

SIXTY EIGHTH LEGISLATURE - REGULAR SESSION

FIFTY SEVENTH DAY

House Chamber, Olympia, MARCH 6, 2023

The House was called to order at 8:55 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.

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

INTRODUCTION & FIRST READING

SSB 5025 by Senate Committee on Ways & Means (originally sponsored by Dozier, Boehnke, Gildon, Padden, Wagoner and Wilson, J.)

AN ACT Relating to implementation of technology systems at the department of corrections; adding a new section to chapter 72.09 RCW; and creating a new section.

Referred to Committee on Community Safety, Justice, & Reentry.

2SSB 5046 by Senate Committee on Ways & Means (originally sponsored by Saldaña, Nguyen, Trudeau, Wilson, C., Dhingra, Frame, Kuderer, Nobles, Pedersen and Valdez)

AN ACT Relating to postconviction access to counsel; amending RCW 2.70.020; creating new sections; and providing an effective date.

Referred to Committee on Civil Rights & Judiciary.

ESSB 5124 by Senate Committee on Human Services (originally sponsored by Trudeau, Randall, Dhingra, Frame, Kauffman, Kuderer, Nguyen, Wellman and Wilson, C.)

AN ACT Relating to supporting guardianships and voluntary placement with nonrelative kin; and amending RCW 13.36.090, 74.13.062, and 74.13.031.

Referred to Committee on Human Services, Youth, & Early Learning.

2SSB 5128 by Senate Committee on Ways & Means (originally sponsored by Trudeau, Dhingra, Billig, Hasegawa, Hunt, Kuderer, Pedersen, Stanford, Valdez, Wellman and Wilson, C.)

AN ACT Relating to jury diversity; amending RCW 2.36.095 and 2.36.054; adding a new section to chapter 2.36 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Civil Rights & Judiciary.

ESB 5130 by Senators Frame, Dhingra, Nobles, Pedersen, Randall and Wilson, C.

AN ACT Relating to assisted outpatient treatment; amending RCW 71.05.148, 71.05.365, 71.05.590, 71.05.590, 71.34.020, 71.34.020, 71.34.740, 71.34.740, 71.34.780, 71.34.780, and 71.34.815; amending 2021 c 264 s 29 (uncodified); providing an effective date; providing a contingent effective date; and providing an expiration date.

Referred to Committee on Civil Rights & Judiciary.

SB 5131 by Senators Wilson, C., Frame, Hasegawa, Kuderer, Nguyen, Nobles, Saldaña and Stanford

AN ACT Relating to money received by the department of corrections on behalf of inmates from family or other outside sources for the purchase of commissary items; and amending RCW 72.09.480.

Referred to Committee on Community Safety, Justice, & Reentry.

ESSB 5143 by Senate Committee on Agriculture, Water, Natural Resources & Parks (originally sponsored by Torres, Dhingra, Rolfes, Saldaña, Shewmake and Warnick)

AN ACT Relating to changing the name of and adding a member to the commission on pesticide registration; and amending RCW 15.92.090, 15.92.095, 15.92.100, 15.92.105, and 15.92.110.

Referred to Committee on Agriculture and Natural Resources.

ESSB 5150 by Senate Committee on Agriculture, Water, Natural Resources & Parks (originally sponsored by Shewmake)

AN ACT Relating to the beef commission's levied assessment; and amending RCW 16.67.120.

Referred to Committee on Agriculture and Natural Resources.

E2SSB 5174 by Senate Committee on Ways & Means (originally sponsored by Wellman, Conway, Dhingra, Frame, Hunt, Kuderer, Lovelett, Rolfes, Valdez, Warnick and Wilson, C.)

AN ACT Relating to providing adequate and predictable student transportation; adding new sections to chapter 28A.160 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Appropriations.

ESSB 5197 by Senate Committee on Housing (originally sponsored by Kuderer, Saldaña, Frame, Nguyen, Nobles, Wellman and Wilson, C.)

AN ACT Relating to addressing landlord-tenant relations by providing technical changes to eviction notice forms and modifying certain eviction processes; amending RCW 59.18.410 and 59.18.057; and adding a new section to chapter 59.18 RCW.

Referred to Committee on Housing.

E2SSB 5198 by Senate Committee on Ways & Means (originally sponsored by Frame, Kuderer, Hasegawa, Hunt, Keiser, Lovelett, Nobles, Valdez and Wilson, C.)

AN ACT Relating to the sale or lease of manufactured/mobile home communities and the property on which they sit; amending RCW 59.20.060, 59.20.073, 59.20.080, 59.20.300, and 59.20.305; reenacting and amending RCW 59.20.030; adding new sections to chapter 59.20 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Housing.

2SSB 5225 by Senate Committee on Ways & Means (originally sponsored by Wilson, C., Conway, Frame, Hasegawa, Hunt, Keiser, Lovelett, Nguyen, Salomon, Shewmake, Stanford and Valdez)

AN ACT Relating to increasing access to the working connections child care program; amending RCW 43.216.136 and 43.216.1368; reenacting and amending RCW 43.216.135; adding a new section to chapter 43.216 RCW; creating a new section; and providing an effective date.

Referred to Committee on Human Services, Youth, & Early Learning.

E2SSB 5243 by Senate Committee on Ways & Means (originally sponsored by Wellman, Hunt, Kuderer, Nobles and Wilson, C.)

AN ACT Relating to high school and beyond planning; amending RCW 28A.230.090, 28A.230.215, 28A.230.091, 28A.230.310, 28A.230.320, 28A.300.900, and 28A.655.250; adding a new section to chapter 28A.230 RCW; creating a new section; repealing RCW 28A.655.270; and providing an expiration date.

Referred to Committee on Education.

ESSB 5301 by Senate Committee on Housing (originally sponsored by Mullet, Kuderer, Nguyen and Wilson, C.)

AN ACT Relating to housing programs administered by the department of commerce; amending RCW 43.185.010, 43.185.030, 43.185.070, 43.185.074, 43.185.080, 43.185A.010, 43.185A.020, 43.185A.060, 43.185A.070, 18.85.311, 31.04.025, 39.35D.080, 43.63A.680, 43.79.201, 43.185C.200, 43.185C.210, 47.12.063, 59.24.060, 82.14.400, and 82.45.100; reenacting and amending RCW 43.185.050 and 43.185B.020; adding new sections to chapter 43.185A RCW; adding a new section to chapter 42.56 RCW; adding a new section to chapter 43.185B RCW; recodifying RCW 43.185.010, 43.185.030, 43.185.050, 43.185.070, 43.185.074, 43.185.080, and 43.185.110; and repealing RCW 43.185.015, 43.185.020, 43.185.060, 43.185.076, 43.185.090, 43.185.100, 43.185.120, 43.185.130, 43.185.140, 43.185.910, 43.185A.030, 43.185A.050, 43.185A.080, 43.185A.090, 43.185A.100, 43.185A.110, 43.185A.120, and 43.185A.900.

Referred to Committee on Capital Budget.

ESB 5309 by Senators Lovelett, Rolfes, Hasegawa, Hunt, Keiser, Nguyen and Nobles

AN ACT Relating to eliminating the state public utility tax deduction for the instate portion of interstate transport of petroleum products and crude oil; amending RCW 82.16.050; and creating a new section.

Referred to Committee on Finance.

E2SSB 5311 by Senate Committee on Ways & Means (originally sponsored by Wellman, Braun, Dhingra, Hunt, Kuderer, Mullet, Nguyen, Nobles, Pedersen, Torres and Wilson, C.)

AN ACT Relating to special education funding formula; amending RCW 28A.150.390 and 28A.150.392; adding a new section to chapter 28A.310 RCW; and adding a new section to chapter 28A.150 RCW.

Referred to Committee on Education.

E2SSB 5367 by Senate Committee on Ways & Means (originally sponsored by Robinson, Schoesler, Conway, Dozier, Keiser, Saldaña and Wellman)

AN ACT Relating to the regulation of products containing THC; amending RCW 15.140.020, 69.50.326, and 69.50.346; reenacting and amending RCW 69.50.101; adding a new section to chapter 69.50 RCW; adding a new section to chapter 69.07 RCW; and creating a new section.

Referred to Committee on Regulated Substances & Gaming.

SSB 5386 by Senate Committee on Housing (originally sponsored by Robinson, Kuderer, Saldaña and Wilson, C.)

AN ACT Relating to reducing administrative complexity by increasing transparency of revenue flows for activities funded by document recording fees; amending RCW 43.185C.010, 43.185C.045, 43.185C.070, 43.185C.080, 43.185C.185, 36.18.010, 84.36.560, and 84.36.675; reenacting and amending RCW 43.185C.060, 43.185C.190, and 59.18.030; adding a new section to chapter 36.22 RCW; repealing RCW 36.22.176, 36.22.178, 36.22.179, 36.22.1791, 43.185C.061, and 43.185C.215; and providing an expiration date.

Referred to Committee on Housing.

SSB 5398 by Senate Committee on Human Services (originally sponsored by MacEwen and Wilson, L.)

AN ACT Relating to domestic violence funding allocation; creating a new section; and providing an expiration date.

Referred to Committee on Human Services, Youth, & Early Learning.

SB 5403 by Senators Schoesler, Wellman, Torres, Boehnke, Muzzall, Dozier, Kuderer, Randall, Wilson, C. and Wilson, L.

AN ACT Relating to establishing school district depreciation subfunds for the purposes of preventative maintenance; and amending RCW 28A.320.330.

Referred to Committee on Education.

E2SSB 5440 by Senate Committee on Ways & Means (originally sponsored by Dhingra, Nguyen, Saldaña, Valdez, Van De Wege and Wilson, C.)

AN ACT Relating to providing timely competency evaluations and restoration services to persons suffering from behavioral health disorders within the framework of the forensic mental health care system consistent with the requirements agreed to in the Trueblood settlement agreement; amending RCW 10.77.060, 10.77.068, 10.77.074, 10.77.084, 10.77.086, 10.77.088, and 10.77.092; reenacting and amending RCW 10.77.010; adding new sections to chapter 10.77 RCW; creating new sections; and declaring an emergency.

Referred to Committee on Civil Rights & Judiciary.

2SSB 5477 by Senate Committee on Ways & Means (originally sponsored by Torres, Trudeau, Braun, Muzzall, Billig, Boehnke, Conway, Dhingra, Frame, Hasegawa, Hunt, Kauffman, Keiser, Kuderer, Liias, Lovelett, Nguyen, Pedersen, Randall, Saldaña, Salomon, Shewmake, Van De Wege, Wagoner, Warnick and Wilson, C.)

AN ACT Relating to implementing the recommendations of the Washington state missing and murdered indigenous women and people task force; amending RCW 68.50.320; adding a new section to chapter 43.10 RCW; providing an effective date; providing an expiration date; and declaring an emergency.

Referred to Committee on Community Safety, Justice, & Reentry.

SB 5497 by Senators Wilson, L. and Rolfes

AN ACT Relating to medicaid expenditures; amending RCW 74.04.050; adding new sections to chapter 74.09 RCW; adding a new section to chapter 43.41 RCW; and creating a new section.

Referred to Committee on Health Care & Wellness.

ESSB 5512 by Senate Committee on Higher Education & Workforce Development (originally sponsored by Holy, Liias, Rivers, Salomon, Wilson, J., Schoesler, Torres, Wilson, L., MacEwen, Dozier, Wagoner, Warnick, Gildon, McCune, Short, King, Braun, Muzzall, Nguyen, Billig and Boehnke)

AN ACT Relating to adding financial transparency reporting requirements to the public four-year dashboard; and amending RCW 28B.77.090.

Referred to Committee on Postsecondary Education & Workforce.

ESSB 5515 by Senate Committee on Human Services (originally sponsored by Dhingra, Conway, Hunt, Kauffman, Kuderer, Lovelett, Nguyen, Nobles, Saldaña, Stanford, Valdez, Wellman and Wilson, C.)

AN ACT Relating to protecting children from child abuse and neglect; amending RCW 26.44.210 and 74.15.020; adding a new section to chapter 74.15 RCW; adding a new section to chapter 71.24 RCW; creating new sections; and providing effective dates.

Referred to Committee on Human Services, Youth, & Early Learning.

SSB 5593 by Senate Committee on Ways & Means (originally sponsored by Liias, Holy, Mullet, Lovick and Wilson, C.)

AN ACT Relating to improving equity in the transfer of student data between K-12 schools and institutions of higher education; adding a new section to chapter 28B.10 RCW; and adding a new section to chapter 28A.150 RCW.

Referred to Committee on Education.

SSB 5626 by Senate Committee on Early Learning & K-12 Education (originally sponsored by Liias, Warnick, Hunt, Nobles, Pedersen and Wilson, C.)

AN ACT Relating to expanding and enhancing media literacy and digital citizenship in K-12 education; amending RCW 28A.300.840; adding a new section to chapter 28A.300 RCW; and providing an expiration date.

Referred to Committee on Education.

SB 5632 by Senators Keiser, Cleveland, Conway, Hasegawa, Hunt, Kuderer, Lovelett, Stanford, Valdez and Wilson, C.

AN ACT Relating to protecting the health care of workers exercising their right to participate in a labor dispute; adding a new section to chapter 49.64 RCW; and creating a new section.

Referred to Committee on Health Care & Wellness.

ESSB 5702 by Senate Committee on Higher Education & Workforce Development (originally sponsored by Trudeau, Nobles, Dhingra, Hunt, Liias, Lovelett, Nguyen, Pedersen, Saldaña, Valdez and Wilson, C.)

AN ACT Relating to expanding the students experiencing homelessness and foster youth pilot program; and amending RCW 28B.50.916 and 28B.77.850.

Referred to Committee on Appropriations.

ESSB 5726 by Senate Committee on Labor & Commerce (originally sponsored by King)

AN ACT Relating to the prevailing wages on public works; amending RCW 39.12.015 and 39.12.030; and providing an effective date.

Referred to Committee on Labor & Workplace Standards.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated, with the exception of ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5174 which was referred to the Committee on Appropriations.

JOINT SESSION

Pursuant to Senate Concurrent Resolution No. 8404, the House appeared at the doors of the Senate and requested admission to the Chamber. The Sergeant at Arms of the Senate, Mr. Andy Staubit, and the Sergeant at Arms of the House, Mr. Johnny Alexander, escorted Speaker Pro Tempore Tina Orwall to a seat on the rostrum. The representatives were invited to seats within the Chamber.

The President of the Senate, Lieutenant Governor Heck, called the Joint Session to order. The Secretary called the roll of the House members. The Secretary called the roll of the Senate members. A quorum of the Legislature was present.

President Heck: "This Joint Session has been convened to receive remarks from His Excellency, Sauli Niinistö, President of the Republic of Finland.

The President introduced special guests in attendance: Chief Justice of the Washington State Supreme Court, Steven González; The Honorable Steve Hobbs, Secretary of State; The Honorable Mike Pellicciotti, State Treasurer; and The Honorable Mike Kreidler, Insurance Commissioner.

The Washington State Patrol Honor Guard presented the Colors. The Honor Guard was comprised of Lieutenant Matt Fehler, Sergeant James Maguire, Sergeant William Rutherford, Trooper Kyle Flaig, Trooper Dean Gallanger, and Trooper Michael Sessions.

The President led the Joint Session in the Pledge of Allegiance.

APPOINTMENT OF SPECIAL COMMITTEE

The President of the Senate appointed a committee of honor consisting of Senators Marko Liias and Jeff Wilson and Representatives Debra Entenman and Paul Harris to escort His Excellency Sauli Niinistö, President of Finland and His Excellency Jay Inslee, Governor of Washington to their seats of honor on the Senate rostrum.

Pastor Nina Tetri-Mustonen of the Finnish Lutheran Church in Seattle led the invocation.

The President welcomed and introduced His Excellency Mikko Hautala, Ambassador of the Republic of Finland to the United States of America and Ambassador Okko-Pekka Salmimies, Consul General of Finland in Los Angeles, who were seated at the rostrum.

The President introduced His Excellency, Sauli Niinistö, President of the Republic of Finland.

ADDRESS BY PRESIDENT NIINISTÖ

President Niinistö: “Governor Inslee, President Heck, Members of the Washington State Legislature, Justices of the State Supreme Court, Dear Washingtonians,

It is a great pleasure and an honour for me to address this body. Finland and the United States share a strong and longstanding relationship. Geographically, we might be far apart, but our cultural and historical ties are close. And most importantly, we stand for the same values.

The current critical geopolitical situation has brought us closer together than ever before. We are now strengthening our ties in sectors such as defense, trade, technology and energy security. And soon we will be able to call each other Allies.

Ladies and Gentlemen, more than one year ago, Russia launched its brutal attack on Ukraine and brought full-scale war back on the European continent. The past year has seen horrors we did not expect to see in Europe in this day and age. Cities destroyed. Schools, homes and critical infrastructure demolished. Thousands of lives taken. Millions forced to leave their homes.

In his recent address in Warsaw, President Biden called Russia’s invasion a test for the ages. A test not just for Ukraine, but also for Europe, America, NATO and all democracies. Ukraine has faced that test with its head held high. The Ukrainians continue to fight for their freedom and for our common values with incredible strength and resilience.

The transatlantic community stands by Ukraine, strong and united. In senates and parliaments on both sides of the Atlantic, old policies have been reviewed and strong decisions have been made. Together we have provided Ukraine with great amounts of military aid, material support and humanitarian relief. We must continue to do so, until a just and sustainable peace is achieved.

For us Finns, Russia’s attack brought back echoes of our own history. It evoked our collective memory. Describing Finland’s battle against the Soviet Union in the Winter War, President Franklin D. Roosevelt wrote: “the people of Finland, by their unexcelled valour and strong resistance in the face of overwhelming armed forces, have won the moral right to live in everlasting peace and independence in the land they have so bravely defended”.

There seems to be no end in sight for Russia’s war in Ukraine. It is for Ukraine to decide, when it is the time for negotiations. Finland supports Ukraine’s initiative for a just peace. And one thing is clear: the Ukrainians have the right to live in peace and independence in their country.

Dear Friends,

In December 2021, when the President of Russia demanded that NATO must not expand eastward, we in Finland knew what he was after. He sought to re-establish spheres of influence. And by so doing, he wanted to limit also our right to choose our own alliances. We could not let him do that.

Ten years prior - in our very first meeting - I had told President Putin that Finland, like every sovereign nation, maximizes its own security. Russia’s attempt to limit our freedom of decision and finally, its attack on another sovereign neighbour, made our decision clear. In May 2022, Finland officially decided to apply for NATO membership.

Finland has always understood that security is not to be taken for granted. We have held on to conscription and consistently invested in our national defence. In 2021, we made a decision to purchase 64 F-35 fighter jets. That is a lot for a small country. Finland’s NATO membership will not only maximize our own security. We will be a strong contributor for the security of the whole Alliance.

Throughout our membership process, the support we have gotten from the United States has been overwhelming. President Biden has thrown his weight and extraordinary leadership behind Finland’s and Sweden’s membership processes. Dozens of members of the United States Senate and House of Representatives, from both sides of the aisle, have worked tirelessly on our behalf. And Americans across the country have voiced their support. For that, I want to say: thank you.

Finland’s and Sweden’s NATO memberships are still two ratifications short of completion. But it is my hope and belief that the NATO Summit in Vilnius will be a true display of allied unity with 32 members around the table.

Ladies and Gentlemen,

The State of Washington is one of Finland’s core partners in the United States. The first Finnish communities settled here at the end of the 19th century. In 1915, there were about 55 Finnish families and 29 saunas in Kirkland’s Finn Hill. Today, Finland has a population of 5.5 million and around 3 million saunas. The “sauna ratio” was about right here in Washington State more than a hundred years ago.

The Finnish and Nordic communities in Washington are still strong and active. We are proud to even have our “own” representative here in state Legislature, Senator Marko Liias. And, of course, our two representatives, forwards Joonas Donskoi and Eeli Tolvanen, in the Seattle Krakens.

The multiple, overlapping crises we are faced with underscore the need for partnerships. For Finland, state partnerships in the US are an increasingly important element of bilateral cooperation.

In 2021, Finland and Washington State signed a Memorandum of Understanding to deepen our economic ties. We are working to accelerate our cooperation in crucial fields of the future: high technology and green transition. I hope that this visit can also serve to take this work forward. I have with me a group of leading Finnish companies working in these fields.

In the global fight against climate change, Finland and Washington are forerunners. Finland’s goal is to be carbon-neutral by 2035. Reaching that goal requires investments, political leadership, determination and innovation. But the way I see it, sustainability should not be seen as a sacrifice but as an opportunity.

Combating climate change is absolutely crucial for the survival of our planet. But it also makes economic sense. Global markets for green technologies are growing rapidly and offer tremendous potential for forerunners like us.

In the future, our competitiveness and national security will be closely tied to emerging technologies. In fields such as 6G, quantum computing and artificial intelligence, we have a lot to gain from cooperation. Only together can we ensure that these crucial technologies will be developed and used in line with our values.

I trust that the good work that we have started between Finland and the State of Washington will bear fruit and benefit not just us but also the larger international community.

Ladies and Gentlemen,

The bigger the challenges we face, the more important that we face them together. Europe needs the United States. But the United States also needs Europe. Together we have built and upheld the post World War II international institutions and order. From the United Nations to Bretton Woods. And together we will continue to uphold and revitalize this order, also after this war.

Thank you.”

The President thanked President Niinistö for his remarks.

The President called upon the committee of honor consisting of Senators Marko Liias and Jeff Wilson and Representatives Debra Entenman and Paul Harris to escort His Excellency Sauli Niinistö, President of Finland and His Excellency Jay Inslee, Governor of Washington from the Chamber.

On motion of Senator Pedersen, the Joint Session was dissolved.

The Sergeant at Arms of the Senate and the Sergeant at Arms of the House escorted Speaker Pro Tempore Orwall and members of the House of Representatives from the Rostrum and seats within the Chamber and the House retired from the Senate Chamber.

The Speaker (Representative Orwall presiding) called upon Representative Bronoske to preside.

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

MESSAGE FROM THE SENATE

Friday, March 3, 2023

Mme. Speaker:

The Senate has passed:

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO.
5536

and the same is herewith transmitted.

Colleen Rust, Deputy Secretary

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

SECOND READING

HOUSE BILL NO. 1265, by Representatives Ramos, Goehner, Chapman, Robertson, Kloba, Chambers, Slatter, Callan, Donaghy, Ryu, Reeves, Chopp, Senn, Reed, Couture, Simmons, Fey, Jacobsen, Macri, Peterson, Ramel and Pollet

Establishing a property tax exemption for adult family homes that serve people with intellectual or developmental disabilities and are owned by a nonprofit.

The bill was read the second time.

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

Representatives Ramos and Orcutt spoke in favor of the passage of the bill.

MOTIONS

On motion of Representative Leavitt, Representative Hansen was excused.

On motion of Representative Griffey, Representatives Chandler and Volz were excused.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of House Bill No. 1265.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1265, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler, Hansen and Volz

HOUSE BILL NO. 1265, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1255, by Representatives Simmons, Harris, Peterson, Reed, Riccelli, Macri, Bateman and Doglio

Reducing stigma and incentivizing health care professionals to participate in a substance use disorder monitoring and treatment program.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1255 was substituted for House Bill No. 1255 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1255 was read the second time.

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

Representatives Simmons and Riccelli spoke in favor of the passage of the bill.

Representatives Schmick and Caldier spoke against the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1255.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1255, and the bill passed the House by the following vote: Yeas, 60; Nays, 35; Absent, 0; Excused, 3

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Harris, Kloba, Leavitt, Lekanoff, Macri, McClintock, Mena, Morgan, Mosbrucker, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McEntire, Orcutt, Robertson, Rude, Sandlin, Schmick, Schmidt, Steele, Stokesbary, Walsh, Waters, Wilcox and Ybarra

Excused: Representatives Chandler, Hansen and Volz

SUBSTITUTE HOUSE BILL NO. 1255, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1762, by Representatives Doglio, Berry, Ramel, Fosse, Reed, Alvarado, Peterson and Pollet

Protecting warehouse employees.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1762 was substituted for House Bill No. 1762 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1762 was read the second time.

With the consent of the House, amendments (290) and (309) were withdrawn.

Representative Connors moved the adoption of amendment (289):

On page 3, beginning on line 4, after "standard" strike all material through "An" on line 5 and insert "under which an"

On page 3, beginning on line 10, after "standard" strike all material through

"standard" on line 13 and insert ". For purposes of this subsection, "adverse employment action" means an action or a pattern of conduct that, taken as a whole, materially and adversely affected the terms, conditions, or privileges of the employee's employment"

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

Representative Berry spoke against the adoption of the amendment.

Amendment (289) was not adopted.

Representative Connors moved the adoption of amendment (291):

On page 4, beginning on line 10, after "3." strike all material through "department." on page 5, line 31 and insert "An employee shall not be required to meet a quota that prevents compliance with meal or rest periods, use of bathroom facilities, including reasonable travel time to and from bathroom facilities, or occupational health and safety laws. An employer shall not take adverse employment action against an employee for failure to meet a quota that does not allow a worker to comply with meal and rest periods, or occupational health and safety laws, or for failure to meet a quota that has not been disclosed to the employee pursuant to this chapter."

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

Representatives Connors, Abbarno and Corry spoke in favor of the adoption of the amendment.

Representative Ortiz-Self spoke against the adoption of the amendment.

Amendment (291) was not adopted.

Representative Chambers moved the adoption of amendment (292):

On page 5, line 32, after "6." strike "(1) An" and insert "Each"

On page 5, line 33, after "preserve" insert "for three years"

On page 5, beginning on line 33, after "records" strike all material through "department" on page 6, line 24 and insert "to ensure compliance with an employee's or the director's request for data"

Representatives Chambers, Robertson, Walsh, Abbarno, Chambers (again) and Harris spoke in favor of the adoption of the amendment.

Representative Entenman spoke against the adoption of the amendment.

Amendment (292) was not adopted.

Representative Robertson moved the adoption of amendment (294):

On page 6, beginning on line 25, after "(1)" strike all material through "request."

on page 7, line 10 and insert "If an employee or former employee believes that meeting a quota caused a violation of their right to a meal or rest period or required them to violate any state occupational health and safety laws, the employee or former employee has the right to request, and the employer shall provide, a written description of each quota to which the employee is subject, and a copy of the employee's own personal aggregated work speed data for the most recent 90 days.

(2) If a former employee requests a written description of the quotas to which they were subject and a copy of their own personal work speed data pursuant to subsection (1) of this section, the employer shall provide the former employee's quotas and personal work speed data for the 90 days prior to the date of the employee's separation from the employer.

(3) An employer must provide records requested under this section at no cost to the employee or former employee. A former employee is limited to one request pursuant to this section.

(4) An employer that receives a written or oral request for information pursuant to this section shall comply with the request as soon as practicable, but no later than 21 calendar days from the date of the request."

Representatives Robertson and Corry spoke in favor of the adoption of the amendment.

Representative Berry spoke against the adoption of the amendment.

Amendment (294) was not adopted.

Representative Schmidt moved the adoption of amendment (295):

On page 7, beginning on line 15, strike all of section 8 and insert the following:

"NEW SECTION. Sec. 8. For the purposes of this act, there shall be a rebuttable presumption of unlawful retaliation if an employer in any manner discriminates, retaliates, or takes any adverse action against any employee within 90 days of the employee doing either of the following:

(1) Initiating the employee's first request in a calendar year for information about a quota or personal work speed data pursuant to section 7 of this act; or

(2) Making a complaint related to a quota alleging any violations of this act to the employer, the director, or any local, or state, or federal governmental agency."

Representatives Schmidt and Abbarno spoke in favor of the adoption of the amendment.

Representative Fosse spoke against the adoption of the amendment.

Amendment (295) was not adopted.

Representative Cheney moved the adoption of amendment (293):

On page 10, beginning on line 12, strike all of section 11

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

Representatives Cheney, Abbarno and Caldier spoke in favor of the adoption of the amendment.

Representative Fosse spoke against the adoption of the amendment.

Amendment (293) 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 Doglio and Fosse spoke in favor of the passage of the bill.

Representatives Schmidt, Corry, Walsh, Chambers, Christian, Schmidt (again), Maycumber, Wilcox and Robertson spoke against the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1762.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1762, and the bill passed the House by the following vote: Yeas, 53; Nays, 42; Absent, 0; Excused, 3

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Chapman, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Rule, Sandlin, Schmick, Schmidt, Springer, Steele, Stokesbary, Walen, Walsh, Waters, Wilcox and Ybarra

Excused: Representatives Chandler, Hansen and Volz

SECOND SUBSTITUTE HOUSE BILL NO. 1762, having received the necessary constitutional majority, was declared passed.

The Speaker (Representative Bronoske presiding) called upon Representative Orwall to preside.

HOUSE BILL NO. 1378, by Representatives Reeves, Dent, Berry, Ramel, Gregerson and Leavitt

Concerning the removal of derelict aquatic structures and restoration of aquatic lands.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1378 was substituted for House Bill No. 1378 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1378 was read the second time.

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

Representatives Reeves and Dent 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. 1378.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1378, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler, Hansen and Volz

SUBSTITUTE HOUSE BILL NO. 1378, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1527, by Representatives Wylie, Sandlin, Duerr, Barnard, Connors, Chapman, Waters, Springer, Harris and Gregerson

Making technical corrections to the local tax increment financing program.

The bill was read the second time.

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

Representatives Wylie, Schmidt and Harris spoke in favor of the passage of the bill.

Representative Orcutt spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1527.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1527, and the bill passed the House by the following vote: Yeas, 80; Nays, 15; Absent, 0; Excused, 3

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Caldier, Callan, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Davis, Dent, Doglio, Donaghy, Duerr, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Klicker, Kloba, Kretz, Lekanoff, Low, Macri, Maycumber, McClintock, Mena, Morgan, Mosbrucker, Ormsby, Ortiz-Self, Orwall, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Ryu, Sandlin, Schmick, Schmidt, Senn, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Walen, Waters, Wilcox, Wylie and Mme. Speaker

Voting Nay: Representatives Bronoske, Chambers, Couture, Dye, Jacobsen, Leavitt, McEntire, Orcutt, Paul, Rule, Santos, Shavers, Timmons, Walsh and Ybarra

Excused: Representatives Chandler, Hansen and Volz

HOUSE BILL NO. 1527, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1663, by Representatives Goehner and Steele

Allowing functionally consolidated port districts to adopt a unified levy.

The bill was read the second time.

Representative Goehner moved the adoption of the striking amendment (298):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 53.08 RCW to read as follows:

(1) Two or more port districts, operating under a mutual agreement pursuant to RCW 53.08.240, may levy and collect jointly the property tax assessments authorized under RCW 53.36.020 under the following conditions:

(a) The port districts are adjacent, and the boundaries of the port districts are coextensive with county boundaries;

(b) The commissioners of each port district have, no later than July 1st, and by at least a two-thirds margin, voted to conduct a joint property tax levy for collection in the following year and for subsequent years, until such time as the commissioners of each port district have voted to discontinue the joint property tax levy;

(c) The joint property tax levy has been approved by a majority of voters at special elections called under RCW 29A.04.330 by the port district commissioners of the port districts that propose to conduct the joint property tax levy. The special elections within each port district must be held on the same day. If the certified election results show that a majority of the total votes cast among all the port districts participating in the special elections approve the joint property tax levy, then the joint levy shall be deemed approved. Once voters have approved the conduct of a joint property tax levy, the conduct of a joint levy in subsequent consecutive years does not require voter approval; and

(d) The joint property tax rate imposed is the same in each participating port district.

(2)(a) Two or more port districts that are jointly levying and collecting property taxes as provided for under subsection (1) of this section are considered a "taxing district" under RCW 84.04.120.

(b) The commissioners of the port districts that are jointly levying and collecting property taxes under subsection (1) of this section are considered the governing body of the districts for the purposes of RCW 84.55.120.

(3)(a) Port districts that are jointly levying and collecting property taxes as provided for in subsection (1) of this section may not independently conduct a property tax levy under RCW 53.36.020,

except as provided in (b) of this subsection.

(b) Port districts conducting a joint levy may independently approve a property tax levy under RCW 53.36.020 to the extent needed to provide for payment of principal and interest on general bonded indebtedness.

(4)(a) Notwithstanding RCW 84.55.035, when conducting a joint property tax levy, the first joint levy amount must be set as provided for in RCW 84.55.020 as if the port districts had consolidated. Subsequent joint levies are subject to the limitations in RCW 84.55.010.

(b) Any increase in the property tax revenue by the jointly taxing port districts may only be authorized pursuant to RCW 84.55.120, except that any such increase must be approved by at least two-thirds of the commissioners of each of the port districts.

(c) Port districts that are jointly levying and collecting property taxes may conduct a levy in an amount exceeding the limitations provided for in chapter 84.55 RCW as provided for in RCW 84.55.050, except that such a levy may only be conducted if approved by a majority of voters in each port district participating in the joint property tax levy.

(5) The separate obligations of each of the port districts conducting a joint property tax levy shall not be affected by the conduct of the joint levy, and shall remain the responsibility of the individual port district subject to the obligation. Taxes and assessments for payment of such obligations shall continue to be levied and collected as provided for in subsection (3) (b) of this section in each port district notwithstanding the joint property tax levy. While any such obligations remain outstanding, funds subject to such obligations shall be kept separate.

(6)(a) In the event that two or more port districts operating under a mutual agreement pursuant to RCW 53.08.240 cease to operate under the agreement, the joint debts and assets of the port districts must be divided as provided for in the agreement. If no provision for such division was made, the debts and assets must be divided amongst the port districts in the same proportion as the property tax assessments were divided amongst the districts.

(b) The first property tax levy conducted by a port district after it ceases to conduct a joint property tax levy with another port district must be set so that the levy does not exceed the port district's proportional share of the last levy jointly conducted with one or more other port districts plus additional increases allowed under RCW 84.55.010.

Correct the title.

Representatives Goehner and Berg spoke in favor of the adoption of the striking amendment.

The striking amendment (298) 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 Goehner and Berg 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 Engrossed House Bill No. 1663.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1663, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler, Hansen and Volz

ENGROSSED HOUSE BILL NO. 1663, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1268, by Representatives Goodman, Simmons, Walen and Eslick

Concerning sentencing enhancements.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1268 was substituted for House Bill No. 1268 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1268 was read the second time.

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

Representatives Goodman and Hackney spoke in favor of the passage of the bill.

Representatives Mosbrucker, Abbarno, Cheney, Walsh, Walsh (again), Graham, Corry, Chambers, Griffey, Caldier, Maycumber, Connors and Christian spoke against 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. 1268.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1268, and the bill passed the House by the following vote: Yeas, 53; Nays, 42; Absent, 0; Excused, 3

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Ormsby, Ortiz-Self, Orwall, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Ryu,

Santos, Senn, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Paul, Robertson, Rude, Rule, Sandlin, Schmick, Schmidt, Shavers, Steele, Stokesbary, Timmons, Walsh, Waters, Wilcox and Ybarra

Excused: Representatives Chandler, Hansen and Volz

SUBSTITUTE HOUSE BILL NO. 1268, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1530, by Representatives Cortes, Mena, Simmons, Ryu, Davis and Fosse

Expanding eligibility for employment of certain law enforcement and prosecutor office positions.

The bill was read the second time.

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

Representatives Cortes and Mosbrucker 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 House Bill No. 1530.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1530, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler, Hansen and Volz

HOUSE BILL NO. 1530, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1508, by Representatives Macri, Riccelli, Simmons, Fitzgibbon, Berry, Alvarado, Bateman, Ormsby, Doglio, Reed, Callan, Stonier, Tharinger and Bergquist

Improving consumer affordability through the health care cost transparency board.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1508 was substituted for House Bill No. 1508 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1508 was read the second time.

Representative Macri moved the adoption of amendment (331):

On page 2, line 17, after "benchmark." insert "Such action should be implemented in a progressive manner, such that health care providers and payers are assisted to come into compliance with cost targets, including through technical assistance and performance improvement plans, before assessing fines, unless there are egregious violations."

On page 2, line 33, after "analysis" insert "the provision of technical assistance,"

On page 5, line 14, after "chapters" strike "43.71, 43.71C" and insert "43.70, 43.71, 43.71C, 43.371"

On page 5, line 21, after "state" insert ". The board shall not require reporting of the same or similar data from a payer or health care provider if the data are available from an existing source"

On page 5, line 26, after "benchmark." insert "By July 1, 2024, the authority, in consultation with the board, shall adopt rules governing the health care cost growth benchmark that will be applicable beginning in 2026."

On page 12, beginning on line 24, strike all of section 9 and insert the following:

"NEW SECTION. Sec. 9. A new section is added to chapter 43.71C RCW to read as follows:

Information collected pursuant to this chapter may be shared with the health care cost transparency board established under chapter 70.390 RCW, subject to the same disclosure restrictions applicable under this chapter."

Correct the title.

Representatives Macri and Schmick spoke in favor of the adoption of the amendment.

Amendment (331) 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.

Representative Macri spoke in favor of the passage of the bill.

Representatives Schmick and Harris spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1508.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1508, and the bill passed the House by the following vote: Yeas, 57; Nays, 38; Absent, 0; Excused, 3

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey,

Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Sandlin, Schmick, Schmidt, Steele, Stokesbary, Walsh, Waters, Wilcox and Ybarra

Excused: Representatives Chandler, Hansen and Volz

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1508, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1554, by Representatives Doglio, Pollet, Fitzgibbon, Berry, Ramel, Orwall, Ryu, Fosse, Kloba, Macri and Duerr

Reducing public health and environmental impacts from lead.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1554 was substituted for House Bill No. 1554 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1554 was read the second time.

With the consent of the House, amendment (123) was withdrawn.

Representative Dent moved the adoption of the striking amendment (280):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) The legislature finds that even though lead is a widely recognized hazard to human health and to the environment, and leaded motor vehicle gasoline was phased out across the United States decades ago, leaded gasoline remains in widespread use at general aviation airports by piston engine noncommercial aircraft. Recent studies have found elevated levels of lead in the blood of residents, and particularly worryingly in the blood of children residing in general aviation airport communities, for whom lead is especially harmful to their development. There is consensus among the medical and scientific communities that the levels detected in children living around general aviation airports similar to those in Washington are hazardous. The national academies of sciences, engineering, and medicine in 2015 concluded that lead "is a well-known air pollutant that can lead to a variety of adverse health impacts, including neurological effects in children that lead to behavioral problems, learning deficits, and lowered IQ."

(2) The United States environmental protection agency has recently taken steps towards making an endangerment finding that may eventually lead, through a complex federal regulatory process involving the

United States federal aviation administration, to the elimination of lead from aviation gasoline. That unfolding federal process is too slow to adequately protect those currently living near general aviation airports from the harms of lead.

(3) Therefore, it is the intent of the legislature to take steps to mitigate public health and environmental concerns caused by the use of leaded gasoline at airports, and to encourage the federal aviation administration to expedite the transition to the use of unleaded aviation gasoline.

NEW SECTION. Sec. 2. A new section is added to chapter 47.68 RCW to read as follows:

(1) The department must carry out an education and outreach campaign targeted to airport operators and pilots of piston-engine aircraft on the topic of lead emissions from piston-engine aircraft and the disposal of fuel samples from sumping aircraft fuel tanks.

(2) The department, in coordination with the federal aviation administration and an association representing managers of airports in Washington, must develop a bulletin to send to airport operators. The bulletin must offer best practices to build awareness with airport employees, airport-based pilots, transient pilots, fixed base operators, and other on-airport tenants related to the issue of lead emissions from piston-engine aircraft and the handling of leaded aviation fuel.

(3) For purposes of subsections (1) and (2) of this section, the department may rely upon primers, guides, tools, and resources developed for airports or aircraft operators under the eliminate aviation gasoline lead emissions initiative.

(4) The department must develop and communicate to the federal aviation administration a written recommendation to amend their advisory circular on airport master plans to include evaluation of aircraft runup area locations to limit exposure to the public from piston-engine aircraft, with consideration of the 2021 consensus study report from the national academies of sciences, engineering, and medicine entitled "*Options for Removing Lead Emissions from Piston-Engine Aircraft.*"

(5)(a) The department must submit a formal request to the federal aviation administration for the prioritization of efforts to accelerate the work of the initiative to eliminate aviation gasoline lead emissions as part of the federal aviation administration's request in the congressional reauthorization act process pertaining to the federal aviation administration.

(b) The department must cooperate with and participate in aviation trade associations, including trade associations for state aviation officials and airport executive associations, for the purpose of advocating for the acceleration of the initiative to eliminate aviation gasoline lead emissions as part of those organizations' respective legislative priorities for congressional reauthorization

acts pertaining to the federal aviation administration.

(6) The department, in consultation with representatives of airport operators, fixed-base operators, and at least one national association representing general aviation pilots, one national association representing business aviation, and the Washington aviation and aerospace advisory committee must submit recommendations to the appropriate committees of the legislature by December 8, 2023, on:

(a) Financial incentives including, but not limited to, grants, taxes, aircraft registration fees, other fees, and leasehold excise tax reductions, to be provided by the state for leaded aviation fuel reduction; and

(b) Management strategies for airport operators and fixed-base operators, limited fixed-base operators, and businesses operating piston-engine aircraft to pursue programs and projects to acquire equipment, build facilities, or implement operational programs with the goal of reducing emissions from piston-engine aircraft that use leaded aviation fuels.

NEW SECTION. Sec. 3. A new section is added to chapter 43.70 RCW to read as follows:

The department must update its blood lead testing guidance for health care providers related to children living near airports at which aviation gasoline is used. The update must include children at risk of lead exposure due to airport operations among the high-risk populations broadly recommended for a blood lead test, without respect to the clinical judgment of the health care provider. For purposes of determining which children are at highest risk of lead exposure due to airport operations, the department must consider including children living, attending day care, preschool, or school within one kilometer of a general aviation airport, among other populations. The department must conduct outreach with and provide information to health care providers about the guidance.

NEW SECTION. Sec. 4. 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. 5. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

Correct the title.

Representative Doglio moved the adoption of amendment (341) to the striking amendment (280):

On page 2, line 10 of the striking amendment, after "with" insert "communities surrounding general aviation airports at which leaded aviation gasoline is used, with

special emphasis on communities overburdened by air pollution as identified by the department of ecology under chapter 70A.02 RCW or chapter 70A.65 RCW, as well as with"

On page 3, line 17 of the striking amendment, after "fuels" insert "and reducing public health impacts from lead exposures associated with airport operations"

Representatives Doglio, Dent and Christian spoke in favor of the adoption of the amendment to the striking amendment.

Amendment (341) to the striking amendment (280) was adopted.

Representatives Dent and Doglio spoke in favor of the adoption of the striking amendment as amended.

The striking amendment (280), as amended, 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 Doglio and Dent 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 Engrossed Substitute House Bill No. 1554.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1554, and the bill passed the House by the following vote: Yeas, 67; Nays, 28; Absent, 0; Excused, 3

Voting Yea: Representatives Alvarado, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chambers, Chapman, Cheney, Chopp, Cortes, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Gregerson, Hackney, Jacobsen, Kloba, Kretz, Leavitt, Lekanoff, Macri, Mena, Morgan, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Sandlin, Santos, Schmidt, Senn, Simmons, Slatter, Springer, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Calder, Christian, Connors, Corry, Couture, Graham, Griffey, Harris, Hutchins, Klicker, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Schmick, Shavers, Stearns, Steele, Stokesbary, Walsh, Waters and Wilcox

Excused: Representatives Chandler, Hansen and Volz

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1554, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1824, by Representatives Eslick, Chapman and Volz

Authorizing bona fide charitable or nonprofit organizations to conduct shooting sports and activities sweepstakes.

The bill was read the second time.

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

Representatives Eslick, Kloba and Dent 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 House Bill No. 1824.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1824, and the bill passed the House by the following vote: Yeas, 90; Nays, 5; Absent, 0; Excused, 3

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Calder, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Morgan, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Berry, Bronoske, Leavitt, Mena and Senn

Excused: Representatives Chandler, Hansen and Volz

HOUSE BILL NO. 1824, having received the necessary constitutional majority, was declared passed.

The Speaker (Representative Orwall presiding) called upon Representative Bronoske to preside.

HOUSE BILL NO. 1187, by Representatives Hackney, Berry, Bateman, Ramel, Doglio, Simmons, Lekanoff, Bronoske, Wylie, Stonier, Pollet and Ormsby

Concerning privileged communication between employees and the unions that represent them.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1187 was substituted for House Bill No. 1187 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1187 was read the second time.

Representative Robertson moved the adoption of amendment (344):

On page 7, line 18, after "member;" strike "or"

On page 7, line 21, after "agents" insert "; or"

(v) When an admission of, or intent to engage in, criminal conduct is revealed by the represented union member to the union representative"

Representatives Robertson and Hackney spoke in favor of the adoption of the amendment.

Amendment (344) 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 Hackney and Walsh spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1187.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1187, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler, Hansen and Volz

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1187, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1134, by Representatives Orwall, Bronoske, Peterson, Berry, Ramel, Leavitt, Callan, Doglio, Macri, Caldier, Simmons, Timmons, Reeves, Chopp, Lekanoff, Gregerson, Thai, Paul, Wylie, Stonier, Davis, Kloba, Riccelli, Fosse and Farivar

Implementing the 988 behavioral health crisis response and suicide prevention system.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1134 was substituted for House Bill No. 1134 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1134 was read the second time.

Representative Orwall moved the adoption of the striking amendment (312):

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 71.24.025 and 2021 c 302 s 402 are each reenacted and amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "988 crisis hotline" means the universal telephone number within the United States designated for the purpose of the national suicide prevention and mental health crisis hotline system operating through the national suicide prevention lifeline.

(2) "Acutely mentally ill" means a condition which is limited to a short-term severe crisis episode of:

(a) A mental disorder as defined in RCW 71.05.020 or, in the case of a child, as defined in RCW 71.34.020;

(b) Being gravely disabled as defined in RCW 71.05.020 or, in the case of a child, a

gravely disabled minor as defined in RCW 71.34.020; or

(c) Presenting a likelihood of serious harm as defined in RCW 71.05.020 or, in the case of a child, as defined in RCW 71.34.020.

(3) "Alcoholism" means a disease, characterized by a dependency on alcoholic beverages, loss of control over the amount and circumstances of use, symptoms of tolerance, physiological or psychological withdrawal, or both, if use is reduced or discontinued, and impairment of health or disruption of social or economic functioning.

(4) "Approved substance use disorder treatment program" means a program for persons with a substance use disorder provided by a treatment program licensed or certified by the department as meeting standards adopted under this chapter.

(5) "Authority" means the Washington state health care authority.

(6) "Available resources" means funds appropriated for the purpose of providing community behavioral health programs, federal funds, except those provided according to Title XIX of the Social Security Act, and state funds appropriated under this chapter or chapter 71.05 RCW by the legislature during any biennium for the purpose of providing residential services, resource management services, community support services, and other behavioral health services. This does not include funds appropriated for the purpose of operating and administering the state psychiatric hospitals.

(7) "Behavioral health administrative services organization" means an entity contracted with the authority to administer behavioral health services and programs under RCW 71.24.381, including crisis services and administration of chapter 71.05 RCW, the involuntary treatment act, for all individuals in a defined regional service area.

(8) "Behavioral health aide" means a counselor, health educator, and advocate who helps address individual and community-based behavioral health needs, including those related to alcohol, drug, and tobacco abuse as well as mental health problems such as grief, depression, suicide, and related issues and is certified by a community health aide program of the Indian health service or one or more tribes or tribal organizations consistent with the provisions of 25 U.S.C. Sec. 16161 and RCW 43.71B.010 (7) and (8).

(9) "Behavioral health provider" means a person licensed under chapter 18.57, 18.71, 18.71A, 18.83, 18.205, 18.225, or 18.79 RCW, as it applies to registered nurses and advanced registered nurse practitioners.

(10) "Behavioral health services" means mental health services as described in this chapter and chapter 71.36 RCW and substance use disorder treatment services as described in this chapter that, depending on the type of service, are provided by licensed or certified behavioral health agencies, behavioral health providers, or integrated into other health care providers.

(11) "Child" means a person under the age of eighteen years.

(12) "Chronically mentally ill adult" or "adult who is chronically mentally ill" means an adult who has a mental disorder and meets at least one of the following criteria:

(a) Has undergone two or more episodes of hospital care for a mental disorder within the preceding two years; or

(b) Has experienced a continuous psychiatric hospitalization or residential treatment exceeding six months' duration within the preceding year; or

(c) Has been unable to engage in any substantial gainful activity by reason of any mental disorder which has lasted for a continuous period of not less than twelve months. "Substantial gainful activity" shall be defined by the authority by rule consistent with Public Law 92-603, as amended.

(13) "Clubhouse" means a community-based program that provides rehabilitation services and is licensed or certified by the department.

(14) "Community behavioral health program" means all expenditures, services, activities, or programs, including reasonable administration and overhead, designed and conducted to prevent or treat substance use disorder, mental illness, or both in the community behavioral health system.

(15) "Community behavioral health service delivery system" means public, private, or tribal agencies that provide services specifically to persons with mental disorders, substance use disorders, or both, as defined under RCW 71.05.020 and receive funding from public sources.

(16) "Community support services" means services authorized, planned, and coordinated through resource management services including, at a minimum, assessment, diagnosis, emergency crisis intervention available twenty-four hours, seven days a week, prescreening determinations for persons who are mentally ill being considered for placement in nursing homes as required by federal law, screening for patients being considered for admission to residential services, diagnosis and treatment for children who are acutely mentally ill or severely emotionally or behaviorally disturbed discovered under screening through the federal Title XIX early and periodic screening, diagnosis, and treatment program, investigation, legal, and other nonresidential services under chapter 71.05 RCW, case management services, psychiatric treatment including medication supervision, counseling, psychotherapy, assuring transfer of relevant patient information between service providers, recovery services, and other services determined by behavioral health administrative services organizations.

(17) "Community-based crisis team" means a team that is part of an emergency medical services agency, a fire service agency, a public health agency, a medical facility, or a city or county government entity, other than a law enforcement agency, that provides the on-site community-based interventions of a mobile rapid response crisis team for individuals who are experiencing a behavioral health crisis.

(18) "Consensus-based" means a program or practice that has general support among treatment providers and experts, based on experience or professional literature, and may have anecdotal or case study support, or that is agreed but not possible to perform studies with random assignment and controlled groups.

~~((18))~~ (19) "County authority" means the board of county commissioners, county council, or county executive having authority to establish a behavioral health administrative services organization, or two or more of the county authorities specified in this subsection which have entered into an agreement to establish a behavioral health administrative services organization.

~~((19) "Crisis call center hub" means a state-designated center participating in the national suicide prevention lifeline network to respond to statewide or regional 988 calls that meets the requirements of RCW 71.24.890.)~~

(20) "Crisis stabilization services" means services such as 23-hour crisis stabilization units based on the living room model, crisis stabilization units as provided in RCW 71.05.020, triage facilities as provided in RCW 71.05.020, short-term respite facilities, peer-run respite services, and same-day walk-in behavioral health services, including within the overall crisis system components that operate like hospital emergency departments that accept all walk-ins, and ambulance, fire, and police drop-offs.

(21) "Department" means the department of health.

(22) "Designated 988 contact hub" means a state-designated contact center that streamlines clinical interventions and access to resources for people experiencing a behavioral health crisis and participates in the national suicide prevention lifeline network to respond to statewide or regional 988 contacts that meets the requirements of RCW 71.24.890.

(23) "Designated crisis responder" has the same meaning as in RCW 71.05.020.

~~((23))~~ (24) "Director" means the director of the authority.

~~((24))~~ (25) "Drug addiction" means a disease characterized by a dependency on psychoactive chemicals, loss of control over the amount and circumstances of use, symptoms of tolerance, physiological or psychological withdrawal, or both, if use is reduced or discontinued, and impairment of health or disruption of social or economic functioning.

~~((25))~~ (26) "Early adopter" means a regional service area for which all of the county authorities have requested that the authority purchase medical and behavioral health services through a managed care health system as defined under RCW 71.24.380 ~~((+6))~~ (7).

~~((26))~~ (27) "Emerging best practice" or "promising practice" means a program or practice that, based on statistical analyses or a well established theory of change, shows potential for meeting the evidence-based or research-based criteria, which may include the use of a program that is evidence-based for outcomes other than those

listed in subsection ~~((27))~~(28) of this section.

~~((27))~~(28) "Evidence-based" means a program or practice that has been tested in heterogeneous or intended populations with multiple randomized, or statistically controlled evaluations, or both; or one large multiple site randomized, or statistically controlled evaluation, or both, where the weight of the evidence from a systemic review demonstrates sustained improvements in at least one outcome. "Evidence-based" also means a program or practice that can be implemented with a set of procedures to allow successful replication in Washington and, when possible, is determined to be cost-beneficial.

~~((28))~~(29) "Indian health care provider" means a health care program operated by the Indian health service or by a tribe, tribal organization, or urban Indian organization as those terms are defined in the Indian health care improvement act (25 U.S.C. Sec. 1603).

~~((29))~~(30) "Intensive behavioral health treatment facility" means a community-based specialized residential treatment facility for individuals with behavioral health conditions, including individuals discharging from or being diverted from state and local hospitals, whose impairment or behaviors do not meet, or no longer meet, criteria for involuntary inpatient commitment under chapter 71.05 RCW, but whose care needs cannot be met in other community-based placement settings.

~~((30))~~(31) "Licensed or certified behavioral health agency" means:

(a) An entity licensed or certified according to this chapter or chapter 71.05 RCW;

(b) An entity deemed to meet state minimum standards as a result of accreditation by a recognized behavioral health accrediting body recognized and having a current agreement with the department; or

(c) An entity with a tribal attestation that it meets state minimum standards for a licensed or certified behavioral health agency.

~~((31))~~(32) "Licensed physician" means a person licensed to practice medicine or osteopathic medicine and surgery in the state of Washington.

~~((32))~~(33) "Long-term inpatient care" means inpatient services for persons committed for, or voluntarily receiving intensive treatment for, periods of ninety days or greater under chapter 71.05 RCW. "Long-term inpatient care" as used in this chapter does not include: (a) Services for individuals committed under chapter 71.05 RCW who are receiving services pursuant to a conditional release or a court-ordered less restrictive alternative to detention; or (b) services for individuals voluntarily receiving less restrictive alternative treatment on the grounds of the state hospital.

~~((33))~~(34) "Managed care organization" means an organization, having a certificate of authority or certificate of registration from the office of the insurance commissioner, that contracts with the

authority under a comprehensive risk contract to provide prepaid health care services to enrollees under the authority's managed care programs under chapter 74.09 RCW.

~~((34))~~(35) "Mental health peer-run respite center" means a peer-run program to serve individuals in need of voluntary, short-term, noncrisis services that focus on recovery and wellness.

~~((35))~~(36) Mental health "treatment records" include registration and all other records concerning persons who are receiving or who at any time have received services for mental illness, which are maintained by the department of social and health services or the authority, by behavioral health administrative services organizations and their staffs, by managed care organizations and their staffs, or by treatment facilities. "Treatment records" do not include notes or records maintained for personal use by a person providing treatment services for the entities listed in this subsection, or a treatment facility if the notes or records are not available to others.

~~((36))~~(37) "Mentally ill persons," "persons who are mentally ill," and "the mentally ill" mean persons and conditions defined in subsections (2), (12), ~~((44))~~(45), and ~~((45))~~(46) of this section.

~~((37))~~(38) "Mobile rapid response crisis team" means a team that provides professional on-site community-based intervention such as outreach, de-escalation, stabilization, resource connection, and follow-up support for individuals who are experiencing a behavioral health crisis, that shall include certified peer counselors as a best practice to the extent practicable based on workforce availability, and that meets standards for response times established by the authority.

~~((38))~~(39) "Recovery" means a process of change through which individuals improve their health and wellness, live a self-directed life, and strive to reach their full potential.

~~((39))~~(40) "Research-based" means a program or practice that has been tested with a single randomized, or statistically controlled evaluation, or both, demonstrating sustained desirable outcomes; or where the weight of the evidence from a systemic review supports sustained outcomes as described in subsection ~~((27))~~(28) of this section but does not meet the full criteria for evidence-based.

~~((40))~~(41) "Residential services" means a complete range of residences and supports authorized by resource management services and which may involve a facility, a distinct part thereof, or services which support community living, for persons who are acutely mentally ill, adults who are chronically mentally ill, children who are severely emotionally disturbed, or adults who are seriously disturbed and determined by the behavioral health administrative services organization or managed care organization to be at risk of becoming acutely or chronically mentally ill. The services shall include at least evaluation and treatment services as defined in chapter 71.05 RCW, acute crisis respite care, long-

term adaptive and rehabilitative care, and supervised and supported living services, and shall also include any residential services developed to service persons who are mentally ill in nursing homes, residential treatment facilities, assisted living facilities, and adult family homes, and may include outpatient services provided as an element in a package of services in a supported housing model. Residential services for children in out-of-home placements related to their mental disorder shall not include the costs of food and shelter, except for children's long-term residential facilities existing prior to January 1, 1991.

~~((41))~~ (42) "Resilience" means the personal and community qualities that enable individuals to rebound from adversity, trauma, tragedy, threats, or other stresses, and to live productive lives.

~~((42))~~ (43) "Resource management services" mean the planning, coordination, and authorization of residential services and community support services administered pursuant to an individual service plan for: (a) Adults and children who are acutely mentally ill; (b) adults who are chronically mentally ill; (c) children who are severely emotionally disturbed; or (d) adults who are seriously disturbed and determined by a behavioral health administrative services organization or managed care organization to be at risk of becoming acutely or chronically mentally ill. Such planning, coordination, and authorization shall include mental health screening for children eligible under the federal Title XIX early and periodic screening, diagnosis, and treatment program. Resource management services include seven day a week, twenty-four hour a day availability of information regarding enrollment of adults and children who are mentally ill in services and their individual service plan to designated crisis responders, evaluation and treatment facilities, and others as determined by the behavioral health administrative services organization or managed care organization, as applicable.

~~((43))~~ (44) "Secretary" means the secretary of the department of health.

~~((44))~~ (45) "Seriously disturbed person" means a person who:

(a) Is gravely disabled or presents a likelihood of serious harm to himself or herself or others, or to the property of others, as a result of a mental disorder as defined in chapter 71.05 RCW;

(b) Has been on conditional release status, or under a less restrictive alternative order, at some time during the preceding two years from an evaluation and treatment facility or a state mental health hospital;

(c) Has a mental disorder which causes major impairment in several areas of daily living;

(d) Exhibits suicidal preoccupation or attempts; or

(e) Is a child diagnosed by a mental health professional, as defined in chapter 71.34 RCW, as experiencing a mental disorder which is clearly interfering with the child's functioning in family or school or with peers or is clearly interfering with

the child's personality development and learning.

~~((45))~~ (46) "Severely emotionally disturbed child" or "child who is severely emotionally disturbed" means a child who has been determined by the behavioral health administrative services organization or managed care organization, if applicable, to be experiencing a mental disorder as defined in chapter 71.34 RCW, including those mental disorders that result in a behavioral or conduct disorder, that is clearly interfering with the child's functioning in family or school or with peers and who meets at least one of the following criteria:

(a) Has undergone inpatient treatment or placement outside of the home related to a mental disorder within the last two years;

(b) Has undergone involuntary treatment under chapter 71.34 RCW within the last two years;

(c) Is currently served by at least one of the following child-serving systems: Juvenile justice, child-protection/welfare, special education, or developmental disabilities;

(d) Is at risk of escalating maladjustment due to:

(i) Chronic family dysfunction involving a caretaker who is mentally ill or inadequate;

(ii) Changes in custodial adult;

(iii) Going to, residing in, or returning from any placement outside of the home, for example, psychiatric hospital, short-term inpatient, residential treatment, group or foster home, or a correctional facility;

(iv) Subject to repeated physical abuse or neglect;

(v) Drug or alcohol abuse; or

(vi) Homelessness.

~~((46))~~ (47) "State minimum standards" means minimum requirements established by rules adopted and necessary to implement this chapter by:

(a) The authority for:

(i) Delivery of mental health and substance use disorder services; and

(ii) Community support services and resource management services;

(b) The department of health for:

(i) Licensed or certified behavioral health agencies for the purpose of providing mental health or substance use disorder programs and services, or both;

(ii) Licensed behavioral health providers for the provision of mental health or substance use disorder services, or both; and

(iii) Residential services.

~~((47))~~ (48) "Substance use disorder" means a cluster of cognitive, behavioral, and physiological symptoms indicating that an individual continues using the substance despite significant substance-related problems. The diagnosis of a substance use disorder is based on a pathological pattern of behaviors related to the use of the substances.

~~((48))~~ (49) "Tribe," for the purposes of this section, means a federally recognized Indian tribe.

Sec. 2. RCW 71.24.037 and 2019 c 446 s 23 and 2019 c 325 s 1007 are each reenacted and amended to read as follows:

(1) The secretary shall license or certify any agency or facility that: (a) Submits payment of the fee established under RCW 43.70.110 and 43.70.250; (b) submits a complete application that demonstrates the ability to comply with requirements for operating and maintaining an agency or facility in statute or rule; and (c) successfully completes the prelicensure inspection requirement.

(2) The secretary shall establish by rule minimum standards for licensed or certified behavioral health agencies that must, at a minimum, establish: (a) Qualifications for staff providing services directly to persons with mental disorders, substance use disorders, or both; (b) the intended result of each service; and (c) the rights and responsibilities of persons receiving behavioral health services pursuant to this chapter and chapter 71.05 RCW. The secretary shall provide for deeming of licensed or certified behavioral health agencies as meeting state minimum standards as a result of accreditation by a recognized behavioral health accrediting body recognized and having a current agreement with the department.

(3) The department shall review reports or other information alleging a failure to comply with this chapter or the standards and rules adopted under this chapter and may initiate investigations and enforcement actions based on those reports.

(4) The department shall conduct inspections of agencies and facilities, including reviews of records and documents required to be maintained under this chapter or rules adopted under this chapter.

(5) The department may suspend, revoke, limit, restrict, or modify an approval, or refuse to grant approval, for failure to meet the provisions of this chapter, or the standards adopted under this chapter. RCW 43.70.115 governs notice of a license or certification denial, revocation, suspension, or modification and provides the right to an adjudicative proceeding.

(6) No licensed or certified behavioral health ~~((service provider))~~agency may advertise or represent itself as a licensed or certified behavioral health ~~((service provider))~~agency if approval has not been granted or has been denied, suspended, revoked, or canceled.

(7) Licensure or certification as a behavioral health ~~((service provider))~~agency is effective for one calendar year from the date of issuance of the license or certification. The license or certification must specify the types of services provided by the behavioral health ~~((service provider))~~agency that meet the standards adopted under this chapter. Renewal of a license or certification must be made in accordance with this section for initial approval and in accordance with the standards set forth in rules adopted by the secretary.

(8) Licensure or certification as a licensed or certified behavioral health ~~((service provider))~~agency must specify the types of services provided that meet the

standards adopted under this chapter. Renewal of a license or certification must be made in accordance with this section for initial approval and in accordance with the standards set forth in rules adopted by the secretary.

(9) The department shall develop a process by which a provider may obtain dual licensure as an evaluation and treatment facility and secure withdrawal management and stabilization facility.

(10) Licensed or certified behavioral health ~~((service providers))~~agencies may not provide types of services for which the licensed or certified behavioral health ~~((service provider))~~agency has not been certified. Licensed or certified behavioral health ~~((service providers))~~agencies may provide services for which approval has been sought and is pending, if approval for the services has not been previously revoked or denied.

(11) The department periodically shall inspect licensed or certified behavioral health ~~((service providers))~~agencies at reasonable times and in a reasonable manner.

(12) Upon petition of the department and after a hearing held upon reasonable notice to the facility, the superior court may issue a warrant to an officer or employee of the department authorizing him or her to enter and inspect at reasonable times, and examine the books and accounts of, any licensed or certified behavioral health ~~((service provider))~~agency refusing to consent to inspection or examination by the department or which the department has reasonable cause to believe is operating in violation of this chapter.

(13) The department shall maintain and periodically publish a current list of licensed or certified behavioral health ~~((service providers))~~agencies.

(14) Each licensed or certified behavioral health ~~((service provider))~~agency shall file with the department or the authority upon request, data, statistics, schedules, and information the department or the authority reasonably requires. A licensed or certified behavioral health ~~((service provider))~~agency that without good cause fails to furnish any data, statistics, schedules, or information as requested, or files fraudulent returns thereof, may have its license or certification revoked or suspended.

(15) The authority shall use the data provided in subsection (14) of this section to evaluate each program that admits children to inpatient substance use disorder treatment upon application of their parents. The evaluation must be done at least once every twelve months. In addition, the authority shall randomly select and review the information on individual children who are admitted on application of the child's parent for the purpose of determining whether the child was appropriately placed into substance use disorder treatment based on an objective evaluation of the child's condition and the outcome of the child's treatment.

(16) Any settlement agreement entered into between the department and licensed or certified behavioral health ~~((service providers))~~agencies to resolve

administrative complaints, license or certification violations, license or certification suspensions, or license or certification revocations may not reduce the number of violations reported by the department unless the department concludes, based on evidence gathered by inspectors, that the licensed or certified behavioral health ((service provider))agency did not commit one or more of the violations.

(17) In cases in which a behavioral health ((service provider))agency that is in violation of licensing or certification standards attempts to transfer or sell the behavioral health ((service provider))agency to a family member, the transfer or sale may only be made for the purpose of remedying license or certification violations and achieving full compliance with the terms of the license or certification. Transfers or sales to family members are prohibited in cases in which the purpose of the transfer or sale is to avoid liability or reset the number of license or certification violations found before the transfer or sale. If the department finds that the owner intends to transfer or sell, or has completed the transfer or sale of, ownership of the behavioral health ((service provider))agency to a family member solely for the purpose of resetting the number of violations found before the transfer or sale, the department may not renew the behavioral health ((service provider's))agency's license or certification or issue a new license or certification to the behavioral health service provider.

(18) Every licensed or certified outpatient behavioral health agency shall display the 988 crisis hotline number in common areas of the premises and include the number as a calling option on any phone message for persons calling the agency after business hours.

(19) Every licensed or certified inpatient or residential behavioral health agency must include the 988 crisis hotline number in the discharge summary provided to individuals being discharged from inpatient or residential services.

NEW SECTION. Sec. 3. A new section is added to chapter 71.24 RCW to read as follows:

The department shall develop informational materials and a social media campaign related to the 988 crisis hotline, including call, text, and chat options, and other crisis hotline lines for veterans, American Indians and Alaska Natives, and other populations. The informational materials must include appropriate information for persons seeking services at behavioral health clinics and medical clinics, as well as media audiences and students at K-12 schools and higher education institutions. The department shall make the informational materials available to behavioral health clinics, medical clinics, media, K-12 schools, higher education institutions, and other relevant settings. The informational materials shall be made available to professionals during training in suicide assessment, treatment,

and management under RCW 43.70.442. To tailor the messages of the informational materials and the social media campaign, the department must consult with tribes, the American Indian health commission of Washington state, the native and strong lifeline, the Washington state department of veterans affairs, representatives of agricultural communities, and persons with lived experience related to mental health issues, substance use disorder issues, a suicide attempt, or a suicide loss.

Sec. 4. RCW 43.70.442 and 2020 c 229 s 1 and 2020 c 80 s 30 are each reenacted and amended to read as follows:

(1)(a) Each of the following professionals certified or licensed under Title 18 RCW shall, at least once every six years, complete training in suicide assessment, treatment, and management that is approved, in rule, by the relevant disciplining authority:

(i) An adviser or counselor certified under chapter 18.19 RCW;

(ii) A substance use disorder professional licensed under chapter 18.205 RCW;

(iii) A marriage and family therapist licensed under chapter 18.225 RCW;

(iv) A mental health counselor licensed under chapter 18.225 RCW;

(v) An occupational therapy practitioner licensed under chapter 18.59 RCW;

(vi) A psychologist licensed under chapter 18.83 RCW;

(vii) An advanced social worker or independent clinical social worker licensed under chapter 18.225 RCW; and

(viii) A social worker associate—advanced or social worker associate— independent clinical licensed under chapter 18.225 RCW.

(b) The requirements in (a) of this subsection apply to a person holding a retired active license for one of the professions in (a) of this subsection.

(c) The training required by this subsection must be at least six hours in length, unless a disciplining authority has determined, under subsection (10)(b) of this section, that training that includes only screening and referral elements is appropriate for the profession in question, in which case the training must be at least three hours in length.

(d) Beginning July 1, 2017, the training required by this subsection must be on the model list developed under subsection (6) of this section. Nothing in this subsection (1)(d) affects the validity of training completed prior to July 1, 2017.

(2)(a) Except as provided in (b) of this subsection:

(i) A professional listed in subsection (1)(a) of this section must complete the first training required by this section by the end of the first full continuing education reporting period after January 1, 2014, or during the first full continuing education reporting period after initial licensure or certification, whichever occurs later.

(ii) Beginning July 1, 2021, the second training for a psychologist, a marriage and

family therapist, a mental health counselor, an advanced social worker, an independent clinical social worker, a social worker associate-advanced, or a social worker associate-independent clinical must be either: (A) An advanced training focused on suicide management, suicide care protocols, or effective treatments; or (B) a training in a treatment modality shown to be effective in working with people who are suicidal, including dialectical behavior therapy, collaborative assessment and management of suicide risk, or cognitive behavior therapy-suicide prevention. If a professional subject to the requirements of this subsection has already completed the professional's second training prior to July 1, 2021, the professional's next training must comply with this subsection. This subsection (2)(a)(ii) does not apply if the licensee demonstrates that the training required by this subsection (2)(a)(ii) is not reasonably available.

(b)(i) A professional listed in subsection (1)(a) of this section applying for initial licensure may delay completion of the first training required by this section for six years after initial licensure if he or she can demonstrate successful completion of the training required in subsection (1) of this section no more than six years prior to the application for initial licensure.

(ii) Beginning July 1, 2021, a psychologist, a marriage and family therapist, a mental health counselor, an advanced social worker, an independent clinical social worker, a social worker associate-advanced, or a social worker associate-independent clinical exempt from his or her first training under (b)(i) of this subsection must comply with the requirements of (a)(ii) of this subsection for his or her first training after initial licensure. If a professional subject to the requirements of this subsection has already completed the professional's first training after initial licensure, the professional's next training must comply with this subsection (2)(b)(ii). This subsection (2)(b)(ii) does not apply if the licensee demonstrates that the training required by this subsection (2)(b)(ii) is not reasonably available.

(3) The hours spent completing training in suicide assessment, treatment, and management under this section count toward meeting any applicable continuing education or continuing competency requirements for each profession.

(4)(a) A disciplining authority may, by rule, specify minimum training and experience that is sufficient to exempt an individual professional from the training requirements in subsections (1) and (5) of this section. Nothing in this subsection (4)(a) allows a disciplining authority to provide blanket exemptions to broad categories or specialties within a profession.

(b) A disciplining authority may exempt a professional from the training requirements of subsections (1) and (5) of this section if the professional has only brief or limited patient contact.

(5)(a) Each of the following professionals credentialed under Title 18 RCW shall complete a one-time training in suicide assessment, treatment, and management that is approved by the relevant disciplining authority:

(i) A chiropractor licensed under chapter 18.25 RCW;

(ii) A naturopath licensed under chapter 18.36A RCW;

(iii) A licensed practical nurse, registered nurse, or advanced registered nurse practitioner, other than a certified registered nurse anesthetist, licensed under chapter 18.79 RCW;

(iv) An osteopathic physician and surgeon licensed under chapter 18.57 RCW, other than a holder of a postgraduate osteopathic medicine and surgery license issued under RCW 18.57.035;

(v) A physical therapist or physical therapist assistant licensed under chapter 18.74 RCW;

(vi) A physician licensed under chapter 18.71 RCW, other than a resident holding a limited license issued under RCW 18.71.095(3);

(vii) A physician assistant licensed under chapter 18.71A RCW;

(viii) A pharmacist licensed under chapter 18.64 RCW;

(ix) A dentist licensed under chapter 18.32 RCW;

(x) A dental hygienist licensed under chapter 18.29 RCW;

(xi) An athletic trainer licensed under chapter 18.250 RCW;

(xii) An optometrist licensed under chapter 18.53 RCW;

(xiii) An acupuncture and Eastern medicine practitioner licensed under chapter 18.06 RCW; and

(xiv) A person holding a retired active license for one of the professions listed in (a)(i) through (xiii) of this subsection.

(b)(i) A professional listed in (a)(i) through (vii) of this subsection or a person holding a retired active license for one of the professions listed in (a)(i) through (vii) of this subsection must complete the one-time training by the end of the first full continuing education reporting period after January 1, 2016, or during the first full continuing education reporting period after initial licensure, whichever is later. Training completed between June 12, 2014, and January 1, 2016, that meets the requirements of this section, other than the timing requirements of this subsection (5)(b), must be accepted by the disciplining authority as meeting the one-time training requirement of this subsection (5).

(ii) A licensed pharmacist or a person holding a retired active pharmacist license must complete the one-time training by the end of the first full continuing education reporting period after January 1, 2017, or during the first full continuing education reporting period after initial licensure, whichever is later.

(iii) A licensed dentist, a licensed dental hygienist, or a person holding a retired active license as a dentist shall complete the one-time training by the end of the full continuing education reporting period after August 1, 2020, or during the

first full continuing education reporting period after initial licensure, whichever is later. Training completed between July 23, 2017, and August 1, 2020, that meets the requirements of this section, other than the timing requirements of this subsection (5) (b)(iii), must be accepted by the disciplining authority as meeting the one-time training requirement of this subsection (5).

(iv) A licensed optometrist or a licensed acupuncture and Eastern medicine practitioner, or a person holding a retired active license as an optometrist or an acupuncture and Eastern medicine practitioner, shall complete the one-time training by the end of the full continuing education reporting period after August 1, 2021, or during the first full continuing education reporting period after initial licensure, whichever is later. Training completed between August 1, 2020, and August 1, 2021, that meets the requirements of this section, other than the timing requirements of this subsection (5)(b)(iv), must be accepted by the disciplining authority as meeting the one-time training requirement of this subsection (5).

(c) The training required by this subsection must be at least six hours in length, unless a disciplining authority has determined, under subsection (10)(b) of this section, that training that includes only screening and referral elements is appropriate for the profession in question, in which case the training must be at least three hours in length.

(d) Beginning July 1, 2017, the training required by this subsection must be on the model list developed under subsection (6) of this section. Nothing in this subsection (5) (d) affects the validity of training completed prior to July 1, 2017.

(6)(a) The secretary and the disciplining authorities shall work collaboratively to develop a model list of training programs in suicide assessment, treatment, and management. Beginning July 1, 2021, for purposes of subsection (2)(a)(ii) of this section, the model list must include advanced training and training in treatment modalities shown to be effective in working with people who are suicidal.

(b) The secretary and the disciplining authorities shall update the list at least once every two years.

(c) By June 30, 2016, the department shall adopt rules establishing minimum standards for the training programs included on the model list. The minimum standards must require that six-hour trainings include content specific to veterans and the assessment of issues related to imminent harm via lethal means or self-injurious behaviors and that three-hour trainings for pharmacists or dentists include content related to the assessment of issues related to imminent harm via lethal means. By July 1, 2024, the minimum standards must be updated to require that both the six-hour and three-hour trainings include content specific to the availability of and the services offered by the 988 crisis hotline and the behavioral health crisis response and suicide prevention system and best practices for assisting persons with

accessing the 988 crisis hotline and the system. Beginning September 1, 2024, trainings submitted to the department for review and approval must include the updated information in the minimum standards for the model list as well as all subsequent submissions. When adopting the rules required under this subsection (6)(c), the department shall:

(i) Consult with the affected disciplining authorities, public and private institutions of higher education, educators, experts in suicide assessment, treatment, and management, the Washington department of veterans affairs, and affected professional associations; and

(ii) Consider standards related to the best practices registry of the American foundation for suicide prevention and the suicide prevention resource center.

(d) Beginning January 1, 2017:

(i) The model list must include only trainings that meet the minimum standards established in the rules adopted under (c) of this subsection and any three-hour trainings that met the requirements of this section on or before July 24, 2015;

(ii) The model list must include six-hour trainings in suicide assessment, treatment, and management, and three-hour trainings that include only screening and referral elements; and

(iii) A person or entity providing the training required in this section may petition the department for inclusion on the model list. The department shall add the training to the list only if the department determines that the training meets the minimum standards established in the rules adopted under (c) of this subsection.

(e) By January 1, 2021, the department shall adopt minimum standards for advanced training and training in treatment modalities shown to be effective in working with people who are suicidal. Beginning July 1, 2021, all such training on the model list must meet the minimum standards. When adopting the minimum standards, the department must consult with the affected disciplining authorities, public and private institutions of higher education, educators, experts in suicide assessment, treatment, and management, the Washington department of veterans affairs, and affected professional associations.

(7) The department shall provide the health profession training standards created in this section to the professional educator standards board as a model in meeting the requirements of RCW 28A.410.226 and provide technical assistance, as requested, in the review and evaluation of educator training programs. The educator training programs approved by the professional educator standards board may be included in the department's model list.

(8) Nothing in this section may be interpreted to expand or limit the scope of practice of any profession regulated under chapter 18.130 RCW.

(9) The secretary and the disciplining authorities affected by this section shall adopt any rules necessary to implement this section.

(10) For purposes of this section:

(a) "Disciplining authority" has the same meaning as in RCW 18.130.020.

(b) "Training in suicide assessment, treatment, and management" means empirically supported training approved by the appropriate disciplining authority that contains the following elements: Suicide assessment, including screening and referral, suicide treatment, and suicide management. However, the disciplining authority may approve training that includes only screening and referral elements if appropriate for the profession in question based on the profession's scope of practice. The board of occupational therapy may also approve training that includes only screening and referral elements if appropriate for occupational therapy practitioners based on practice setting.

(11) A state or local government employee is exempt from the requirements of this section if he or she receives a total of at least six hours of training in suicide assessment, treatment, and management from his or her employer every six years. For purposes of this subsection, the training may be provided in one six-hour block or may be spread among shorter training sessions at the employer's discretion.

(12) An employee of a community mental health agency licensed under chapter 71.24 RCW or a chemical dependency program certified under chapter 71.24 RCW is exempt from the requirements of this section if he or she receives a total of at least six hours of training in suicide assessment, treatment, and management from his or her employer every six years. For purposes of this subsection, the training may be provided in one six-hour block or may be spread among shorter training sessions at the employer's discretion.

Sec. 5. RCW 71.24.890 and 2021 c 302 s 102 are each amended to read as follows:

(1) Establishing the state ~~((crisis call center))~~designated 988 contact hubs and enhancing the crisis response system will require collaborative work between the department and the authority within their respective roles. The department shall have primary responsibility for establishing and designating the ~~((crisis call center))~~designated 988 contact hubs. The authority shall have primary responsibility for developing and implementing the crisis response system and services to support the work of the ~~((crisis call center))~~designated 988 contact hubs. In any instance in which one agency is identified as the lead, the expectation is that agency will be communicating and collaborating with the other to ensure seamless, continuous, and effective service delivery within the statewide crisis response system.

(2) The department shall provide adequate funding for the state's crisis call centers to meet an expected increase in the use of the call centers based on the implementation of the 988 crisis hotline. The funding level shall be established at a level anticipated to achieve an in-state call response rate of at least 90 percent by July 22, 2022. The funding level shall be determined by considering standards and cost per call

predictions provided by the administrator of the national suicide prevention lifeline, call volume predictions, guidance on crisis call center performance metrics, and necessary technology upgrades. In contracting with the crisis call centers, the department:

(a) May provide funding to support crisis call centers and designated 988 contact hubs to enter into limited on-site partnerships with the public safety answering point to increase the coordination and transfer of behavioral health calls received by certified public safety telecommunicators that are better addressed by clinic interventions provided by the 988 system. Tax revenue may be used to support on-site partnerships;

(b) Shall require that crisis call centers enter into data-sharing agreements, when appropriate, with the department, the authority, and applicable regional behavioral health administrative services organizations to provide reports and client level data regarding 988 crisis hotline calls, as allowed by and in compliance with existing federal and state law governing the sharing and use of protected health information, including dispatch time, arrival time, and disposition of the outreach for each call referred for outreach by each region. The department and the authority shall establish requirements that the crisis call centers report the data identified in this subsection (2)(b) to regional behavioral health administrative services organizations for the purposes of maximizing medicaid reimbursement, as appropriate, and implementing this chapter and chapters 71.05 and 71.34 RCW including, but not limited to, administering crisis services for the assigned regional service area, contracting with a sufficient number or licensed or certified providers for crisis services, establishing and maintaining quality assurance processes, maintaining patient tracking, and developing and implementing strategies to coordinate care for individuals with a history of frequent crisis system utilization.

(3) The department shall adopt rules by ~~((July))~~January 1, ((2023))2025, to establish standards for designation of crisis call centers as ~~((crisis call center))~~designated 988 contact hubs. The department shall collaborate with the authority and other agencies to assure coordination and availability of services, and shall consider national guidelines for behavioral health crisis care as determined by the federal substance abuse and mental health services administration, national behavioral health accrediting bodies, and national behavioral health provider associations to the extent they are appropriate, and recommendations from the crisis response improvement strategy committee created in RCW 71.24.892.

(4) The department shall designate ~~((crisis call center))~~designated 988 contact hubs by ~~((July))~~January 1, ((2024))2026. The ~~((crisis call center))~~designated 988 contact hubs shall provide crisis intervention services, triage, care coordination, referrals, and connections to individuals contacting the 988 crisis hotline from any

jurisdiction within Washington 24 hours a day, seven days a week, using the system platform developed under subsection (5) of this section.

(a) To be designated as a ~~((crisis call center))~~ designated 988 contact hub, the applicant must demonstrate to the department the ability to comply with the requirements of this section and to contract to provide ~~((crisis call center))~~ designated 988 contact hub services. The department may revoke the designation of any ~~((crisis call center))~~ designated 988 contact hub that fails to substantially comply with the contract.

(b) The contracts entered shall require designated ~~((crisis call center))~~ 988 contact hubs to:

(i) Have an active agreement with the administrator of the national suicide prevention lifeline for participation within its network;

(ii) Meet the requirements for operational and clinical standards established by the department and based upon the national suicide prevention lifeline best practices guidelines and other recognized best practices;

(iii) Employ highly qualified, skilled, and trained clinical staff who have sufficient training and resources to provide empathy to callers in acute distress, de-escalate crises, assess behavioral health disorders and suicide risk, triage to system partners for callers that need additional clinical interventions, and provide case management and documentation. Call center staff shall be trained to make every effort to resolve cases in the least restrictive environment and without law enforcement involvement whenever possible. Call center staff shall coordinate with certified peer counselors to provide follow-up and outreach to callers in distress as available. It is intended for transition planning to include a pathway for continued employment and skill advancement as needed for experienced crisis call center employees;

(iv) Train employees to screen persons contacting the designated 988 contact hub to determine if they are associated with the agricultural community and if they prefer to be connected to a crisis hotline that specializes in working with members from the agricultural community. The training shall prepare staff to be able to provide appropriate assessments, interventions, and resources to members of the agricultural community in a way that maintains the anonymity of the person making contact;

(v) Prominently display 988 crisis hotline information on their websites, including a description of what the caller should expect when contacting the crisis call center and a description of the various options available to the caller, including call lines specialized in the behavioral health needs of veterans, American Indian and Alaska Native persons, Spanish-speaking persons, LGBTQ populations, and persons connected with the agricultural community;

(vi) Collaborate with the authority, the national suicide prevention lifeline, and veterans crisis line networks to assure consistency of public messaging about the 988 crisis hotline; ~~((and~~

~~((v))~~ (vii) Develop and submit to the department protocols between the designated 988 contact hub and 911 call centers within the region in which the designated crisis call center operates and receive approval of the protocols by the department and the state 911 coordination office;

(viii) Develop, in collaboration with the region's behavioral health administrative services organizations, and jointly submit to the authority protocols related to the dispatching of mobile rapid response crisis teams and community-based crisis teams endorsed under section 8 of this act and receive approval of the protocols by the authority;

(ix) Provide data and reports and participate in evaluations and related quality improvement activities, according to standards established by the department in collaboration with the authority. The data must include deidentified information regarding the number of contacts connected to the agricultural community and the nature of those contacts; and

(x) Enter into data-sharing agreements with the department, the authority, and applicable regional behavioral health administrative services organizations to provide reports and client level data regarding 988 crisis hotline calls, including dispatch time, arrival time, and disposition of the outreach for each call referred for outreach by each region. The department and the authority shall establish requirements that the designated 988 contact hubs report the data identified in this subsection (4)(b)(x) to regional behavioral health administrative services organizations for the purposes of maximizing medicaid reimbursement, as appropriate, and implementing this chapter and chapters 71.05 and 71.34 RCW including, but not limited to, administering crisis services for the assigned regional service area, contracting with a sufficient number or licensed or certified providers for crisis services, establishing and maintaining quality assurance processes, maintaining patient tracking, and developing and implementing strategies to coordinate care for individuals with a history of frequent crisis system utilization.

(c) The department and the authority shall incorporate recommendations from the crisis response improvement strategy committee created under RCW 71.24.892 in its agreements with ~~((crisis call center))~~ designated 988 contact hubs, as appropriate.

(5) The department and authority must coordinate to develop the technology and platforms necessary to manage and operate the behavioral health crisis response and suicide prevention system. The department and the authority must include the crisis call centers and designated 988 contact hubs in the decision-making process for selecting any technology platforms that will be used to operate the system. No decisions made by the department or the authority shall interfere with the routing of the 988 crisis hotline calls, texts, or chat as part of Washington's active agreement with the administrator of the national suicide prevention lifeline or 988 administrator

that routes 988 contacts into Washington's system. The technologies developed must include:

(a) A new technologically advanced behavioral health and suicide prevention crisis call center system platform ((using technology demonstrated to be interoperable across crisis and emergency response systems used throughout the state, such as 911 systems, emergency medical services systems, and other nonbehavioral health crisis services)) for use in ((crisis call center)) designated 988 contact hubs designated by the department under subsection (4) of this section. This platform, which shall be fully funded by July 1, ((2023))2024, shall be developed by the department and must include the capacity to receive crisis assistance requests through phone calls, texts, chats, and other similar methods of communication that may be developed in the future that promote access to the behavioral health crisis system; and

(b) A behavioral health integrated client referral system capable of providing system coordination information to ((crisis call center)) designated 988 contact hubs and the other entities involved in behavioral health care. This system shall be developed by the authority.

(6) In developing the new technologies under subsection (5) of this section, the department and the authority must coordinate to designate a primary technology system to provide each of the following:

(a) Access to real-time information relevant to the coordination of behavioral health crisis response and suicide prevention services, including:

(i) Real-time bed availability for all behavioral health bed types, including but not limited to crisis stabilization services, triage facilities, psychiatric inpatient, substance use disorder inpatient, withdrawal management, peer-run respite centers, and crisis respite services, inclusive of both voluntary and involuntary beds, for use by crisis response workers, first responders, health care providers, emergency departments, and individuals in crisis; and

(ii) Real-time information relevant to the coordination of behavioral health crisis response and suicide prevention services for a person, including the means to access:

(A) Information about any less restrictive alternative treatment orders or mental health advance directives related to the person; and

(B) Information necessary to enable the ((crisis call center)) designated 988 contact hub to actively collaborate with emergency departments, primary care providers and behavioral health providers within managed care organizations, behavioral health administrative services organizations, and other health care payers to establish a safety plan for the person in accordance with best practices and provide the next steps for the person's transition to follow-up noncrisis care. To establish information-sharing guidelines that fulfill the intent of this section the authority shall consider input from the confidential information compliance and coordination subcommittee established under RCW 71.24.892;

~~((b) The means to request deployment of appropriate crisis response services, which may include mobile rapid response crisis teams, co-responder teams, designated crisis responders, fire department mobile integrated health teams, or community assistance referral and educational services programs under RCW 35.21.930, according to best practice guidelines established by the authority, and track local response through global positioning technology; and~~

~~((e))~~ The means to track the outcome of the 988 call to enable appropriate follow up, cross-system coordination, and accountability, including as appropriate: (i) Any immediate services dispatched and reports generated from the encounter; (ii) the validation of a safety plan established for the caller in accordance with best practices; (iii) the next steps for the caller to follow in transition to noncrisis follow-up care, including a next-day appointment for callers experiencing urgent, symptomatic behavioral health care needs; and (iv) the means to verify and document whether the caller was successful in making the transition to appropriate noncrisis follow-up care indicated in the safety plan for the person, to be completed either by the care coordinator provided through the person's managed care organization, health plan, or behavioral health administrative services organization, or if such a care coordinator is not available or does not follow through, by the staff of the ((crisis call center)) designated 988 contact hub;

~~((d))~~ (c) A means to facilitate actions to verify and document whether the person's transition to follow up noncrisis care was completed and services offered, to be performed by a care coordinator provided through the person's managed care organization, health plan, or behavioral health administrative services organization, or if such a care coordinator is not available or does not follow through, by the staff of the ((crisis call center)) designated 988 contact hub;

~~((e))~~ (d) The means to provide geographically, culturally, and linguistically appropriate services to persons who are part of high-risk populations or otherwise have need of specialized services or accommodations, and to document these services or accommodations; and

~~((f))~~ (e) When appropriate, consultation with tribal governments to ensure coordinated care in government-to-government relationships, and access to dedicated services to tribal members.

(7) ~~((To implement this section the department and the authority shall collaborate with the state enhanced 911 coordination office, emergency management division, and military department to develop technology that is demonstrated to be interoperable between the 988 crisis hotline system and crisis and emergency response systems used throughout the state, such as 911 systems, emergency medical services systems, and other nonbehavioral health crisis services, as well as the national suicide prevention lifeline, to assure cohesive interoperability, develop training programs and operations for both 911 public~~

~~safety telecommunicators and crisis line workers, develop suicide and other behavioral health crisis assessments and intervention strategies, and establish efficient and equitable access to resources via crisis hotlines.~~

~~(8))~~ The authority shall:

(a) Collaborate with county authorities and behavioral health administrative services organizations to develop procedures to dispatch behavioral health crisis services in coordination with ~~((crisis call center))~~ designated 988 contact hubs to effectuate the intent of this section;

(b) Establish formal agreements with managed care organizations and behavioral health administrative services organizations by January 1, 2023, to provide for the services, capacities, and coordination necessary to effectuate the intent of this section, which shall include a requirement to arrange next-day appointments for persons contacting the 988 crisis hotline experiencing urgent, symptomatic behavioral health care needs with geographically, culturally, and linguistically appropriate primary care or behavioral health providers within the person's provider network, or, if uninsured, through the person's behavioral health administrative services organization;

(c) Create best practices guidelines by July 1, 2023, for deployment of appropriate and available crisis response services by ~~((crisis call center))~~ designated 988 contact hubs to assist 988 hotline callers to minimize nonessential reliance on emergency room services and the use of law enforcement, considering input from relevant stakeholders and recommendations made by the crisis response improvement strategy committee created under RCW 71.24.892;

(d) Develop procedures to allow appropriate information sharing and communication between and across crisis and emergency response systems for the purpose of real-time crisis care coordination including, but not limited to, deployment of crisis and outgoing services, follow-up care, and linked, flexible services specific to crisis response; ~~((and))~~

(e) Establish guidelines to appropriately serve high-risk populations who request crisis services. The authority shall design these guidelines to promote behavioral health equity for all populations with attention to circumstances of race, ethnicity, gender, socioeconomic status, sexual orientation, and geographic location, and include components such as training requirements for call response workers, policies for transferring such callers to an appropriate specialized center or subnetwork within or external to the national suicide prevention lifeline network, and procedures for referring persons who access the 988 crisis hotline to linguistically and culturally competent care; and

(f) Monitor trends in 988 crisis hotline caller data, as reported by designated 988 contact hubs in subsection (4)(b)(x) of this section and submit an annual report to the governor and the appropriate committees of the legislature summarizing the data and trends in the information beginning December 1, 2027.

Sec. 6. RCW 71.24.892 and 2021 c 302 s 103 are each amended to read as follows:

(1) The crisis response improvement strategy committee is established for the purpose of providing advice in developing an integrated behavioral health crisis response and suicide prevention system containing the elements described in this section. The work of the committee shall be received and reviewed by a steering committee, which shall in turn form subcommittees to provide the technical analysis and input needed to formulate system change recommendations.

(2) The ~~((office of financial management shall contract with the))~~ behavioral health institute at Harborview medical center ~~((to))~~ shall facilitate and provide staff support to the steering committee and to the crisis response improvement strategy committee. The behavioral health institute may contract for the provision of these services.

(3) The steering committee shall consist of the five members specified as serving on the steering committee in this subsection and one additional member who has been appointed to serve pursuant to the criteria in either (j), (k), (l), or (m) of this subsection. The steering committee shall select three cochairs from among its members to lead the crisis response improvement strategy committee. The crisis response improvement strategy committee shall consist of the following members, who shall be appointed or requested by the authority, unless otherwise noted:

(a) The director of the authority, or his or her designee, who shall also serve on the steering committee;

(b) The secretary of the department, or his or her designee, who shall also serve on the steering committee;

(c) A member representing the office of the governor, who shall also serve on the steering committee;

(d) The Washington state insurance commissioner, or his or her designee;

(e) Up to two members representing federally recognized tribes, one from eastern Washington and one from western Washington, who have expertise in behavioral health needs of their communities;

(f) One member from each of the two largest caucuses of the senate, one of whom shall also be designated to participate on the steering committee, to be appointed by the president of the senate;

(g) One member from each of the two largest caucuses of the house of representatives, one of whom shall also be designated to participate on the steering committee, to be appointed by the speaker of the house of representatives;

(h) The director of the Washington state department of veterans affairs, or his or her designee;

(i) The state ~~((enhanced))~~ 911 coordinator, or his or her designee;

(j) A member with lived experience of a suicide attempt;

(k) A member with lived experience of a suicide loss;

(l) A member with experience of participation in the crisis system related to lived experience of a mental health disorder;

(m) A member with experience of participation in the crisis system related to lived experience with a substance use disorder;

(n) A member representing each crisis call center in Washington that is contracted with the national suicide prevention lifeline;

(o) Up to two members representing behavioral health administrative services organizations, one from an urban region and one from a rural region;

(p) A member representing the Washington council for behavioral health;

(q) A member representing the association of alcoholism and addiction programs of Washington state;

(r) A member representing the Washington state hospital association;

(s) A member representing the national alliance on mental illness Washington;

(t) A member representing the behavioral health interests of persons of color recommended by Sea Mar community health centers;

(u) A member representing the behavioral health interests of persons of color recommended by Asian counseling and referral service;

(v) A member representing law enforcement;

(w) A member representing a university-based suicide prevention center of excellence;

(x) A member representing an emergency medical services department with a CARES program;

(y) A member representing medicaid managed care organizations, as recommended by the association of Washington healthcare plans;

(z) A member representing commercial health insurance, as recommended by the association of Washington healthcare plans;

(aa) A member representing the Washington association of designated crisis responders;

(bb) A member representing the children and youth behavioral health work group;

(cc) A member representing a social justice organization addressing police accountability and the use of deadly force; and

(dd) A member representing an organization specializing in facilitating behavioral health services for LGBTQ populations.

(4) The crisis response improvement strategy committee shall assist the steering committee to identify potential barriers and make recommendations necessary to implement and effectively monitor the progress of the 988 crisis hotline in Washington and make recommendations for the statewide improvement of behavioral health crisis response and suicide prevention services.

(5) The steering committee must develop a comprehensive assessment of the behavioral health crisis response and suicide prevention services system by January 1, 2022, including an inventory of existing statewide and regional behavioral health crisis response, suicide prevention, and crisis stabilization services and resources, and taking into account capital projects which are planned and funded. The comprehensive assessment shall identify:

(a) Statewide and regional insufficiencies and gaps in behavioral health crisis response and suicide prevention services and resources needed to meet population needs;

(b) Quantifiable goals for the provision of statewide and regional behavioral health crisis services and targeted deployment of resources, which consider factors such as reported rates of involuntary commitment detentions, single-bed certifications, suicide attempts and deaths, substance use disorder-related overdoses, overdose or withdrawal-related deaths, and incarcerations due to a behavioral health incident;

(c) A process for establishing outcome measures, benchmarks, and improvement targets, for the crisis response system; and

(d) Potential funding sources to provide statewide and regional behavioral health crisis services and resources.

(6) The steering committee, taking into account the comprehensive assessment work under subsection (5) of this section as it becomes available, after discussion with the crisis response improvement strategy committee and hearing reports from the subcommittees, shall report on the following:

(a) A recommended vision for an integrated crisis network in Washington that includes, but is not limited to: An integrated 988 crisis hotline and ~~(crisis call center)~~ designated 988 contact hubs; mobile rapid response crisis teams and community-based crisis teams endorsed under section 8 of this act; mobile crisis response units for youth, adult, and geriatric population; a range of crisis stabilization services; an integrated involuntary treatment system; access to peer-run services, including peer-run respite centers; adequate crisis respite services; and data resources;

(b) Recommendations to promote equity in services for individuals of diverse circumstances of culture, race, ethnicity, gender, socioeconomic status, sexual orientation, and for individuals in tribal, urban, and rural communities;

(c) Recommendations for a work plan with timelines to implement appropriate local responses to calls to the 988 crisis hotline within Washington in accordance with the time frames required by the national suicide hotline designation act of 2020;

(d) The necessary components of each of the new technologically advanced behavioral health crisis call center system platform and the new behavioral health integrated client referral system, as provided under RCW 71.24.890, for assigning and tracking response to behavioral health crisis calls and providing real-time bed and outpatient appointment availability to 988 operators, emergency departments, designated crisis responders, and other behavioral health crisis responders, which shall include but not be limited to:

(i) Identification of the components ~~((crisis call center))~~ that designated 988 contact hub staff need to effectively coordinate crisis response services and find available beds and available primary care

and behavioral health outpatient appointments;

(ii) Evaluation of existing bed tracking models currently utilized by other states and identifying the model most suitable to Washington's crisis behavioral health system;

(iii) Evaluation of whether bed tracking will improve access to all behavioral health bed types and other impacts and benefits; and

(iv) Exploration of how the bed tracking and outpatient appointment availability platform can facilitate more timely access to care and other impacts and benefits;

(e) The necessary systems and capabilities that licensed or certified behavioral health agencies, behavioral health providers, and any other relevant parties will require to report, maintain, and update inpatient and residential bed and outpatient service availability in real time to correspond with the crisis call center system platform or behavioral health integrated client referral system identified in RCW 71.24.890, as appropriate;

(f) A work plan to establish the capacity for the ~~((crisis call center))~~ designated 988 contact hubs to integrate Spanish language interpreters and Spanish-speaking call center staff into their operations, and to ensure the availability of resources to meet the unique needs of persons in the agricultural community who are experiencing mental health stresses, which explicitly addresses concerns regarding confidentiality;

(g) A work plan with timelines to enhance and expand the availability of ~~((community-based))~~ mobile rapid response crisis teams and community-based crisis teams endorsed under section 8 of this act based in each region, including specialized teams as appropriate to respond to the unique needs of youth, including American Indian and Alaska Native youth and LGBTQ youth, and geriatric populations, including older adults of color and older adults with comorbid dementia;

(h) The identification of other personal and systemic behavioral health challenges which implementation of the 988 crisis hotline has the potential to address in addition to suicide response and behavioral health crises;

(i) The development of a plan for the statewide equitable distribution of crisis stabilization services, behavioral health beds, and peer-run respite services;

(j) Recommendations concerning how health plans, managed care organizations, and behavioral health administrative services organizations shall fulfill requirements to provide assignment of a care coordinator and to provide next-day appointments for enrollees who contact the behavioral health crisis system;

(k) Appropriate allocation of crisis system funding responsibilities among medicaid managed care organizations, commercial insurers, and behavioral health administrative services organizations;

(l) Recommendations for constituting a statewide behavioral health crisis response and suicide prevention oversight board or similar structure for ongoing monitoring of

the behavioral health crisis system and where this should be established; and

(m) Cost estimates for each of the components of the integrated behavioral health crisis response and suicide prevention system.

(7) The steering committee shall consist only of members appointed to the steering committee under this section. The steering committee shall convene the committee, form subcommittees, assign tasks to the subcommittees, and establish a schedule of meetings and their agendas.

(8) The subcommittees of the crisis response improvement strategy committee shall focus on discrete topics. The subcommittees may include participants who are not members of the crisis response improvement strategy committee, as needed to provide professional expertise and community perspectives. Each subcommittee shall have at least one member representing the interests of stakeholders in a rural community, at least one member representing the interests of stakeholders in an urban community, and at least one member representing the interests of youth stakeholders. The steering committee shall form the following subcommittees:

(a) A Washington tribal 988 subcommittee, which shall examine and make recommendations with respect to the needs of tribes related to the 988 system, and which shall include representation from the American Indian health commission;

(b) A credentialing and training subcommittee, to recommend workforce needs and requirements necessary to implement chapter 302, Laws of 2021, including minimum education requirements such as whether it would be appropriate to allow ~~((crisis call center))~~ designated 988 contact hubs to employ clinical staff without a bachelor's degree or master's degree based on the person's skills and life or work experience;

(c) A technology subcommittee, to examine issues and requirements related to the technology needed to implement chapter 302, Laws of 2021;

(d) A cross-system crisis response collaboration subcommittee, to examine and define the complementary roles and interactions between mobile rapid response crisis teams and community-based crisis teams endorsed under section 8 of this act, designated crisis responders, law enforcement, emergency medical services teams, 911 and 988 operators, public and private health plans, behavioral health crisis response agencies, nonbehavioral health crisis response agencies, and others needed to implement chapter 302, Laws of 2021;

(e) A confidential information compliance and coordination subcommittee, to examine issues relating to sharing and protection of health information needed to implement chapter 302, Laws of 2021; ~~((and))~~

(f) A 988 geolocation subcommittee, to examine privacy issues related to federal planning efforts to route 988 crisis hotline calls based on the person's location, rather than area code, including ways to implement the federal efforts in a manner that maintains public and clinical confidence in the 988 crisis hotline. The 988 geolocation

subcommittee must include persons with lived experience with behavioral health conditions as well as representatives of crisis call centers, the behavioral health interests of persons of color, and behavioral health providers; and

(g) Any other subcommittee needed to facilitate the work of the committee, at the discretion of the steering committee.

(9) The proceedings of the crisis response improvement strategy committee must be open to the public and invite testimony from a broad range of perspectives. The committee shall seek input from tribes, veterans, the LGBTQ community, and communities of color to help discern how well the crisis response system is currently working and recommend ways to improve the crisis response system.

(10) Legislative members of the crisis response improvement strategy committee shall be reimbursed for travel expenses in accordance with RCW 44.04.120. Nonlegislative members are not entitled to be reimbursed for travel expenses if they are elected officials or are participating on behalf of an employer, governmental entity, or other organization. Any reimbursement for other nonlegislative members is subject to chapter 43.03 RCW.

(11) The steering committee, with the advice of the crisis response improvement strategy committee, shall provide a progress report and the result of its comprehensive assessment under subsection (5) of this section to the governor and appropriate policy and fiscal committee of the legislature by January 1, 2022. The steering committee shall report the crisis response improvement strategy committee's further progress and the steering committee's recommendations related to ~~((crisis call center))~~ designated 988 contact hubs to the governor and appropriate policy and fiscal committees of the legislature by January 1, 2023, and January 1, 2024. The steering committee shall provide its final report to the governor and the appropriate policy and fiscal committees of the legislature by January 1, ~~((2024))~~ 2025.

(12) This section expires June 30, ~~((2024))~~ 2025.

Sec. 7. RCW 71.24.896 and 2021 c 302 s 108 are each amended to read as follows:

(1) When acting in their statutory capacities pursuant to chapter 302, Laws of 2021, the state, department, authority, state ~~((enhanced))~~ 911 coordination office, emergency management division, military department, any other state agency, and their officers, employees, and agents are deemed to be carrying out duties owed to the public in general and not to any individual person or class of persons separate and apart from the public. Nothing contained in chapter 302, Laws of 2021 may be construed to evidence a legislative intent that the duties to be performed by the state, department, authority, state ~~((enhanced))~~ 911 coordination office, emergency management division, military department, any other state agency, and their officers, employees, and agents, as required by chapter 302, Laws of 2021, are owed to any

individual person or class of persons separate and apart from the public in general.

(2) Each ~~((crisis call center))~~ designated 988 contact hub designated by the department under any contract or agreement pursuant to chapter 302, Laws of 2021 shall be deemed to be an independent contractor, separate and apart from the department and the state.

NEW SECTION. Sec. 8. A new section is added to chapter 71.24 RCW to read as follows:

(1) By April 1, 2024, the authority shall establish standards for issuing an endorsement to any mobile rapid response crisis team or community-based crisis team that meets the criteria under either subsection (2) or (3) of this section, as applicable. The endorsement is a voluntary credential that a mobile rapid response crisis team or community-based crisis team may obtain to signify that it maintains the capacity to respond to persons who are experiencing a significant behavioral health emergency requiring an urgent, in-person response. The attainment of an endorsement allows the mobile rapid response crisis team or community-based crisis team to become eligible for performance payments as provided in subsection (10) of this section.

(2) The authority's standards for issuing an endorsement to a mobile rapid response crisis team or a community-based crisis team must consider:

(a) Minimum staffing requirements to effectively respond in-person to individuals experiencing a significant behavioral health emergency. Except as provided in subsection

(3) of this section, the team must include appropriately credentialed and supervised staff employed by a licensed or certified behavioral health agency and may include other personnel from participating entities listed in subsection (3) of this section. The team shall include certified peer counselors as a best practice to the extent practicable based on workforce availability. The team may include fire departments, emergency medical services, public health, medical facilities, nonprofit organizations, and city or county governments. The team may not include law enforcement personnel;

(b) Capabilities for transporting an individual experiencing a significant behavioral health emergency to a location providing appropriate level crisis stabilization services, as determined by regional transportation procedures, such as crisis receiving centers, crisis stabilization units, and triage facilities. The standards must include vehicle and equipment requirements, including minimum requirements for vehicles and equipment to be able to safely transport the individual, as well as communication equipment standards. The vehicle standards must allow for an ambulance or aid vehicle licensed under chapter 18.73 RCW to be deemed to meet the standards; and

(c) Standards for the initial and ongoing training of personnel and for providing clinical supervision to personnel.

(3) The authority must adjust the standards for issuing an endorsement to a

community-based crisis team under subsection (2) of this section if the team is comprised solely of an emergency medical services agency, whether it is part of a fire service agency or a private entity, that is located in a rural county in eastern Washington with a population of less than 60,000 residents. Under the adjusted standards, until January 1, 2030, the authority shall exempt a team from the personnel standards under subsection (2)(a) of this section and issue an endorsement to a team if:

(a) The personnel assigned to the team have met training requirements established by the authority under subsection (2)(c) of this section, as those requirements apply to emergency medical service and fire service personnel, including completion of the three-hour training in suicide assessment, treatment, and management under RCW 43.70.442;

(b) The team operates under a memorandum of understanding with a licensed or certified behavioral health agency to provide direct, real-time consultation through a behavioral health provider employed by a licensed or certified behavioral health agency while the team is responding to a call. The consultation may be provided by telephone, through remote technologies, or, if circumstances allow, in person; and

(c) The team does not include law enforcement personnel.

(4) Prior to issuing an initial endorsement or renewing an endorsement, the authority shall conduct an on-site survey of the applicant's operation.

(5) An endorsement must be renewed every three years.

(6) The authority shall establish forms and procedures for issuing and renewing an endorsement.

(7) The authority shall establish procedures for the denial, suspension, or revocation of an endorsement.

(8)(a) The decision of a mobile rapid response crisis team or community-based crisis team to seek endorsement is voluntary and does not prohibit a nonendorsed team from participating in the crisis response system when (i) responding to individuals who are not experiencing a significant behavioral health emergency that requires an urgent in-person response or (ii) responding to individuals who are experiencing a significant behavioral health emergency that requires an urgent in-person response when there is not an endorsed team available.

(b) The decision of a mobile rapid response crisis team not to pursue an endorsement under this section does not affect its obligation to comply with any standards adopted by the authority with respect to mobile rapid response crisis teams.

(c) The decision of a mobile rapid response crisis team not to pursue an endorsement under this section does not affect its responsibilities and reimbursement for services as they may be defined in contracts with managed care organizations or behavioral health administrative services organizations.

(9) The costs associated with endorsement activities shall be supported with funding

from the statewide 988 behavioral health crisis response and suicide prevention line account established in RCW 82.86.050.

(10) The authority shall establish an endorsed mobile rapid response crisis team and community-based crisis team performance program with receipts from the statewide 988 behavioral health crisis response and suicide prevention line account.

(a) Subject to funding provided for this specific purpose, the performance program shall:

(i) Issue establishment grants to support mobile rapid response crisis teams and community-based crisis teams seeking to meet the elements necessary to become endorsed under either subsection (2) or (3) of this section;

(ii) Issue performance payments in the form of an enhanced case rate to mobile rapid response crisis teams and community-based crisis teams that have received an endorsement from the authority under either subsection (2) or (3) of this section; and

(iii) Issue supplemental performance payments in the form of an enhanced case rate higher than that available in (a)(ii) of this subsection (10) to mobile rapid response crisis teams and community-based crisis teams that have received an endorsement from the authority under either subsection (2) or (3) of this section and demonstrate to the authority that for the previous three months they met the following response time and in route time standards:

(A) Between January 1, 2025, through December 31, 2026:

(I) Arrive to the individual's location within 30 minutes of being dispatched by the designated 988 contact hub, at least 80 percent of the time in urban areas;

(II) Arrive to the individual's location within 40 minutes of being dispatched by the designated 988 contact hub, at least 80 percent of the time in suburban areas; and

(III) Be in route within 15 minutes of being dispatched by the designated 988 contact hub, at least 80 percent of the time in rural areas; and

(B) On and after January 1, 2027:

(I) Arrive to the individual's location within 20 minutes of being dispatched by the designated 988 contact hub, at least 80 percent of the time in urban areas;

(II) Arrive to the individual's location within 30 minutes of being dispatched by the designated 988 contact hub, at least 80 percent of the time in suburban areas; and

(III) Be in route within 10 minutes of being dispatched by the designated 988 contact hub, at least 80 percent of the time in rural areas.

(b) The authority shall design the program in a manner that maximizes the state's ability to receive federal matching funds.

(11) The authority shall contract with the actuaries responsible for development of Medicaid managed care rates to conduct an analysis and develop options for payment mechanisms and levels for rate enhancements under subsection (10) of this section. The authority shall consult with staff from the office of financial management and the fiscal committees of the legislature in conducting this analysis. The payment

mechanisms must be developed to maximize leverage of allowable federal medicaid match. The analysis must clearly identify assumptions, include cost projections for the rate level options broken out by fund source, and summarize data used for the cost analysis. The cost projections must be based on Washington state specific utilization and cost data. The analysis must identify low, medium, and high ranges of projected costs associated for each option accounting for varying scenarios regarding the numbers of teams estimated to qualify for the enhanced case rates and supplemental performance payments. The analysis must identify costs for both medicaid clients, and for state-funded nonmedicaid clients paid through contracts with behavioral health administrative services organizations. The analysis must account for phasing in of the number of teams that meet endorsement criteria over time and project annual costs for a four-year period associated with each of the scenarios. The authority shall submit a report summarizing the analysis, payment mechanism options, enhanced performance payment and supplemental performance payment rate level options, and related cost estimates to the office of financial management and the appropriate committees of the legislature by December 1, 2023.

(12) The authority shall conduct a review of the endorsed community-based crisis teams established under subsection (3) of this section and report to the governor and the health policy committees of the legislature by December 1, 2028. The report shall provide information about the engagement of the community-based crisis teams receiving an endorsement under subsection (3) of this section and their ability to provide a timely and appropriate response to persons experiencing a behavioral health crisis and any recommended changes to the teams to better meet the needs of the community including personnel requirements, training standards, and behavioral health provider consultation.

Sec. 9. RCW 82.86.050 and 2021 c 302 s 205 are each amended to read as follows:

(1) The statewide 988 behavioral health crisis response and suicide prevention line account is created in the state treasury. All receipts from the statewide 988 behavioral health crisis response and suicide prevention line tax imposed pursuant to this chapter must be deposited into the account. Moneys may only be spent after appropriation.

(2) Expenditures from the account may only be used for:

(a) ~~((ensuring))~~ Ensuring the efficient and effective routing of calls made to the 988 crisis hotline to an appropriate crisis hotline center or ~~((crisis—call center))~~ designated 988 contact hub; and

(b) ~~((personnel))~~ Personnel and the provision of acute behavioral health, crisis outreach, and crisis stabilization services, as defined in RCW 71.24.025, by directly responding to the 988 crisis hotline and enhancing mobile crisis service standards and performance provided through mobile rapid response crisis teams and community-

based crisis teams endorsed under section 8 of this act. Ten percent of the annual receipts from the tax must be dedicated to the establishment grants, performance payments, and supplemental performance payments for mobile rapid response crisis teams and community-based crisis teams endorsed under section 8 of this act and endorsement activities in section 8 of this act, up to 30 percent of which is dedicated to mobile rapid response crisis teams and community-based crisis teams endorsed under section 8 of this act that are affiliated with a tribe in Washington.

(3) Moneys in the account may not be used to supplant general fund appropriations for behavioral health services or for medicaid covered services to individuals enrolled in the medicaid program.

NEW SECTION. Sec. 10. A new section is added to chapter 28B.20 RCW to read as follows:

(1) (a) The University of Washington school of social work, in consultation with the Washington council for behavioral health and the state's behavioral health administrative services organizations, shall plan for regional collaboration among behavioral health providers and first responders working within the 988 crisis response and suicide prevention system, standardize practices and protocols, and develop a needs assessment for trainings.

(b) The University of Washington shall convene, at a minimum, the following key stakeholders to assist in developing an assessment of training needs, a mapping of current and future funded crisis response providers, and a comprehensive review of all behavioral health training required in statute and in rule:

(i) At least two representatives from the behavioral health administrative services organizations, one from each side of the Cascade crest;

(ii) At least three crisis services providers identified by the Washington council for behavioral health, one from each side of the Cascade crest, and one dedicated to serving communities of color;

(iii) A representative of crisis call centers;

(iv) At least two members who are persons with lived experience related to mental health issues, substance use disorder issues, a suicide attempt, or a suicide loss; and

(v) A representative of a statewide organization of field experts consisting of first responders, behavioral health professionals, and project managers working in co-response programs in Washington.

(c) When making recommendations on future crisis provider training needs related to serving persons with developmental disabilities, veterans, American Indians and Alaska Native populations, LGBTQ populations, and persons connected with the agricultural community, the University of Washington school of social work must solicit public comment on the needs assessment from advocates from those populations and others as deemed appropriate by the stakeholder group, including persons

with lived experience related to mental health issues, substance use disorder issues, a suicide attempt, or a suicide loss.

(d) The training needs assessment, mapping of crisis providers, and research on existing training requirements must be completed by June 30, 2024.

(2) The University of Washington school of social work, in collaboration with the stakeholder group established in subsection (1) of this section, shall develop recommendations for establishing crisis workforce and resilience training collaboratives that would offer voluntary regional trainings for behavioral health providers, peers, first responders, co-responders, 988 contact center personnel, designated 988 contact hub personnel, 911 operators, and interested members of the public, specific to a geographic region and the population they serve as informed by the needs assessment. The collaboratives shall encourage the development of foundational and advanced skills and practices in crisis response as well as foster regional collaboration. The recommendations must:

(a) Include strategies for better coordination and integration of 988-specific training into the broader scope of behavioral health trainings that are already required;

(b) Identify effective trainings to explain how the 988 system works with the 911 emergency response system, trauma-informed care, secondary trauma, suicide protocols and practices for crisis responders, supervisory best practices for first responders, lethal means safety, violence assessments, cultural competency, and essential care for serving individuals with serious mental illness, substance use disorder, or co-occurring disorders;

(c) Identify best practice approaches to working with veterans, intellectually and developmentally disabled populations, youth, LGBTQ populations, communities of color, agricultural communities, and American Indian and Alaska Native populations;

(d) Identify ways to provide the designated 988 contact hubs and other crisis providers with training that is tailored to the agricultural community using training that is agriculture-specific with information relating to the stressors unique to persons connected with the agricultural community such as weather conditions, financial obligations, market conditions, and other relevant issues. When developing the recommendations, consideration must be given to national experts, such as the AgriSafe network and other entities;

(e) Identify ways to promote a better informed and more involved community on topics related to the behavioral health crisis system by increasing public access to and participation in trainings on the topics identified in (b) and (c) of this subsection (2), including through remote audiovisual technology;

(f) Establish suggested protocols for ways to sustain the collaboratives as new mobile rapid response crisis teams and community-based crisis teams endorsed under section 8 of this act, co-responder teams,

and crisis facilities are funded and operationalized;

(g) Discuss funding needs to sustain the collaboratives and support participation in attending the trainings; and

(h) Offer a potential timeline for implementing the collaboratives on a region-by-region basis.

(3) The University of Washington school of social work shall submit a report on the items developed in this section to the governor and the appropriate committees of the legislature by December 31, 2024. Prior to submission of the report, the University of Washington school of social work shall consult with the department of health and the health care authority.

NEW SECTION. Sec. 11. A new section is added to chapter 71.24 RCW to read as follows:

(1) No act or omission related to the dispatching decisions of any crisis call center staff or designated 988 contact hub staff with endorsed mobile rapid response crisis team and community-based crisis team dispatching responsibilities done or omitted in good faith within the scope of the individual's employment responsibilities with the crisis call center or designated 988 contact hub and in accordance with dispatching procedures adopted both by the behavioral health administrative services organization and the crisis call center or the designated 988 contact hub and approved by the authority shall impose liability upon:

(a) The clinical staff of the crisis call center or designated 988 contact hub or their clinical supervisors;

(b) The crisis call center or designated 988 contact hub or its officers, staff, or employees;

(c) Any member of a mobile rapid response crisis team or community-based crisis team endorsed under section 8 of this act;

(d) The certified public safety telecommunicator or the certified public safety telecommunicator's supervisor; or

(e) The public safety answering point or its officers, staff, or employees.

(2) This section shall not apply to any act or omission which constitutes either gross negligence or willful or wanton misconduct.

NEW SECTION. Sec. 12. A new section is added to chapter 38.60 RCW to read as follows:

(1) No act or omission of any certified public safety telecommunicator or crisis call center staff or designated 988 contact hub staff related to the transfer of calls from the 911 line to the 988 crisis hotline or from the 988 crisis hotline to the 911 line, done or omitted in good faith, within the scope of the certified public safety telecommunicator's employment responsibilities with the public safety answering point and the crisis call center or designated 988 contact hub and in accordance with call system transfer protocols adopted by both the department of health and the emergency management division shall impose liability upon:

(a) The certified public safety telecommunicator or the certified public safety telecommunicator's supervisor;

(b) The public safety answering point or its officers, staff, or employees;

(c) The clinical staff of the crisis call center or designated 988 contact hub or their clinical supervisors;

(d) The crisis call center or designated 988 contact hub or its officers, staff, or employees; or

(e) Any member of a mobile rapid response crisis team or community-based crisis team endorsed under section 8 of this act.

(2) This section shall not apply to any act or omission which constitutes either gross negligence or willful or wanton misconduct.

NEW SECTION. **Sec. 13.** If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2023, in the omnibus appropriations act, this act is null and void."

Correct the title.

Representatives Orwall and Schmick spoke in favor of the adoption of the striking amendment.

The striking amendment (312) 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 Orwall, Dent and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1134.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1134, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler, Hansen and Volz

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1134, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1533, by Representatives Mena, Davis, Reed, Doglio, Fosse, Berg, Taylor, Ryu, Peterson, Berry, Walen,

Alvarado, Ramel, Simmons, Griffey, Morgan, Gregerson, Shavers, Ormsby, Pollet, Fey, Kloba, Bateman and Macri

Exempting the disclosure of certain information of agency employees or their dependents who are survivors of domestic violence, sexual assault, harassment, or stalking.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1533 was substituted for House Bill No. 1533 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1533 was read the second time.

With the consent of the House, amendment (306) was withdrawn.

Representative Caldier moved the adoption of amendment (336):

On page 2, after line 13, insert the following:

"(e)(i) The information listed in (d) of this subsection that is located in any record or system concerning an agency employee or their dependent that is held or maintained by the employee's employing agency if the employee has provided to the agency:

(A) A sworn statement, signed under penalty of perjury that the employee or a dependent of the employee is a survivor of domestic violence as defined in RCW 10.99.020 or 7.105.010, sexual assault as defined in RCW 70.125.030 or sexual abuse as defined in RCW 7.105.010, stalking as described in RCW 9A.46.110 or defined in RCW 7.105.010, or harassment as described in RCW 9A.46.020 or defined in RCW 7.105.010; or

(B) Proof of the employee's participation or the participation of a dependent in the address confidentiality program under chapter 40.24 RCW.

(ii) For purposes of (i) of this subsection only:

(A) "Employee" means an employee of an agency defined under (B) of this subsection, and legislators.

(B) "Agency" has the same meaning as in RCW 42.56.010, but also includes the office of the secretary of the senate and the office of the chief clerk of the house of representatives."

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

With the consent of the House, amendment (336) was withdrawn.

Representative Pollet moved the adoption of amendment (347):

On page 3, line 18, after "RCW 7.105.010" insert ", and that the employee has a reasonable basis to believe that the risk of domestic violence, sexual assault, sexual abuse, stalking, or harassment continues to exist. An sworn statement under this subsection expires after two years, but may be subsequently renewed by providing a new

sworn statement to the employee's employing agency"

Representatives Pollet and Abbarno spoke in favor of the adoption of the amendment.

Amendment (347) 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 Mena and Abbarno spoke in favor of the passage of the bill.

Representative Walsh spoke against the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1533.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1533, and the bill passed the House by the following vote: Yeas, 80; Nays, 15; Absent, 0; Excused, 3

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Bateman, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Cortes, Couture, Davis, Doglio, Duerr, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Kloba, Kretz, Lekanoff, Low, Macri, Maycumber, McClintock, Mena, Morgan, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Waters, Wilcox, Wylie and Mme. Speaker

Voting Nay: Representatives Barnard, Berg, Connors, Corry, Dent, Donaghy, Dye, Klicker, Leavitt, McEntire, Paul, Sandlin, Schmick, Walsh and Ybarra

Excused: Representatives Chandler, Hansen and Volz

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1533, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1578, by Representatives Springer, Kretz, Reeves, Leavitt, Ramel, Lekanoff, Reed, Pollet and Kloba

Improving community preparedness, response, recovery, and resilience to wildland fire health and safety impacts in areas of increasing population density, including in the wildland urban interface.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1578 was substituted for House Bill No. 1578 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1578 was read the second time.

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

Representatives Springer, Dent, Eslick, Kretz and Reeves spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1578.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1578, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler, Hansen and Volz

SECOND SUBSTITUTE HOUSE BILL NO. 1578, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1744, by Representatives Rude, Santos, Schmidt and Pollet

Clarifying the responsibilities and accountability for the effective delivery and oversight of public education services to charter school students.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1744 was substituted for House Bill No. 1744 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1744 was read the second time.

Representative Rude moved the adoption of amendment (343):

On page 2, line 7, after "requirements" insert ", but an additional reporting requirement for charter schools can reinforce existing requirements and help to avoid any future problems"

On page 2, line 11, after "not" strike "prepared or otherwise"

On page 4, line 27, after "equality)" insert "chapter 28A.180 RCW (transitional bilingual instruction program),"

On page 6, beginning on line 12, after "(c)" strike all material through "both" on line 15 and insert "Hold charter school boards accountable for: Ensuring that students of charter public schools have opportunities for academic success; and exercising effective educational, operational, and financial oversight of charter public schools"

On page 7, beginning on line 36, after "(a)" strike all material though "both" on line 39 and insert "Holding the charter school board of each authorized charter

school accountable for: Ensuring that students in the charter school have opportunities for academic success; and exercising effective educational, operational, and financial oversight of the charter school"

On page 13, beginning on line 9, after "(a)" strike all material though "both" on line 12 and insert "Hold the charter school board accountable for: Ensuring that students of the charter school have opportunities for academic success; and exercising effective educational, operational, and financial oversight of the charter school"

On page 13, beginning on line 22, after "(1)" strike all material though "beginning" on line 23 and insert "Beginning"

On page 14, after line 2, insert the following:

"(4) For the purposes of this section, "technical assistance" means the provision of training, which may be provided by commission staff or through a contractor, to support charter schools and charter school boards in their responsibility to achieve and maintain compliance with applicable state and federal laws and with their charter school contract.

NEW SECTION. Sec. 11. A new section is added to chapter 28A.710 RCW to read as follows:

(1)(a) By November 1, 2023, the commission shall establish and maintain on its website an online system for students who attend charter schools, and the parents of those students, to submit complaints about the operation and administration of one or more charter schools, including complaints about the provision of education services and complaints alleging noncompliance with the requirements of this chapter or other provisions governing charter schools.

(b) The commission shall acknowledge the receipt of each received complaint within 10 business days and shall, in a timely manner, perform any inquiries or other actions it deems necessary and appropriate to respond to each received complaint.

(2) The commission shall adopt and revise as necessary rules to implement this section.

NEW SECTION. Sec. 12. A new section is added to chapter 28A.710 RCW to read as follows:

Each charter school shall prominently post and maintain on its website information about the school's process and instructions for submitting complaints about the operation and administration of the charter school by its enrolled students and their parents. This information must include a designated point of contact at the charter school and a link to the complaint system of the commission that is required by section 11 of this act."

Correct the title.

Representatives Rude and Stonier spoke in favor of the adoption of the amendment.

Amendment (343) 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 Rude and Santos spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1744.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1744, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler, Hansen and Volz

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1744, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1028, by Representatives Orwall, Mosbrucker, Ryu, Simmons, Goodman, Reed, Lekanoff, Pollet, Callan, Doglio, Macri, Caldier, Reeves, Wylie, Gregerson, Davis, Ormsby and Fosse

Supporting crime victims and witnesses by promoting victim-centered, trauma-informed responses in the legal system.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1028 was substituted for House Bill No. 1028 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1028 was read the second time.

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

Representatives Orwall and Mosbrucker spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1028.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1028, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler, Hansen and Volz

SECOND SUBSTITUTE HOUSE BILL NO. 1028, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1745, by Representatives Thai, Duerr, Doglio, Ormsby and Macri

Improving diversity in clinical trials.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1745 was substituted for House Bill No. 1745 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1745 was read the second time.

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

Representatives Thai and Maycumber spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1745.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1745, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler, Hansen and Volz

SECOND SUBSTITUTE HOUSE BILL NO. 1745, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1105, by Representatives Kloba, Abbarno and Thai

Requiring public agencies to provide notice for public comment that includes the last date by which such public comment must be submitted.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1105 was substituted for House Bill No. 1105 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1105 was read the second time.

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

Representatives Kloba and Abbarno spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1105.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1105, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler, Hansen and Volz

SUBSTITUTE HOUSE BILL NO. 1105, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1163, by Representative Fey

Exempting certain leasehold interests in arenas with a seating capacity of more than 2,000 from the leasehold excise tax.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1163 was substituted for House Bill No. 1163 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1163 was read the second time.

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

Representatives Fey and Orcutt spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1163.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1163, and the bill passed the House by the following vote: Yeas, 93; Nays, 2; Absent, 0; Excused, 3

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kretz, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Kloba and Leavitt

Excused: Representatives Chandler, Hansen and Volz

SUBSTITUTE HOUSE BILL NO. 1163, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1763, by Representatives Eslick, Leavitt, Senn, Callan, Schmidt and Pollet

Ensuring completion of conditional scholarship obligations and reducing penalties for excusable incomplete obligations.

The bill was read the second time.

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

Representatives Eslick, Leavitt and Dent spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of House Bill No. 1763.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1763, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler, Hansen and Volz

HOUSE BILL NO. 1763, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1205, by Representatives Taylor, Reed and Senn

Responsibility for providing service by publication of a summons or notice in dependency and termination of parental rights cases.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1205 was substituted for House Bill No. 1205 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1205 was read the second time.

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

Representatives Taylor and Walsh spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1205.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1205, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler, Hansen and Volz

SECOND SUBSTITUTE HOUSE BILL NO. 1205, having received the necessary constitutional majority, was declared passed.

HOUSE JOINT MEMORIAL NO. 4001, by Representatives Orcutt, Walsh, McEntire, Abbarno, Christian and McClintock

Requesting the transportation commission to designate a section of Interstate 5 the Cowlitz County Deputy Sheriff Justin DeRosier memorial highway.

The bill was read the second time.

There being no objection, Substitute House Joint Memorial No. 4001 was substituted for House Joint Memorial No. 4001 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE JOINT MEMORIAL NO. 4001 was read the second time.

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

Representatives Orcutt and Timmons spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute House Joint Memorial No. 4001.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Joint Memorial No. 4001, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Calder, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chandler, Hansen and Volz

SUBSTITUTE HOUSE JOINT MEMORIAL NO. 4001, having received the necessary constitutional majority, was declared passed.

The Speaker (Representative Bronoske presiding) called upon Representative Orwall to preside.

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

MESSAGE FROM THE SENATE

Monday, March 6, 2023

Mme. Speaker:

The Senate has passed:

SECOND SUBSTITUTE SENATE BILL NO. 5134
 SUBSTITUTE SENATE BILL NO. 5178
 SECOND SUBSTITUTE SENATE BILL NO. 5268
 SECOND SUBSTITUTE SENATE BILL NO. 5290
 SUBSTITUTE SENATE BILL NO. 5318
 SUBSTITUTE SENATE BILL NO. 5330
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5334
 SUBSTITUTE SENATE BILL NO. 5358
 SUBSTITUTE SENATE BILL NO. 5388
 SUBSTITUTE SENATE BILL NO. 5389
 SENATE BILL NO. 5390
 SECOND SUBSTITUTE SENATE BILL NO. 5412
 SUBSTITUTE SENATE BILL NO. 5415
 SUBSTITUTE SENATE BILL NO. 5433
 SECOND SUBSTITUTE SENATE BILL NO. 5454
 SUBSTITUTE SENATE BILL NO. 5499
 SUBSTITUTE SENATE BILL NO. 5523
 SECOND SUBSTITUTE SENATE BILL NO. 5532
 SUBSTITUTE SENATE BILL NO. 5538
 SUBSTITUTE SENATE BILL NO. 5547
 SENATE BILL NO. 5621
 SENATE BILL NO. 5700
 SENATE BILL NO. 5732
 SENATE JOINT MEMORIAL NO. 8006

and the same are herewith transmitted.

Colleen Rust, Deputy Secretary

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

SECOND READING

HOUSE BILL NO. 1639, by Representatives Lekanoff, Ramel, Gregerson and Santos

Concerning the Billy Frank Jr. national statuary hall selection committee.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1639 was substituted for House Bill No. 1639 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1639 was read the second time.

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

Representatives Lekanoff and Abbarno 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 Second Substitute House Bill No. 1639.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1639, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Calder, Callan, Chambers, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Hansen and Volz

SECOND SUBSTITUTE HOUSE BILL NO. 1639, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1311, by Representatives Reeves, Corry, Chapman, Reed and Cheney

Addressing credit repair services performed by a credit services organization.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1311 was substituted for House Bill No. 1311 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1311 was read the second time.

Representative Reeves moved the adoption of amendment (182):

On page 4, line 21, after "performed" strike "including" and insert ", including, if applicable,"

On page 10, beginning on line 2, after "days" strike all material through "general" on line 4

On page 11, beginning on line 21, after "(5)" strike all material through "RCW." on line 30 and insert "A violation of this chapter by a credit services organization is an unfair business practice as provided in chapter 19.86 RCW."

Representatives Reeves and Corry spoke in favor of the adoption of the amendment.

Amendment (182) was adopted.

Representative Cheney moved the adoption of amendment (177):

On page 9, beginning on line 35, after "consumer" strike all material through "1681(i)" on line 38

Representatives Cheney and Reeves spoke in favor of the adoption of the amendment.

Amendment (177) 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 Reeves, Corry and Cheney 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 Engrossed Substitute House Bill No. 1311.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1311, and the bill passed the House by the following vote: Yeas, 91; Nays, 5; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Chandler, Couture, Robertson, Schmidt and Stokesbary

Excused: Representatives Hansen and Volz

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1311, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1324, by Representatives Hackney, Senn, Simmons, Reed, Lekanoff, Doglio, Pollet and Macri

Concerning the scoring of prior juvenile offenses in sentencing range calculations.

The bill was read the second time.

Representative Hackney moved the adoption of amendment (180):

On page 8, line 7, after "of" strike "this section" and insert "section 2 of this act"

On page 8, line 10, after "court" insert "if the person is currently incarcerated in total confinement and has a release date of January 1, 2025, or later"

On page 8, at the beginning of line 12, insert "the offender is currently incarcerated in total confinement, has a release date of January 1, 2025, or later, and"

On page 8, line 17, after "(3)" strike "This section expires July 1, 2025" and insert "Beginning January 1, 2025, this section applies to individuals under subsection (1) of this section:

(a) With release dates scheduled on or after January 1, 2025, who have less than three years remaining to serve on their sentence;

(b) Who would be eligible for release within three years of January 1, 2025, based on an offender score that does not include juvenile adjudications; or

(c) Who have served over 15 years or at least 50 percent of their sentence.

(4) Beginning January 1, 2026, this section applies to individuals meeting the requirements of subsection (1) of this section and not eligible for resentencing under subsection (3) of this section"

Correct the title.

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

Representative Mosbrucker spoke against the adoption of the amendment.

An electronic roll call was requested.

ROLL CALL

The Clerk called the roll on the adoption of amendment (180) and the amendment was adopted by the following vote: Yeas, 53; Nays, 40; Absent, 3; Excused, 2

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Lekanoff, Macri, Mena, Morgan, Ormsby, Ortiz-Self, Orwall, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Ryu, Santos, Senn, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Chandler, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Leavitt, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Sandlin, Schmick, Schmidt, Steele, Stokesbary, Walsh, Waters, Wilcox and Ybarra

Excused: Representatives Hansen and Volz

Amendment (180) 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.

Representative Hackney spoke in favor of the passage of the bill.

Representatives Mosbrucker, Graham, Abbarno, Waters, Orcutt and Cheney spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1324.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1324, and the bill passed the House by the following vote: Yeas, 51; Nays, 45; Absent, 0; Excused, 2

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Callan, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Lekanoff, Macri, Mena, Morgan, Ormsby, Ortiz-Self, Orwall, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Ryu, Santos, Senn, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Bronoske, Caldier, Chambers, Chandler, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Leavitt, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Paul, Robertson, Rude, Rule, Sandlin, Schmick, Schmidt, Shavers, Steele, Stokesbary, Timmons, Walsh, Waters, Wilcox and Ybarra

Excused: Representatives Hansen and Volz

ENGROSSED HOUSE BILL NO. 1324, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1550, by Representatives Santos, Senn, Ortiz-Self, Berry, Goodman, Ramel, Simmons, Stonier, Bergquist, Pollet, Fosse and Doglio

Assisting eligible children in need of additional preparation to be successful in kindergarten by establishing the transition to kindergarten program.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1550 was substituted for House Bill No. 1550 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1550 was read the second time.

Representative Rude moved the adoption of amendment (351):

On page 6, line 39, after "(7)" insert **"Applicability.** This section applies to charter schools established under chapter 28A.710 RCW and state-tribal education compact schools established under chapter 28A.715 RCW to the same extent as it applies to school districts.

(8)"

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

On page 8, line 3, after "districts" insert ", charter schools, and state-tribal education compact schools"

On page 9, line 30, after "districts" insert ", charter schools, and state-tribal education compact schools"

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

Representative Santos spoke against the adoption of the amendment.

Amendment (351) 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 Santos and Rude 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 Second Substitute House Bill No. 1550.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1550, and the bill passed the House by the following vote: Yeas, 74; Nays, 22; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Connors, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Gregerson, Hackney, Hutchins, Jacobsen, Klicker, Kloba, Leavitt, Lekanoff, Macri, McClintock, Mena, Morgan, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Ryu, Sandlin, Santos, Schmidt, Senn, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Walen, Wilcox, Wylie and Mme. Speaker

Voting Nay: Representatives Chandler, Christian, Corry, Couture, Dent, Dye, Eslick, Graham, Griffey, Harris, Kretz, Low, Maycumber, McEntire, Mosbrucker, Rule, Schmick, Shavers, Timmons, Walsh, Waters and Ybarra

Excused: Representatives Hansen and Volz

SECOND SUBSTITUTE HOUSE BILL NO. 1550, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1110, by Representatives Bateman, Barkis, Reed, Taylor, Riccelli, Berry, Fitzgibbon, Peterson, Duerr, Lekanoff, Alvarado, Street, Ryu, Ramel, Cortes, Doglio, Macri, Mena, Gregerson, Thai, Bergquist, Farivar, Wylie, Stonier, Pollet, Santos, Fosse and Ormsby

Increasing middle housing in areas traditionally dedicated to single-family detached housing.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1110 was substituted for House Bill No. 1110 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1110 was read the second time.

With the consent of the House, amendments (278), (302) and (335) were withdrawn.

Representative Bateman moved the adoption of the striking amendment (261):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature finds that Washington is facing an

unprecedented housing shortage for its current population and without significant action will not meet its goal of creating 1,000,000 homes by 2044.

Increasing housing options that are more affordable to various income levels is critical to achieving the state's housing goals, including those codified by the legislature under chapter 254, Laws of 2021.

There is continued need for the development of housing at all income levels, including middle housing that will provide a wider variety of housing options and configurations to allow Washingtonians to live near where they work.

To unlock opportunity for Washingtonians it is necessary to lift bans on the development of modest home choices in cities near job centers, transit, and amenity-rich neighborhoods.

Homes developed at higher densities and gentle density housing types are more affordable by design for Washington residents both in their construction and reduced household energy and transportation costs.

While creating more housing options, it is essential for cities to identify areas at higher risk of displacement and establish antidisplacement policies as required in Engrossed Second Substitute House Bill No. 1220 (chapter 254, Laws of 2021).

The state has made historic investments in subsidized affordable housing through the housing trust fund, yet even with these historic investments, the magnitude of the housing shortage requires both public and private investment.

In addition to addressing the housing shortage, allowing more housing options in areas already served by urban infrastructure will reduce the pressure to develop natural and working lands, support key strategies for climate change, food security, and Puget Sound recovery, and save taxpayers and ratepayers money.

Sec. 2. RCW 36.70A.030 and 2021 c 254 s 6 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Administrative design review" means a development permit process whereby an application is reviewed, approved, or denied by the planning director or the planning director's designee based solely on objective design and development standards without a public meeting or hearing, unless such review is otherwise required by state or federal law, or the structure is a designated landmark or historic district established under a local preservation ordinance.

(2) "Adopt a comprehensive land use plan" means to enact a new comprehensive land use plan or to update an existing comprehensive land use plan.

((2-)) (3) "Affordable housing" means, unless the context clearly indicates otherwise, residential housing whose monthly costs, including utilities other than telephone, do not exceed thirty percent of the monthly income of a household whose income is:

(a) For rental housing, sixty percent of the median household income adjusted for household size, for the county where the household is located, as reported by the United States department of housing and urban development; or

(b) For owner-occupied housing, eighty percent of the median household income adjusted for household size, for the county where the household is located, as reported by the United States department of housing and urban development.

((3-)) (4) "Agricultural land" means land primarily devoted to the commercial production of horticultural, viticultural, floricultural, dairy, apiary, vegetable, or animal products or of berries, grain, hay, straw, turf, seed, Christmas trees not subject to the excise tax imposed by RCW 84.33.100 through 84.33.140, finfish in upland hatcheries, or livestock, and that has long-term commercial significance for agricultural production.

((4-)) (5) "City" means any city or town, including a code city.

((5-)) (6) "Community amenity" means:

(a) A public school as defined in RCW 28A.150.010 or a common school as defined in RCW 28A.150.020; or

(b) A designated entrance or pedestrian access point to a community park operated by the state or a local government for the use of the general public.

(7) "Comprehensive land use plan," "comprehensive plan," or "plan" means a generalized coordinated land use policy statement of the governing body of a county or city that is adopted pursuant to this chapter.

((6-)) (8) "Cottage housing" means residential units on a lot with a common open space that either: (a) Is owned in common; or (b) has units owned as condominium units with property owned in common and a minimum of 20 percent of the lot size as open space.

(9) "Courtyard apartments" means up to four attached dwelling units arranged on two or three sides of a yard or court.

(10) "Critical areas" include the following areas and ecosystems: (a) Wetlands; (b) areas with a critical recharging effect on aquifers used for potable water; (c) fish and wildlife habitat conservation areas; (d) frequently flooded areas; and (e) geologically hazardous areas. "Fish and wildlife habitat conservation areas" does not include such artificial features or constructs as irrigation delivery systems, irrigation infrastructure, irrigation canals, or drainage ditches that lie within the boundaries of and are maintained by a port district or an irrigation district or company.

((7-)) (11) "Department" means the department of commerce.

((8-)) (12) "Development regulations" or "regulation" means the controls placed on development or land use activities by a county or city, including, but not limited to, zoning ordinances, critical areas ordinances, shoreline master programs, official controls, planned unit development ordinances, subdivision ordinances, and binding site plan ordinances together with any amendments thereto. A development

regulation does not include a decision to approve a project permit application, as defined in RCW 36.70B.020, even though the decision may be expressed in a resolution or ordinance of the legislative body of the county or city.

~~((9))~~ (13) "Emergency housing" means temporary indoor accommodations for individuals or families who are homeless or at imminent risk of becoming homeless that is intended to address the basic health, food, clothing, and personal hygiene needs of individuals or families. Emergency housing may or may not require occupants to enter into a lease or an occupancy agreement.

~~((10))~~ (14) "Emergency shelter" means a facility that provides a temporary shelter for individuals or families who are currently homeless. Emergency shelter may not require occupants to enter into a lease or an occupancy agreement. Emergency shelter facilities may include day and warming centers that do not provide overnight accommodations.

~~((11))~~ (15) "Extremely low-income household" means a single person, family, or unrelated persons living together whose adjusted income is at or below thirty percent of the median household income adjusted for household size, for the county where the household is located, as reported by the United States department of housing and urban development.

~~((12))~~ (16) "Forestland" means land primarily devoted to growing trees for long-term commercial timber production on land that can be economically and practically managed for such production, including Christmas trees subject to the excise tax imposed under RCW 84.33.100 through 84.33.140, and that has long-term commercial significance. In determining whether forestland is primarily devoted to growing trees for long-term commercial timber production on land that can be economically and practically managed for such production, the following factors shall be considered: (a) The proximity of the land to urban, suburban, and rural settlements; (b) surrounding parcel size and the compatibility and intensity of adjacent and nearby land uses; (c) long-term local economic conditions that affect the ability to manage for timber production; and (d) the availability of public facilities and services conducive to conversion of forestland to other uses.

~~((13))~~ (17) "Freight rail dependent uses" means buildings and other infrastructure that are used in the fabrication, processing, storage, and transport of goods where the use is dependent on and makes use of an adjacent short line railroad. Such facilities are both urban and rural development for purposes of this chapter. "Freight rail dependent uses" does not include buildings and other infrastructure that are used in the fabrication, processing, storage, and transport of coal, liquefied natural gas, or "crude oil" as defined in RCW 90.56.010.

~~((14))~~ (18) "Geologically hazardous areas" means areas that because of their susceptibility to erosion, sliding, earthquake, or other geological events, are

not suited to the siting of commercial, residential, or industrial development consistent with public health or safety concerns.

~~((15))~~ (19) "Long-term commercial significance" includes the growing capacity, productivity, and soil composition of the land for long-term commercial production, in consideration with the land's proximity to population areas, and the possibility of more intense uses of the land.

~~((16))~~ (20) "Low-income household" means a single person, family, or unrelated persons living together whose adjusted income is at or below eighty percent of the median household income adjusted for household size, for the county where the household is located, as reported by the United States department of housing and urban development.

~~((17))~~ (21) "Major transit stop" means:
(a) A stop on a high capacity transportation system funded or expanded under the provisions of chapter 81.104 RCW;
(b) Commuter rail stops;
(c) Stops on rail or fixed guideway systems, including transitways; or
(d) Stops on bus rapid transit routes.

(22) "Middle housing" means buildings that are compatible in scale, form, and character with single-family houses and contain two or more attached, stacked, or clustered homes including duplexes, triplexes, fourplexes, fiveplexes, sixplexes, townhouses, stacked flats, courtyard apartments, and cottage housing.

(23) "Minerals" include gravel, sand, and valuable metallic substances.

~~((18))~~ (24) "Moderate-income household" means a single person, family, or unrelated persons living together whose adjusted income is at or below 120 percent of the median household income adjusted for household size, for the county where the household is located, as reported by the United States department of housing and urban development.

~~((19))~~ (25) "Permanent supportive housing" is subsidized, leased housing with no limit on length of stay that prioritizes people who need comprehensive support services to retain tenancy and utilizes admissions practices designed to use lower barriers to entry than would be typical for other subsidized or unsubsidized rental housing, especially related to rental history, criminal history, and personal behaviors. Permanent supportive housing is paired with on-site or off-site voluntary services designed to support a person living with a complex and disabling behavioral health or physical health condition who was experiencing homelessness or was at imminent risk of homelessness prior to moving into housing to retain their housing and be a successful tenant in a housing arrangement, improve the resident's health status, and connect the resident of the housing with community-based health care, treatment, or employment services. Permanent supportive housing is subject to all of the rights and responsibilities defined in chapter 59.18 RCW.

~~((20))~~ (26) "Public facilities" include streets, roads, highways, sidewalks, street and road lighting systems, traffic signals,

domestic water systems, storm and sanitary sewer systems, parks and recreational facilities, and schools.

~~((21))~~ (27) "Public services" include fire protection and suppression, law enforcement, public health, education, recreation, environmental protection, and other governmental services.

~~((22))~~ (28) "Recreational land" means land so designated under RCW 36.70A.1701 and that, immediately prior to this designation, was designated as agricultural land of long-term commercial significance under RCW 36.70A.170. Recreational land must have playing fields and supporting facilities existing before July 1, 2004, for sports played on grass playing fields.

~~((23))~~ (29) "Rural character" refers to the patterns of land use and development established by a county in the rural element of its comprehensive plan:

(a) In which open space, the natural landscape, and vegetation predominate over the built environment;

(b) That foster traditional rural lifestyles, rural-based economies, and opportunities to both live and work in rural areas;

(c) That provide visual landscapes that are traditionally found in rural areas and communities;

(d) That are compatible with the use of the land by wildlife and for fish and wildlife habitat;

(e) That reduce the inappropriate conversion of undeveloped land into sprawling, low-density development;

(f) That generally do not require the extension of urban governmental services; and

(g) That are consistent with the protection of natural surface water flows and groundwater and surface water recharge and discharge areas.

~~((24))~~ (30) "Rural development" refers to development outside the urban growth area and outside agricultural, forest, and mineral resource lands designated pursuant to RCW 36.70A.170. Rural development can consist of a variety of uses and residential densities, including clustered residential development, at levels that are consistent with the preservation of rural character and the requirements of the rural element. Rural development does not refer to agriculture or forestry activities that may be conducted in rural areas.

~~((25))~~ (31) "Rural governmental services" or "rural services" include those public services and public facilities historically and typically delivered at an intensity usually found in rural areas, and may include domestic water systems ~~((7))~~ and fire and police protection services ~~((7 transportation and public transit services, and other public utilities))~~ associated with rural development and normally not associated with urban areas. Rural services do not include storm or sanitary sewers, except as otherwise authorized by RCW 36.70A.110(4).

~~((26))~~ (32) "Short line railroad" means those railroad lines designated class II or class III by the United States surface transportation board.

~~((27))~~ (33) "Stacked flat" means dwelling units in a residential building of no more than three stories on a residential zoned lot in which each floor may be separately rented or owned.

(34) "Townhouses" means buildings that contain three or more attached single-family dwelling units that extend from foundation to roof and that have a yard or public way on not less than two sides.

(35) "Urban governmental services" or "urban services" include those public services and public facilities at an intensity historically and typically provided in cities, specifically including storm and sanitary sewer systems, domestic water systems, street cleaning services, fire and police protection services, public transit services, and other public utilities associated with urban areas and normally not associated with rural areas.

~~((28))~~ (36) "Urban growth" refers to growth that makes intensive use of land for the location of buildings, structures, and impermeable surfaces to such a degree as to be incompatible with the primary use of land for the production of food, other agricultural products, or fiber, or the extraction of mineral resources, rural uses, rural development, and natural resource lands designated pursuant to RCW 36.70A.170. A pattern of more intensive rural development, as provided in RCW 36.70A.070(5)(d), is not urban growth. When allowed to spread over wide areas, urban growth typically requires urban governmental services. "Characterized by urban growth" refers to land having urban growth located on it, or to land located in relationship to an area with urban growth on it as to be appropriate for urban growth.

~~((29))~~ (37) "Urban growth areas" means those areas designated by a county pursuant to RCW 36.70A.110.

~~((30))~~ (38) "Very low-income household" means a single person, family, or unrelated persons living together whose adjusted income is at or below fifty percent of the median household income adjusted for household size, for the county where the household is located, as reported by the United States department of housing and urban development.

~~((31))~~ (39) "Wetland" or "wetlands" means areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. Wetlands do not include those artificial wetlands intentionally created from nonwetland sites, including, but not limited to, irrigation and drainage ditches, grass-lined swales, canals, detention facilities, wastewater treatment facilities, farm ponds, and landscape amenities, or those wetlands created after July 1, 1990, that were unintentionally created as a result of the construction of a road, street, or highway. Wetlands may include those artificial wetlands intentionally created from nonwetland areas created to mitigate conversion of wetlands.

NEW SECTION. Sec. 3. A new section is added to chapter 36.70A RCW to read as follows:

(1) Except as provided in section 4 of this act, any city that is required or chooses to plan under RCW 36.70A.040 must provide by ordinance and incorporate into its development regulations, zoning regulations, and other official controls, authorization for the following:

(a) For cities with a population of at least 25,000 but less than 75,000 based on office of financial management population estimates:

(i) The development of at least two units per lot on all lots zoned predominantly for residential use;

(ii) The development of at least four units per lot on all lots zoned predominantly for residential use within one-half mile walking distance of a major transit stop or community amenity; and

(iii) The development of at least four units per lot on all lots zoned predominantly for residential use if at least one unit is affordable housing.

(b) For cities with a population of at least 75,000, or any city within a contiguous urban growth area with the largest city in a county with a population of more than 275,000, based on office of financial management population estimates:

(i) The development of at least four units per lot on all lots zoned predominantly for residential use;

(ii) The development of at least six units per lot on all lots zoned predominantly for residential use within one-quarter mile walking distance of a major transit stop or community amenity; and

(iii) The development of at least six units per lot on all lots zoned predominantly for residential use if at least two units are affordable housing.

(2)(a) To qualify for the additional units allowed under subsection (1) of this section, the applicant must commit to renting or selling the required number of units as affordable housing. The units must be maintained as affordable for a term of at least 50 years, and the property must satisfy that commitment and all required affordability and income eligibility conditions adopted by the local government under this chapter. A city must require the applicant to record a covenant or deed restriction that ensures the continuing rental of units subject to these affordability requirements consistent with the conditions in chapter 84.14 RCW for a period of no less than 50 years. The covenant or deed restriction must also address criteria and policies to maintain public benefit if the property is converted to a use other than which continues to provide for permanently affordable housing.

(b) The units dedicated as affordable must be provided in a range of sizes comparable to other units in the development. To the extent practicable, the number of bedrooms in affordable units must be in the same proportion as the number of bedrooms in units within the entire development. The affordable units must generally be distributed throughout the development and have substantially the same

functionality as the other units in the development.

(c) If a city has enacted a program under RCW 36.70A.540, the terms of that program govern to the extent they vary from the requirements of this subsection.

(3) If a city has enacted a program under RCW 36.70A.540, subsection (1) of this section does not preclude the city from requiring any development, including development described in subsection (1) of this section, to provide affordable housing, either on-site or through an in-lieu payment, nor limit the city's ability to expand such a program or modify its requirements.

(4) A city must allow at least six of the eight types of middle housing to achieve the unit density required in subsection (1) of this section. A city must also allow zero lot line short or long subdivisions where the number of lots created is equal to the unit density required in subsection (1) of this section.

(5) Any city subject to the requirements of this section:

(a) May only adopt objective development and design standards on the development of middle housing;

(b) May only apply administrative design review;

(c) Except as provided in (a) of this subsection, shall not require through development regulations any standards for middle housing that are more restrictive than those required for detached single-family residences, but may apply any objective development regulations that are required for detached single-family residences, including set-back and tree canopy and retention requirements;

(d) Shall apply to middle housing the same development permit and environmental review processes that apply to detached single-family residences, unless otherwise required by state law including, but not limited to, shoreline regulations under chapter 90.58 RCW, building codes under chapter 19.27 RCW, energy codes under chapter 19.27A RCW, or electrical codes under chapter 19.28 RCW;

(e) Shall not require off-street parking as a condition of permitting development of middle housing within one-half mile walking distance of a major transit stop;

(f) Shall not require more than one off-street parking space per unit as a condition of permitting development of middle housing on lots smaller than 6,000 square feet;

(g) Shall not require more than two off-street parking spaces per unit as a condition of permitting development of middle housing on lots greater than 6,000 square feet; and

(h) May impose a limit of two units on a residential lot of 2,000 square feet or less created through a lot split pursuant to RCW 36.70A.--- (section 2, chapter . . . (ESSB 1245), Laws of 2023).

(6) The provisions of subsection (5)(e) through (g) of this section do not apply:

(a) If a local government submits to the department an empirical study prepared by a credentialed transportation or land use planning expert that clearly demonstrates, and the department finds and certifies, that

the application of the parking limitations of subsection (5)(e) through (g) of this section for middle housing will be significantly less safe for vehicle drivers or passengers, pedestrians, or bicyclists than if the jurisdiction's parking requirements were applied to the same location for the same number of detached houses. The department must develop guidance to assist cities on items to include in the study; or

(b) To portions of cities within a one-mile radius of a commercial airport in Washington with at least 9,000,000 annual enplanements.

(7) The provisions of this section do not apply to lots designated with critical areas or their buffers as designated in RCW 36.70A.060, or to a watershed serving a reservoir for potable water if that watershed is or was listed, as of the effective date of this section, as impaired or threatened under section 303(d) of the federal clean water act (33 U.S.C. Sec. 1313(d)).

(8) Nothing in this section prohibits a city from permitting detached single-family residences.

(9) A city must comply with the requirements of this section or section 4 of this act on the latter of:

(a) Six months after its next periodic comprehensive plan update required under RCW 36.70A.130; or

(b) 12 months after a determination by the office of financial management that the city has reached a population threshold established under this section.

(10) Except for specific areas granted an implementation timeline extension under section 9 of this act, the capital facilities plan element required by RCW 36.70A.070(3) is not required to be updated to accommodate the increased housing and population capacity required by this act until the periodic comprehensive plan update required for the city under RCW 36.70A.130(5) that occurs on or after June 30, 2034.

(11) Any city that adopts development regulations consistent with the requirements of section 3 of this act shall be considered in compliance with RCW 36.70A.070(2)(f) until June 30, 2032.

NEW SECTION. Sec. 4. A new section is added to chapter 36.70A RCW to read as follows:

(1) As an alternative to the density requirements in section 3(1) of this act, a city may implement the density requirements in section 3(1) of this act for at least 75 percent of lots in the city that are primarily dedicated to single-family detached housing units.

(2) The 25 percent of lots for which the requirements of section 3(1) of this act are not implemented must include:

(a) Any areas within the city for which the department has certified an extension of the implementation timelines under section 7 of this act due to the risk of displacement;

(b) Any areas within the city for which the department has certified an extension of the implementation timelines under section 9

of this act due to a lack of infrastructure capacity;

(c) Any lots designated with critical areas or their buffers that are exempt from the density requirements as provided in section 3(7) of this act;

(d) Any portion of a city within a one-mile radius of a commercial airport with at least 9,000,000 annual enplanements that is exempt from the parking requirements under section 3(6)(b) of this act; and

(e) Any areas subject to sea level rise, increased flooding, or geological hazards over the next 100 years.

(3) The 25 percent of lots for which the requirements of section 3(1) of this act are not implemented may not include:

(a) Any areas for which the exclusion would further racially disparate impacts or result in zoning with a discriminatory effect;

(b) Any areas within one-half mile walking distance of a major transit stop or community amenity;

(c) Any areas historically covered by a covenant or deed restriction excluding racial minorities from owning property or living in the area;

(d) Any areas within one-half mile walking distance of an institution of higher learning, including a public college or university; or

(e) Any areas within one-half mile walking distance of a building, shopping center, or business area containing at least 100,000 square feet of retail space.

NEW SECTION. Sec. 5. A new section is added to chapter 36.70A RCW to read as follows:

Population associated with permits for middle housing units are exempt from the threshold of an office of financial management population projection to a county or a county population allocation to a city.

NEW SECTION. Sec. 6. A new section is added to chapter 36.70A RCW to read as follows:

(1)(a) The department is directed to provide technical assistance to cities as they implement the requirements under section 3 or 4 of this act.

(b) The department shall prioritize such technical assistance to cities demonstrating the greatest need.

(2)(a) The department shall publish model middle housing ordinances no later than six months following the effective date of this section.

(b) In any city subject to section 3 of this act that has not passed ordinances, regulations, or other official controls within the time frames provided under section 3(9) of this act, the model ordinance supersedes, preempts, and invalidates local development regulations until the city takes all actions necessary to implement section 3 or 4 of this act.

(3)(a) The department is directed to establish a process by which cities implementing the requirements of section 3 of this act may seek approval of alternative local action necessary to meet the requirements of this act.

(b) The department may approve actions under this section for cities that have, by January 1, 2023, adopted a comprehensive plan that is substantially similar to the requirements of this act and, within one year of the effective date of this section, adopts permanent development regulations that are substantially similar to the requirements of this act. In determining whether a city's adopted comprehensive plan and permanent development regulations are substantially similar, the department must find as substantially similar plans and regulations that:

(i) Result in an overall increase in housing units allowed in single-family zones that is at least 75 percent of the increase in housing units allowed in single-family zones if the specific provisions of this act were adopted;

(ii) Allow for middle housing throughout the city, rather than just in targeted locations; and

(iii) Allow for additional density near major transit stops and community amenities, and for projects that incorporate dedicated affordable housing.

(c) The department may determine that a comprehensive plan and development regulations that do not meet these criteria are otherwise substantially similar to the requirements of this act if the city can clearly demonstrate that the regulations adopted will result in a greater increase in middle housing production within single family zones than would be allowed through implementation of section 3 of this act.

(d) Any local actions approved by the department pursuant to (a) of this subsection to implement the requirements under section 3 of this act are exempt from appeals under this chapter and chapter 43.21C RCW.

(e) The department's final decision to approve or reject actions by cities implementing section 3 of this act may be appealed to the growth management hearings board by filing a petition as provided in RCW 36.70A.290.

(4) For the purpose of this section, "single-family zones" means those zones where single-family detached housing is the predominant land use.

NEW SECTION. Sec. 7. A new section is added to chapter 36.70A RCW to read as follows:

Any city choosing the alternative density requirements in section 4 of this act may apply to the department for, and the department may certify, an extension for areas at risk of displacement as determined by the antidisplacement analysis that a jurisdiction is required to complete under RCW 36.70A.070(2). The city must create a plan for implementing antidisplacement policies by their next implementation progress report required by RCW 36.70A.130(9).

Sec. 8. RCW 36.70A.280 and 2011 c 360 s 17 are each amended to read as follows:

(1) The growth management hearings board shall hear and determine only those petitions alleging either:

(a) That, except as provided otherwise by this subsection, a state agency, county, or city planning under this chapter is not in compliance with the requirements of this chapter, chapter 90.58 RCW as it relates to the adoption of shoreline master programs or amendments thereto, or chapter 43.21C RCW as it relates to plans, development regulations, or amendments, adopted under RCW 36.70A.040 or chapter 90.58 RCW. Nothing in this subsection authorizes the board to hear petitions alleging noncompliance with RCW 36.70A.5801;

(b) That the twenty-year growth management planning population projections adopted by the office of financial management pursuant to RCW 43.62.035 should be adjusted;

(c) That the approval of a work plan adopted under RCW 36.70A.735(1)(a) is not in compliance with the requirements of the program established under RCW 36.70A.710;

(d) That regulations adopted under RCW 36.70A.735(1)(b) are not regionally applicable and cannot be adopted, wholly or partially, by another jurisdiction; ((e))

(e) That a department certification under RCW 36.70A.735(1)(c) is erroneous; or

(f) That the department's final decision to approve or reject actions by a city implementing section 3 of this act is clearly erroneous.

(2) A petition may be filed only by: (a) The state, or a county or city that plans under this chapter; (b) a person who has participated orally or in writing before the county or city regarding the matter on which a review is being requested; (c) a person who is certified by the governor within sixty days of filing the request with the board; or (d) a person qualified pursuant to RCW 34.05.530.

(3) For purposes of this section "person" means any individual, partnership, corporation, association, state agency, governmental subdivision or unit thereof, or public or private organization or entity of any character.

(4) To establish participation standing under subsection (2)(b) of this section, a person must show that his or her participation before the county or city was reasonably related to the person's issue as presented to the board.

(5) When considering a possible adjustment to a growth management planning population projection prepared by the office of financial management, the board shall consider the implications of any such adjustment to the population forecast for the entire state.

The rationale for any adjustment that is adopted by the board must be documented and filed with the office of financial management within ten working days after adoption.

If adjusted by the board, a county growth management planning population projection shall only be used for the planning purposes set forth in this chapter and shall be known as the "board adjusted population projection." None of these changes shall affect the official state and county population forecasts prepared by the office of financial management, which shall

continue to be used for state budget and planning purposes.

NEW SECTION. Sec. 9. A new section is added to chapter 36.70A RCW to read as follows:

(1) Any city choosing the alternative density requirements in section 4 of this act may apply to the department for, and the department may certify, an extension of the implementation timelines established under section 3(9) of this act.

(2) An extension certified under this section may be applied only to specific areas where a city can demonstrate that water, sewer, stormwater, or fire protection services lack capacity to accommodate the density required in section 3 of this act, and the city has:

(a) Included one or more improvements, as needed, within its capital facilities plan to adequately increase capacity; or

(b) Identified which special district is responsible for providing the necessary infrastructure if the infrastructure is provided by a special purpose district.

(3) An extension granted under this section remains in effect until the earliest of:

(a) The infrastructure is improved to accommodate the capacity;

(b) The city's deadline to complete its next periodic comprehensive plan update under RCW 36.70A.130; or

(c) The city's deadline to complete its implementation progress report to the department as required under RCW 36.70A.130(9).

(4) A city that has received an extension under this section may reapply for any needed extension with its next periodic comprehensive plan update under RCW 36.70A.130 or its implementation progress report to the department under RCW 36.70A.130(9). The application for an additional extension must include a list of infrastructure improvements necessary to meet the capacity required in section 3 of this act. Such additional extension must only be to address infrastructure deficiency that a city is not reasonably able to address within the first extension.

(5) The department may establish by rule any standards or procedures necessary to implement this section.

(6) The department must provide the legislature with a list of projects identified in a city's capital facilities plan that were the basis for the extension under this section, including planning level estimates. Additionally, the city must contact special purpose districts to identify additional projects associated with extensions under this section.

(7) A city granted an extension for a specific area must allow development as provided under section 3 of this act if the developer commits to providing the necessary water, sewer, or stormwater infrastructure.

(8) No city shall approve a building permit for housing required by section 3 or 4 of this act unless the city or other water provider has sufficient water rights to supply water to serve the building.

Sec. 10. RCW 43.21C.495 and 2022 c 246 s 3 are each amended to read as follows:

(1) Adoption of ordinances, development regulations and amendments to such regulations, and other nonproject actions taken by a city to implement: The actions specified in section 2, chapter 246, Laws of 2022 unless the adoption of such ordinances, development regulations and amendments to such regulations, or other nonproject actions has a probable significant adverse impact on fish habitat; and the increased residential building capacity actions identified in RCW 36.70A.600(1), with the exception of the action specified in RCW 36.70A.600(1)(f), are not subject to administrative or judicial appeals under this chapter.

(2) Amendments to development regulations and other nonproject actions taken by a city to implement the requirements under section 3 of this act pursuant to section 6(3)(b) of this act are not subject to administrative or judicial appeals under this chapter.

Sec. 11. RCW 43.21C.450 and 2012 1st sp.s. c 1 s 307 are each amended to read as follows:

The following nonproject actions are categorically exempt from the requirements of this chapter:

(1) Amendments to development regulations that are required to ensure consistency with an adopted comprehensive plan pursuant to RCW 36.70A.040, where the comprehensive plan was previously subjected to environmental review pursuant to this chapter and the impacts associated with the proposed regulation were specifically addressed in the prior environmental review;

(2) Amendments to development regulations that are required to ensure consistency with a shoreline master program approved pursuant to RCW 90.58.090, where the shoreline master program was previously subjected to environmental review pursuant to this chapter and the impacts associated with the proposed regulation were specifically addressed in the prior environmental review;

(3) Amendments to development regulations that, upon implementation of a project action, will provide increased environmental protection, limited to the following:

(a) Increased protections for critical areas, such as enhanced buffers or setbacks;

(b) Increased vegetation retention or decreased impervious surface areas in shoreline jurisdiction; and

(c) Increased vegetation retention or decreased impervious surface areas in critical areas;

(4) Amendments to technical codes adopted by a county, city, or town to ensure consistency with minimum standards contained in state law, including the following:

(a) Building codes required by chapter 19.27 RCW;

(b) Energy codes required by chapter 19.27A RCW; and

(c) Electrical codes required by chapter 19.28 RCW.

(5) Amendments to development regulations to remove requirements for parking from development proposed to fill in an urban

growth area designated according to RCW 36.70A.110.

NEW SECTION. Sec. 12. A new section is added to chapter 36.70A RCW to read as follows:

A city that adopts development regulations that are consistent with and implement this act and RCW 35A.21.430 or 35.21.683 shall be deemed in compliance with the requirements of RCW 36.70A.070(2)(d) until June 30, 2032.

NEW SECTION. Sec. 13. A new section is added to chapter 64.34 RCW to read as follows:

A declaration created after the effective date of this section and applicable to an area within a city subject to the middle housing requirements in section 3 of this act may not actively or effectively prohibit the construction, development, or use of additional housing units as required in section 3 of this act.

NEW SECTION. Sec. 14. A new section is added to chapter 64.32 RCW to read as follows:

A declaration created after the effective date of this section and applicable to an association of apartment owners located within an area of a city subject to the middle housing requirements in section 3 of this act may not actively or effectively prohibit the construction, development, or use of additional housing units as required in section 3 of this act.

NEW SECTION. Sec. 15. A new section is added to chapter 64.38 RCW to read as follows:

Governing documents of associations within cities subject to the middle housing requirements in section 3 of this act that are created after the effective date of this section may not actively or effectively prohibit the construction, development, or use of additional housing units as required in section 3 of this act.

NEW SECTION. Sec. 16. A new section is added to chapter 64.90 RCW to read as follows:

Declarations and governing documents of a common interest community within cities subject to the middle housing requirements in section 3 of this act that are created after the effective date of this section may not actively or effectively prohibit the construction, development, or use of additional housing units as required in section 3 of this act.

NEW SECTION. Sec. 17. A new section is added to chapter 64.90 RCW to read as follows:

The department of commerce may establish by rule any standards or procedures necessary to implement this act.

NEW SECTION. Sec. 18. If specific funding for the purposes of this act,

referencing this act by bill or chapter number, is not provided by June 30, 2023, in the omnibus appropriations act, this act is null and void."

Correct the title.

Representative Senn moved the adoption of amendment (301) to the striking amendment (261):

On page 2, beginning on line 37 of the striking amendment, after "(6)" strike all material through "(7)" on page 3, line 4

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

On page 9, line 5 of the striking amendment, after "stop" strike "or community amenity"

On page 9, line 17 of the striking amendment, after "stop" strike "or community amenity"

On page 10, line 12 of the striking amendment, after "the" strike "eight" and insert "nine"

Representatives Senn and Barkis spoke in favor of the adoption of the amendment to the striking amendment.

Amendment (301) to the striking amendment (261) was adopted.

Representative Senn moved the adoption of amendment (373) to the striking amendment (261):

On page 8, line 33, after "section 4" insert ", 5, or 6"

On page 8, line 39, after "75,000" insert ", that are not within a contiguous urban growth area with the largest city in a county with a population of more than 275,000,"

On page 11, line 38, after "act" insert "and for a city implementing the alternative density requirements under section 5 of this act"

On page 13, after line 6, insert the following:

"NEW SECTION. Sec. 5. A new section is added to chapter 36.70A RCW to read as follows:

As an alternative to the density requirements in section 3(1)(b) of this act, cities with a population of less than 75,000 within a contiguous urban growth area with the largest city in a county with a population of more than 275,000, based on office of financial management population estimates, may authorize:

(1) The development of at least three units per lot on all lots zoned predominantly for residential use;

(2) The development of at least six units per lot on all lots zoned predominantly for residential use within one-half mile walking distance of a major transit stop; and

(3) The development of at least four units per lot on all lots zoned

predominantly for residential use if at least one unit is affordable housing."

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

On page 13, line 16, after "section 3" strike "or 4" and insert ", 4, or 5"

On page 13, line 28, after "section 3" strike "or 4" and insert ", 4, or 5"

Representatives Senn and Barkis spoke in favor of the adoption of the amendment to the striking amendment.

Amendment (373) to the striking amendment (261) was adopted.

Representative Pollet moved the adoption of amendment (332) to the striking amendment (261):

On page 10, beginning on line 14 of the striking amendment, after "short" strike "or long subdivisions" and insert "subdivision"

On page 12, line 30 of the striking amendment, after "(3)" strike "The" and insert "Unless identified as at higher risk of displacement under RCW 36.70A.070(g), the"

On page 12, line 38 of the striking amendment, after "area" strike ";" and insert ", as known to the city at the time of each comprehensive plan update; or"

On page 13, beginning on line 1 of the striking amendment, after "(d)" strike all material through "(e)" on line 4

Representatives Pollet and Klicker spoke in favor of the adoption of the amendment to the striking amendment.

Amendment (332) to the striking amendment (261) was adopted.

Representative Connors moved the adoption of amendment (307) to the striking amendment (261):

On page 11, line 30 of the striking amendment, after "(9)" insert "Nothing in this section requires a city to issue a building permit if other federal, state, and local requirements for a building permit are not met."
(10)"

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

Representatives Connors and Peterson spoke in favor of the adoption of the amendment to the striking amendment.

Amendment (307) to the striking amendment (261) was adopted.

Representative Pollet moved the adoption of amendment (334) to the striking amendment (261):

On page 14, beginning on line 33 of the striking amendment, after "city" strike all material through "act" on line 34

On page 14, line 35 of the striking amendment, after "extension" insert "for up to two years"

On page 14, beginning on line 37 of the striking amendment, after "RCW 36.70A.070(2)." strike all material through "RCW 36.70A.130(9)." on line 39

Representative Pollet spoke in favor of the adoption of the amendment to the striking amendment.

Representatives Klicker and Peterson spoke against the adoption of the amendment to the striking amendment.

Amendment (334) to the striking amendment (261) was not adopted.

Representative Pollet moved the adoption of amendment (333) to the striking amendment (261):

On page 16, beginning on line 17 of the striking amendment, after "city" strike all material through "act" on line 18

On page 16, line 37 of the striking amendment, after "(4)" insert "No more than 20 percent of a city's buildable residential lots subject to the minimum density requirements in sections 3 or 4 of this act may be certified for an extension due to a lack of water, sewer, stormwater, or fire protection services capacity."
(5)"

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

Representative Pollet spoke in favor of the adoption of the amendment to the striking amendment.

Representatives Klicker and Peterson spoke against the adoption of the amendment to the striking amendment.

Amendment (333) to the striking amendment (261) was not adopted.

Representative Barkis moved the adoption of amendment (299) to the striking amendment (261):

On page 17, beginning on line 19 of the striking amendment, after "housing" strike all material through "building" on line 21 and insert "under section 3 or 4 of this act without compliance with the adequate water supply requirements of RCW 19.27.097"

Representatives Barkis and Peterson spoke in favor of the adoption of the amendment to the striking amendment.

Amendment (299) to the striking amendment (261) was adopted.

The striking amendment (261), as amended, 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 Bateman, Connors, Alvarado, Barkis and Pollet 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 Engrossed Second Substitute House Bill No. 1110.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1110, and the bill passed the House by the following vote: Yeas, 75; Nays, 21; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Chopp, Christian, Corry, Cortes, Couture, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, Mena, Morgan, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rule, Ryu, Sandlin, Santos, Schmidt, Senn, Shavers, Simmons, Slatter, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Barnard, Caldier, Chambers, Chandler, Cheney, Connors, Dent, Dye, Eslick, Hutchins, Jacobson, Klicker, McClintock, McEntire, Rude, Schmick, Springer, Stearns, Steele, Walen and Walsh

Excused: Representatives Hansen and Volz

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1110, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1589, by Representatives Doglio, Fitzgibbon, Berry, Alvarado, Bateman, Ramel, Peterson, Lekanoff, Hackney, Macri and Kloba

Supporting Washington's clean energy economy and transitioning to a clean, affordable, and reliable energy future.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1589 was substituted for House Bill No. 1589 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1589 was read the second time.

Representative Doglio moved the adoption of the striking amendment (340):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) The legislature finds that the state's gas and electrical companies face transformational change brought on by new technology, emerging opportunities for customers, and state clean energy laws. Chapter 19.405 RCW, the Washington clean energy transformation act, and chapter 70A.65 RCW, the Washington climate commitment act, mean these companies must find innovative and creative solutions to equitably serve their customers, provide clean energy, reduce emissions, and keep rates fair, just, reasonable, and sufficient.

(2) Gas companies with over 500,000 customers that are also electrical companies, or combination utilities, play an important role in providing affordable and reliable heating and other energy services, and in leading the implementation of state climate policies. As the state transitions

to cleaner sources of energy, combination utilities are an important partner in helping their customers make smart energy choices, and actively supporting the replacement of fossil fuel-based space and water heating equipment and other fossil fuel-based equipment with high-efficiency nonemitting equipment. Programs to accelerate the adoption of efficient, nonemitting appliances have the potential to allow combination utilities to optimize the use of energy infrastructure, improve the management of energy loads, better manage the integration of variable renewable energy resources, reduce greenhouse gas emissions from the buildings sector, mitigate the environmental impacts of utility operations and power purchases, and improve health outcomes for occupants. Legislative clarity is important for utilities to offer programs and services, including incentives, in the decarbonization of homes and buildings for their customers.

(3) In order to meet the statewide greenhouse gas limits in the energy sectors of the economy, more resources must be directed toward achieving decarbonization of residential and commercial heating loads and other loads that are served with fossil fuels, while continuing to protect customers, especially low-income customers and vulnerable communities. The legislature finds that regulatory innovation may be needed to remove barriers that combination utilities may face to meet the state's public policy objectives and expectations. The enactment of chapter 188, Laws of 2021 (Engrossed Substitute Senate Bill No. 5295) began that regulatory transition from traditional cost-of-service regulation, with investor-owned gas and electrical companies using forward-looking multiyear rate plans and taking steps toward performance-based regulation. These steps are intended to provide certainty and stability to both customers and to investor-owned gas and electrical companies, aligning public policy objectives with investments, safety, and reliability.

(4) The legislature finds that as Washington transitions to 100 percent clean electricity and as the state implements the Washington climate commitment act, switching from fossil fuel-based heating equipment and other fossil fuel-based appliances to high-efficiency nonemitting equipment will reduce climate impacts and fuel price risks for customers in the long term. This new paradigm requires a thoughtful transition to decarbonize the energy system to ensure that customers are protected, are not subject to sudden price shocks, and continue to receive needed energy services. This transition will require careful and integrated planning across utilities and with customers as well as new regulatory tools.

(5) It is the intent of the legislature to require combination utilities to decarbonize their systems by: (a) Prioritizing efficient and cost-effective measures to transition customers off of the direct use of fossil fuels at the lowest reasonable cost to customers; (b) investing in the energy supply, storage, delivery, and demand-side resources that will be needed to serve any increase in electrical demand

affordably and reliably; (c) maintaining safety and reliability as the gas system undergoes transformational changes; (d) integrating zero-carbon and carbon-neutral fuels to serve high heat and industrial loads where electrification may not be technically feasible; (e) managing peak demand of the electric system; and (f) ensuring an equitable distribution of benefits to, and reduction of burdens for, overburdened communities that have historically been underserved by utility energy efficiency programs, and may be disproportionately impacted by rising fuel and equipment costs or experience high energy burden.

(6) It is the intent of the legislature to support this transition by adopting requirements for combination utilities to conduct integrated system planning to develop specific actions supporting gas system decarbonization and electrification.

Sec. 2. RCW 80.28.010 and 2011 c 214 s 11 are each amended to read as follows:

(1) All charges made, demanded, or received by any gas company, electrical company, wastewater company, or water company for gas, electricity or water, or for any service rendered or to be rendered in connection therewith, shall be just, fair, reasonable and sufficient. Reasonable charges necessary to cover the cost of administering the collection of voluntary donations for the purposes of supporting the development and implementation of evergreen community management plans and ordinances under RCW 80.28.300 must be deemed as prudent and necessary for the operation of a utility.

(2)(a) Every gas company, electrical company, wastewater company, and water company shall furnish and supply such service, instrumentalities and facilities as shall be safe, adequate and efficient, and in all respects just and reasonable.

(b) No large gas company that serves more than 500,000 retail natural gas customers in the state of Washington on June 30, 2023, may furnish or supply gas service, instrumentalities, and facilities to any commercial or residential location that did not receive gas service or did not file applications for gas service as of June 30, 2023.

(c) The prohibition in (b) of this subsection does not apply to facilities engaged in one or more manufacturing processes described by North American industry classification system codes beginning with 31, 32, or 33.

(d) The prohibition in (b) of this subsection does not apply to the following facilities until January 1, 2040:

(i) Facilities with building occupancies classified as institutional I-2 (medical care facilities) or I-3 (correctional facilities) pursuant to the international building code, that are required by federal or state regulation to have redundant emergency backup power generation systems; and

(ii) Facilities owned or operated by the United States department of defense that utilize reciprocating internal combustion

engine generators that support energy resilience, energy security, and energy efficiency initiatives.

(3) All rules and regulations issued by any gas company, electrical company, wastewater company, or water company, affecting or pertaining to the sale or distribution of its product or service, must be just and reasonable.

(4) Utility service for residential space heating shall not be terminated between November 15th through March 15th if the customer:

(a) Notifies the utility of the inability to pay the bill, including a security deposit. This notice should be provided within five business days of receiving a payment overdue notice unless there are extenuating circumstances. If the customer fails to notify the utility within five business days and service is terminated, the customer can, by paying reconnection charges, if any, and fulfilling the requirements of this section, receive the protections of this chapter;

(b) Provides self-certification of household income for the prior twelve months to a grantee of the department of commerce, which administers federally funded energy assistance programs. The grantee shall determine that the household income does not exceed the maximum allowed for eligibility under the state's plan for low-income energy assistance under 42 U.S.C. 8624 and shall provide a dollar figure that is seven percent of household income. The grantee may verify information provided in the self-certification;

(c) Has applied for home heating assistance from applicable government and private sector organizations and certifies that any assistance received will be applied to the current bill and future utility bills;

(d) Has applied for low-income weatherization assistance to the utility or other appropriate agency if such assistance is available for the dwelling;

(e) Agrees to a payment plan and agrees to maintain the payment plan. The plan will be designed both to pay the past due bill by the following October 15th and to pay for continued utility service. If the past due bill is not paid by the following October 15th, the customer is not eligible for protections under this chapter until the past due bill is paid. The plan may not require monthly payments in excess of seven percent of the customer's monthly income plus one-twelfth of any arrearage accrued from the date application is made and thereafter during November 15th through March 15th. A customer may agree to pay a higher percentage during this period, but shall not be in default unless payment during this period is less than seven percent of monthly income plus one-twelfth of any arrearage accrued from the date application is made and thereafter. If assistance payments are received by the customer subsequent to implementation of the plan, the customer shall contact the utility to reformulate the plan; and

(f) Agrees to pay the moneys owed even if he or she moves.

(5) The utility shall:

(a) Include in any notice that an account is delinquent and that service may be subject to termination, a description of the customer's duties in this section;

(b) Assist the customer in fulfilling the requirements under this section;

(c) Be authorized to transfer an account to a new residence when a customer who has established a plan under this section moves from one residence to another within the same utility service area;

(d) Be permitted to disconnect service if the customer fails to honor the payment program. Utilities may continue to disconnect service for those practices authorized by law other than for nonpayment as provided for in this subsection. Customers who qualify for payment plans under this section who default on their payment plans and are disconnected can be reconnected and maintain the protections afforded under this chapter by paying reconnection charges, if any, and by paying all amounts that would have been due and owing under the terms of the applicable payment plan, absent default, on the date on which service is reconnected; and

(e) Advise the customer in writing at the time it disconnects service that it will restore service if the customer contacts the utility and fulfills the other requirements of this section.

(6) A payment plan implemented under this section is consistent with RCW 80.28.080.

(7) Every gas company and electrical company shall offer residential customers the option of a budget billing or equal payment plan. The budget billing or equal payment plan shall be offered low-income customers eligible under the state's plan for low-income energy assistance prepared in accordance with 42 U.S.C. 8624(C)(1) without limiting availability to certain months of the year, without regard to the length of time the customer has occupied the premises, and without regard to whether the customer is the tenant or owner of the premises occupied.

(8) Every gas company, electrical company, wastewater company, and water company shall construct and maintain such facilities in connection with the manufacture and distribution of its product, or provision of its services, as will be efficient and safe to its employees and the public.

(9) An agreement between the customer and the utility, whether oral or written, does not waive the protections afforded under this chapter.

(10) In establishing rates or charges for water service, water companies as defined in RCW 80.04.010 may consider the achievement of water conservation goals and the discouragement of wasteful water use practices.

Sec. 3. RCW 80.28.110 and 2021 c 65 s 97 are each amended to read as follows:

~~(Every)~~ Except for a large gas company pursuant to RCW 80.28.010(2)(b), every gas company, electrical company, wastewater company, or water company, engaged in the sale and distribution of gas, electricity or water or the provision of wastewater company

services, shall, upon reasonable notice, furnish to all persons and corporations who may apply therefor and be reasonably entitled thereto, suitable facilities for furnishing and furnish all available gas, electricity, wastewater company services, and water as demanded, except that a water company may not furnish water contrary to the provisions of water system plans approved under chapter 43.20 or 70A.100 RCW and wastewater companies may not provide services contrary to the approved general sewer plan.

NEW SECTION. Sec. 4. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Alternative energy resource" means biogas, renewable natural gas, renewable syngas, renewable hydrogen, carbon dioxide removal, carbon-free district energy, any electrification programs approved as part of an electrification plan pursuant to section 5 of this act, and any carbon-neutral fuel as defined in statute.

(2) "Carbon dioxide equivalent" has the same meaning as defined in RCW 70A.65.010.

(3) "Carbon-free district energy" means a network of hot water pipes and cold water pipes used to provide thermal energy to multiple buildings that does not result in the emissions of greenhouse gases.

(4) "Combination utility" means a public service company that is both an electrical company and a large gas company that serves more than 800,000 retail electric customers and 500,000 retail natural gas customers in the state of Washington as of June 30, 2023.

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

(6) "Cost-effective" means that a project or resource is forecast:

(a) To be reliable and available within the time it is needed; and

(b) To reduce greenhouse gas emissions and meet or reduce the energy demand or supply an equivalent level of energy service to the intended customers at an estimated incremental system cost no greater than that of the least-cost similarly reliable and available alternative project or resource, or any combination thereof, including the cost of compliance with chapter 70A.65 RCW, based on the forward allowance ceiling price of allowances approved by the department of ecology under RCW 70A.65.160.

(7) "Costs of greenhouse gas emissions" means the costs of greenhouse gas emissions established in RCW 80.28.395.

(8) "Electrical company" has the same meaning as provided in RCW 80.04.010.

(9)(a) "Electrification" means the installation of electric end-use equipment.

(b) Electrification programs may include, but are not limited to, programs that facilitate the installation of electric air-source heat pumps with gas backups in existing buildings. However, electric air-source heat pumps with gas backups may not be part of any plan filed after 2030.

(10) "Emissions baseline" means the actual cumulative greenhouse gas emissions of a combination utility, calculated pursuant to chapter 70A.65 RCW, for the

five-year period beginning January 1, 2015, and ending December 31, 2019.

(11) "Emissions reduction period" means one of five periods of five calendar years each, with the five periods beginning on January 1st of calendar years 2030, 2035, 2040, 2045, and 2050, respectively.

(12) "Emissions reduction target" means a targeted reduction of projected cumulative greenhouse gas emissions of a combination utility approved by the commission for an emissions reduction period that is at least as stringent as the limits established in RCW 70A.45.020.

(13) "Gas company" has the same meaning as provided in RCW 80.04.010.

(14) "Greenhouse gas" has the same meaning as provided in RCW 70A.45.010.

(15) "Low-income" has the same meaning as provided in RCW 19.405.020.

(16) "Multiyear rate plan" means a multiyear rate plan of a gas company filed with the commission pursuant to RCW 80.28.425.

(17) "Natural gas" has the same meaning as provided in RCW 19.405.020.

(18) "Overburdened community" has the same meaning as provided in RCW 70A.65.010.

(19) "Renewable hydrogen" has the same meaning as provided in RCW 19.405.020.

(20) "Renewable natural gas" has the same meaning as provided in RCW 19.405.020.

(21) "Renewable resource" has the same meaning as provided in RCW 19.405.020.

(22) "System cost" means an estimate of all direct costs of a project or resource over its effective life including, if applicable: The costs of transmission and distribution to the customers; waste disposal costs; permitting, siting, mitigation, and end-of-cycle decommissioning and remediation costs; fuel costs, including projected increases; resource integration and balancing costs; and such quantifiable environmental costs and benefits and other energy and nonenergy benefits as are directly attributable to the project or resource, including flexibility, resilience, reliability, greenhouse gas emissions reductions, and air quality.

NEW SECTION. Sec. 5. (1) The legislature finds that utilities are subject to a range of reporting and planning requirements as part of the clean energy transition. To reduce regulatory barriers, achieve equitable and transparent outcomes, and integrate planning requirements, the commission may consolidate planning requirements into a single integrated system plan that is approved by the commission.

(a) By September 1, 2023, the commission shall initiate a process to consolidate planning requirements and to waive any commission rules necessary to facilitate an integrated system plan.

(b) The commission shall issue a notice and request for comment and shall hold a public comment hearing.

(c) In its order approving the consolidation of planning requirements, the commission shall include a compliance checklist and shall provide any additional guidance that is necessary to ensure that the integrated system plan meets the minimum

requirements of all relevant statutes and rules.

(2) Subject to approval by the commission pursuant to subsection (1) of this section, by January 1, 2026, and every four years thereafter, a combination utility shall file an integrated system plan demonstrating how the combination utility plans to:

(a) Achieve its obligations under chapters 19.280, 19.405, 19.285, and 70A.65 RCW, RCW 80.28.380, and existing pipeline safety and replacement plans;

(b) Achieve gas utility and electric utility emissions reductions equal to their proportional share of emissions reductions required under RCW 70A.45.020;

(c) Maximize investments of revenues generated from consoling allowances pursuant to chapter 70A.65 RCW in programs that incentivize a transition to electric heat pumps and other electric appliances, conservation and efficiency services, and other programs that aid in the transition from the direct use of fossil fuels; and

(d) Comply with any other obligations under applicable rules, regulations, or laws.

(3) In addition, an integrated system plan filed pursuant to this section must:

(a) Include an emissions reduction target;

(b) Present and evaluate a range of resource portfolios and proposed programs to advance clean energy and gas decarbonization measures for customers that align with achieving the gas utility's proportional share of emissions reductions required under RCW 70A.45.020. At a minimum, the range of resource portfolios presented and evaluated by a combination utility must include:

(i) A portfolio of resources that uses cost-effective alternative energy resources to the maximum practicable extent, which may include leak reductions approved by the commission, and that meets the identified emissions reduction targets;

(ii) Other portfolios requested by stakeholders;

(iii) Other portfolios at the combination utility's discretion; and

(iv) Other portfolios as directed by the commission;

(c) Include programs targeted to low-income customers, vulnerable populations, and overburdened communities;

(d) Include outreach plans for engagement with all customers, but prioritizing low-income customers, vulnerable populations, and overburdened communities to develop programs to support those customers in every phase of the programs in the combination utility's integrated system plan, including through incentives offered to multifamily buildings occupied in full or in part by low-income households;

(e) Prioritize investments that benefit, and reduce burdens to, low-income customers, vulnerable populations, and overburdened communities;

(f) Prioritize investments in energy efficiency, demand response, and energy conservation measures, which must achieve at least:

(i) Two percent of electric load annually with conservation and energy efficiency

resources, unless the commission finds that a higher target is cost-effective; and

(ii) Annual demand response equal to or greater than 10 percent of winter and summer peak electric demand, unless the commission finds that a higher target is cost-effective;

(g) Set forth specific actions that the combination utility will take to reduce greenhouse gas emissions to meet the emissions reduction target;

(h) Quantify projected cumulative greenhouse gas emissions reductions for each emissions reduction period resulting from each portfolio presented in the integrated system plan;

(i) Propose program budgets resulting from each portfolio presented in the integrated system plan;

(j) Quantify the cost of implementing each portfolio presented in the integrated system plan;

(k) Project annual greenhouse gas emissions reductions that would result if each portfolio presented in the integrated system plan were extended through 2050;

(l) Describe the effects of the specific actions and investments of each portfolio presented in the integrated system plan on the safety, reliability, and resilience of the combination utility's energy service;

(m) Identify potential changes to depreciation schedules or other actions to align the combination utility's cost recovery with state laws, including reducing greenhouse gas emissions, minimizing costs, and minimizing risks to the combination utility and its customers;

(n) Explain the combination utility's analysis of the costs and benefits of an array of alternatives, including the costs of greenhouse gas emissions in the cost-benefit calculations;

(o) Describe the monitoring and verification methodology to be used in reporting; and

(p) Include any other information required by the commission.

(4) The commission must approve, reject, or approve with conditions the integrated system plan within 12 months of receiving the final plan. Once approved, a combination utility may include an integrated system plan in a proposal for a multiyear rate plan.

(a) In determining whether to approve the plan, the commission must evaluate whether the plan is in the public interest. This evaluation includes, but is not limited to, a consideration of:

(i) The equitable distribution of energy benefits and reduction of burdens to vulnerable populations and highly impacted communities;

(ii) Long-term and short-term public health, economic, and environmental benefits and the reduction of costs and risks; and

(iii) Energy security and resiliency.

(b) In evaluating whether a proposed integrated system plan is in the public interest, the commission shall take into account the following factors:

(i) Whether the specific actions in the integrated system plan achieve reductions in greenhouse gas emissions for each emissions reduction period;

(ii) Whether the integrated system plan demonstrates progress toward meeting the emissions reduction targets;

(iii) Whether investments in the integrated system plan prioritize serving low-income customers, vulnerable populations, and overburdened communities;

(iv) Whether the integrated system plan and the proposed actions in the plan are cost-effective and how the integrated system plan is likely to result in a reasonable cost to customers, where cost-effectiveness is defined in subsection (5) of this section;

(v) Whether the integrated system plan maintains system reliability and reduces long-term costs and risks to customers; and

(vi) Whether the integrated system plan will lead to new construction career opportunities and prioritizes a transition of natural gas and electricity utility workers to perform work on construction and maintenance of new and existing renewable energy infrastructure.

(5) The commission shall establish by rule a cost-effectiveness test for emissions reduction measures taken by combination utilities to comply with state clean energy and climate policies.

(a) The cost-effectiveness test must be used for the purpose of determining cost-effectiveness of decarbonization measures taken, at the portfolio level, by a combination utility under this chapter, and for any other purpose determined by the commission by rule.

(b) In evaluating the cost-effectiveness of gas decarbonization measures within the integrated system plan, a combination utility shall apply a risk reduction premium that shall account for: (i) The most recent allowance ceiling price approved by the department of ecology pursuant to the climate commitment act, chapter 70A.65 RCW; or (ii) a forward price index for allowance prices approved by the department of ecology. For the purpose of this chapter, the risk reduction premium is necessary to ensure that a combination utility is making appropriate long-term investments to mitigate against the allowance and fuel price risks to customers of the combination utility.

(c) The commission may approve, or amend and approve, an integrated system plan that exceeds the cost-effectiveness test and risk reduction premium requirements identified in this subsection only if it finds that the plan is in the public interest, costs to customers are reasonable, the plan includes mitigation of rate increases for low-income customers, and the benefits of the plan, including the costs of greenhouse gas emissions, exceed the costs.

(6) The commission shall determine the appropriate, cost-effective cost recovery mechanisms for a combination utility to meet its integrated system plan including, but not limited to:

(a) The majority of total capacity and energy necessary to meet the requirements of chapter 19.405 RCW to be supplied from resources owned and operated by the combination utility or an affiliate of the combination utility;

(b) A performance incentive mechanism;

(c) A return on generation assets and generation under contract based on the combination utility's authorized return on equity;

(d) A higher rate of return on certain electric assets including, but not limited to, microgrids, electric vehicle charging infrastructure, advanced metering infrastructure, new substations or distribution lines, and transmission upgrades; and

(e) A return on power purchase agreements that is no less than the authorized cost of debt and no greater than the authorized rate of return of the combination company, multiplied by the operating expense incurred by the combination utility under the power purchase agreement.

NEW SECTION. Sec. 6. (1) A combination utility must include the following in calculating its emissions baseline and projected cumulative emissions for an emissions reduction period, consistent with chapter 173-441 WAC:

(a) Methane leaked from the transportation and delivery of gas from the gas distribution and service pipelines from the city gate to customer end use;

(b) Greenhouse gas emissions resulting from the combustion of gas by customers not otherwise subject to federal greenhouse gas emissions reporting and excluding all transport customers; and

(c) Emissions of methane resulting from leakage from delivery of gas to other gas companies.

(2) In calculating an emissions reduction target, a combination utility must show its emissions baseline and projected cumulative greenhouse gas emissions for the applicable emissions reduction period separately and must show that the total emissions reductions are projected to make progress toward the achievement of the emissions reduction targets identified in the applicable integrated system plan. The final calculation must be presented on a carbon dioxide equivalent basis.

(3) All emissions are metric tons of carbon dioxide equivalent as reported to the federal environmental protection agency pursuant to 40 C.F.R. 98, either subpart W (methane) or subpart NN (carbon dioxide), or successor reporting requirements.

NEW SECTION. Sec. 7. (1) In any multiyear rate plan filed by a combination utility pursuant to RCW 80.28.425, the commission must adopt depreciation schedules for any gas plant in service as of the effective date of the depreciation schedules of the multiyear rate plan such that the incremental depreciation for each year of such a multiyear rate plan resulting from the depreciation is equal to one percent of the gas revenue requirement for the preceding year.

(2) After the approval of an integrated system plan, the combination utility may propose a merger of the rate bases supporting gas and electric operations of the combination utility into a single energy rate base and the adoption of rates for electric and gas service that support the

recovery of such a merged energy rate base. The commission may approve the merger of electric and gas rate bases if the commission finds that the proposal will result in a net benefit to customers of the combination utility.

(3) For a combination utility that has merged gas and electricity rate bases, the combination utility must monetize benefits from any applicable federal and state tax incentives for the benefit of customers. These benefits must be separately accounted for and amortized on a schedule designed to mitigate the rate impacts to customers after the rate bases are combined. These credits may not be used for any other purpose.

NEW SECTION. Sec. 8. (1) For any project in a decarbonization or targeted electrification plan of a combination utility that is part of a competitive solicitation and with a cost of more than \$10,000,000, the combination utility must certify to the commission that any work associated with such a project will be constructed by a prime contractor and its subcontractors in a way that includes community workforce agreements or project labor agreements and the payment of area standard prevailing wages and apprenticeship utilization requirements, provided the following apply:

(a) The combination utility and the prime contractor and all of its subcontractors, regardless of tier, have the absolute right to select any qualified and responsible bidder for the award of contracts on a specified project without reference to the existence or nonexistence of any agreements between such a bidder and any party to such a project labor agreement, and only when such a bidder is willing, ready, and able to become a party to, signs a letter of assent, and complies with such an agreement or agreements, should it be designated the successful bidder; and

(b) It is understood that this is a self-contained, stand-alone agreement, and that by virtue of having become bound to such an agreement or agreements, neither the prime contractor nor the subcontractors are obligated to sign any other local, area, or national agreement.

(2) Nothing in this section supersedes RCW 19.28.091 or 19.28.261 or chapter 49.17 RCW, without regard to project cost.

NEW SECTION. Sec. 9. Electrical companies, municipal electric utilities, public utility districts, irrigation districts, cooperatives, and mutual corporations providing retail electric service are encouraged to:

(1) Work with large gas companies providing gas service within their service areas to identify opportunities for electrification and the provision of energy peaking service by the large gas company;

(2) Account for the costs of greenhouse gas emissions, set total energy savings and greenhouse gas emissions reduction goals, and develop and implement electrification programs in collaboration with large gas companies providing gas service in service areas; and

(3) Include an electrification plan or transportation electrification program as part of collaboration with large gas companies.

NEW SECTION. **Sec. 10.** This chapter may be known and cited as the Washington decarbonization act for large combination utilities.

NEW SECTION. **Sec. 11.** Sections 4 through 10 of this act constitute a new chapter in Title 80 RCW.

NEW SECTION. **Sec. 12.** 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. 13.** This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

Correct the title.

Representatives Doglio and Dye spoke in favor of the adoption of the striking amendment.

The striking amendment (340) 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.

Representative Doglio spoke in favor of the passage of the bill.

Representatives Dye, Abbarno, Couture, Chambers, Klicker, Schmick, Christian, McEntire, Corry, Dent, Orcutt, Connors, Walsh, Ybarra, Harris, Barnard and Wilcox spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1589.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1589, and the bill passed the House by the following vote: Yeas, 52; Nays, 44; Absent, 0; Excused, 2

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Stearns, Stonier, Street, Taylor, Thai, Timmons, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Chandler, Chapman, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Rule, Sandlin, Schmick, Schmidt, Springer, Steele, Stokesbary, Tharinger, Walen, Walsh, Waters, Wilcox and Ybarra

Excused: Representatives Hansen and Volz

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1589, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1055, by Representatives Stokesbary, Ormsby, Leavitt, Simmons, Goodman, Lekanoff, Rule, Robertson, Bronoske, Bergquist and Davis

Concerning public safety employees' retirement plan membership for public safety telecommunicators.

The bill was read the second time.

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

Representatives Stokesbary, Ormsby and Griffey 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 House Bill No. 1055.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1055, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Hansen and Volz

HOUSE BILL NO. 1055, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1712, by Representatives Schmick and Chapman

Protecting workers displaced due to finfish aquaculture facility closure.

The bill was read the second time.

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

Representatives Schmick and Berry 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 House Bill No. 1712.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1712, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier,

Callan, Chambers, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Hansen and Volz

HOUSE BILL NO. 1712, having received the necessary constitutional majority, was declared passed.

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

MOTIONS

There being no objection, the Committee on Rules was relieved of the following bills and the bills were placed on the second reading calendar:

HOUSE BILL NO. 1052
 HOUSE BILL NO. 1084
 HOUSE BILL NO. 1151
 HOUSE BILL NO. 1197
 HOUSE BILL NO. 1201
 HOUSE BILL NO. 1209
 HOUSE BILL NO. 1244
 HOUSE BILL NO. 1275
 HOUSE BILL NO. 1303
 HOUSE BILL NO. 1332
 HOUSE BILL NO. 1362
 HOUSE BILL NO. 1455
 HOUSE BILL NO. 1684
 HOUSE BILL NO. 1764
 HOUSE BILL NO. 1789
 HOUSE BILL NO. 1829
 HOUSE BILL NO. 1833
 HOUSE BILL NO. 1168
 HOUSE BILL NO. 1715

There being no objection, HOUSE BILL NO. 1714 was moved from the House Suspension Calendar to the House Second Reading Calendar.

There being no objection, the House adjourned until 9:00 a.m., Tuesday, March 7, 2023, the 58th Day of the 2023 Regular Session.

LAURIE JINKINS, Speaker

BERNARD DEAN, Chief Clerk

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