

## SIXTY SEVENTH LEGISLATURE - REGULAR SESSION

## TENTH DAY

The House was called to order at 9:55 a.m. by the Speaker (Representative Orwall presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

## RESOLUTION

HOUSE RESOLUTION NO. 2022-4634, by Representative Wylie

WHEREAS, Washington State has a rich history of prominent artists who contribute to the culture, economic development, and enrichment of many lives; and

WHEREAS, It is important to recognize the value of our history and indigenous ancient arts, as well as modern contributions; and

WHEREAS, In 1943, after graduating from Vancouver High School, James Lee Hansen enlisted in the United States Navy and served on Destroyer USS Preston in the Pacific for three years; and

WHEREAS, James Lee Hansen, a lifelong resident of Washington, has been a leader of the Northwest master artists, teaching sculpture for over 26 years at Portland State University, Oregon State University, the University of Oregon, and the University of California at Berkeley; and

WHEREAS, As sculptor and poet, James Lee Hansen made a unique contribution to history by preserving and honoring the past while producing a large body of contemporary bronze sculptures and teaching others the craft of bronze casting; and

WHEREAS, James Lee Hansen, before the damming of the Columbia and John Day rivers, made castings of the ancient petroglyphs that became submerged and destroyed by the resulting reservoirs; and

WHEREAS, In 1959 James Lee Hansen organized a collaborative of regional artists to create major architectural art commissions throughout the Northwest; and

WHEREAS, James Lee Hansen designed large concrete panels for the Clark County Title Company in Vancouver, Washington, which the city has reclaimed, preserved, and moved to adorn an entrance to their new waterfront park; and

WHEREAS, The body of work that James Lee Hansen, the artist, produced over a lifetime is represented by major public works in Olympia, Vancouver, and other cities and towns in Washington State, as well as other cities and museums across the nation;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives recognize and appreciate James Lee Hansen and his unique contribution to

House Chamber, Olympia, Wednesday, January 19, 2022

preserving, honoring, and celebrating the creativity, innovation, and richness of the arts of the past, the present, and the future.

There being no objection, HOUSE RESOLUTION NO. 4634 was adopted.

There being no objection, the House advanced to the fourth order of business.

## INTRODUCTION &amp; FIRST READING

HB 2040 by Representatives Callan, Eslick, Macri, Simmons, Duerr and Harris-Talley

AN ACT Relating to streamlining licensing requirements for certain behavioral health professionals; amending RCW 18.225.090; creating a new section; and providing an effective date.

Referred to Committee on Health Care & Wellness.

HB 2041 by Representatives Walsh, Abbarno, Chase, McCaslin, Jacobsen, Sutherland and Eslick

AN ACT Relating to greater consistency in the provision of health care services for minors under the age of 16; amending RCW 70.24.110, 71.34.500, 71.34.510, 71.34.520, and 71.34.530; adding a new section to chapter 9.02 RCW; and adding a new section to chapter 26.28 RCW.

Referred to Committee on Health Care & Wellness.

HB 2042 by Representatives Kraft, Chase, McCaslin, Jacobsen, Sutherland and Eslick

AN ACT Relating to providing parents and their children with more choices for a quality K-12 education through the K-12 education scholarship program; amending RCW 83.100.230; adding a new section to chapter 28B.76 RCW; adding a new chapter to Title 28A RCW; and declaring an emergency.

Referred to Committee on Education.

HB 2043 by Representatives Kraft, Leavitt, Klippert, Orwall, Chase, Eslick and Graham

AN ACT Relating to fees charged to persons who commit offenses involving the sexual exploitation of children; amending RCW 9.68A.105 and 9.68A.106; prescribing penalties; and declaring an emergency.

Referred to Committee on Public Safety.

HB 2044 by Representatives Boehnke, Hackney, Fitzgibbon, Kloba, Ormsby, Sutherland, Ramel and Young

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

Referred to Committee on Appropriations.

HB 2045 by Representatives Bronoske, Leavitt and Fey

AN ACT Relating to equitable geographic distribution of community placements for persons releasing from a state hospital to a less restrictive placement after committing acts constituting a violent felony; amending RCW 71.05.365; and adding a new section to chapter 71.05 RCW.

Referred to Committee on Civil Rights & Judiciary.

HB 2046 by Representatives Stonier, Abbarno and Senn

AN ACT Relating to ethics in public service rules governing certain legislative activity; and amending RCW 42.52.070, 42.52.160, 42.52.180, and 42.52.185.

Referred to Committee on State Government & Tribal Relations.

HB 2047 by Representatives Entenman, Orwall, Ormsby, Macri, Peterson, Simmons and Pollet

AN ACT Relating to fair housing training for officers or board members in common interest communities; adding a new section to chapter 64.32 RCW; adding a new section to chapter 64.34 RCW; adding a new section to chapter 64.38 RCW; and adding a new section to chapter 64.90 RCW.

Referred to Committee on Civil Rights & Judiciary.

HB 2048 by Representatives Peterson, Ortiz-Self, Senn, Santos, Ormsby, Bergquist, Macri, Ramel, Simmons, Pollet and Harris-Talley

AN ACT Relating to temporary assistance for needy families time limit extensions; and amending RCW 74.08A.010.

Referred to Committee on Appropriations.

HB 2049 by Representatives Barkis, Bateman, Boehnke, Gilday, Hoff, Robertson, Rude, Shewmake,

Walen, Wicks, Dufault, Sutherland, Eslick, Macri, Peterson, Simmons and Young

AN ACT Relating to encouraging construction of affordable housing by eliminating redundancies and streamlining the permitting process; amending RCW 19.27.095, 36.70B.030, 36.70B.050, 36.70B.080, 36.70B.120, and 36.70B.140; adding a new section to chapter 19.27 RCW; and creating a new section.

Referred to Committee on Local Government.

HB 2050 by Representatives Harris-Talley, Goodman, Senn, Santos, Ormsby, Valdez, Macri, Frame, Ryu, Fitzgibbon, Bergquist, Ramel, Peterson, Simmons, Pollet and Wicks

AN ACT Relating to repealing requirements for parent payment of the cost of their child's support, treatment, and confinement; amending RCW 43.20B.095; creating new sections; and repealing RCW 13.16.085 and 13.40.220.

Referred to Committee on Appropriations.

HB 2051 by Representatives Rule, Shewmake, Ormsby and Ramel

AN ACT Relating to providing short-term disaster recovery financial assistance to agricultural producers; adding a new section to chapter 89.08 RCW; creating a new section; making an appropriation; and declaring an emergency.

Referred to Committee on Appropriations.

HB 2052 by Representatives Orwall, Santos, Eslick and Simmons

AN ACT Relating to contracts with community service organizations for public improvements; and amending RCW 35.21.278.

Referred to Committee on Local Government.

There being no objection, the House reverted to the first order of business.

The Clerk called the roll and a quorum was present.

The Speaker (Representative Orwall presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Ed Orcutt, 20th Legislative District.

There being no objection, the House advanced to the eighth order of business.

## MOTIONS

Representative Abbarno moved that the Appropriations committee be relieved of HOUSE BILL NO. 1594 and the bill be placed on the second reading calendar.

Representative Abbarno spoke in favor of the motion.

Representative Sullivan spoke against the motion.

#### MOTION

On motion of Representative Griffey, Representative Chandler was excused.

An electronic roll call was requested.

#### ROLL CALL

The Clerk called the roll on the motion to relieve the Appropriations committee of House Bill No. 1594 and place the bill on the second reading calendar was not adopted by the following vote: Yeas: 40; Nays: 57; Absent: 0; Excused: 1

Voting yea: Representatives Abbarno, Barkis, Boehnke, Caldier, Chambers, Chase, Corry, Dent, Dufault, Dye, Eslick, Gilday, Goehner, Graham, Griffey, Harris, Hoff, Jacobsen, Klicker, Klippert, Kraft, Kretz, MacEwen, Maycumber, McCaslin, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Schmick, Steele, Stokesbary, Sutherland, Vick, Volz, Walsh, Wilcox, Ybarra, and Young

Voting nay: Representatives Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Chopp, Cody, Davis, Dolan, Donaghy, Duerr, Entenman, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Hackney, Hansen, Harris-Talley, Jinkins, Johnson, J., Kirby, Kloba, Leavitt, Lekanoff, Macri, Morgan, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Riccelli, Rule, Ryu, Santos, Sells, Senn, Shewmake, Simmons, Slatter, Springer, Stonier, Sullivan, Taylor, Thai, Tharinger, Valdez, Walen, Wicks, and Wylie  
Excused: Representative Chandler

Representative Stokesbary moved that the Appropriations committee be relieved of HOUSE BILL NO. 1913 and the bill be placed on the second reading calendar.

Representative Stokesbary spoke in favor of the motion.

Representative Sullivan spoke against the motion.

An electronic roll call was requested.

#### ROLL CALL

The Clerk called the roll on the motion to relieve the Appropriations committee of House Bill No. 1913 and place the bill on the second reading calendar was not adopted by the following vote: Yeas: 40; Nays: 57; Absent: 0; Excused: 1

Voting yea: Representatives Abbarno, Barkis, Boehnke, Caldier, Chambers, Chase, Corry, Dent, Dufault, Dye, Eslick, Gilday, Goehner, Graham, Griffey, Hansen, Harris, Hoff, Jacobsen, Klicker, Klippert, Kraft, Kretz, MacEwen, Maycumber, McCaslin, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Schmick, Steele, Stokesbary, Sutherland, Vick, Volz, Walsh, Wilcox, and Ybarra

Voting nay: Representatives Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Chopp, Cody, Davis, Dolan, Donaghy, Duerr, Entenman, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Hackney, Harris-Talley, Jinkins, Johnson, J., Kirby, Kloba, Leavitt, Lekanoff, Macri, Morgan, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Riccelli, Rule, Ryu, Santos, Sells, Senn, Shewmake, Simmons, Slatter, Springer, Stonier, Sullivan, Taylor, Thai, Tharinger, Valdez, Walen, Wicks, Wylie, and Young

Excused: Representative Chandler

There being no objection, the House reverted to the sixth order of business.

#### SECOND READING

**HOUSE BILL NO. 1732, by Representatives Sullivan, Chopp, Johnson, J., Walen, Chapman, Berry, Cody, Dolan, Fey, Macri, Peterson, Ryu, Santos, Senn, Shewmake, Wylie, Simmons, Callan, Slatter, Ramos, Bergquist, Tharinger, Valdez, Thai, Pollet, Morgan, Taylor, Stonier, Ortiz-Self, Gregerson, Davis, Riccelli, Ormsby, Duerr, Orwall, Bateman, Kloba and Frame**

**Delaying the implementation of the long-term services and supports trust program by 18 months.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1732 was substituted for House Bill No. 1732 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1732 was read the second time.

With the consent of the House, amendment (780) was withdrawn.

Representative Corry moved the adoption of amendment (776):

On page 1, after line 9, insert the following:

**"NEW SECTION. Sec. 1. (1) The legislature finds:**

(a) Persons born before January 1, 1968, may be struggling to make ends meet and adding additional financial burden may cause extreme harm;

(b) These individuals born before January 1, 1968, may have to leave their jobs to avoid paying this tax, removing their ability to become qualified individuals and receive the benefit of this program; and

(c) An exemption based on hardship allows individuals born before January 1, 1968, and others to continue to vest

during financial hardship, thereby protecting these individuals from having to quit their jobs and risk never becoming eligible beneficiaries.

(2) The legislature, therefore, intends to modify the conditions to become a qualified individual by extending the opportunity for those born before January 1, 1968, and others to become qualified individuals through the use of an exemption based on hardship."

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

On page 7, line 30, after "(1)" strike "~~(The)~~ Except as provided in subsection (2) of this section" and insert "(a) ~~(The)~~ Except as provided in subsection (2) of this section and section 4 of this act"

On page 7, at the beginning of line 35, strike "(a)" and insert "~~(a)~~ (i)"

On page 7, at the beginning of line 37, strike "(b)" and insert "~~(b)~~ (ii)"

On page 7, after line 38, insert the following:

"(b) When determining the number of years worked under (a) of this subsection, the employment security department shall consider each year that a person held an approved exemption based on hardship under section 4 of this act as the equivalent of one year toward meeting the minimum number of years of premium payments in either (a)(i) or (a)(ii) of this subsection."

On page 8, after line 25, insert the following:

**"NEW SECTION. Sec. 4.** A new section is added to chapter 50B.04 RCW to read as follows:

(1) Beginning January 1, 2023, the employment security department shall accept and approve applications for exemptions from the premium assessment under RCW 50B.04.080 for those individuals who meet the criteria for an exemption based upon hardship, as provided in this section.

(2) An individual may demonstrate hardship by establishing that the income of the individual's household does not exceed 300 percent of the federal poverty guidelines, as adjusted for family size, as determined annually by the department of health and human services. The commission may recommend other

circumstances that constitute hardship for the employment security department to consider. The employment security department may establish standards for any additional exemption based upon hardship upon recommendation by the commission.

(3) The employment security department shall determine standards and time periods for renewing an exemption based on hardship. The renewal period may not be less than two years.

(4) An individual with an exemption based upon hardship may, at any time, cancel the exemption and resume payment of the premium assessment under RCW 50B.04.080.

(5) Each year that an individual holds an exemption based on hardship qualifies as a year toward meeting the minimum requirement to become a qualified individual under RCW 50B.04.050.

(6) Approved exemptions will take effect on the first day of the quarter immediately following the approval of the exemption.

(7) Exempt employees are not entitled to a refund of any premium deductions made before the effective date of an approved exemption.

(8) An exempt employee must provide written notification to all employers with whom the employee is employed during the period of the exemption based on hardship.

(9) If an exempt employee fails to notify an employer of an exemption, the exempt employee is not entitled to a refund of any premium deductions made before notification is provided.

(10) Employers must not deduct premiums after being notified by an employee of an approved exemption issued under this section.

(a) Employers must retain written notifications of exemptions received from employees.

(b) An employer who deducts premiums after being notified by the employee of an exemption is solely responsible for refunding to the employee any premiums deducted after the notification.

(c) The employer is not entitled to a refund from the employment security department for any premiums remitted to the employment security department that were deducted from exempt employees.

(11) The employment security department must adopt rules necessary to implement and administer the activities specified in this section related to the program, including rules on the submission and processing of applications under this section."

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

On page 9, line 21, after "(1)" strike "Beginning ((January 1, 2022))" and insert "((Beginning January 1, 2022)) Unless otherwise exempted pursuant to this chapter, beginning"

Correct the title.

### POINT OF ORDER

Representative Stonier requested a scope and object ruling on amendment (776).

### SPEAKER'S RULING

"The title of the bill defines its scope as delaying the implementation of the long-term services and supports trust program by 18 months to allow for the extension of benefits to persons born before January 1, 1968, by modifying conditions for becoming a qualified individual and eligible beneficiary and allowing for the refunding of prematurely collected premiums.

Amendment (776) modifies the conditions to become a qualified individual by establishing a hardship exemption for individuals who meet certain criteria whether born before or after January 1, 1968.

The Speaker therefore finds that the amendment is outside the scope of the bill as defined by its title.

The point of order is well taken."

Representative Walsh moved the adoption of amendment (770):

On page 3, beginning on line 18, after "50B.04.050" strike all material through "50B.04.050(2)" on line 20

On page 8, beginning on line 7, after "receive" strike all material through "receiving" on line 16

Representative Walsh spoke in favor of the adoption of the amendment.

Representative Cody spoke against the adoption of the amendment.

Amendment (770) was not adopted.

Representative MacEwen moved the adoption of amendment (777):

On page 3, line 25, after "(a)" insert "(i) By April 1, 2023, perform and submit to the council and the legislature an actuarial analysis of the program to determine whether the program is able to maintain solvency, including the effects of extending partial benefits, for a period of 75 years from the beginning of the collection of the premium assessment under RCW 50B.04.080 while maintaining a premium assessment rate of .58 percent without reducing the value of benefit units. The analysis must consider the effects of other legislation related to the program as a whole, updates to the investment policy related to the program, and actual experience with exemptions for persons with private long-term care insurance. If the actuarial analysis finds that the program is not able to maintain solvency for 75 years from the beginning of the collection of the premium assessment at a rate of .58 percent without reducing the value of benefit units, the collection of premiums must be delayed for 18 months beyond July 1, 2023.

(ii) If the program is delayed for 18 months under (i) of this subsection, the office of the state actuary must submit to the council and the legislature a new actuarial analysis of the program using the same criteria three months before the premium assessment is to take effect. If the new actuarial analysis finds that the program is not able to maintain solvency for 75 years from the beginning of the collection of the premium assessment at a rate of .58 percent without reducing the value of benefit units, the collection of premiums must be delayed for an additional 18 months. The 18 month delay based upon an actuarial analysis submitted three months prior to the premium taking effect must be repeated until the actuarial analysis finds that the program is able to maintain solvency for 75 years from the beginning of the collection of the premium assessment at a rate of .58 percent without reducing the value of benefit units;

(b) "

On page 3, at the beginning of line 30, strike "(b)" and insert "~~((b))~~ (c)"

On page 3, at the beginning of line 35, strike "(c)" and insert "~~((c))~~ (d)"

On page 8, line 1, after "(2)" strike "A" and insert "(a) Subject to (b) of this subsection, a"

On page 8, after line 17, insert the following:

"(b) The provisions of (a) of this subsection must be suspended for 18 months if the results of the actuarial analysis in RCW 50B.04.020(5)(a) find that the program is unable to maintain solvency for 75 years from the beginning of the collection of the premium assessment at a rate of .58 percent without reducing the value of benefit units. The delay must be repeated in accordance with the provisions of RCW 50B.04.020(5)(a)."

On page 9, line 21, after "(1)" strike "Beginning ((January 1, 2022))" and insert "(a) ((Beginning January 1, 2022)) Subject to the provisions of (b) of this subsection, beginning"

On page 9, after line 36, insert the following:

"(b) The premium assessment under (a) of this subsection must be suspended for 18 months if the results of the actuarial analysis in RCW 50B.04.020(5)(a) find that the program is unable to maintain solvency for 75 years from the beginning of the collection of the premium assessment at a rate of .58 percent without reducing the value of benefit units. The delay must be repeated in accordance with the provisions of RCW 50B.04.020(5)(a)."

#### **POINT OF ORDER**

Representative Stonier requested a scope and object ruling on amendment (777).

#### **SPEAKER'S RULING**

"The bill before us delays the collection of premium assessments and services available under the Long-Term Services and Supports Trust Program to dates certain, allows persons born before January 1, 1968 to receive partial benefits under this public program, and directs the refunding of prematurely collected premiums.

Amendment (777) requires an actuarial analysis of the Long-Term Services and Supports Trust program and requires an additional 18-month delay of the collection of premiums, and, as necessary thereafter, in 18-month intervals until the analysis demonstrates certain conditions are met.

The Speaker therefore finds and rules that the amendment is outside the scope and object of the underlying bill.

The point of order is well taken."

Representative MacEwen moved the adoption of amendment (778):

On page 9, line 21, after "(1)" strike "Beginning ((January 1, 2022))" and insert "((Beginning January 1, 2022)) (a) Subject to the provisions of (b) of this subsection, beginning"

On page 9, after line 36, insert the following:

"(b) The premium assessment may only begin on July 1, 2023, if at the statewide special election immediately preceding the date of the commencement of the collection of the premium assessment, voters approve a measure expressly ratifying the implementation of the program. If the voters reject the measure, the collection of the premium assessment must be delayed an additional 18 months and, at the statewide special election immediately preceding the delayed date of the commencement of the collection of the premium assessment, the voters must approve a subsequent measure expressly ratifying the implementation of the program in order for the collection to take effect on that date. The delayed collection of the premium assessment shall continue in 18 month increments until the voters approve a measure to expressly ratify the implementation of the program."

#### **POINT OF ORDER**

Representative Stonier requested a scope and object ruling on amendment (778).

#### **SPEAKER'S RULING**

"The bill before us delays the collection of premium assessments and services available under the Long-Term Services and Supports Trust Program to dates certain, allows persons born before January 1, 1968 to receive partial benefits under this public program, and directs the refunding of prematurely collected premiums.

Amendment (778) conditions the collection of premium assessments on approval of a statewide ballot measure ratifying implementation of the entire Long-Term Services and Trust Support Program and continues the delay of collection of premium assessments in 18-month intervals until such ratification.

The Speaker therefore finds and rules that the amendment is outside the scope and object of the underlying bill.

The point of order is well taken."

Representative Abbarno moved the adoption of amendment (779):

On page 9, line 21, after "(1)" strike "Beginning ((January 1, 2022))" and

insert "(a) ((Beginning January 1, 2022)) Subject to (b) of this subsection, beginning"

On page 9, after line 36, insert the following:

"(b) The premium assessment under (a) of this subsection must be suspended for 18 months if the legislature has not passed legislation signed by the governor that establishes an annual exemption period of at least six weeks for employees born before January 1, 1968, as well as other employees, who attest that they have purchased long-term care insurance. If, by the end of the 18 month suspension, the legislature has not passed legislation signed by the governor to exempt employees born before January 1, 1968, as well as other employees, who attest that they have purchased long-term care insurance, an additional suspension of the premium assessment for 18 months must occur. The delay must be repeated in 18 month increments until the legislature has passed legislation signed by the governor to exempt employees born before January 1, 1968, as well as other employees, who attest that they have purchased long-term care insurance."

#### POINT OF ORDER

Representative Stonier requested a scope and object ruling on amendment (779).

#### SPEAKER'S RULING

"The bill before us delays the collection of premium assessments and services available under the Long-Term Services and Supports Trust Program to dates certain, allows persons born before January 1, 1968 to receive partial benefits under this public program, and directs the refunding of prematurely collected premiums.

Amendment (779) suspends the collection of premium assessments for an initial 18-month period, and, as necessary thereafter, in 18-month intervals until legislation is passed and signed into law establishing an annual six-week exemption period for any employee who attests to having purchased long-term care insurance.

The Speaker therefore finds and rules that the amendment is outside the scope and object of the underlying bill.

The point of order is well taken."

Representative Maycumber moved the adoption of amendment (774):

On page 12, after line 14, insert the following:

"NEW SECTION. Sec. 9. A new section is added to chapter 50B.04 RCW to read as follows:

(1) By October 1, 2022, the employment security department shall send educational materials to the primary residence of each employee in Washington regarding the program.

(2) The educational materials must contain comprehensive information about the program to allow employees to make informed financial planning decisions and understand how the program may impact their current and future financial planning. At a minimum, the educational materials must include:

(a) A summary of the history of the program and the need for delaying its implementation, including information related to relevant bills, tax advisory votes, proposed constitutional amendments, voting records, and election results, by county;

(b) A benefit guide regarding the costs and benefits to consumers, including an explanation of how the premium is collected, the rate of the premium, the number of years that an employee must work to become a qualified individual, the number of hours that an employee must work each year for a year to qualify, the criteria for becoming an eligible beneficiary, the approved services that benefit units may purchase, the approximate value of approved services expressed as benefit units, and available exemptions. The benefit guide must include illustrative examples that are useful to employees of diverse incomes;

(c) Information about the operation of the program, including agency and commission responsibilities and contact information, procedures for accessing benefits, and procedures for disputing program decisions;

(d) Information about the financial operations of the program, including information about the financial projections for the program, anticipated program solvency, expected need for increases in premiums, over time, and expected need for reductions in benefit units, over time; and

(e) Information for consumers about supplementing program coverage with additional private sector long-term care insurance options that provide additional benefits, such as higher

monetary benefits and the ability to use benefits in states other than Washington; and

(f) Information about opportunities for public involvement in ongoing monitoring and input with respect to program policy and program financial stability.

(3) The educational materials must be printed in clear, readable type of a size, quality, and weight of paper that best serves the employee as a reference guide to understanding the program."

Renumber the remaining section consecutively and correct any internal references accordingly.

Correct the title.

### POINT OF ORDER

Representative Stonier requested a scope and object ruling on amendment (774).

### SPEAKER'S RULING

"The bill before us delays the collection of premium assessments and services available under the Long-Term Services and Supports Trust Program to dates certain, allows persons born before January 1, 1968 to receive partial benefits under this public program, and directs the refunding of prematurely collected premiums.

Amendment (774) directs the Employment Security Department to send educational materials to each employee in the Long-Term Services and Support Trust program, including information about private sector long-term care insurance options and measures placed on the ballot.

The Speaker therefore finds and rules that the amendment is outside the scope and object of the underlying bill.

The point of order is well taken."

Representative Maycumber moved the adoption of amendment (773):

On page 12, after line 14, insert the following:

"NEW SECTION. Sec. 9. A new section is added to chapter 50B.04 RCW to read as follows:

(1) By October 1, 2022, the employment security department shall send educational materials to the primary residence of each employee in Washington regarding the program.

(2) The educational materials must contain comprehensive information about the program to allow employees to make informed financial planning decisions

and understand how the program may impact their current and future financial planning. At a minimum, the educational materials must include:

(a) A brief history of the program and the need for delaying its implementation;

(b) A benefit guide regarding the costs and benefits to consumers, including an explanation of how the premium is collected, the rate of the premium, the number of years that an employee must work to become a qualified individual, the number of hours that an employee must work each year for a year to qualify, the criteria for becoming an eligible beneficiary, the approved services that benefit units may purchase, the approximate value of approved services expressed as benefit units, and available exemptions. The benefit guide must include illustrative examples that are useful to employees of diverse incomes;

(c) Information about the operation of the program, including agency and commission responsibilities and contact information, procedures for accessing benefits, and procedures for disputing program decisions; and

(d) Information about the financial operations of the program, including information about the financial projections for the program, anticipated program solvency, expected need for increases in premiums, over time, and expected need for reductions in benefit units, over time.

(3) The educational materials must be printed in clear, readable type of a size, quality, and weight of paper that best serves the employee as a reference guide to understanding the program."

Renumber the remaining section consecutively and correct any internal references accordingly.

Correct the title.

Representative Maycumber spoke in favor of the adoption of the amendment.

Representative Sullivan spoke against the adoption of the amendment.

Amendment (773) was not adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.



Representatives Sullivan, Schmick and Stokesbary spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1732.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1732, and the bill passed the House by the following vote: Yeas, 91; Nays, 6; Absent, 0; Excused, 1.

Voting yea: Representatives Abbarno, Barkis, Bateman, Berg, Bergquist, Berry, Boehnke, Bronoske, Caldier, Callan, Chambers, Chapman, Chopp, Cody, Corry, Davis, Dent, Dolan, Donaghy, Duerr, Dye, Entenman, Eslick, Fey, Fitzgibbon, Frame, Gilday, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Hansen, Harris, Harris-Talley, Jacobsen, J. Johnson, Kirby, Klicker, Klippert, Kloba, Kraft, Kretz, Leavitt, Lekanoff, MacEwen, Macri, Maycumber, Morgan, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Riccelli, Robertson, Rude, Rule, Ryu, Santos, Schmick, Sells, Senn, Shewmake, Simmons, Slatter, Springer, Steele, Stokesbary, Stonier, Sullivan, Sutherland, Taylor, Thai, Tharinger, Valdez, Vick, Volz, Walen, Wicks, Wilcox, Wylie, Ybarra, Young and Mme. Speaker.

Voting nay: Representatives Chase, Dufault, Hoff, McCaslin, McEntire and Walsh.

Excused: Representative Chandler.

SUBSTITUTE HOUSE BILL NO. 1732, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1733, by Representatives Paul, Macri, Johnson, J., Leavitt, Bronoske, Chapman, Senn, Berry, Cody, Dolan, Fey, Peterson, Ryu, Santos, Shewmake, Wylie, Simmons, Callan, Chopp, Slatter, Ramos, Bergquist, Tharinger, Valdez, Thai, Pollet, Morgan, Taylor, Stonier, Ortiz-Self, Gregerson, Riccelli, Davis, Ormsby, Duerr, Orwall, Bateman, Kloba and Frame**

**Establishing voluntary exemptions to the long-term services and supports trust program for certain populations.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1733 was substituted for House Bill No. 1733 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1733 was read the second time.

Representative Walsh moved the adoption of amendment (771):

On page 3, line 16, after "Washington;" strike "and"

On page 3, line 19, after "residence" insert "; or

(e) An employee who demonstrates to the employment security department that the employee has purchased a long-term care insurance policy, regardless of the date of purchase of the policy"

On page 6, after line 37, insert the following:

"NEW SECTION. **Sec. 4.** RCW 50B.04.085 (Premium assessment-Exemptions) and 2021 c 113 s 5 & 2020 c 98 s 7 are each repealed."

Correct the title.

### POINT OF ORDER

Representative Stonier requested a scope and object ruling on amendment (771).

### SPEAKER'S RULING

"The title of the bill defines its scope as establishing voluntary exemptions from the payment of premiums under the long-term services and supports trust program specifically for certain disabled veterans, spouses and registered domestic partners of military service members, nonimmigrant temporary workers, and employees who work in Washington and maintain a primary residence outside of Washington.

Amendment (771) establishes an exemption for an additional class of individuals, namely, employees who demonstrate they have purchased a long-term care policy, regardless of the date of purchase of the policy.

The Speaker therefore finds that the amendment is outside the scope of the bill as defined by its title.

The point of order is well taken."

Representative Harris moved the adoption of amendment (775):

On page 3, line 16, after "Washington;" strike "and"

On page 3, line 19, after "residence" insert "; or

(e) An employee who was born before January 1, 1968, and attests to the employment security department that the employee intends to retire before accumulating the ten years of premium payments necessary to become a qualified individual pursuant to RCW 50B.04.050(1)(a) "

### POINT OF ORDER

Representative Stonier requested a scope and object ruling on amendment (775).

#### **SPEAKER'S RULING**

"The title of the bill defines its scope as establishing voluntary exemptions from the payment of premiums under the long-term services and supports trust program specifically for certain disabled veterans, spouses and registered domestic partners of military service members, nonimmigrant temporary workers, and employees who work in Washington and maintain a primary residence outside of Washington.

Amendment (775) establishes an exemption for an additional class of individuals, namely, employees born before a certain date who attest they will retire before accumulating ten years of premium payments necessary to qualify for program benefits/services.

The Speaker therefore finds that the amendment is outside the scope of the bill as defined by its title.

The point of order is well taken."

Representative Paul moved the adoption of amendment (772):

On page 3, line 16, after "Washington;" strike "and" and insert "or"

Representatives Paul and Stokesbary spoke in favor of the adoption of the amendment.

Amendment (772) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Paul, Kraft, Stonier and Macri spoke in favor of the passage of the bill.

Representatives Stokesbary, Walsh, Hoff and Abbarno spoke against the passage of the bill.

#### **MOTION**

On motion of Representative Griffey, Representative Klippert was excused.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1733.

#### **ROLL CALL**

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1733, and the bill passed the House by the following vote: Yeas, 67; Nays, 29; Absent, 0; Excused, 2.

Voting yea: Representatives Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chapman, Chopp, Cody, Davis, Dolan, Donaghy, Duerr, Entenman, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Griffey, Hackney, Hansen, Harris, Harris-Talley, J. Johnson, Kirby, Kloba, Kraft, Leavitt, Lekanoff, MacEwen, Macri, Maycumber, Morgan, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Riccelli, Rude, Rule, Ryu, Santos, Sells, Senn, Shewmake, Simmons, Slatter, Springer, Stonier, Sullivan, Taylor, Thai, Tharinger, Valdez, Walen, Wicks, Wilcox, Wylie, Young and Mme. Speaker.

Voting nay: Representatives Abbarno, Barkis, Boehnke, Chambers, Chase, Corry, Dent, Dufault, Dye, Eslick, Gilday, Goehner, Graham, Hoff, Jacobsen, Klicker, Kretz, McCaslin, McEntire, Mosbrucker, Robertson, Schmick, Steele, Stokesbary, Sutherland, Vick, Volz, Walsh and Ybarra.

Excused: Representatives Chandler and Klippert.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1733, having received the necessary constitutional majority, was declared passed.

There being no objection, the House adjourned until 9:55 a.m., January 20, 2022, the 11th Legislative Day of the Regular Session.

LAURIE JINKINS, Speaker

BERNARD DEAN, Chief Clerk

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