, 21 U.S.C. Sec. 1031 et seq. For the purposes of this subsection, a sale is deemed to occur at the location where the buyer takes physical possession of an item.

(5) No person shall buy, sell, or transport, or offer to buy or sell, or offer or receive for transportation, in intrastate commerce any egg products required to be inspected under this chapter unless they have been so inspected and are labeled and packaged in accordance with the requirements of RCW 69.25.100.

~~((5))~~ (6) No operator of any official plant shall allow any egg products to be moved from such plant if they are adulterated or misbranded and capable of use as human food.

~~((6))~~ (7) No person shall:

(a) Manufacture, cast, print, lithograph, or otherwise make any device containing any official mark or simulation thereof, or any label bearing any such mark or simulation, or any form of official certificate or simulation thereof, except as authorized by the director;

(b) Forge or alter any official device, mark, or certificate;

(c) Without authorization from the director, use any official device, mark, or certificate, or simulation thereof, or detach, deface, or destroy any official device or mark; or use any labeling or container ordered to be withheld from use under RCW 69.25.100 after final judicial affirmance of such order or expiration of the time for appeal if no appeal is taken under said section;

(d) Contrary to the regulations prescribed by the director, fail to use, or to detach, deface, or destroy any official device, mark, or certificate;

(e) Knowingly possess, without promptly notifying the director or his or her representative, any official device or any counterfeit, simulated, forged, or improperly altered official certificate or any device or label, or any eggs or egg products bearing any counterfeit, simulated, forged, or improperly altered official mark;

(f) Knowingly make any false statement in any shipper's certificate or other nonofficial or official certificate provided for in the regulations prescribed by the director;

(g) Knowingly represent that any article has been inspected or exempted, under this chapter when in fact it has not been so inspected or exempted; and

(h) Refuse access, at any reasonable time, to any representative of the director, to any plant or other place of business subject to inspection under any provisions of this chapter.

~~((7))~~ (8) No person, while an official or employee of the state or local governmental agency, or thereafter, shall use to his or her own advantage, or reveal other than to the authorized representatives of the United States government or the state in their official capacity, or as ordered by a court in a judicial proceeding, any information acquired under the authority of this chapter concerning any matter which the originator or relator of such information claims to be entitled to protection as a trade secret.

NEW SECTION. Sec. 9. The provisions of this act are in addition to, and not in lieu of, any other laws protecting animal welfare. This act shall not be construed to limit any other state laws or regulations protecting the welfare of animals or to prevent a local governing body from adopting and enforcing its own animal welfare laws and regulations."

On page 1, line 1 of the title, after "operations;" strike the remainder of the title and insert "amending RCW 69.25.010, 69.25.065, 69.25.070, 69.25.103, 69.25.107, and 69.25.110; reenacting and amending RCW 69.25.020; 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 Agriculture, Water, Natural Resources & Parks to Substitute House Bill No. 2049.

The motion by Senator Van De Wege carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Van De Wege, the rules were suspended, Substitute House Bill No. 2049 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 Van De Wege and Warnick spoke in favor of passage of the bill.

Senator Honeyford spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 2049.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2049 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 40; Nays, 6; Absent, 0; Excused, 3.

Voting yea: Senators Becker, Billig, Braun, Brown, Carlyle, Cleveland, Darneille, Das, Dhingra, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Hunt, Keiser, King, Kuderer,

SEVENTY FIFTH DAY, MARCH 29, 2019

2019 REGULAR SESSION

Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Sheldon, Takko, Van De Wege, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Voting nay: Senators Bailey, Honeyford, Padden, Schoesler, Short and Wagoner

Excused: Senators Conway, Ericksen and Wilson, L.

SUBSTITUTE HOUSE BILL NO. 2049, 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. 1001, by Representatives Kirby and Vick

Concerning service contract providers.

The measure was read the second time.

MOTION

On motion of Senator Mullet, the rules were suspended, House Bill No. 1001 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Mullet spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 1001.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1001 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

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

Excused: Senators Conway, Ericksen and Wilson, L.

HOUSE BILL NO. 1001, 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. 1011, by Representatives Reeves, Barkis, Kilduff, Vick, Ryu, Fitzgibbon, Stanford and Leavitt

Adding proximity to working forests to the residential real estate disclosure statement.

The measure was read the second time.

MOTION

On motion of Senator Mullet, the rules were suspended, House Bill No. 1011 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Mullet spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 1011.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1011 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

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

Excused: Senators Conway, Ericksen and Wilson, L.

HOUSE BILL NO. 1011, 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. 1055, by Representatives Entenman, Orwall, Mosbrucker, Valdez, Goodman, Slatter, Riccelli, Ryu, Blake, Wylie, Irwin, Appleton, Jinkins, Doglio, Stanford, Leavitt and Walen

Authorizing law enforcement to arrest persons in violation of certain no-contact orders involving victims of trafficking and promoting prostitution offenses.

The measure was read the second time.

MOTION

On motion of Senator Pedersen, the rules were suspended, House Bill No. 1055 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Pedersen and 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. 1055.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1055 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

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

Excused: Senators Conway, Ericksen and Wilson, L.

HOUSE BILL NO. 1055, 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. 2072, by Representatives Volz, Senn, Griffey, McCaslin, Shea and Maycumber

Authorizing county treasurers to contract with other treasurers for services.

The measure was read the second time.

MOTION

On motion of Senator Takko, the rules were suspended, House Bill No. 2072 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Takko and Short 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. 2072.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2072 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

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

Excused: Senators Conway, Ericksen and Wilson, L.

HOUSE BILL NO. 2072, 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. 1247, by Representatives Reeves and Hoff

Concerning the Washington state credit union act.

The measure was read the second time.

MOTION

On motion of Senator Mullet, the rules were suspended, House Bill No. 1247 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Mullet spoke in favor of passage of the bill.

The President declared the question before the Senate to be the

final passage of House Bill No. 1247.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1247 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

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

Excused: Senators Conway, Ericksen and Wilson, L.

HOUSE BILL NO. 1247, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SIGNED BY THE PRESIDENT

The President, in open session, signed the following measures:

ENGROSSED HOUSE BILL NO. 1074,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1099,
HOUSE BILL NO. 1349,
SUBSTITUTE HOUSE BILL NO. 1399,
and SECOND SUBSTITUTE HOUSE BILL NO. 1497.

REMARKS BY SENATOR LIAS

Senator Liias: "Thank you Mr. President. I know we all join in in wishing Sam [Sean] Hendrickson a happy twenty-first birthday and we hope that his father, our great Secretary, will now use this opportunity to introduce him to our great craft distilleries around the state in the days to come."

Senator Becker announced a meeting of the Republican Caucus immediately upon adjournment.

MOTION

At 12:15 p.m., on motion of Senator Liias, the Senate adjourned until 12:00 o'clock noon Monday, April 1, 2019.

CYRUS HABIB, President of the Senate

BRAD HENDRICKSON, Secretary of the Senate

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