

THIRTY SIXTH DAY, FEBRUARY 17, 2020

2020 REGULAR SESSION

**THIRTY SIXTH DAY****MORNING SESSION**Senate Chamber, Olympia  
Monday, February 17, 2020

The Senate was called to order at 9:06 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 exception of Senator Fortunato.

The Sergeant at Arms Color Guard consisting of Pages Miss LouLou Tarlach and Miss Josephine Neubauer, presented the Colors. Page Miss MacKenzie Jones led the Senate in the Pledge of Allegiance. The prayer was offered by Reverend Mary Gear of Olympia Unitarian Universalist Congregation.

**MOTION**

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

**MOTION**

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

**INTRODUCTION OF SPECIAL GUESTS**

The President welcomed the many brilliant, smart and precious children on the floor who were present for Children's Day.

**MOTION**

Senator Nguyen moved adoption of the following resolution:

**SENATE RESOLUTION  
8683**

By Senators Nguyen and Kuderer

WHEREAS, The celebration of Children's Day reminds us that children deserve faith, hope, love, and commitment to their future; and

WHEREAS, Since 1925, Children's Day has been celebrated worldwide to promote the welfare of and mutual understanding and togetherness between the world's children; and

WHEREAS, Professor and author Dr. Jess Lair wrote "Children are not things to be molded, but are people to be unfolded"; and

WHEREAS, The Senate recognizes that children represent the future of our state, nation, and world; and

WHEREAS, This body has observed Children's Day since 1995 to commemorate the special place children hold in our hearts and communities and to remind us to keep children central to our efforts; and

WHEREAS, Writer Richard L. Evans noted "While we try to teach our children all about life, our children teach us what life is all about"; and

WHEREAS, Washington state's children must be cherished and deserve a nurturing, protective environment where they are able to flourish and realize their full potential; and

WHEREAS, Educator Maria Montessori said "Free the child's potential, and you will transform him into the world"; and

WHEREAS, The Senate recognizes that every child in Washington state deserves access to quality education, wholesome recreation, excellent health care, and safe communities; and

WHEREAS, Author C.S. Lewis once observed that "Children are not a distraction from more important work. They are the most important work"; and

WHEREAS, Children are the leaders of tomorrow, and it is our solemn obligation to instill in them the necessary values, convictions, goodwill, and fortitude so that they can continue the wonderful legacy of freedom, peace, and prosperity inherited from those who came before us; and

WHEREAS, Every child deserves the chance to succeed, and their future success depends on education and guidance from early childhood onward; and

WHEREAS, There can be no better measure of our governance than the way in which we treat our children; and

WHEREAS, This body recognizes that in order to thrive as a state and nation, we must empower children through policies that foster their success; and

WHEREAS, The Senate continues to support the goals of Children's Day and welcomes children into the Senate Chamber so they may witness the legislative process;

NOW, THEREFORE, BE IT RESOLVED, That the Senate encourage all Washingtonians to celebrate children on Children's Day and throughout the year by spending more quality time with them, by emphasizing their special place in our lives, and by working together daily to strengthen the foundation upon which our children will build and sustain their future.

Senator Nguyen spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8683.

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

**PERSONAL PRIVILEGE**

Senator Becker: "Thank you Mr. President. If my grandson can stand up, I'm going to embarrass him. This is my grandson that I was talking about at 16 on Friday. The one that was born and stayed at the NICU at the University of Washington. Thank you, University of Washington. For 60 days, my daughter Reena who was there every single day from Puyallup to make sure that her voice was heard, and her husband's voice was heard. So, just wanted to say a point of personal privilege and I wanted to say thank you for bringing the Children's Day forward every year."

**INTRODUCTION OF SPECIAL GUESTS**

The President welcomed and introduced Congressman Denny Heck, who was seated at the rostrum.

**MOTION**

Senator Hunt moved adoption of the following resolution:

**SENATE RESOLUTION  
8680**

By Senators Hunt, Zeiger, O'Ban, Conway, Sheldon, Van De

Wege, Wilson, C., Darneille, Becker, Takko, Cleveland, Billig, Liias, McCoy, Rivers, Wilson, L., and Kuderer

WHEREAS, Dennis "Denny" Lynn Heck was born in Vancouver, Washington, on July 29, 1952; and

WHEREAS, Denny grew up in Clark County, Washington, and graduated from Columbia River High School in Vancouver; and

WHEREAS, Denny attended The Evergreen State College the first year it opened and graduated with a Bachelor of Arts degree in 1973; and

WHEREAS, While at Evergreen, Denny began his career in government as an intern in the Washington State Legislature, and learned much about state government from his friend and mentor, former Senator Al Bauer; and

WHEREAS, Denny met Paula Fruci, a dedicated educator, and they married in 1976; and

WHEREAS, At the age of twenty-four, Denny was elected to the Washington State House of Representatives in 1976, representing the 17th Legislative District, which included Clark, Skamania, and Klickitat Counties, and was called a wonderkind; and

WHEREAS, Denny served five terms in the Washington House where his peers elected him Majority Leader; and

WHEREAS, Denny, an ardent supporter of education, fought for the improvement of Washington's public schools as a prime author of Washington's Basic Education Act of 1977; and

WHEREAS, Denny was elected Chief Clerk of the Washington State House of Representatives in 1985; and

WHEREAS, Denny served as Governor Booth Gardner's Chief of Staff from 1990 to 1993; and

WHEREAS, Denny, being an extraordinary champion of open government, cofounded TVW: Washington's Public Affairs Network, which has provided Washingtonians with "gavel-to-gavel" coverage of the Legislature since 1993; and

WHEREAS, Denny has dedicated his life to creating educational and historical content about Washington, such as TVW's "Inside Olympia;" his one-man play "Our Times", which contemplated transformative events in Washington history; and the Emmy award-winning documentary about the Washington State Supreme Court titled *Supreme Justice*; and

WHEREAS, Denny and Paula provided initial funding that established the Principals' Emergency Checkbook Fund within the Olympia Schools Foundation to assist low-income students; and

WHEREAS, Being an alumnus and a great advocate of The Evergreen State College, he was appointed by Governor Christine Gregoire in 2009 to Evergreen's Board of Trustees where he served for two years and championed the establishment of Evergreen's Tacoma Program; and

WHEREAS, On November 6, 2012, Denny was elected to the United States House of Representatives as the first member of the newly created 10th Congressional District; and

WHEREAS, One of his first acts as a Member of Congress was spearheading the State Route 167 Completion Coalition with leaders in Pierce County; and

WHEREAS, In these times of sharp partisan differences in Congress, Denny has built a reputation as someone who seeks bipartisan solutions and works across the aisle on issues; and

WHEREAS, Denny and fellow Congressman Derek Kilmer share a residence in Washington, D.C., and are known as "The Odd Couple;" and

WHEREAS, Denny serves on the House Permanent Select Committee on Intelligence, overseeing elements of the United States Government's Intelligence Community and the Military Intelligence Program; and

WHEREAS, Denny became known for his insightful

questioning and comments, especially during recent House Intelligence Committee hearings; and

WHEREAS, Denny has been a vocal advocate for military families and veterans, including helping a soldier receive a Purple Heart after authorities overlooked his injuries; and

WHEREAS, In order to create solutions to housing issues that face Washington State and the nation, Denny formed and cochaired the New Democrat Coalition Housing Task Force, helped pass the Reverse Mortgage Stabilization Act of 2013, and introduced the Build More Housing Near Transit Act and the Fulfilling the Promise of the Housing Trust Fund Act; and

WHEREAS, Denny has fought to restore and preserve Washington's beautiful Puget Sound, cofounding the Puget Sound Recovery Caucus, introducing the Promoting United Government Efforts to Save Our Sound Act, and introducing the Green Stormwater Infrastructure Financing Investment; and

WHEREAS, Denny honored Billy Frank Jr. through the sponsorship of the Billy Frank Jr. Tell Your Story Act, which renamed the Nisqually National Wildlife Refuge after the late Native American environmental and civil rights activist; and

WHEREAS, Denny fought for the financial interests of his constituents as the only member from the Pacific Northwest on the Committee on Financial Services and led the reauthorization of the job-creating Export-Import Bank; and

WHEREAS, During his time in the United States House of Representatives, he has prioritized building the economy and fighting for the middle class; and

WHEREAS, Denny is a member of the New Democratic Coalition, a caucus of House Democrats favoring economic growth and innovation; and

WHEREAS, After forty-five years of service to the people of Washington State, Denny announced that he will not seek reelection in 2020; and

WHEREAS, Denny plans to spend more time at his longtime home in Olympia with his beloved wife of nearly forty-four years, Paula; his sons, Bob and Trey; his grandchild, Maleah; and his family and friends; and

WHEREAS, Denny will now have more time to engage in some favorite, but neglected, activities like watching all the movies he wants, writing, and sharpening his pinochle skills (which need some work); and

WHEREAS, Denny and Paula should have enough frequent flyer miles from all those weekly transcontinental flights to travel where and when they want;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate honor the outstanding career of Denny Heck and express admiration for his work and dedication to the citizens of the State of Washington; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the Senate to Congressman Denny Heck and members of his family.

Senators Hunt, Zeiger, Cleveland, Padden, Carlyle, Rivers, Frockt, Walsh, O'Ban, Becker and King spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8680.

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

#### REMARKS BY THE PRESIDENT

President Habib: "I am going to offer Denny a moment to address this chamber. I don't know if he knows he was going to do this but he's a politician so he's always ready. But before I, before I do that, let me first say personally echo what the body

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has said as he will know having been Chief Clerk of the House that since the cutoff is coming up in a couple of day this was our abbreviated floor plan for this resolution but I know that every member would speak if given time I just want to say that for me personally Denny, his hallmark is that, can be captured in this anecdote which is that often times when Denny will say to me 'how are you doing?' and I'll say 'Oh, I'm good you know this is my bill as it did in rules or you know I'm good of you know I'm beating the competition in fund raising' or whatever it is you know he'll say 'no no no I said How are you doing how are you doing?' and that's who he is he cares about the person way more than than even policy of which he's very very well acquainted or politics which he also knows backwards and forwards but he cares about individuals and I think that's why you saw so many Republicans as well as Democrats speaking."

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced Congressman Derek Kilmer; Paula Heck, wife of Congressman Denny Heck; Bob Heck, son of Congressman Denny Heck; Laura Adler, District Director for Congressman Heck; and Dallas Roberts, Deputy District Director for Congressman Heck who were seated in the gallery.

REMARKS BY CONGRESSMAN DENNY HECK

Congressman Heck: "Thank you Mr. President. Thank you very much for this honor. Senator Hunt Senator Zeiger and for all of you who spoke incredibly kind though it's a bit eerie as though it feels like it's the first stop on the farewell tour. I couldn't ask for more spectacular one, so kind of you thank you I want to thank my friends who are here as well as my wife Paula and my son Bob. I like to say Paula and I are newlyweds we've only been married forty four years and I'm looking forward to the next forty four very very much. Since I have the privilege briefly to say something that I want you to know that when I first entered Congress I adopted for myself two standards the first of which is that I would never personalize a disagreement with somebody over policy and the second was I would never ever stop looking for common ground even with those with whom I disagree on so much I don't pretend that I lived up fully to this two standards that I set for myself but I I set them and I always tried and I ask that and I and I offer that to you because if we are going to have a hope or a prayer to elevate civic discourse in this country I think they're pretty two good touchstones don't personalize policy disagreements and always look for common ground Lastly I want to thank you not just for today but for all the spectacular work you do within this building and this chamber it was in fact forty seven years ago that I began my adult career as a committee clerk and then as a member of the first office of program research in the house and then as indicated when on to serve in the house as a member as chief clerk and then on the second floor and then covering it as we stood up t.v. w. and I can tell you in all sincerity that it wouldn't matter if I had served fifty years back in the United States Capitol which was never my plan this building this building is deep in my soul and deep in my d.n.a. thank you for all that you do on behalf of the people of this state and thank you so very very much for this honor today."

MOTION

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

MESSAGES FROM THE HOUSE

MR. PRESIDENT:

The House has passed:

- SUBSTITUTE HOUSE BILL NO. 1154,
- SECOND SUBSTITUTE HOUSE BILL NO. 1853,
- HOUSE BILL NO. 2197,
- HOUSE BILL NO. 2252,
- SUBSTITUTE HOUSE BILL NO. 2306,
- SECOND SUBSTITUTE HOUSE BILL NO. 2310,
- SUBSTITUTE HOUSE BILL NO. 2343,
- HOUSE BILL NO. 2347,
- SUBSTITUTE HOUSE BILL NO. 2378,
- SUBSTITUTE HOUSE BILL NO. 2388,
- SUBSTITUTE HOUSE BILL NO. 2400,
- HOUSE BILL NO. 2474,
- HOUSE BILL NO. 2491,
- HOUSE BILL NO. 2497,
- HOUSE BILL NO. 2512,
- SUBSTITUTE HOUSE BILL NO. 2613,
- HOUSE BILL NO. 2677,
- SUBSTITUTE HOUSE BILL NO. 2714,
- SUBSTITUTE HOUSE BILL NO. 2728,
- HOUSE BILL NO. 2763,
- SUBSTITUTE HOUSE BILL NO. 2768,
- SUBSTITUTE HOUSE BILL NO. 2905,

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

MOTION

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

INTRODUCTION AND FIRST READING

SCR 8412 by Senators Das, Sheldon, Kuderer, Wilson, C., Darneille, Lovelett, Saldaña, Nguyen, Hasegawa, Billig, Mullet, Takko, Keiser, Rolfes, Hunt, Salomon, Conway, Stanford, Frockt, Hobbs, Liias, Van De Wege, Randall, Carlyle, Holy, Braun, Hawkins, Dhingra, Pedersen and Wellman  
Concerning modernization of legislative operations.

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

HB 1201 by Representatives Kilduff, Klippert, Leavitt, Reeves, Mosbrucker, Dolan, Slatter, Goodman, Ortiz-Self, Lovick, Stanford and Young  
AN ACT Relating to the Washington national guard postsecondary education grant program; and amending RCW 28B.103.010, 28B.103.020, and 28B.103.030.

Referred to Committee on Higher Education & Workforce Development.

HB 1242 by Representatives Blake and Walsh  
AN ACT Relating to the authorization to impose special excise taxes on the sale of lodging; amending RCW 67.28.181 and 82.14.410; providing an effective date; and declaring an emergency.

Referred to Committee on Local Government.

ESHB 1598 by House Committee on Local Government (originally sponsored by Doglio, Dolan, Pollet and Macri)

AN ACT Relating to providing code cities of a certain size with the ability to annex unincorporated areas without a referendum provision pursuant to a jointly approved interlocal agreement with the county; adding a new section to chapter 35A.14 RCW; and creating a new section.

Referred to Committee on Local Government.

2SHB 1633 by House Committee on Transportation (originally sponsored by Goehner, Entenman, Orcutt, Barkis, Boehnke, Steele, Chapman, Mead, Eslick and Van Werven)

AN ACT Relating to making permanent the posting of fuel tax rate information at fuel pumps; and adding a new section to chapter 82.38 RCW.

Referred to Committee on Transportation.

2SHB 1661 by House Committee on Appropriations (originally sponsored by Chandler and Ormsby)

AN ACT Relating to the higher education retirement plans; amending RCW 28B.10.423, 41.45.050, 41.45.060, and 41.50.075; adding a new section to chapter 41.50 RCW; creating a new section; providing an effective date; and declaring an emergency.

Referred to Committee on Ways & Means.

SHB 2017 by House Committee on Appropriations (originally sponsored by Frame, Dolan, Fitzgibbon, Stanford, Kilduff, Macri, Ryu, Valdez, Tarleton and Pollet)

AN ACT Relating to collective bargaining for administrative law judges; amending RCW 34.12.030 and 34.12.100; reenacting and amending RCW 41.80.005 and 41.80.010; adding a new section to chapter 41.80 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Labor & Commerce.

SHB 2200 by House Committee on Housing, Community Development & Veterans (originally sponsored by Klippert, Kilduff, Leavitt, Van Werven, Griffey and Volz)

AN ACT Relating to creating the position of military spouse liaison; adding a new section to chapter 43.60A RCW; and creating a new section.

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

HB 2230 by Representatives Gregerson, Stokesbary, Entenman, Walsh, Sullivan, Leavitt, Gildon, Ormsby, Santos, Lekanoff and Pollet

AN ACT Relating to subjecting federally recognized Indian tribes to the same conditions as state and local governments for property owned exclusively by the tribe; amending RCW 84.36.010; amending 2017 c 323 s 301 (uncodified); repealing 2014 c 207 s 14, and 2015 3rd sp.s. c 6 s 2306 (uncodified); and creating a new section.

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

ESHB 2231 by House Committee on Public Safety (originally sponsored by Pellicciotti, Hudgins, Appleton, Davis, Gregerson, Santos, Frame, Pollet, Fitzgibbon, Thai, Bergquist, Ormsby, Wylie, Pettigrew, Peterson and Riccelli)

AN ACT Relating to bail jumping; amending RCW 9A.76.170; adding a new section to chapter 9A.76 RCW; and prescribing penalties.

Referred to Committee on Law & Justice.

2SHB 2277 by House Committee on Appropriations (originally sponsored by Peterson, Ortiz-Self, Frame, Goodman, Kilduff, Callan, Senn, Lovick, Thai, Fitzgibbon, Leavitt, Ryu, Appleton, Valdez, Davis, Ormsby, Macri, Doglio, Gregerson and Pollet)

AN ACT Relating to youth solitary confinement; amending RCW 13.04.116; and adding a new chapter to Title 13 RCW.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SHB 2302 by House Committee on Civil Rights & Judiciary (originally sponsored by Kilduff)

AN ACT Relating to child support, but only with respect to standards for determination of income, abatement of child support for incarcerated obligors, modification of administrative orders, and notices of support owed; amending RCW 26.19.011, 26.19.071, 26.23.050, 74.20A.055, 74.20A.059, 26.09.170, and 26.23.110; reenacting and amending RCW 74.20A.056; adding new sections to chapter 26.09 RCW; creating a new section; and providing an effective date.

Referred to Committee on Law & Justice.

ESHB 2318 by House Committee on Public Safety (originally sponsored by Orwall, Lovick, Slatter, Morgan, Wylie, Mosbrucker and Pollet)

AN ACT Relating to advancing criminal investigatory practices; amending RCW 5.70.010, 70.125.090, 70.125.100, 43.43.545, and 43.43.754; adding a new section to chapter 43.101 RCW; adding new sections to chapter 5.70 RCW; recodifying RCW 70.125.090 and 70.125.100; providing an effective date; and providing an expiration date.

Referred to Committee on Law & Justice.

ESHB 2327 by House Committee on College & Workforce Development (originally sponsored by Pollet, Kilduff, Frame, Bergquist, Orwall, Wylie and Appleton)

AN ACT Relating to addressing sexual misconduct at postsecondary educational institutions; adding new sections to chapter 28B.112 RCW; adding a new section to chapter 42.56 RCW; and creating a new section.

Referred to Committee on Higher Education & Workforce Development.

SHB 2393 by House Committee on Public Safety (originally sponsored by Goodman, Klippert, Davis, Ormsby and Appleton)

AN ACT Relating to earning credit for complying with community custody conditions; amending RCW 9.94A.501;

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adding a new section to chapter 9.94A RCW; and creating a new section.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SHB 2394 by House Committee on Public Safety (originally sponsored by Klippert, Goodman, Davis, Ormsby and Appleton)

AN ACT Relating to community custody; amending RCW 9.94A.589 and 9.94B.050; creating new sections; and prescribing penalties.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SHB 2417 by House Committee on Public Safety (originally sponsored by Davis and Peterson)

AN ACT Relating to individuals serving community custody terms; amending RCW 9.94A.737, 9.94A.631, and 9.94A.716; adding a new section to chapter 72.09 RCW; and creating new sections.

Referred to Committee on Human Services, Reentry & Rehabilitation.

ESHB 2421 by House Committee on Appropriations (originally sponsored by Tarleton, Pollet and Doglio)

AN ACT Relating to state reimbursement of election costs; amending RCW 29A.04.410, 29A.04.420, 29A.04.216, 29A.04.430, 29A.64.081, and 29A.32.210; adding a new section to chapter 29A.04 RCW; making an appropriation; and providing an effective date.

Referred to Committee on Ways & Means.

ESHB 2455 by House Committee on Human Services & Early Learning (originally sponsored by Kilduff, Eslick, Senn, Ryu, Kloba, Valdez, Bergquist, Davis, Pollet, Goodman and Wylie)

AN ACT Relating to supporting access to child care for parents who are attending high school or working toward completion of a high school equivalency certificate; amending RCW 28A.160.010; adding a new section to chapter 43.216 RCW; and adding a new section to chapter 28A.160 RCW.

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

SHB 2456 by House Committee on Appropriations (originally sponsored by Callan, Eslick, Ramos, Ryu, Shewmake, Chapman, Senn, Frame, Thai, Bergquist, Kilduff, Stonier, Tharinger, Davis, Macri, Pollet, Goodman, Wylie and Doglio)

AN ACT Relating to working connections child care eligibility; amending RCW 28B.50.248; reenacting and amending RCW 43.216.135; adding a new section to chapter 43.216 RCW; and providing an effective date.

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

E2SHB 2467 by House Committee on Appropriations (originally sponsored by Hansen, Irwin, Griffey, Barkis and Wylie)

AN ACT Relating to establishing a centralized single point of contact background check system for firearms transfers; amending RCW 9.41.114, 43.43.823, 36.28A.405, and 36.28A.420; adding new sections to chapter 43.43 RCW; adding a new section to chapter 9.41 RCW; repealing RCW 36.28A.400; and providing a contingent effective date.

Referred to Committee on Law & Justice.

HB 2484 by Representatives Van Werven, Springer and Cody

AN ACT Relating to sunshine committee recommendations regarding juveniles; amending RCW 7.69A.020, 7.69A.030, 10.97.130, 13.50.050, and 42.56.240; and reenacting and amending RCW 42.56.230.

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

SHB 2525 by House Committee on Human Services & Early Learning (originally sponsored by Callan, Corry, Eslick, Springer, Orwall, Ortiz-Self, Shewmake, Goodman, Senn, Caldier, Dent, Leavitt, Davis, Doglio, J. Johnson and Pollet)

AN ACT Relating to establishing the family connections program; amending RCW 2.70.060, 2.70.070, 2.70.080, 2.70.090, and 74.13.802; adding a new section to chapter 74.13 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Human Services, Reentry & Rehabilitation.

HB 2542 by Representatives Paul, Dufault, Kilduff, Leavitt, Peterson, Graham, Smith, Volz, Ormsby and Shea

AN ACT Relating to tuition waivers for children of eligible veterans; and amending RCW 28B.15.621.

Referred to Committee on Higher Education & Workforce Development.

SHB 2543 by House Committee on College & Workforce Development (originally sponsored by Paul, Dufault, Kilduff, Leavitt, Peterson, Graham, Smith, Davis, Volz and Ormsby)

AN ACT Relating to ensuring eligible veterans and their dependents qualify for in-state residency; and amending RCW 28B.15.012.

Referred to Committee on Higher Education & Workforce Development.

SHB 2544 by House Committee on Appropriations (originally sponsored by Paul, Dufault, Leavitt, Graham, Smith, Volz and Ormsby)

AN ACT Relating to the definition of veteran; amending RCW 41.04.005; and creating a new section.

Referred to Committee on Ways & Means.

SHB 2556 by House Committee on Human Services & Early Learning (originally sponsored by Dent, Corry, Eslick,

Caldier, Klippert, Jenkin, Griffey, McCaslin, Mosbrucker, Gildon, Dufault and Tharinger)

AN ACT Relating to providing regulatory relief for early learning providers; adding a new section to chapter 43.216 RCW; creating new sections; and providing an expiration date.

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

SHB 2614 by House Committee on Labor & Workplace Standards (originally sponsored by Robinson, Doglio, Sells, Lekanoff, Tharinger and Ormsby)

AN ACT Relating to paid family and medical leave; amending RCW 50A.05.010, 50A.10.010, 50A.10.040, 50A.15.020, 50A.15.060, 50A.15.080, 50A.15.100, 50A.25.070, 50A.30.010, 50A.30.035, 50A.40.010, 50A.40.020, 50A.40.030, 50A.50.010, and 26.23.060; adding new sections to chapter 50A.40 RCW; adding a new section to chapter 50A.05 RCW; and declaring an emergency.

Referred to Committee on Labor & Commerce.

HB 2619 by Representatives Shewmake, Chapman, Ramel, Springer, Van Werven, Senn, Doglio, Goodman and Tharinger

AN ACT Relating to increasing early learning access through licensing, eligibility, and rate improvements; amending RCW 43.216.514 and 43.216.305; adding a new section to chapter 43.216 RCW; creating new sections; and providing expiration dates.

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

SHB 2622 by House Committee on Civil Rights & Judiciary (originally sponsored by Kilduff, Walen, Senn, Pollet and Davis)

AN ACT Relating to procedures for ensuring compliance with court orders requiring surrender of firearms, weapons, and concealed pistol licenses; and amending RCW 9.41.801 and 7.94.090.

Referred to Committee on Law & Justice.

HB 2624 by Representatives Shewmake, Kretz, Blake, Dent and Lekanoff

AN ACT Relating to the authority of the director of the department of agriculture with respect to certain examinations and examination fees; and amending RCW 15.58.040, 15.58.240, 17.21.030, and 17.21.134.

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

ESHB 2638 by House Committee on Commerce & Gaming (originally sponsored by Peterson, MacEwen, Stonier, Harris, Robinson, Young, Ortiz-Self, Stokesbary, Tharinger, Walsh, Riccelli, Appleton, Griffey, Hansen, Kloba, Lekanoff, Sells, Chapman, Gregerson and Ramel)

AN ACT Relating to authorizing sports wagering subject to the terms of tribal-state gaming compacts; amending RCW 9.46.070, 9.46.130, 9.46.190, 9.46.210, 9.46.220, 9.46.240,

and 9.46.090; adding new sections to chapter 9.46 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Labor & Commerce.

SHB 2684 by House Committee on Transportation (originally sponsored by Shewmake, Slatter, Rude, Ortiz-Self and Kloba)

AN ACT Relating to traffic control signals; and amending RCW 46.61.055.

Referred to Committee on Transportation.

HB 2691 by Representatives Valdez, Ryu, Frame, Doglio, Dolan, Slatter, Lovick, Ortiz-Self, Fitzgibbon, Davis, Pollet and Macri

AN ACT Relating to the scope of collective bargaining for language access providers; and amending RCW 41.56.030 and 41.56.510.

Referred to Committee on Labor & Commerce.

SHB 2711 by House Committee on Education (originally sponsored by J. Johnson, Corry, Stonier, Ormsby, Appleton, Caldier, Davis, Leavitt, Lekanoff, Ramel, Senn, Chopp, Goodman, Fey, Pollet, Callan and Chambers)

AN ACT Relating to equitable educational outcomes for foster care and homeless children and youth from prekindergarten to postsecondary education; amending RCW 74.13.1051; adding a new section to chapter 28A.300 RCW; creating a new section; repealing RCW 28A.300.8001; and providing an expiration date.

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

ESHB 2722 by House Committee on Environment & Energy (originally sponsored by Mead, Fitzgibbon, Peterson, Doglio, Goodman, Gregerson, Slatter, Tarleton, Davis, Duerr, Ramel, Walen, Cody, Senn and Pollet)

AN ACT Relating to minimum recycled content requirements; adding a new section to chapter 42.56 RCW; adding a new chapter to Title 70 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Environment, Energy & Technology.

SHB 2725 by House Committee on Human Services & Early Learning (originally sponsored by Ortiz-Self, Morgan, Frame, Kilduff, Lovick, Callan and Leavitt)

AN ACT Relating to foster resource parents; amending RCW 74.13.250; adding a new section to chapter 74.13 RCW; and providing an expiration date.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SHB 2730 by House Committee on Civil Rights & Judiciary (originally sponsored by Kilduff, Ryu, Klippert, Appleton, Caldier, Davis, Leavitt and Ormsby)

AN ACT Relating to military spouse employment; adding a new section to chapter 73.16 RCW; and adding a new section to chapter 38.42 RCW.

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

HB 2762 by Representatives Rude, Irwin and Lovick

AN ACT Relating to extending the peer support group testimonial privilege to include staff persons of the department of corrections; and amending RCW 5.60.060.

Referred to Committee on Law & Justice.

SHB 2787 by House Committee on Human Services & Early Learning (originally sponsored by Callan, Harris, Eslick, Senn, Stonier, Santos, Tharinger and Pollet)

AN ACT Relating to completing the transfer of the early support for infants and toddlers program from the office of the superintendent of public instruction to the department of children, youth, and families; amending RCW 28A.155.065, 28A.150.390, 43.216.020, 43.216.576, 28A.225.225, 28A.225.270, and 43.216.015; adding a new section to chapter 43.216 RCW; creating a new section; recodifying RCW 28A.155.065; providing an effective date; and providing an expiration date.

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

HB 2809 by Representatives Caldier, Kilduff and Pollet

AN ACT Relating to essential needs and housing support eligibility; and amending RCW 74.04.805.

Referred to Committee on Human Services, Reentry & Rehabilitation.

HB 2848 by Representatives Chapman, Orcutt, Tharinger, Walsh, Blake, Tarleton, Springer, Maycumber, Fitzgibbon and Lekanoff

AN ACT Relating to changing the expiration date for the sales and use tax exemption of hog fuel to coincide with the 2045 deadline for fossil fuel-free electrical generation in Washington state and to protect jobs with health care and retirement benefits in economically distressed communities; amending RCW 82.08.956, 82.12.956, and 82.32.605; creating new sections; and providing expiration dates.

Referred to Committee on Environment, Energy & Technology.

2SHB 2864 by House Committee on Appropriations (originally sponsored by Paul, Morgan, Valdez, Bergquist, Lekanoff and Santos)

AN ACT Relating to establishing a running start summer school pilot program; adding a new section to chapter 28A.630 RCW; creating a new section; and providing an expiration date.

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

SHB 2865 by House Committee on Human Services & Early Learning (originally sponsored by Chambers, Shewmake, Dent, McCaslin, Callan, Gildon, Senn and Eslick)

AN ACT Relating to informing families of kindergarten readiness standards; adding a new section to chapter 28A.300 RCW; adding a new section to chapter 43.216

RCW; adding a new section to chapter 74.04 RCW; adding a new section to chapter 43.70 RCW; adding a new section to chapter 74.09 RCW; and creating a new section.

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

SHB 2868 by House Committee on Finance (originally sponsored by Blake and Walsh)

AN ACT Relating to allowing for extensions of the special valuation of historic property for certain properties; amending RCW 84.26.070 and 84.26.050; and creating a new section.

Referred to Committee on Local Government.

SHB 2873 by House Committee on Human Services & Early Learning (originally sponsored by J. Johnson, Frame, Ramel, Callan, Hudgins, Ryu, Davis, Orwall and Pollet)

AN ACT Relating to families in conflict; amending RCW 13.32A.030, 13.32A.040, and 13.32A.150; and adding a new section to chapter 13.32A RCW.

Referred to Committee on Human Services, Reentry & Rehabilitation.

HB 2926 by Representatives Maycumber, Blake, Kretz, MacEwen, Van Werven, Mosbrucker, Graham, Hoff, Griffey, Stokesbary, Chambers, Ybarra, Dent, Barkis, Goehner, Chandler, Kraft, Goodman, Lovick, Ortiz-Self, Senn, Gildon, Sells, Boehnke, Davis, Smith, Dye, Orwall, Eslick, Shewmake, Pollet, Riccelli and Harris

AN ACT Relating to expanding access to critical incident stress management programs; adding new sections to chapter 36.28A RCW; and providing an expiration date.

Referred to Committee on Health & Long Term Care.

HJM 4016 by Representatives Riccelli, Volz, Graham, Fey, Lovick, Valdez, Maycumber, Leavitt, Tarleton, Shea and Ormsby

Requesting to commence proceedings in naming state route number 902 the Gold Star Memorial Highway.

Referred to Committee on Transportation.

MOTION

On motion of Senator Liias, all measures listed on the Introduction and First Reading report were referred to the committees as designated with the exception of Engrossed Substitute House Bill No. 2421 which was designated to the Committee on State Government, Tribal Relations & Elections and referred to the Committee on Ways & Means.

MOTION

At 9:46 a.m., on motion of Senator Liias, the Senate was declared to be at ease subject to the call of the President.

Senator Becker announced a meeting of the Republican Caucus.

Senator McCoy announced a meeting of the Democratic Caucus.

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The Senate was called to order at 10:41 a.m. by President Habib.

#### MOTION

On motion of Senator Liias, Rule 15 was suspended for the remainder of the day for the purpose of allowing continued floor action.

EDITOR'S NOTE: Senate Rule 15 establishes the floor schedule and calls for a lunch and dinner break of 90 minutes each per day during regular daily sessions.

#### MOTION TO LIMIT DEBATE

Pursuant to Rule 29, on motion of Senator Liias and without objection, senators were limited to speaking but once and for no more than three minutes on each question under debate for the remainder of the day by voice vote.

#### MOTION

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

#### THIRD READING

#### CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

#### MOTION

Senator Cleveland moved that Bahram Bagherpour, Senate Gubernatorial Appointment No. 9128, be confirmed as a member of the State Board for Community and Technical Colleges.

Senator Cleveland spoke in favor of the motion.

#### MOTION

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

#### APPOINTMENT OF BAHRAM BAGHERPOUR

The President declared the question before the Senate to be the confirmation of Bahram Bagherpour, Senate Gubernatorial Appointment No. 9128, as a member of the State Board for Community and Technical Colleges.

The Secretary called the roll on the confirmation of Bahram Bagherpour, Senate Gubernatorial Appointment No. 9128, as a member of the State Board for Community and Technical Colleges and the appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Ericksen and Fortunato

Bahram Bagherpour, Senate Gubernatorial Appointment No. 9128, having received the constitutional majority was declared

confirmed as a member of the State Board for Community and Technical Colleges.

#### MOTION

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

#### SECOND READING

SENATE BILL NO. 6306, by Senators Liias, Van De Wege, Warnick, Rolfes, Short, Nguyen, Das, Lovelett, Randall, Saldaña, Wilson and C.

Creating the Washington soil health initiative.

#### MOTIONS

On motion of Senator Liias, Substitute Senate Bill No. 6306 was substituted for Senate Bill No. 6306 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Liias, the rules were suspended, Substitute Senate Bill No. 6306 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6306.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6306 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Ericksen and Fortunato

SUBSTITUTE SENATE BILL NO. 6306, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

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

#### THIRD READING

SECOND SUBSTITUTE SENATE BILL NO. 5093, by Senate Committee on Transportation (originally sponsored by Fortunato)

Enhancing litter control along state highways.

The bill was read on Third Reading.

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



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The President declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 5093.

## ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 5093 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Ericksen and Fortunato

SECOND SUBSTITUTE SENATE BILL NO. 5093, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTION

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

## SECOND READING

SENATE BILL NO. 6187, by Senator Zeiger

Modifying the definition of personal information for notifying the public about data breaches of a state or local agency system.

The measure was read the second time.

## MOTION

On motion of Senator Zeiger, the rules were suspended, Senate Bill No. 6187 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Zeiger spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 6187.

## ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6187 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Ericksen and Fortunato

SENATE BILL NO. 6187, having received the constitutional majority, was declared passed. There being no objection, the title

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

## SECOND READING

SENATE BILL NO. 6540, by Senators Wilson, C., Wellman, Dhingra, Hasegawa, Kuderer and Saldaña

Concerning working connections child care payment authorizations.

## MOTION

On motion of Senator Wilson, C., Substitute Senate Bill No. 6540 was substituted for Senate Bill No. 6540 and the substitute bill was placed on the second reading and read the second time.

## MOTION

Senator Wilson, C. moved that the following floor amendment no. 1056 by Senator Wilson, C. be adopted:

On page 6, after line 18, insert the following:  
 "NEW SECTION. Sec. 5. This act takes effect January 1, 2021."

On page 1, line 3 of the title, after "RCW;" strike "and"  
 On page 1, line 4 of the title, after "section" insert "; and providing an effective date"

Senator Wilson, C. spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1056 by Senator Wilson, C. on page 6, after line 18 to Substitute Senate Bill No. 6540.

The motion by Senator Wilson, C. carried and floor amendment no. 1056 was adopted by voice vote.

## MOTION

On motion of Senator Wilson, C., the rules were suspended, Engrossed Substitute Senate Bill No. 6540 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Wilson, C. spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 6540.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6540 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Ericksen and Fortunato

ENGROSSED SUBSTITUTE SENATE BILL NO. 6540, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand

as the title of the act.

### SECOND READING

SENATE BILL NO. 6342, by Senators Dhingra, Das, Lovelett, Mullet, Stanford, Wilson and C.

Concerning chemical contaminants in drinking water.

### MOTION

On motion of Senator Dhingra, Second Substitute Senate Bill No. 6342 was substituted for Senate Bill No. 6342 and the substitute bill was placed on the second reading and read the second time.

### MOTION

Senator Short moved that the following floor amendment no. 1072 by Senator Short be adopted:

On page 3, after line 20, insert the following:

"(3) The department may not require public water systems to test for PFAS chemicals until a maximum contaminant level has been established for PFAS chemicals."

Senator Short spoke in favor of adoption of the amendment.

Senator Dhingra spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1072 by Senator Short on page 3, after line 20 to Second Substitute Senate Bill No. 6342.

The motion by Senator Short did not carry and floor amendment no. 1072 was not adopted by voice vote.

### MOTION

On motion of Senator Dhingra, the rules were suspended, Second Substitute Senate Bill No. 6342 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

Senator Short spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 6342.

### ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 6342 and the bill passed the Senate by the following vote: Yeas, 32; Nays, 15; Absent, 0; Excused, 2.

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

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

Excused: Senators Ericksen and Fortunato

SECOND SUBSTITUTE SENATE BILL NO. 6342, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

### SECOND READING

SENATE BILL NO. 6135, by Senators Sheldon, Carlyle and Short

Concerning system reliability under the clean energy transformation act. Revised for 1st Substitute: Concerning system reliability during the clean energy transformation act implementation.

### MOTIONS

On motion of Senator Sheldon, Substitute Senate Bill No. 6135 was substituted for Senate Bill No. 6135 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Sheldon, the rules were suspended, Substitute Senate Bill No. 6135 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Sheldon and Carlyle spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6135.

### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6135 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Ericksen and Fortunato

SUBSTITUTE SENATE BILL NO. 6135, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

### SECOND READING

SENATE BILL NO. 6210, by Senators Lovelett, Rolfes, Wilson and C.

Concerning antifouling paints on recreational water vessels.

### MOTIONS

On motion of Senator Lovelett, Substitute Senate Bill No. 6210 was substituted for Senate Bill No. 6210 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Lovelett, the rules were suspended, Substitute Senate Bill No. 6210 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Lovelett and Short spoke in favor of passage of the bill.

The President declared the question before the Senate to be the

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final passage of Substitute Senate Bill No. 6210.

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### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6210 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Ericksen and Fortunato

SUBSTITUTE SENATE BILL NO. 6210, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

### SECOND READING

SENATE BILL NO. 5504, by Senators Warnick, Sheldon, Hasegawa, Hunt, Zeiger, Takko, Wagoner, Hawkins, Honeyford, Carlyle, Keiser, Wilson and L.

Concerning state agency employee access to peer-reviewed journals. Revised for 1st Substitute: Concerning state agency employee access to peer-reviewed journals.

### MOTION

On motion of Senator Warnick, Engrossed Substitute Senate Bill No. 5504 was substituted for Senate Bill No. 5504 and the substitute bill was placed on the second reading and read the second time.

### MOTION

Senator Hasegawa moved that the following striking floor amendment no. 951 by Senator Hasegawa be adopted:

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 6.** The legislature finds that state agencies often do not have comprehensive electronic access to many peer-reviewed journals. As a result, state employees often must purchase specific manuscripts, outsource searches to other entities, or physically visit a university library in order to access many peer-reviewed journals. Locating a specific manuscript can take hours of staff time and is neither an efficient nor a cost-effective use of state resources. Other states have created statewide collectives for providing access to peer-reviewed journals, resulting in both increased access to peer-reviewed journals as well as significant cost savings. In light of the benefits that other states have experienced in connection with statewide subscriptions to peer-reviewed journals, the legislature seeks to learn whether such a subscription model would be beneficial in Washington.

**NEW SECTION. Sec. 7.** (1) The Washington state institute for public policy shall conduct a study that identifies the extent to which state employees, or students at postsecondary institutions as defined in RCW 28B.10.016, or both, have access to peer-

reviewed journals in other states. When applicable, the Washington state institute for public policy must identify the funding, organizational structures, and policy mechanisms used in other states where relevant public employees or students at postsecondary institutions have comprehensive electronic access to peer-reviewed journals, and potential barriers to similar access in Washington state. For the purposes of this section, "peer-reviewed journal" means any academic, scholarly, or scientific peer-reviewed journal.

(2) The study must be completed by December 1, 2021, and submitted in accordance with RCW 43.01.036 to the standing committees of the house of representatives and the senate with jurisdiction over environmental or natural resource issues.

(3) This section expires June 30, 2022."

On page 1, line 1 of the title, after "employee" strike the remainder of the title and insert "and postsecondary student access to peer-reviewed journals; creating new sections; and providing an expiration date."

Senators Hasegawa and Warnick spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of striking floor amendment no. 951 by Senator Hasegawa to Substitute Senate Bill No. 5504.

The motion by Senator Hasegawa carried and striking floor amendment no. 951 was adopted by voice vote.

### MOTION

On motion of Senator Warnick, the rules were suspended, Engrossed Substitute Senate Bill No. 5504 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Warnick spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5504.

### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5504 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Ericksen and Fortunato

ENGROSSED SUBSTITUTE SENATE BILL NO. 5504, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

### SECOND READING

SENATE BILL NO. 6432, by Senators Rolfes, Carlyle, Randall, Takko, Stanford, Hunt, Lovelett, Darneille, Wilson, C., Das, Keiser and Van De Wege

Concerning offshore oil extraction.

## MOTION

On motion of Senator Rolfes, Substitute Senate Bill No. 6432 was substituted for Senate Bill No. 6432 and the substitute bill was placed on the second reading and read the second time.

## MOTION

Senator Rolfes moved that the following floor amendment no. 981 by Senator Rolfes be adopted:

On page 3, beginning on line 32, after "in" strike all material through "Juan de Fuca" on line 34 and insert "~~((the waters of Puget Sound north to the Canadian boundary and the Strait of Juan de Fuca))~~ shorelines of the state"

On page 3, at the beginning of line 35, strike all material through "jurisdiction" on line 37 and insert "~~((and on all lands within one thousand feet landward from said mark))~~"

Senator Rolfes spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 981 by Senator Rolfes on page 3, line 32 to Substitute Senate Bill No. 6432.

The motion by Senator Rolfes carried and floor amendment no. 981 was adopted by voice vote.

## MOTION

On motion of Senator Rolfes, the rules were suspended, Engrossed Substitute Senate Bill No. 6432 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Rolfes and Lovelett spoke in favor of passage of the bill.

Senator Short spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 6432.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6432 and the bill passed the Senate by the following vote: Yeas, 35; Nays, 12; Absent, 0; Excused, 2.

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

Voting nay: Senators Becker, Brown, Holy, Honeyford, King, Padden, Rivers, Schoesler, Short, Walsh, Warnick and Wilson, L.  
Excused: Senators Ericksen and Fortunato

ENGROSSED SUBSTITUTE SENATE BILL NO. 6432, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTION

At 11:44 a.m., on motion of Senator Liias, the Senate was declared to be at ease subject to the call of the President.

Senator McCoy announced a meeting of the Democratic

Caucus.

Senator Short announced a meeting of the Republican Caucus.

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 AFTERNOON SESSION
 

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The Senate was called to order at 2:47 p.m. by President Habib.

## MOTION

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

## THIRD READING

## CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

## MOTION

Senator Kuderer moved that Richard Leigh, Senate Gubernatorial Appointment No. 9141, be confirmed as a member of the Bellevue College Board of Trustees.

Senator Kuderer spoke in favor of the motion.

## APPOINTMENT OF RICHARD LEIGH

The President declared the question before the Senate to be the confirmation of Richard Leigh, Senate Gubernatorial Appointment No. 9141, as a member of the Bellevue College Board of Trustees.

The Secretary called the roll on the confirmation of Richard Leigh, Senate Gubernatorial Appointment No. 9141, as a member of the Bellevue College Board of Trustees and the appointment was confirmed by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Fortunato

Richard Leigh, Senate Gubernatorial Appointment No. 9141, having received the constitutional majority was declared confirmed as a member of the Bellevue College Board of Trustees.

## MOTION

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

## SECOND READING

SENATE BILL NO. 5481, by Senators Warnick, Sheldon, Short, Van De Wege, Honeyford, Wagoner, Fortunato and Holy

Establishing a coalition of commissioned officers, detectives, and sergeants of the department of fish and wildlife for the purposes of collective bargaining, including interest arbitration. Revised for 2nd Substitute: Providing department of fish and wildlife officers interest arbitration under certain circumstances.

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MOTION

On motion of Senator Warnick, Engrossed Second Substitute Senate Bill No. 5481 was substituted for Senate Bill No. 5481 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Warnick moved that the following striking floor amendment no. 1084 by Senator Warnick be adopted:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 41.56.030 and 2019 c 280 s 1 are each amended to read as follows:

As used in this chapter:

(1) "Adult family home provider" means a provider as defined in RCW 70.128.010 who receives payments from the medicaid and state-funded long-term care programs.

(2) "Bargaining representative" means any lawful organization which has as one of its primary purposes the representation of employees in their employment relations with employers.

(3) "Child care subsidy" means a payment from the state through a child care subsidy program established pursuant to RCW 74.12.340, 45 C.F.R. Sec. 98.1 through 98.17, or any successor program.

(4) "Collective bargaining" means the performance of the mutual obligations of the public employer and the exclusive bargaining representative to meet at reasonable times, to confer and negotiate in good faith, and to execute a written agreement with respect to grievance procedures and collective negotiations on personnel matters, including wages, hours and working conditions, which may be peculiar to an appropriate bargaining unit of such public employer, except that by such obligation neither party shall be compelled to agree to a proposal or be required to make a concession unless otherwise provided in this chapter.

(5) "Commission" means the public employment relations commission.

(6) "Executive director" means the executive director of the commission.

(7) "Family child care provider" means a person who: (a) Provides regularly scheduled care for a child or children in the home of the provider or in the home of the child or children for periods of less than twenty-four hours or, if necessary due to the nature of the parent's work, for periods equal to or greater than twenty-four hours; (b) receives child care subsidies; and (c) under chapter 43.216 RCW, is either licensed by the state or is exempt from licensing.

(8) "Individual provider" means an individual provider as defined in RCW 74.39A.240(3) who, solely for the purposes of collective bargaining, is a public employee as provided in RCW 74.39A.270.

(9) "Institution of higher education" means the University of Washington, Washington State University, Central Washington University, Eastern Washington University, Western Washington University, The Evergreen State College, and the various state community colleges.

(10)(a) "Language access provider" means any independent contractor who provides spoken language interpreter services, whether paid by a broker, language access agency, or the respective department:

(i) For department of social and health services appointments, department of children, youth, and families appointments,

medicaid enrollee appointments, or who provided these services on or after January 1, 2011, and before June 10, 2012;

(ii) For department of labor and industries authorized medical and vocational providers, or who provided these services on or after January 1, 2016, and before July 1, 2018; or

(iii) For state agencies, or who provided these services on or after January 1, 2016, and before July 1, 2018.

(b) "Language access provider" does not mean a manager or employee of a broker or a language access agency.

(11) "Public employee" means any employee of a public employer except any person (a) elected by popular vote, or (b) appointed to office pursuant to statute, ordinance or resolution for a specified term of office as a member of a multimember board, commission, or committee, whether appointed by the executive head or body of the public employer, or (c) whose duties as deputy, administrative assistant or secretary necessarily imply a confidential relationship to (i) the executive head or body of the applicable bargaining unit, or (ii) any person elected by popular vote, or (iii) any person appointed to office pursuant to statute, ordinance or resolution for a specified term of office as a member of a multimember board, commission, or committee, whether appointed by the executive head or body of the public employer, or (d) who is a court commissioner or a court magistrate of superior court, district court, or a department of a district court organized under chapter 3.46 RCW, or (e) who is a personal assistant to a district court judge, superior court judge, or court commissioner. For the purpose of (e) of this subsection, no more than one assistant for each judge or commissioner may be excluded from a bargaining unit.

(12) "Public employer" means any officer, board, commission, council, or other person or body acting on behalf of any public body governed by this chapter, or any subdivision of such public body. For the purposes of this section, the public employer of district court or superior court employees for wage-related matters is the respective county legislative authority, or person or body acting on behalf of the legislative authority, and the public employer for nonwage-related matters is the judge or judge's designee of the respective district court or superior court.

(13) "Uniformed personnel" means: (a) Law enforcement officers as defined in RCW 41.26.030 employed by the governing body of any city or town with a population of two thousand five hundred or more and law enforcement officers employed by the governing body of any county with a population of ten thousand or more; (b) correctional employees who are uniformed and nonuniformed, commissioned and noncommissioned security personnel employed in a jail as defined in RCW 70.48.020(9), by a county with a population of seventy thousand or more, in a correctional facility created under RCW 70.48.095, or in a detention facility created under chapter 13.40 RCW that is located in a county with a population over one million five hundred thousand, and who are trained for and charged with the responsibility of controlling and maintaining custody of inmates in the jail and safeguarding inmates from other inmates; (c) general authority Washington peace officers as defined in RCW 10.93.020 employed by a port district in a county with a population of one million or more; (d) security forces established under RCW 43.52.520; (e) firefighters as that term is defined in RCW 41.26.030; (f) employees of a port district in a county with a population of one million or more whose duties include crash fire rescue or other firefighting duties; (g) employees of fire departments of public employers who dispatch exclusively either fire or emergency medical services, or both; (h) employees in the several classes of advanced life support technicians, as defined in RCW 18.71.200, who are employed by a public employer; or (i) court marshals of any county who are employed by, trained for,

and commissioned by the county sheriff and charged with the responsibility of enforcing laws, protecting and maintaining security in all county-owned or contracted property, and performing any other duties assigned to them by the county sheriff or mandated by judicial order.

(14) "Fish and wildlife officer" means a fish and wildlife officer as defined in RCW 77.08.010 who ranks below lieutenant and includes officers, detectives, and sergeants of the department of fish and wildlife.

**NEW SECTION. Sec. 2.** A new section is added to chapter 41.56 RCW to read as follows:

(1) In addition to the entities listed in RCW 41.56.020, this chapter applies to the state with respect to fish and wildlife officers except the state may not negotiate any matters relating to retirement benefits or health care benefits or other employee insurance benefits.

(2) For the purposes of negotiating wages, wage-related matters, and nonwage matters, the state shall be represented by the governor or the governor's designee who is appointed under RCW 41.80.010, and costs of the negotiations under this section shall be reimbursed as provided in RCW 41.80.140.

(3) Fish and wildlife officers shall be excluded from the coalition bargaining for a master agreement of all exclusive bargaining representatives of fewer than five hundred employees under chapter 41.80 RCW.

(4) The governor or the governor's designee shall consult with the director of fish and wildlife regarding collective bargaining.

(5) The negotiation of provisions pertaining to wages and wage-related matters in a collective bargaining agreement between the state and the bargaining representatives of the fish and wildlife officers is subject to the following:

(a) The state's bargaining representative must periodically consult with the committee of the joint committee on employment relations created in RCW 41.80.007 or any such successor committee for the joint committee on employment relations; and

(b) Provisions that are entered into before the legislature approves the funds necessary to implement the provisions are conditioned upon the legislature's subsequent approval of the funds.

(6) The governor shall submit a request for funds necessary to implement the wage and wage-related matters in the collective bargaining agreement or for legislation necessary to implement the agreement. Requests for funds necessary to implement the provisions of bargaining agreements may not be submitted to the legislature by the governor unless such requests:

(a) Have been submitted to the director of financial management by October 1st before the legislative session at which the requests are to be considered; and

(b) Have been certified by the director of financial management as being feasible financially for the state or reflects the decision of an arbitration panel reached under RCW 41.56.475.

**NEW SECTION. Sec. 3.** A new section is added to chapter 41.56 RCW to read as follows:

In addition to the classes of employees listed in RCW 41.56.030(13), the provisions of RCW 41.56.430, 41.56.440, 41.56.450, 41.56.452, 41.56.470, 41.56.480, and 41.56.490 also apply to fish and wildlife officers as provided in this section. If more than one exclusive bargaining unit represents uniformed personnel who are fish and wildlife officers, they may choose to enter into separate bargaining with the employer or agree to conduct bargaining with the employer as one coalition of all the exclusive bargaining representatives. If more than one bargaining unit chooses to advance to interest arbitration, it shall be conducted as coalition. However, one exclusive bargaining representative may singly choose to exercise its right to engage in interest arbitration even if other exclusive bargaining

representatives who have chosen to enter into separate bargaining have elected not to take that step. Any exclusive bargaining representative of uniformed personnel who are fish and wildlife officers choosing interest arbitration is subject to the following:

(1) Within ten working days after the first Monday in September of every odd-numbered year, the state's bargaining representative and the bargaining representative for the appropriate bargaining unit(s) as a coalition, shall attempt to agree on an interest arbitration panel consisting of three members to be used if the parties are not successful in negotiating a comprehensive collective bargaining agreement. Each party shall name one person to serve as its arbitrator on the arbitration panel. The two members so appointed shall meet within seven days following the appointment of the later appointed member to attempt to choose a third member to act as the neutral chair of the arbitration panel. Upon the failure of the arbitrators to select a neutral chair within seven days, the two appointed members shall use one of the two following options in the appointment of the third member, who shall act as chair of the panel: (a) By mutual consent, the two appointed members may jointly request the commission to, and the commission shall, appoint a third member within two days of such a request. Costs of each party's appointee shall be borne by each party respectively; other costs of the arbitration proceedings shall be borne by the commission; or (b) either party may apply to the commission, the federal mediation and conciliation service, or the American arbitration association to provide a list of five qualified arbitrators from which the neutral chair shall be chosen. Each party shall pay the fees and expenses of its arbitrator, and the fees and expenses of the neutral chair shall be shared equally between the parties. Immediately upon selecting an interest arbitration panel, the parties shall cooperate to reserve dates with the arbitration panel for potential arbitration between August 1st and September 15th of the following even-numbered year. The parties shall also prepare a schedule of at least five negotiation dates for the following year, absent an agreement to the contrary. The parties shall execute a written agreement before November 1st of each odd-numbered year setting forth the names of the members of the arbitration panel and the dates reserved for bargaining and arbitration. This subsection imposes minimum obligations only and is not intended to define or limit a party's full, good faith bargaining obligation under other sections of this chapter.

(2) The mediator or arbitration panel may consider only matters that are subject to bargaining under RCW 41.80.020.

(3) The decision of an arbitration panel is not binding on the legislature and, if the legislature does not approve the funds necessary to implement provisions pertaining to wages and wage-related matters of an arbitrated collective bargaining agreement, is not binding on the state or the representatives of the department of fish and wildlife.

(4) In making its determination, the arbitration panel shall be mindful of the legislative purpose enumerated in RCW 41.56.430 and, as additional standards or guidelines to aid it in reaching a decision, shall take into consideration the following factors:

(a) The constitutional and statutory authority of the employer;

(b) Stipulations of the parties;

(c) Comparison of the hours and conditions of employment of personnel involved in the proceedings with the hours and conditions of employment of like personnel of like employers of similar size in the state of Washington;

(d) Changes in any of the foregoing circumstances during the pendency of the proceedings; and

(e) Such other factors, not confined to the foregoing, which are normally or traditionally taken into consideration in the determination of matters that are subject to bargaining under RCW 41.56.473."

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On page 1, line 1 of the title, after "Relating to" strike the remainder of the title and insert "collective bargaining by fish and wildlife officers; amending RCW 41.56.030; and adding new sections to chapter 41.56 RCW."

The President declared the question before the Senate to be the adoption of striking floor amendment no. 1084 by Senator Warnick to Second Substitute Senate Bill No. 5481.

The motion by Senator Warnick carried and striking floor amendment no. 1084 was adopted by voice vote.

MOTION

On motion of Senator Warnick, the rules were suspended, Engrossed Second Substitute Senate Bill No. 5481 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Warnick, Keiser and Braun spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 5481.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5481 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Fortunato

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5481, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6488, by Senators Rolfes, Saldaña and Van De Wege

Concerning aerial herbicides in forestlands.

MOTION

On motion of Senator Rolfes, Substitute Senate Bill No. 6488 was substituted for Senate Bill No. 6488 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Warnick moved that the following floor amendment no. 1079 by Senator Warnick be adopted:

On page 8, beginning on line 1, strike all of section 6 Renumber the remaining sections consecutively and correct

any internal references accordingly.

Senators Warnick and Wagoner spoke in favor of adoption of the amendment.

Senator Rolfes spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1079 by Senator Warnick on page 8, line 1 to Substitute Senate Bill No. 6488.

The motion by Senator Warnick did not carry and floor amendment no. 1079 was not adopted by voice vote.

MOTION

On motion of Senator Rolfes, the rules were suspended, Substitute Senate Bill No. 6488 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Rolfes spoke in favor of passage of the bill.

Senator Wagoner spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6488.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6488 and the bill passed the Senate by the following vote: Yeas, 28; Nays, 20; Absent, 0; Excused, 1.

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

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

Excused: Senator Fortunato

SUBSTITUTE SENATE BILL NO. 6488, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6278, by Senators Carlyle, Braun, Van De Wege, Rolfes, Nguyen, Saldaña, Das, Billig and Hasegawa

Concerning water withdrawals for commercial bottled water production.

MOTION

On motion of Senator Van De Wege, Substitute Senate Bill No. 6278 was substituted for Senate Bill No. 6278 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Warnick moved that the following floor amendment no. 1073 by Senator Warnick be adopted:

On page 3, beginning on line 11, after "detrimental" strike all material through "interest" on line 12

Senator Warnick spoke in favor of adoption of the amendment.  
Senator Van De Wege spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1073 by Senator Warnick on page 3, line 11 to Substitute Senate Bill No. 6278.

The motion by Senator Warnick did not carry and floor amendment no. 1073 was not adopted by voice vote.

#### MOTION

Senator Warnick moved that the following floor amendment no. 1074 by Senator Warnick be adopted:

On page 3, beginning on line 15, after "containers" strike all material through "containers" on line 16 and insert ", including plastic bottles"

Senators Warnick and Van De Wege spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1074 by Senator Warnick on page 3, line 15 to Substitute Senate Bill No. 6278.

The motion by Senator Warnick carried and floor amendment no. 1074 was adopted by voice vote.

#### MOTION

Senator Warnick moved that the following floor amendment no. 1075 by Senator Warnick be adopted:

On page 3, beginning on line 18, strike all material through "water." on line 19 and insert "waters."

Senator Warnick spoke in favor of adoption of the amendment.  
Senator Van De Wege spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1075 by Senator Warnick on page 3, line 18 to Substitute Senate Bill No. 6278.

The motion by Senator Warnick did not carry and floor amendment no. 1075 was not adopted by voice vote.

#### MOTION

Senator Warnick moved that the following floor amendment no. 1076 by Senator Warnick be adopted:

On page 3, beginning on line 25, strike all of subsection (c)

Senator Warnick spoke in favor of adoption of the amendment.  
Senator Van De Wege spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1076 by Senator Warnick on page 3, line 25 to Substitute Senate Bill No. 6278.

The motion by Senator Warnick did not carry and floor amendment no. 1076 was not adopted by voice vote.

#### MOTION

Senator Warnick moved that the following floor amendment no. 1077 by Senator Warnick be adopted:

On page 3, line 25, after "(c)" insert "For any application for a

new appropriation for the purpose of a new commercial bottled water production facility for which a preliminary permit has been issued, the department shall give due regard to applicable local land use policies and regulations and afford deference to the county's legislative body in determining whether the proposed appropriation proves detrimental to the public interest.

(d)"

Senator Warnick spoke in favor of adoption of the amendment.  
Senator Van De Wege spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1077 by Senator Warnick on page 3, line 25 to Substitute Senate Bill No. 6278.

The motion by Senator Warnick did not carry and floor amendment no. 1077 was not adopted by voice vote.

#### MOTION

Senator Mullet moved that the following floor amendment no. 1089 by Senators Carlyle and Mullet be adopted:

On page 3, after line 26, insert the following:

"(d) This subsection does not apply to an application for a change or transfer of a surface water right or groundwater right."

Senator Mullet spoke in favor of adoption of the amendment.  
Senator Warnick spoke against adoption of the amendment.  
The President declared the question before the Senate to be the adoption of floor amendment no. 1089 by Senators Carlyle and Mullet on page 3, after line 26 to Substitute Senate Bill No. 6278.  
The motion by Senator Mullet did not carry and floor amendment no. 1089 was not adopted by voice vote.

#### MOTION

Senator Warnick moved that the following floor amendment no. 1078 by Senator Warnick be adopted:

On page 4, after line 7, insert the following:

"NEW SECTION. Sec. 2. Section 1 of this act expires June 30, 2022."

On page 1, line 2 of the title, after "production;" strike "and" and after "90.03.290" insert "; and providing an expiration date"

Senator Warnick spoke in favor of adoption of the amendment.  
Senator Van De Wege spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1078 by Senator Warnick on page 4, after line 7 to Substitute Senate Bill No. 6278.

The motion by Senator Warnick did not carry and floor amendment no. 1078 was not adopted by voice vote.

#### MOTION

On motion of Senator Carlyle, the rules were suspended, Engrossed Substitute Senate Bill No. 6278 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Carlyle spoke in favor of passage of the bill.  
Senators Schoesler, Warnick, Braun, Padden, Honeyford and Erickson spoke against passage of the bill.  
Senator Rolfes spoke on passage of the bill.

The President declared the question before the Senate to be the



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final passage of Engrossed Substitute Senate Bill No. 6278.

SENATE BILL NO. 6147, by Senators Salomon, Lovelett, Wilson, C., Rolfes, Billig and Keiser

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6278 and the bill passed the Senate by the following vote: Yeas, 28; Nays, 20; Absent, 0; Excused, 1.

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

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

Excused: Senator Fortunato

ENGROSSED SUBSTITUTE SENATE BILL NO. 6278, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SECOND READING

SENATE BILL NO. 6430, by Senators Brown, Rolfes, Frockt, Warnick, Das and Hasegawa

Establishing a statewide industrial waste coordination program.

The measure was read the second time.

## MOTION

On motion of Senator Brown, the rules were suspended, Senate Bill No. 6430 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Brown, Carlyle and Das spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 6430.

## ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6430 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Fortunato

SENATE BILL NO. 6430, 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

Concerning the replacement of shoreline armoring.

## MOTION

On motion of Senator Salomon, Substitute Senate Bill No. 6147 was substituted for Senate Bill No. 6147 and the substitute bill was placed on the second reading and read the second time.

## MOTION

Senator Honeyford moved that the following floor amendment no. 970 by Senator Honeyford be adopted:

On page 1, line 6, after "(1)" strike "(a)"

On page 1, at the beginning of line 12, strike "(b)" and insert "(2)(a)"

On page 2, after line 5, insert the following:

"(b) The department must approve a permit for the replacement of a residential marine stabilization project within forty-five days upon a showing that the landowner has conducted a site assessment through a qualified professional that has considered least impactful alternatives and whose proposal ensures no net loss of fish habitat."

Senator Honeyford spoke in favor of adoption of the amendment.

Senator Van De Wege spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 970 by Senator Honeyford on page 1, line 6 to Substitute Senate Bill No. 6147.

The motion by Senator Honeyford did not carry and floor amendment no. 970 was not adopted by voice vote.

## MOTION

Senator Short moved that the following floor amendment no. 968 by Senator Short be adopted:

On page 1, line 14, after "must consider" insert "options for"

On page 1, beginning on line 15, after "alternative" strike all material through "preference" on line 16 and insert "that ensures no net loss of habitat including, but not limited to, the following"

Senator Short spoke in favor of adoption of the amendment.

Senator Salomon spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 968 by Senator Short on page 1, line 14 to Substitute Senate Bill No. 6147.

The motion by Senator Short did not carry and floor amendment no. 968 was not adopted by voice vote.

## MOTION

Senator Zeiger moved that the following floor amendment no. 974 by Senator Zeiger be adopted:

Beginning on page 1, line 15, after "fish life" strike all material through "structure" on page 2, line 5 and insert "The department may apply the same conditions to permits for replacement of marine residential shoreline stabilization projects as are applied to permits for new marine residential shoreline stabilization"

projects."

Senator Zeiger spoke in favor of adoption of the amendment.

Senator Salomon spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 974 by Senator Zeiger on page 1, line 15 to Substitute Senate Bill No. 6147.

The motion by Senator Zeiger did not carry and floor amendment no. 974 was not adopted by voice vote.

#### WITHDRAWAL OF AMENDMENT

On motion of Senator Warnick and without objection, floor amendment no. 977 by Senator Warnick on page 1, line 15 to Substitute Senate Bill No. 6147 was withdrawn.

#### WITHDRAWAL OF AMENDMENT

On motion of Senator Warnick and without objection, floor amendment no. 978 by Senator Warnick on page 1, line 16 to Engrossed Substitute Senate Bill No. 6147 was withdrawn.

#### MOTION

Senator Warnick moved that the following floor amendment no. 1070 by Senator Warnick be adopted:

Beginning on page 1, line 17, after "Remove the" strike all material through "structure." on page 2, line 5, and insert "structure and restore the beach:

(ii) Remove the structure and install native vegetation;

(iii) Remove the structure and control upland drainage;

(iv) Remove the structure and replace it with a soft structure constructed of natural materials, including bioengineering;

(v) Remove the hard structure and construct upland retaining walls;

(vi) Remove the hard structure and replace it with a hard structure located landward of the existing structure, preferably at or above the ordinary high water line; or

(vii) Remove the hard structure and replace it with hard shoreline structure in the same footprint as the existing structure."

Senators Warnick and Van De Wege spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1070 by Senator Warnick on page 1, line 17 to Substitute Senate Bill No. 6147.

The motion by Senator Warnick carried and floor amendment no. 1070 was adopted by voice vote.

#### MOTION

On motion of Senator Salomon, the rules were suspended, Engrossed Substitute Senate Bill No. 6147 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Salomon and Warnick spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 6147.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6147 and the bill passed the Senate by

the following vote: Yeas, 32; Nays, 16; Absent, 0; Excused, 1.

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

Voting nay: Senators Becker, Brown, Ericksen, Hawkins, Holy, Honeyford, King, Muzzall, Padden, Rivers, Schoesler, Sheldon, Short, Wagoner, Walsh and Wilson, L.

Excused: Senator Fortunato

ENGROSSED SUBSTITUTE SENATE BILL NO. 6147, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SENATE BILL NO. 6213, by Senators Das, Carlyle, Van De Wege, Dhingra, Kuderer, Lovelett, Nguyen, Billig, Rolfes, Saldaña, Darneille, Hasegawa, Liias, Keiser, Pedersen, Stanford, Frockt, Wellman, Wilson and C.

Concerning certain expanded polystyrene products.

#### MOTION

On motion of Senator Das, Engrossed Second Substitute Senate Bill No. 6213 was substituted for Senate Bill No. 6213 and the substitute bill was placed on the second reading and read the second time.

#### MOTION

Senator Hawkins moved that the following floor amendment no. 1088 by Senators Hawkins and Das be adopted:

On page 2, line 30, after "June 1," strike "2022" and insert "2023"

On page 3, line 16, after "June 1," strike "2022" and insert "2023"

Senator Hawkins spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1088 by Senators Hawkins and Das on page 2, line 30 to Second Substitute Senate Bill No. 6213.

The motion by Senator Hawkins carried and floor amendment no. 1088 was adopted by voice vote.

#### MOTION

Senator Ericksen moved that the following floor amendment no. 1090 by Senator Ericksen be adopted:

On page 2, line 30, after "**Sec. 3.**" insert "(1)"

On page 2, at the beginning of line 31, strike "(1)" and insert "(a)"

On page 2, at the beginning of line 33, strike "(2)" and insert "(b)"

On page 2, after line 34, insert the following:

"(2) Covered products used by restaurants or distributed to customers by restaurants are exempt from this section."

Senator Ericksen spoke in favor of adoption of the amendment.

Senator Das spoke against adoption of the amendment.

The President declared the question before the Senate to be the

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adoption of floor amendment no. 1090 by Senator Ericksen on page 2, line 30 to Second Substitute Senate Bill No. 6213.

The motion by Senator Ericksen did not carry and floor amendment no. 1090 was not adopted by voice vote.

MOTION

Senator Short moved that the following floor amendment no. 1071 by Senator Short be adopted:

On page 7, after line 25, insert the following:

**"NEW SECTION. Sec. 9.** (1) This act does not take effect until the department of ecology identifies for each covered product feasible and available alternatives that are safer for public health and the environment.

(2) The department of ecology must provide written notice of the effective date of this act to the affected parties, the chief clerk of the house of representatives, the secretary of the senate, the office of the code reviser, and others as deemed appropriate by the department."

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

On page 7, line 28, after "**Sec. 10.**" strike "Section" and insert "Subject to the contingent effective date identified in section 9 of this act, section"

On page 7, line 30, after "**Sec. 11.**" strike "Section" and insert "Subject to the contingent effective date identified in section 9 of this act, section"

On page 1, line 4 of the title, after "effective date;" insert "providing a contingent effective date;"

Senator Short spoke in favor of adoption of the amendment.

Senator Das spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1071 by Senator Short on page 7, after line 25 to Second Substitute Senate Bill No. 6213.

The motion by Senator Short did not carry and floor amendment no. 1071 was not adopted by voice vote.

MOTION

On motion of Senator Das, the rules were suspended, Engrossed Second Substitute Senate Bill No. 6213 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Das, Lovelett and Rolfes spoke in favor of passage of the bill.

POINT OF ORDER

Senator Becker: "Thank you Mr. President. I'm just kind of wondering because I've caught a number of people that have tried to read things that you have pointed out that if they need to read it that they have to ask your permission, but I see that not happening all of the time. Can you tell me what we should be thinking about when we actually have to read something? Thank you."

RULING BY THE PRESIDENT

President Habib: "So, under the Senate's rules, any senator wishing to read something on the Senate floor, should seek approval or permission to do so. There is also language in Reed's Rules, which are incorporated around reading one's remarks, so when it's been brought to my attention that someone

is reading without being granted permission then I will address that. So, if there is a concern at a particular time then I would ask that you would raise it at that moment and recognizing also that there is not a problem with reading from one's notes. I think we all, you all do that, but the point is to avoid a circumstance where we are speaking someone else's words not speaking in our own words. It preserves amity, and also brevity given the time limit that we have. So, I hope that was responsive Senator Becker."

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 6213.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 6213 and the bill passed the Senate by the following vote: Yeas, 29; Nays, 19; Absent, 0; Excused, 1.

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

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

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6213, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6518, by Senators Rolfes, Van De Wege, Wilson and C.

Reducing prenatal exposure and harm to children by limiting environmental exposure to certain pesticides.

MOTION

On motion of Senator Rolfes, Second Substitute Senate Bill No. 6518 was substituted for Senate Bill No. 6518 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Rolfes moved that the following floor amendment no. 1059 by Senator Rolfes be adopted:

On page 3, line 10, after "feet" insert "or a smaller buffer of variable width, established by rule using best available technology and best management practices specific to minimizing potential drift,"

On page 3, line 20, after "label" insert "consistent with federal law"

On page 4, line 2, after "exempt" strike "from the ban"

Senators Rolfes and Warnick spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the

adoption of floor amendment no. 1059 by Senator Rolfes on page 3, line 10 to Second Substitute Senate Bill No. 6518.

The motion by Senator Rolfes carried and floor amendment no. 1059 was adopted by voice vote.

#### MOTION

Senator Van De Wege moved that the following floor amendment no. 1085 by Senator Van De Wege be adopted:

On page 3, after line 36, insert the following:

**"NEW SECTION. Sec. 3.** A new section is added to chapter 70.142 RCW to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, by January 1, 2022, the department of health must establish and provide a recommendation to the state board of health for a statewide maximum contaminant level for group A water systems for chlorpyrifos. By January 1, 2022, the state board of health must adopt rules to implement the recommendations for maximum contaminant levels for chlorpyrifos in group A water systems.

(2) Until the maximum contaminant level has been determined, the department of health must recommend to the state board of health a guidance value of chlorpyrifos for drinking water systems and, if exceeded, the group A water system must provide notice to consumers.

**NEW SECTION. Sec. 4.** A new section is added to chapter 90.48 RCW to read as follows:

Subject to the availability of amounts appropriated for this specific purpose, by January 1, 2022, the department must develop water quality standards sufficient to:

(1) Protect salmonids and other aquatic life from adverse impacts of chlorpyrifos. When developing standards, the department must take into account injury to fish, animals, vegetation, and any other aspect of the environment that impacts the survivability of salmonids;

(2) Ensure chlorpyrifos pollution of surface water will not impact groundwater. When developing standards, the department must take into account injury to children and pregnant women."

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

On page 1, line 3 of the title, after "RCW;" insert "adding a new section to chapter 70.142 RCW; adding a new section to chapter 90.48 RCW;"

Senator Van De Wege spoke in favor of adoption of the amendment.

Senator Warnick spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1085 by Senator Van De Wege on page 3, after line 36 to Second Substitute Senate Bill No. 6518.

The motion by Senator Van De Wege carried and floor amendment no. 1085 was adopted by rising vote.

#### MOTION

Senator Warnick moved that the following floor amendment no. 1086 by Senator Short be adopted:

On page 3, line 37, after "**Sec. 3.**" insert "(1)"

On page 4, after line 3, insert the following:

"(2) Additional funding must be provided to the department of agriculture for training and enforcement of the Washington pesticide control act."

Senators Short and Van De Wege spoke in favor of adoption of

the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1086 by Senator Short on page 3, line 37 to Second Substitute Senate Bill No. 6518.

The motion by Senator Warnick carried and floor amendment no. 1086 was adopted by voice vote.

#### MOTION

Senator Warnick moved that the following floor amendment no. 1087 by Senator Warnick be adopted:

On page 4, after line 3, insert the following:

**"NEW SECTION. Sec. 4.** If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2020, in the omnibus appropriations act, this act is null and void."

Senators Warnick and Rolfes spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1087 by Senator Warnick on page 4, after line 3 to Second Substitute Senate Bill No. 6518.

The motion by Senator Warnick carried and floor amendment no. 1087 was adopted by voice vote.

#### MOTION

On motion of Senator Rolfes, the rules were suspended, Engrossed Second Substitute Senate Bill No. 6518 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Rolfes spoke in favor of passage of the bill.

Senators Warnick and Honeyford spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 6518.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 6518 and the bill passed the Senate by the following vote: Yeas, 30; Nays, 18; Absent, 0; Excused, 1.

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

Voting nay: Senators Becker, Braun, Brown, Ericksen, Hawkins, Holy, Honeyford, King, Padden, Rivers, Schoesler, Sheldon, Short, Wagoner, Walsh, Warnick, Wilson, L. and Zeiger  
Excused: Senator Fortunato

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6518, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SENATE BILL NO. 6112, by Senators Wilson, C., Darneille, Nguyen, Cleveland, Das, Frockt, Hasegawa, Hunt, Kuderer, Lovelett, Mullet, Pedersen, Randall, Salomon, Wellman, Carlyle

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Concerning youth solitary confinement.

MOTIONS

On motion of Senator Wilson, C., Substitute Senate Bill No. 6112 was substituted for Senate Bill No. 6112 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Wilson, C., the rules were suspended, Substitute Senate Bill No. 6112 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wilson, C. and Walsh spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6112.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6112 and the bill passed the Senate by the following vote: Yeas, 38; Nays, 10; Absent, 0; Excused, 1.

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

Voting nay: Senators Becker, Holy, Honeyford, King, Padden, Schoesler, Sheldon, Short, Warnick and Wilson, L.

Excused: Senator Fortunato

SUBSTITUTE SENATE BILL NO. 6112, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6050, by Senators Cleveland, Keiser and Kuderer

Concerning insurance guaranty fund.

MOTIONS

On motion of Senator Cleveland, Substitute Senate Bill No. 6050 was substituted for Senate Bill No. 6050 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Cleveland, the rules were suspended, Substitute Senate Bill No. 6050 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6050.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6050 and the bill passed the Senate by the

following vote: Yeas, 31; Nays, 17; Absent, 0; Excused, 1.

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

Voting nay: Senators Becker, Braun, Brown, Ericksen, Hawkins, Holy, Honeyford, Muzzall, Padden, Rivers, Schoesler, Sheldon, Short, Wagoner, Walsh, Warnick and Wilson, L.

Excused: Senator Fortunato

SUBSTITUTE SENATE BILL NO. 6050, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6088, by Senators Keiser, Conway, Das, Frockt, Hasegawa, Hunt, Kuderer, Pedersen, Randall, Rolfes, Stanford, Wilson and C.

Establishing a prescription drug affordability board.

MOTIONS

On motion of Senator Keiser, Substitute Senate Bill No. 6088 was substituted for Senate Bill No. 6088 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Keiser, the rules were suspended, Substitute Senate Bill No. 6088 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6088.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6088 and the bill passed the Senate by the following vote: Yeas, 28; Nays, 20; Absent, 0; Excused, 1.

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

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

Excused: Senator Fortunato

SUBSTITUTE SENATE BILL NO. 6088, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6062, by Senators Becker and Short

Concerning direct primary care oversight.

## MOTION

On motion of Senator Becker, Substitute Senate Bill No. 6062 was substituted for Senate Bill No. 6062 and the substitute bill was placed on the second reading and read the second time.

## MOTION

Senator Becker moved that the following striking floor amendment no. 955 by Senators Becker and Cleveland be adopted:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 48.150.100 and 2007 c 267 s 12 are each amended to read as follows:

(1) Direct practices must submit annual statements, beginning on October 1, 2007, to the office of ~~((the))~~ the insurance commissioner specifying the number of providers in each practice, total number of patients being served, the average direct fee being charged, providers' names, and the business address for each direct practice. The form and content for the annual statement must be developed in a manner prescribed by the commissioner.

(2) A health care provider may not act as, or hold himself or herself out to be, a direct practice in this state, nor may a direct agreement be entered into with a direct patient in this state, unless the provider submits the annual statement in subsection (1) of this section to the commissioner.

(3) The commissioner shall report annually to the legislature on direct practices including, but not limited to, participation trends, complaints received, voluntary data reported by the direct practices, and any necessary modifications to this chapter. The initial report shall be due December 1, 2009.

(4) This section expires November 30, 2020.

NEW SECTION. **Sec. 2.** A new section is added to chapter 48.150 RCW to read as follows:

(1) Except as otherwise provided in subsection (3) of this section, beginning January 1, 2021, direct practices must register with the office of the insurance commissioner no later than thirty days prior to engaging in direct practice.

(2) To obtain a registration under this section, a direct practice must submit an application to the office of the insurance commissioner, containing:

- (a) A list of providers' names at the practice;
- (b) The business address of the practice;
- (c) All direct agreements; and
- (d) A written affirmation that the direct practice provider has read and understands the obligations under this chapter.

(3) A direct practice that filed an annual statement under RCW 48.150.100 during calendar year 2020 will be automatically registered by the office of the insurance commissioner.

(4) A registered direct practice must:

- (a) Notify the insurance commissioner in writing of:
  - (i) A change of address; or
  - (ii) A discontinuation of the practice; and
- (b) File updated direct agreements following any material change to the agreement.

NEW SECTION. **Sec. 3.** Section 2 of this act takes effect January 1, 2021."

On page 1, line 1 of the title, after "oversight;" strike the remainder of the title and insert "amending RCW 48.150.100; adding a new section to chapter 48.150 RCW; providing an effective date; and providing an expiration date."

The President declared the question before the Senate to be the

adoption of striking floor amendment no. 955 by Senators Becker and Cleveland to Substitute Senate Bill No. 6062.

The motion by Senator Becker carried and striking floor amendment no. 955 was adopted by voice vote.

## MOTION

On motion of Senator Becker, the rules were suspended, Engrossed Substitute Senate Bill No. 6062 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 Engrossed Substitute Senate Bill No. 6062.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6062 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Fortunato

ENGROSSED SUBSTITUTE SENATE BILL NO. 6062, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SECOND READING

SENATE BILL NO. 6515, by Senators Van De Wege, Randall, Mullet, Takko, Lovelett, Liias, Conway, Hasegawa, Wilson and C.

Adjusting the medicaid payment methodology for skilled nursing facilities.

## MOTION

Senator O'Ban moved that the Second Substitute Senate Bill No. 6515 be not adopted.

Senator O'Ban demanded a roll call.

The President declared that one-sixth of the members supported the demand and the demand was sustained.

Senators O'Ban, Rivers and Braun spoke for the motion to not adopt the substitute bill.

Senator Van De Wege spoke against the motion to not adopt the substitute.

## MOTION

On motion of Senator Liias, further consideration of Senate Bill No. 6515 was deferred and the bill held its place on the second reading calendar.

SENATE BILL NO. 6205, by Senators Cleveland, Conway, Randall, Keiser, Mullet, Frockt, Billig, Saldaña, Dhingra, Van De Wege, Hunt, Kuderer, Lovelett, Stanford, Wilson and C.

Preventing harassment, abuse, and discrimination experienced by long-term care workers.

MOTION

On motion of Senator Cleveland, Second Substitute Senate Bill No. 6205 was substituted for Senate Bill No. 6205 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Cleveland moved that the following striking floor amendment no. 1035 by Senators Cleveland, O'Ban and Randall be adopted:

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 1.** (1) The legislature finds that, as the citizens of Washington state age and their life expectancy increases, demand for long-term care is also on the rise. Like many Americans, Washingtonians prefer to stay in their own homes and communities as they age, fueling an increased demand for home-based long-term services and supports. Nationally, the direct care workforce is expected to increase by more than one million jobs, making this one of the fastest growing occupations in the country.

(2) As the state of Washington is a national leader in supporting individuals to receive services in their own homes where self-direction, autonomy, choice, and dignity is valued. The average needs and acuity levels of people served in their homes has increased and become more diverse. The prevalence of individuals with complex behaviors due to their disabilities is a growing issue experienced by individuals who need assistance with personal care tasks in their own homes and to be able to fully integrate in community living.

(3) The lack of workplace safety, including incidents of verbal and physical aggression, as well as sexual harassment, is an occupational hazard for many long-term care workers, including those who work in the homes of the person to whom they provide care. The risk may be outside the control of the individual receiving care due to the conduct of others in the home. The risk may be due to symptoms or conditions that can manifest with individuals communicating their needs in ways that an individual caring for the person may experience or interpret as harassment, abuse, or violence. In any event, caregivers should not have to experience discrimination, abusive conduct, and challenging behaviors without assistance or redress.

(4) Workers who have adverse experiences at work can manifest negative physical and mental health outcomes. These workers often leave the field of direct caregiving, resulting in fewer available caregivers in the workforce, increased turnover, and lower quality of care received by individuals in their own homes.

(5) Adequate preparation of caregivers helps both the caregiver and person receiving care. Caregivers should be equipped with information, including relevant care plans and behavioral support interventions, existing problem-solving tools, and strategies to improve safe care delivery.

(6) The legislature further finds that caregivers are the backbone of long-term services and supports in Washington. Therefore, the intent of this act is to reduce the instances of harassment, discrimination, and abuse experienced by caregivers, and ensure that they feel safe while providing care while also prioritizing the continuity of care for individuals who rely on their assistance. This will improve the quality of care provided to Washingtonians and build a strong workforce to meet future care needs in the state.

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

(1) "Abusive conduct" means conduct in a work setting that qualifies as workplace aggression, workplace violence, aggravated workplace violence, physical sexual aggression, rape, attempted rape, sexual contact, sexual harassment, workplace physical aggression, workplace verbal aggression, or inappropriate sexual behavior. For service recipients, behavior that meets the definition of subsection (3) of this section is not considered abusive conduct for the purposes of this chapter if expressly exempted from the applicable definition.

(2) "Aggravated workplace violence," "aggravated violence," or "aggravated violent act" means assault or physically threatening behavior involving the use of a lethal weapon or a common object used as a lethal weapon, regardless of whether the use of a lethal weapon resulted in injury.

(3) "Challenging behavior" means behavior by a service recipient that is specifically caused by or related to a disability that might be experienced by a long-term care worker as offensive or presenting a safety risk.

(4) "Covered employer" means:

(a) A consumer directed employer as defined in RCW 74.39A.009; and

(b) A home care agency as defined in RCW 70.127.010.

(5) "Department" means the department of labor and industries.

(6) "Disability" has the same meaning as in RCW 49.60.040.

(7) "Discrimination" means employment discrimination prohibited by chapter 49.60 RCW, including discriminatory harassment. It shall not constitute discrimination for a recipient of personal care services as defined in RCW 74.39A.009 to refuse to hire or terminate an employment relationship with an employee based on gender preferences.

(8) "Discriminatory harassment" is unwelcome conduct that is based on a protected class listed in RCW 49.60.030(1) where the conduct is enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive. "Discriminatory harassment" includes sexual harassment. For service recipients, behavior that meets the definition of subsection (3) of this section is not considered discriminatory harassment for purposes of this chapter.

(9) "Employee" means a long-term care worker as defined in RCW 74.39A.009 that is employed by a covered employer.

(10) "Inappropriate sexual behavior" means nonphysical acts of a sexual nature that a reasonable person would consider offensive or intimidating, such as sexual comments, unwanted requests for dates or sexual favors, or leaving sexually explicit material in view. An act may be considered inappropriate sexual behavior independent of whether the act is severe or pervasive enough to be considered sexual harassment. For service recipients, behavior that meets the definition of subsection (3) of this section is not considered inappropriate sexual behavior for purposes of this chapter.

(11) "Long-term care workers" means all persons who provide paid, hands-on personal care services for the elderly or persons with disabilities, including individual providers of home care

services, direct care workers employed by home care agencies or a consumer directed employer, and providers of home care services to persons with developmental disabilities under Title 71A RCW.

(12) "Physical sexual aggression" means any type of sexual contact or behavior, other than rape or attempted rape, that occurs without the explicit consent of the recipient. For service recipients, behavior that meets the definition of subsection (3) of this section is not considered physical sexual aggression for the purposes of this chapter.

(13) "Rape" or "attempted rape" have the same meanings as in RCW 9A.44.040, 9A.44.050, and 9A.44.060.

(14) "Sexual contact" has the same meaning as in RCW 9A.44.010. For service recipients, behavior that meets the definition of subsection (3) of this section is not considered sexual contact for the purposes of this chapter.

(15) "Sexual harassment" has the same meaning as in RCW 28A.640.020. For service recipients, behavior that meets the definition of subsection (3) of this section is not considered sexual harassment for purposes of this chapter.

(16) "Trauma-informed care" means a strength-based service delivery approach that:

(a) Is grounded in the understanding of and responsiveness to the impact of trauma;

(b) Emphasizes physical, psychological, and emotional safety for both providers and survivors; and

(c) Creates opportunities for survivors to rebuild a sense of control and empowerment.

(17) "Workplace physical aggression" means an occurrence of physically threatening behavior in a work setting, including threats of physical harm, or an occurrence of slapping, biting, or intentionally bumping. For service recipients, behavior that meets the definition of subsection (3) of this section is not considered workplace physical aggression for purposes of this chapter.

(18) "Workplace verbal aggression" means acts of nonphysical hostility or threats of violence in the work setting. "Workplace verbal aggression" includes verbal aggression such as insulting or belittling an individual. For service recipients, behavior that meets the definition of subsection (3) of this section is not considered workplace verbal aggression for purposes of this chapter.

(19) "Workplace violence," "violence," or "violent act" means the occurrence of physical assault, such as hitting or kicking, including using a nonlethal weapon. For service recipients, behavior that meets the definition of subsection (3) of this section is not considered workplace violence for purposes of this chapter.

**NEW SECTION. Sec. 3.** (1) Beginning July 1, 2021, each covered employer must adopt and maintain a comprehensive written policy concerning how the covered employer shall address instances of discrimination, abusive conduct, and challenging behavior and work to resolve issues impacting the provision of personal care. The covered employer must:

(a) Disseminate the comprehensive written policy to each employee at the beginning of employment, annually, and on the issuance of any substantive update to the comprehensive written policy;

(b) Post the comprehensive written policy in prominent locations at its place of business and in a prominent location on its web site, such as an online payroll portal, if applicable. The covered employer must provide employees with a copy of the current policy within thirty days of the employee's date of hire, and at least once a year thereafter;

(c) Make the policy available in plain English and in each of the three languages spoken most by long-term care workers in the state;

(d) Review and update the adopted policy annually; and

(e) Ensure that all employees are aware of the current policy and the changes from the previous policy.

(2) At a minimum, the comprehensive written policy must include:

(a) A definition of discrimination, harassment, abusive conduct, and challenging behavior;

(b) A description of the types of discrimination and abusive conduct covered by the policy, with examples relevant to the long-term care workforce;

(c) The identification of multiple persons to whom an employee may report discrimination, abusive conduct, and challenging behavior;

(d) Stated permission and a process for allowing workers to leave situations where they feel their safety is at immediate risk. This process must include a requirement to notify the employer and applicable third parties such as department of social and health services case managers, emergency services, or service recipient decision makers as soon as possible. The process must not authorize abandonment as defined in RCW 74.34.020 unless the worker has called the phone number provided by the employer for emergency assistance and has a reasonable fear of imminent bodily harm;

(e) A stated prohibition against retaliation for actions related to disclosing, challenging, reporting, testifying, or assisting in an investigation regarding allegations of discrimination, abusive conduct, or challenging behavior, and a description of how the employer will protect employees against retaliation;

(f) A list of resources about discrimination and harassment for long-term care workers to utilize. At a minimum, the resources must include contact information of the equal employment opportunity commission, the Washington state human rights commission, and local advocacy groups focused on preventing harassment and discrimination and providing support for survivors; and

(g) Any additional components recommended by the work group established in section 7 of this act for the purpose of preventing discrimination and abusive conduct and responding to challenging behavior.

**NEW SECTION. Sec. 4.** (1) Beginning July 1, 2021, each covered employer shall implement a plan to prevent and protect employees from abusive conduct, to assist employees working in environments with challenging behavior, and work to resolve issues impacting the provision of personal care. This plan should be reviewed and updated as necessary and at least once every three years. The plan shall be developed and monitored by a workplace safety committee. The members of the workplace safety committee shall consist of individuals that are employee-elected, employer-selected, and include at least one service recipient representative. The number of employee-elected members shall equal or exceed the number of employer-selected members. A labor management committee established by a collective bargaining agreement that receives formal input from representatives of service recipients who wish to participate in the committee's deliberations shall be sufficient to fulfill the requirement for a workplace safety committee in this chapter.

(2) The plan developed under subsection (1) of this section, at a minimum, must include:

(a) Processes for intervening and providing assistance to an employee directly affected by challenging behavior including accessing technical assistance or similar resources, if available, to assist employees when challenging behavior occurs;

(b) Processes that covered employers may follow to engage appropriate members of the care team, such as case managers or health professionals when allegations of discrimination, abusive conduct, or challenging behaviors occur;

(c) The development of processes for reporting, intervening,



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and providing assistance to an employee directly affected by abusive conduct; and

(d) Processes covered employers may follow to engage the service recipient in problem resolution with the goal of ending abusive or discriminatory conduct while working to address issues impacting the provision of personal care.

(3) Each covered employer and workplace safety committee must annually review the frequency of incidents of discrimination and abusive conduct in the home care setting, including identification of the causes for, and consequences of, abusive conduct and any emerging issues that contribute to abusive conduct. As part of its annual review, the workplace safety committee must also review the number of miscategorizations in aggregate. The covered employer must adjust the plan developed under subsection (1) of this section as necessary based on this annual review.

(4) In developing the plan required by subsection (1) of this section, the covered employer shall consider any guidelines on violence in the workplace or in health care settings issued by the department of health, the department of social and health services, the department of labor and industries, the federal occupational safety and health administration, and the work group created in section 7 of this act.

(5) Nothing in this chapter requires an individual recipient of services to develop or implement the plan required by this section.

**NEW SECTION. Sec. 5.** (1)(a) Covered employers must inform an employee of instances of discrimination and abusive conduct occurring in or around the service recipient's home care setting prior to assigning the employee to that service recipient, and throughout the duration of service, if those instances are:

- (i) Documented by the covered employer; or
  - (ii) Documented by the department of social and health services and communicated to the covered employer.
- (b) Covered employers must inform an employee, prior to assigning the employee to a service recipient, of a service recipient's challenging behavior that is documented:
- (i) In the service recipient's care plan;
  - (ii) By the covered employer; or
  - (iii) By the department of social and health services and communicated to the covered employer.

(2)(a) Communication of the information in subsection (1) of this section must be tailored to respect the privacy of service recipients in accordance with the federal health insurance portability and accountability act of 1996.

(b) Upon request of the service recipient, a covered employer must provide a copy of the information the covered employer communicated to the employee under subsection (1) of this section.

(3) If a covered employer miscategorizes an instance as discrimination or abusive conduct that should have been categorized as challenging behavior, or if a covered employer miscategorizes an instance as challenging behavior that should have been categorized as discrimination or abusive conduct, the covered employer must correct the categorization, correct how the instance was reported under section 6 of this act, and comply with any provisions under this chapter applicable to addressing the behavior or conduct.

(4) A covered employer may not terminate an employee, reduce the pay of an employee, or not offer future assignments to an employee for requesting reassignment due to alleged discrimination, abusive conduct, or challenging behavior.

(5) Nothing in this section prevents a covered employer from:

- (a) Disciplining or terminating an employee if an allegation or request for reassignment was reasonably determined to be false or not made in good faith;

(b) Terminating an employee or reducing hours due to lack of suitable work; or

(c) Disciplining or terminating an employee for lawful reasons unrelated to their request for reassignment.

(6) Nothing in this section requires an individual recipient of services to provide information required by this section to an employee. Nothing in this chapter shall limit the rights of a recipient of services under chapter 74.39A RCW to select, dismiss, assign hours, and supervise the work of individual providers as in RCW 74.39A.500(1)(b).

**NEW SECTION. Sec. 6.** (1) Covered employers are required to keep a record of any reported incidents of discrimination or abusive conduct experienced by an employee during the provision of paid personal care services. The records must be kept for at least five years following the reported act and must be made available for inspection by the department or its agents upon request. If the covered employer makes its records available to the exclusive bargaining representative representing the employer's employees, the exclusive bargaining representative may assess whether the employer is meeting the data collection requirements in this section. The department must take into consideration the exclusive bargaining representative's assessment when determining whether an employer is in compliance with this section. Covered employers must make anonymized aggregate data of reported incidents available to the work group created under section 7 of this act.

(2) The retained records must include:

- (a) The covered employer's name and address;
- (b) The date, time, and location of where the act occurred;
- (c) The reporting method;
- (d) The name of the person who experienced the act;
- (e) A description of the person committing the act as:
  - (i) A service recipient;
  - (ii) Another resident of the home care setting;
  - (iii) A visitor to the home care setting;
  - (iv) Another employee;
  - (v) A manager or supervisor; or
  - (vi) Other;
- (f) A description of the type of act as one or more of the following:

- (i) Discrimination, including discriminatory harassment;
- (ii) Sexual harassment, inappropriate sexual behavior, or sexual contact;
- (iii) Physical sexual aggression;
- (iv) Rape or attempted rape;
- (v) Workplace verbal aggression;
- (vi) Workplace violence;
- (vii) Workplace physical aggression; or
- (viii) Aggravated workplace violence;
- (g) A description of the actions taken by the employee and the covered employer in response to the act; and
- (h) A description of how the incident was resolved.

(3) Nothing in this section requires an individual recipient of services to keep, collect, or provide any data required by this section to the department.

(4) Communication of the information in this section must be tailored to respect the privacy of service recipients in accordance with the federal health insurance portability and accountability act of 1996.

**NEW SECTION. Sec. 7.** (1) The department of social and health services must convene a stakeholder work group to recommend policy changes and best practices for training employers, long-term care workers, and service recipients to keep home care settings free from discrimination and abusive conduct while maintaining the ability for individuals who need services to

access needed services while maintaining the ability to provide services.

(2) To the extent practicable, the following groups should be represented in the work group, each group may have one representative, unless otherwise specified:

- (a) The department of social and health services;
  - (b) The department of labor and industries;
  - (c) The Washington state human rights commission;
  - (d) Two representatives of covered employers, one of which is chosen by the association which represents home care agencies which contract with area agencies on aging for medicaid home care services, and one of which is representative of the consumer-directed employer;
  - (e) Two representatives from labor organizations representing employees;
  - (f) Two long-term care workers that work for a covered employer;
  - (g) Organizations with at least five years of experience providing training to at least ten thousand long-term care workers;
  - (h) Two representatives of disability advocacy organizations, at least one of whom represents individuals with developmental disabilities;
  - (i) Three service recipients, at least one of whom lives with a developmental disability and one of whom is over age sixty-five;
  - (j) A family member or guardian of a service recipient;
  - (k) Area agencies on aging; and
  - (l) No more than three subject matter experts determined to be necessary by the work group.
- (3) In developing the report required by subsection (4) of this section, the work group shall consider:
- (a) Using new employee orientation to emphasize the prevention of discrimination and abusive conduct;
  - (b) The extent to which current training content could be modified to cover content within existing hours of required training such as basic, modified basic, and/or continuing education;
  - (c) Requiring training about discrimination and abusive conduct for all employees;
  - (d) Interactive teaching strategies that engage across multiple literacy levels;
  - (e) Factors that are predictive of discrimination and abusive conduct;
  - (f) The violence escalation cycle;
  - (g) De-escalation techniques to minimize abusive conduct or challenging behavior;
  - (h) Strategies to prevent physical harm with hands-on practice or role play;
  - (i) How incorporating information on trauma-informed care could improve the effectiveness of training and reduce interruptions to the provision of personal care;
  - (j) How incorporating person-centered planning practices could minimize challenging behaviors and reduce interruptions to the provision of personal care;
  - (k) Best practices for documenting and reporting incidents;
  - (l) The debriefing process for affected employees following violent acts;
  - (m) Resources available to employees for coping with the effects of violence;
  - (n) Culturally competent peer-to-peer training for the prevention of discrimination and abusive conduct;
  - (o) Best practices for training service recipients on preventing discrimination and abusive conduct in the home care setting;
  - (p) Best practices for training direct supervisors on preventing and responding to reports of discrimination and abusive conduct in the home care setting;
  - (q) Recommended best practices for workplace safety

committees referenced in section 4 of this act and recommended topics to be included in prevention plans required in section 4 of this act;

(r) Other policy changes that will reduce discrimination and abusive conduct in the workplace and best prepare employees to work in environments where challenging behavior occurs; and

(s) Other best practices from trainings developed in other states or for other industries to prevent discrimination and abusive conduct in home care settings or the workplace.

(4) By December 1, 2021, the work group must submit to the legislature a report with recommendations for training long-term care workers, agency supervisors, and service recipients in order to prevent discrimination and abusive conduct in the workplace, minimize challenging behaviors, and reduce interruptions to the provision of personal care. The report must also address issues regarding the continuation of collecting and reviewing data, the future role of the work group, and how the work group is measuring the efficacy of its recommendations. The report may inform the prevention plans required in section 4 of this act.

**NEW SECTION. Sec. 8.** (1) The department may conduct investigations to ensure compliance when information is obtained that a covered employer may be committing a violation under this chapter or in response to complaints from employees or employee representatives for the following requirements of this chapter:

- (a) A written policy as required by section 3 of this act that includes the minimum elements under section 3(2) of this act and is updated annually;
  - (b) The written policy is provided to employees in accordance with section 3(1) (a) through (c) and (e) of this act;
  - (c) A current plan as required by section 4 of this act that includes the minimum elements under section 4(2) of this act;
  - (d) The prior notice requirement under section 5(1) of this act;
  - (e) The recordkeeping and retention requirements under section 6 of this act; and
  - (f) The retaliation prohibition under section 5(4) of this act upon receipt of a complaint by an employee who believes that he or she was subject to retaliation.
- (2) The department may prioritize investigations as needed to allow for timely resolution.
- (3) Nothing in this chapter limits the department's ability to investigate under any other authority.
- (4) Nothing in this chapter limits a worker's right to pursue private legal action.
- (5) Nothing in this chapter authorizes the department to investigate individual allegations of harassment, abuse, or discrimination made by employees against recipients of care or other individuals.

(6) The department of social and health services and its agents shall not be liable for the acts or omissions of a covered employer that are in violation of this chapter.

(7) Covered employers shall not be liable for the acts or omissions of the department of social and health services or agents thereof that are in violation of this chapter.

(8) Failure of a covered employer to comply with the requirements under subsection (1)(a) through (e) of this section shall subject the covered employer to citation under chapter 49.17 RCW. Claims of retaliation under subsection (1)(f) of this section are subject to the provisions of RCW 49.17.160.

**NEW SECTION. Sec. 9.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

**NEW SECTION. Sec. 10.** Sections 1 through 6 and 8 of this act constitute a new chapter in Title 49 RCW."

On page 1, line 2 of the title, after "workers;" strike the remainder of the title and insert "adding a new chapter to Title 49

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RCW; creating a new section; and prescribing penalties."

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

The President declared the question before the Senate to be the adoption of striking floor amendment no. 1035 by Senators Cleveland, O'Ban and Randall to Second Substitute Senate Bill No. 6205.

The motion by Senator Cleveland carried and striking floor amendment no. 1035 was adopted by voice vote.

#### MOTION

On motion of Senator Cleveland, the rules were suspended, Engrossed Second Substitute Senate Bill No. 6205 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

Senator Becker spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 6205.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 6205 and the bill passed the Senate by the following vote: Yeas, 37; Nays, 11; Absent, 0; Excused, 1.

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

Voting nay: Senators Becker, Brown, Ericksen, Honeyford, King, Rivers, Schoesler, Short, Walsh, Warnick and Wilson, L.

Excused: Senator Fortunato

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6205, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SENATE BILL NO. 6267, by Senators Takko, King and Van De Wege

Modifying the long-term services and supports trust program by clarifying the ability for individuals with existing long-term care insurance to opt-out of the premium assessment and making technical corrections.

#### MOTIONS

On motion of Senator Takko, Substitute Senate Bill No. 6267 was substituted for Senate Bill No. 6267 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Takko, the rules were suspended, Substitute Senate Bill No. 6267 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6267.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6267 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Fortunato

SUBSTITUTE SENATE BILL NO. 6267, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SENATE BILL NO. 6063, by Senators Wagoner, Kuderer and Padden

Improving department of corrections health care administration.

#### MOTION

On motion of Senator Wagoner, Engrossed Substitute Senate Bill No. 6063 was substituted for Senate Bill No. 6063 and the substitute bill was placed on the second reading and read the second time.

#### MOTION

Senator Wagoner moved that the following floor amendment no. 1057 by Senators Wagoner and Darneille be adopted:

On page 3, line 23, after "uniform" strike "guidelines" and insert "standards"

On page 3, beginning on line 24, after "determining" strike all material through "assistance" on line 28 and insert "when a patient's current health status requires a referral for consultation or treatment outside the department. These standards must be based on the health care community standard of care to ensure medical referrals for consultation or treatment are timely and promote optimal patient outcomes"

Senators Wagoner and Darneille spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1057 by Senators Wagoner and Darneille on page 3, line 23 to Substitute Senate Bill No. 6063.

The motion by Senator Wagoner carried and floor amendment no. 1057 was adopted by voice vote.

## MOTION

On motion of Senator Wagoner, the rules were suspended, Engrossed Substitute Senate Bill No. 6063 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wagoner, Darneille and Padden spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 6063.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6063 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Fortunato

ENGROSSED SUBSTITUTE SENATE BILL NO. 6063, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SECOND READING

SENATE BILL NO. 6275, by Senators Cleveland and O'Ban

Increasing patient access rights to timely and appropriate postacute care.

## MOTIONS

On motion of Senator Cleveland, Second Substitute Senate Bill No. 6275 was substituted for Senate Bill No. 6275 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Cleveland, the rules were suspended, Second Substitute Senate Bill No. 6275 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 6275.

## ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 6275 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Takko,

Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senator Fortunato

SECOND SUBSTITUTE SENATE BILL NO. 6275, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SECOND READING

SENATE BILL NO. 6128, by Senators Randall, Darneille, Dhingra, Frockt, Hasegawa, Hunt, Kuderer, Lovelett, Salomon, Stanford, Van De Wege, Nguyen, Wilson and C.

Extending coverage during the postpartum period.

## MOTION

On motion of Senator Randall, Engrossed Second Substitute Senate Bill No. 6128 was substituted for Senate Bill No. 6128 and the substitute bill was placed on the second reading and read the second time.

## MOTION

Senator Randall moved that the following floor amendment no. 1060 by Senators Randall and O'Ban be adopted:

On page 2, line 19, after "2." insert "A new section is added to chapter 74.09 RCW to read as follows:"

On page 2, beginning on line 19, after "2021," strike "to the extent of available funds,"

On page 2, line 31, after "section;" insert "and"

Beginning on page 2, line 33, after "ends" strike all material through "(5)" on page 3, line 6, and insert "

(3)"

On page 3, beginning on line 9, after "state," strike all material through "and" on line 10

On page 3, line 12, after "act" insert ", and:"

(i) For state fiscal year 2021, have countable income equal to or below one hundred fifty percent of the federal poverty level;

(ii) For state fiscal year 2022, have countable income equal to or below one hundred sixty-five percent of the federal poverty level;

(iii) For state fiscal year 2023, have countable income equal to or below one hundred eighty percent of the federal poverty level;

(iv) Beginning state fiscal year 2024, have countable income equal to or below one hundred ninety-three percent of the federal poverty level"

On page 4, line 18, after "the" insert "health care"

Senators Randall and O'Ban spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1060 by Senators Randall and O'Ban on page 2, line 19 to Second Substitute Senate Bill No. 6128.

The motion by Senator Randall carried and floor amendment no. 1060 was adopted by voice vote.

## MOTION

On motion of Senator Randall, the rules were suspended, Engrossed Second Substitute Senate Bill No. 6128 was advanced to third reading, the second reading considered the third and the

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bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 6128.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 6128 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Fortunato

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6128, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SENATE BILL NO. 6218, by Senators Schoesler and Conway

Modifying the definition of salary for the Washington state patrol retirement system.

The measure was read the second time.

#### MOTION

On motion of Senator Schoesler, the rules were suspended, Senate Bill No. 6218 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Senate Bill No. 6218.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6218 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Fortunato

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SENATE BILL NO. 6218, 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 5:46 p.m., on motion of Senator Liias, the Senate was declared to be at ease subject to the call of the President.

Senator Becker announced a meeting of the Republican Caucus.

Senator McCoy announced a meeting of the Democratic Caucus.

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#### EVENING SESSION

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The Senate was called to order at 7:05 p.m. by President Habib.

#### MOTION

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

#### THIRD READING CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

#### MOTION

Senator Zeiger moved that Stephen L. Smith, Senate Gubernatorial Appointment No. 9147, be confirmed as a member of the Pierce College Board of Trustees.

Senator Zeiger spoke in favor of the motion.

#### APPOINTMENT OF STEPHEN L. SMITH

The President declared the question before the Senate to be the confirmation of Stephen L. Smith, Senate Gubernatorial Appointment No. 9147, as a member of the Pierce College Board of Trustees.

The Secretary called the roll on the confirmation of Stephen L. Smith, Senate Gubernatorial Appointment No. 9147, as a member of the Pierce College Board of Trustees and the appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 1; Excused, 1.

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

Absent: Senator Ericksen  
Excused: Senator Fortunato

Stephen L. Smith, Senate Gubernatorial Appointment No. 9147, having received the constitutional majority was declared confirmed as a member of the Pierce College Board of Trustees.

#### MOTION

On motion of Senator Padden, Senator Ericksen was excused.

#### MOTION

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

## SECOND READING

SENATE BILL NO. 6012, by Senators Hawkins and Palumbo

Promoting renewable energy through modifying tax incentives.

### MOTION

On motion of Senator Hawkins, Substitute Senate Bill No. 6012 was substituted for Senate Bill No. 6012 and the substitute bill was placed on the second reading and read the second time.

### MOTION

Senator Hawkins moved that the following striking floor amendment no. 954 by Senators Carlyle and Hawkins be adopted:

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 1.** (1) This section is the tax preference performance statement for the sales and use tax exemptions contained in sections 2 and 3, chapter . . . , Laws of 2020 (sections 2 and 3 of this act). This performance statement is only intended to be used for subsequent evaluation of these tax preferences. It is not intended to create a private right of action by any party or be used to determine eligibility for preferential tax treatment.

(2) The legislature categorizes these sales and use tax exemptions as ones intended to induce certain designated behavior by taxpayers, as indicated in RCW 82.32.808(2)(a).

(3) It is the legislature's specific public policy objective to encourage hydroelectric facilities to install oil-free adjustable blade hubs to reduce oil spills by reducing the price differential between oil-free systems and traditional oil-operated mechanisms.

(4) If a review finds that a majority of new or replacement turbines incorporate oil-free adjustable blade hubs, and oil-free systems continue to cost more than traditional systems, then the legislature intends to extend the expiration date of these tax preferences.

(5) In order to obtain the data necessary to perform the review in subsection (4) of this section, the joint legislative audit and review committee must incorporate data provided by public utility districts and businesses operating hydroelectric facilities that claim the exemptions authorized in sections 2 and 3, chapter . . . , Laws of 2020 (sections 2 and 3 of this act), as well as information provided by the department of revenue.

**NEW SECTION. Sec. 2.** A new section is added to chapter 82.08 RCW to read as follows:

(1) The tax imposed by RCW 82.08.020 does not apply to:

(a) The sale of oil-free adjustable blade hubs for hydroelectric turbines;

(b) The sale of or charge made for labor and services rendered in respect to constructing, installing, repairing, altering, cleaning, or improving oil-free adjustable blade hubs for hydroelectric turbines; and

(c) The sale of tangible personal property that will become a component of oil-free adjustable blade hubs for hydroelectric turbines during the course of constructing, installing, repairing, altering, cleaning, or improving oil-free adjustable blade hubs for hydroelectric turbines.

(2)(a) The exemption under this section is in the form of a remittance and applies only to the state sales tax. A person

claiming an exemption from state tax in the form of a remittance under this section must pay all state and local sales and use taxes. The buyer may then apply to the department for remittance of one hundred percent of the tax paid under RCW 82.08.020 and 82.12.020.

(b) The department must determine eligibility under this section based on information provided by the buyer and through audit and other administrative records. The buyer must on a quarterly basis submit an information sheet, in a form and manner as required by the department by rule, specifying the amount of exempted tax claimed and the qualifying purchases or acquisitions for which the exemption is claimed. The buyer must retain, in adequate detail to enable the department to determine whether the oil-free adjustable blade hub and related labor and services meet the criteria under this section: Invoices; proof of tax paid; documents describing the equipment; and construction invoices and documents.

(c) The department must on a quarterly basis remit exempted amounts to qualifying persons who submitted applications during the previous quarter.

(3) For the purposes of this section and section 3 of this act, "oil-free adjustable blade hub for hydroelectric turbines" means a type of horizontal or vertical hydroelectric turbine with adjustable blades that does not use oil on the runner hub to lubricate the internal components.

(4) This section expires July 1, 2030.

**NEW SECTION. Sec. 3.** A new section is added to chapter 82.12 RCW to read as follows:

(1) The tax imposed by RCW 82.12.020 does not apply to the use of:

(a) Oil-free adjustable blade hubs for hydroelectric turbines;

(b) Labor and services rendered in respect to constructing, installing, repairing, altering, cleaning, or improving oil-free adjustable blade hubs for hydroelectric turbines; and

(c) Tangible personal property that will become a component of oil-free adjustable blade hubs for hydroelectric turbines during the course of constructing, installing, repairing, altering, cleaning, or improving oil-free adjustable blade hubs for hydroelectric turbines.

(2) The definitions, conditions, and requirements under section 2 of this act apply to this section.

(3) This section expires July 1, 2030.

**NEW SECTION. Sec. 4.** This act takes effect July 1, 2020.

**NEW SECTION. Sec. 5.** If the state fiscal impacts of this act, referencing this act by bill or chapter number, are not referenced by June 30, 2020, in the omnibus operating appropriations act, this act is null and void."

On page 1, line 2 of the title, after "incentives;" strike the remainder of the title and insert "adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; creating new sections; providing an effective date; and providing expiration dates."

### MOTION

Senator Keiser moved that the following floor amendment no. 1096 by Senators Keiser and Hawkins be adopted:

On page 2, after line 31, insert the following:

"(d) With respect to a project to install oil-free adjustable blade hubs, before the department may remit exempted amounts to qualifying persons, the department of labor and industries must have certified that the project compensates workers at prevailing wage rates determined by local collective bargaining as determined by the department of labor and industries."

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Senators Keiser and Hawkins spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1096 by Senators Keiser and Hawkins on page 2, after line 31 to striking floor amendment no. 954.

The motion by Senator Keiser carried and floor amendment no. 1096 was adopted by voice vote.

The President declared the question before the Senate to be the adoption of striking floor amendment no. 954 by Senators Carlyle and Hawkins as amended to Substitute Senate Bill No. 6012.

The motion by Senator Hawkins carried and striking floor amendment no. 954 as amended was adopted by voice vote.

## MOTION

On motion of Senator Hawkins, the rules were suspended, Engrossed Substitute Senate Bill No. 6012 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Hawkins, Keiser, Braun, Carlyle and Sheldon spoke in favor of passage of the bill.

Senator Ericksen spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 6012.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6012 and the bill passed the Senate by the following vote: Yeas, 39; Nays, 9; Absent, 0; Excused, 1.

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

Voting nay: Senators Brown, Ericksen, Honeyford, King, Padden, Rivers, Schoesler, Walsh and Wilson, L.

Excused: Senator Fortunato

ENGROSSED SUBSTITUTE SENATE BILL NO. 6012, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SECOND READING

SENATE BILL NO. 6084, by Senators Takko, Hobbs, Mullet and Padden

Concerning roundabouts. Revised for 1st Substitute: Concerning circular intersections.

## MOTIONS

On motion of Senator Takko, Substitute Senate Bill No. 6084 was substituted for Senate Bill No. 6084 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Takko, the rules were suspended, Substitute Senate Bill No. 6084 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6084.

## ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6084 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 1; Absent, 0; Excused, 1.

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

Voting nay: Senator Honeyford

Excused: Senator Fortunato

SUBSTITUTE SENATE BILL NO. 6084, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SECOND READING

SENATE BILL NO. 6493, by Senators Liias, King, Hobbs, Billig, Saldaña, Wilson and C.

Concerning the Cooper Jones active transportation safety council.

The measure was read the second time.

## MOTION

On motion of Senator Liias, the rules were suspended, Senate Bill No. 6493 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Liias spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 6493.

## ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6493 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Fortunato

SENATE BILL NO. 6493, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SECOND READING

SENATE BILL NO. 6565, by Senators Randall, Nguyen, Lovelett, Hasegawa, Das, Saldaña, Wilson and C.

Establishing permissible methods of parking a motorcycle.

The measure was read the second time.

## MOTION

On motion of Senator Randall, the rules were suspended, Senate Bill No. 6565 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Randall spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 6565.

## ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6565 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Fortunato

SENATE BILL NO. 6565, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SECOND READING

SENATE BILL NO. 5493, by Senators Zeiger, Darneille and Walsh

Establishing a board of advisors to provide local guidance to community services offices operated by the department of social and health services. Revised for 2nd Substitute: Concerning convening local communities to reduce intergenerational poverty.

## MOTIONS

On motion of Senator Zeiger, Second Substitute Senate Bill No. 5493 was substituted for Senate Bill No. 5493 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Zeiger, the rules were suspended, Second Substitute Senate Bill No. 5493 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 5493.

## ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 5493 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 2; Absent, 0; Excused, 1.

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

Voting nay: Senators Ericksen and Padden

Excused: Senator Fortunato

SECOND SUBSTITUTE SENATE BILL NO. 5493, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SECOND READING

SENATE BILL NO. 6580, by Senator Mullet

Concerning organ transport vehicles.

The measure was read the second time.

## MOTION

On motion of Senator Mullet, the rules were suspended, Senate Bill No. 6580 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 Senate Bill No. 6580.

## ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6580 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Fortunato

SENATE BILL NO. 6580, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SECOND READING

SENATE BILL NO. 6022, by Senators Zeiger and Padden

Concerning fentanyl.

## MOTIONS

On motion of Senator Zeiger, Substitute Senate Bill No. 6022 was substituted for Senate Bill No. 6022 and the substitute bill



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

On motion of Senator Zeiger, the rules were suspended, Substitute Senate Bill No. 6022 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Zeiger 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 Senate Bill No. 6022.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6022 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Fortunato

SUBSTITUTE SENATE BILL NO. 6022, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SENATE BILL NO. 6282, by Senators Pedersen, Wellman, Kuderer, Salomon, Mullet, Carlyle, Hunt, Holy, Padden, Hawkins, Zeiger and Wagoner

Concerning the development of individualized highly capable learning plans. Revised for 1st Substitute: Developing highly capable transition plans.

#### MOTION

On motion of Senator Pedersen, Substitute Senate Bill No. 6282 was substituted for Senate Bill No. 6282 and the substitute bill was placed on the second reading and read the second time.

#### MOTION

Senator Pedersen moved that the following striking floor amendment no. 1068 by Senators Pedersen, Carlyle, Das, Hawkins, Holy, Nguyen, Saldaña and Wellman be adopted:

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 1.** The legislature recognizes that accelerated learning and enhanced instruction for highly capable students is considered part of basic education, and requires that students be offered a continuum of highly capable services in grades K-12. Accelerated learning requires access to accelerated curriculum, advanced standards, and faster pacing. Enhanced instruction requires that the accelerated curriculum be offered at greater depth and complexity, and that students receive direct instruction on that K-12 curriculum from educators. Accelerated learning and enhanced instruction can be achieved through a

variety of delivery models and instructional programming, which grants school districts the flexibility necessary to address a wide range of student needs.

The legislature further recognizes that there has been a long history of inequitable access to highly capable services. Identification practices such as testing outside the school day or at locations other than a student's school and the use of testing instruments that are inaccessible to English language learners has had the effect of failing to identify highly capable students who reflect the racial and economic diversity of a school district's population. The legislature encourages districts to reform their identification processes to address these inequities and improve access for all highly capable students.

However, the legislature also recognizes the possible impact to student learning that may occur when school districts modify the delivery model of highly capable services. Therefore, the legislature intends to create a process to protect highly capable student access to basic education when a school district substantially modifies the continuum of highly capable services provided.

**NEW SECTION. Sec. 2.** A new section is added to chapter 28A.185 RCW to read as follows:

(1) A school district may choose to provide highly capable instruction using a variety of service delivery models. However, if a school district chooses to make a substantial modification to the continuum of services provided to the highly capable students in a school or school district by transitioning the students to an alternative delivery model for highly capable instruction, it must develop a highly capable program transition plan for the group of students affected.

(2)(a) Within fifteen days of formalizing the decision to transition to an alternative delivery model for highly capable instruction, a school district must provide written notice to the parents and guardians of all highly capable students that may be affected by the transition. The notice must include a summary of the anticipated program changes and an invitation to participate in public meetings regarding development and adoption of the highly capable program transition plan.

(b) Any school district required to retroactively develop a highly capable program transition plan pursuant to section 3 of this act must provide notice within fifteen days of the effective date of this section.

(3) Within thirty days after providing written notice to parents and guardians, the school district must hold a public meeting to solicit comments regarding development of the highly capable program transition plan.

(4) Within thirty days after the public meeting, the school district must convene a transition team to develop the highly capable program transition plan. The transition team must be appointed by the school board of directors, and include highly capable educators, parents or guardians of highly capable students affected by the transition, and school district personnel who have experience administering highly capable programs.

(5) Within thirty days of convening, the transition team must develop a highly capable program transition plan that reflects the comments received at the public meeting and that contains, at a minimum, the following information:

(a) A description of the highly capable program's current structure and services, including instructional enhancement strategies and processes used to address the unique needs and capabilities of highly capable students, including those with learning disabilities and special needs;

(b) A description of the services and transitional supports that highly capable students will receive under the alternative delivery model, and how those services will provide students with

equivalent or enhanced educational opportunities;

(c) A plan for how the progress of all highly capable students will be measured in subjects in which they are receiving accelerated learning and enhanced instruction;

(d) A process and timeline for evaluating whether the alternative delivery model is successfully providing a meaningful opportunity for progress similar to that expected under the current delivery model;

(e) A process to solicit feedback from parents or guardians of highly capable students, at least once each year for two years following the introduction of the alternative delivery model, to determine if any modification to the delivery model is necessary; and

(f) If one of the reasons the district is changing the highly capable delivery model is to address racial disparities within the program and increase access to educational opportunity for students of color, the transition plan must also include a description of how the new model will address racial disparities, a multiyear process for evaluating whether the new delivery model is actually increasing access to the highly capable program for students of color, and a plan for making adjustments if it is not.

(6) Within thirty days of finalizing the highly capable program transition plan, the school district must adopt the plan at an open public meeting. Upon adoption, the school district must publish the transition plan on the school district web site.

(7) If a school district fails to develop a highly capable program transition plan as required under this section or, if after one year, a student subject to the transition plan is not continuing to make academic progress similar to the progress that had been made under the prior delivery model, the parent or guardian of that highly capable student may request mediation with the school district. If the parent requests mediation with the school district, the school district shall engage an independent mediator within thirty days, at the expense of the school district, to assist the parties in creating a mutually acceptable individual transition plan.

(8) For the purposes of this section, "substantial modification" means modification to the continuum of highly capable services provided to a student, made without the consent of the student's parent or guardian, that significantly adjusts or disrupts the delivery of accelerated learning or enhanced instruction. This may include, but is not limited to, moving a student from a cohort model of instruction to a noncohort model of instruction or disrupting a student's future expected course sequencing.

**NEW SECTION. Sec. 3.** This act applies retroactively to all transitions in highly capable delivery models that occurred after January 1, 2019."

On page 1, line 2 of the title, after "plans;" strike the remainder of the title and insert "adding a new section to chapter 28A.185 RCW; and creating new sections."

The President declared the question before the Senate to be the adoption of striking floor amendment no. 1068 by Senators Pedersen, Carlyle, Das, Hawkins, Holy, Nguyen, Saldaña and Wellman to Substitute Senate Bill No. 6282.

The motion by Senator Pedersen carried and striking floor amendment no. 1068 was adopted by voice vote.

#### MOTION

On motion of Senator Pedersen, the rules were suspended, Engrossed Substitute Senate Bill No. 6282 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Pedersen and Hawkins spoke in favor of passage of

the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 6282.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6282 and the bill passed the Senate by the following vote: Yeas, 39; Nays, 9; Absent, 0; Excused, 1.

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

Voting nay: Senators Conway, Darneille, Ericksen, Frockt, Hasegawa, Hobbs, McCoy, Nguyen and Wilson, C.

Excused: Senator Fortunato

ENGROSSED SUBSTITUTE SENATE BILL NO. 6282, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SENATE BILL NO. 6613, by Senators Rolfes, Lovelett and Saldaña

Concerning the inspection of marine aquatic farming locations.

#### MOTIONS

On motion of Senator Rolfes, Substitute Senate Bill No. 6613 was substituted for Senate Bill No. 6613 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Rolfes, the rules were suspended, Substitute Senate Bill No. 6613 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Rolfes and Lovelett spoke in favor of passage of the bill.

Senator Wagoner spoke against passage of the bill.

Senator Warnick spoke on passage of the bill.

#### POINT OF INQUIRY

Senator Sheldon: "I would like to ask Senator Rolfes if this bill effects oyster and clam operations or is it directed primarily at net-pen operations?"

Senator Rolfes: "It is intended to be directed at net-pen operations."

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6613.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6613 and the bill passed the Senate by the following vote: Yeas, 36; Nays, 12; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Braun, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hawkins, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet,

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Nguyen, O'Ban, Pedersen, Randall, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Takko, Van De Wege, Warnick, Wellman, Wilson, C. and Zeiger

Voting nay: Senators Becker, Brown, Ericksen, Holy, Honeyford, King, Muzzall, Padden, Rivers, Wagoner, Walsh and Wilson, L.

Excused: Senator Fortunato

SUBSTITUTE SENATE BILL NO. 6613, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6061, by Senators Becker and Conway

Requiring training standards in providing telemedicine services.

MOTIONS

On motion of Senator Becker, Substitute Senate Bill No. 6061 was substituted for Senate Bill No. 6061 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Becker, the rules were suspended, Substitute Senate Bill No. 6061 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 Senate Bill No. 6061.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6061 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 1; Absent, 0; Excused, 1.

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

Voting nay: Senator Van De Wege

Excused: Senator Fortunato

SUBSTITUTE SENATE BILL NO. 6061, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6217, by Senators Keiser, Saldaña, Nguyen, Hasegawa, Conway, Wilson and C.

Concerning minimum labor standards for certain employees working at an airport or air navigation facility.

MOTION

On motion of Senator Keiser, Substitute Senate Bill No. 6217 was substituted for Senate Bill No. 6217 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Keiser moved that the following floor amendment no. 960 by Senators Keiser and Saldaña be adopted:

Beginning on page 1, line 5, strike all of section 1

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

On page 4, line 36, after "under" strike "subsection (1)(a) of this section" and insert "~~((subsection (1)))~~ (a) of this ~~((section))~~ subsection"

On page 6, line 4, after "charges." insert "As used in this subsection (1)(f), the term "charges" does not refer to any minimum labor standard imposed by a municipality pursuant to subsection (2) of this section."

On page 7, line 2, after "under" strike "subsection ~~((8))~~ (h) of this section" and insert "~~((subsection (8)))~~ (h) of this ((section)) subsection"

Beginning on page 8, after line 22, strike all material through "routes." on page 9, line 2 and insert the following:

"(2)(a) A municipality that controls or operates an airport having more than twenty million annual commercial air service passenger enplanements that is located within the boundaries of a city that has passed a local law or ordinance setting a minimum labor standard that applies to certain employers operating or providing goods and services at the airport is authorized to enact a minimum labor standard that applies to employees working at the airport, so long as the minimum labor standard meets, but does not exceed, the minimum labor standard in the city's law or ordinance.

(b) A municipality's authority to establish a minimum labor standard pursuant to (a) of this subsection may be imposed only on employers that are excluded from the minimum labor standard established by such city because the type of good or service provided by the employer is expressly excluded in the text of the city's law or ordinance.

(c) This section does not authorize a municipality to establish a minimum labor standard for an employer who was excluded from the city's law or ordinance because it is a certificated air carrier performing services for itself or based on the employer's size or number of employees.

(d) The authority granted under (a) of this subsection shall only apply to employers who provide the goods or services at the airport from facilities that are located on property owned by the municipality and within the boundaries of the city that enacted the minimum labor standard."

On page 1, line 2 of the title, after "facility;" strike the remainder of the title and insert "and amending RCW 14.08.120."

Senators Keiser and King spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 960 by Senators Keiser and Saldaña on page 1, line 5 to Substitute Senate Bill No. 6217.

The motion by Senator Keiser carried and floor amendment no. 960 was adopted by voice vote.

MOTION

On motion of Senator Keiser, the rules were suspended, Engrossed Substitute Senate Bill No. 6217 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Keiser spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 6217.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6217 and the bill passed the Senate by the following vote: Yeas, 33; Nays, 15; Absent, 0; Excused, 1.

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

Voting nay: Senators Becker, Brown, Ericksen, Holy, Honeyford, Muzzall, Padden, Schoesler, Sheldon, Short, Wagoner, Walsh, Warnick, Wilson, L. and Zeiger

Excused: Senator Fortunato

ENGROSSED SUBSTITUTE SENATE BILL NO. 6217, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SENATE BILL NO. 6300, by Senators Rivers, Pedersen, Zeiger, Kuderer, Frockt and Lovelett

Concerning animal welfare.

#### MOTION

On motion of Senator Rivers, Substitute Senate Bill No. 6300 was substituted for Senate Bill No. 6300 and the substitute bill was placed on the second reading and read the second time.

#### MOTION

Senator Rivers moved that the following striking floor amendment no. 1014 by Senators Rivers and Pedersen be adopted:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 16.08.100 and 2002 c 244 s 3 are each amended to read as follows:

(1) Any dangerous dog shall be immediately confiscated by an animal control authority if the: (a) Dog is not validly registered under RCW 16.08.080; (b) owner does not secure the liability insurance coverage required under RCW 16.08.080; (c) dog is not maintained in the proper enclosure; or (d) dog is outside of the dwelling of the owner, or outside of the proper enclosure and not under physical restraint of the responsible person. The owner must pay the costs of confinement and control. The animal control authority must serve notice upon the dog owner in person or by regular and certified mail, return receipt requested, specifying the reason for the confiscation of the dangerous dog, that the owner is responsible for payment of the costs of confinement and control, and that the dog will be destroyed in an expeditious and

humane manner if the deficiencies for which the dog was confiscated are not corrected within twenty days. The animal control authority shall destroy the confiscated dangerous dog in an expeditious and humane manner if any deficiencies required by this subsection are not corrected within twenty days of notification. In addition, the owner shall be guilty of a gross misdemeanor punishable in accordance with RCW 9A.20.021.

(2) If a dangerous dog of an owner with a prior conviction under this chapter attacks or bites a person or another domestic animal, the dog's owner is guilty of a class C felony, punishable in accordance with RCW 9A.20.021. It is an affirmative defense that the defendant must prove by a preponderance of the evidence that he or she was in compliance with the requirements for ownership of a dangerous dog pursuant to this chapter and the person or domestic animal attacked or bitten by the defendant's dog trespassed on the defendant's real or personal property or provoked the defendant's dog without justification or excuse. In addition, the dangerous dog shall be immediately confiscated by an animal control authority, placed in quarantine for the proper length of time, and thereafter destroyed in an expeditious and humane manner.

(3) The owner of any dog that aggressively attacks and causes severe injury or death of any human, whether or not the dog has previously been declared potentially dangerous or dangerous, shall, upon conviction, be guilty of a class C felony punishable in accordance with RCW 9A.20.021. It is an affirmative defense that the defendant must prove by a preponderance of the evidence that the human severely injured or killed by the defendant's dog: (a) Trespassed on the defendant's real or personal property which was enclosed by fencing suitable to prevent the entry of young children and designed to prevent the dog from escaping and marked with clearly visible signs warning people, including children, not to trespass and to beware of dog; or (b) provoked the defendant's dog without justification or excuse on the defendant's real or personal property which was enclosed by fencing suitable to prevent the entry of young children and designed to prevent the dog from escaping and marked with clearly visible signs warning people, including children, not to trespass and to beware of dog. In such a prosecution, the state has the burden of showing that the owner of the dog either knew or should have known that the dog was potentially dangerous as defined in this chapter. The state may not meet its burden of proof that the owner should have known the dog was potentially dangerous solely by showing the dog to be a particular breed or breeds. In addition, the dog shall be immediately confiscated by an animal control authority, quarantined, and upon conviction of the owner destroyed in an expeditious and humane manner.

~~((4) Any person entering a dog in a dog fight is guilty of a class C felony punishable in accordance with RCW 9A.20.021.))~~

**Sec. 2.** RCW 16.52.011 and 2019 c 174 s 3 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,

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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))~~ ~~(t)~~ "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.

**Sec. 3.** RCW 16.52.085 and 2016 c 181 s 1 are each amended to read as follows:

(1) If a law enforcement officer or animal control officer has probable cause to believe that an owner of a domestic animal has violated this chapter or a person owns, cares for, or resides with an animal in violation of an order issued under RCW 16.52.200(4) and no responsible person can be found to assume the animal's

care, the officer may authorize, with a warrant, the removal of the animal to a suitable place for feeding and care, or may place the animal under the custody of an animal care and control agency. In determining what is a suitable place, the officer shall consider the animal's needs, including its size and behavioral characteristics. An officer may remove an animal under this subsection without a warrant only if the animal is in an immediate life-threatening condition.

(2) If a law enforcement officer or an animal control officer has probable cause to believe a violation of this chapter has occurred, the officer may authorize an examination of a domestic animal allegedly neglected or abused in violation of this chapter by a veterinarian to determine whether the level of neglect or abuse in violation of this chapter is sufficient to require removal of the animal. This section does not condone illegal entry onto private property.

(3) Any owner whose domestic animal is removed pursuant to this chapter shall be given written notice of the circumstances of the removal and notice of legal remedies available to the owner. The notice shall be given by posting at the place of seizure, by delivery to a person residing at the place of seizure, or by registered mail if the owner is known. In making the decision to remove an animal pursuant to this chapter, the officer shall make a good faith effort to contact the animal's owner before removal.

(4) The agency having custody of the animal may euthanize the animal or may find a responsible person to adopt the animal not less than fifteen business days after the animal is taken into custody. A custodial agency may euthanize severely injured, diseased, or suffering animals at any time. An owner may prevent the animal's destruction or adoption by: (a) Petitioning the district court of the county where the animal was seized for the animal's immediate return subject to court-imposed conditions, or (b) posting a bond or security in an amount sufficient to provide for the animal's care for a minimum of thirty days from the seizure date. If the custodial agency still has custody of the animal when the bond or security expires, the animal shall become the agency's property unless the court orders an alternative disposition. If a court order prevents the agency from assuming ownership and the agency continues to care for the animal, the court shall order the owner to post or renew a bond or security for the agency's continuing costs for the animal's care. When a court has prohibited the owner from owning, caring for, or residing with ~~((a similar))~~ animal~~s~~ under RCW 16.52.200(4), the agency having custody of the animal may assume ownership upon seizure and the owner may not prevent the animal's destruction or adoption by petitioning the court or posting a bond.

(5) If no criminal case is filed within fourteen business days of the animal's removal, the owner may petition the district court of the county where the animal was removed for the animal's return. The petition shall be filed with the court. Copies of the petition must be served on the law enforcement or animal care and control agency responsible for removing the animal and to the prosecuting attorney. If the court grants the petition, the agency which seized the animal must surrender the animal to the owner at no cost to the owner. If a criminal action is filed after the petition is filed but before the hearing on the petition, then the petition shall be joined with the criminal matter.

(6) In a motion or petition for the animal's return before a trial, the burden is on the owner to prove by a preponderance of the evidence that the animal will not suffer future neglect or abuse and is not in need of being restored to health.

(7) Any authorized person treating or attempting to restore an animal to health under this chapter shall not be civilly or criminally liable for such action.

**Sec. 4.** RCW 16.52.095 and 1994 c 261 s 7 are each amended

to read as follows:

~~(It shall not be lawful for)~~ (1) Except as provided in subsection (2) of this section, it is a misdemeanor:

~~(a) For any person to cut off more than one-half of the ear or ears of any domestic animal such as an ox, cow, bull, calf, sheep, goat, or hog, or dog, and any person cutting off more than one-half of the ear or ears of any such animals, shall be deemed guilty of a misdemeanor, and upon conviction, shall be fined in any sum less than twenty dollars. This section does not apply if cutting off more than one-half of the ear of the animal is a customary husbandry practice); or~~

(b) For any person to:

(i) Devocalize a dog;

(ii) Crop or cut off any part of the ear of a dog; or

(iii) Crop or cut off any part of the tail of a dog that is seven days old or older, or has opened its eyes, whichever occurs sooner.

(2) This section does not apply if the person performing the procedure is a licensed veterinarian utilizing accepted veterinary surgical protocols that may include local anesthesia, general anesthesia, or perioperative pain management.

**Sec. 5.** RCW 16.52.200 and 2016 c 181 s 2 are each amended to read as follows:

(1) The sentence imposed for a misdemeanor or gross misdemeanor violation of this chapter may be deferred or suspended in accordance with RCW 3.66.067 and 3.66.068, however the probationary period shall be two years.

(2) In case of multiple misdemeanor or gross misdemeanor convictions, the sentences shall be consecutive, however the probationary period shall remain two years.

(3) In addition to the penalties imposed by the court, the court shall order the forfeiture of all animals held by law enforcement or animal care and control authorities under the provisions of this chapter if any one of the animals involved dies as a result of a violation of this chapter or if the defendant has a prior conviction under this chapter. In other cases the court may enter an order requiring the owner to forfeit the animal if the court deems the animal's treatment to have been severe and likely to reoccur.

(4) Any person convicted of animal cruelty shall be prohibited from owning, caring for, possessing, or residing with any ~~(similar)~~ animals for a period of time as follows:

(a) Two years for a first conviction of animal cruelty in the second degree under RCW 16.52.207;

(b) Permanently for a first conviction of animal cruelty in the first degree under RCW 16.52.205;

(c) Permanently for a second or subsequent conviction of animal cruelty, except as provided in subsection (5) of this section.

(5) If a person has no more than two convictions of animal cruelty and each conviction is for animal cruelty in the second degree, the person may petition the sentencing court in which the most recent animal cruelty conviction occurred, for a restoration of the right to own ~~(or possess a similar animal)~~, care for, possess, or reside with animals five years after the date of the second conviction. In determining whether to grant the petition, the court shall consider, but not be limited to, the following:

(a) The person's prior animal cruelty in the second degree convictions;

(b) The type of harm or violence inflicted upon the animals;

(c) Whether the person has completed the conditions imposed by the court as a result of the underlying convictions;

(d) Whether the person complied with the prohibition on owning, caring for, possessing, or residing with ~~(similar)~~ animals; and

(e) Any other matters the court finds reasonable and material to consider in determining whether the person is likely to abuse

another animal.

The court may delay its decision on forfeiture under subsection (3) of this section until the end of the probationary period.

(6) In addition to fines and court costs, the defendant, only if convicted or in agreement, shall be liable for reasonable costs incurred pursuant to this chapter by law enforcement agencies, animal care and control agencies, or authorized private or public entities involved with the care of the animals. Reasonable costs include expenses of the investigation, and the animal's care, euthanization, or adoption.

(7) If convicted, the defendant shall also pay a civil penalty of one thousand dollars to the county to prevent cruelty to animals. These funds shall be used to prosecute offenses under this chapter and to care for forfeited animals pending trial.

(8) If a person violates the prohibition on owning, caring for, possessing, or residing with ~~(similar)~~ animals under subsection (4) of this section, that person:

(a) Shall pay a civil penalty of one thousand dollars for the first violation;

(b) Shall pay a civil penalty of two thousand five hundred dollars for the second violation; and

(c) Is guilty of a gross misdemeanor for the third and each subsequent violation.

(9) As a condition of the sentence imposed under this chapter or RCW 9.08.070 through 9.08.078, the court may also order the defendant to participate in an available animal cruelty prevention or education program or obtain available psychological counseling to treat mental health problems contributing to the violation's commission. The defendant shall bear the costs of the program or treatment.

(10) Nothing in this section limits the authority of a law enforcement officer, animal control officer, custodial agency, or court to remove, adopt, euthanize, or require forfeiture of an animal under RCW 16.52.085.

**Sec. 6.** RCW 16.52.205 and 2015 c 235 s 6 are each amended to read as follows:

(1) A person is guilty of animal cruelty in the first degree when, except as authorized in law, he or she intentionally (a) inflicts substantial pain on, (b) causes physical injury to, or (c) kills an animal by a means causing undue suffering or while manifesting an extreme indifference to life, or forces a minor to inflict unnecessary pain, injury, or death on an animal.

~~(2)(a)~~ A person is guilty of animal cruelty in the first degree when, except as authorized by law or as provided in (b) of this subsection, he or she, with criminal negligence, starves, dehydrates, or suffocates an animal, or exposes an animal to excessive heat or cold and as a result causes: ~~((a))~~ (i) Substantial and unjustifiable physical pain that extends for a period sufficient to cause considerable suffering; or ~~((b))~~ (ii) death.

(b) A person is not guilty of animal cruelty in the first degree by means of exposing an animal to excessive heat or cold if the exposure is due to an unforeseen or unpreventable accident or event caused exclusively by an extraordinary force of nature.

(3) A person is guilty of animal cruelty in the first degree when he or she:

(a) Knowingly engages in any sexual conduct or sexual contact with an animal;

(b) Knowingly causes, aids, or abets another person to engage in any sexual conduct or sexual contact with an animal;

(c) Knowingly permits any sexual conduct or sexual contact with an animal to be conducted on any premises under his or her charge or control;

(d) Knowingly engages in, organizes, promotes, conducts, advertises, aids, abets, participates in as an observer, or performs any service in the furtherance of an act involving any sexual conduct or sexual contact with an animal for a commercial or

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recreational purpose; or

(e) Knowingly photographs or films, for purposes of sexual gratification, a person engaged in a sexual act or sexual contact with an animal.

(4) Animal cruelty in the first degree is a class C felony.

(5) In addition to the penalty imposed in subsection (4) of this section, the court ~~((may))~~ must order that the convicted person ~~((do any of the following:~~

~~(a) Not harbor or own animals or reside in any household where animals are present;~~

~~(b)) not own, care for, possess, or reside in any household where an animal is present, in accordance with RCW 16.52.200.~~

~~(6) In addition to the penalties imposed in subsections (4) and (5) of this section, the court may order that the convicted person:~~

~~(a) Participate in appropriate counseling at the defendant's expense;~~

~~((e)) (b) Reimburse the animal shelter or humane society for any reasonable costs incurred for the care and maintenance of any animals taken to the animal shelter or humane society as a result of conduct proscribed in ((subsection (3) of)) this section.~~

~~((6)) (7) Nothing in this section ((may be considered to)) prohibits accepted animal husbandry practices or ((accepted veterinary medical practices by)) prohibits a licensed veterinarian or certified veterinary technician from performing procedures on an animal that are accepted veterinary medical practices.~~

~~((7)) (8) If the court has reasonable grounds to believe that a violation of this section has occurred, the court may order the seizure of all animals involved in the alleged violation as a condition of bond of a person charged with a violation.~~

~~((8)) (9) For purposes of this section:~~

(a) "Animal" means every creature, either alive or dead, other than a human being.

(b) "Sexual conduct" means any touching ~~((or))~~ by a person of, fondling by a person of, transfer of saliva by a person to, or use of a foreign object by a person on, ~~((either directly or through clothing, of))~~ the sex organs or anus of an animal, either directly or through clothing, or any transfer or transmission of semen by the person upon any part of the animal ~~((, for the purpose of sexual gratification or arousal of the person)).~~

(c) "Sexual contact" means any contact, however slight, between the mouth, sex organ, or anus of a person and the mouth, sex organ, or anus of an animal, or any intrusion, however slight, of any part of the body of the person or foreign object into the sex organ or anus of an animal, or any intrusion of the sex organ or anus of the person into the mouth of the animal ~~((, for the purpose of sexual gratification or arousal of the person)).~~

(d) "Photographs" or "films" means the making of a photograph, motion picture film, videotape, digital image, or any other recording, sale, or transmission of the image.

**Sec. 7.** RCW 16.52.207 and 2019 c 174 s 2 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:

(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; or

~~(b) ((Under circumstances not amounting to animal cruelty in the second degree under (c) of this subsection, abandons)) 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. 8.** RCW 16.54.020 and 2011 c 336 s 425 are each amended to read as follows:

Any person having in his or her care, custody, or control any abandoned animal as defined in RCW 16.54.010, may deliver such animal to any ~~((humane society having facilities for the care of such animals or to any pound maintained by or under contract or agreement with any city or county within which such animal was abandoned. If no such humane society or pound exists within the county))~~ animal care and control agency as defined in RCW 16.52.011 or to an animal rescue group as defined in RCW 82.04.040 having the facilities and resources necessary for the care of such animals. If such an animal care and control agency or animal rescue group cannot reasonably be identified to receive the animal, the person with whom the animal was abandoned may notify the sheriff of the county wherein the abandonment occurred.

**Sec. 9.** RCW 16.54.030 and 1955 c 190 s 3 are each amended to read as follows:

It shall be the duty of the sheriff of such county upon being so notified, to dispose of such animal as provided by law in reference to estrays if such law is applicable to the animal abandoned, or if not so applicable then deliver such an animal to any animal care and control agency as defined in RCW 16.52.011 or to an animal rescue group as defined in RCW 82.04.040 having the facilities and resources necessary for the care of such an animal. If such an animal care and control agency or animal rescue group cannot reasonably be identified to receive the animal, then such an animal shall be sold by the sheriff at public auction. Notice of any such sale shall be given by posting a notice in three public places in the county at least ten days prior to such public sale. Proceeds of such sale shall be paid to the county treasurer for deposit in the county general fund.

**NEW SECTION. Sec. 10.** The following acts or parts of acts are each repealed:

(1) RCW 16.08.030 (Marauding dog—Duty of owner to kill) and 1929 c 198 s 7;

(2) RCW 16.52.110 (Old or diseased animals at large) and 2011 c 336 s 424 & 1901 c 146 s 13; and

(3) RCW 16.52.165 (Punishment—Conviction of misdemeanor) and 1982 c 114 s 7 & 1901 c 146 s 16."

On page 1, line 1 of the title, after "welfare;" strike the remainder of the title and insert "amending RCW 16.08.100, 16.52.011, 16.52.085, 16.52.095, 16.52.200, 16.52.205, 16.52.207, 16.54.020, and 16.54.030; repealing RCW 16.08.030, 16.52.110, and 16.52.165; and prescribing penalties."

## ROLL CALL

The President declared the question before the Senate to be the adoption of striking floor amendment no. 1014 by Senators Rivers and Pedersen to Substitute Senate Bill No. 6300.

The motion by Senator Rivers carried and striking floor amendment no. 1014 was adopted by voice vote.

## MOTION

On motion of Senator Rivers, the rules were suspended, Engrossed Substitute Senate Bill No. 6300 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Rivers and Pedersen spoke in favor of passage of the bill.

Senator Ericksen spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 6300.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6300 and the bill passed the Senate by the following vote: Yeas, 43; Nays, 5; Absent, 0; Excused, 1.

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

Voting nay: Senators Ericksen, Honeyford, Muzzall, Schoesler and Wagoner

Excused: Senator Fortunato

ENGROSSED SUBSTITUTE SENATE BILL NO. 6300, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SECOND READING

SENATE BILL NO. 6676, by Senators Frockt, Randall, Rolfes, Darneille, Braun, Billig, Salomon, Stanford, Dhingra, Van De Wege, Brown, Carlyle, Cleveland, Conway, Das, Hasegawa, Keiser, King, Kuderer, Lias, Lovelett, McCoy, Mullet, Nguyen, Pedersen, Wellman, Wilson and C.

Concerning reimbursement for primary care services for medicaid beneficiaries.

## MOTIONS

On motion of Senator Frockt, Substitute Senate Bill No. 6676 was substituted for Senate Bill No. 6676 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Frockt, the rules were suspended, Substitute Senate Bill No. 6676 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Frockt spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6676.

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6676 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Fortunato

SUBSTITUTE SENATE BILL NO. 6676, 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 Lias, the Senate advanced to the seventh order of business.

## THIRD READING

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5291, by Senate Committee on Ways & Means (originally sponsored by Darneille, Randall, Kuderer, Frockt, Hasegawa, Nguyen and Saldaña)

Creating alternatives to total confinement for certain qualifying persons with minor children.

The bill was read on Third Reading.

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

Senator Rivers spoke against passage of the bill.

## MOTION

On motion of Senator Padden, Senator Sheldon was excused.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 5291.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5291 and the bill passed the Senate by the following vote: Yeas, 32; Nays, 15; Absent, 0; Excused, 2.

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

Voting nay: Senators Becker, Braun, Brown, Ericksen, Hawkins, Honeyford, King, Muzzall, Padden, Rivers, Schoesler, Short, Wagoner, Warnick and Wilson, L.

Excused: Senators Fortunato and Sheldon

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5291, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

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

SECOND READING

SENATE BILL NO. 5759, by Senators Cleveland, Rivers, Conway, Bailey, Wilson, L., Short and Keiser

Increasing opportunities for the use of remote technology in eye exams. Revised for 1st Substitute: Increasing opportunities for the use of remote technology in corrective lens prescriptions.

MOTION

On motion of Senator Cleveland, Substitute Senate Bill No. 5759 was substituted for Senate Bill No. 5759 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Cleveland moved that the following striking floor amendment no. 1039 by Senators Cleveland and O'Ban be adopted:

Strike everything after the enacting clause and insert the following:

**NEW SECTION. Sec. 1.** This act may be known and cited as the consumer protection in eye care act.

**NEW SECTION. Sec. 2. INTENT.** (1) The legislature recognizes the importance of allowing licensed practitioners to use their professional judgment, based on their education, training, and expertise, to determine the appropriate use of current and future technologies to enhance patient care. Guidelines for providing health care services through remote technology have been addressed by the medical community, and the legislature intends to complement and clarify those guidelines with respect to using remote technology to provide prescriptions for corrective lenses.

(2) The legislature also recognizes that health care consumers, including eye health care consumers, can benefit from developments in technology that offer advantages such as increased convenience or increased speed in delivery of services. However, the legislature recognizes that health care consumers can be misled or harmed by the use of developments in technology that are not properly supervised by qualified providers.

(3) The legislature recognizes that the use of technology that permits a consumer to submit data to an entity for the purposes of obtaining a prescription for corrective lenses, including contact lenses, may fail to detect serious eye health issues resulting in permanent vision loss if the patient is not also receiving comprehensive eye care according to standard of care.

(4) Therefore, the legislature concludes that consumers should be protected from improper or unsupervised use of technology for purposes of obtaining a prescription for corrective lenses, without unduly restricting the development and implementation of technology and without unduly restricting licensed practitioners from using such technology where appropriate.

**NEW SECTION. Sec. 3. DEFINITIONS.** The definitions

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

(1) "Contact lens" means any lens placed directly on the surface of the eye, regardless of whether or not it is intended to correct a visual defect. Contact lens includes, but is not limited to, cosmetic, therapeutic, and corrective lenses that are a federally regulated medical device.

(2) "Corrective lenses" means any lenses, including lenses in spectacles and contact lenses, that are manufactured in accordance with the specific terms of a valid prescription for an individual patient for the purpose of correcting the patient's refractive or binocular error.

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

(4) "Diagnostic information and data" mean any and all information and data, including but not limited to photographs and scans, generated by or through the use of any remote technology.

(5) "Patient-practitioner relationship" means the relationship between a provider of medical services, the practitioner, and a receiver of medical services, the patient, based on mutual understanding of their shared responsibility for the patient's health care.

(6) "Prescription" means the written or electronic directive from a qualified provider for corrective lenses and consists of the refractive power as well as contact lens parameters in the case of contact lens prescriptions.

(7) "Qualified provider" means a physician licensed under chapter 18.71 RCW or an osteopathic physician licensed under chapter 18.57 RCW practicing ophthalmology, or a person licensed under chapter 18.53 RCW to practice optometry.

(8) "Remote qualified provider" means any qualified provider who is not physically present at the time of the examination.

(9) "Remote technology" means any automated equipment or testing device and any application designed to be used on or with a phone, computer, or internet-based device that is used without the physical presence and participation of a qualified provider that generates data for purposes of determining an individual's refractive error. Remote technology does not include the use of telemedicine as defined in RCW 48.43.735 for purposes other than determining an individual's refractive error.

(10) "Spectacles" means any device worn by an individual that has one or more lenses through which the wearer looks. Spectacles are commonly known and referred to as glasses, and may include cosmetic or corrective lenses.

(11) "Standard of care" means those standards developed and defined by the American academy of ophthalmology preferred practice pattern "Comprehensive Adult Medical Eye Evaluation" (Appendix 1).

(12) "Standard of care for contact lenses" means the frequency of eye examinations as recommended for contact lens wearers in the American academy of ophthalmology publication "Refractive Errors & Refractive Surgery Preferred Practice Pattern" (Appendix 2).

**NEW SECTION. Sec. 4. USE OF REMOTE TECHNOLOGY FOR CORRECTIVE LENS PRESCRIPTIONS.** A qualified provider may prepare a prescription for corrective lenses intended to correct an individual's refractive error by remote technology if:

(1) The prescribing qualified provider is held to the same standard of care applicable to qualified providers providing corrective lens prescriptions in traditional in-person clinical settings;

(2) A patient-practitioner relationship is clearly established by the qualified provider agreeing to provide a corrective lens prescription, whether or not there was an in-person encounter

between the parties. The parameters of the patient-practitioner relationship for the use of remote technology must mirror those that would be expected for similar in-person encounters to provide corrective lens prescriptions;

(3) The remote technology is only offered to patients who meet appropriate screening criteria. A review of the patient's medical and ocular history that meets standard of care is required to determine who may or may not be safely treated with refraction without a concurrent comprehensive eye exam. Patients must also be informed that a refraction alone, whether utilizing remote technology or in person, does not substitute for a comprehensive eye exam;

(4) Continuity of care is maintained. Continuity of care requires but is not limited to:

(a) A qualified provider addressing an adverse event that occurs as a result of the prescription written by the qualified provider by:

(i) Being available to address the patient's vision or medical condition directly, either in-person or remotely, if it is possible to address the adverse event remotely;

(ii) Having an agreement with another qualified provider or licensed medical provider who is available to address the patient's vision or medical condition, either in-person or remotely; or

(iii) Referring the patient to a qualified provider or licensed medical provider who is capable of addressing the patient's condition;

(b) Retaining patient exam documentation for a minimum of ten years and retaining communication between the remote qualified provider who evaluated the patient and prescribed corrective lenses and any applicable providers as they normally would in an in-person setting; and

(5) When prescribing for contact lenses, the examination of the eyes is performed in accordance with the standard of care and standard of care for contact lenses. The components of the eye examination, if done remotely, must be to the same evaluation and standard of care the qualified provider would typically do in an in-person setting for the same condition. If the eye examination is performed by someone other than the prescribing qualified provider, the prescribing qualified provider must obtain written, faxed, or electronically communicated affirmative verification of the results of that eye examination from the provider who performed the examination. The absence of receipt of affirmative verification within any specified time period cannot be used as presumed affirmative verification.

**NEW SECTION. Sec. 5. REMOTE TECHNOLOGY STANDARDS FOR USE.** It is unlawful for any person to offer or otherwise make available to consumers in this state remote technology under this chapter without fully complying with the following:

(1) The remote technology must be approved by the United States food and drug administration when applicable;

(2) The remote technology must be designed and operated in a manner that provides any accommodation required by the Americans with disabilities act of 1990, 42 U.S.C. Sec. 12101 et seq. when applicable;

(3) The remote technology, when used for the collection and transmission of diagnostic information and data, must gather and transmit any protected health information in compliance with the federal health insurance portability and accountability act of 1996 and related regulations;

(4) The remote technology, when used for the collection and transmission of diagnostic information and data, may only transmit the diagnostic information and data to a qualified provider, their staff, contracted support staff, or another licensed health care provider for the purposes of collaboration in providing care to the patient. When diagnostic information and data are

collected and transmitted through remote technology, that information must be read and interpreted by a qualified provider in order to release a corrective lens prescription to the patient or other entity. Contracted support staff must comply with all requirements of this chapter. Contract support staff and the supervising provider retain personal and professional responsibility for any violation of this chapter by the contracted support staff; and

(5) The owner, lessee, or operator of the remote technology must maintain liability insurance in an amount reasonably sufficient to cover claims which may be made by individuals diagnosed or treated based on information and data by the automated equipment, including but not limited to photographs and scans.

**NEW SECTION. Sec. 6. ENFORCEMENT.** (1) The relevant disciplinary authority for the qualified provider shall review any written complaint alleging a violation, or attempted violation, of this chapter or rules adopted pursuant to this chapter, and conduct an investigation.

(2) If the disciplinary authority finds that a person has violated or attempted to violate this chapter, it may:

(a) Upon the first violation or attempted violation that did not result in significant harm to an individual's health, issue a written warning; or

(b) In all other cases, impose a civil penalty of not less than one thousand dollars and not more than ten thousand dollars for each violation.

(3) At the request of the department, the attorney general may file a civil action seeking an injunction or other appropriate relief to enforce this chapter and the rules adopted pursuant to this chapter.

(4) For the purposes of this section, "disciplinary authority" means the same as in RCW 18.130.020.

**NEW SECTION. Sec. 7. RULE MAKING.** The department shall adopt any rules necessary to implement this chapter.

**NEW SECTION. Sec. 8.** Sections 2 through 7 of this act constitute a new chapter in Title 18 RCW."

On page 1, line 2 of the title, after "prescriptions;" strike the remainder of the title and insert "adding a new chapter to Title 18 RCW; creating a new section; and prescribing penalties."

The President declared the question before the Senate to be the adoption of striking floor amendment no. 1039 by Senators Cleveland and O'Ban to Substitute Senate Bill No. 5759.

The motion by Senator Cleveland carried and striking floor amendment no. 1039 was adopted by voice vote.

#### MOTION

On motion of Senator Cleveland, the rules were suspended, Engrossed Substitute Senate Bill No. 5759 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5759.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5759 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

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

Excused: Senators Fortunato and Sheldon

ENGROSSED SUBSTITUTE SENATE BILL NO. 5759, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SECOND READING

SENATE BILL NO. 6097, by Senators Rolfes, Kuderer, Pedersen, Frockt, Conway, Randall, Carlyle and Saldaña

Requiring the insurance commissioner to review a health carrier's surplus levels as part of its rate filing review process.

## MOTION

On motion of Senator Rolfes, Substitute Senate Bill No. 6097 was substituted for Senate Bill No. 6097 and the substitute bill was placed on the second reading and read the second time.

## WITHDRAWAL OF AMENDMENT

On motion of Senator Schoesler and without objection, floor amendment no. 1004 by Senators Schoesler and Short on page 1, line 7 to Substitute Senate Bill No. 6097 was withdrawn.

## MOTION

Senator Rolfes moved that the following floor amendment no. 1101 by Senators O'Ban and Rolfes be adopted:

On page 1, line 10, after "commissioner" strike "must" and insert "may"

On page 1, line 10, after "surplus" insert ", capital, or profit"

On page 1, line 12, after "surplus," insert "capital, or profit levels,"

On page 1, line 13, after "the" insert "current"

On page 1, line 13, after "carriers" insert ", including those"

On page 1, beginning on line 14, after "facilities" strike all material through "affiliated" on line 16

On page 2, line 1, after "(4)" insert "Nothing in this section affects the requirement that all approved individual and small group rates be actuarially sound according to chapter 48.19, 48.44, or 48.46 RCW.

(5)"

Correct any internal references accordingly.

On page 1, line 2 of the title, after "surplus" insert ", capital, or profit"

Senators Rolfes and O'Ban spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1101 by Senators O'Ban and Rolfes on page 1, line 10 to Substitute Senate Bill No. 6097.

The motion by Senator Rolfes carried and floor amendment no. 1101 was adopted by voice vote.

## MOTION

Senator Schoesler moved that the following floor amendment no. 1041 by Senator Schoesler be adopted:

On page 1, line 13, after "consideration" insert "whether a carrier's insurance holding company system offers a qualified health plan in the individual market in every county of the state, and"

Senators Schoesler and Rolfes spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1041 by Senator Schoesler on page 1, line 13 to Substitute Senate Bill No. 6097.

The motion by Senator Schoesler carried and floor amendment no. 1041 was adopted by voice vote.

## MOTION

On motion of Senator Rolfes, the rules were suspended, Engrossed Substitute Senate Bill No. 6097 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Rolfes spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 6097.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6097 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Fortunato and Sheldon

ENGROSSED SUBSTITUTE SENATE BILL NO. 6097, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SECOND READING

SENATE BILL NO. 6081, by Senators Liias, King, Stanford, Becker, Keiser, Braun, Wellman and Conway

Concerning the calculation of compensation of an employee of a medical school and an affiliated faculty group practice for purposes of a noncompetition agreement.

## MOTIONS

On motion of Senator Liias, Substitute Senate Bill No. 6081 was substituted for Senate Bill No. 6081 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Liias, the rules were suspended, Substitute Senate Bill No. 6081 was advanced to third reading,

the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6081.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6081 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 1; Absent, 0; Excused, 2.

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

Voting nay: Senator Kuderer

Excused: Senators Fortunato and Sheldon

SUBSTITUTE SENATE BILL NO. 6081, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SENATE BILL NO. 5602, by Senators Randall, Wilson, C., Nguyen, Das, Saldaña, Cleveland, Takko, Kuderer, Hasegawa, Rolfes, Van De Wege, Keiser, Hunt, Wellman, Billig, Dhingra, Conway, Pedersen, Frockt, Salomon, Palumbo, Darneille, McCoy, Liias, Mullet and Carlyle

Eliminating barriers to reproductive health care for all.

#### MOTIONS

On motion of Senator Rolfes, Second Substitute Senate Bill No. 5601 was substituted for Senate Bill No. 5602 and the substitute bill was placed on the second reading and read the second time.

#### WITHDRAWAL OF AMENDMENT

On motion of Senator Frockt and without objection, floor amendment no. 1081 by Senators Frockt and Short on page 19, line 35 to Second Substitute Senate Bill No. 5601 was withdrawn.

#### MOTION

On motion of Senator Rolfes, the rules were suspended, Second Substitute Senate Bill No. 5601 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Rolfes, Short, Frockt, O'Ban and Conway spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 5601.

#### ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 5601 and the bill passed the Senate by

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

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

Excused: Senators Fortunato and Sheldon

SECOND SUBSTITUTE SENATE BILL NO. 5601, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SENATE BILL NO. 6040, by Senators Braun, Becker and Kuderer

Concerning the budgeting process for certain state waiver services for individuals with developmental disabilities.

#### MOTION

On motion of Senator Braun, Substitute Senate Bill No. 6040 was substituted for Senate Bill No. 6040 and the substitute bill was placed on the second reading and read the second time.

#### MOTION

Senator Braun moved that the following floor amendment no. 1051 by Senator Braun be adopted:

On page 3, beginning on line 26, after "must be" strike all material through "and" on line 27

On page 3, line 32, after "and" strike "their service needs" and insert "the number of persons contacted who are currently interested in receiving a paid service from the developmental disabilities administration"

On page 3, line 34, strike "2020" and insert "2021"

Senator Braun spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1051 by Senator Braun on page 3, line 26 to Substitute Senate Bill No. 6040.

The motion by Senator Braun carried and floor amendment no. 1051 was adopted by voice vote.

#### MOTION

On motion of Senator Braun, the rules were suspended, Engrossed Substitute Senate Bill No. 6040 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Braun, Keiser and Randall spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 6040.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6040 and the bill passed the Senate by

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

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

Excused: Senators Fortunato and Sheldon

ENGROSSED SUBSTITUTE SENATE BILL NO. 6040, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

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

MESSAGE FROM THE HOUSE

February 16, 2020

MR. PRESIDENT:

The House has passed:

ENGROSSED HOUSE BILL NO. 1894,  
 ENGROSSED HOUSE BILL NO. 2188,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2265,  
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.  
 2311,

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2427,  
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.  
 2518,  
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.  
 2528,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2535,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2565,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2571,  
 ENGROSSED HOUSE BILL NO. 2610,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2625,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2629,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2645,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2713,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2786,  
 ENGROSSED HOUSE BILL NO. 2797,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2849,  
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.  
 2870,

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

MOTION

At 9:33 p.m., on motion of Senator Liias, the Senate adjourned until 9:00 o'clock a.m. Tuesday, February 18, 2020.

CYRUS HABIB, President of the Senate

BRAD HENDRICKSON, Secretary of the Senate

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