

**SIXTIETH DAY****MORNING SESSION**Senate Chamber, Olympia  
Thursday, March 10, 2016

The Senate was called to order at 11:00 o'clock a.m. by the President of the Senate, Lt. Governor Owen presiding.

The Secretary called the roll and announced to the President that all Senators were present.

The Sergeant at Arms Color Guard consisting of Pages Mr. Kristian Pitts and Miss Myra J. Kalich, presented the Colors.

The prayer was offered by Senator Rolfes.

**MOTION**

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

**MOTION**

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

**REPORTS OF STANDING COMMITTEES**

March 9, 2016

**SB 6328** Prime Sponsor, Senator Dammeier: Concerning vapor products in respect to provisions concerning certain child-resistant packaging, definitions related to "vapor product," signage requirements prohibiting vapor product sales to minors, prohibition of the purchase and possession of vapor products by minors, the liquor and cannabis board's enforcement authority over vapor products, preemption of certain local regulation of vapor products, and a requirement for vendor-assisted sales of vapor products in retail establishments. Reported by Committee on Ways & Means

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Hill, Chair; Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Hewitt; O'Ban; Padden; Parlette; Pedersen; Rolfes; Schoesler and Warnick.

Passed to Committee on Rules for second reading.

March 9, 2016

**SHB 2334** Prime Sponsor, Committee on Finance: Concerning the excise taxation of martial arts. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Hill, Chair; Braun, Vice Chair; Dammeier, Vice Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Bailey; Brown; Conway; Nelson; O'Ban; Parlette; Pedersen; Rolfes and Warnick.

MINORITY recommendation: Do not pass. Signed by

Senator Schoesler.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Honeyford, Vice Chair, Capital Budget Chair; Ranker, Ranking Minority Member, Operating and Billig.

Passed to Committee on Rules for second reading.

March 9, 2016

**2SHB 2839** Prime Sponsor, Committee on Appropriations: Providing a sales and use tax exemption for certain new building construction to be used by maintenance repair operators for airplane repair and maintenance. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Hill, Chair; Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Brown; Hewitt; O'Ban; Schoesler and Warnick.

MINORITY recommendation: Do not pass. Signed by Senators Hargrove, Ranking Member; Billig; Darneille; Hasegawa; Nelson; Pedersen and Rolfes.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Conway and Parlette.

Passed to Committee on Rules for second reading.

March 9, 2016

**SHB 2985** Prime Sponsor, Committee on Capital Budget: Excluding certain school facilities from the inventory of educational space for determining eligibility for state assistance for common school construction. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Hill, Chair; Braun, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Darneille; Hasegawa; Hewitt; Nelson; O'Ban; Padden; Parlette; Pedersen; Rolfes; Schoesler and Warnick.

Passed to Committee on Rules for second reading.

**MOTION**

On motion of Senator Fain, and without objection, all measures listed on the Standing Committee report were referred to the committee as designated.

**SIGNED BY THE PRESIDENT**

Pursuant to Article 2, Section 32 of the State Constitution and Senate Rule 1(5), the President announced the signing of and thereupon did sign in open session:

SENATE BILL NO. 5180,  
 ENGROSSED SENATE BILL NO. 6349,  
 ENGROSSED SENATE BILL NO. 6413.

Senator Fraser announced that there would be a Democratic Caucus immediately upon going at ease.

MOTION

At 11:08 a.m., on motion of Senator Fain, and without objection, the Senate was declared to be at ease subject to the call of the President.

---

AFTERNOON SESSION

---

The Senate was called to order at 12:04 p.m. by the President of the Senate, Lt. Governor Owen presiding.

MOTION

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

MESSAGE FROM THE HOUSE

March 10, 2016

MR. PRESIDENT:

The House passed ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6194 with the following amendment(s): 6194-S2.E AMH ENGR H4714.E

Strike everything after the enacting clause and insert the following:

**"PART I  
 CHARTER PUBLIC SCHOOLS**

**Sec. 101.** RCW 28A.710.010 and 2013 c 2 s 201 are each reenacted and amended to read as follows:

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

(1) "Applicant" means a nonprofit corporation that has submitted an application to an authorizer. The nonprofit corporation must be either a public benefit nonprofit corporation as defined in RCW 24.03.490, or a nonprofit corporation as defined in RCW 24.03.005 that has applied for tax exempt status under section 501(c)(3) of the internal revenue code of 1986 (26 U.S.C. Sec. 501(c)(3)). The nonprofit corporation may not be a sectarian or religious organization and must meet all of the requirements for a public benefit nonprofit corporation before receiving any funding under RCW 28A.710.220.

(2) "At-risk student" means a student who has an academic or economic disadvantage that requires assistance or special services to succeed in educational programs. The term includes, but is not limited to, students who do not meet minimum standards of academic proficiency, students who are at risk of dropping out of high school, students in chronically low-performing schools, students with higher than average disciplinary sanctions, students with lower participation rates in advanced or gifted programs, students who are limited in English proficiency, students who are members of economically disadvantaged families, and students who are identified as having special educational needs.

(3) "Authorizer" means ((an entity)) the commission established in RCW 28A.710.070 or a school district approved under RCW 28A.710.090 to review, approve, or reject charter school applications; enter into, renew, or revoke charter contracts

with applicants; and oversee the charter schools the entity has authorized.

(4) "Charter contract" means a fixed term, renewable contract between a charter school and an authorizer that outlines the roles, powers, responsibilities, and performance expectations for each party to the contract.

(5) "Charter school" or "((public)) charter public school" means a public school that is established in accordance with this chapter, governed by a charter school board, and operated according to the terms of a charter contract executed under this chapter ((and includes a new charter school and a conversion charter school)).

(6) "Charter school board" means the board of directors appointed or selected under the terms of a charter application to manage and operate the charter school.

(7) "Commission" means the Washington state charter school commission established in RCW 28A.710.070.

(8) ("Conversion charter school" means a charter school created by converting an existing noncharter public school in its entirety to a charter school under this chapter.

(9) "New charter school" means any charter school established under this chapter that is not a conversion charter school.

(10)) "Parent" means a parent, guardian, or other person or entity having legal custody of a child.

((11)) (9) "Student" means ((any)) a child eligible ((under RCW 28A.225.160)) to attend a public school in the state.

**Sec. 102.** RCW 28A.710.020 and 2013 c 2 s 202 are each reenacted and amended to read as follows:

A charter school established under this chapter:

(1) Is a public((, common)) school that is:

(a) Open to all children free of charge and by choice; and

(b) Operated separately from the common school system as an alternative to traditional common schools;

(2) ((Is a public, common school offering)) May offer any program or course of study that ((a noncharter)) any other public school may offer, including one or more of grades kindergarten through twelve;

(3) Is governed by a charter school board according to the terms of a renewable, five-year charter contract executed under RCW 28A.710.160;

(4) ((Is a public school to which parents choose to send their children;

(5))) Functions as a local education agency under applicable federal laws and regulations and is responsible for meeting the requirements of local education agencies and public schools under those federal laws and regulations, including but not limited to compliance with the individuals with disabilities education improvement act (20 U.S.C. Sec. 1401 et seq.), the federal educational rights and privacy act (20 U.S.C. Sec. 1232g), the McKinney-Vento homeless assistance act of 1987 (42 U.S.C. Sec. 11431 et seq.), and the elementary and secondary education act (20 U.S.C. Sec. 6301 et seq.).

**Sec. 103.** RCW 28A.710.030 and 2013 c 2 s 203 are each reenacted and amended to read as follows:

(1) To ((carry out)) fulfill its duty to manage and operate the charter school, and ((carry out)) to execute the terms of its charter contract, a charter school board may:

(a) Hire, manage, and discharge ((any)) charter school employees in accordance with the terms of this chapter and ((that)) the school's charter contract;

(b) Receive and disburse funds for the purposes of the charter school;

(c) Enter into contracts with any school district, educational service district, or other public or private entity for the provision of real property, equipment, goods, supplies, and services, including educational instructional services ((and including)),

SIXTIETH DAY, MARCH 10, 2016

2016 REGULAR SESSION

pupil transportation services, and for the management and operation of the charter school ((to the same extent as other noncharter public schools, as long as)), provided the charter school board maintains oversight authority over the charter school. Contracts for management operation of the charter school may only be with nonprofit organizations;

(d) Rent, lease, purchase, or own real property. All charter contracts and contracts with other entities must include provisions regarding the disposition of the property if the charter school fails to open as planned or closes, or if the charter contract is revoked or not renewed;

(e) Issue secured and unsecured debt, including pledging, assigning, or encumbering its assets to be used as collateral for loans or extensions of credit to manage cash flow, improve operations, or finance the acquisition of real property or equipment((: PROVIDED, That)). However, the ((public)) charter public school may not pledge, assign, or encumber any public funds received or to be received pursuant to RCW 28A.710.220. ((The)) Debt issued under this subsection (1)(e) is not a general, special, or moral obligation of the state, the charter school authorizer, the school district in which the charter school is located, or any other political subdivision or agency of the state. Neither the full faith and credit nor the taxing power of the state, or any political subdivision or agency of the state, may be pledged for the payment of the debt;

(f) Solicit, accept, and administer for the benefit of the charter school and its students, gifts, grants, and donations from individuals, or public or private entities, excluding ((from)) sectarian or religious organizations. A charter school((s)) board may not accept any gifts or donations ((the conditions of which)) that violate this chapter or other state laws; and

(g) Issue diplomas to students who meet state high school graduation requirements established under RCW 28A.230.090. A charter school board may establish additional graduation requirements.

(2) A charter school board must contract for an independent performance audit of the school to be conducted: (a) The second year immediately following the school's first full school year of operation; and (b) every three years thereafter. The performance audit must be conducted in accordance with United States general accounting office government auditing standards. A performance audit in compliance with this section does not inhibit the state auditor's office from conducting a performance audit of the school.

(3) A charter school board may not levy taxes or issue tax-backed bonds.

(4) A charter school board may not acquire property by eminent domain.

(5) A charter school board, through web site postings and written notice with receipt acknowledged by signature of the recipient, must advise families of new, ongoing, and prospective students of any ongoing litigation challenging the constitutionality of charter schools or that may require charter schools to cease operations.

**Sec. 104.** RCW 28A.710.040 and 2013 c 2 s 204 are each reenacted and amended to read as follows:

(1) A charter school must operate according to the terms of its charter contract and the provisions of this chapter.

(2) ((All)) A charter school((s)) must:

(a) Comply with local, state, and federal health, safety, parents' rights, civil rights, and nondiscrimination laws applicable to school districts and to the same extent as school districts, including but not limited to chapter 28A.642 RCW (discrimination prohibition) and chapter 28A.640 RCW (sexual equality);

(b) Provide a program of basic education, ((as provided)) that meets the goals in RCW 28A.150.210, including instruction in the essential academic learning requirements, and participate in the statewide student assessment system as developed under RCW 28A.655.070;

(c) Employ certificated instructional staff as required in RCW 28A.410.025((: PROVIDED, That)). Charter schools, however, may hire noncertificated instructional staff of unusual competence and in exceptional cases as specified in RCW 28A.150.203(7);

(d) Comply with the employee record check requirements in RCW 28A.400.303;

(e) Adhere to generally accepted accounting principles and be subject to financial examinations and audits as determined by the state auditor, including annual audits for legal and fiscal compliance;

(f) Comply with the annual performance report under RCW 28A.655.110;

(g) Be subject to the performance improvement goals adopted by the state board of education under RCW 28A.305.130;

(h) Comply with the open public meetings act in chapter 42.30 RCW and public records requirements in chapter 42.56 RCW; and

(i) Be subject to and comply with legislation enacted after December 6, 2012, ((governing)) that governs the operation and management of charter schools.

(3) ((Public)) Charter public schools must comply with all state statutes and rules made applicable to the charter school in the school's charter contract, and are subject to the specific state statutes and rules identified in subsection (2) of this section. For the purpose of allowing flexibility to innovate in areas such as scheduling, personnel, funding, and educational programs to improve student outcomes and academic achievement, charter schools are not subject to, and are exempt from, all other state statutes and rules applicable to school districts and school district boards of directors((, for the purpose of allowing flexibility to innovate in areas such as scheduling, personnel, funding, and educational programs in order to improve student outcomes and academic achievement)). Except as provided otherwise by this chapter or a charter contract, charter schools are exempt from all school district policies ((except policies made applicable in the school's charter contract)).

(4) ((No)) A charter school may not engage in any sectarian practices in its educational program, admissions or employment policies, or operations.

(5) Charter schools are subject to the supervision of the superintendent of public instruction and the state board of education, including accountability measures, to the same extent as other public schools, except as otherwise provided in this chapter ((2, Laws of 2013)).

**Sec. 105.** RCW 28A.710.050 and 2013 c 2 s 205 are each reenacted and amended to read as follows:

(1) Except as provided in subsection (3) of this section, a charter school may not limit admission on any basis other than age group, grade level, or enrollment capacity ((and must enroll all students who apply within these bases)). A charter school is open to any student regardless of his or her location of residence.

(2) A charter school may not charge tuition, but may charge fees for participation in optional extracurricular events and activities in the same manner and to the same extent as do other public schools.

(3) ((A conversion charter school must provide sufficient capacity to enroll all students who wish to remain enrolled in the school after its conversion to a charter school, and may not displace students enrolled before the chartering process.

(4)) If capacity is insufficient to enroll all students who apply to a charter school, the charter school must ((select students through a lottery to ensure fairness. However, a charter school must give an enrollment preference to siblings of already enrolled students)) grant an enrollment preference to siblings of enrolled students, with any remaining enrollments allocated through a lottery. A charter school may offer, pursuant to an admissions policy approved by the commission, a weighted enrollment preference for at-risk students or to children of full-time employees of the school if the employees' children reside within the state.

((5)) (4) The enrollment capacity of a charter school must be determined annually by the charter school board in consultation with the charter authorizer and with consideration of the charter school's ability to facilitate the academic success of its students, achieve the objectives specified in the charter contract, and assure that its student enrollment does not exceed the capacity of its facility. An authorizer may not restrict the number of students a charter school may enroll.

((6)) (5) Nothing in this section prevents formation of a charter school whose mission is to offer a specialized learning environment and services for particular groups of students, such as at-risk students, students with disabilities, or students who pose such severe disciplinary problems that they warrant a specific educational program. Nothing in this section prevents formation of a charter school organized around a special emphasis, theme, or concept as stated in the school's application and charter contract.

**Sec. 106.** RCW 28A.710.060 and 2013 c 2 s 206 are each reenacted and amended to read as follows:

(1) School districts must provide information to parents and the general public about charter schools located within the district as an enrollment option for students.

(2) If a student who was previously enrolled in a charter school enrolls in another public school in the state, the student's new school must accept credits earned by the student in the charter school in the same manner and according to the same criteria that credits are accepted from other public schools.

(3) A charter school ((is eligible for)) may participate in state or district-sponsored interscholastic programs, awards, scholarships, or competitions to the same extent as other public schools.

**Sec. 107.** RCW 28A.710.070 and 2013 c 2 s 208 are each reenacted and amended to read as follows:

(1) The Washington state charter school commission is established as an independent state agency whose mission is to authorize high quality ((public)) charter public schools throughout the state, ((particularly)) especially schools that are designed to expand opportunities for at-risk students, and to ensure the highest standards of accountability and oversight for these schools.

(2) The commission shall, through its management, supervision, and enforcement of the charter contracts and pursuant to applicable law, administer the ((portion of the public common school system consisting of the)) charter schools it authorizes ((as provided in this chapter,)) in the same manner as a school district board of directors((, through its management, supervision, and enforcement of the charter contracts, and pursuant to applicable law, administers the charter schools it authorizes)) administers other schools.

((2)) (3)(a) The commission shall consist of:

(i) Nine appointed members((, no more than five of whom shall be members of the same political party));

(ii) The superintendent of public instruction or the superintendent's designee; and

(iii) The chair of the state board of education or the chair's

designee.

(b) Appointments to the commission shall be as follows: Three members shall be appointed by the governor; three members shall be appointed by the ((president of the)) senate, with two members appointed by the leader of the largest caucus of the senate and one member appointed by the leader of the minority caucus of the senate; and three members shall be appointed by the ((speaker of the)) house of representatives, with two members appointed by the speaker of the house of representatives and one member appointed by the leader of the minority caucus of the house of representatives. The appointing authorities shall assure diversity among commission members, including representation from various geographic areas of the state and shall assure that at least one member is ((a)) the parent of a Washington public school student.

((3)) (4) Members appointed to the commission shall collectively possess strong experience and expertise in public and nonprofit governance; management and finance; public school leadership, assessment, curriculum, and instruction; and public education law. All appointed members shall have demonstrated an understanding of and commitment to charter schooling as a strategy for strengthening public education.

((4)) (5) Appointed members shall ((be appointed to)) serve four-year, staggered terms((, with)). The initial appointments from each of the appointing authorities ((consisting)) must consist of one member appointed to a one-year term, one member appointed to a two-year term, and one member appointed to a three-year term, all of whom thereafter may be reappointed for a four-year term. No appointed member may serve more than two consecutive terms. Initial appointments must be made ((no later than ninety days after December 6, 2012)) by July 1, 2016.

((5)) (6) Whenever a vacancy on the commission exists among its appointed membership, the original appointing authority must appoint a member for the remaining portion of the term within no more than thirty days.

((6)) (7) Commission members shall serve without compensation but may be reimbursed for travel expenses as authorized in RCW 43.03.050 and 43.03.060.

((7) Operational and staff support for the commission shall be provided by the office of the governor until the commission has sufficient resources to hire or contract for separate staff support, who))

(8) The commission shall reside within the office of the ((governor)) superintendent of public instruction for administrative purposes only.

((8)) (9) RCW 28A.710.090 and 28A.710.120 do not apply to the commission.

**Sec. 108.** RCW 28A.710.080 and 2013 c 2 s 207 are each reenacted and amended to read as follows:

The following entities ((are eligible to)) may be authorizers of charter schools:

(1) The ((Washington charter school)) commission ((established under RCW 28A.710.070,)) may exercise the authority granted under this section for charter schools located anywhere in the state; and

(2) A school district board((s)) of directors ((that have been approved by the state board of education under RCW 28A.710.090 before authorizing a charter school,)) may exercise the authority granted under this section only after receiving approval from the state board of education under RCW 28A.710.090, and only for charter schools located within the school district's ((own)) boundaries.

**Sec. 109.** RCW 28A.710.090 and 2013 c 2 s 209 are each reenacted and amended to read as follows:

(1) The state board of education shall establish an annual application and approval process and timelines for ((entities))

SIXTIETH DAY, MARCH 10, 2016

2016 REGULAR SESSION

school districts seeking approval to ((be)) become charter school authorizers. The initial process and timelines must be established ((no later than ninety days after December 6, 2012)) by July 1, 2016.

(2) At a minimum, each applicant district must submit to the state board of education:

(a) The applicant's strategic vision for chartering;

(b) A plan to support the vision presented, including explanation and evidence of the applicant's budget and personnel capacity and commitment to execute the responsibilities of quality charter authorizing;

(c) A draft or preliminary outline of the ((request for proposals)) annual charter school application process that the applicant would, if approved as an authorizer, issue to solicit charter school applicants;

(d) A draft of the performance framework that the applicant would, if approved as an authorizer, use to guide the establishment of a charter contract and use for ongoing oversight and evaluation of charter schools;

(e) A draft of the applicant's proposed renewal, revocation, and nonrenewal processes, consistent with RCW 28A.710.190 and 28A.710.200;

(f) A statement of assurance that the applicant seeks to serve as an authorizer in fulfillment of the expectations, spirit, and intent of this chapter, and that, if approved as an authorizer, the applicant will fully participate in any authorizer training provided or required by the state; and

(g) A statement of assurance that the applicant will provide public accountability and transparency in all matters concerning charter authorizing practices, decisions, and expenditures.

(3) The state board of education shall consider the merits of each application and make its decision within the timelines established by the state board of education.

(4) Within thirty days of making a decision to approve an application under this section, the state board of education must execute a renewable authorizing contract with the ((entity)) applicant district. The initial term of an authorizing contract ((shall)) must be six years. The authorizing contract must specify each approved ((entity's)) applicant district's agreement to serve as an authorizer in accordance with the expectations of this chapter, and may specify additional performance terms based on the applicant's proposal and plan for chartering.

(5) No approved ((entity)) school district may commence charter authorizing without an authorizing contract in effect.

**Sec. 110.** RCW 28A.710.100 and 2013 c 2 s 210 are each reenacted and amended to read as follows:

(1) Authorizers are responsible for:

(a) Soliciting and evaluating charter applications;

(b) Approving ((quality)) charter applications that meet identified educational needs and promote a diversity of educational choices;

(c) Denying ((weak or inadequate)) charter applications that fail to meet statutory requirements, requirements of the authorizer, or both;

(d) Negotiating and executing ((sound)) charter contracts with each authorized charter school;

(e) Monitoring, in accordance with charter contract terms, the performance and legal compliance of charter schools including, without limitation, education and academic performance goals and student achievement; and

(f) Determining whether each charter contract merits renewal, nonrenewal, or revocation.

(2) An authorizer may delegate its responsibilities under this section to employees or contractors.

(3) All authorizers must develop and follow chartering policies

and practices that are consistent with the principles and standards for quality charter authorizing developed by the national association of charter school authorizers in at least the following areas:

(a) Organizational capacity and infrastructure;

(b) Soliciting and evaluating charter applications;

(c) Performance contracting;

(d) Ongoing charter school oversight and evaluation; and

(e) Charter renewal decision making.

(4) Each authorizer must submit an annual report to the state board of education, according to a timeline, content, and format specified by the board((, which)) that includes:

(a) The authorizer's strategic vision for chartering and progress toward achieving that vision;

(b) The academic and financial performance of all operating charter schools ((overseen by the authorizer)) under its jurisdiction, including the progress of the charter schools based on the authorizer's performance framework;

(c) The status of the authorizer's charter school portfolio, identifying all charter schools in each of the following categories: (i) Approved but not yet open((,)); (ii) operating((,)); (iii) renewed((,)); (iv) transferred((,)); (v) revoked((,)); (vi) not renewed((,)); (vii) voluntarily closed((,)); or (viii) never opened;

(d) The authorizer's operating costs and expenses detailed in annual audited financial statements that conform with generally accepted accounting principles; and

(e) The services purchased from the authorizer by the charter schools under its jurisdiction under RCW 28A.710.110, including an itemized accounting of the actual costs of these services.

(5) Neither an authorizer, individuals who comprise the membership of an authorizer in their official capacity, nor the employees of an authorizer are liable for acts or omissions of a charter school they authorize.

(6) No employee, trustee, agent, or representative of an authorizer may simultaneously serve as an employee, trustee, agent, representative, vendor, or contractor of a charter school under the jurisdiction of that authorizer.

**Sec. 111.** RCW 28A.710.110 and 2013 c 2 s 211 are each reenacted and amended to read as follows:

(1) The state board of education shall establish a statewide formula for an authorizer oversight fee, which ((shall)) must be calculated as a percentage of the state operating funding ((allocated)) distributed to charter schools under RCW 28A.710.220 to each charter school under the jurisdiction of an authorizer, but may not exceed four percent of each charter school's annual funding. ((The office of the superintendent of public instruction shall deduct the oversight fee from each charter school's allocation under RCW 28A.710.220 and transmit the fee to the appropriate authorizer.))

(2) The state board of education may establish a sliding scale for the authorizer oversight fee, with the funding percentage decreasing after the authorizer has achieved a certain threshold, such as after a certain number of years of authorizing or after a certain number of charter schools have been authorized.

(3) The office of the superintendent of public instruction shall deduct the oversight fee from each charter school's distribution under RCW 28A.710.220 and transmit the fee to the appropriate authorizer.

(4) An authorizer must use its oversight fee exclusively for the purpose of fulfilling its duties under RCW 28A.710.100.

((4)) (5) An authorizer may provide contracted, fee-based services to charter schools under its jurisdiction that are in addition to the oversight duties under RCW 28A.710.100. An authorizer may not charge more than market rates for the contracted services provided. An authorizer may not require a

charter school ((may not be required)) to purchase contracted services ((from)) provided by an authorizer. Fees collected by the authorizer under this subsection must be separately accounted for and reported annually to the state board of education.

**Sec. 112.** RCW 28A.710.120 and 2013 c 2 s 212 are each reenacted and amended to read as follows:

(1) The state board of education is responsible for overseeing the performance and effectiveness of all authorizers approved under RCW 28A.710.090.

(2) Persistently unsatisfactory performance of an authorizer's portfolio of charter schools, a pattern of well-founded complaints about the authorizer or its charter schools, or other objective circumstances may trigger a special review by the state board of education.

(3) In reviewing or evaluating the performance of authorizers, the state board of education must apply nationally recognized principles and standards for quality charter authorizing. Evidence of material or persistent failure by an authorizer to carry out its duties in accordance with ((the)) these principles and standards constitutes grounds for revocation of the authorizing contract by the state board of education, as provided under this section.

(4) If at any time the state board of education finds that an authorizer is not in compliance with a charter contract, its authorizing contract, or the authorizer duties under RCW 28A.710.100, the board must notify the authorizer in writing of the identified problems, and the authorizer ((shall)) must have reasonable opportunity to respond and remedy the problems.

(5) If ((an authorizer persists))<sub>2</sub> after due notice from the state board of education, an authorizer persists in violating a material provision of a charter contract or its authorizing contract, or fails to remedy other identified authorizing problems, the state board of education shall notify the authorizer, within a reasonable amount of time under the circumstances, that it intends to revoke the authorizer's chartering authority unless the authorizer demonstrates a timely and satisfactory remedy for the violation or deficiencies.

(6) In the event of revocation of any authorizer's chartering authority, the state board of education shall manage the timely and orderly transfer of each charter contract held by that authorizer to another authorizer in the state, with the mutual agreement of each affected charter school and proposed new authorizer. The new authorizer shall assume the existing charter contract for the remainder of the charter term.

(7) The state board of education must establish timelines and a process for taking actions under this section in response to performance deficiencies by an authorizer.

**Sec. 113.** RCW 28A.710.130 and 2013 c 2 s 213 are each reenacted and amended to read as follows:

(1)(a) Each authorizer must annually issue and broadly publicize a ((request)) solicitation for proposals for charter school applicants by the date established by the state board of education under RCW 28A.710.140.

(b) Each authorizer's ((request)) solicitation for proposals must:

(i) Present the authorizer's strategic vision for chartering, including a clear statement of any preferences the authorizer wishes to grant to applications that employ proven methods for educating at-risk students or students with special needs;

(ii) Include or otherwise direct applicants to the performance framework that the authorizer has developed for charter school oversight and evaluation in accordance with RCW 28A.710.170;

(iii) Provide the criteria that will guide the authorizer's decision to approve or deny a charter application; and

(iv) State clear, appropriately detailed questions as well as guidelines concerning the format and content essential for applicants to demonstrate the capacities necessary to establish and

operate a successful charter school.

(2) A charter school application must provide or describe thoroughly all of the following elements of the proposed school plan:

(a) An executive summary;

(b) The mission and vision of the proposed charter school, including identification of the ((targeted)) student population and ((the)) community the school hopes to serve;

(c) The location or geographic area proposed for the school and the school district within which the school will be located;

(d) The grades to be served each year for the full term of the charter contract;

(e) Minimum, planned, and maximum enrollment per grade per year for the full term of the charter contract;

(f) Evidence of need and parent and community support for the proposed charter school;

(g) Background information on the proposed founding ((governing)) charter school board members and, if identified, the proposed school leadership and management team;

(h) The school's proposed calendar and sample daily schedule;

(i) A description of the academic program aligned with state standards;

(j) A description of the school's proposed instructional design, including the type of learning environment((:)),<sub>2</sub> class size and structure((:)),<sub>2</sub> curriculum overview((:)),<sub>2</sub> and teaching methods;

(k) Evidence that the educational program is based on proven methods;

(l) The school's plan for using internal and external assessments to measure and report student progress on the performance framework developed by the authorizer in accordance with RCW 28A.710.170;

(m) The school's plans for identifying, successfully serving, and complying with applicable laws and regulations regarding students with disabilities, students who are limited English proficient, students who are struggling academically, and highly capable students;

(n) A description of cocurricular or extracurricular programs and how ((they)) those programs will be funded and delivered;

(o) Plans and timelines for student recruitment and enrollment, including targeted plans for recruiting at-risk students and including lottery procedures;

(p) The school's student discipline policies, including for special education students;

(q) An organization chart that clearly presents the school's organizational structure, including lines of authority and reporting between the governing board, staff, any related bodies such as advisory bodies or parent and teacher councils, and any external organizations that will play a role in managing the school;

(r) A clear description of the roles and responsibilities for the governing board, the school's leadership and management team, and any other entities shown in the organization chart;

(s) A staffing plan for the school's first year and for the term of the charter;

(t) Plans for recruiting and developing school leadership and staff;

(u) The school's leadership and teacher employment policies, including performance evaluation plans;

(v) Proposed governing bylaws;

(w) An explanation of proposed partnership agreement, if any, between a charter school and its school district focused on facilities, budgets, taking best practices to scale, and other items;

(x) Explanations of any other partnerships or contractual relationships central to the school's operations or mission;

(y) Plans for providing transportation, food service, and all other significant operational or ancillary services;

(z) Opportunities and expectations for parent involvement;

SIXTIETH DAY, MARCH 10, 2016

2016 REGULAR SESSION

(aa) A detailed school start-up plan, identifying tasks, timelines, and responsible individuals;

(bb) A description of the school's financial plan and policies, including financial controls and audit requirements;

(cc) A description of the insurance coverage the school will obtain;

(dd) Start-up and five-year cash flow projections and budgets with clearly stated assumptions;

(ee) Evidence of anticipated fund-raising contributions, if claimed in the application; and

(ff) A sound facilities plan, including backup or contingency plans if appropriate.

(3) ((In the case of an application to establish a conversion charter school, the applicant must also demonstrate support for the proposed conversion by a petition signed by a majority of teachers assigned to the school or a petition signed by a majority of parents of students in the school.

(4) In the case of an application where the proposed charter school)) If an applicant intends to contract with a nonprofit education service provider for substantial educational services, management services, or both, the applicant must:

(a) Provide evidence of the nonprofit education service provider's success in serving student populations similar to the targeted population, including demonstrated academic achievement as well as successful management of nonacademic school functions if applicable;

(b) Provide a term sheet setting forth: (i) The proposed duration of the service contract; (ii) the roles and responsibilities of the governing board, the school staff, and the service provider; (iii) the scope of services and resources to be provided by the service provider; (iv) performance evaluation measures and timelines; (v) the compensation structure, including clear identification of all fees to be paid to the service provider; (vi) methods of contract oversight and enforcement; (vii) investment disclosure; and (viii) conditions for renewal and termination of the contract; and

(c) Disclose and explain any existing or potential conflicts of interest between the charter school board and proposed service provider or any affiliated business entities.

((5) In the case of an application from)) (4) If an applicant ((that)) operates one or more schools in any state or nation, the applicant must provide evidence of ((past)) the performance of those schools, including evidence of the applicant's success in serving at-risk students, and capacity for growth.

((6)) (5) Applicants may submit a proposal for a particular ((public)) charter public school to no more than one authorizer at a time.

**Sec. 114.** RCW 28A.710.140 and 2013 c 2 s 214 are each reenacted and amended to read as follows:

(1) The state board of education must establish an annual statewide timeline for charter application submission and approval or denial((, which)) that must be followed by all authorizers.

(2) In reviewing and evaluating charter applications, authorizers shall employ procedures, practices, and criteria consistent with nationally recognized principles and standards for quality charter authorizing. Authorizers shall give preference to applications for charter schools that are designed to enroll and serve at-risk student populations(: PROVIDED, That)), However, nothing in this chapter may be construed as intended to limit the establishment of charter schools to those that serve a substantial portion of at-risk students, or to in any manner restrict, limit, or discourage the establishment of charter schools that enroll and serve other pupil populations under a nonexclusive, nondiscriminatory admissions policy. The application review

process must include thorough evaluation of each application, an in-person interview with the applicant group, and an opportunity to learn about and provide input on each application in a public forum including, without limitation, parents, community members, local residents, and school district board members and staff((, to learn about and provide input on each application)).

(3) In deciding whether to approve an application, authorizers must:

(a) Grant charters only to applicants that have demonstrated competence in each element of the authorizer's published approval criteria and are likely to open and operate a successful ((public)) charter public school;

(b) Base decisions on documented evidence collected through the application review process;

(c) Follow charter-granting policies and practices that are transparent and based on merit; and

(d) Avoid any conflicts of interest, whether real or apparent.

(4) An approval decision may include, if appropriate, reasonable conditions that the charter applicant must meet before a charter contract may be executed.

(5) For any denial of an application, the authorizer shall clearly state in writing its reasons for denial. A denied applicant may subsequently reapply to that authorizer or apply to another authorizer in the state.

**Sec. 115.** RCW 28A.710.150 and 2013 c 2 s 215 are each reenacted and amended to read as follows:

(1) A maximum of forty ((public)) charter public schools may be established under this chapter((,)) over ((a)) the five-year period commencing with the effective date of this section. No more than eight charter schools may be established in any ((single)) year during the five-year period, except that if in any ((single)) year fewer than eight charter schools are established, ((then)) additional charter schools, equal in number to the difference between the number established in that year and eight, may be established in subsequent years during the five-year period.

(2)(a) To ensure compliance with the limits for establishing new charter schools, certification from the state board of education must be obtained before final authorization of a charter school.

(b) Within ten days of taking action to approve or deny an application under RCW 28A.710.140, an authorizer must submit a report of the action to the applicant and ((to)) the state board of education((, which)). The report must include a copy of the authorizer's resolution setting forth the action taken, the reasons for the decision, and assurances of compliance with the procedural requirements and application elements under RCW 28A.710.130 and 28A.710.140. The authorizer must also indicate whether the charter school is designed to enroll and serve at-risk student populations. The state board of education must establish, for each year in which charter schools may be authorized as part of the timeline to be established pursuant to RCW 28A.710.140, the ((last)) latest annual date by which the authorizer ((must)) may submit the report. The state board of education must send to each authorizer notice of the date ((to each authorizer no later than)) by which a report must be submitted at least six months before the date established by the board.

(3) Upon the receipt of notice from an authorizer that a charter school has been approved, the state board of education shall certify whether the approval is in compliance with the limits on the maximum number of charters allowed under subsection (1) of this section. If the board receives simultaneous notification of approved charters that exceed the annual allowable limits in subsection (1) of this section, the board must select approved charters for implementation through a lottery process, and must

assign implementation dates accordingly.

(4) The state board of education must notify authorizers when the maximum allowable number of charter schools has been reached.

**Sec. 116.** RCW 28A.710.160 and 2013 c 2 s 216 are each reenacted and amended to read as follows:

(1) The purposes of the charter application submitted under RCW 28A.710.130 are to present the proposed charter school's academic and operational vision and plans, and to demonstrate and provide the authorizer with a clear basis for evaluating the applicant's capacities to execute the proposed vision and plans. An approved charter application does not serve as the school's charter contract.

(2) Within ninety days of approval of a charter application, the authorizer and the governing board of the approved charter school must execute a charter contract. The contract must establish the terms by which (, fundamentally,) the ((public)) charter school agrees to provide educational services that, at a minimum, meet basic education standards, in return for ((an allocation)) a distribution of public funds ((to)) that will be used for ((such)) the purposes ((all as set forth)) established in the contract and in this and other applicable statutes ((and in the charter contract)). The charter contract must clearly set forth the academic and operational performance expectations and measures by which the charter school will be ((judged)) evaluated and the administrative relationship between the authorizer and charter school, including each party's rights and duties. The performance expectations and measures set forth in the charter contract must include, but need not be limited to, applicable federal and state accountability requirements. The performance provisions may be refined or amended by mutual agreement after the charter school is operating and has collected baseline achievement data for its enrolled students.

(3) If the charter school is authorized by a school district board of directors, the charter contract must be signed by the president of the applicable school district board of directors ((if the school district board of directors is the authorizer or the chair of the commission if the commission is the authorizer and by)) and the president of the charter school board. If the charter school is authorized by the commission, the charter contract must be signed by the chair of the commission and the president of the charter school board. Within ten days of executing a charter contract, the authorizer must submit to the state board of education written notification of the charter contract execution, including a copy of the executed charter contract and any attachments.

(4) A charter contract may govern one or more charter schools to the extent approved by the authorizer. A single charter school board may hold one or more charter contracts. However, each charter school that is part of a charter contract must be separate and distinct from any others and, for purposes of calculating the maximum number of charter schools that may be established under this chapter, each charter school must be considered a single charter school regardless of how many charter schools are governed under a particular charter contract.

(5) An initial charter contract must be granted for a term of five operating years. The contract term must commence on the charter school's first day of operation. An approved charter school may delay its opening for one school year in order to plan and prepare for the school's opening. If the school requires an opening delay of more than one school year, the school must request an extension from its authorizer. The authorizer may grant or deny the contract extension depending on the school's circumstances.

(6) Authorizers ((may)) shall establish reasonable preopening requirements or conditions to monitor the start-up progress of newly approved charter schools ((and)), ensure that they are prepared to open smoothly on the date agreed, and ((to)) ensure

that each school meets all building, health, safety, insurance, and other legal requirements for school opening.

(7) No charter school may commence operations without a charter contract executed in accordance with this section.

(8) In accordance with section 140(3) of this act:

(a) The state board of education must take reasonable and necessary steps to provide parties to contracts entered into under or in accordance with chapter 2, Laws of 2013 that were in effect or that had been executed on or before December 1, 2015, with an opportunity to execute new contracts with the same terms and duration or substantially the same terms and duration as were in effect on December 1, 2015; and

(b) Each authorizer must take reasonable and necessary steps to provide parties to contracts entered into under or in accordance with chapter 2, Laws of 2013 that were in effect or that had been executed on or before December 1, 2015, with an opportunity to execute new contracts with the same terms and duration or substantially the same terms and duration as were in effect on December 1, 2015.

(9) Contracts executed pursuant to subsection (8) of this section do not count against the annual cap established in RCW 28A.710.150(1).

(10) For purposes of this section, "substantially the same terms and duration" includes contract modifications necessary to comply with the provisions of this chapter or other applicable law.

**Sec. 117.** RCW 28A.710.170 and 2013 c 2 s 217 are each reenacted and amended to read as follows:

(1) The performance provisions within a charter contract must be based on a performance framework that clearly sets forth the academic and operational performance indicators, measures, and metrics that will guide an authorizer's evaluations of ((each)) a charter school within its jurisdiction.

(2) At a minimum, the performance framework must include indicators, measures, and metrics for:

(a) Student academic proficiency;

(b) Student academic growth;

(c) Achievement gaps in both proficiency and growth between major student subgroups;

(d) Attendance;

(e) Recurrent enrollment from year to year;

(f) High school graduation rates and student postsecondary readiness((, for high schools));

(g) Financial performance and sustainability; and

(h) Charter school board performance and stewardship, including compliance with all applicable laws, rules, and terms of the charter contract.

(3) Annual performance targets must be set by each charter school in conjunction with its authorizer and must be designed to help each school meet applicable federal, state, and authorizer expectations.

(4) The authorizer and charter school may also include additional rigorous, valid, and reliable indicators in the performance framework to augment external evaluations of the charter school's performance.

(5) The performance framework must require the disaggregation of all student performance data by major student subgroups, including gender, race and ethnicity, poverty status, special education status, English language learner status, and highly capable status.

(6) Multiple schools operating under a single charter contract or overseen by a single charter school board must report their performance as separate schools, and each school shall be held independently accountable for its performance.

**Sec. 118.** RCW 28A.710.180 and 2013 c 2 s 218 are each reenacted and amended to read as follows:

(1) Each authorizer must continually monitor the performance



SIXTIETH DAY, MARCH 10, 2016

2016 REGULAR SESSION

and legal compliance of the charter schools ((it oversees)) under its jurisdiction, including collecting and analyzing data to support ongoing evaluation according to the performance framework in the charter contract.

(2) An authorizer may conduct or require oversight activities that enable the authorizer to fulfill its responsibilities under this chapter, including conducting appropriate inquiries and investigations, ((so long as)) if those activities are consistent with the intent of this chapter, adhere to the terms of the charter contract, and do not unduly inhibit the autonomy granted to charter schools.

(3) In the event that a charter school's performance or legal compliance appears unsatisfactory, the authorizer must promptly notify the school of the perceived problem and provide reasonable opportunity for the school to remedy the problem((, unless)), However, if the problem warrants revocation ((in which case)) of the charter contract, the revocation procedures under RCW 28A.710.200 apply.

(4) An authorizer may take appropriate corrective actions or exercise sanctions short of revocation in response to apparent deficiencies in charter school performance or legal compliance. ((Such)) These actions or sanctions may include, if warranted, requiring a school to develop and execute a corrective action plan within a specified time frame.

**Sec. 119.** RCW 28A.710.190 and 2013 c 2 s 219 are each reenacted and amended to read as follows:

(1) A charter contract may be renewed by the authorizer, at the request of the charter school, for successive five-year terms((, although)). The authorizer, however, may vary the term based on the performance, demonstrated capacities, and particular circumstances of a charter school, and may grant renewal with specific conditions for necessary improvements to a charter school.

(2) No later than six months before the expiration of a charter contract, the authorizer must issue a performance report and charter contract renewal application guidance to ((that)) the charter school. The performance report must summarize the charter school's performance record to date based on the data required by the charter contract, and must provide notice of any weaknesses or concerns perceived by the authorizer concerning the charter school that may, if not timely rectified, jeopardize its position in seeking renewal ((if not timely rectified)). The charter school has thirty days to respond to the performance report and submit any corrections or clarifications for the report.

(3) The renewal application guidance must, at a minimum, provide an opportunity for the charter school to:

(a) Present additional evidence, beyond the data contained in the performance report, supporting its case for charter contract renewal;

(b) Describe improvements undertaken or planned for the school; and

(c) Detail the school's plans for the next charter contract term.

(4) The renewal application guidance must include or refer explicitly to the criteria that will guide the authorizer's renewal decisions, ((which shall)) and this criteria must be based on the performance framework set forth in the charter contract.

(5) In making charter renewal decisions, an authorizer must:

(a) ((Ground)) Base its decisions in evidence of the school's performance over the term of the charter contract in accordance with the performance framework set forth in the charter contract;

(b) Ensure that data used in making renewal decisions are available to the school and the public; and

(c) Provide a public report summarizing the evidence basis for its decision.

**Sec. 120.** RCW 28A.710.200 and 2013 c 2 s 220 are each

reenacted and amended to read as follows:

(1) An authorizer may revoke a charter contract ((may be revoked)) at any time, or ((not renewed)) may refuse to renew it, if the authorizer determines that the charter school did any of the following or otherwise failed to comply with the provisions of this chapter:

(a) Committed a material and substantial violation of any of the terms, conditions, standards, or procedures required under this chapter or the charter contract;

(b) Failed to meet or make sufficient progress toward the performance expectations set forth in the charter contract;

(c) Failed to meet generally accepted standards of fiscal management; or

(d) Substantially violated any material provision of law from which the charter school is not exempt.

(2) Except as provided otherwise by this subsection (2), an authorizer may not renew a charter contract ((may not be renewed)) if, at the time of the renewal application, the charter school's performance falls in the bottom quartile of schools on the ((accountability)) Washington achievement index developed by the state board of education under RCW 28A.657.110((, unless)), A contract may be renewed without violating this subsection (2), however, if the charter school demonstrates exceptional circumstances that the authorizer finds justifiable.

(3) Each authorizer must develop revocation and nonrenewal processes that:

(a) Provide the charter school board with a timely notification of the prospect of and reasons for revocation or nonrenewal;

(b) Allow the charter school board a reasonable amount of time in which to prepare a response;

(c) Provide the charter school board with an opportunity, at a recorded public proceeding held for that purpose, to submit documents and give testimony challenging the rationale for closure and in support of the continuation of the school ((at a recorded public proceeding held for that purpose));

(d) Allow the charter school board to be represented by counsel and to call witnesses on its behalf; and

(e) After a reasonable period for deliberation, require a final determination to be made and conveyed in writing to the charter school board.

(4) If an authorizer revokes or does not renew a charter contract, the authorizer must clearly state in a resolution the reasons for the revocation or nonrenewal.

(5) Within ten days of taking action to renew, not renew, or revoke a charter contract, an authorizer must submit a report of the action to the ((applicant)) charter school and ((to)) the state board of education((, which)). The report must include a copy of the authorizer's resolution setting forth the action taken, the reasons for the decision, and assurances of compliance with the procedural requirements established by the authorizer under this section.

**Sec. 121.** RCW 28A.710.210 and 2013 c 2 s 221 are each reenacted and amended to read as follows:

(1) Before making a decision to not renew or to revoke a charter contract, an authorizer(s) must develop a charter school termination protocol to ensure timely notification to parents, orderly transition of students and student records to new schools, as necessary, and proper disposition of public school funds, property, and assets. The protocol must specify tasks, timelines, and responsible parties, including delineating the respective duties of the charter school and the authorizer.

(2) ((In the event that)) If the nonprofit corporation ((applicant)) operator of a charter school should dissolve for any reason including, without limitation, because of the termination of the charter contract, the public school funds of the charter

school that have been provided pursuant to RCW 28A.710.220 must be returned to the state or local account from which the public funds originated. If the charter school has commingled the funds, the funds must be returned in proportion to the proportion of those funds received by the charter school from the public accounts in the last year preceding the dissolution. The dissolution of ((an applicant)) a nonprofit corporation shall otherwise proceed as provided by law.

(3) A charter contract may not be transferred from one authorizer to another or from one charter school ((applicant)) to another before the expiration of the charter contract term except by petition to the state board of education by the charter school or its authorizer. The state board of education must review such petitions on a case-by-case basis and may grant transfer requests in response to special circumstances and evidence that such a transfer would serve the best interests of the charter school's students.

**Sec. 122.** RCW 28A.710.220 and 2013 c 2 s 222 are each reenacted and amended to read as follows:

(1) Charter schools must report student enrollment in the same manner, and based on the same definitions of enrolled students and annual average full-time equivalent enrollment, as other public schools. Charter schools must comply with applicable reporting requirements to receive state or federal funding that is ((allocated)) distributed based on student characteristics.

(2) ((According to the schedule established under RCW 28A.510.250, the superintendent of public instruction shall allocate funding for a charter school including general apportionment, special education, categorical, and other nonbasic education moneys. Allocations must be based on the statewide average staff mix ratio of all noncharter public schools from the prior school year and the school's actual full-time equivalent enrollment. Categorical funding must be allocated to a charter school based on the same funding criteria used for noncharter public schools and the funds must be expended as provided in the charter contract. A charter school is eligible to apply for state grants on the same basis as a school district)) In accordance with appropriations made under sections 127 and 128 of this act, the superintendent of public instruction shall distribute state funding to charter schools according to the schedule established in RCW 28A.510.250.

(3) ((Allocations for pupil transportation must be calculated on a per student basis based on the allocation for the previous school year to the school district in which the charter school is located. A charter school may enter into a contract with a school district or other public or private entity to provide transportation for the students of the school.

(4)) Amounts ((payable)) distributed to a charter school under ((this)) section 128 of this act in the school's first year of operation must be based on the projections of first-year student enrollment established in the charter contract. The office of the superintendent of public instruction must reconcile the amounts ((paid)) distributed in the first year of operation to the amounts that would have been ((paid)) distributed based on actual student enrollment and make adjustments to the charter school's ((allocations)) distributions over the course of the second year of operation.

((5) For charter schools authorized by a school district board of directors, allocations to a charter school that are included in RCW 84.52.0531(3) (a) through (c) shall be included in the levy planning, budgets, and funding distribution in the same manner as other public schools in the district.

(6) Conversion charter schools are eligible for local levy moneys approved by the voters before the conversion start-up date of the school as determined by the authorizer, and the school district must allocate levy moneys to a conversion charter school.

(7) New charter schools are not eligible for local levy moneys approved by the voters before the start-up date of the school unless the local school district is the authorizer.

(8) For levies submitted to voters after the start-up date of a charter school authorized under this chapter, the charter school must be included in levy planning, budgets, and funding distribution in the same manner as other public schools in the district.

(9)) (4) Any moneys received by a charter school from any source and remaining in the school's accounts at the end of ((any)) a budget year ((shall)) must remain in the school's accounts for use by the school during subsequent budget years.

**Sec. 123.** RCW 28A.710.230 and 2013 c 2 s 223 are each reenacted and amended to read as follows:

(1) Charter schools are eligible for state ((matching funds)) funding for ((common)) school construction. However, such appropriations may not be made from the common school construction fund.

(2) ((A)) If a school district decides to sell or lease the public school facility or property pursuant to RCW 28A.335.040 or 28A.335.120, a charter school ((has)) located within the boundaries of the district has a right of first refusal to purchase or lease at ((or below)) fair market value a closed public school facility or property or unused portions of a public school facility or property ((located in a school district from which it draws its students if the school district decides to sell or lease the public school facility or property pursuant to RCW 28A.335.040 or 28A.335.120)) by negotiated agreement with mutual consideration. The consideration may include the provision of educational services by the charter school.

(3) A charter school may negotiate and contract with a school district, the governing body of a public college or university, or any other public or private entity for the use of a facility for a school building at ((or below)) fair market rent.

(4) Public libraries, community service organizations, museums, performing arts venues, theaters, and public or private colleges and universities may provide space to charter schools within their facilities under their preexisting zoning and land use designations.

((5) A conversion charter school as part of the consideration for providing educational services under the charter contract may continue to use its existing facility without paying rent to the school district that owns the facility. The district remains responsible for major repairs and safety upgrades that may be required for the continued use of the facility as a public school. The charter school is responsible for routine maintenance of the facility including, but not limited to, cleaning, painting, gardening, and landscaping. The charter contract of a conversion charter school using existing facilities that are owned by its school district must include reasonable and customary terms regarding the use of the existing facility that are binding upon the school district.))

**Sec. 124.** RCW 28A.710.240 and 2013 c 2 s 224 are each reenacted to read as follows:

Years of service in a charter school by certificated instructional staff shall be included in the years of service calculation for purposes of the statewide salary allocation schedule under RCW 28A.150.410. This section does not require a charter school to pay a particular salary to its staff while the staff is employed by the charter school.

**Sec. 125.** RCW 28A.710.250 and 2013 c 2 s 225 are each reenacted and amended to read as follows:

(1) By December 1st of each year beginning in the first year after there have been charter schools operating for a full school year, the state board of education, in collaboration with the commission, must issue ((an annual)) a report on the performance

SIXTIETH DAY, MARCH 10, 2016

2016 REGULAR SESSION

of the state's charter schools ((for) during the preceding school year to the governor, the legislature, and the public at large.

(2) The annual report must be based on the reports submitted by each authorizer as well as any additional relevant data compiled by the state board of education. The report must include a comparison of the performance of charter school students with the performance of academically, ethnically, and economically comparable groups of students in ((noncharter)) other public schools. In addition, the annual report must include the state board of education's assessment of the successes, challenges, and areas for improvement in meeting the purposes of this chapter, including the board's assessment of the sufficiency of funding for charter schools, the efficacy of the formula for authorizer funding, and any suggested changes in state law or policy necessary to strengthen the state's charter schools.

(3) Together with the issuance of the annual report following the fifth year after there have been charter schools operating for a full school year, the state board of education, in collaboration with the commission, shall submit a recommendation regarding whether or not the legislature should authorize the establishment of additional ((public)) charter public schools.

**Sec. 126.** RCW 28A.710.260 and 2014 c 221 s 911 are each reenacted to read as follows:

The charter schools oversight account is hereby created in the state treasury. All moneys received by the commission under RCW 28A.710.110 must be deposited into the account. Moneys in the account may be spent only after appropriation. Expenditures from the account may be used only for the purposes of this chapter.

**NEW SECTION. Sec. 127.** A new section is added to chapter 28A.710 RCW to read as follows:

The state legislature shall, at each regular session in an odd-numbered year, appropriate from the Washington opportunity pathways account for the current use of charter public schools amounts as determined in accordance with section 128 of this act, and amounts authorized under RCW 28A.710.230(1), for state support to charter schools during the ensuing biennium.

**NEW SECTION. Sec. 128.** A new section is added to chapter 28A.710 RCW to read as follows:

(1) The legislature intends that state funding for charter schools be distributed equitably with state funding provided for other public schools.

(2) For eligible students enrolled in a charter school established and operating in accordance with this chapter, the superintendent of public instruction shall transmit to each charter school an amount calculated as provided in this section and based on the statewide average staff mix factor for certificated instructional staff, including any enrichment to those statutory formulae that is specified in the omnibus appropriations act. The amount must be the sum of (a) and (b) of this subsection, as applicable.

(a) The superintendent shall, for purposes of making distributions under this section, separately calculate and distribute to charter schools moneys appropriated for general apportionment under the same ratios as in RCW 28A.150.260.

(b) The superintendent also shall, for purposes of making distributions under this section, and in accordance with the applicable formulae for categorical programs specified in (b)(i) through (v) of this subsection (2) and any enrichment to those statutory formulae that is specified in the omnibus appropriations act, separately calculate and distribute moneys appropriated by the legislature to charter schools for:

(i) Supplemental instruction and services for underachieving students through the learning assistance program under RCW 28A.165.005 through 28A.165.065;

(ii) Supplemental instruction and services for eligible and enrolled students and exited students whose primary language is other than English through the transitional bilingual instruction program under RCW 28A.180.010 through 28A.180.080;

(iii) The opportunity for an appropriate education at public expense as defined by RCW 28A.155.020 for all eligible students with disabilities as defined in RCW 28A.155.020;

(iv) Programs for highly capable students under RCW 28A.185.010 through 28A.185.030; and

(v) Pupil transportation services to and from school in accordance with RCW 28A.160.150 through 28A.160.180. Distributions for pupil transportation must be calculated on a per eligible student basis based on the allocation for the previous school year to the school district in which the charter school is located.

(3) The superintendent of public instruction must adopt rules necessary for the distribution of funding required by this section and to comply with federal reporting requirements.

**NEW SECTION. Sec. 129.** A new section is added to chapter 28A.710 RCW to read as follows:

(1) The eligibility of a charter school student to participate in interschool athletic activities or other interschool extracurricular activities governed by the Washington interscholastic activities association is subject to rules adopted by the Washington interscholastic activities association. The rules must provide that, unless approved by a nonresident school district or the Washington interscholastic activities association, a student attending a charter school may only participate in interschool athletic activities or other interschool extracurricular activities offered by the student's resident school district.

(2) A proposal by a charter school to regulate the conduct of interschool athletic activities or other interschool extracurricular activities governed by the Washington interscholastic activities association is subject to rules adopted by the Washington interscholastic activities association.

(3) The rules adopted by the Washington interscholastic activities association under this section must provide that it is the responsibility of the charter school to pay the full cost, minus any student participation fee, for any student who participates in interschool athletic activities or other interschool extracurricular activities governed by the Washington interscholastic activities association.

**NEW SECTION. Sec. 130.** A new section is added to chapter 28A.710 RCW to read as follows:

(1) Members of the commission must file personal financial affairs statements with the public disclosure commission.

(2) Members of a charter school board must file personal financial affairs statements with the public disclosure commission.

**Sec. 131.** RCW 28A.150.010 and 2013 c 2 s 301 are each reenacted and amended to read as follows:

Public schools means the common schools as referred to in Article IX of the state Constitution, ((including)) charter schools established under chapter 28A.710 RCW, and those schools and institutions of learning having a curriculum below the college or university level as now or may be established by law and maintained at public expense.

**Sec. 132.** RCW 28A.315.005 and 2013 c 2 s 302 are each reenacted and amended to read as follows:

(1) Under the constitutional framework and the laws of the state of Washington, the governance structure for the state's public common school system is comprised of the following bodies: The legislature, the governor, the superintendent of public instruction, the state board of education, ((the Washington charter school commission,)) the educational service district boards of

directors, and local school district boards of directors. The respective policy and administrative roles of each body are determined by the state Constitution and statutes.

(2) Local school districts are political subdivisions of the state and the organization of such districts, including the powers, duties, and boundaries thereof, may be altered or abolished by laws of the state of Washington.

**Sec. 133.** RCW 41.32.033 and 2013 c 2 s 303 are each reenacted to read as follows:

This section designates charter schools established under chapter 28A.710 RCW as employers and charter school employees as members, and applies only if the department of retirement systems receives determinations from the internal revenue service and the United States department of labor that participation does not jeopardize the status of these retirement systems as governmental plans under the federal employees' retirement income security act and the internal revenue code.

**Sec. 134.** RCW 41.35.035 and 2013 c 2 s 304 are each reenacted to read as follows:

This section designates charter schools established under chapter 28A.710 RCW as employers and charter school employees as members, and applies only if the department of retirement systems receives determinations from the internal revenue service and the United States department of labor that participation does not jeopardize the status of these retirement systems as governmental plans under the federal employees' retirement income security act and the internal revenue code.

**Sec. 135.** RCW 41.40.025 and 2013 c 2 s 305 are each reenacted to read as follows:

This section designates charter schools established under chapter 28A.710 RCW as employers and charter school employees as members, and applies only if the department of retirement systems receives determinations from the internal revenue service and the United States department of labor that participation does not jeopardize the status of these retirement systems as governmental plans under the federal employees' retirement income security act and the internal revenue code.

**Sec. 136.** RCW 41.05.011 and 2015 c 116 s 2 are each reenacted to read as follows:

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

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

(2) "Board" means the public employees' benefits board established under RCW 41.05.055.

(3) "Dependent care assistance program" means a benefit plan whereby state and public employees may pay for certain employment related dependent care with pretax dollars as provided in the salary reduction plan under this chapter pursuant to 26 U.S.C. Sec. 129 or other sections of the internal revenue code.

(4) "Director" means the director of the authority.

(5) "Emergency service personnel killed in the line of duty" means law enforcement officers and firefighters as defined in RCW 41.26.030, members of the Washington state patrol retirement fund as defined in RCW 43.43.120, and reserve officers and firefighters as defined in RCW 41.24.010 who die as a result of injuries sustained in the course of employment as determined consistent with Title 51 RCW by the department of labor and industries.

(6) "Employee" includes all employees of the state, whether or not covered by civil service; elected and appointed officials of the executive branch of government, including full-time members of boards, commissions, or committees; justices of the supreme court and judges of the court of appeals and the superior courts; and members of the state legislature. Pursuant to contractual

agreement with the authority, "employee" may also include: (a) Employees of a county, municipality, or other political subdivision of the state and members of the legislative authority of any county, city, or town who are elected to office after February 20, 1970, if the legislative authority of the county, municipality, or other political subdivision of the state seeks and receives the approval of the authority to provide any of its insurance programs by contract with the authority, as provided in RCW 41.04.205 and 41.05.021(1)(g); (b) employees of employee organizations representing state civil service employees, at the option of each such employee organization, and, effective October 1, 1995, employees of employee organizations currently pooled with employees of school districts for the purpose of purchasing insurance benefits, at the option of each such employee organization; (c) employees of a school district if the authority agrees to provide any of the school districts' insurance programs by contract with the authority as provided in RCW 28A.400.350; (d) employees of a tribal government, if the governing body of the tribal government seeks and receives the approval of the authority to provide any of its insurance programs by contract with the authority, as provided in RCW 41.05.021(1) (f) and (g); (e) employees of the Washington health benefit exchange if the governing board of the exchange established in RCW 43.71.020 seeks and receives approval of the authority to provide any of its insurance programs by contract with the authority, as provided in RCW 41.05.021(1) (g) and (n); and (f) employees of a charter school established under chapter 28A.710 RCW. "Employee" does not include: Adult family home providers; unpaid volunteers; patients of state hospitals; inmates; employees of the Washington state convention and trade center as provided in RCW 41.05.110; students of institutions of higher education as determined by their institution; and any others not expressly defined as employees under this chapter or by the authority under this chapter.

(7) "Employer" means the state of Washington.

(8) "Employer group" means those counties, municipalities, political subdivisions, the Washington health benefit exchange, tribal governments, school districts, and educational service districts, and employee organizations representing state civil service employees, obtaining employee benefits through a contractual agreement with the authority.

(9) "Employing agency" means a division, department, or separate agency of state government, including an institution of higher education; a county, municipality, school district, educational service district, or other political subdivision; charter school; and a tribal government covered by this chapter.

(10) "Faculty" means an academic employee of an institution of higher education whose workload is not defined by work hours but whose appointment, workload, and duties directly serve the institution's academic mission, as determined under the authority of its enabling statutes, its governing body, and any applicable collective bargaining agreement.

(11) "Flexible benefit plan" means a benefit plan that allows employees to choose the level of health care coverage provided and the amount of employee contributions from among a range of choices offered by the authority.

(12) "Insuring entity" means an insurer as defined in chapter 48.01 RCW, a health care service contractor as defined in chapter 48.44 RCW, or a health maintenance organization as defined in chapter 48.46 RCW.

(13) "Medical flexible spending arrangement" means a benefit plan whereby state and public employees may reduce their salary before taxes to pay for medical expenses not reimbursed by insurance as provided in the salary reduction plan under this chapter pursuant to 26 U.S.C. Sec. 125 or other sections of the internal revenue code.

SIXTIETH DAY, MARCH 10, 2016

2016 REGULAR SESSION

(14) "Participant" means an individual who fulfills the eligibility and enrollment requirements under the salary reduction plan.

(15) "Plan year" means the time period established by the authority.

(16) "Premium payment plan" means a benefit plan whereby state and public employees may pay their share of group health plan premiums with pretax dollars as provided in the salary reduction plan under this chapter pursuant to 26 U.S.C. Sec. 125 or other sections of the internal revenue code.

(17) "Retired or disabled school employee" means:

(a) Persons who separated from employment with a school district or educational service district and are receiving a retirement allowance under chapter 41.32 or 41.40 RCW as of September 30, 1993;

(b) Persons who separate from employment with a school district, educational service district, or charter school on or after October 1, 1993, and immediately upon separation receive a retirement allowance under chapter 41.32, 41.35, or 41.40 RCW;

(c) Persons who separate from employment with a school district, educational service district, or charter school due to a total and permanent disability, and are eligible to receive a deferred retirement allowance under chapter 41.32, 41.35, or 41.40 RCW.

(18) "Salary" means a state employee's monthly salary or wages.

(19) "Salary reduction plan" means a benefit plan whereby state and public employees may agree to a reduction of salary on a pretax basis to participate in the dependent care assistance program, medical flexible spending arrangement, or premium payment plan offered pursuant to 26 U.S.C. Sec. 125 or other sections of the internal revenue code.

(20) "Seasonal employee" means an employee hired to work during a recurring, annual season with a duration of three months or more, and anticipated to return each season to perform similar work.

(21) "Separated employees" means persons who separate from employment with an employer as defined in:

- (a) RCW 41.32.010(17) on or after July 1, 1996; or
- (b) RCW 41.35.010 on or after September 1, 2000; or
- (c) RCW 41.40.010 on or after March 1, 2002;

and who are at least age fifty-five and have at least ten years of service under the teachers' retirement system plan 3 as defined in RCW 41.32.010(33), the Washington school employees' retirement system plan 3 as defined in RCW 41.35.010, or the public employees' retirement system plan 3 as defined in RCW 41.40.010.

(22) "State purchased health care" or "health care" means medical and health care, pharmaceuticals, and medical equipment purchased with state and federal funds by the department of social and health services, the department of health, the basic health plan, the state health care authority, the department of labor and industries, the department of corrections, the department of veterans affairs, and local school districts.

(23) "Tribal government" means an Indian tribal government as defined in section 3(32) of the employee retirement income security act of 1974, as amended, or an agency or instrumentality of the tribal government, that has government offices principally located in this state.

**Sec. 137.** RCW 41.56.0251 and 2013 c 2 s 307 are each reenacted to read as follows:

In addition to the entities listed in RCW 41.56.020, this chapter applies to any charter school established under chapter 28A.710 RCW. Any bargaining unit or units established at the charter school must be limited to employees working in the charter school

and must be separate from other bargaining units in school districts, educational service districts, or institutions of higher education. Any charter school established under chapter 28A.710 RCW is a separate employer from any school district, including the school district in which it is located.

**Sec. 138.** RCW 41.59.031 and 2013 c 2 s 308 are each reenacted to read as follows:

This chapter applies to any charter school established under chapter 28A.710 RCW. Any bargaining unit or units established at the charter school must be limited to employees working in the charter school and must be separate from other bargaining units in school districts, educational service districts, or institutions of higher education. Any charter school established under chapter 28A.710 RCW is a separate employer from any school district, including the school district in which it is located.

NEW SECTION. **Sec. 139.** RCW 28A.710.005 (Findings—2013 c 2) and 2013 c 2 s 101 are each repealed.

NEW SECTION. **Sec. 140.** (1) Sections 101 through 139 of this act are remedial and curative in nature and apply to the Washington state charter school commission, school district authorizers, and charter schools established before the effective date of this section.

(2) The Washington state charter school commission and school district authorizers, and actions related to their establishment and operation that were in compliance with the laws of the state of Washington before the effective date of this section, or that substantially complied with the provisions of this act before its effective date, are declared to be valid.

(3) Contracts entered into under or in accordance with chapter 2, Laws of 2013 that were in effect on December 1, 2015, may, with the agreement of all parties and within sixty days after the effective date of this section, be executed as new contracts with the same terms and duration or substantially the same terms and duration as were in effect on December 1, 2015. For purposes of this section, "substantially the same terms and duration" includes contract modifications necessary to comply with the provisions of chapter . . . , Laws of 2016 (this act) or other applicable law.

(4) Nothing in this section entitles a charter school to retroactive payments under chapter . . . , Laws of 2016 (this act) for services that were rendered after December 1, 2015, and before execution of new contracts pursuant to subsection (3) of this section.

**PART II  
WASHINGTON OPPORTUNITY PATHWAYS  
ACCOUNT**

**Sec. 201.** RCW 28B.76.526 and 2010 1st sp.s. c 27 s 2 are each amended to read as follows:

The Washington opportunity pathways account is created in the state treasury. Expenditures from the account may be used only for programs in chapter 28A.710 RCW (charter schools), chapter 28B.12 RCW (state work-study), chapter 28B.50 RCW (opportunity grant), RCW 28B.76.660 (Washington scholars award), RCW 28B.76.670 (Washington award for vocational excellence), chapter 28B.92 RCW (state need grant program), ((chapter 28B.101 RCW (educational opportunity grant)),) chapter 28B.105 RCW (GET ready for math and science scholarship), chapter 28B.117 RCW (passport to college promise), chapter 28B.118 RCW (college bound scholarship), chapter 28B.119 RCW (Washington promise scholarship), and chapter 43.215 RCW (early childhood education and assistance program)((, and RCW 43.330.280 (recruitment of entrepreneurial researchers, innovation partnership zones and research teams))).

**PART III  
MISCELLANEOUS PROVISIONS**

NEW SECTION. **Sec. 301.** 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. 302.** 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.

BERNARD DEAN, Deputy Chief Clerk

#### MOTION

Senator Litzow moved that the Senate concur in the House amendment(s) to Engrossed Second Substitute Senate Bill No. 6194.

Senators Litzow, Baumgartner, Becker, Fain, Angel, Mullet, Ericksen, Hobbs and Roach spoke in favor of the motion.

Senators McAuliffe, Billig, Dansel, Lias, Pedersen, Habib, Jayapal and McCoy spoke against the motion.

#### POINT OF ORDER

Senator Rolfes: "It's getting a little bit over the top from the corner back there."

#### REPLY BY THE PRESIDENT

President Owen: "The President does not believe that there's anything that he has said that as he's pointed out have violated the rules of the Senate."

#### POINT OF ORDER

Senator McAuliffe: "I object to impugning the motives of the Supreme Court."

#### REPLY BY THE PRESIDENT

President Owen: "There is no rule that prohibits him from impugning anybody's motives, except the people that sit in the chairs in this body."

#### MOTION

Senator Rolfes demanded that the previous question be put.

The President declared that at least two additional senators joined the demand and the demand was sustained.

The President declared the question before the Senate to be, "Shall the main question be now put?"

The motion by Senator Rolfes carried and the previous question was put by voice vote.

The President declared the question before the Senate to be the motion by Senator Litzow that the Senate concur in the House amendment(s) to Engrossed Second Substitute Senate Bill No. 6194.

The motion by Senator Litzow carried and the Senate concurred in the House amendment(s) to Engrossed Second Substitute Senate Bill No. 6194 by voice vote.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 6194, as amended by the House.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 6194, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 26; Nays, 23; Absent, 0; Excused, 0.

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

Voting nay: Senators Billig, Carlyle, Chase, Cleveland, Conway, Dansel, Darneille, Fraser, Frockt, Habib, Hargrove, Hasegawa, Jayapal, Keiser, Lias, McAuliffe, McCoy, Nelson, Pearson, Pedersen, Ranker, Rolfes and Takko

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6194, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MESSAGE FROM THE HOUSE

March 4, 2016

#### MR. PRESIDENT:

The House passed ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6455 with the following amendment(s): 6455-S2.E AMH SANT H4654.1

Strike everything after the enacting clause and insert the following:

**NEW SECTION. Sec. 1.** A new section is added to chapter 28A.300 RCW to read as follows:

Subject to an appropriation specifically provided for this purpose, the superintendent of public instruction, in consultation with school district and educational service district personnel, shall develop and implement a comprehensive, statewide initiative to increase the number of qualified individuals who apply for teaching positions in Washington. In developing and implementing the initiative, the superintendent shall:

(1) Include a teacher recruitment component that targets groups of individuals who may be interested in teaching in Washington public schools, such as: College students who have not chosen a major; out-of-state teachers; military personnel and their spouses; and individuals with teaching certificates who are not currently employed as teachers;

(2) Contract for the development of a statewide system to provide recruitment and hiring services, including a centralized hiring portal, to school districts, and a statewide central depository for applications of individuals interested in applying for certificated positions that can be accessed by school districts in the state for purposes of hiring teachers and other certificated positions. The services and tools developed under this subsection must be made available initially to small school districts, and to larger districts as resources are available. When defining small districts for the purpose of this subsection, the office of the superintendent of public instruction must consider whether a district has fewer than three hundred certificated staff;

(3) Create or enhance an existing web site that provides useful information to individuals who are interested in teaching in Washington; and

(4) Take other actions to increase the number of qualified individuals who apply for teaching positions in Washington.

**NEW SECTION. Sec. 2.** (1) Subject to an appropriation specifically provided for this purpose, the workforce training and education coordinating board, in collaboration with the professional educator standards board, shall work with the student

SIXTIETH DAY, MARCH 10, 2016

2016 REGULAR SESSION

achievement council, the office of the superintendent of public instruction, school districts, educational service districts, the state board for community and technical colleges, the institutions of higher education, major employers, and other parties to develop and disseminate information designed to increase recruitment into professional educator standards board-approved teacher preparation programs. The information must be disseminated statewide through existing channels.

(2) This section expires July 1, 2019.

**NEW SECTION. Sec. 3.** (1) Subject to an appropriation specifically provided for this purpose, the professional educator standards board shall create and administer the recruitment specialists grant program to provide funds to professional educator standards board-approved teacher preparation programs to hire, or contract with, recruitment specialists that focus on recruitment of individuals who are from traditionally underrepresented groups among teachers in Washington when compared to the common school population.

(2) This section expires July 1, 2018.

**Sec. 4.** RCW 28A.410.250 and 2005 c 498 s 2 are each amended to read as follows:

The agency responsible for educator certification shall adopt rules for professional certification that:

(1) Provide maximum program choice for applicants, promote portability among programs, and promote maximum efficiency for applicants in attaining professional certification;

(2) Require professional certification no earlier than the fifth year following the year that the teacher first completes provisional status, with an automatic two-year extension upon enrollment;

(3) Grant professional certification to any teacher who attains certification from the national board for professional teaching standards;

(4) Permit any teacher currently enrolled in or participating in a program leading to professional certification to continue the program under administrative rules in place when the teacher began the program;

(5) Provide criteria for the approval of educational service districts, beginning no later than August 31, 2007, to offer programs leading to professional certification. The rules shall be written to encourage institutions of higher education and educational service districts to partner with local school districts or consortia of school districts, as appropriate, to provide instruction for teachers seeking professional certification;

(6) Encourage institutions of higher education to offer professional certificate coursework as continuing education credit hours. This shall not prevent an institution of higher education from providing the option of including the professional certification requirements as part of a master's degree program;

(7) Provide criteria for a liaison relationship between approved programs and school districts in which applicants are employed;

(8) Identify an expedited professional certification process for out-of-state teachers who have five years or more of successful teaching experience ((to demonstrate skills and impact on student learning commensurate with Washington requirements for professional certification. The rules may require these teachers, within one year of the time they begin to teach in the state's public schools, take a course in or show evidence that they can teach to the state's essential academic learning requirements)), including a method to determine the comparability of rigor between the Washington professional certification process and the second-level teacher certification process of other states. A professional certificate must be issued to these experienced out-of-state teachers if the teacher holds: (a) A valid teaching certificate issued by the national board for professional teaching standards;

or (b) a second-level teacher certificate from another state that has been determined to be comparable to the Washington professional certificate; and

(9) Identify an evaluation process of approved programs that includes a review of the program coursework and applicant coursework load requirements, linkages of programs to individual teacher professional growth plans, linkages to school district and school improvement plans, and, to the extent possible, linkages to school district professional enrichment and growth programs for teachers, where such programs are in place in school districts. The agency shall provide a preliminary report on the evaluation process to the senate and house of representatives committees on education policy by November 1, 2005. The board shall identify:

(a) A process for awarding conditional approval of a program that shall include annual evaluations of the program until the program is awarded full approval;

(b) A less intensive evaluation cycle every three years once a program receives full approval unless the responsible agency has reason to intensify the evaluation;

(c) A method for investigating programs that have received numerous complaints from students enrolled in the program and from those recently completing the program;

(d) A method for investigating programs at the reasonable discretion of the agency; and

(e) A method for using, in the evaluation, both program completer satisfaction responses and data on the impact of educators who have obtained professional certification on student work and achievement.

**NEW SECTION. Sec. 5.** A new section is added to chapter 41.32 RCW under the subchapter heading "provisions applicable to plan 2 and plan 3" to be codified between RCW 41.32.067 and 41.32.215 to read as follows:

In addition to the postretirement employment options available in RCW 41.32.802 or 41.32.862, and only until August 1, 2020, a teacher in plan 2 or plan 3 who has retired under the alternate early retirement provisions of RCW 41.32.765(3)(b) or 41.32.875(3)(b) may be employed with an employer for up to eight hundred sixty-seven hours per calendar year without suspension of his or her benefit, provided that the retired teacher reenters employment more than one calendar month after his or her accrual date and after the effective date of this section, and is employed exclusively as either:

(1) A substitute teacher as defined in RCW 41.32.010(48)(a) in an instructional capacity, as opposed to other capacities identified in RCW 41.32.010(49); or

(2) A mentor to teachers or an adviser to students in a professional educator standards board-approved teacher preparation program if the retired teacher has received appropriate training as defined by the office of the superintendent of public instruction, including training to become national board certified or other specialized training.

**NEW SECTION. Sec. 6.** A new section is added to chapter 41.32 RCW to read as follows:

A school district that employs a retired teacher exclusively as a substitute teacher under section 5(1) of this act must compensate its substitute teachers at an amount that is equal to or greater than the full daily amount allocated by the state to the district for substitute teacher compensation.

**NEW SECTION. Sec. 7.** (1) Subject to an appropriation specifically provided for this purpose, the professional educator standards board shall coordinate meetings between the school districts that do not have professional educator standards board-approved alternative route teacher certification programs and the nearest public or private institution of higher education with a professional educator standards board-approved teacher

preparation program. The purpose of the meetings is to determine whether the districts and institutions can partner to apply to the professional educator standards board to operate an alternative route teacher certification program.

(2) Subject to an appropriation specifically provided for this purpose, an institution of higher education, as defined in RCW 28B.10.016, with a professional educator standards board-approved teacher preparation program that does not operate a professional educator standards board-approved alternative route teacher certification program must seek approval from the professional educator standards board to offer an alternative route teacher certification program by submitting the proposal developed under RCW 28A.410.290, or an updated version of the proposal, by September 1, 2016. If approved, the institution of higher education must implement an alternative route teacher certification program according to a timeline suggested by the professional educator standards board.

(3) This section expires July 1, 2017.

**NEW SECTION. Sec. 8.** A new section is added to chapter 28B.10 RCW to read as follows:

(1) By July 1, 2018, each institution of higher education with a professional educator standards board-approved alternative route teacher certification program must develop a plan describing how the institution of higher education will partner with school districts in the general geographic region of the school, or where its programs are offered, regarding placement of resident teachers. The plans must be developed in collaboration with school districts desiring to partner with the institutions of higher education, and may include use of unexpended federal or state funds to support residencies and mentoring for students who are likely to continue teaching in the district in which they have a supervised student teaching residency.

(2) The plans required under subsection (1) of this section must be updated at least biennially.

**Sec. 9.** RCW 28A.415.265 and 2013 2nd sp.s. c 18 s 401 are each amended to read as follows:

(1) For the purposes of this section, a mentor is an educator who has achieved appropriate training in assisting, coaching, and advising beginning teachers or student teaching residents as defined by the office of the superintendent of public instruction, such as national board certification or other specialized training.

(2)(a) The educator support program is established to provide professional development and mentor support for beginning educators, candidates in alternative route teacher programs under RCW 28A.660.040, and educators on probation under RCW 28A.405.100, to be composed of the beginning educator support team for beginning educators and continuous improvement coaching for educators on probation, as provided in this section.

((2)(a)) (b) The superintendent of public instruction shall notify school districts about the educator support program and encourage districts to apply for program funds.

(3) Subject to funds appropriated for this specific purpose, the office of the superintendent of public instruction shall allocate funds for the beginning educator support team on a competitive basis to individual school districts or consortia of districts. School districts are encouraged to include educational service districts in creating regional consortia. In allocating funds, the office of the superintendent of public instruction shall give priority to:

(a) School districts with low-performing schools identified under RCW 28A.657.020 as being challenged schools in need of improvement; and

(b) School districts with a large influx of beginning classroom teachers.

(4) A portion of the appropriated funds may be used for program coordination and provision of statewide or regional professional development through the office of the superintendent

of public instruction.

((b)) (5) A beginning educator support team must include the following components:

((i)) (a) A paid orientation or individualized assistance before the start of the school year for beginning educators;

((ii)) (b) Assignment of a trained and qualified mentor for the first three years for beginning educators, with intensive support in the first year and decreasing support over the following years depending on the needs of the beginning educator;

((iii)) (c) A goal to provide beginning teachers from underrepresented populations with a mentor who has strong ties to underrepresented populations;

(d) Professional development for beginning educators that is designed to meet their unique needs for supplemental training and skill development;

((iv)) (e) Professional development for mentors;

((v)) (f) Release time for mentors and their designated educators to work together, as well as time for educators to observe accomplished peers; and

((vi)) (g) A program evaluation using a standard evaluation tool provided from the office of the superintendent of public instruction that measures increased knowledge, skills, and positive impact on student learning for program participants.

((3)) (6) Subject to funds separately appropriated for this specific purpose, the beginning educator support team components under subsection ((2)) (3) of this section may be provided for continuous improvement coaching to support educators on probation under RCW 28A.405.100.

**NEW SECTION. Sec. 10.** (1) In fiscal year 2017, the office of the superintendent of public instruction, in collaboration with the professional educator standards board and institutions of higher education with professional educator standards board-approved teacher preparation programs, shall develop mentor training program goals for the institutions to use in their teacher preparation program curricula.

(2) Once the mentor training program goals are developed as required under subsection (1) of this section, the institutions of higher education with professional educator standards board-approved teacher preparation programs are encouraged to develop and implement curricula that meet the mentor training program goals.

(3) This section expires July 1, 2019.

**NEW SECTION. Sec. 11.** A new section is added to chapter 28A.330 RCW to read as follows:

By June 15th of each year, a school district shall report to the office of the superintendent of public instruction the number of classroom teachers the district projects will be hired in the following school year.

**Sec. 12.** RCW 28A.660.050 and 2015 3rd sp.s. c 9 s 2 are each amended to read as follows:

Subject to the availability of amounts appropriated for these purposes, the conditional scholarship programs in this chapter are created under the following guidelines:

(1) The programs shall be administered by the student achievement council. In administering the programs, the council has the following powers and duties:

(a) To adopt necessary rules and develop guidelines to administer the programs;

(b) To collect and manage repayments from participants who do not meet their service obligations; and

(c) To accept grants and donations from public and private sources for the programs.

(2) Requirements for participation in the conditional scholarship programs are as provided in this subsection (2).

(a) The alternative route conditional scholarship program is limited to interns of professional educator standards board-



SIXTIETH DAY, MARCH 10, 2016

2016 REGULAR SESSION

approved alternative routes to teaching programs under RCW 28A.660.040. For fiscal year 2011, priority must be given to fiscal year 2010 participants in the alternative route partnership program. In order to receive conditional scholarship awards, recipients shall:

(i) Be accepted and maintain enrollment in alternative certification routes through a professional educator standards board-approved program;

(ii) Continue to make satisfactory progress toward completion of the alternative route certification program and receipt of a residency teaching certificate; and

(iii) Receive no more than the annual amount of the scholarship, not to exceed eight thousand dollars, for the cost of tuition, fees, and educational expenses, including books, supplies, and transportation for the alternative route certification program in which the recipient is enrolled. The council may adjust the annual award by the average rate of resident undergraduate tuition and fee increases at the state universities as defined in RCW 28B.10.016.

(b) The pipeline for paraeducators conditional scholarship program is limited to qualified paraeducators as provided by RCW 28A.660.042. In order to receive conditional scholarship awards, recipients shall:

(i) Be accepted and maintain enrollment at a community and technical college for no more than two years and attain an associate of arts degree;

(ii) Continue to make satisfactory progress toward completion of an associate of arts degree. This progress requirement is a condition for eligibility into a route one program of the alternative routes to teacher certification program for a mathematics, special education, or English as a second language endorsement; and

(iii) Receive no more than the annual amount of the scholarship, not to exceed four thousand dollars, for the cost of tuition, fees, and educational expenses, including books, supplies, and transportation for the alternative route certification program in which the recipient is enrolled. The student achievement council may adjust the annual award by the average rate of tuition and fee increases at the state community and technical colleges.

(c) The educator retooling conditional scholarship program is limited to current K-12 teachers. In order to receive conditional scholarship awards:

(i) Individuals currently employed as teachers shall pursue an endorsement in a subject or geographic endorsement shortage area, as defined by the professional educator standards board, including but not limited to((,)) mathematics, science, special education, elementary education, early childhood education, bilingual education, English language learner, computer science education, or environmental and sustainability education; or

(ii) Individuals who are certificated with an elementary education endorsement shall pursue an endorsement in a subject or geographic endorsement shortage area, as defined by the professional educator standards board, including but not limited to((,)) mathematics, science, special education, bilingual education, English language learner, computer science education, or environmental and sustainability education; and

(iii) Individuals shall use one of the pathways to endorsement processes to receive an endorsement in a subject or geographic endorsement shortage area, as defined by the professional educator standards board, including but not limited to((,)) mathematics, science, special education, bilingual education, English language learner, computer science education, or environmental and sustainability education, which shall include passing an endorsement test plus observation and completing applicable coursework to attain the proper endorsement; and

(iv) Individuals shall receive no more than the annual amount

of the scholarship, not to exceed three thousand dollars, for the cost of tuition, test fees, and educational expenses, including books, supplies, and transportation for the endorsement pathway being pursued.

(3) The Washington professional educator standards board shall select individuals to receive conditional scholarships. In selecting recipients, preference shall be given to eligible veterans or national guard members. In awarding conditional scholarships to support additional bilingual education or English language learner endorsements, the board shall also give preference to teachers assigned to schools required under state or federal accountability measures to implement a plan for improvement, and to teachers assigned to schools whose enrollment of English language learner students has increased an average of more than five percent per year over the previous three years.

(4) For the purpose of this chapter, a conditional scholarship is a loan that is forgiven in whole or in part in exchange for service as a certificated teacher employed in a Washington state K-12 public school. The state shall forgive one year of loan obligation for every two years a recipient teaches in a public school. Recipients who fail to continue a course of study leading to residency teacher certification or cease to teach in a public school in the state of Washington in their endorsement area are required to repay the remaining loan principal with interest.

(5) Recipients who fail to fulfill the required teaching obligation are required to repay the remaining loan principal with interest and any other applicable fees. The student achievement council shall adopt rules to define the terms for repayment, including applicable interest rates, fees, and deferments.

(6) The student achievement council may deposit all appropriations, collections, and any other funds received for the program in this chapter in the future teachers conditional scholarship account authorized in RCW 28B.102.080.

**NEW SECTION. Sec. 13.** A new section is added to chapter 28B.102 RCW to read as follows:

(1) Subject to an appropriation specifically provided for this purpose, the office shall develop and administer the teacher shortage conditional grant program as a subprogram within the future teachers conditional scholarship and loan repayment program. The purpose of the teacher shortage conditional grant program is to encourage individuals to become teachers by providing financial aid to individuals enrolled in professional educator standards-approved teacher preparation programs.

(2) The office has the power and duty to develop and adopt rules as necessary under chapter 34.05 RCW to administer the program described in this section.

(3) As part of the rule-making process under subsection (2) of this section, the office must collaborate with the professional educator standards board, the Washington state school directors' association, and the professional educator standards board-approved teacher preparation programs to develop a framework for the teacher shortage conditional grant program, including eligibility requirements, contractual obligations, conditional grant amounts, and loan repayment requirements.

(4)(a) In developing the eligibility requirements, the office must consider: Whether the individual has a financial need, is a first-generation college student, or is from a traditionally underrepresented group among teachers in Washington; whether the individual is completing an alternative route to teacher certification program; whether the individual plans to obtain an endorsement in a hard-to-fill subject, as defined by the professional educator standards board; the characteristic of any geographic shortage area, as defined by the professional educator standards board, that the individual plans to teach in; and whether a school district has committed to offering the individual

employment once the individual obtains a residency teacher certificate.

(b) In developing the contractual obligations, the office must consider requiring the individual to: Obtain a Washington state residency teacher certificate; teach in a subject or geographic endorsement shortage area, as defined by the professional educator standards board; and commit to teach for five school years in an approved education program with a need for a teacher with such an endorsement at the time of hire.

(c) In developing the conditional grant award amounts, the office must consider whether the individual is: Enrolled in a public or private institution of higher education, a resident, in a baccalaureate or postbaccalaureate program, or in an alternative route to teacher certification program. In addition, the award amounts must not result in a reduction of the individual's federal or state grant aid, including Pell grants, state need grants, college bound scholarships, or opportunity scholarships.

(d) In developing the repayment requirements for a conditional grant that is converted into a loan, the terms and conditions of the loan must follow the interest rate and repayment terms of the federal direct subsidized loan program. In addition, the office must consider the following repayment schedule:

(i) For less than one school year of teaching completed, the loan obligation is eighty-five percent of the conditional grant the student received, plus interest and an equalization fee;

(ii) For less than two school years of teaching completed, the loan obligation is seventy percent of the conditional grant the student received, plus interest and an equalization fee;

(iii) For less than three school years of teaching completed, the loan obligation is fifty-five percent of the conditional grant the student received, plus interest and an equalization fee; and

(iv) For less than four school years of teaching completed, the loan obligation is forty percent of the conditional grant the student received, plus interest and an equalization fee.

(5) By November 1, 2018, and November 1, 2020, the office shall submit reports, in accordance with RCW 43.01.036, to the appropriate committees of the legislature that recommend whether the teacher shortage conditional grant program under this section should be continued, modified, or terminated, and that include information about the recipients of the grants under this program.

**NEW SECTION. Sec. 14.** A new section is added to chapter 28A.630 RCW to read as follows:

(1) Subject to funds specifically appropriated for this purpose, the teacher endorsement and certification help pilot project, known as the TEACH pilot, is created. The scale of the TEACH pilot is dependent on the level of funding appropriated.

(2) The student achievement council, after consultation with the professional educator standards board, shall have the power and duty to develop and adopt rules as necessary under chapter 34.05 RCW to administer the pilot project described in this section. The rules, which must be adopted by August 1, 2016, must include:

(a) A TEACH pilot grant application process;

(b) A financial need verification process;

(c) The order of priority in which the applications will be approved; and

(d) A process for disbursing TEACH pilot grant awards to selected applicants.

(3) A student seeking a TEACH pilot grant to cover the costs of basic skills and content tests required for teacher certification and endorsement must submit an application to the student achievement council, following the rules developed under this section.

(4) To qualify for financial assistance, an applicant must meet the following criteria:

(a) Be enrolled in, have applied to, or have completed a professional educator standards board-approved teacher preparation program;

(b) Demonstrate financial need, as defined by the office of student financial assistance and consistent with the income criteria required to receive the state need grant established in chapter 28B.92 RCW;

(c) Apply for a TEACH pilot grant under this section; and

(d) Register for an endorsement competency test in one or more endorsement shortage areas.

(5) Beginning September 1, 2016, the student achievement council, in collaboration with the professional educator standards board, shall award a TEACH pilot grant to a student who meets the qualifications listed in this section and in rules developed under this section. The TEACH pilot grant award must cover the costs of basic skills and content tests required for teacher certification. The council shall prioritize TEACH pilot grant awards first to applicants registered for competency tests in endorsement shortage areas and second to applicants with greatest financial need. The council shall scale the number of TEACH pilot grant awards to the amount of funds appropriated for this purpose.

(6) The student achievement council and the professional educator standards board shall include information about the TEACH pilot in materials distributed to schools and students.

(7) By December 31, 2018, and in compliance with RCW 43.01.036, the student achievement council, in collaboration with the professional educator standards board, shall submit a preliminary report to the appropriate committees of the legislature that details the effectiveness and costs of the pilot project. The preliminary report must (a) compare the numbers and demographic information of students taking and passing tests in the endorsement shortage areas before and after implementation of the pilot project, and (b) determine the amount of TEACH pilot grant award financial assistance awarded each pilot year and per student.

(8) By December 31, 2020, and in compliance with RCW 43.01.036, the student achievement council, in collaboration with the professional educator standards board, shall submit a final report to the appropriate committees of the legislature that details the effectiveness and costs of the pilot project. In addition to updating the preliminary report, the final report must (a) compare the numbers and demographic information of students obtaining teaching certificates with endorsement competencies in the endorsement shortage areas before and after implementation of the pilot project, and (b) recommend whether the pilot project should be modified, continued, and expanded.

(9) This section expires June 30, 2021.

**NEW SECTION. Sec. 15.** A new section is added to chapter 28B.76 RCW to read as follows:

(1) Subject to funds appropriated specifically for this purpose, the office shall administer a student teaching residency grant program to provide additional funds to individuals completing student teaching residencies at public schools in Washington.

(2) To qualify for the grant, recipients must be enrolled in a professional educator standards board-approved teacher preparation program, be completing or about to start a student teaching residency at a Title I school, and demonstrate financial need, as defined by the office and consistent with the income criteria required to receive the state need grant established in chapter 28B.92 RCW.

(3) The office shall establish rules for administering the grants under this section.

**NEW SECTION. Sec. 16.** If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2016, in the omnibus appropriations

SIXTIETH DAY, MARCH 10, 2016

2016 REGULAR SESSION

act, this act is null and void.

NEW SECTION. **Sec. 17.** Sections 5 and 6 of this act expire July 1, 2021."

Correct the title.

BERNARD DEAN, Deputy Chief Clerk

MOTION

Senator Dammeier moved that the Senate refuse to concur in the House amendment(s) to Engrossed Second Substitute Senate Bill No. 6455 and ask the House to recede therefrom.

Senator Dammeier spoke in favor of the motion.

The President declared the question before the Senate to be the motion by Senator Dammeier that the Senate refuse to concur in the House amendment(s) to Engrossed Second Substitute Senate Bill No. 6455 and ask the House to recede therefrom.

The motion by Senator Dammeier carried and the Senate refused to concur in the House amendment(s) to Engrossed Second Substitute Senate Bill No. 6455 and asked the House to recede therefrom by voice vote.

MESSAGE FROM THE HOUSE

March 10, 2016

MR. PRESIDENT:

The House receded from its amendment to SUBSTITUTE SENATE BILL NO. 6360 and passed the bill without the House amendment.

BERNARD DEAN, Deputy Chief Clerk

MESSAGE FROM THE HOUSE

March 10, 2016

MR. PRESIDENT:

The House concurred in the Senate amendments to the following bills and passed the bills as amended by the Senate:

- FOURTH SUBSTITUTE HOUSE BILL NO. 1541,
- SUBSTITUTE HOUSE BILL NO. 2427,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2700,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2908,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2928

and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

SIGNED BY THE PRESIDENT

Pursuant to Article 2, Section 32 of the State Constitution and Senate Rule 1(5), the President announced the signing of and thereupon did sign in open session:

SUBSTITUTE SENATE BILL NO. 6360.

MOTION

Senator Rolfes moved that the Senate advance to the ninth order of business to relieve the Committee on Early Learning & K-12 Education of Senate Bill 6353, an act relating to delaying the implementation of revisions to the school levy lid.

MOTION

Senator Rolfes demanded a roll call vote on the motion to advance to the ninth order of business.

The President declared that at least one-sixth of the Senate joined the demand and the demand was sustained.

Senator Dammeier spoke against the motion.

POINT OF ORDER

Senator Baumgartner: "At this point in session, how many votes would it take to get this bill to the floor?"

REPLY BY THE PRESIDENT

President Owen: "Senator Baumgartner, it takes a majority of those present in order to pass the motion to go to the ninth order. Once you get to the ninth order, it takes a majority of the members of the body to actually bring the bill up – to relieve the committee of the bill."

ROLL CALL

The Secretary called the roll on the motion by Senator Rolfes to advance to the ninth order of business and the motion did not carry by the following vote: Yeas, 23; Nays, 26; Absent, 0; Excused, 0.

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

Voting nay: Senators Angel, Bailey, Baumgartner, Becker, Benton, Braun, Brown, Dammeier, Dandel, Erickson, Fain, Hewitt, Hill, Honeyford, King, Litzow, Miloscia, O'Ban, Padden, Parlette, Pearson, Rivers, Roach, Schoesler, Sheldon and Warnick  
Yeas, 23; Nays, 26; Absent, 0; Excused, 0.

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

Voting nay: Senators Angel, Bailey, Baumgartner, Becker, Benton, Braun, Brown, Dammeier, Dandel, Erickson, Fain, Hewitt, Hill, Honeyford, King, Litzow, Miloscia, O'Ban, Padden, Parlette, Pearson, Rivers, Roach, Schoesler, Sheldon and Warnick  
was not found

PERSONAL PRIVILEGE

Senator Schoesler: "Thank you, Mr. President. It only seems fitting after a morning long debate on education that I would speak of our departing colleague Senator Dammeier. Senator Dammeier was vigorously part of the debate in supporting charter schools today, but he also started his political career as a school board director in his native Puyallup, providing public service. We all know that his eight years in Olympia he has been actively involved in education policy and funding in both chambers. That deep commitment we certainly can appreciate as we say farewell to it. We also look at his service to our country. Only the cream of the crop goes to our nation's service academies, Senator Dammeier was one who graduated from our Naval Academy and later served his tour with the Navy. Again serving his country and our state. The family leadership in business and community is very well documented. His wonderful family is joining us here today, sharing the end of his brilliant public service. As we break for lunch today there will be a cake congratulating and thanking Senator Dammeier for his service. My office will be open to all of you to join us in

thanking Senator Dammeier for his service to this state and our country.”

PERSONAL PRIVILEGE

Senator Hargrove: “Well I am going to miss Senator Dammeier, too. I was very depressed when I saw the announcement this last fall that he was planning on not running for reelection. We had worked on 6130 over and over and over and over and over again, and I really thought we have a good product to start with there. But I really appreciated his willingness to step forward and work on a real solution and to take leadership on that when realizing that additional resources probably isn’t the most popular thing to do. And besides that it was Senator Dammeier that encouraged me to co-chair the Prayer Breakfast these last couple of years. And I initially resisted because it takes time and I don’t have time, etc., etc., but that has been one of the most pleasurable experiences I’ve had in my time in Olympia. And so Bruce, as a man of faith, and as someone who has always been straight with me, I can say we are really going to miss you and thank you for your encouragement.”

PERSONAL PRIVILEGE

Senator Becker: “Thank you, I have to stand with this person sitting next to me for the last few years and tell you how much I’m going to miss him. I’ve never met anyone quite like Bruce Dammeier. He actually is one of the smartest people I’ve ever met, but he’s the most supportive of every single person in this chamber. If you need anything, you go to Bruce. If you have a question, you go to Bruce, Senator Dammeier I should say. But he was vice chair of the Health Care Committee, and let me tell you, that was an amazing thing, having Bruce Dammeier sit next to me in the Health Care Committee. And we worked so closely together, and he would tell me over and over with his finger when I was doing something wrong and when I was doing something right or when he wanted to talk. He looks at things in a way that probably none of us have the ability to do or maybe a few, but he is going to be missed. No one can fill that seat quite like Senator Dammeier, and I wish him well in his future and I wish him the very best in his entire life and thank him for everything that he’s done. Thank you.”

PERSONAL PRIVILEGE

Senator Frockt: “Thank you, Mr. President. I also wanted to add my words to the comments about the good Senator Dammeier. I just wanted to say it’s been a pleasure to work with him and this chamber ever since I came over five years ago, and I think that Senator Dammeier, in many ways, embodies the idea, even though his philosophy in some ways is very different from mine, embodies the philosophy of our former Governor Evans, one of my constituents, who often said it’s important to be able to reach across the aisle when it’s appropriate. And I know in many respects he has done that. We worked together a few years ago to try to help the budget process get along by working on a third grade reading bill that we helped facilitate and help kind of shake things loose to get a compromise done, and he was very open to our suggestions even though he didn’t have to take my suggestions, I was in the minority. He was very helpful that way. And additionally he’s done things for Seattle, we were able to get twenty-five million dollars in the Capital Budget for needs in Seattle schools last year because Senator Dammeier understood and listened to the concerns we had in Seattle, and was willing to work with Senator Pedersen and myself on that. And I think we need more of that. And I just want to say he’ll be missed and

he’s been a very excellent member and a great public servant, and I know he’ll do quite well in his future endeavors. Thank you.”

PERSONAL PRIVILEGE

Senator Litzow: “I think there’s few on the floor here that will miss Senator Dammeier more than myself. He has been my partner in education, his naval experience has come in handy because it’s often that I feel that we are together in a small boat in shark-infested waters taking fire from both opposition and friendly people. But he has handled all of that with graciousness and humor, a level head. He’s the most unflappable man I’ve ever met. It’s been a true pleasure to work with him and to call him my friend. I wish him the best of luck.”

PERSONAL PRIVILEGE

Senator Conway: “I know there’s a group here who’s going to miss Bruce a great deal and that’s the Pierce County delegation. I can’t tell you who he has helped bring to our delegation. I know that we all remember the Daffodil princesses and Bruce Dammeier and his powerful welcoming of those princesses to this chamber. I want to say though that I think Bruce brings something else that I will miss considerably, and that is his ability to work across this political divide and work together for the common good of our state. And I think, you know last year to me that was so demonstrated in his willingness to put himself at risk in supporting the transportation budget that passed this state. Bruce, I can’t tell you how much I feel that you were a critical role in getting that transportation budget passed through this body. I feel that we’re going to miss him because of this bipartisan role he’s played here. And the beauty of Pierce County is that we are a bipartisan county and we have to work on a bipartisan basis. So I hope that we all remember, he’s a great problem solver. He’s on the capital budget with us. We worked capital budget a couple of years, always looking for solutions here, trying to figure out the problem, trying to solve the problem. And I hope that we can continue to work on, in that fashion. I think that’s what makes this chamber work. I think we had great comments on that when our President announced his retirement, and I just hope, Bruce we’re going to miss you very much, and so, first you’ll still be in Pierce County, so we’ll still have you there, but thank you.”

PERSONAL PRIVILEGE

Senator Parlette: “Well I remember the first time, it was actually at a luncheon, that I met Bruce Dammeier, and I was impressed right from the beginning. What I will miss most is Bruce’s calmness and his ability to multitask on a variety of issues. Not only is he a strong leader, but he cares deeply about policy issues, and can handle so many of them, all at the same time. So I would like to be just one of the many colleagues who wish him well on his next endeavor, and hope he doesn’t go too far, because we look forward to seeing him in the future.”

PERSONAL PRIVILEGE

Senator Warnick: “Thank you. I had the honor of serving with, now Senator Dammeier, in that other body, and when he came into that caucus room we knew he was there. He has a very, very strong voice, not necessarily loud, but very strong. I also, as another speaker mentioned, appreciated Senator Dammeier being a man of faith. Every Tuesday morning we have fellowship, and you can always count on him being there and being very strongly involved in the Governor’s Prayer

SIXTIETH DAY, MARCH 10, 2016

2016 REGULAR SESSION

Breakfast. What I am going to ask, I just heard a recent story that Senator Dammeier told me about him, maybe his brother or someone else, maybe one of the son's, coming into my district and driving through Crab Creek, and almost crashing their truck in the Crab Creek and having to roar through it. So, might ask him to come and check that creek out and see if there is any environmental damage done there but I do wish him well, as well, and look forward to seeing him in a different role in the future. Thank you."

## PERSONAL PRIVILEGE

Senator Hewitt: "Thank you, Mr. President. Well I'm not going to have to miss Senator Dammeier, because he and his wife Lauren love to come to Walla Walla and drink wine. And I know that when he is in his new role, he's going to continue to come to Walla Walla and he's going to call me and we're going to go drink wine. But Senator I really do want to thank you very, very much for the thoughtful and very steady leadership that you have brought to this body. I've watched you for a number of years over in the other body and I was so excited to have you come over here, and you have not, absolutely not, disappointed me one bit in your leadership over here. I wish you the best in whatever happens in the future, and to your family as well, and when you come to Walla Walla please know my phone's available. Thank you, Mr. President."

## PERSONAL PRIVILEGE

Senator Carlyle: "Thank you so much. I join my colleagues in expressing my gratitude to the honorable gentleman who I came into public service in 2008 with me at the same time. You know Mr. President, for the past year and a half or so we had an informal group of folks who worked very hard on McCleary and I know, and I think all of us know on a very meaningful level, that the gentleman from the Twenty-fifth is so passionate about trying to find a resolution, not just to the mechanics of McCleary, but to the broad public education challenge of our state with higher quality outcomes for all kids. We worked very hard and we continue to work very hard, all of us, but on some level we were able to come together and have a level of dialogue, a level of policy analysis, a level of discussion, an examination of the ingredients of a grand bargain. And while we have not yet made progress, that foundation exists in large part because of the gracious gentleman from the Twenty-fifth. And it is so important that the grace and the dignity that he brought to that process be maintained. He's set that expectation. He laid that foundation for all of us. And I know on a very deep level that he's disappointed that we haven't made the type of progress in public education on these particular challenges that we face today, that he wants to, and I think we all share that. But because of his work and because of the integrity and the grace that that process has allowed, I do believe that we will make it happen together. Thank you."

## PERSONAL PRIVILEGE

Senator Brown: "So this is going to be really, really tough, we are going to miss this man so incredibly much. I share with what all my other colleagues have said, but I will also take it one step further in saying you can trust Senator Dammeier. We all know that we have really sticky issues around here sometimes, but Senator Dammeier was the one person that you could, for sure, go to at any hour or time of day or night, and you could say Bruce, I've got an issue, and sometimes he would even see it on

your face, you wouldn't even have to go to him. Sometimes, Bruce would come up to you and say, 'What's up? What's wrong? Are you okay? Do you need help? What's going on?' And one thing I want to thank Lauren for, is a few years ago I had an issue in my district, Senator Dammeier spent forty-five minutes on the phone with my superintendent on Valentine's Day eve, so thank you Lauren for that very much. We are going to miss this man."

## PERSONAL PRIVILEGE

Senator Angel: "Well I, too, want to stand to thank Senator Dammeier for everything that he has given to the people of Washington and obviously Pierce County. We came to the body on the other side of the rotunda the same year and we got to know each other at that time and we sat together at a dinner at one of our first orientations in Suncadia and we knew at that dinner that we were brought together for a special reason. We felt it..We knew it, but we weren't sure what it was. And we've been on that path together since then, and he's been an amazing leader, an amazing friend. I was standing right inside the curtains here during a very difficult vote for me, and he knew it was a difficult vote, and I felt a hand on my shoulder and a prayer in my ear. I thank him for that and for all the times that he has been there for us. Lauren and the family, thank you for all the time you shared him with us."

## PERSONAL PRIVILEGE

Senator Darneille: "Thank you, Mr. President. Well, I too stand to recognize Senator Dammeier today. We have worked through a lot of issues from a bipartisan position and from a Pierce County-centric position and I have always found Senator Dammeier to be very good natured, much more good natured than I am. I have also found him to be hard working and committed to the issues. I respect quite a lot, his philanthropic work in Pierce County, well beyond the bounds of the Twenty-fifth district, and for that our county does thank him as well. We have been called the Pierce County mafia. Over in the other body we were called the Tacoma Pirates, but we have had issues, let's say, in common that have not marched at the same drum as the rest of the legislature, and we have won some battles and we have lost some. But one thing I'll say I've come to expect from Senator Dammeier is that he's always thinking. And I don't know who in this body is going to wink at me all the time because you know when he winks at you that he has concocted a plan so we will have to rise up and start winking. The other thing that I want to say is he's really grown in his skills as a legislator over the years. If I could take some of the people over the years that he trained in the other body, back to those early days, there was a seat similar to Senator Warnick's right at the front of the body and there was a seat similar to the one I'm in now, towards the back of the body. One where Senator Dammeier sat. One where I sat. He was tasked I think to have quite a few floor speeches that were quite contrary to my position about serving the poor, so he would give a floor speech, and Mr. President, I was obligated to smack him down, and now that all these years have passed by, he has not given a speech like that ever, ever, ever in this body, and so I just wish he was going to stay around because I have a lot more to teach him. Thank you."

## PERSONAL PRIVILEGE

Senator Bailey: "Senator Dammeier and I have a special connection in many ways. But first of all I'd just like to

emphasize a couple of things that have already been said. He is a great man of faith, and I think anyone who knows him and knows him a little more personally would certainly confirm that. He is also a man of family. In spite of all the things that we do here and the time that we spent, taking away from our families, I know that Senator Dammeier's first and foremost thoughts are always with his family. We've had several conversations about that. He's also a man of service, service to his community, to his church, to the state, and he's also been a man of service to his country. That's the area that brought us together, my husband's involvement and long service to our country, and Senator Dammeier's service also, in the same branch of the military, both being Navy retirees. And there's a little something that I want to leave this body with that they could kind of ask Senator Dammeier about, and this is a long standing rivalry between military people who went to the academies and military people who did not. So ask Senator Dammeier sometime which hand he uses to pick his nose. Thank you very much."

PERSONAL PRIVILEGE

Senator Baumgartner: "Thank you, Mr. President. I just wanted to say that Bruce Dammeier is a great public servant and a great state legislator. And I had heard before Bruce came to the Senate, you know I had heard of him and heard there was this rock star in the House, and frankly I was a little skeptical about someone who was said to be such a good leader with such a good intellect to come over and how he would fit in but he did a great job and was just a great senator. He's not quite at the Karen Fraser level of decorum and friendliness on her best day, but he's pretty darn close and I know he's a great dad because he has a great wife and he sent all of his kids, or at least a number of them to WSU, so we know he has good judgement there. I guess we're missing a number of members and I hope we will speak about Senator Hewitt later, but when I think about the guys we're losing, I think Don Benton is the fighter, Mike Hewitt is the architect, and Bruce Dammeier is the statesman. Thank you for your service."

PERSONAL PRIVILEGE

Senator Rolfes: "Thank you, Mr. President. You know, Senator Dammeier isn't just a great legislator and a great friend, he's a great man, and I'm really going to miss him. Listening to the speeches I kind of go between describing him as a great man on the one hand and the Energizer Bunny on the other hand because nobody works harder than Senator Dammeier. And, as has been said, he can work on a variety of issues. But as a member of the minority, and as a member of the majority in the House, Senator Dammeier has always reached out. He has always sought to find out what the Democrats are interested in. He's always worked to try to translate the differences into good public policy moving forward. I don't know that anybody here has spent more time with him in the last year working on education issues than I have, and he has never wavered. He has never stopped working, even knowing that he's not coming back he has remained committed and given it his all. I have never heard Senator Dammeier talk about things in terms of my district, Puyallup this, Puyallup that. Senator Dammeier is all about Washington State, and he's all about helping all of us be successful and get satisfaction out of our work. And so I wanted to take the opportunity to tell Senator Dammeier that I hope we will remain friends and I hope that he will stop by and call when he's on Bainbridge Island or when he's in the Naval base part of Kitsap county."

PERSONAL PRIVILEGE

Senator Braun: "Thank you. I'd also like to say a few words about Senator Bruce Dammeier. When I came to this body four years ago, he was one of the first to reach out, and he didn't just reach out and say hello, he drove and met with me. We were both coming to the Senate the same year, but of course I was brand new, and he had years of experience in the other body, and he offered that experience to help me you know climb that steep learning curve that we all face in that first year. And this is really to me what Bruce Dammeier is all about. He reaches out. He builds relationships. And we've heard a lot about his acumen with policy. He's certainly great in that, his willingness to speak and take on hard issues. But I'd like to share something else. He does more than that. He's great in all those ways and I agree with all the comments, but he also helps as a friend. And one of the things that year, 2012-2013 for me was a very challenging year, partly because that was my first year here and there's a lot of things to learn, but it was also the year my first daughter left to go to the Naval Academy. And we knew that would be hard for her, but what I didn't know is that it would be hard for me. And so Bruce, who went to that esteemed institution, always took time to talk to me about what's going on with her life. What was happening, share his experiences. And it's just one of the ways he goes beyond being a great statesman of the legislature. But he cares as a friend and he's always there to listen, to help, and I don't even know if he knows he's doing it. But he does it, and I really appreciate it. He has, of course, my deepest respect and admiration for the work he's done here, but also for the work he does just by being him. I wish him the best of luck, his family the best of luck. I expect to see great things from him in the future. Thank you again for your service to the state of Washington and to your friends."

PERSONAL PRIVILEGE

Senator Hobbs: "Well you know I too rise and just want to thank Bruce for all the work that you've done. You have certainly reached across the aisle multiple times to talk with me about certain issues and I really appreciate that. And you've been a bedrock to your community in Pierce County. You know for a moment I was going to ask that the remarks of the Twenty-seventh district Senator be spread on the journal. I'm not asking for that, because for the first time she admitted that there is a mafia. She's always told me there isn't a mafia, but clearly there is a mafia. But I've got to tell you, I'm really glad he's leaving, that he's gone, because I'm getting tired of having him remind me every year of the Army/Navy game. It's painful, it hurts, and I'm glad he's leaving. I don't have to hear that from him anymore, but when Army does win, and they haven't won for over a decade, I'm going to call you, I'm going to call you. It's going to be a great day for me, but good luck."

PERSONAL PRIVILEGE

Senator Honeyford: "Well thank you, Mr. President. We're going to miss you. He is a true gentleman. He is a calming influence, a jack of all trades, healthcare, education, capital budget, operating budget, he's there. Made me look good. I appreciate that very much, and one thing I have not heard is him knocking his ring. So anyway we're going to miss you very much and thank you to his family for allowing him to serve, and good luck with your jobs."

PERSONAL PRIVILEGE

Senator O'Ban: "Thank you, Mr. President. I rise to make a

SIXTIETH DAY, MARCH 10, 2016

2016 REGULAR SESSION

few comments about my friend. ‘A pleasantness of a friend springs from heartfelt advice,’ Proverbs 27 says, and in Bruce, I’ve had both a friend and a wealth of very sound advice for a new Senator coming here just a few years ago, and not very much experience in the House. I found in Bruce, someone who had all the advice one could hope for and then some, and that then some was his friendship, and I have appreciated that immensely. Bruce always has the right word and almost every morning I can expect a call on my way down to Olympia from Bruce to check on me and to talk over things and I look forward to that call that comes very regularly, almost always from him. And I think, I don’t want to repeat some of the fine things that have been said here, and I remarked at how many, as I’ve sat back here, have wanted to stand and make a comment about Bruce. I want to say this one thing, what leadership is. It can be defined in many respects, but leadership is someone who will take on a difficult duty because it has to be done, and no one else has the time or the inclination to do it, and I found in Bruce, and I want to hopefully lead in this way as I continue on in whatever the Lord may call, to be one like him who will rise to take on difficult tasks because they need to be done. And that is the sign of a sound, good leader, and he has served his Savior well in that respect.”

## PERSONAL PRIVILEGE

Senator Rivers: “Thank you, Mr. President. When I was a freshman in the other body, it didn’t take long for Bruce Dammeier to find me and to work his magic. I know that you won’t believe this, but I can be a tempestuous individual. Bruce was unfailing in his patience with me and served as a mentor who made such a remarkable difference in my life and who left a mark on my heart. As I listen to the comments of my colleagues in this body, I recognize that I am not singular in this notion. Bruce is possessed of the purest of servant’s hearts. I saw him on so many occasions get a pained look on his face as he was being asked to do yet another task for the caucus, but never once did I hear him decline. He stepped up and performed admirably without fail. Bruce has indeed left his mark on each of us, on this body, and I’m going to bet he’s going to leave his mark on another area just to the north in the very near future and I’m excited about that for him. It is my hope that one day I will be neighbors with you guys in Mirena, and we won’t have to worry about this rain and we can take walks on the golf course and Bruce can continue to offer me wise council. Thank you, Mr. President.”

## PERSONAL PRIVILEGE

Senator Dansel: “Thank you, Mr. President. I want to say thank you to Senator Dammeier. I too am on the list of folks that when I very first got here, he took me to breakfast here in Olympia to talk about things and just see what my interests were. And we found out that, well we thought along the lines but in some issues we were very far apart in other issues and I thought it was unbelievable how great he was when we disagreed. I will say that what Senator Baumgartner said is true, he’s a, he’s got a servant’s heart. I share the same building as Bruce over in the Newhouse Building, and I always see that beautiful Audi parked there very first thing in the morning and it’s always usually the last one to leave so you know that he’s working the issues for his constituents. And it didn’t really hurt my feelings too much that I came right after Dammeier when this gentleman up here calls the roll, so that I know I’ve got a probably good voice right before me to know how to vote if I’m ever undecided. So Bruce thank you very much for your service. You are a very fine individual and a dedicated public servant.”

## PERSONAL PRIVILEGE

Senator Dammeier: “It has indeed been a tremendous blessing and an honor to serve with you in this awesome responsibility of making the laws for the state of Washington. I can’t thank you enough for allowing me to do it and serving with me. I would single out just a few people, because when people ask me will you miss this place? Some things. Long caucus meetings? Not so much. Special sessions? Not at all. The people on this floor? A lot, a lot. Awesome individuals. I would be remiss if I didn’t point out just a few. Senator Rivers, Senator Rolfes, Senator Hargrove, thank you for jumping off the cliff with me. Senator Rolfes, I don’t know how many Dammeier-Rolfes bills and Rolfes-Dammeier bills there have been, but it has been a pleasure. Senator Litzow, thank you for letting me partner with you. I came in when he was the chair and I’ve, some people might have resented that but he brought me in as a partner, I really appreciate that. Senator Becker you are awesome. There is no one I would have rather served with on Health Care, and I’m glad, I feel like I was part of the team and I’m glad I could do that with you. And Senator Honeyford, thank you very much for allowing me to be part of the capital budget. It was awesome. I appreciate the Pierce County mafia comments. Very much so. The rest of you should beware, I think the people coming behind me will perpetuate the mafia. I have learned a lot from Senator Darnielle as she pointed out, and one of the things I most learned from her is we have very different political philosophies, but there are many things where our passions and our views align, and I have appreciated that very much. Same with Senator Conway. I would say I didn’t know him well in the other chamber, but I think I’ve enjoyed our work here together a lot, and that has been really special, and hopefully will continue in the future. And then I would have to say, a special appreciation for Senator O’Ban, amazing individual, the best thing that I have ever done for this body, was getting him here. And I’m going to close with a couple of philosophical thoughts, because Senator Hewitt said I could say anything I wanted, right? We all know the easiest things for us to do is nothing. Delay, defer. Those are the tactics that are the easiest to carry out. We all know that getting things done, finding the path to yes, is the hardest possible thing for us to do. And I think that we, jointly, this institution, I was thinking a lot about my service here, and my service with you, and one of the things that concerns me a little bit is some of the erosion on our work. We’ve seen a lot more initiatives by the people. I’m a big fan of initiatives by the people, but I think we need to be careful. If we are not responsive, if we are not doing our job, I think we are going to get a lot more initiatives, and I think we all know initiatives are an important check and balance, but not the perfect way to make law. You can’t strike those delicate compromises. And I think we’re seeing other bodies, both counties and cities, doing things that I think are eroding some of our authority and some of our responsibility. Because as I thought about it, what makes Washington State? We’re not just a conglomeration of counties. I think we embody Washington State. That Senator Dansel and I can meet here, and talk with Senator Carlyle, wherever he went, and that we can come together and try to find the right things for all of our citizens. I get a little concerned when I feel that there is such a tendency now to act solely in your district’s best interest. To only look at it through that lens. We have the responsibility to bring our districts here, but nobody else has the unique responsibility to do what is right for the entire state of Washington, for all of our citizens. Our job is to find those compromises and do that. So as you go forward, know I am with

you in spirit and in prayer. And I wish you all the very best. And it has been an absolute privilege to serve with you. Thank you, Mr. President.”

#### INTRODUCTION OF GUESTS

The President welcomed and introduced Mrs. Lauren Dammeier, wife of Senator Dammeier; Mr. Brent Dammeier, son of Senator Dammeier; Mrs. Molly Dammeier, daughter-in-law of Senator Dammeier; and Mr. Craig Dammeier, son of Senator Dammeier, who were seated in the gallery.

#### MOTION

On motion of Senator Fain, and without objection, Rule 15 was suspended for the remainder of the day for the purpose of allowing continued floor action.

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

#### PERSONAL PRIVILEGE

Senator Hewitt: “Thank you, Mr. President. I just wanted to let you know that there is a great, big, fat, chocolate cake in Senator Schoesler’s office for Senator Dammeier and everyone that would like to attend. Thank you, Mr. President.”

#### MOTION

At 1:52 p.m., on motion of Senator Fain, the Senate was declared to be at ease subject to the call of the President.

The Senate was called to order at 3:07 p.m. by the President of the Senate, Lt. Governor Owen presiding.

#### MESSAGE FROM THE HOUSE

March 10, 2016

MR. PRESIDENT:

The Speaker has signed:

SUBSTITUTE HOUSE BILL NO. 1130,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1351,  
 THIRD SUBSTITUTE HOUSE BILL NO. 1682,  
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1763,  
 ENGROSSED HOUSE BILL NO. 2362,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2511,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2524,  
 SECOND SUBSTITUTE HOUSE BILL NO. 2530,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2545,  
 HOUSE BILL NO. 2637,  
 SUBSTITUTE HOUSE BILL NO. 2644,  
 SECOND SUBSTITUTE HOUSE BILL NO. 2681,  
 SUBSTITUTE HOUSE BILL NO. 2711,  
 SECOND SUBSTITUTE HOUSE BILL NO. 2791,  
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2793,  
 SUBSTITUTE HOUSE BILL NO. 2831,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2847,  
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2872,  
 SECOND SUBSTITUTE HOUSE BILL NO. 2877,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2906,

ENGROSSED HOUSE BILL NO. 2959,  
 HOUSE JOINT MEMORIAL NO. 4010  
 and the same are herewith transmitted.

BERNARD DEAN, Deputy Chief Clerk

#### MESSAGE FROM THE HOUSE

March 10, 2016

MR. PRESIDENT:

The Speaker has signed:

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5109,  
 SENATE BILL NO. 5180,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5435,  
 SENATE BILL NO. 5689,  
 SUBSTITUTE SENATE BILL NO. 5778,  
 FIFTH ENGROSSED SUBSTITUTE SENATE BILL NO. 5857,  
 ENGROSSED SENATE BILL NO. 6091,  
 ENGROSSED SENATE BILL NO. 6100,  
 SUBSTITUTE SENATE BILL NO. 6160,  
 SUBSTITUTE SENATE BILL NO. 6211,  
 SUBSTITUTE SENATE BILL NO. 6227,  
 SUBSTITUTE SENATE BILL NO. 6238,  
 SUBSTITUTE SENATE BILL NO. 6261,  
 SUBSTITUTE SENATE BILL NO. 6264,  
 SUBSTITUTE SENATE BILL NO. 6273,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6293,  
 SUBSTITUTE SENATE BILL NO. 6329,  
 SUBSTITUTE SENATE BILL NO. 6337,  
 ENGROSSED SENATE BILL NO. 6349,  
 SUBSTITUTE SENATE BILL NO. 6360,  
 ENGROSSED SENATE BILL NO. 6413,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6470,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6528,  
 ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6534,  
 ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6564,  
 ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6601,  
 ENGROSSED SENATE BILL NO. 6620  
 and the same are herewith transmitted.

BERNARD DEAN, Deputy Chief Clerk

#### MOTION

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

#### SECOND READING

SUBSTITUTE HOUSE BILL NO. 2985, by Representatives Riccelli, Short, Ormsby, Parker, Holy, Manweller, McCaslin, Tharinger, Peterson, Stanford, Kretz, Magendanz and Moscoso

Excluding certain school facilities from the inventory of educational space for determining eligibility for state assistance for common school construction.

The measure was read the second time.

#### MOTION



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

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 28A.525.055 and 2006 c 263 s 304 are each amended to read as follows:

(1) The rules adopted by the superintendent of public instruction for determining eligibility for state assistance for new construction shall exclude from the inventory of available educational space those spaces that have been;

(a) Constructed for educational and community activities from grants received from other public or private entities; or

(b) Vacated by new construction in lieu of modernization;  
and

(i) Used for purposes of supporting state-funded all-day kindergarten or class size reduction in kindergarten through third grade, if the lack of district facilities warrants such a use; or

(ii) The district is experiencing a short-term special school housing burden due to enrollment growth and failed school construction bond elections within the prior five years.

(2) The exclusion in subsection (1)(b) of this section applies for state assistance for new construction awarded from July 1, 2016, through June 30, 2021.

(3) Educational spaces with classrooms occupied by students specified in subsection (1)(b) of this section must meet the safety standards for public school facilities.

(4) For the purposes of this section, "school housing burden" means the current instructional facility inventory does not provide the classroom capacity needed for the current or projected enrollment of the school district, as determined by the office of the superintendent of public instruction. The office shall give consideration to available instructional facility inventory or capacity of the neighboring school district."

On page 1, line 3 of the title, after "construction;" strike the remainder of the title and insert "and amending RCW 28A.525.055."

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Ways & Means to Substitute House Bill No. 2985.

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

MOTION

On motion of Senator Baumgartner, the rules were suspended, Substitute House Bill No. 2985, as amended by the Senate, was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Baumgartner, Dansel, Pedersen and Fraser spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 2985, as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2985, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland,

Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

SUBSTITUTE HOUSE BILL NO. 2985, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SIGNED BY THE PRESIDENT

Pursuant to Article 2, Section 32 of the State Constitution and Senate Rule 1(5), the President announced the signing of and thereupon did sign in open session:

SUBSTITUTE HOUSE BILL NO. 1130,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1351,  
THIRD SUBSTITUTE HOUSE BILL NO. 1682,  
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1763,  
ENGROSSED HOUSE BILL NO. 2362,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2511,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2524,  
SECOND SUBSTITUTE HOUSE BILL NO. 2530,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2545,  
HOUSE BILL NO. 2637,  
SUBSTITUTE HOUSE BILL NO. 2644,  
SECOND SUBSTITUTE HOUSE BILL NO. 2681,  
SUBSTITUTE HOUSE BILL NO. 2711,  
SECOND SUBSTITUTE HOUSE BILL NO. 2791,  
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2793,  
SUBSTITUTE HOUSE BILL NO. 2831,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2847,  
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2872,  
SECOND SUBSTITUTE HOUSE BILL NO. 2877,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2906,  
ENGROSSED HOUSE BILL NO. 2959,  
HOUSE JOINT MEMORIAL NO. 4010.

MOTION

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

MESSAGE FROM THE HOUSE

March 8, 2016

MR. PRESIDENT:

The House refuses to concur in the Senate amendment(s) to SUBSTITUTE HOUSE BILL NO. 2440 and asks the Senate to recede therefrom.

BARBARA BAKER, Chief Clerk

MOTION

Senator O'Ban moved that the Senate recede from its position on the Senate amendments to Substitute House Bill No. 2440.

The President declared the question before the Senate to be motion by Senator O'Ban that the Senate recede from its position on the Senate amendments to Substitute House Bill No. 2440.

The motion by Senator O'Ban carried and the Senate receded from its amendments to Substitute House Bill No. 2440.

#### MOTION

On motion of Senator O'Ban, the rules were suspended and Substitute House Bill No. 2440 was returned to second reading for the purposes of amendment.

#### SECOND READING

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

Concerning host home programs for youth.

The measure was read the second time.

#### WITHDRAWAL OF AMENDMENT

On motion of Senator O'Ban, and without objection, the following striking amendment no. 754 by Senators O'Ban and Darnelle to Substitute House Bill No. 2440 was withdrawn.

Strike everything after the enacting clause and insert the following:

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

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

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

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

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

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

(d) "Emergency respite center" is an agency that may be commonly known as a crisis nursery, that provides emergency and crisis care for up to seventy-two hours to children who have been admitted by their parents or guardians to prevent abuse or neglect. Emergency respite centers may operate for up to twenty-four hours a day, and for up to seven days a week. Emergency respite centers may provide care for children ages birth through seventeen, and for persons eighteen through twenty with

developmental disabilities who are admitted with a sibling or siblings through age seventeen. Emergency respite centers may not substitute for crisis residential centers or HOPE centers, or any other services defined under this section, and may not substitute for services which are required under chapter 13.32A or 13.34 RCW;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(vi) Extended family members, as defined by the law or custom of the Indian child's tribe or, in the absence of such law or

SIXTIETH DAY, MARCH 10, 2016

2016 REGULAR SESSION

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

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

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

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

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

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

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

(h) Licensed physicians or lawyers;

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

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

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

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

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

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

(o) A host home program, and host home, operated by a tax exempt organization for youth not in the care of or receiving services from the department, if that program: (i) Recruits and screens potential homes in the program, including performing background checks on individuals over the age of eighteen residing in the home through the Washington state patrol or equivalent law enforcement agency and performing physical inspections of the home; (ii) screens and provides case management services to youth in the program; (iii) obtains a notarized permission slip or limited power of attorney from the parent or legal guardian of the youth authorizing the youth to participate in the program and the authorization is updated every six months when a youth remains in a host home longer than six months; (iv) obtains insurance for the program through an

insurance provider authorized under Title 48 RCW; (v) provides mandatory reporter and confidentiality training; and (vi) registers with the secretary of state as provided in section 3 of this act. A host home is a private home that volunteers to host youth in need of temporary placement that is associated with a host home program. Any host home program that receives more than one hundred thousand dollars per year in local, state, or government funding shall report the following information to the office of homeless youth prevention and protection programs annually by December 1st of each year: The number of children the program served, why the child was placed with a host home, and where the child went after leaving the host home, including but not limited to returning to the parents, running away, reaching the age of majority, or becoming a dependent of the state. A host home shall not receive any local, state, or government funding.

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

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

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

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

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

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

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

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

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

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

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

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

(d) Individual and group counseling; and

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

contact, or neglect of a child.

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

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

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

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

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

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

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

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

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

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

SIXTIETH DAY, MARCH 10, 2016

2016 REGULAR SESSION

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

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

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

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

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

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

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

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

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

three years of receipt of the referral.

(11)(a) Upon receiving a report of alleged abuse or neglect, the department shall use one of the following discrete responses to reports of child abuse or neglect that are screened in and accepted for departmental response:

(i) Investigation; or

(ii) Family assessment.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(b) If a court in a civil or criminal proceeding, considering the

same facts or circumstances as are contained in the report being investigated by the department, makes a judicial finding by a preponderance of the evidence or higher that the subject of the pending investigation has abused or neglected the child, the department shall adopt the finding in its investigation.

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

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

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

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

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

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

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

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

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

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

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

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

(16) In investigating and responding to allegations of child abuse and neglect, the department may conduct background

checks as authorized by state and federal law.

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

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

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

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

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

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

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

Senator Darneille spoke in favor of the withdrawal of the amendment.

#### MOTION

Senator O'Ban moved that the following striking amendment no. 759 by Senator O'Ban be adopted:

Strike everything after the enacting clause and insert the following:

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

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

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

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

(b) "Community facility" means a group care facility operated

SIXTIETH DAY, MARCH 10, 2016

2016 REGULAR SESSION

for the care of juveniles committed to the department under RCW 13.40.185. A county detention facility that houses juveniles committed to the department under RCW 13.40.185 pursuant to a contract with the department is not a community facility;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(h) Licensed physicians or lawyers;

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

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

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

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

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

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

(o) A host home program, and host home, operated by a tax exempt organization for youth not in the care of or receiving services from the department, if that program: (i) Recruits and screens potential homes in the program, including performing background checks on individuals over the age of eighteen residing in the home through the Washington state patrol or equivalent law enforcement agency and performing physical inspections of the home; (ii) screens and provides case management services to youth in the program; (iii) obtains a notarized permission slip or limited power of attorney from the parent or legal guardian of the youth authorizing the youth to participate in the program and the authorization is updated every six months when a youth remains in a host home longer than six months; (iv) obtains insurance for the program through an insurance provider authorized under Title 48 RCW; (v) provides mandatory reporter and confidentiality training; and (vi) registers with the secretary of state as provided in section 3 of this act. A host home is a private home that volunteers to host youth in need of temporary placement that is associated with a host home program. Any host home program that receives local, state, or government funding shall report the following information to the office of homeless youth prevention and protection programs annually by December 1st of each year: The number of children the program served, why the child was placed with a host home, and where the child went after leaving the host home, including but not limited to returning to the parents, running away, reaching the age of majority, or becoming a dependent of the state. A host home program shall not receive more than one hundred thousand dollars per year of public funding, including local, state, and federal funding. A host home shall not receive any local, state, or government funding.

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

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

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

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

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

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

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

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

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

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

to obtaining a high school equivalency degree;

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

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

(d) Individual and group counseling; and

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

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

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

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

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

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

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

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

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

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

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

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

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



SIXTIETH DAY, MARCH 10, 2016

2016 REGULAR SESSION

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

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

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

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

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

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

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

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

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

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

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

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

apply.

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

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

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

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

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

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

reasonable efforts to remedy parenting deficiencies.

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

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

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

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

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

(11)(a) Upon receiving a report of alleged abuse or neglect, the department shall use one of the following discrete responses to reports of child abuse or neglect that are screened in and accepted for departmental response:

(i) Investigation; or

(ii) Family assessment.

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

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

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

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

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

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

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

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

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

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

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

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

chapter 74.15 RCW, or by the department of early learning.

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

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

(b) If a court in a civil or criminal proceeding, considering the same facts or circumstances as are contained in the report being investigated by the department, makes a judicial finding by a preponderance of the evidence or higher that the subject of the pending investigation has abused or neglected the child, the department shall adopt the finding in its investigation.

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

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

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

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

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

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

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

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

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

SIXTIETH DAY, MARCH 10, 2016

2016 REGULAR SESSION

presence of the third party will not jeopardize the course of the investigation; and

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

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

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

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

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

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

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

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

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

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

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

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

The President declared the question before the Senate to be the adoption of the striking amendment no. 759 by Senator O'Ban to Substitute House Bill No. 2440.

The motion by Senator O'Ban carried and the striking amendment no. 759 was adopted by voice vote.

## MOTION

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

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

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

## ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2440, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

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

## INTRODUCTION OF GUESTS

The President welcomed and introduced students from SkillSource Learning Center, Wenatchee, guests of Senator Parlette, who were seated in the gallery.

## MESSAGE FROM THE HOUSE

March 10, 2016

MR. PRESIDENT:

The House insists on its position regarding the House amendment(s) to SUBSTITUTE SENATE BILL NO. 6327 and asks the Senate to concur thereon.

BARBARA BAKER, Chief Clerk

## MOTION

Senator Bailey moved that the Senate adhere to its position in the Senate amendment(s) to Substitute Senate Bill No. 6327 and ask the House to concur thereon.

The President declared the question before the Senate to be motion by Senator Bailey that the Senate adhere to its position in the Senate amendment(s) to Substitute Senate Bill No. 6327 and ask the House to concur thereon.

The motion by Senator Bailey carried and the Senate adhered to its position in the Senate amendment(s) to Substitute Senate Bill No. 6327 and asked the House to concur thereon by voice vote.

## MOTION

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

## SECOND READING

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2667, by House Committee on Environment (originally sponsored by Representatives Farrell, Holy, Pollet, Shea, Nealey, Walsh, Scott, Kagi, Senn, Johnson and Short)

Concerning administrative processes of the state parks and recreation commission that require a majority vote of the commission.

The measure was read the second time.

## MOTION

On motion of Senator Frockt, the rules were suspended, Engrossed Second Substitute House Bill No. 2667 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Frockt and Pearson spoke in favor of passage of the bill.

Senator Chase spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute House Bill No. 2667.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute House Bill No. 2667 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 4; Absent, 0; Excused, 0.

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

Voting nay: Senators Chase, Conway, Hargrove and Hasegawa

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2667, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## PERSONAL PRIVILEGE

Senator Schoesler: "I think all of our colleagues on the floor and many in the galleries, know that our good friend Mike Hewitt has chosen to spend the next part of his career exclusively with his lovely wife Corrie, and there are going to be a lot of steelhead on the rivers that are going to be terrorized, but never fried just terrorized a little bit, because unlike those of us that like to eat fish, Senator Hewitt is just going to catch them and release them for practice. I think that's an admirable goal to be in a new home on the river, grand on his great, great fishing season, maybe he'll invite you. But I've learned so much here from Senator Hewitt. Before I became the leader of my caucus, I've taken bits and

pieces of my leadership styles from many, and Senator Hewitt has always said you can accomplish anything if you don't care who gets the credit, that was Ronald Regan, repeated by Mike Hewitt repeatedly. And it taught me a lot about how we get things done here in the Senate. How we in Eastern Washington can get things done. Those of you who know Mike, know how passionate he's been about veterans, how much he's cared about higher education. I didn't know until I started planning for today, that Mike had been on the school board. One of those things you learn about your friends, I knew he was successful in business and many other places, but I learned that today. He's a man that I would say I look up to, but really I just look him in the eyes. That's really an important thing that Mike has been here for me, been here for all of you for so long. But as you think of all these things about Mike Hewitt, remember that for two days, March second and third, 2012, he was Majority Leader of this floor, so he really did get a chance to be the Majority Leader. He should have been the Majority Leader for a lot longer, because I couldn't have been here without Mike Hewitt."

## PERSONAL PRIVILEGE

Senator Hargrove: "Well thank you, Mr. President. I just want to give a little vignette about Senator Hewitt here, because I go back to when we were actually having the Senate over in the office buildings over there after the earthquake. And he had been serving on a committee with me and Senator Long and we were doing a bill on drug treatment instead of sentencing, drug treatment alternatives. And this was a bill that at that point in time that was rather controversial because it kind of sounded soft on crime, because we were going to let people go to treatment instead of go to prison. I had no idea what he was thinking about this, but we went through the vote and he voted for it. And it impressed the heck out of me, and I went and asked him, and he said 'If you and Senator Long are voting for it, that's got to be good policy. I trust you guys.' He has been somebody that has been able to see that spending a little money on prevention can actually make our public safer and I really appreciate your growth Mike in that. And it didn't take long for you to grow. I mean you figured it out pretty quick and that is such an important principle and I really appreciate your open mindedness to doing that. We've had a lot of other great accomplishments too, but that's the one that sticks out in my mind. Thank you."

## PERSONAL PRIVILEGE

Senator Dammeier: "Thank you, Mr. President. So as we talked earlier on this floor, I'm proud of the fact that I was privileged to attend the United States Naval Academy. The reason that is significant for me, is because it is a place that values leadership above everything else. That is the ethos of that place, so I have been a student of leadership. I have served under some exceptional leaders, and I have served under some not so exceptional leaders. But I will tell you, the reason I am in this body, is because of Mike Hewitt and his leadership. I watched him from afar. I saw the team that he was able to build. I believe in the vision that he cast, so for me, it's all about leadership. And then when I came here, I got another lesson in leadership. One of the most powerful lessons, I think in our country's history, is when George Washington willingly stepped down from being the President of the United States, I've always asked, 'Would I do that?' I hope the answer would be yes, but what a powerful statement. And when Mike Hewitt willingly stepped down from what could have been the majority leader position, because he felt it was in the best interest of our caucus, that was one of the most selfless acts of leadership that I have ever

SIXTIETH DAY, MARCH 10, 2016

seen. So I have been very blessed to serve with him, and he does throw a heck of a fun tour of the wineries of Walla Walla as well.”

PERSONAL PRIVILEGE

Senator Fraser: “Well thank you, Mr. President. Well I, too, would like to express my appreciation for having a great relationship with Senator Hewitt over the years as a colleague and as a friend and also having the great opportunity to get acquainted with his wife Cory who for years managed the fantastic fair over in Walla Walla. Senator Hewitt has always represented his area of the state exceptionally well, he’s a great ambassador for southeast Washington, the wine industry, the community college, the agricultural area, the history, and higher education and just a great ambassador for your area. And Senator Hewitt and I were the two capital budget leads for a couple of years, maybe longer I can’t remember. And it was a total pleasure to work together. And we agreed on everything, it was a total pleasure so that was fun. And I sure wish you and Cory, I wish Senator Hewitt and his wife Cory a wonderful retirement and I know they are going to have a lot of fun, and I hope you take lots of great memories with you.”

PERSONAL PRIVILEGE

Senator Baumgartner: “Well I want to express my admiration for Senator Mike Hewitt. You know we are losing some special members from this body, and like Senator Don Benton, like Senator Karen Fraser, like Senator Bruce Dammeier, Mike Hewitt is a great public servant and a great state legislator. And you know on our side, I think that Don Benton is the fighter, I think that Bruce Dammeier is the statesman, and I think of Mike Hewitt as the architect. And I think what he built with our team, which is the only Republican majority in the legislative body on the west coast, I think is monumental. And, sometimes I don’t know whether to hug him or blame him on all my drives across the state, and all the time away from the family and the burdens and the challenges we go through, because he’s one of the people that got me here in our team effort. And if you think about how he built this team, how he found people that fit and then that act of leadership, that act of architecture, to make this thing work and then to step aside at that critical juncture, I just think that’s monumental. It’s telling. And if there were some sort of MVP award given for state legislators across the country, I think this would be your year to be the MVP if not previously. So, thank you for what you’ve done for our state and thank you for being the architect of what we’re trying to do here.”

PERSONAL PRIVILEGE

Senator Pearson: “Thank you, Mr. President. Well Senator Hewitt and I, we both got elected the same year, back in 2001, myself in the other chamber and Senator Hewitt in the Senate. I always admired him and at times we were at events and I talked to him thought he was a wonderful guy. And twelve years later when my Senate seat came up and I was running for Senate, I was very excited because I wanted to serve under his leadership, and as has been mentioned earlier, he did step down and everything but to my delight when I was made chairman of Natural Resources, Senator Hewitt was on that committee. And one thing I will never forget, because even though Senator Hewitt and I have a different philosophy regarding wild fish and my belief of hatchery fish, I had kind of a contentious hearing, and it didn’t bother me, but one of the people presenting was attacking me personally and I guess my beliefs. And was kind of getting out

2016 REGULAR SESSION

of hand a little bit. And I didn’t want things to get out of hand and I gaveled it down, tried to correct the person. And I look to my left and Mike is raising his hand so I figured I better let him speak. I go, ‘Senator Hewitt’ and how he handled it I have never forgotten. He said, ‘How dare you?’ I’ve given to your group and I believe exactly with you but how dare you attack the chairman.’ That stuck with me because of his respect for decorum and everything and I’ve never forgotten that - that Mike Hewitt had my back and he honored the position and everything. I will certainly miss him. It’s been a true delight having him on the committee and serving with him and conferring with him and seeking counsel at certain times, but I’m also delighted for him. I know that spending your time with your wife, your best friend is something I look forward to someday, but I certainly will miss Senator Hewitt. And I certainly know he’s had my back. And I was very much blessed for it. Thank you, Mr. President.”

PERSONAL PRIVILEGE

Senator Hobbs: “Mr. President, I met Mike ten years ago and he was one of the first people that reached out to me when I was a freshman in this body. And we had our differences at first but you know you taught me a lot. And what I learned about Mike Hewitt is even though he had to represent his caucus, he was willing to reach across the aisle. And there was a time when we had our recession and he did reach across the aisle and we worked together to build a bipartisan budget. And, at the same time, we passed good pieces of legislation working with the Governor, with UI reform, worker’s comp. reform, that did protect the worker, and at the same time did protect the fund. But one thing you may not know about, is that during these hard times of the recession, even the Governor’s budget, I think Apple Health, took a hit when she put her proposal out. And Senator Hewitt made a promise to me as we were working together. And that was to protect Apple Health for kids. And he held on to that promise. And that’s why we kept Apple Health for kids during the recession. Mike, he taught me a lot. And there’s two things you taught me: One is, it might be a good idea, but it’s probably an unfunded mandate. That was one you taught me. The other thing you taught me, was something that Lisa Brown taught me and it was weird because it was almost verbatim. I had to decide, I was trying to decide early on, do I go the chairmanship route, or do I go the leadership route, because those are really the only two routes you can go through as a senator. And you said, ‘You should do the chairman route, because if you go through a leadership route, you’ve got to deal with the crazy people.’ So I learned that from you and from Lisa Brown. I wish you well. You’ve done good work for the state, and you deserve a good retirement.”

PERSONAL PRIVILEGE

Senator Becker: “Well first of all I have to say there’s too dog gone many goodbyes this year. You know, when we’re talking about Senator Fraser, Senator Benton, Senator Dammeier, Senator Hewitt, and you as well, that’s just too dog gone many goodbyes. But I want to talk about Mike Hewitt here because he’s the reason I’m here. And I’ll never forget the first time I met him was up in Tukwila. And he started pummeling me with questions and then wanted me to run for office and I had to take a little while to think about it. But ever since I’ve been here he’s always said something to me that I’ve always thought was very, very important, and it was to keep your friends close and your enemies closer. And when you think about that I really don’t know that I have any enemies down here, hopefully not, but it is

about keeping your friends close and learning what other people think and how they react to things, etc. And Mike I thank you very much for that, but what I really admire about you Mike Hewitt is your sense of humor and your ability to make a comment on something that is extremely controversial or whatever it may be, and you'll turn it in to something that makes you think about it in a different way, in a light way. When I found out that Rodney Tom wasn't running for office again, and I knew that he sat next to Hewitt in Ways & Means, I hotfooted it over and plunked myself down in that chair because I wanted to sit next to that man because of his knowledge and his viewpoints. And sitting next to him in Ways & Means has been a total honor. I've learned so much and I really like it when he hears somebody testifying and he says, 'Good job. That was a good testimony.' I never really thought about it that way until he started me thinking about it that way, and I've learned a lot from you Mike Hewitt. I totally love you Mike Hewitt and I will miss you. Thank you for being here."

PERSONAL PRIVILEGE

Senator Bailey: "You know there's some people that touch you. When I was asked to run for the Senate, Mike was here in the wings and I had a chat with him. He was with his wife after coming back from a very serious health issue. I have such admiration for him because he never, ever quit working. His constant aim and goal was for the wellbeing of all the people here in the Senate and especially those of us who were hoping to make the transition. I have so much respect for this man from the integrity he has in the job that he does. His sense of humor has been mentioned, but also the fact that I hope from here on out, Mike, I will always have a place to go and have wine. I wish you well my friend."

PERSONAL PRIVILEGE

Senator Brown: "Thank you, Mr. President. So, Senator Hewitt, Cory, and Jeri May, that is the trifecta of talent around here. Wow. I've always appreciated your honesty, your direction, your guidance, and just having my office right down the hall from yours has just been an invaluable asset of learning how to get around this place. And if you wanted something to happen, all you had to do was go talk to Jeri May and talk to Senator Hewitt and they would help you figure out how to get there. And thank you for your honesty."

PERSONAL PRIVILEGE

Senator Litzow: "Mike was my first leader, the first leader that I had coming in new to the Senate, and he's been a tremendous example of how to act as a statesman. And he taught me three things: Representing your district is an honor, act accordingly; number two, resist with all your might the urge to speak on the floor; and number three, if you cannot resist the urge to speak, please button your jacket when you do. I will always remember that. Thank you, thank you for your service and thank you for serving with us."

PERSONAL PRIVILEGE

Senator Honeyford: "Well thank you. I first met Mike when he was at his kick-off announcement in the Tri-Cities and I said lots of nice things about somebody I didn't know anything about. Now he's here and I can say some nice things too, but I want to add one other rule that I believe Mike has, is don't believe your press releases. And I think that's a very important one for all

members, but I have something if I may read? This is from Rebecca Japhet, the former director of communications here for the Senate Republicans, and I will read: 'Going on a media tour with Senator Hewitt was like going on a royal tour of the Sixteenth District. Senator Hewitt knew everyone, not just the media, he would introduce me to people everywhere we went from business owners, to college staff, to people walking down the sidewalk. He even pulled the car over one time along the road to introduce me to the infamous Izzy the Camel, just outside of Waitsburg. And if you don't know Izzy the Camel, you need to google it. I had to do that because I didn't know. I'll continue, 'It's such a joy to get to know those folks who adored Senator Hewitt and were so grateful to have him representing them in Olympia. I knew Senator Hewitt, but I didn't really get his influence and stature, no height joke intended here Senator, until I set foot in his district. Thank you for the great memories Senator Hewitt.' And I will just echo that, and just to remind you that, if you want good wine at a reasonable price, stop in Yakima Valley."

PERSONAL PRIVILEGE

Senator Parlette: "Well I came to the Senate at the same time that Senator Hewitt did. However, I had served four years in the other body. And our very first year, as many recall, we had the earthquake. So Senator Hewitt and I, along with another member, got to know each other very well, because I believe the desk that we sat on in the Pritchard building was probably as big as this desk except there were three of us sitting there. So we were in very, very tight corners and you honestly could hear each other breathe every minute, understood why they voted the way they did, and you do get to know somebody in close quarters. Ten years ago was my first year as caucus chair. Senator Hewitt was our leader. We had seventeen Republicans, and I give a lot of credit to Senator Hewitt to help put us in the majority. It takes a team to do that, but it takes a leader, leading the team. And, Senator Hewitt, you were the leader. He's great to work with and the greatest compliment he gave me was just a couple of weeks ago, when I gave him two bottles of wine from Lake Chelan from the father of my sons who helped make the wine. And he said, 'This is really good.' So I will see you in Chelan at Tunnel Hill Winery. Thank you, Mr. President."

PERSONAL PRIVILEGE

Senator Sheldon: "Thank you very much, Mr. President. Senator Becker has reminded us that a lot of the members are leaving this year and it's a sad time. And I just have to reflect a little bit. I think there are only two people in the chamber here, Senator Fraser, who is leaving, and Senator Hargrove, that have spent more time in the legislature and got to know more legislators over the years. But I want to say about Senator Hewitt that he's probably the most well-liked legislator that I've ever worked with. And it's pretty hard to be well-liked when you've got to be the tough guy, as the majority leader, or minority leader. When you have to be the tough guy it's hard to be well-liked. But when you work with people on that friendly basis across the aisle, and I've served on that side and I've served on this side, believe me it's not easy to do, but when you work with people you get things done. And Mike you've always represented your district so well and probably brought up the spirits of more people here in Olympia, than anyone I've ever met."

PERSONAL PRIVILEGE

Senator Mullet: "So I'll be brief, I know that's what Senator

SIXTIETH DAY, MARCH 10, 2016

2016 REGULAR SESSION

Hewitt appreciates. But I have to say when I ran for this office four years ago, I was kind of shocked by all the crazy things everybody said about me. I would get these flyers in the mail about me wanting to raise taxes and all these evil things I wanted to do, and I would go ask people, 'Who's behind all this?' And everybody would go, 'Well it's Senator Hewitt! He's the guy who masterminds all this stuff.' So when I finally got down here and then - this is what I love about the cafeteria below - is you get a chance to eat with everybody, and I'm having lunch with this guy and I'm just like this cannot be the same person. He's such a nice guy! And so he honestly is one of my favorite people to have lunch with in this building. I really enjoy it. And I just want to say I will miss you. And I have this dream of going to Walla Walla and seeing you driving around in the electric car, so we'll see if that ever comes to fruition or not. Thanks a lot."

## PERSONAL PRIVILEGE

Senator Hill: "Thank you, Mr. President. And I will also be brief, and my top button is buttoned. So many great things have been said about Mike. And, again, I came in with a handful of freshman and Mike's one of the big reasons we got elected. He worked his tail off. But I think being a leader in the legislature has got to be an incredibly tough job and your managerial style is one which says: Find good people, find them a place where they can succeed, and then leave them alone and just let them be themselves. And I think it's very hard to do because we're all rather uniquely driven and rather uniquely confident in our abilities. And for him to be able to do that and do that successfully I think is really a mark of a great manager. And you're going to be woefully missed and Cory thank you for loaning him to us. It's just tough, as Senator Becker said, so many people are leaving but I know you're off to better things. Thank you."

## PERSONAL PRIVILEGE

Senator Hewitt: "Mr. President, there are three ways out of this body. You can choose to leave on your own, and I remember the first day that I met the late Senator McCaslin, I had not even shaken his hand, he walked up behind me at reorg and put this gargantuan hand on my shoulder and said to me, 'Young man, get out of here before you can't. And so I'm going to choose to do that. The other two ways to get out of here are: The people at home can send you home, and that's not pretty; the other way, is that the Lord can take you out of here and that's even uglier. So I'm choosing today, and in the future, to leave here under my own accord. I have a couple of things, and I have several thank yous I just have to say, but I want to say some things that I feel very strongly about, and right now I'm speaking to the voters and I'm hoping they're listening and I'm hoping they're watching. When you vote for an initiative please read it. Please read it and know what the consequences are. It has complicated our lives in the legislature dramatically and I've seen a huge influx of initiatives and it really is creating havoc with us down here. To the Supreme Court: Do your job, but please respect the separation of power, and I'm sure they'll hear that one. To my wife, Cory, Thank you very much. You've allowed me to do this for sixteen years, ten of those years when I was doing the fundraising as the leader and I was doing all the bad things that Senator Mullet talked about. I spent, I actually spent more time over here than I did in Walla Walla, and that's very hard on your body. It's hard on your mind. It's hard on your relationships. So I'm anxious to get back to that. When I came here there were only seven of you on this floor. That's how many are gone today. And we're

seeing a huge number leave today as well, or hopefully Friday, or Saturday, or Sunday. I hope the Governor's listening. So, I think it speaks a lot about term limits. When I came here I didn't believe in term limits. I do believe in term limits today - I just believe we have them automatically. Mr. President, I have been so proud to serve in this body with you. I am so happy to call you my friend. I have been so happy to travel with you, both domestically and overseas. I've been proud to serve on the committee with you for the last sixteen years, you're economic development committee. But what I'm most proud of, is the decorum and the professionalism that you demand from this body. You can't eat on the floor. You used to not be able to drink, but at least we have a cup now. You require gentlemen to button their jackets, most of us. And you teach us to respect each other on the floor and you will not accept any other. Mr. President, you are a class act. Jeri May, you are the best kid. I'm telling you. You are the best. You do the job of three people. I get emails from her at five in the morning. I get emails from her at midnight. And I immediately say go home! You are absolutely the best I have ever had. It is unbelievable. She can take someone from district who is so mad at me, and they call and they are so mad, by the time she's done, they are licking out of her hand. It is remarkable. And I want to thank you so much for being there for me. Jerry Cooper, you've been back this is your second or third year. We have two Jerry's in my office, and we're the oldest office so we call ourselves the geriatrics. And Chase it was wonderful to have you here this year as well. I need to say a great big thank you to all the caucus staff on both sides of the aisle. These jobs are not possible without you. There is no possible way we could do what we do without you in the background. I want to say to other employees in the state, the ones we don't see but help us get through all of this, people in the mailroom, people in the Workroom, Code Reviser's, maintenance people, grounds, and the guys in security: You are awesome. You're all awesome. You're just fun to be around. I want to thank my constituents for sending me down here four times, I think. Sometimes I wish they hadn't, but you know what, it's been fun. To all of my friends up in the gallery that I've spent a lot of time with, many of you have become some of my best friends and I appreciate everything you've done, all the hospitality you've provided me. I was always at the top of the list for spending for dinners. That's okay. I never cared. There are, I remember a famous line in a movie, it was Lonesome Dove, and remember Augustus McCrae lost his leg along the way and he was in the hospital and Captain Woodrow called and was there and they were having a discussion and he said to him, 'She's been a hell of a party ain't she Captain?' And that's the way I feel. It's been a hell of a party for sixteen years. We've accomplished so many things and done so many good things for the people of this state, it's just remarkable. So to all of you I say, happy trails to you until we meet again. Happy trails to you. Keep smiling until then."

## INTRODUCTION OF GUESTS

The President welcomed and introduced Mrs. Cory Hewitt, wife of Senator Hewitt, and Ms. Jeri May, his Legislative Assistant, who were seated in the gallery.

## REMARKS BY THE PRESIDENT

President Owen: "So the President would like to share with you a great recipe addition by Cory. My wife uses it all the time and she wanted me to make sure I said thank you for the tip of putting chopped smokehouse almonds in your cole slaw. It

makes it amazing. There's a tip for you. Write it down. Thank you very much for that. Senator Hewitt, I'm going to have a lot of time on my hands if you want to go fishing."

#### PERSONAL PRIVILEGE

Senator Hargrove: "First of all, today is the first day that Senator Fain has let me down. He promised I could have the floor two hours and fifteen minutes ago. But I'm standing to say it's time for me to go. I will not be running again. I can't even get through the first line, it's ridiculous. So I wanted to go through a little history here. When I first came to the Legislature, Cherberg was the Lieutenant Governor. I served with John O'Brien in the House, and when I came to the Senate, I have a picture in my office coming down the center aisle, shaking hands with Irv Newhouse. So I've been here a while and over that time, my notes are disorganized. You know I'm not the type of person to read very much, but I've had some great staff and I want to mention a few that I think are in the all-star level of staff over my time. The first one is Antonio Sanchez, who was my staff when I had the subcommittee on corrections in the House, and he really helped me start to build policy in the corrections area. The second that I can think of is Bernie Ryan. Some of you know him. He was a staff person on Human Services and Corrections in the Senate when we built the empire of the Human Services and Corrections Committee that Senator O'Ban has let slip away to Senator Padden. We had half the issues in the Senate going through one committee at one time. Another person I would like to mention of staff is Jo Arlow. I know many of you know her. She's about this big and she is an absolute dynamo. And it was an absolute privilege to have her work with me. And then there's a couple that are on staff right now that I would put in that category. Heather Lewis-Lechner, who dislocated my hip once when she gave me a body check - a la her skating career, and Victoria Cantore, both excellent staff that I would put in that all-star category. I wanted to cover just a little bit of the policy that I'm proud of working on over the years, and the most important is the Becca legislation. I think we have had incredible success reducing juvenile crime. Keeping kids out of prison. Helping kids get on with their lives. And, you know, I wanted to go back. Everybody thinks it was just me and Mike Carrell but it wasn't. It was Governor Mike Lowry who signed that bill. Christine Gregoire was the Attorney General. Jean Soliz was the DSHS secretary. A lady named Vickie Wallen was the children's ombudsman that worked for the Governor at the time that worked on that, and Justice Bobbe Bridge also was working on that bill. This was a major effort and I still have, I think the most respect for Governor Lowry who never broke his word to me. Not saying others did, but we were miles apart on lots of policy, but he went up to the University District in Seattle and defended this bill that would give parents rights to know where their kids are and make sure they got them back, and I respect that and I will forever. I'm also very proud of the mental health legislation we did that gave the local option and we're finally going to be combining mental health and drug and alcohol treatment through the BHO's by April first. I can remember however, the first time I introduced a bill to do that, in my committee, showed up Senator Lorraine Wojahn and Senator Alex Deccio to testify against my bill. So I don't know if any of you know those people, but it was like the Norse god of terror and Senator Deccio had a bit of respect on the other side. It didn't pass that year if you would know. There's legislators that I've served with over the years that taught me a lot. I have great relationships with, and the first one I can think of was Wayne Ehlers, my first Speaker. And then Joe King, who I said never stabbed me in the back, just in the front. We heard that about

Senator Benton yesterday, but I actually had a nightmare once about getting in a fight with him on the floor of the House, but anyway. But we worked well together on lots of things. But in the Senate, Senator Long, who worked with me on the Human Services Committee, then Senator Val Stevens, and then Mike Carrell. All of which shared the same vision. And I think if I might just say another word about Mike Carrell, because this is something that I hope people get back to, is that he was totally about evidenced-based data on programming. And he relied on WSSIP and the data they created to tell us whether or not a proposal, when you modeled it, would lower crime or what it would do. I think we need to get back to more research driven legislation. Senator Wojahn in the Senate. I can still remember one time after a domestic violence bill that she passed, she came to me and said, 'Thanks for letting my bill pass.' And I was like, huh? She was a pretty powerful person. She actually sent me a note and some flowers after that and I guess I felt like I maybe had started to grow up a little by then. Rosa Franklin was very important and many of you have actually seen the picture I've shown of the whole chart of Becca and Rosa was there with me and she was a prime driver from the Tacoma area because of what was happening to the kids in her neighborhood. And Lisa Brown I want to mention, who I worked with for years. So more recently, I've worked in a very good, bipartisan fashion with Senator Hill and Braun. And I appreciate you guys. I mean, there's a lot of partisan bomb throwing around here, but I can tell you, when we sit down to go through the budget, they have deferred to me on most of the things in mental health, DD, children's issues. And I respect the fact that we've worked together on that. And I can tell you, that if you do not work in a bipartisan fashion next year, you are not going to get it down, ok? There is too big a challenge here to have too much partisanship go into what happens next year. Another example of that bipartisanship is O'Ban and Darnielle. Thank you very much for maintaining the way that committee works and working in a totally bipartisan fashion. I appreciate you guys, standing up and doing that. So, next category here. I'm only on page one here Lieutenant Governor. We didn't put a three minute or a thirty minute rule in place did we? So the next level here is apologies, ok? So last Friday you witnessed when we were talking about Brad Tower and the tragic event and when I apologized to lobbyists there was spontaneous applause. So at least I got the lobbyists out of the way. All three hundred of them I've offended over time. I have offended staff I'm sure. I'm very gruff and straightforward. Usually too busy, too much in a hurry, many times to realize that they're real people and the things I say may hurt them. And I would like to apologize to them. I'd like to apologize to other government officials, because I'm sure I've insulted everybody from governors to legislators, to city councils, to sheriffs, to whatever. Agency heads they fall right in there, too. The public typically gets a rough - you also, oh yes, the media. Rachel I apologize. They may get it the worst. Though my son is here and he's in the media. He fell pretty far from the tree, that apple. I also have some thank yous. I want to go back and some of my long time staff. Lois Cotton worked for me for twenty-three years. And then Patsy Feeley also worked for me for twenty-three years. And then Shawn has now worked for me for seven years. And I both need to apologize to him and thank him so much because he's another one of these people. I don't read emails. I don't call people back. But he does and he just turns lemons into lemonade all the time with my constituents. I appreciate that so much. So, I also want to thank the citizens of the Twenty-fourth District that have sent me here for thirty-two years. In fact, for twenty years in a row I didn't even have an opponent. So I really appreciate their confidence in me. You know, to be able to serve here one year would be a



SIXTIETH DAY, MARCH 10, 2016

2016 REGULAR SESSION

privilege. I have had a lifetime here. Thirty-two years. My entire life. Not my entire life, that would be Danel's entire life. So, I can't remember the first speech I gave when I came, but I can remember that I never gave a gift. So, I have a gift for you today. And I have a bible for each one of you. And I want to let you know that I prayed over each one. Each one of your names. And I will continue to pray for you. Hopefully you open that bible and use it, because God's word will not return void. I hope it will bless your life and I hope it will help you with the challenges ahead. There is one scripture I would like to read to you. If I may Mr. President? It's in Galatians 2:10, and it's when Paul was being sent out and Peter and John said to him, they desired only that we should remember the poor. The very thing which I was eager to do, so I implore you to remember the poor and the disadvantaged and the ill. The developmentally disabled and the people that, really, you are their voice here. Not all the powerful special interest groups that have thousands of people and give lots of money to campaigns, but the people who don't. So I also want to thank my family who's all here. They are actually down here. My wife and two kids, two grandkids, and my daughter is in L.A. unfortunately. They've been a huge support and the reason that I could get here today is that I've been thinking about this for some time. But we had a family meeting right after Christmas and I wanted to know what they thought about me retiring. And I expected them to kind of say, 'Dad whatever God wants you to do.' But they didn't. They were very emotional. They really believed that this is what I should do. So much so that they said, 'If you're going to change your mind and not retire, you need to check back with us.' You can imagine the freedom that was to have that. One final vignette here. When my daughter was about six years old and I was running for office, we were at the dinner table praying, and she said, 'God I pray that Dad wins his elections so he doesn't have to go back to being a regular man.' I'm going to be going back to being a regular man. Thank you."

## REMARKS BY THE PRESIDENT

President Owen: "Senator Hargrove and I go back to the beginning. I believe that I was there to encourage you to run in the first place and I'm very proud that you did that. I think it's a great privilege to serve the years you and I have served together but I want to tell you how grateful I am for all the one liners you fed me. I wish you the best."

## INTRODUCTION OF GUESTS

The President welcomed and introduced Mrs. Laurie Hargrove, wife of Senator Hargrove; Mr. Daniel Hargrove; and Mr. Jimmy Hargrove, sons of Senator Hargrove, who were present in the wings.

## PERSONAL PRIVILEGE

Senator Nelson: "Thank you, Mr. President. Well I really got to know Senator Hargrove in 2013. We were the odd couple. I don't know how else to describe it. Senator Murray was the leader and he decided on budget, I should be Senator Hargrove's shadow, making sure he didn't go too far to the right and I could move him to the left. Senator Hargrove quickly became suspicious of the shadow. Very suspicious. Of course, at that point in time, I really didn't know that his heart was about human services and foster kids and the developmentally disabled. Our hearts were in the same place there. And we will continue to protect those services as you leave. But, we truly became a pair.

Fighting for a budget that stood for our values. Checking back in with each other, and occasionally I had to threaten him. I wear three inch heels for a reason, Mr. President. They are the way I deal with those who do not stay in line. I only had to injure him once I remember. It was not severe. But that's when I got to know Senator Hargrove. And we came out with a budget we both believed in, through ups and downs and turmoil, and a few tears. And we are going to miss you, Jim, but we will protect human services. Believe me we will. We will take up education and it will be a challenge, but it will not be on the backs of the poor, our foster kids, or the developmentally disabled. You have left a legacy of your life here and we will protect it. Thank you."

## PERSONAL PRIVILEGE

Senator Hewitt: "Thank you, Mr. President. Senator, sixteen years now you've been my mentor. I've never told you that. I have admired you. I've watched you. I loathe you. You are a tremendous person, and what I admired most, I think, about you, was the way that you could handle yourself across the aisle. We've worked together now for sixteen years, a Democrat and a Republican. You never talked politics. You never bring politics into the policy. It is a very difficult and very hard position to do, but somehow you've managed to do that. And I've always admired you for that, and I always will admire you for that. Thank you for thirty-two years of public service. Thank you Laurie for giving him to us for thirty-two years. That's quite an accomplishment. I wish you the best in your retirement. Come to Walla Walla and we won't drink any wine. And you won't have to kill any of my bills any longer. Anyway, good luck to you Senator."

## PERSONAL PRIVILEGE

Senator Schoesler: "Thank you, Mr. President. You think I'd start getting really good at this the past couple of days, but it gets tougher and tougher with our friends leaving. Jim, I admire a man who is not afraid to show his faith in our Capitol. And I always admired for most of twenty years how well you and Lynn Kessler and former Representative Buck worked together because you represented the same district. But you all three had some different priorities in your work, but I don't think there was a better team in Olympia, than you and Lynn and Jim. And you know, I still count Lynn Kessler as a friend who calls me from time to time. Jim Buck, and I hope when you've been gone as long as they have, that you still call me, because I'll still call you my friend. Those were important things. On the lighter side of some memories Jim, you won every belly butting contest you and I ever had in the wings. And I think the press once wrote about you chasing me around wanting to strangle me, but I know you were kidding. At least I think so. And when I was a relative newcomer, Mike Padden was just leaving, and we worked an omnibus corrections bill together with the late Ida Ballasiotes. You and I, Antonio Sanchez, and you know we stuck together through that thing. All the way. And that was when I learned how to work with a senator. A very valuable lesson. And the lessons working with you have been invaluable so please continue to be my friend like Lynn and Jim Buck have."

## PERSONAL PRIVILEGE

Senator Ranker: "I need to start, where's Laurie? We need to thank Laurie for sharing this remarkable man with us. You've supported him and been by his side and frankly given him leadership on so many issues and given me leadership. I need to

point out I was in middle school when Senator Hargrove started out in the Legislature. I worked it out this morning and I was like, ‘Wow, I was in the seventh grade!’ I was talking to my wife about Senator Hargrove stepping down and I was laughing. I said, ‘He’s a likeable curmudgeon.’ He’s this frustrating curmudgeon who walks into rooms and lifts tables and thinks that’s amusing. He’s the only person ever, and I have to thank Governor Jay Inslee for recognizing that this necessarily wasn’t appropriate, but with past governors he’s the only person ever I know who would walk straight into the governors office and open the door. No appointment. No nothing. He does it with the Speaker. He does it with our leader. He tries to do it with the governors. He’s been a tireless advocate for children, particularly children that need us most, for human services, for victims, for mental health, for those in our communities that need the most help. And he’s represented his district extremely well and he’s taught us how to do that. I’m, for one reason very glad he’s leaving so I won’t have to hear about log trucks anymore, but on the other side, he doesn’t know that, a lot of folks don’t know that he’s stood up for the environment. For the last few years, and under Gregoire, he’s been an advocate for climate action. He has this absolutely amusing love-hate relationship with staff, and media, and many of us, but most of all he’s been a mentor to me. He taught me some incredible lessons that we need to be reminded of. Never burn a bridge you may need to walk over. Be truthful and always stick to your core convictions and your principles. Take this institution very seriously, but never take yourself too seriously. And mostly, care for one another. Care for each other in this institution, and care deeply for the people we represent. Senator Hargrove is a statesman in the truest sense of the word, and mostly he’s a very dear friend. The final thing I’ll say is that, and maybe I’ll do a bill, or maybe this goes through F & O, but I think for the remainder of this institution’s history going forward we should have a Hargrove Hamburger Day downstairs and celebrate Senator Hargrove. Thank you for all the lessons, the mentorship, and the friendship.”

#### PERSONAL PRIVILEGE

Senator Sheldon: “Thank you, Mr. President. Well, I’ve served with Senator Hargrove a long, long time. When I started in 1990, Senator Hargrove and I had a lot in common. We had both worked - Jim still works - for the Quinault Indian Tribe. And we had a group of nine legislators that we pulled together, called the Coastal Caucus. And, Mr. President, you were a senator at that time and a member of the Coastal Caucus. I remember some of the outstanding members, Mike Riley is no longer with us from Longview. Bob Basich, no longer with us, from Aberdeen, others. And it was very effective and I learned very much from Senator Hargrove. How much and how effective, how much he loved, and how effective he was in his district. And at that time of Washington’s history we had something called the Endangered Species Act and the spotted owl. So instead of logging three hundred million board feet from the forest service lands on the Peninsula, we dropped down to about five million feet. I mean, what a difference that made. What a difference that made in the community. And at that time I represented the Harbor all the way to Cosmopolis. And the politics are very interesting down there, very, very interesting. But Senator Hargrove was always such an effective, hardworking, extremely honest, well respected representative and then senator from his district that I don’t know anybody who could carry the load that you did down there, with all the issues. And then the social services which was so important to your district. And then as you progressed through the Legislature you made that the statewide issue for yourself, so there’s nobody like you Jim.

Nobody like you at all. And now I saw the governor briefly came in, and if he calls a special session tonight, you will be going to your fortieth extraordinary session. You will have spent, Senator Hargrove, you will have spent over one and a half years here in special session. You deserve a break. Thank you, Jim.”

#### PERSONAL PRIVILEGE

Senator Fraser: “Thank you, Mr. President. Well I realize sitting here that I have served with Senator Hargrove for twenty-eight of his thirty-two years. We served together in the House. Although we didn’t work closely on committees but after we both got here to the Senate, I believe we both came the same year, we were part of a big group of House members who came over at the same time, and actually made quite a difference here in the Senate in a variety of ways. I tried to think about some words to describe him: dedicated; indefatigable; integrity; smart; even though he tries to put on an ‘aw shucks’ front; caring; an exceptionally hard worker; just as dedicated as any legislator could ever be, and probably above. He’s left some wonderful legacies which I hope are carried on. I served with him on the Natural Resources Committee and I think everybody knows he’s a true expert on all matters natural resources. And whether he’s on the committee or not he has a wonderful influence on our natural resources policies in the state. As a budget leader for our caucus he is amazing. And he has done a fabulous job representing the interests of our members in the budget negotiating process. And this has been mentioned, and it’s worth mentioning multiple times. He has left a great legacy of great caring, of effective caring, about the poor, and the infirm, people with special problems, special needs, caring about our corrections institutions and caring about public employees. So he’s left a wonderful legacy on human services. And another legacy he has, which I hope will carry on, is he has been, I’ll use this word again, indefatigable, in assuring we use good data, and he has been a great leader in ensuring that excellent studies that come from the Institute for Public Policy are actually used to make significant policy decisions. And then, of course, he is a master at representing his far flung district. And when I worked on the capital budget for a long time, and he does hold a record for the longest capital budget reappropriation in history. I think it started out in the House, continued on in the Senate, I don’t know how many years it was, maybe twenty years, this got reappropriated, because he was indefatigable, was the Seventh Avenue Theater restoration in Hoquiam. And I had the pleasure of going down to the dedication for that and I can see why he was so dedicated to the Seventh Avenue Theater. I wish you and your family a wonderful retirement and I hope the legacies, I hope the legacies that Senator Hargrove has contributed will carry on.”

#### INTRODUCTION OF GUEST

The President welcomed and introduced The Honorable Jay Inslee, Governor, who was seated at the rostrum.

With permission of the Senate, business was suspended to allow Governor Inslee to address the Senate.

#### REMARKS BY THE GOVERNOR

Governor Inslee: “Thank you, Mr. President. I appreciate it, too. To honor these two remarkable Senators. I want to first thank Senator Hewitt who had an incredible impact in Eastern Washington. When he first started serving sixteen years ago, if you called somebody an enofile at a bar, it would lead to a fight and now with his leadership we have a great industry and a great friend who I heard somebody said is the guy everybody liked

SIXTIETH DAY, MARCH 10, 2016

2016 REGULAR SESSION

most and I think there's a reason for that and I've really enjoyed getting to work with you for a few years. And good luck. But when Senator Hargrove as many of you know this is an extraordinary term of service, but I want to tell you I've served with a lot of legislators, Tom Foley, Paul Ryan, Nancy Pelosi, but I can truly say I've never seen someone who combined a passion for the least amongst us, as the good book says with an effectiveness serving them. It's rare that you find someone with such a big heart with such passion for the least amongst us with the effectiveness that wants to use evidence-based numerical ways to really judge performance. And because of that unique combination of heartfelt passion and ability to recognize what really works and reform our institutions. He's done so much that will be remembered by so many for so many years. And I've enjoyed working with him. I used to sit right back there. I think in Andy's seat, back in 1989 and I respected him then and I respect him more three decades worth since. That's what you did for our state, Senator. Thanks for your faith. It's made a big impact. Thank you."

## PERSONAL PRIVILEGE

Senator Angel: "Well I, like many of you and the comments we're hearing on the floor, I didn't get all those years with Senator Hargrove. But he may remember, which he probably won't, about ten years ago, a county commissioner came in front of him fighting for RSNs and she'd never been in front of a hearing before and was scared to death. And to make a point of the paperwork and the burden of our RSNs, I brought a handtruck with papers stacked up on it into the hearing room. And you not only listened, but you took my written comments and got back to me time after time after time again. And I was so impressed. First of all that you listened, and second of all that you continued to get back to me with good solutions. And I thank you for listening to the little guy the first time. Good grief look what happened! But I thank you for the gift today. Please know it is cherished. And thank you for the man that you are. God bless you."

## PERSONAL PRIVILEGE

Senator Dansel: "Thank you, Mr. President. Well Senator Hargrove, a good man, he calls me Eddie Haskel, character off of Leave it to Beaver, and I call him Ward or dad or grandpa or one of those things. But I truly am as old as he has been here and that's interesting to me. But what's really interesting and cool to me actually is, before Senator Morton passed away, I had a phone call with him about every week and one of the first pieces of advice that I got from him, when I was like, 'Hey, who can I get that's a Democrat that might be a little sympathetic to ranchers or farmers or miners?' And he said, 'Jim Hargrove.' And he has been. He has been somebody that I've been able to go to for advice on many different occasions when it comes to natural resources. I try not to listen to him too much. I'm actually glad to hear the news tonight. I just don't know what took you so long. No, not at all. I'm going to really miss him. And I think that he's been an absolute champion for those things. And, unlike Senator Ranker, I'm going to miss somebody talking about logging trucks. So maybe Kevin, pardon me, Senator Ranker can take that up for him. But no, I just want to say that I appreciate everything you've done. I appreciate your ability to work across party lines. You are going to be missed and I think that you're going to be on the Mount Rushmore when it comes to senators that have served in a long time with a lot of distinction. Thank you, sir."

## PERSONAL PRIVILEGE

Senator Darneille: "Thank you, Mr. President. Well, I'm probably going to turn into a blubbing idiot so I'll try to get through as much as I can. This is unexpected today. I may not forgive him. I have to tell you my twelve years in the House, you know you've heard of the movie Fear and Loathing in Las Vegas? Well I think this was fear and loathing in Olympia. I never understood the power of this man. I couldn't understand how he would flip a bill around, something you had worked on, put your blood, sweat, and tears into, and he could find a way to turn it, so that even when something was failing, he could find a way for it to succeed. But then he also killed a lot of things too. But I kept my distance from him. I knew that politically maybe we were on different ends of the spectrum in the Democratic Party. And I can remember one time standing outside the Governor's office when I tried to engage him in a faith discussion about LGBT rights. He held his own and so did I, and we had an impasse. When I came to the Senate, of course, I had a few discussions with him during the summer, and told him that I wanted to be on the Human Services Committee, and he knew that things were going to happen that I didn't know at that time, of course because he always knows everything that's going to happen, and most of us are in the dark, but he let me have his Human Services Committee as the ranking member. And I remember at the time going, I have twelve years of experience in human services, and of course he granted me that opportunity, but he said I'm going to stay on the committee just to make sure you do it right. Which he has done now for four years. But he has been a real miracle worker around human services and corrections issues in our legislative history. I think because he brings a great amount of institutional memory, and in that memory he can actually figure out how to solve problems. And I've actually told him a few times this session, or I've admired him from afar, and said I wanted to learn how he did those things. I'm really mad at him because he's been a real open book about everything except today. And, again, there's my real denial that this would ever happen, and I can find, in my memory, things that he has said, as recently as today, saying to a member who's leaving, we'll really miss you. So I think he had a little bit of his own denial going on, or he just kept the act going as long as he could before he spilled his beans. I'm going to hold my paper here so I can emulate him a little bit, but I think about most of all the lives that he has touched, all the lives that he has changed, and all the lives that he has saved. And I just want to end by saying I love him, and I have a session aide position open next year, and I really want to offer it to him today. Thank you, Mr. President."

## PERSONAL PRIVILEGE

Senator Hill: "Well, you know I started chairing Ways & Means when I'd been here for two years. I was the drippy nose freshman, and we worked on a bipartisan budget and I think everybody thought that was the best way to do it and we'd have better policy and more enduring policy, and the fact of the matter is, that I realized Jim Hargrove was the most effective legislator in the entire legislature. And I figured, geez I'll just study at the foot of the master, and I'll just soak it up because he gets things done that are unbelievable. So I just, everybody talked about me being his mentor but he was my secret mentor and I was just soaking it up. I will mention a few things I learned, and I still don't do it as well as you, not even close, but the ability to find compromise where it seems like there is none. The ability to take a crazy idea that is put out there to poke the other side, and say if

we do this, this, and this we can actually get some policy that works. The ability to stomp out a smoldering dispute before it erupts into a major blowup. You know, behind the scenes, on the floor, in committee, I mean Jim really, really helps to keep things running smoothly. And finally what I've learned is despite the efforts of Steve Jones, how to enact legislation that is blatantly unconstitutional and get away with it. But, Jim, I hold you in the highest regard. You are a man of incredible integrity, a man of your word, an absolute joy to work with because what you see is what you get. And, again, I see you as one of the most effective legislators around here. I wish you'd stick around because I still have a lot to learn, but I thank you for everything you taught me. I thank you for your service to the state because it really has been amazing, and I believe a lot of your policy will endure, and endure, and endure."

#### PERSONAL PRIVILEGE

Senator McCoy: "Well, Mr. President, like you, Jim, I lobbied before I got elected and learned some things then on how to work with him. And as everybody knows, I'm on the high end of the technology spectrum and then when I had to deal with Jim I had to go back to paper and pencil. Which was difficult but I managed. And so in working with him over the years, I've found you don't need a blank piece of paper, just any scrap of paper that you can jot a note on and if he took the note and folded it neatly, well not all the time neatly, but if he put it in his shirt pocket, you had half a chance, but if he just threw it on the desk you were toast. So I didn't have too many hit the desk, but I did have a few go in the shirt pocket. Did all of them make it? No. But at least I knew that I had a chance. And I've worked with him on a number of issues throughout the years and it was just a great pleasure to work with him and we'll miss you Jim. Thank you."

#### PERSONAL PRIVILEGE

Senator Padden: "Thank you, Mr. President. Well I came to the House back in 1981, so I was there four years when in 1985, then Representative Hargrove arrived, and we worked together on numerous issues for eight years. And I mean, somebody like me, I didn't know there was such a thing as pro-life Democrats, but you were one and I appreciate all the times you were out there on the steps of the Capitol speaking at the March for Life. But there were other issues too that we worked on, then I took a hiatus for about sixteen years. You know no fool like an old fool coming back here, but in 2011 I came back and I observed then a lot of what Senator Hill said earlier. You know, Republicans in control, Democrats in control, for most of us that's a pretty earth shaking deal. Senator Hargrove didn't make any difference, you were equally effective no matter who's in control. And I felt that was extremely amazing. I think a lot of that is due to not only your core principles, but your personality and the way you are able to work with everybody and work in such a constructive way and the fact that you're not really that partisan of a guy. I think all those things really made a difference. And I remember coming back working with you. And you'd had a campaign in which you were charged with kind of being soft on rapists. I mean it was something that was totally wrong because I knew you. And we were able to work together and pass a bill extending the statute of limitations on rape and I enjoyed working with you so much on that. You know, just a few weeks ago I was asking you whether you were going to run again. I maybe shouldn't have said this but I urged you to run again. So I'm sorry you're not because I think you're such a positive influence on this whole legislature. I think I figured out maybe why you decided you could retire. It was probably getting that forestry

school reinstated at WSU. But anyway, and just the type of person you are. Thank you so much Jim for the gift you've given all of us, the bible. I know it comes from your heart and we will really appreciate the prayers and all the good wishes and I hope we still get to see you once in a while."

#### PERSONAL PRIVILEGE

Senator Roach: "I wanted to thank Senator Hargrove for his example to us. I don't think many of us are very good examples all the time, but I think Senator Hargrove has been a good example all the time. I call it righteous indignation if you get mad at somebody. When you call things like they are. I don't think there's a problem with that. So I appreciate the new bible, and I want to go back in history a little bit. I think it was thirty-five years ago I had a son born on March sixteenth, 3:16, and I named him John. So this is my very favorite scripture. Mr. President? 'For God so loved the world that he gave his one and only Son, that whoever believes in him shall not perish but have everlasting life.' And Senator Hargrove has a compass. I think most of us have a compass, sometimes they're not always tuned in the way they should be. But I've been honored to know Senator Hargrove. Honored to even know who he was when I was then a legislative aide to Senator Kent Pullen. And Kent Pullen is the one who said we ought to have a legislative shootout said Kent Pullen, and I was his aide so I got to do the work. And we had the first legislative shootout in something like 1987 or '88, something around there. So I'm maybe the first one today to thank you for your strong stand on the second amendment. We have a lot in common. Our feelings about unborn babies, but I also think the second amendment is something that should be mentioned. I'm going to miss your participation and the fun you have when you're down at the end of the firing range with your cop friends, and blowing up, I don't know what you're doing. I never go down. I'm afraid to. But whatever you're doing is really loud. Senator Darnielle, who came this year, remembers how loud it was. I want to thank you for your advice and help. One particular CPS case that I had, you pointed me in the right direction to someone who could help. You understood the problem. And for those of you that have never been involved in a CPS case, they take a lot of time. The state can come in and try to take children from families that do not deserve, in any way, to have them taken. Even forgetting and throwing aside grandparents who have had nothing to do with anything bad at all. To place them in somebody else's home. That is a real thing that happens. There's no accountability in it. There's no punishment for anyone who lies in a courtroom. It's pretty devastating. We have a lot of hurt going on in Washington State. Imagine someone coming and taking your child. And Senator Hargrove had been through enough of those. I don't know, I could only do a couple of them. It just tears you up. So I want to thank you for your friendship from that long ago. Your example that you are to all of us. The beautiful bible that you've given me. Of course I have other copies, but this one's special. It's from you. This one's special because it's even highlighted my very favorite scripture. Thank you, sir, for all you've been to us, to each one of us, and to the state of Washington. You cannot be replaced, but what we can do is honor your presence here and the things that we do going forward and it has been a blessing in my life to know you. Thank you very much."

#### PERSONAL PRIVILEGE

Senator Liias: "I haven't known Senator Hargrove as long as many of the people here. I was three years old when he joined the Legislature. And just like Senator Darnielle, my first

SIXTIETH DAY, MARCH 10, 2016

2016 REGULAR SESSION

experiences were that he was just the grumpy old man who would come yell at House members. So it was a delight to discover that beneath all of that, there is a wonderfully soft and gentle human being. And I would just like to share a passage from the book that Senator Hargrove gave us as well if I could? In the book of Micah it says, 'He has shown you O mortal, what is good. And what does the Lord require of you? To act justly, and to love mercy, and to walk humbly with your God.' And Jim you've done all three of those excellently for thirty-one years. Well I was going to say the love mercy part was the one where you could do a little bit better, but you've done a real good job at all three. And thank you for the gift. And thank you for the gift of your friendship."

## PERSONAL PRIVILEGE

Senator Pearson: "Thank you, Mr. President. I will miss Senator Hargrove. And just a few stories when I first was over in the other chamber, I didn't know him very well but one thing we did have in common, we were both weightlifters and we could bench over three hundred pounds. And I remember he used to come over and testify and make fun of my thick neck, and I'm going, 'Who is this guy?' But I remember having bills going in front of his committee. I really didn't know him that well. He says, 'Representative Pearson,' at the time, 'Oh here's your stupid little bill and what is it? Tell us what it is.' If that wasn't intimidating. I remember another time I came with another legislator and we were testifying on a bill and he called her by name and he called me sidekick. And so I didn't know what it was going to be like coming over to the Senate when I did as someone's sidekick. But what I will remember mostly, it was our first year and right in front of me was Senator Carrell and I was on the Human Services Committee. I got to be Senator Carrell's vice chair, and little by little through session, Senator Carrell wouldn't show up and it was really hard because I had my committee as chair, but I was taking more of Senator Carrell's work and if it wasn't for Senator Darnielle, who would be very helpful, but also Senator Hargrove, you know very helpful to get the bills through because a lot of bills went through that committee and it was one of the first times that I had dealt with Human Services. But what meant the world to me after session, because I was going to decide what route, and this was before Senator O'Ban came over, what route do I want to go? Senator Hargrove told me I did a really good job. And coming from you Senator Hargrove, that meant a lot to me. That really touched my heart and I'll really miss you. You've been a really inspirational person to me. I've never told that to you. And I know you're a strong man of faith, but I do love you Senator Hargrove. I think you're just a wonderful man and I'll always want to be your friend. I'll always want to hear from you in the years coming up. So, God bless you my friend."

## PERSONAL PRIVILEGE

Senator Jayapal: "Thank you, Mr. President. There's a lot of lore and myth surrounding Jim, Senator Hargrove. And before I came to the Senate, everybody told me about this man who had just an unbelievable amount of power. Everybody was afraid of him. He was gruff. He was mean. He was very, very important in this body. And several people said to me, 'You really need to get to know Senator Hargrove.' And so I made it a point to reach out to him, but I was nervous about it. And I remember we had lunch in your office and we prayed over the food. You asked me if that was okay and I told you that I had actually grown up with Southern Baptists and I actually played

Jesus in eighth grade. I was the first brown Jesus to play that part there in the church, and I was quite comfortable with that. And we talked about a lot of things, including deep challenges that you had had a couple of years before, and I felt very privileged that we had that conversation. And you gave me a number of pieces of advice, most of which I didn't listen to, but some I took very much to heart, and I'll tell you what they are in a second. But, also, we started talking after that about some issues that we really care about and that we really disagree on, like minimum wage, and we had some deep arguments about that. But what I realized in having those arguments with you, is that people were wrong about you. That you did want to listen. I think you just push people to see if they really have some substance, and if they have an argument to make and if they are willing to stand up to you. And so I realized early on that you actually didn't mind if I stood up to you, and if we argued about things, and if we came out in different places on those things. And I can't tell you how much I have appreciated your kindness and your generosity towards me, even on the issues that we disagree on. And the things that you taught me about, were you told me to be slow to give my word but when I do to keep it. You said that was really, really important. That the only thing that you have is your trust and integrity. And so if you're going to tell somebody something about a position, make sure that you really mean it. You told me to stand up for what I believe in, because it's actually the only thing I'm going to go home to. I don't know if you remember that, but you said you only live with yourself and you've got to go home to it, so make sure you stand up for what you believe in. And then, Jim Hargrove, you taught the Thirty-seventh Legislative District senator, the radical crazy lefty, how to shoot a gun. And I shot that gun that has the huge boom, and the sheriff from your district said, 'What are you doing Senator Hargrove? You can't give that to her!' But it was really important to me because we have really different views on guns, but being able to actually shoot that thing and see what the difference was. I have a lot of interest in understanding what I'm talking about. And you got me to do something that I don't think anybody else could have done. I won't do it again because I did so well that time that I want to keep that lore very strong. But, Jim you've been incredibly kind to me. You've been a mentor. You've really been gracious, and all of that lore about you may be right. The power and the knowledge that you have from this body, but what is also true is that you have a deep, deep compassionate heart. A heart that lifts up the people that are most vulnerable in our districts and our state, that we have a duty here in this body to remember those people, and a duty to be kind. Even if you don't always show it on the outside, you are one of the kindest men I have met. And I love you very much and I will miss you. And I was deeply shocked when you told me you were leaving today. And so I wasn't ready for this, but I really appreciate all your mentorship and leadership and service to the people of the state of Washington."

## PERSONAL PRIVILEGE

Senator Becker: "Thank you, Mr. President. First of all Senator Hargrove, thank you from the bottom of my heart. This will be something I'll keep forever, and ever, and ever, and I'll read it, but you should have gotten one with bigger print. I'll never forget the first time I met you. Val Stevens and I, she kind of drug me over to your office, and the whole way over she said, 'He's kind of a gruff old bear but he's got the biggest heart of anybody I know.' And we were coming over to talk to you about one of my very first bills I got passed. It was when the Binion's lost their son, and it was a loophole in the law and they couldn't

get him committed for the treatment that he needed, and he committed suicide in their front room. And when they came in and testified, the entire place was in tears, and deservedly so. So I thank you for that, because that was probably one of the biggest pieces of legislation that we can do to help somebody in crisis like that. But she told me that you had a heart of gold and she was right. And the other day you made me feel so special, and you probably don't even know it, but you asked me to work on the Western State Hospital thing, earlier on and then again. And it made me feel really good because it came from you. And I think I'll probably hold that in my heart for a long, long time. But I can remember when you went out for the Rally for Life, and you said I'm standing up here and I'm supporting you, and whatever your words were, and you said, I'm a Democrat. And it just crossed all lines that anybody can stand up and say really good things and you've been just remarkable and I know people are saying all sorts of good things about you, but I have a question, Mr. President. I'm not asking you to yield, I want to know who else is retiring because I'm tired of people leaving this place today. Anybody else? Ok, good, you're the last one then. All I want to do is say thank you very much, that meeting with you that first day and you asked me what else was in that bill, and I had this blank look and you said, 'That's okay. You know it's okay not to know everything that's in the bill, but to learn it before you actually come before you, because you're going to question you. Thank you for everything. Thank you.'

#### PERSONAL PRIVILEGE

Senator Habib: "Thank you, Mr. President. You know, I want to say as I talk to people about the State Senate, which I've been doing a lot recently, one of the words that comes to mind is unpredictable. Because I tell them you know the difference between the House and the Senate, and presiding over the House and the Senate, and I hope you'd agree Mr. President, is that this can be an unpredictable place a lot of times. And Senator Hargrove, and I've had the great privilege of sitting just in front of him, can be unpredictable in several different ways and those ways are so organic to the culture of the Senate. In one way, he's unpredictable with respect to his words on the Senate floor and I know those sometimes lead to the greatest one liners, as you pointed out Mr. President. But they've also led to some great floor speeches, even in the limited time I've spent serving with him here in the Senate. I remember last year, for example, there was a speech that he gave on a bill that we did having to do with driver's licenses that were suspended because of child custody payments, back-owed child custody payments. And I hope I'm not sharing a secret with TVW land out there when I say that many times we come to the floor already having decided how we're going to vote, and we give speeches in large part to explain our votes to others, but it's very, very rare that someone's vote will change because of a floor speech. And that day was the first time, for me, that my intended vote changed because of a speech that Senator Hargrove gave. Where he explained really what the bill was doing in a way that I hadn't thought about and put it in a social justice lens. And I happen to believe that others, certainly others on my side of the aisle, changed their votes that day because of a floor speech. So he's unpredictable in what he says, and because of that, people really listen and pay attention when he talks on the Senate floor. He's also unpredictable in how he votes. And this is an area that I really cherish in the Senate as well. Which is that we don't all vote as a block. You do see people voting in different ways, and voting their districts, and sometimes that can lead to different outcomes. And we don't talk about. It's not appropriate to talk about political party here, but I want to say that, I will say that, as a Democrat, it's important

to me that we continue to have that diversity that Senator Hargrove represents, that he brings with his voice to our caucus, and to our party, and to the Senate. I can tell you as the person who votes right before him, and I think I've got my vote figured out, we all vote. I hear 'Fraser,' 'Froct,' 'Habib,' you know, and then 'Hargrove,' and it's a completely different vote than what I thought. And then I'm suddenly panicked. What did I miss? And I have to scramble to ask him why he voted that way and sometimes it's because it's about alcohol or marijuana but sometimes it's another thing. And then finally, he's unpredictable when it comes to his movements. His physical movements around the Senate. And I'll tell you that because I do sit near him, that as the person who has to do vote counts. You know I asked at first when I became the whip, can I text everybody and ask everybody for your vote counts when we're counting votes? And of course what did Jim Hargrove say, 'Absolutely not, there's no way you can text me to ask for my vote, just come and find me.' Easier said than done in the best of circumstances, Mr. President. In my situation, even harder. So he's unpredictable in many of those ways. I suspect now that he'll be back in the Twenty-fourth you may be slightly easier to find than when running around the Senate chamber. But to a delightfully, unpredictable, brilliant, charming, kind-hearted, and compassionate man, I'm just so honored to have gotten a chance to sit near and work with Senator Jim Hargrove. Thank you so much."

#### PERSONAL PRIVILEGE

Senator Ericksen: "So on the first Tuesday of this legislative session, I pulled into the parking lot at about seven o'clock, and my phone beeped, and it said Tuesday morning fellowship, and I had not been to Tuesday morning fellowship in years. And I think it was a bit of divine intervention that my phone beeped that day when I walked into the parking lot, because I got to spend this year with Senator Hargrove, listening to him share and pray at Tuesday morning fellowship. And it was very important to me, and I really appreciate it."

#### PERSONAL PRIVILEGE

Senator Hobbs: "I just received this email, if you don't mind if I read it? This came from the member's cafeteria, 'Due to the recent retirement announcements of Benton and Hargrove, our meal prices are going down next year. Because of an overabundance of food.' So that's good news there. Well this explains your level of grumpiness, much higher than your normal level of grumpiness that you have. You've been trying to keep this from a lot of people. I kind of found out a little earlier today, and I was very disheartened but I totally understand. When I first came here to the Senate, as a moderate you try to find other moderates, and Senator Hargrove you're certainly that moderate that I look up to and try to emulate and try to learn from, even though you tell me time and time again, 'Why don't you ever listen to me? You never listen to me.' But it's true I do listen to you, and I have watched you over the years. I have these, I call them Hargrovisms, that I have followed over the years. Here's some I have written down: build relationships so that you can get your stuff in the budget even when you're not on Ways & Means and other members don't even know how you got it in there. And those of you who have been in the Senate for a while, you'll open up the budget and say, 'How did he even get that in there? He's not even on Ways & Means.' But somehow you were able to do it and I've learned from that so I've got some stuff in there I'm pretty sure, you'll probably take it out though since you'll be working on it. I don't know if you know this but the

SIXTIETH DAY, MARCH 10, 2016

2016 REGULAR SESSION

Transportation supplemental budget has been passed. The other thing is always, always, always, you've told me this, always give your caucus a heads up when you go against them. Have I not done that Senator Nelson? She says yes. Let the other side know when you're going to change your vote. I think that's important to do. And always count your votes. Always count your votes. You taught me that you can be a fiscal conservative and a moderate and protect the safety net. And the last one I think is very, very important, and I take this to heart. You taught me that the government's role is to check power, and to be there for those that don't have a lobbyist, don't have a special interest group. You taught me that sometimes we have to go against corporations, a political party, a caucus, a business association, our allies, labor and the environmentalists. You taught me to do that, because there are those that don't even know that we're here. They don't vote for us, because they don't even vote, because they've lost all hope. The logger who's lost his job, doesn't know how he's going to feed his family. The senior citizen who's wondering how they're going to heat their home. The small business owner who's felt the pressure of bureaucracy and doesn't know how to make payment. And the single mom who struggles to make ends meet and is trying to dream of opportunity. They don't know who you are, but you've been there for them. And I know you've been thinking about them all your years that you've been here. And I pray to God that I can be that senator that you have been. Thank you for everything."

## PERSONAL PRIVILEGE

Senator Baumgartner: "I want to express my admiration and respect for Senator Jim Hargrove. You know, I think when you come to the Senate there are two great privileges of being here. The first great privilege, of course, is serving the people who send us here. The people back home. And the second great privilege is serving with the people that make this place so special. And Jim, you are an absolute giant when it comes to both types of service. You do it the right way for the people back home, and you do it the right way with the people here, and it is an absolute privilege and honor to have served with you. And I say that, probably being the only member of the Senate who came very close to be physically beaten by you on the Senate floor once upon a time. Pearson was too far away to give defense at the moment, so I appreciate your discretion on that day. But you've been such a good senator. And as some of you know I remark from time to time that - I've got to get the top button here Senator Hewitt, sorry for being disrespectful - but as I remark from time to time, my father who is retired watches TVW on an almost daily basis, and has come to really admire all of you on the floor and he's probably the person I respect most in life, and he really, really, really likes and respects you, Jim Hargrove. And I am now going to close and stop saying nice things about you and I'm going to make a very sincere appeal which is don't do this. You've given thirty-two years out here and we really need thirty-three from you. I wish I had, or someone here had been, at the dinner meeting in January because next year is a tough, tough year. With what's coming up with education funding and other things, next year really, really needs Jim Hargrove. So maybe we can cut your committees. You can just roll in once a week. Whatever needs to happen. But I sincerely think we need to think about thirty-three for you. But in any event if we only do get thirty-two, that's thirty-two years to treasure for the people of this state and God bless you Jim."

## PERSONAL PRIVILEGE

Senator Brown: "Thank you, Mr. President. I've had the opportunity to work with Senator Hargrove only over the past few years, very limited time, but I've learned a tremendous amount, and it's something that every single person in this body should learn. That when we're working for the victims of this state, when we worked on Jason's law, there was no political party behind our name, it was a victim, and I thank you for that."

## PERSONAL PRIVILEGE

Senator Benton: "Thank you, Mr. President. Well my colleagues have probably seen me cry more this week than they did in the last twenty years so I'll try not to do it on this speech but it's awfully hard. When I first came to the Senate, Jim caught me about the first week and he just gave me hell for something. I mean he really read me the riot act. And he set me straight and I've operated under that advisement and that corrective criticism for the last twenty years. And so I thank you for that Jim, I appreciated it. He was serious, and concerned, but gave me the news like my father would, in hopes that I would correct that behavior. And he gives it to you in a way that makes you want to correct that behavior. That's the kind of man he is. And I love you for it and I always have. You're my favorite senator on that side of the aisle. There's no question about it. I've served with you for twenty years and you're a man of integrity and honor, which is rare in these halls, and I admire that about you. And the other thing I admire about you, is you're a Democrat all right and you stick with your party, but you never let your party get in the way of doing the right thing, or in the way of what is good for the American people and the people of Washington State. That's first for you, and I think that's pretty important. Mr. President, in your remarks the other day I think you addressed this very issue, and I agree with you, and you've exemplified that, Jim. Do the right thing first, the party thing second. If more of us did that, we'd get out on time every year because we'd solve these problems without worrying who's going to get the credit or how are we going to take some kind of political stripe off their back for that. In fact, when my very good friend Mike Carrell was ill, you voted for him, because you didn't believe you should take political advantage of someone's illness. That's character there. That's important stuff. Because we're all human beings and we all suffer from some of the same concerns and problems, and you've never taken advantage of anyone's personal problem, or issue, or illness. In fact, you stand up and fight for them, and I've always admired that. Your leadership, your friendship, and your directness, that's what I've appreciated about you, Jim, and I thank you for it. You've made me a better man for having the opportunity to serve with you, thank you."

## PERSONAL PRIVILEGE

Senator Keiser: "Thank you. I would like to add my thanks to the good Senator Hargrove. When I first came over to this chamber, I was House-broken. And I was terrified because I had heard the stories of the good Senator and I did not know what to expect. But I found that outside of the gruff exterior and the rough talk and the use of the rules and the power that he had, he was a great teacher. He was a mentor. I had a bill, a tiny little thing, a mental health directive. It was one of my first bills on the Senate floor, and I ran into some trouble with it and Senator Hargrove came to my rescue with his red book, and encouraged me to use the red book with the good President. It was an audacious day and auspicious as well, because with his mentoring and his support and his guidance, it's been a tremendous opportunity. I would have never been on the Health Care committee without his

support. I would have never had the opportunity to work on Obamacare and get health care to tens of thousands, to hundreds of thousands of people in our state, and we all worked on that together. It's been rough, it's been tough, and it's been wonderful. Thank you, Senator Hargrove."

PERSONAL PRIVILEGE

Senator Rolfes: "Well as Senator Hargrove sits there, I'm thinking a little bit smugly, I want to be very clear that I came from the House, and that Representative Ruth Kagi was very clear with all of the newer members: Don't be afraid of Senator Jim Hargrove, he's a big pussycat. And so I have known Senator Hargrove long enough to know that that is true. What Senator Hargrove doesn't know about me, that I am going to confess to the entire room, but which the staff knows, is that when he and I were locked in a room together last summer trying to work out the details of a bipartisan McCleary plan, I would actually drink an entire cup of coffee before I entered the room so that I could compete with him in that room as we would talk about property taxes and levies. I'm glad you're laughing at that Jim. The last thing I want to say is that I have personally appreciated Jim's devotion to faith. I'm not half the spiritual person that Jim is, but when listening to some of our colleagues today, I thought there has to be something in Ecclesiastes that is perfect for this occasion, and I would like to read a couple of very short passages from Ecclesiastes? First, Senator Hargrove, 'the end of a matter is better than its beginning,' and 'patience is better than pride. Do not be quickly provoked in your spirit, for anger resides in the lap of fools. Wisdom, like an inheritance, is a good thing and benefits those who see the sun. Wisdom is a shelter as money is a shelter, but the advantage of knowledge is this: Wisdom preserves those who have it.' And finally, I want to conclude my remarks with chapter twelve of Ecclesiastes which says: 'Now all has been heard; here is the conclusion of the matter: fear God and keep his commandments, for this is the duty of all mankind. For God will bring every deed into judgement, including every hidden thing, whether it is good or evil.' And Senator Hargrove imparted that wisdom upon us and our caucus every day that we met together. Thank you, Senator Hargrove."

PERSONAL PRIVILEGE

Senator Braun: "Thank you, Mr. President. So I had a whole speech here that I was going to deliver for Senator Hargrove, but we've talked a lot here, and I don't like to talk that much so I'm going to abbreviate it. And I'm going to go to one thing that started us off here a while ago. I think to sum all this up, your daughter had it right, you are no regular man. You are no regular man. Thank you very much for your service, for your friendship. We have been blessed, the state has been blessed to have you here. And I wish you the very best and your family the very best."

PERSONAL PRIVILEGE

Senator Hasegawa: "I just want to quickly say that, Jim, I'm going to miss your mentorship. And you know how I come to you for counsel every now and then. And you truly are a person who works to get to a yes under seemingly impossible circumstances. I think that's going to be the strongest lesson that I'll take back from you. But you have to promise me that we're going to keep that commitment to do that ride over to Conway's place with Senator Dansel."

PERSONAL PRIVILEGE

Senator O'Ban: "I'll be brief. I spent a lot of time with Senator Carrell as he was dying in his hospital room, and my wife actually had a chance to be with him when he passed away. We're very close to the Carrells. And Mike and I were talking about this place and the people in it. I think, in part, he was preparing me. And I remember one conversation he was talking about the personalities here. And, of course, Jim Hargrove came up. Mike loved you. You were a very loyal friend to him and for that act of courage, loyalty, and great personal challenge, I commend you sir. And I believe that he was aware of that and his deep friendship for you only grew greater. And I have a duty to say on this day of your parting, the kind of friendship you showed to him during that period, so thank you."

PERSONAL PRIVILEGE

Senator Miloscia: "I first met Senator Hargrove at the March for Life in 1991. And I saw him and what he said and I thought: I could do that. I can come down here and serve and take the stance he takes for life, for the poor, for the vulnerable. You've made that the heart of what, the heart of your philosophy, a philosophy that we get from Jesus Christ. And you've lived your faith. You've been that sort of hero. That ideal. It's not just you. It's your wife. I don't know if you knew this, but I got your phone number and I call you at home. Sometimes I get you, but I'd rather get your answering machine, get that blessing from your wife, from God. So that's the center of what drove you, and what I helped use to guide me. Thank you for being who you are and for serving our brothers and sisters."

PERSONAL PRIVILEGE

Senator Dammeier: "Thank you, Mr. President. Many wonderful things have been said and I could echo, mentorship, coaching, scared out of your pants coming over from the House, all of those things would be true. I have been blessed to spend time with you, and I think I know your heart, and I think you know my heart and thank you for that. I have been pleased to go through Proverbs with you, and I would just leave you with Micah, the book of Micah, chapter six, verse eight, says: 'He has shown you, O man, what is good. And what does the Lord require of you? But to do justice, to love kindness, and to walk humbly with your God.' Okay, you're still working on that one, but two out of three isn't bad. Jim, you are awesome. Thank you very much for your friendship and your leadership."

MOTION

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

MESSAGE FROM THE HOUSE

March 10, 2016

MR. PRESIDENT:

The House concurred in the Senate amendments to the following bills and passed the bills as amended by the Senate:

SUBSTITUTE HOUSE BILL NO. 2440,

SECOND SUBSTITUTE HOUSE BILL NO. 2449,

SUBSTITUTE HOUSE BILL NO. 2985

and the same are herewith transmitted.

BERNARD DEAN, Deputy Chief Clerk

SIGNED BY THE PRESIDENT



Pursuant to Article 2, Section 32 of the State Constitution and Senate Rule 1(5), the President announced the signing of and thereupon did sign in open session:

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6194.

Senator Fraser assumed the chair.

MESSAGE FROM THE HOUSE

March 10, 2016

MR. PRESIDENT:

The House receded from its amendment(s) to ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6455. Under suspension of the rules, the bill was returned to second reading for the purposes of amendment(s). The House adopted the following amendment(s): 6455-S2.E AMH SANT H4717.3, and passed the bill as amended by the House.

BERNARD DEAN, Deputy Chief Clerk

Strike everything after the enacting clause and insert the following:

**NEW SECTION. Sec. 1.** A new section is added to chapter 28A.300 RCW to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, the office of the superintendent of public instruction, in consultation with school districts, educational service districts, and other state agencies, shall develop and implement a comprehensive, statewide initiative to increase the number of qualified individuals who apply for teaching positions in Washington. In developing and implementing the initiative, the office of the superintendent of public instruction, in partnership with the employment security department, shall:

(a) Develop and implement a teacher recruitment campaign that targets groups of individuals who may be interested in teaching in Washington public schools, such as: College students who have not chosen a major; out-of-state teachers; military personnel and their spouses; and individuals with teaching certificates who are not currently employed as teachers;

(b) Incorporate certificated positions into the employment security department's existing web-based depository for job applications that allows for access by school districts in the state for purposes of hiring teachers and other certificated positions. The services and tools developed under this subsection must be made available initially to small school districts, and to larger districts as resources are available. When defining small districts for the purpose of this subsection, the office of the superintendent of public instruction must consider whether a district has fewer than three hundred certificated staff;

(c) Create or enhance an existing web site that provides useful information to individuals who are interested in teaching in Washington; and

(d) Take other actions to increase the number of qualified individuals who apply for teaching positions in Washington.

(2) By December 1, 2019, the office of the superintendent of public instruction shall assess the efficiency and effectiveness of the centralized web-based depository for job applications required under subsection (1)(b) of this section, and shall submit a report to the appropriate committees of the legislature, in accordance with RCW 43.01.036, that recommends whether the requirement for the application depository be continued,

modified, or terminated. In performing the assessment required in this subsection (2), the office must solicit and consider feedback from small school districts.

(3) This section expires July 1, 2020.

**NEW SECTION. Sec. 2.** (1) Subject to the availability of amounts appropriated for this specific purpose, the workforce training and education coordinating board, in collaboration with the professional educator standards board, shall work with the student achievement council, the office of the superintendent of public instruction, school districts, educational service districts, the state board for community and technical colleges, the institutions of higher education, major employers, and other parties to develop and disseminate information designed to increase recruitment into professional educator standards board-approved teacher preparation programs. The information must be disseminated statewide through existing channels.

(2) This section expires July 1, 2019.

**NEW SECTION. Sec. 3.** (1) Subject to the availability of amounts appropriated for this specific purpose, the professional educator standards board shall create and administer the recruitment specialists grant program to provide funds to professional educator standards board-approved teacher preparation programs to hire, or contract with, recruitment specialists that focus on recruitment of individuals who are from traditionally underrepresented groups among teachers in Washington when compared to the common school population.

(2) This section expires July 1, 2018.

**Sec. 4.** RCW 28A.410.250 and 2005 c 498 s 2 are each amended to read as follows:

The agency responsible for educator certification shall adopt rules for professional certification that:

(1) Provide maximum program choice for applicants, promote portability among programs, and promote maximum efficiency for applicants in attaining professional certification;

(2) Require professional certification no earlier than the fifth year following the year that the teacher first completes provisional status, with an automatic two-year extension upon enrollment;

(3) Grant professional certification to any teacher who attains certification from the national board for professional teaching standards;

(4) Permit any teacher currently enrolled in or participating in a program leading to professional certification to continue the program under administrative rules in place when the teacher began the program;

(5) Provide criteria for the approval of educational service districts, beginning no later than August 31, 2007, to offer programs leading to professional certification. The rules shall be written to encourage institutions of higher education and educational service districts to partner with local school districts or consortia of school districts, as appropriate, to provide instruction for teachers seeking professional certification;

(6) Encourage institutions of higher education to offer professional certificate coursework as continuing education credit hours. This shall not prevent an institution of higher education from providing the option of including the professional certification requirements as part of a master's degree program;

(7) Provide criteria for a liaison relationship between approved programs and school districts in which applicants are employed;

(8) Identify an expedited professional certification process for out-of-state teachers who have five years or more of successful teaching experience ((to demonstrate skills and impact on student learning commensurate with Washington requirements for professional certification. The rules may require these teachers, within one year of the time they begin to teach in the state's public

schools, take a course in or show evidence that they can teach to the state's essential academic learning requirements)), including a method to determine the comparability of rigor between the Washington professional certification process and the advanced level teacher certification process of other states. A professional certificate must be issued to these experienced out-of-state teachers if the teacher holds: (a) A valid teaching certificate issued by the national board for professional teaching standards; or (b) an advanced level teacher certificate from another state that has been determined to be comparable to the Washington professional certificate; and

(9) Identify an evaluation process of approved programs that includes a review of the program coursework and applicant coursework load requirements, linkages of programs to individual teacher professional growth plans, linkages to school district and school improvement plans, and, to the extent possible, linkages to school district professional enrichment and growth programs for teachers, where such programs are in place in school districts. The agency shall provide a preliminary report on the evaluation process to the senate and house of representatives committees on education policy by November 1, 2005. The board shall identify:

(a) A process for awarding conditional approval of a program that shall include annual evaluations of the program until the program is awarded full approval;

(b) A less intensive evaluation cycle every three years once a program receives full approval unless the responsible agency has reason to intensify the evaluation;

(c) A method for investigating programs that have received numerous complaints from students enrolled in the program and from those recently completing the program;

(d) A method for investigating programs at the reasonable discretion of the agency; and

(e) A method for using, in the evaluation, both program completer satisfaction responses and data on the impact of educators who have obtained professional certification on student work and achievement.

**NEW SECTION. Sec. 5.** A new section is added to chapter 28A.410 RCW to read as follows:

The agency responsible for educator certification shall adopt rules for professional certification that identify an expedited professional certification process for out-of-state teachers who have five years or more of successful teaching experience, including a method to determine the comparability of rigor between the Washington professional certification process and any United States federally issued or state-issued advanced level teacher certification process that allows an individual to teach internationally. A professional certificate must be issued to these experienced out-of-state teachers if the teacher holds a United States federally issued or state-issued advanced level teacher certificate that allows the individual to teach internationally and that has been determined to be comparable to the Washington professional certificate.

**NEW SECTION. Sec. 6.** A new section is added to chapter 28A.410 RCW to read as follows:

(1) By September 1, 2020, the Washington state institute for public policy must review the effect of the provisions in RCW 28A.410.250(8) and section 5 of this act and report to the appropriate committees of the legislature, in accordance with RCW 43.01.036. The review and report must include information on:

(a) The extent to which advanced level teacher certificates from other states compare to the standards and requirements of the Washington professional certificate;

(b) The extent to which United States federal or state-issued advanced level certificates that allow individuals to teach internationally compare to the standards and requirements of the

Washington professional certificate; and

(c) Whether the provisions in RCW 28A.410.250(8) and section 5 of this act have increased the number of professional certifications issued to individuals from out-of-state.

(2) The Washington state institute for public policy must coordinate with state agencies including the office of the superintendent of public instruction, the employment security department, and the professional educator standards board to gather data that informs the review. These state agencies must cooperate in a timely manner with data requests in service of this review.

(3) This section expires July 1, 2021.

**NEW SECTION. Sec. 7.** A new section is added to chapter 41.32 RCW under the subchapter heading "provisions applicable to plan 2 and plan 3" to be codified between RCW 41.32.067 and 41.32.215 to read as follows:

In addition to the postretirement employment options available in RCW 41.32.802 or 41.32.862, and only until August 1, 2020, a teacher in plan 2 or plan 3 who has retired under the alternate early retirement provisions of RCW 41.32.765(3)(b) or 41.32.875(3)(b) may be employed with an employer for up to eight hundred sixty-seven hours per calendar year without suspension of his or her benefit, provided that: (1) The retired teacher reenters employment more than one calendar month after his or her accrual date and after the effective date of this section; (2) is employed exclusively as either a substitute teacher as defined in RCW 41.32.010(48)(a) in an instructional capacity, as opposed to other capacities identified in RCW 41.32.010(49); and (3) the employing school district compensates the district's substitute teachers at a rate that is at least eighty-five percent of the full daily amount allocated by the state to the district for substitute teacher compensation.

**NEW SECTION. Sec. 8.** A new section is added to chapter 28A.300 RCW to read as follows:

(1) By October 1st of each year, a school district must report to the office of the superintendent of public instruction:

(a) The number of substitute teachers hired per school year;

(b) The number of substitute teachers hired under section 5 of this act per school year;

(c) The full daily compensation rate per substitute teacher; and

(d) The reason for hiring the substitute teacher.

(2) By January 1st of each year, the office of the superintendent of public instruction must post on its web site the information identified in subsection (1) of this section.

**NEW SECTION. Sec. 9.** (1) Subject to the availability of amounts appropriated for this specific purpose, the professional educator standards board shall coordinate meetings between the school districts that do not have professional educator standards board-approved alternative route teacher certification programs and the nearest public or private institution of higher education with a professional educator standards board-approved teacher preparation program. The purpose of the meetings is to determine whether the districts and institutions can partner to apply to the professional educator standards board to operate an alternative route teacher certification program.

(2) Subject to the availability of amounts appropriated for this specific purpose, an institution of higher education, as defined in RCW 28B.10.016, with a professional educator standards board-approved teacher preparation program that does not operate a professional educator standards board-approved alternative route teacher certification program must seek approval from the professional educator standards board to offer an alternative route teacher certification program by submitting the proposal developed under RCW 28A.410.290, or an updated version of the proposal, by September 1, 2016. If approved, the institution of higher education must implement an alternative route teacher

SIXTIETH DAY, MARCH 10, 2016

2016 REGULAR SESSION

certification program according to a timeline suggested by the professional educator standards board.

(3) This section expires July 1, 2017.

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

(1) By July 1, 2018, each institution of higher education with a professional educator standards board-approved alternative route teacher certification program must develop a plan describing how the institution of higher education will partner with school districts in the general geographic region of the school, or where its programs are offered, regarding placement of resident teachers. The plans must be developed in collaboration with school districts desiring to partner with the institutions of higher education, and may include use of unexpended federal or state funds to support residencies and mentoring for students who are likely to continue teaching in the district in which they have a supervised student teaching residency.

(2) The plans required under subsection (1) of this section must be updated at least biennially.

Sec. 11. RCW 28A.415.265 and 2013 2nd sp.s. c 18 s 401 are each amended to read as follows:

(1) For the purposes of this section, a mentor is an educator who has achieved appropriate training in assisting, coaching, and advising beginning teachers or student teaching residents as defined by the office of the superintendent of public instruction, such as national board certification or other specialized training.

(2)(a) The educator support program is established to provide professional development and mentor support for beginning educators, candidates in alternative route teacher certification programs under RCW 28A.660.040, and educators on probation under RCW 28A.405.100, to be composed of the beginning educator support team for beginning educators and continuous improvement coaching for educators on probation, as provided in this section.

((2)(a)) (b) The superintendent of public instruction shall notify school districts about the educator support program and encourage districts to apply for program funds.

(3) Subject to ((funds appropriated for this specific)) the availability of amounts appropriated for this specific purpose, the office of the superintendent of public instruction shall allocate funds for the beginning educator support team on a competitive basis to individual school districts or consortia of districts. School districts are encouraged to include educational service districts in creating regional consortia. In allocating funds, the office of the superintendent of public instruction shall give priority to:

(a) School districts with low-performing schools identified under RCW 28A.657.020 as being challenged schools in need of improvement; and

(b) School districts with a large influx of beginning classroom teachers.

(4) A portion of the appropriated funds may be used for program coordination and provision of statewide or regional professional development through the office of the superintendent of public instruction.

((b)) (5) A beginning educator support team must include the following components:

((i)) (a) A paid orientation or individualized assistance before the start of the school year for beginning educators;

((ii)) (b) Assignment of a trained and qualified mentor for the first three years for beginning educators, with intensive support in the first year and decreasing support over the following years depending on the needs of the beginning educator;

((iii)) (c) A goal to provide beginning teachers from underrepresented populations with a mentor who has strong ties to underrepresented populations;

(d) Professional development for beginning educators that is designed to meet their unique needs for supplemental training and skill development;

((iv)) (e) Professional development for mentors;

((v)) (f) Release time for mentors and their designated educators to work together, as well as time for educators to observe accomplished peers; and

((vi)) (g) A program evaluation using a standard evaluation tool provided from the office of the superintendent of public instruction that measures increased knowledge, skills, and positive impact on student learning for program participants.

((3)) (6) Subject to ((funds separately)) the availability of amounts appropriated for this specific purpose, the beginning educator support team components under subsection ((2)) (3) of this section may be provided for continuous improvement coaching to support educators on probation under RCW 28A.405.100.

**NEW SECTION. Sec. 12.** A new section is added to chapter 28A.300 RCW to read as follows:

(1) In fiscal year 2017, the office of the superintendent of public instruction, in collaboration with the professional educator standards board and institutions of higher education with professional educator standards board-approved teacher preparation programs, shall develop mentor training program goals, and shall post the goals on its web site.

(2) The office of the superintendent of public instruction is encouraged to develop professional development curricula aligned with the mentor training program goals required under this section. The purpose of this curricula is to standardize mentorship training statewide in order to develop high quality mentors.

**NEW SECTION. Sec. 13.** A new section is added to chapter 28A.330 RCW to read as follows:

By June 15th of each year, a school district shall report to the office of the superintendent of public instruction the number of classroom teachers hired in the previous school year and the district projects will be hired in the following school year, disaggregated by content area.

**Sec. 14.** RCW 28A.660.050 and 2015 3rd sp.s. c 9 s 2 are each amended to read as follows:

Subject to the availability of amounts appropriated for ((these)) this specific purpose((s)), the conditional scholarship programs in this chapter are created under the following guidelines:

(1) The programs shall be administered by the student achievement council. In administering the programs, the council has the following powers and duties:

(a) To adopt necessary rules and develop guidelines to administer the programs;

(b) To collect and manage repayments from participants who do not meet their service obligations; and

(c) To accept grants and donations from public and private sources for the programs.

(2) Requirements for participation in the conditional scholarship programs are as provided in this subsection (2).

(a) The alternative route conditional scholarship program is limited to interns of professional educator standards board-approved alternative route((s to teaching)) teacher certification programs under RCW 28A.660.040. For fiscal year 2011, priority must be given to fiscal year 2010 participants in the alternative route partnership program. In order to receive conditional scholarship awards, recipients shall:

(i) Be accepted and maintain enrollment in an alternative ((certification)) route((s)) teacher certification program through a professional educator standards board-approved program;

(ii) Continue to make satisfactory progress toward completion of the alternative route teacher certification program and receipt of a residency teaching certificate; and

(iii) Receive no more than the annual amount of the scholarship, not to exceed eight thousand dollars, for the cost of tuition, fees, and educational expenses, including books, supplies, and transportation for the alternative route teacher certification program in which the recipient is enrolled. The council may adjust the annual award by the average rate of resident undergraduate tuition and fee increases at the state universities as defined in RCW 28B.10.016.

(b) The pipeline for paraeducators conditional scholarship program is limited to qualified paraeducators as provided by RCW 28A.660.042. In order to receive conditional scholarship awards, recipients shall:

(i) Be accepted and maintain enrollment at a community and technical college for no more than two years and attain an associate of arts degree;

(ii) Continue to make satisfactory progress toward completion of an associate of arts degree. This progress requirement is a condition for eligibility into a route one program of the alternative route((s to)) teacher certification program for ((a)) an early childhood education, elementary education, mathematics, computer science, special education, bilingual education, or English as a second language endorsement; and

(iii) Receive no more than the annual amount of the scholarship, not to exceed four thousand dollars, for the cost of tuition, fees, and educational expenses, including books, supplies, and transportation for the alternative route teacher certification program in which the recipient is enrolled. The student achievement council may adjust the annual award by the average rate of tuition and fee increases at the state community and technical colleges.

(c) The educator retooling conditional scholarship program is limited to current K-12 teachers. In order to receive conditional scholarship awards:

(i) Individuals currently employed as teachers shall pursue an endorsement in a subject or geographic endorsement shortage area, as defined by the professional educator standards board, including but not limited to((,)) mathematics, science, special education, elementary education, early childhood education, bilingual education, English language learner, computer science education, or environmental and sustainability education; or

(ii) Individuals who are certificated with an elementary education endorsement shall pursue an endorsement in a subject or geographic endorsement shortage area, as defined by the professional educator standards board, including but not limited to((,)) mathematics, science, special education, bilingual education, English language learner, computer science education, or environmental and sustainability education; and

(iii) Individuals shall use one of the pathways to endorsement processes to receive an endorsement in a subject or geographic endorsement shortage area, as defined by the professional educator standards board, including but not limited to((,)) mathematics, science, special education, bilingual education, English language learner, computer science education, or environmental and sustainability education, which shall include passing an endorsement test plus observation and completing applicable coursework to attain the proper endorsement; and

(iv) Individuals shall receive no more than the annual amount of the scholarship, not to exceed three thousand dollars, for the cost of tuition, test fees, and educational expenses, including books, supplies, and transportation for the endorsement pathway being pursued.

(3) The Washington professional educator standards board shall select individuals to receive conditional scholarships. In

selecting recipients, preference shall be given to eligible veterans or national guard members. In awarding conditional scholarships to support additional bilingual education or English language learner endorsements, the board shall also give preference to teachers assigned to schools required under state or federal accountability measures to implement a plan for improvement, and to teachers assigned to schools whose enrollment of English language learner students has increased an average of more than five percent per year over the previous three years.

(4) For the purpose of this chapter, a conditional scholarship is a loan that is forgiven in whole or in part in exchange for service as a certificated teacher employed in a Washington state K-12 public school. The state shall forgive one year of loan obligation for every two years a recipient teaches in a public school. Recipients who fail to continue a course of study leading to residency teacher certification or cease to teach in a public school in the state of Washington in their endorsement area are required to repay the remaining loan principal with interest.

(5) Recipients who fail to fulfill the required teaching obligation are required to repay the remaining loan principal with interest and any other applicable fees. The student achievement council shall adopt rules to define the terms for repayment, including applicable interest rates, fees, and deferments.

(6) The student achievement council may deposit all appropriations, collections, and any other funds received for the program in this chapter in the future teachers conditional scholarship account authorized in RCW 28B.102.080.

**NEW SECTION. Sec. 15.** A new section is added to chapter 28B.102 RCW to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, the office shall develop and administer the teacher shortage conditional grant program as a subprogram within the future teachers conditional scholarship and loan repayment program. The purpose of the teacher shortage conditional grant program is to encourage individuals to become teachers by providing financial aid to individuals enrolled in professional educator standards-approved teacher preparation programs.

(2) The office has the power and duty to develop and adopt rules as necessary under chapter 34.05 RCW to administer the program described in this section.

(3) As part of the rule-making process under subsection (2) of this section, the office must collaborate with the professional educator standards board, the Washington state school directors' association, and the professional educator standards board-approved teacher preparation programs to develop a framework for the teacher shortage conditional grant program, including eligibility requirements, contractual obligations, conditional grant amounts, and loan repayment requirements.

(4)(a) In developing the eligibility requirements, the office must consider: Whether the individual has a financial need, is a first-generation college student, or is from a traditionally underrepresented group among teachers in Washington; whether the individual is completing an alternative route teacher certification program; whether the individual plans to obtain an endorsement in a hard-to-fill subject, as defined by the professional educator standards board; the characteristic of any geographic shortage area, as defined by the professional educator standards board, that the individual plans to teach in; and whether a school district has committed to offering the individual employment once the individual obtains a residency teacher certificate.

(b) In developing the contractual obligations, the office must consider requiring the individual to: Obtain a Washington state residency teacher certificate; teach in a subject or geographic endorsement shortage area, as defined by the professional

SIXTIETH DAY, MARCH 10, 2016

2016 REGULAR SESSION

educator standards board; and commit to teach for five school years in an approved education program with a need for a teacher with such an endorsement at the time of hire.

(c) In developing the conditional grant award amounts, the office must consider whether the individual is: Enrolled in a public or private institution of higher education, a resident, in a baccalaureate or postbaccalaureate program, or in an alternative route teacher certification program. In addition, the award amounts must not result in a reduction of the individual's federal or state grant aid, including Pell grants, state need grants, college bound scholarships, or opportunity scholarships.

(d) In developing the repayment requirements for a conditional grant that is converted into a loan, the terms and conditions of the loan must follow the interest rate and repayment terms of the federal direct subsidized loan program. In addition, the office must consider the following repayment schedule:

(i) For less than one school year of teaching completed, the loan obligation is eighty-five percent of the conditional grant the student received, plus interest and an equalization fee;

(ii) For less than two school years of teaching completed, the loan obligation is seventy percent of the conditional grant the student received, plus interest and an equalization fee;

(iii) For less than three school years of teaching completed, the loan obligation is fifty-five percent of the conditional grant the student received, plus interest and an equalization fee; and

(iv) For less than four school years of teaching completed, the loan obligation is forty percent of the conditional grant the student received, plus interest and an equalization fee.

(5) By November 1, 2018, and November 1, 2020, the office shall submit reports, in accordance with RCW 43.01.036, to the appropriate committees of the legislature that recommend whether the teacher shortage conditional grant program under this section should be continued, modified, or terminated, and that include information about the recipients of the grants under this program.

**NEW SECTION. Sec. 16.** A new section is added to chapter 28A.630 RCW to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, the teacher endorsement and certification help pilot project, known as the TEACH pilot, is created. The scale of the TEACH pilot is dependent on the level of funding appropriated.

(2) The student achievement council, after consultation with the professional educator standards board, shall have the power and duty to develop and adopt rules as necessary under chapter 34.05 RCW to administer the pilot project described in this section. The rules, which must be adopted by August 1, 2016, must include:

(a) A TEACH pilot grant application process;

(b) A financial need verification process;

(c) The order of priority in which the applications will be approved; and

(d) A process for disbursing TEACH pilot grant awards to selected applicants.

(3) A student seeking a TEACH pilot grant to cover the costs of basic skills and content tests required for teacher certification and endorsement must submit an application to the student achievement council, following the rules developed under this section.

(4) To qualify for financial assistance, an applicant must meet the following criteria:

(a) Be enrolled in, have applied to, or have completed a professional educator standards board-approved teacher preparation program;

(b) Demonstrate financial need, as defined by the office of

student financial assistance and consistent with the income criteria required to receive the state need grant established in chapter 28B.92 RCW;

(c) Apply for a TEACH pilot grant under this section; and

(d) Register for an endorsement competency test in one or more endorsement shortage areas.

(5) Beginning September 1, 2016, the student achievement council, in collaboration with the professional educator standards board, shall award a TEACH pilot grant to a student who meets the qualifications listed in this section and in rules developed under this section. The TEACH pilot grant award must cover the costs of basic skills and content tests required for teacher certification. The council shall prioritize TEACH pilot grant awards first to applicants registered for competency tests in endorsement shortage areas and second to applicants with greatest financial need. The council shall scale the number of TEACH pilot grant awards to the amount of funds appropriated for this purpose.

(6) The student achievement council and the professional educator standards board shall include information about the TEACH pilot in materials distributed to schools and students.

(7) By December 31, 2018, and in compliance with RCW 43.01.036, the student achievement council, in collaboration with the professional educator standards board, shall submit a preliminary report to the appropriate committees of the legislature that details the effectiveness and costs of the pilot project. The preliminary report must (a) compare the numbers and demographic information of students taking and passing tests in the endorsement shortage areas before and after implementation of the pilot project, and (b) determine the amount of TEACH pilot grant award financial assistance awarded each pilot year and per student.

(8) By December 31, 2020, and in compliance with RCW 43.01.036, the student achievement council, in collaboration with the professional educator standards board, shall submit a final report to the appropriate committees of the legislature that details the effectiveness and costs of the pilot project. In addition to updating the preliminary report, the final report must (a) compare the numbers and demographic information of students obtaining teaching certificates with endorsement competencies in the endorsement shortage areas before and after implementation of the pilot project, and (b) recommend whether the pilot project should be modified, continued, and expanded.

(9) This section expires July 1, 2021.

**NEW SECTION. Sec. 17.** A new section is added to chapter 28B.76 RCW to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, the office shall administer a student teaching residency grant program to provide additional funds to individuals completing student teaching residencies at public schools in Washington.

(2) To qualify for the grant, recipients must be enrolled in a professional educator standards board-approved teacher preparation program, be completing or about to start a student teaching residency at a Title I school, and demonstrate financial need, as defined by the office and consistent with the income criteria required to receive the state need grant established in chapter 28B.92 RCW.

(3) The office shall establish rules for administering the grants under this section.

**Sec. 18.** RCW 28B.15.558 and 2015 c 55 s 221 are each amended to read as follows:

(1) The governing boards of the state universities, the regional universities, The Evergreen State College, and the community and technical colleges may waive all or a portion of the tuition

and services and activities fees for state employees as defined under subsection (2) of this section and teachers ((and)), other certificated instructional staff under subsection (3) of this section, and K-12 classified staff under subsection (4) of this section. The enrollment of these persons is pursuant to the following conditions:

(a) Such persons shall register for and be enrolled in courses on a space available basis and no new course sections shall be created as a result of the registration;

(b) Enrollment information on persons registered pursuant to this section shall be maintained separately from other enrollment information and shall not be included in official enrollment reports, nor shall such persons be considered in any enrollment statistics that would affect budgetary determinations; and

(c) Persons registering on a space available basis shall be charged a registration fee of not less than five dollars.

(2) For the purposes of this section, "state employees" means persons employed half-time or more in one or more of the following employee classifications:

(a) Permanent employees in classified service under chapter 41.06 RCW;

(b) Permanent employees governed by chapter 41.56 RCW pursuant to the exercise of the option under RCW 41.56.201;

(c) Permanent classified employees and exempt paraprofessional employees of technical colleges; and

(d) Faculty, counselors, librarians, and exempt professional and administrative employees at institutions of higher education as defined in RCW 28B.10.016.

(3) The waivers available to state employees under this section shall also be available to teachers and other certificated instructional staff employed at public common and vocational schools, holding or seeking a valid endorsement and assignment in a state-identified shortage area.

(4) The waivers available under this section shall also be available to classified staff employed at K-12 public schools when used for coursework relevant to the work assignment.

(5) In awarding waivers, an institution of higher education may award waivers to eligible persons employed by the institution before considering waivers for eligible persons who are not employed by the institution.

((5)) (6) If an institution of higher education exercises the authority granted under this section, it shall include all eligible state employees in the pool of persons eligible to participate in the program.

((6)) (7) In establishing eligibility to receive waivers, institutions of higher education may not discriminate between full-time employees and employees who are employed half-time or more.

NEW SECTION. **Sec. 19.** Section 7 of this act expires July 1, 2021."

Correct the title.

#### MOTION

Senator Dammeier moved that the Senate concur in the House amendment(s) to Engrossed Second Substitute Senate Bill No. 6455.

Senators Dammeier and Mullet spoke in favor of the motion.

#### MOTION

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

Senator Fraser declared the question before the Senate to be the motion by Senator Dammeier that the Senate concur in the

House amendment(s) to Engrossed Second Substitute Senate Bill No. 6455.

The motion by Senator Dammeier carried and the Senate concurred in the House amendment(s) to Engrossed Second Substitute Senate Bill No. 6455 by voice vote.

Senator Fraser declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 6455, as amended by the House.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 6455, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6455, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

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

The Senate resumed consideration of Engrossed Second Substitute House Bill No. 2439 which had been deferred on the previous day.

#### SECOND READING

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2439, by House Committee on Early Learning & Human Services (originally sponsored by Representatives Kagi, Walsh, Senn, Johnson, Orwall, Dent, McBride, Reykdal, Jenkins, Tharinger, Fey, Tarleton, Stanford, Springer, Frame, Kilduff, Sells, Bergquist and Goodman)

Increasing access to adequate and appropriate mental health services for children and youth.

The measure was read the second time.

#### MOTION

Senator O'Ban moved that the following striking amendment no. 753 by Senator O'Ban be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** (1) The legislature understands that adverse childhood experiences, such as family mental health issues, substance abuse, serious economic hardship, and domestic violence, all increase the likelihood of developmental delays and later health and mental health problems. The legislature further understands that early intervention services for children and

SIXTIETH DAY, MARCH 10, 2016

2016 REGULAR SESSION

families at high risk for adverse childhood experience help build secure parent-child attachment and bonding, which allows young children to thrive and form strong relationships in the future. The legislature finds that early identification and intervention are critical for children exhibiting aggressive or depressive behaviors indicative of early mental health problems. The legislature intends to improve access to adequate, appropriate, and culturally responsive mental health services for children and youth. The legislature further intends to encourage the use of behavioral health therapies and other therapies that are empirically supported or evidence-based and only prescribe medications for children and youth as a last resort.

(2) The legislature finds that nearly half of Washington's children are enrolled in medicaid and have a higher incidence of serious health problems compared to children who have commercial insurance. The legislature recognizes that disparities also exist in the diagnosis and initiation of treatment services for children of color, with studies demonstrating that children of color are diagnosed and begin receiving early interventions at a later age. The legislature finds that within the current system of care, families face barriers to receiving a full range of services for children experiencing behavioral health problems. The legislature intends to identify what network adequacy requirements, if strengthened, would increase access, continuity, and coordination of behavioral health services for children and families. The legislature further intends to encourage managed care plans and behavioral health organizations to contract with the same providers that serve children so families are not required to duplicate mental health screenings, and to recommend provider rates for mental health services to children and youth which will ensure an adequate network and access to quality based care.

(3) The legislature recognizes that early and accurate recognition of behavioral health issues coupled with appropriate and timely intervention enhances health outcomes while minimizing overall expenditures. The legislature intends to assure that annual depression screenings are done consistently with the highly vulnerable medicaid population and that children and families benefit from earlier access to services.

**NEW SECTION. Sec. 2.** (1) The children's mental health work group is established to identify barriers to accessing mental health services for children and families, and to advise the legislature on statewide mental health services for this population.

(2)(a) The work group shall include diverse, statewide representation from the public and nonprofit and for-profit entities. Its membership shall reflect regional, racial, and cultural diversity to adequately represent the needs of all children and families in the state.

(b) The work group shall consist of not more than twenty-five members, as follows:

(i) The president of the senate shall appoint one member and one alternative member from each of the two largest caucuses of the senate.

(ii) The speaker of the house of representatives shall appoint one member and one alternative member from each of the two largest caucuses in the house of representatives.

(iii) The governor shall appoint at least one representative from each of the following: The department of early learning, the department of social and health services, the health care authority, the department of health, and a representative of the governor.

(iv) The superintendent of public instruction shall appoint one representative from the office of the superintendent of public instruction.

(v) The governor shall request participation by a representative of tribal governments.

(vi) The governor shall appoint one representative from each

of the following: Behavioral health organizations, community mental health agencies, medicaid managed care organizations, pediatricians or primary care providers, providers that specialize in early childhood mental health, child health advocacy groups, early learning and child care providers, the managed health care plan for foster children, the evidence-based practice institute, parents or caregivers who have been a recipient of early childhood mental health services, and foster parents.

(c) The work group shall seek input and participation from stakeholders interested in the improvement of statewide mental health services for children and families.

(d) The work group shall choose two cochairs, one from among its legislative membership and one representative of a state agency. The representative from the health care authority shall convene the initial meeting of the work group.

(3) The children's mental health work group shall review the barriers that exist to identifying and treating mental health issues in children with a particular focus on birth to five and report to the appropriate committees of the legislature. At a minimum the work group must:

(a) Review and recommend developmentally, culturally, and linguistically appropriate assessment tools and diagnostic approaches that managed care plans and behavioral health organizations should use as the mechanism to establish eligibility for services;

(b) Identify and review billing issues related to serving the parent or caregiver in a treatment dyad and the billing issues related to services that are appropriate for serving children, including children birth to five;

(c) Evaluate and identify barriers to billing and payment for behavioral health services provided within primary care settings in an effort to promote and increase the use of behavioral health professionals within primary care settings;

(d) Review workforce issues related to serving children and families, including issues specifically related to birth to five;

(e) Recommend strategies for increasing workforce diversity and the number of professionals qualified to provide children's mental health services;

(f) Review and make recommendations on the development and adoption of standards for training and endorsement of professionals to become qualified to provide mental health services to children birth to five and their parents or caregivers;

(g) Analyze, in consultation with the department of early learning, the health care authority, and the department of social and health services, existing and potential mental health supports for child care providers to reduce expulsions of children in child care and preschool; and

(h) Identify outreach strategies that will successfully disseminate information to parents, providers, schools, and other individuals who work with children and youth on the mental health services offered through the health care plans, including referrals to parenting programs, community providers, and behavioral health organizations.

(4) Legislative members of the work group are 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.

(5) The expenses of the work group must be paid jointly by the senate and the house of representatives. Work group expenditures are subject to approval by the senate facilities and operations committee and the house of representatives executive rules committee, or their successor committees.

(6) The work group shall report its findings and recommendations to the appropriate committees of the legislature by December 1, 2016.

(7) Staff support for the committee must be provided by the house of representatives office of program research, the senate committee services, and the office of financial management.

(8) This section expires December 1, 2017.

**NEW SECTION. Sec. 3.** A new section is added to chapter 74.09 RCW to read as follows:

To better assure and understand issues related to network adequacy and access to services, the authority and the department shall report to the appropriate committees of the legislature by December 1, 2017, and annually thereafter, on the status of access to behavioral health services for children birth through age seventeen using data collected pursuant to RCW 70.320.050. At a minimum, the report must include the following components broken down by age, gender, and race and ethnicity:

(1) The percentage of discharges for patients ages six through seventeen who had a visit to the emergency room with a primary diagnosis of mental health or alcohol or other drug dependence during the measuring year and who had a follow-up visit with any provider with a corresponding primary diagnosis of mental health or alcohol or other drug dependence within thirty days of discharge;

(2) The percentage of health plan members with an identified mental health need who received mental health services during the reporting period; and

(3) The percentage of children served by behavioral health organizations, including the types of services provided.

**NEW SECTION. Sec. 4.** (1)(a) Subject to appropriation, health care authority shall expand the partnership access line service by selecting a rural inclusive region of the state to offer an additional level of child mental health care support services for primary care, to be referred to as the PAL plus pilot program.

(b) For purposes of the PAL plus pilot program, the health care authority shall work in collaboration with faculty from the University of Washington working on the integration of mental health and medical care.

(2)(a) The PAL plus service is targeted to help children and families with medicaid coverage who have mental health concerns not already being served by the regional support network system or other local specialty care providers, and who instead receive treatment from their primary care providers. Services must be offered by regionally based and multipractice shared mental health service providers who deliver in person and over the telephone the following services upon primary care request:

(i) Evaluation and diagnostic support;

(ii) Individual patient care progress tracking;

(iii) Behavior management coaching; and

(iv) Other evidence supported psychosocial care supports which are delivered as an early and easily accessed intervention for families.

(b) The PAL team of child psychiatrists and psychologists shall provide mental health service providers with training and support, weekly care plan reviews and support on their caseloads, direct patient evaluations for selected enhanced assessments, and must utilize a shared electronic reporting and tracking system to ensure that children not improving are identified as such and helped to receive additional services. The PAL team shall promote the appropriate use of cognitive behavioral therapies and other treatments which are empirically supported or evidence-based and encourage providers to use psychotropic medications as a last resort.

(3)(a) The health care authority shall monitor PAL plus service outcomes, including, but not limited to:

(i) Characteristics of the population being served;

(ii) Process measures of service utilization;

(iii) Behavioral health symptom rating scale outcomes of individuals and aggregate rating scale outcomes of populations of children served;

(iv) Claims data comparison of implementation versus nonimplementation regions;

(v) Service referral patterns to local specialty mental health care providers; and

(vi) Family and provider feedback.

(b) By December 31, 2017, the health care authority shall make a preliminary evaluation of the viability of a statewide PAL plus service program and report to the appropriate committees of the legislature, with a final evaluation report due by December 31, 2018. The final report must include recommendations on sustainability and leveraging funds through behavioral health and managed care organizations.

(4) This section expires December 31, 2019.

**NEW SECTION. Sec. 5.** (1) The joint legislative audit and review committee shall conduct an inventory of the mental health service models available to students in schools, school districts, and educational service districts and report its findings by October 31, 2016. The report must be submitted to the appropriate committees of the house of representatives and the senate, in accordance with RCW 43.01.036.

(2) The committee must perform the inventory using data that is already collected by schools, school districts, and educational service districts. The committee must not collect or review student-level data and must not include student-level data in the report.

(3) The inventory and report must include information on the following:

(a) How many students are served by mental health services funded with nonbasic education appropriations in each school, school district, or educational service district;

(b) How many of these students are participating in medicaid programs;

(c) How the mental health services are funded, including federal, state, local, and private sources;

(d) Information on who provides the mental health services, including district employees and contractors; and

(e) Any other available information related to student access and outcomes.

(4) The duties of this section must be carried out within existing appropriations.

(5) This section expires July 1, 2017.

**Sec. 6.** RCW 28A.310.500 and 2013 c 197 s 6 are each amended to read as follows:

(1) Each educational service district shall develop and maintain the capacity to offer training for educators and other school district staff on youth suicide screening and referral, and on recognition, initial screening, and response to emotional or behavioral distress in students, including but not limited to indicators of possible substance abuse, violence, and youth suicide. An educational service district may demonstrate capacity by employing staff with sufficient expertise to offer the training or by contracting with individuals or organizations to offer the training. Training may be offered on a fee-for-service basis, or at no cost to school districts or educators if funds are appropriated specifically for this purpose or made available through grants or other sources.

(2)(a) Subject to the availability of amounts appropriated for this specific purpose, Forefront at the University of Washington shall convene a one-day in-person training of student support staff from the educational service districts to deepen the staff's capacity to assist schools in their districts in responding to concerns about



SIXTIETH DAY, MARCH 10, 2016

2016 REGULAR SESSION

suicide. Educational service districts shall send staff members to the one-day in-person training within existing resources.

(b) Subject to the availability of amounts appropriated for this specific purpose, after establishing these relationships with the educational service districts, Forefront at the University of Washington must continue to meet with the educational service districts via videoconference on a monthly basis to answer questions that arise for the educational service districts, and to assess the feasibility of collaborating with the educational service districts to develop a multiyear, statewide rollout of a comprehensive school suicide prevention model involving regional trainings, on-site coaching, and cohorts of participating schools in each educational service district.

(c) Subject to the availability of amounts appropriated for this specific purpose, Forefront at the University of Washington must work to develop public-private partnerships to support the rollout of a comprehensive school suicide prevention model across Washington's middle and high schools.

(d) The comprehensive school suicide prevention model must consist of:

(i) School-specific revisions to safe school plans required under RCW 28A.320.125, to include procedures for suicide prevention, intervention, assessment, referral, reentry, and intervention and recovery after a suicide attempt or death;

(ii) Developing, within the school, capacity to train staff, teachers, parents, and students in how to recognize and support a student who may be struggling with behavioral health issues;

(iii) Improved identification such as screening, and response systems such as family counseling, to support students who are at risk;

(iv) Enhanced community-based linkages of support; and

(v) School selection of appropriate curricula and programs to enhance student awareness of behavioral health issues to reduce stigma, and to promote resilience and coping skills.

(e) Subject to the availability of amounts appropriated for this specific purpose, and by December 15, 2017, Forefront at the University of Washington shall report to the appropriate committees of the legislature, in accordance with RCW 43.01.036, with the outcomes of the educational service district trainings, any public-private partnership developments, and recommendations on ways to work with the educational service districts or others to implement suicide prevention.

**NEW SECTION. Sec. 7.** If specific funding for the purposes of this act, with the exception of sections 1, 2, and 3 of this act, referencing this act by bill or chapter number, is not provided by June 30, 2016, in the omnibus appropriations act, this act, except for sections 1, 2, and 3 of this act, is null and void."

On page 1, line 2 of the title, after "youth;" strike the remainder of the title and insert "amending RCW 28A.310.500; adding a new section to chapter 74.09 RCW; creating new sections; and providing expiration dates."

WITHDRAWAL OF AMENDMENT

On motion of Senator Frockt, and without objection, the following amendment no. 757 by Senator Frockt to the striking amendment to Engrossed Second Substitute House Bill No. 2439 was withdrawn.

On page 5, line 14 of the amendment, after "(a)" strike "Subject to appropriation," and insert "The"

MOTION

Senator O'Ban moved that the following amendment no. 758

by Senator O'Ban to the striking amendment be adopted:

Beginning on page 5, line 14 of the amendment, strike all of section 4

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

Senator Fraser declared the question before the Senate to be the adoption of amendment no. 758 by Senator O'Ban to the striking amendment to Engrossed Second Substitute House Bill No. 2439.

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

Senator Fraser declared the question before the Senate to be the adoption of the striking amendment no. 753 by Senator O'Ban, as amended, to Engrossed Second Substitute House Bill No. 2439.

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

MOTION

On motion of Senator O'Ban, the rules were suspended, Engrossed Second Substitute House Bill No. 2439, as amended by the Senate, was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The Senator Fraser declared the question before the Senate to be the final passage of Second Engrossed Substitute House Bill No. 2439 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute House Bill No. 2439, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 47; Nays, 1; Absent, 1; Excused, 0.

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

Voting nay: Senator Frockt

Absent: Senator Hargrove

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2439, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

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

Senator Benton assumed the chair.

MOTION

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

reverted to the fourth order of business.

MESSAGE FROM THE HOUSE

March 9, 2016

MR. PRESIDENT:

The House refuses to concur in the Senate amendment(s) to SUBSTITUTE HOUSE BILL NO. 2841 and asks the Senate to recede therefrom.

BERNARD DEAN, Deputy Chief Clerk

MOTION

Senator Angel moved that the Senate recede from its position on the Senate amendments to Substitute House Bill No. 2841.

Senator Benton declared the question before the Senate to be motion by Senator Angel that the Senate recede from its position on the Senate amendments to Substitute House Bill No. 2841.

The motion by Senator Angel carried and the Senate receded from its amendments to Substitute House Bill No. 2841.

MOTION

On motion of Senator Angel, the rules were suspended and Substitute House Bill No. 2841 was returned to second reading for the purposes of amendment.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 2841, by House Committee on Local Government (originally sponsored by Representatives Senn and Buys)

Concerning the state building code council.

The measure was read the second time.

MOTION

Senator Angel moved that the following striking amendment no. 760 by Senators Angel and Roach be adopted:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 19.27.070 and 2011 1st sp.s. c 43 s 244 are each amended to read as follows:

There is hereby established in the department of enterprise services a state building code council, to be appointed by the governor.

(1) The state building code council shall consist of fifteen members:

(a) Two members must be county elected legislative body members or elected executives;

(b) Two members must be city elected legislative body members or mayors;

(c) One member must be a local government building code enforcement official;

(d) One member must be a local government fire service official;

(e) One member must be a person with a physical disability and shall represent the disability community;

(f) One member must represent the general public; and

(g) Seven members must represent the private sector as follows:

(i) One member shall represent general construction, specializing in commercial and industrial building construction;

((f)) (ii) One member shall represent general construction, specializing in residential and multifamily building construction;

((g)) (iii) One member shall represent the architectural design profession;

((h)) (iv) One member shall represent the structural engineering profession;

((i)) (v) One member shall represent the mechanical engineering profession;

((j)) (vi) One member shall represent the construction building trades;

((k)) (vii) One member shall represent manufacturers, installers, or suppliers of building materials and components(;

(1) One member must be a person with a physical disability and shall represent the disability community; and

(m) One member shall represent the general public)).

(2) At least six of these fifteen members shall reside east of the crest of the Cascade mountains.

(3) The council shall include: Two members of the house of representatives appointed by the speaker of the house, one from each caucus; two members of the senate appointed by the president of the senate, one from each caucus; and an employee of the electrical division of the department of labor and industries, as ex officio, nonvoting members with all other privileges and rights of membership.

(4)(a) Terms of office shall be for three years, or for so long as the member remains qualified for the appointment.

(b) The council shall elect a member to serve as chair of the council for one-year terms of office.

(c) Any member who is appointed by virtue of being an elected official or holding public employment shall be removed from the council if he or she ceases being such an elected official or holding such public employment.

(d)(i) Any member who is appointed to represent a specific private sector industry must maintain sufficiently similar employment or circumstances throughout the term of office to remain qualified to represent the specified industry. Retirement or unemployment is not cause for termination. However, if a councilmember enters into employment outside of the industry he or she has been appointed to represent, then he or she shall be removed from the council.

(ii) Any member who is appointed after the effective date of this section to represent a specific private sector industry must maintain sufficiently similar private sector employment or circumstances throughout the term of office to remain qualified to represent the specified industry. Retirement or unemployment is not cause for termination. However, if a councilmember appointed after the effective date of this section to represent a specific private sector industry enters into employment outside of the industry, or outside of the private sector, he or she has been appointed to represent, then he or she shall be removed from the council.

(e) Any member who no longer qualifies for appointment under this section may not vote on council actions, but may participate as an ex officio, nonvoting member until a replacement member is appointed. A member must notify the council staff and the governor's office within thirty days of the date the member no longer qualifies for appointment under this section. The governor shall appoint a qualified replacement for the member within sixty days of notice.

(5) Before making any appointments to the building code council, the governor shall seek nominations from recognized organizations which represent the entities or interests identified in this section.

(6) Members shall not be compensated but shall receive

SIXTIETH DAY, MARCH 10, 2016

2016 REGULAR SESSION

reimbursement for travel expenses in accordance with RCW 43.03.050 and 43.03.060.

(( (7) The department of enterprise services shall provide administrative and clerical assistance to the building code council.))

**Sec. 2.** RCW 19.27.074 and 1989 c 266 s 3 are each amended to read as follows:

(1) The state building code council shall:

(a) Adopt and maintain the codes to which reference is made in RCW 19.27.031 in a status which is consistent with the state's interest as set forth in RCW 19.27.020. In maintaining these codes, the council shall regularly review updated versions of the codes referred to in RCW 19.27.031 and other pertinent information and shall amend the codes as deemed appropriate by the council;

(b) Approve or deny all county or city amendments to any code referred to in RCW 19.27.031 to the degree the amendments apply to single-family or multifamily residential buildings;

(c) As required by the legislature, develop and adopt any codes relating to buildings; and

(d) Propose a budget for the operation of the state building code council to be submitted to the office of financial management pursuant to RCW 43.88.090.

(2) The state building code council may:

(a) Appoint technical advisory committees which may include members of the council; and

(b) ((Employ permanent and temporary staff and contract for services; and

(c)) Conduct research into matters relating to any code or codes referred to in RCW 19.27.031 or any related matter.

(3)(a) All meetings of the state building code council shall be open to the public under the open public meetings act, chapter 42.30 RCW. All actions of the state building code council which adopt or amend any code of statewide applicability shall be pursuant to the administrative procedure act, chapter 34.05 RCW.

(b) All council decisions relating to the codes enumerated in RCW 19.27.031 shall require approval by at least a majority of the members of the council.

(c) All decisions to adopt or amend codes of statewide application shall be made prior to December 1 of any year and shall not take effect before the end of the regular legislative session in the next year.

(4) The department of enterprise services shall employ permanent and temporary staff and contract for services for the state building code council.

**Sec. 3.** RCW 19.27A.020 and 2015 c 11 s 3 are each amended to read as follows:

(1) The state building code council in the department of enterprise services shall adopt rules to be known as the Washington state energy code as part of the state building code.

(2) The council shall follow the legislature's standards set forth in this section to adopt rules to be known as the Washington state energy code. The Washington state energy code shall be designed to:

(a) Construct increasingly energy efficient homes and buildings that help achieve the broader goal of building zero fossil-fuel greenhouse gas emission homes and buildings by the year 2031;

(b) Require new buildings to meet a certain level of energy efficiency, but allow flexibility in building design, construction, and heating equipment efficiencies within that framework; and

(c) Allow space heating equipment efficiency to offset or substitute for building envelope thermal performance.

(3) The Washington state energy code shall take into account regional climatic conditions. One climate zone includes: Adams,

Asotin, Benton, Chelan, Columbia, Douglas, Ferry, Franklin, Garfield, Grant, Kittitas, Klickitat, Lincoln, Okanogan, Pend Oreille, Skamania, Spokane, Stevens, Walla Walla, Whitman, and Yakima counties. The other climate zone includes all other counties not listed in this subsection (3). The assignment of a county to a climate zone may not be changed by adoption of a model code or rule. Nothing in this section prohibits the council from adopting the same rules or standards for each climate zone.

(4) The Washington state energy code for residential buildings shall be the 2006 edition of the Washington state energy code, or as amended by rule by the council.

(5) The minimum state energy code for new nonresidential buildings shall be the Washington state energy code, 2006 edition, or as amended by the council by rule.

(6)(a) Except as provided in (b) of this subsection, the Washington state energy code for residential structures shall preempt the residential energy code of each city, town, and county in the state of Washington.

(b) The state energy code for residential structures does not preempt a city, town, or county's energy code for residential structures which exceeds the requirements of the state energy code and which was adopted by the city, town, or county prior to March 1, 1990. Such cities, towns, or counties may not subsequently amend their energy code for residential structures to exceed the requirements adopted prior to March 1, 1990.

(7) The state building code council shall consult with the department of enterprise services as provided in RCW 34.05.310 prior to publication of proposed rules. The director of the department of enterprise services shall recommend to the state building code council any changes necessary to conform the proposed rules to the requirements of this section.

(8) The state building code council shall evaluate and consider adoption of the international energy conservation code in Washington state in place of the existing state energy code.

(9) The definitions in RCW 19.27A.140 apply throughout this section.

**NEW SECTION. Sec. 4.** A new section is added to chapter 19.27 RCW to read as follows:

(1)(a) A legislative task force on the state building code council's administration and operations is established, with members as provided in this subsection.

(i) The president of the senate shall appoint one member from each of the two largest caucuses of the senate.

(ii) The speaker of the house of representatives shall appoint one member from each of the two largest caucuses of the house of representatives.

(iii) The president of the senate and the speaker of the house of representatives shall appoint the following eight members:

(A) Two current members of the building code council representing the private sector;

(B) One current member of the building code council representing local government;

(C) One current member of the building code council representing labor interests; and

(D) Four members who regularly work with the council, each representing one of the following: Local government, private sector interests, labor interests, and environmental interests.

(iv) The director of the department of enterprise services shall appoint one member from the department of enterprise services and one member from the department of commerce energy program.

(b) The task force shall choose its chair from among its legislative membership. The legislative members of the task force shall convene the initial meeting of the task force.

(2) The task force shall review and provide recommendations

on the following issues:

(a) The current structure, operations, and resources of the council;

(b) The building code development process and length, including the policy and procedure, technical, and economic aspects including the public and private construction costs of review and adoption of the state building code;

(c) Total resources necessary for an effective state building code development process, including staffing and needs;

(d) Options for long-term, reliable funding of the council;

(e) The powers, duties, and support services of the department of enterprise services relevant to the council;

(f) Council membership, composition, and size; and

(g) The council's compliance with current statutes and requirements.

(3) Staff support for the task force must be provided by senate committee services and the office of program research.

(4) Legislative members of the task force are 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.

(5) The expenses of the task force must be paid jointly by the senate and the house of representatives. Task force expenditures are subject to approval by the senate facilities and operations committee and the house of representatives executive rules committee, or their successor committees.

(6) The task force shall report its findings and recommendations to the appropriate committees of the legislature by October 1, 2017.

(7) This section expires October 1, 2017."

On page 1, line 1 of the title, after "council;" strike the remainder of the title and insert "amending RCW 19.27.070, 19.27.074, and 19.27A.020; adding a new section to chapter 19.27 RCW; and providing an expiration date."

Senator Benton declared the question before the Senate to be the adoption of the striking amendment no. 760 by Senators Angel and Roach to Substitute House Bill No. 2841.

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

#### MOTION

On motion of Senator Angel, the rules were suspended, Substitute House Bill No. 2841, as amended by the Senate, was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Angel spoke in favor of passage of the bill.

Senators Lias and McCoy spoke against passage of the bill.

Senator Benton declared the question before the Senate to be the final passage of Substitute House Bill No. 2841, as amended by the Senate.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2841, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 32; Nays, 17; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Braun, Brown, Dammeier, Dansel, Ericksen, Fain, Habib, Hargrove, Hewitt, Hill, Hobbs, Honeyford, King, Litzow,

Miloscia, Mullet, O'Ban, Padden, Parlette, Pearson, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon and Warnick

Voting nay: Senators Billig, Carlyle, Chase, Cleveland, Conway, Darneille, Fraser, Frockt, Hasegawa, Jayapal, Keiser, Lias, McAuliffe, McCoy, Nelson, Pedersen and Takko

SUBSTITUTE HOUSE BILL NO. 2841, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Hewitt assumed the chair.

#### MESSAGE FROM THE HOUSE

March 10, 2016

MR. PRESIDENT:

The House receded from its amendment(s) to SUBSTITUTE SENATE BILL NO. 6327. Under suspension of the rules, the bill was returned to second reading for the purposes of amendment(s). The House adopted the following amendment(s): 6327-S AMH CODY H4757.1, and passed the bill as amended by the House.

BERNARD DEAN, Deputy Chief Clerk

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 70.41.020 and 2015 c 23 s 5 are each reenacted and amended to read as follows:

Unless the context clearly indicates otherwise, the following terms, whenever used in this chapter, shall be deemed to have the following meanings:

(1) "Aftercare" means the assistance provided by a lay caregiver to a patient under this chapter after the patient's discharge from a hospital. The assistance may include, but is not limited to, assistance with activities of daily living, wound care, medication assistance, and the operation of medical equipment. "Aftercare" includes assistance only for conditions that were present at the time of the patient's discharge from the hospital. "Aftercare" does not include:

(a) Assistance related to conditions for which the patient did not receive medical care, treatment, or observation in the hospital; or

(b) Tasks the performance of which requires licensure as a health care provider.

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

((3)) (3) "Discharge" means a patient's release from a hospital following the patient's admission to the hospital.

(4) "Distant site" means the site at which a physician or other licensed provider, delivering a professional service, is physically located at the time the service is provided through telemedicine.

((3)) (5) "Emergency care to victims of sexual assault" means medical examinations, procedures, and services provided by a hospital emergency room to a victim of sexual assault following an alleged sexual assault.

((4)) (6) "Emergency contraception" means any health care treatment approved by the food and drug administration that prevents pregnancy, including but not limited to administering two increased doses of certain oral contraceptive pills within seventy-two hours of sexual contact.

((5)) (7) "Hospital" means any institution, place, building, or agency which provides accommodations, facilities and services over a continuous period of twenty-four hours or more, for observation, diagnosis, or care, of two or more individuals not

related to the operator who are suffering from illness, injury, deformity, or abnormality, or from any other condition for which obstetrical, medical, or surgical services would be appropriate for care or diagnosis. "Hospital" as used in this chapter does not include hotels, or similar places furnishing only food and lodging, or simply domiciliary care; nor does it include clinics, or physician's offices where patients are not regularly kept as bed patients for twenty-four hours or more; nor does it include nursing homes, as defined and which come within the scope of chapter 18.51 RCW; nor does it include birthing centers, which come within the scope of chapter 18.46 RCW; nor does it include psychiatric hospitals, which come within the scope of chapter 71.12 RCW; nor any other hospital, or institution specifically intended for use in the diagnosis and care of those suffering from mental illness, intellectual disability, convulsive disorders, or other abnormal mental condition. Furthermore, nothing in this chapter or the rules adopted pursuant thereto shall be construed as authorizing the supervision, regulation, or control of the remedial care or treatment of residents or patients in any hospital conducted for those who rely primarily upon treatment by prayer or spiritual means in accordance with the creed or tenets of any well recognized church or religious denominations.

((6)) (8) "Lay caregiver" means any individual designated as such by a patient under this chapter who provides aftercare assistance to a patient in the patient's residence. "Lay caregiver" does not include a long-term care worker as defined in RCW 74.39A.009.

(9) "Originating site" means the physical location of a patient receiving health care services through telemedicine.

((7)) (10) "Person" means any individual, firm, partnership, corporation, company, association, or joint stock association, and the legal successor thereof.

((8)) (11) "Secretary" means the secretary of health.

((9)) (12) "Sexual assault" has the same meaning as in RCW 70.125.030.

((10)) (13) "Telemedicine" means the delivery of health care services through the use of interactive audio and video technology, permitting real-time communication between the patient at the originating site and the provider, for the purpose of diagnosis, consultation, or treatment. "Telemedicine" does not include the use of audio-only telephone, facsimile, or email.

((11)) (14) "Victim of sexual assault" means a person who alleges or is alleged to have been sexually assaulted and who presents as a patient.

**NEW SECTION. Sec. 2.** A new section is added to chapter 70.41 RCW to read as follows:

(1) In addition to the requirements in RCW 70.41.320, hospital discharge policies must ensure that the discharge plan is appropriate for the patient's physical condition, emotional and social needs, and, if a lay caregiver is designated takes into consideration, to the extent possible, the lay caregiver's abilities as disclosed to the hospital.

(2) As part of a patient's individualized treatment plan, discharge criteria must include, but not be limited to, the following components:

- (a) The details of the discharge plan;
- (b) Hospital staff assessment of the patient's ability for self-care after discharge;
- (c) An opportunity for the patient to designate a lay caregiver;
- (d) Documentation of any designated lay caregiver's contact information;
- (e) A description of aftercare tasks necessary to promote the patient's ability to stay at home;
- (f) An opportunity for the patient and, if designated, the patient's lay caregiver to participate in the discharge planning;

(g) Instruction or training provided to the patient and, if designated, the patient's lay caregiver, prior to discharge, to perform aftercare tasks. Instruction or training may include education and counseling about the patient's medications, including dosing and proper use of medication delivery devices when applicable; and

(h) Notification to a lay caregiver, if designated, of the patient's discharge or transfer.

(3) In the event that a hospital is unable to contact a designated lay caregiver, the lack of contact may not interfere with, delay, or otherwise affect the medical care provided to the patient, or an appropriate discharge of the patient.

**NEW SECTION. Sec. 3.** A new section is added to chapter 70.41 RCW to read as follows:

Section 2 of this act does not require a hospital to adopt discharge policies or criteria that:

(1) Delay a patient's discharge or transfer to another facility or to home; or

(2) Require the disclosure of protected health information to a lay caregiver without obtaining a patient's consent as required by state and federal laws governing health information privacy and security, including chapter 70.02 RCW and the federal health insurance portability and accountability act of 1996 and related regulations.

**NEW SECTION. Sec. 4.** A new section is added to chapter 70.41 RCW to read as follows:

Nothing in section 2 of this act may be construed to:

(1) Interfere with the rights or duties of an agent operating under a valid health care directive under RCW 70.122.030;

(2) Interfere with designations made by a patient pursuant to a physician order for life-sustaining treatment under RCW 43.70.480;

(3) Interfere with the rights or duties of an authorized surrogate decision maker under RCW 7.70.065;

(4) Establish a new requirement to reimburse or otherwise pay for services performed by the lay caregiver for aftercare;

(5) Create a private right of action against a hospital or any of its directors, trustees, officers, employees, or agents, or any contractors with whom the hospital has a contractual relationship;

(6) Hold liable, in any way, a hospital, hospital employee, or any consultants or contractors with whom the hospital has a contractual relationship for the services rendered or not rendered by the lay caregiver to the patient at the patient's residence;

(7) Obligate a designated lay caregiver to perform any aftercare tasks for any patient;

(8) Require a patient to designate any individual as a lay caregiver as defined in RCW 70.41.020;

(9) Obviate the obligation of a health carrier as defined in RCW 48.43.005 or any other entity issuing health benefit plans to provide coverage required under a health benefit plan; and

(10) Impact, impede, or otherwise disrupt or reduce the reimbursement obligations of a health carrier or any other entity issuing health benefit plans.

**Sec. 5.** RCW 70.41.320 and 1998 c 245 s 127 are each amended to read as follows:

(1) Hospitals and acute care facilities shall:

(a) Work cooperatively with the department of social and health services, area agencies on aging, and local long-term care information and assistance organizations in the planning and implementation of patient discharges to long-term care services.

(b) Establish and maintain a system for discharge planning and designate a person responsible for system management and implementation.

(c) Establish written policies and procedures to:

(i) Identify patients needing further nursing, therapy, or

supportive care following discharge from the hospital;

(ii) Subject to section 2 of this act, develop a documented discharge plan for each identified patient, including relevant patient history, specific care requirements, and date such follow-up care is to be initiated;

(iii) Coordinate with patient, family, caregiver, lay caregiver as provided in section 2 of this act, and appropriate members of the health care team which may include a long-term care worker or a home and community-based service provider. For the purposes of this subsection (1)(c)(iii), long-term care worker has the meaning provided in RCW 74.39A.009 and home and community-based service provider includes an adult family home as defined in RCW 70.128.010, an assisted living facility as defined in RCW 18.20.020, or a home care agency as defined in RCW 70.127.010;

(iv) Provide any patient, regardless of income status, written information and verbal consultation regarding the array of long-term care options available in the community, including the relative cost, eligibility criteria, location, and contact persons;

(v) Promote an informed choice of long-term care services on the part of patients, family members, and legal representatives; ((and))

(vi) Coordinate with the department and specialized case management agencies, including area agencies on aging and other appropriate long-term care providers, as necessary, to ensure timely transition to appropriate home, community residential, or nursing facility care; and

(vii) Inform the patient or his or her surrogate decision maker designated under RCW 7.70.065 if it is necessary to complete a valid disclosure authorization as required by state and federal laws governing health information privacy and security, including chapter 70.02 RCW and the federal health insurance portability and accountability act of 1996 and related regulations, in order to allow disclosure of health care information, including the discharge plan, to an individual or entity that will be involved in the patient's care upon discharge, including a lay caregiver as defined in RCW 70.41.020, a long-term care worker as defined in RCW 74.39A.009, a home and community-based service provider such as an adult family home as defined in RCW 70.128.010, an assisted living facility as defined in RCW 18.20.020, or a home care agency as defined in RCW 70.127.010. If a valid disclosure authorization is obtained, the hospital may release information as designated by the patient for care coordination or other specified purposes.

(d) Work in cooperation with the department which is responsible for ensuring that patients eligible for medicaid long-term care receive prompt assessment and appropriate service authorization.

(2) In partnership with selected hospitals, the department of social and health services shall develop and implement pilot projects in up to three areas of the state with the goal of providing information about appropriate in-home and community services to individuals and their families early during the individual's hospital stay.

The department shall not delay hospital discharges but shall assist and support the activities of hospital discharge planners. The department also shall coordinate with home health and hospice agencies whenever appropriate. The role of the department is to assist the hospital and to assist patients and their families in making informed choices by providing information regarding home and community options.

In conducting the pilot projects, the department shall:

(a) Assess and offer information regarding appropriate in-home and community services to individuals who are medicaid clients or applicants; and

(b) Offer assessment and information regarding appropriate in-

home and community services to individuals who are reasonably expected to become medicaid recipients within one hundred eighty days of admission to a nursing facility."

Correct the title.

#### MOTION

Senator Bailey moved that the Senate concur in the House amendment(s) to Substitute Senate Bill No. 6327.

Senator Hewitt declared the question before the Senate to be the motion by Senator Bailey that the Senate concur in the House amendment(s) to Substitute Senate Bill No. 6327.

The motion by Senator Bailey carried and the Senate concurred in the House amendment(s) to Substitute Senate Bill No. 6327 by voice vote.

Senator Hewitt declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6327, as amended by the House.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6327, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SUBSTITUTE SENATE BILL NO. 6327, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MESSAGE FROM THE HOUSE

March 10, 2016

MR. PRESIDENT:

The House insists on its position regarding the House amendment(s) to SENATE BILL NO. 6274 and asks the Senate to concur thereon.

BERNARD DEAN, Deputy Chief Clerk

#### MOTION

Senator Parlette moved that the Senate concur in the House amendment(s) to Senate Bill No. 6274.

Senators Parlette and Jayapal spoke in favor of the motion.

Senator Hewitt declared the question before the Senate to be the motion by Senator Parlette that the Senate concur in the House amendment(s) to Senate Bill No. 6274.

The motion by Senator Parlette carried and the Senate concurred in the House amendment(s) to Senate Bill No. 6274 by voice vote.

Senator Hewitt declared the question before the Senate to be

SIXTIETH DAY, MARCH 10, 2016

2016 REGULAR SESSION

the final passage of Senate Bill No. 6274, as amended by the House.

retirement system for emergency medical services they provided to the public on behalf of a consortium or provider group.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6274, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

NEW SECTION. Sec. 2. A new section is added to chapter 41.40 RCW under the subchapter heading "provisions applicable to plan 1, plan 2, and plan 3" to read as follows:

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

(1) An employee providing emergency medical services for a consortium of local governments, where some of those local governments qualified as public employees' retirement system employers at the time the service was rendered, may make an election to establish credit for service performed prior to July 27, 2003, as a full-time emergency medical technician serving the consortium to the public employees' retirement system. This option is only available to employees who:

SENATE BILL NO. 6274, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

(a) Performed services for a consortium of local governments fully contained within the boundaries of a county whose population on the effective date of this section exceeds seven hundred thousand residents but is less than eight hundred thousand residents; and

PERSONAL PRIVILEGE

Senator Sheldon: "Mr. President, points of personal privileges are about experiences unique to individual legislators, and I had a friend who paid me a visit yesterday and he flew his private plane into the Shelton airport. And as he came into Shelton, he flew over your house and when he landed I started talking to him about you. And he said, 'Senator Sheldon, did the Lieutenant Governor put in a new swimming pool at his house?' I said, 'No, no. That's the blue tarp on top of Hargrove's trailer.' So we got that figured out."

(b) File a written election to establish service credit under this section with the department of retirement systems no later than June 30, 2026.

Senator Hargrove assumed the chair.

(2)(a) The department of retirement systems shall treat the consortium member with the largest current population among consortium members who qualified as a public employees' retirement system employer at the time the service was rendered as the employer for purposes of this section. This employer classification:

MESSAGE FROM THE HOUSE

March 3, 2016

MR. PRESIDENT:

The House passed SUBSTITUTE SENATE BILL NO. 6523 with the following amendment(s): 6523-S AMH ENGR H4638.E

BERNARD DEAN, Deputy Chief Clerk

(i) Is solely for the purpose of streamlining reporting service and compensation credit and paying contributions for periods of service covered by this section; and

(ii) Does not mean that the consortium member is the employee's employer for any other purpose.

(b) All contributions required for past periods of service established under this section shall be paid by the employees electing to establish service credit under this section.

(i) Employee contributions shall be calculated by the department equal to the contributions that would have been paid by the employee had the employee been a member of public employees' retirement system.

(ii) Employer contributions shall be calculated by the department equal to the contributions that would have been paid by the employer had the employee been reported in public employees' retirement system.

(iii) All contributions must be submitted by the employee within five years of electing to establish service credit under this section.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) Local governments formed intergovernmental consortiums, also known as provider groups, to provide emergency medical services over their shared geographic area. Funds collected through an emergency services levy under RCW 84.52.069 were used to fund the consortium. Employees funded by the consortium provided services to the citizens of all the consortium members.

(3) If a member who elected to establish service credit under this section dies or retires for disability prior to payment of contributions under subsection (2)(b) of this section, the member, or in the case of death the surviving spouse or eligible minor children, may:

(a) Pay the bill in full;

(b) If a continuing monthly benefit is chosen, have the benefit actuarially reduced to reflect the amount of the unpaid obligation under subsection (2)(b) of this section; or

(c) Continue to make payment against the obligation under subsection (2)(b) of this section, provided that payment in full is made no later than five years from the member's original election date."

(2) The attorney general has ruled that where such a consortium is formed pursuant to an interlocal agreement, the consortium members retain their legal responsibilities as employers under the law enforcement officers' and firefighters' retirement system and public employees' retirement system. That is, the employees providing services to the consortium are entitled to retirement system membership if they otherwise meet membership eligibility requirements (AGO 2007 No. 6).

Correct the title.

MOTION

(3) This act is intended to provide those public employees with an opportunity to establish service credit in the public employees'

Senator Pearson moved that the Senate concur in the House amendment(s) to Substitute Senate Bill No. 6523.

Senator Pearson spoke in favor of the motion.

Senator Hargrove declared the question before the Senate to be the motion by Senator Pearson that the Senate concur in the House amendment(s) to Substitute Senate Bill No. 6523.

The motion by Senator Pearson carried and the Senate concurred in the House amendment(s) to Substitute Senate Bill No. 6523 by voice vote.

#### MOTION

On motion of Senator Jayapal, and without objection, Senator Ranker was excused.

Senator Hargrove declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6523, as amended by the House.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6523, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SUBSTITUTE SENATE BILL NO. 6523, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The President resumed the chair.

#### MOTION

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

#### SECOND READING

SECOND SUBSTITUTE HOUSE BILL NO. 2839, by House Committee on Appropriations (originally sponsored by Representatives Springer and Nealey)

Providing a sales and use tax exemption for certain new building construction to be used by maintenance repair operators for airplane repair and maintenance.

The measure was read the second time.

#### MOTION

Senator Baumgartner moved that the following amendment no. 761 by Senators Baumgartner, Padden and Billig be adopted:

On page 3, beginning on line 31, after "station" strike all material through "thousand" on line 33

#### MOTION

Senator Baumgartner demanded a roll call vote.

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

Senators Baumgartner, Carlyle, Padden, Dansel, Roach, Ericksen, Pedersen, Hasegawa and Sheldon spoke in favor of adoption of the amendment.

Senators King, Hobbs, Keiser and Ranker spoke against adoption of the amendment.

#### MOTION

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

The President declared the question before the Senate to be the adoption of the amendment no. 761 by Senators Baumgartner, Billig and Padden to Second Substitute House Bill No. 2839.

#### ROLL CALL

The Secretary called the roll on the adoption of amendment no. 761 by Senators Baumgartner, Billig and Padden and the amendment was not adopted by the following vote: Yeas, 21; Nays, 26; Absent, 1; Excused, 1.

Voting yea: Senators Baumgartner, Billig, Braun, Carlyle, Chase, Cleveland, Dansel, Darneille, Ericksen, Fraser, Frockt, Hasegawa, Jayapal, McAuliffe, McCoy, Nelson, Padden, Pedersen, Roach, Rolfes and Sheldon

Voting nay: Senators Angel, Bailey, Becker, Brown, Conway, Dammeier, Fain, Habib, Hewitt, Hill, Hobbs, Honeyford, Keiser, King, Liias, Litzow, Miloscia, Mullet, O'Ban, Parlette, Pearson, Ranker, Rivers, Schoesler, Takko and Warnick

Absent: Senator Benton

Excused: Senator Hargrove

#### MOTION

On motion of Senator Hill, the rules were suspended, Second Substitute House Bill No. 2839 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Hill, Hobbs, King, Schoesler, Keiser, Angel and Mullet spoke in favor of passage of the bill.

Senators Carlyle, Baumgartner, Hasegawa and Chase spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Second Substitute House Bill No. 2839.

#### ROLL CALL

The Secretary called the roll on the final passage of Second Substitute House Bill No. 2839 and the bill passed the Senate by the following vote: Yeas, 28; Nays, 20; Absent, 0; Excused, 1.

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

Voting nay: Senators Baumgartner, Billig, Carlyle, Chase, Cleveland, Conway, Dansel, Darneille, Ericksen, Fraser, Frockt, Hasegawa, Jayapal, Liias, McAuliffe, McCoy, Nelson, Padden, Pedersen and Rolfes

Excused: Senator Hargrove

SECOND SUBSTITUTE HOUSE BILL NO. 2839, having



SIXTIETH DAY, MARCH 10, 2016

2016 REGULAR SESSION

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

MESSAGE FROM THE HOUSE

March 10, 2016

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

MR. PRESIDENT:

The Speaker has signed:

FOURTH SUBSTITUTE HOUSE BILL NO. 1541,  
 SUBSTITUTE HOUSE BILL NO. 2427,  
 SUBSTITUTE HOUSE BILL NO. 2440,  
 SECOND SUBSTITUTE HOUSE BILL NO. 2449,  
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL  
 NO. 2667,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2700,  
 SECOND SUBSTITUTE HOUSE BILL NO. 2839,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2908,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2928,  
 SUBSTITUTE HOUSE BILL NO. 2985

and the same are herewith transmitted.

Senator Parlette announced a meeting of the Majority Coalition Caucus immediately upon going at ease.

MOTION

At 7:26 p.m., on motion of Senator Fain, and without objection, the Senate was declared to be at ease subject to the call of the President.

---

EVENING SESSION

---

The Senate was called to order at 9:05 p.m. by the President of the Senate, Lt. Governor Owen presiding.

BERNARD DEAN, Deputy Chief Clerk

MOTION

MESSAGE FROM THE HOUSE

March 10, 2016

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

MR. PRESIDENT:

The Speaker has signed:

ENGROSSED SECOND SUBSTITUTE SENATE BILL  
 NO. 6194

and the same is herewith transmitted.

BERNARD DEAN, Deputy Chief Clerk

MESSAGE FROM THE HOUSE

March 10, 2016

MR. PRESIDENT:

The Speaker has signed:

SENATE BILL NO. 6274,  
 SUBSTITUTE SENATE BILL NO. 6327,  
 ENGROSSED SECOND SUBSTITUTE SENATE BILL NO.  
 6455,  
 SUBSTITUTE SENATE BILL NO. 6523

BERNARD DEAN, Deputy Chief Clerk

MESSAGE FROM THE HOUSE

March 10, 2016

SIGNED BY THE PRESIDENT

Pursuant to Article 2, Section 32 of the State Constitution and Senate Rule 1(5), the President announced the signing of and thereupon did sign in open session:

MR. PRESIDENT:

The Speaker has signed:

ENGROSSED SECOND SUBSTITUTE HOUSE BILL  
 NO. 2439

and the same is herewith transmitted.

BERNARD DEAN, Deputy Chief Clerk

SENATE BILL NO. 6274,  
 SUBSTITUTE SENATE BILL NO. 6327,  
 ENGROSSED SECOND SUBSTITUTE SENATE BILL  
 NO. 6455,  
 SUBSTITUTE SENATE BILL NO. 6523

MESSAGE FROM THE HOUSE

March 10, 2016

MESSAGE FROM THE HOUSE

March 10, 2016

MR. PRESIDENT:

The House concurred in the Senate amendments to the following bills and passed the bills as amended by the Senate:

ENGROSSED SECOND SUBSTITUTE HOUSE BILL  
 NO. 2439

and the same is herewith transmitted.

MR. PRESIDENT:

The House has adopted:

HOUSE CONCURRENT RESOLUTION NO. 4416,  
 HOUSE CONCURRENT RESOLUTION NO. 4417

and the same are herewith transmitted.

BERNARD DEAN, Deputy Chief Clerk

SIGNED BY THE PRESIDENT

Pursuant to Article 2, Section 32 of the State Constitution and Senate Rule 1(5), the President announced the signing of and thereupon did sign in open session:

FOURTH SUBSTITUTE HOUSE BILL NO. 1541,  
 SUBSTITUTE HOUSE BILL NO. 2427,

BARBARA BAKER, Chief Clerk

SUBSTITUTE HOUSE BILL NO. 2440,  
 SECOND SUBSTITUTE HOUSE BILL NO. 2449,  
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL  
 NO. 2667,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2700,  
 SECOND SUBSTITUTE HOUSE BILL NO. 2839,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2908,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2928,  
 SUBSTITUTE HOUSE BILL NO. 2985

SIGNED BY THE PRESIDENT

Pursuant to Article 2, Section 32 of the State Constitution and Senate Rule 1(5), the President announced the signing of and thereupon did sign in open session:

ENGROSSED SECOND SUBSTITUTE HOUSE BILL  
 NO. 2439

MOTION

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

MOTION

Senator Fain moved adoption of the following resolution:

SENATE RESOLUTION  
 8739

By Senators Schoesler and Nelson

WHEREAS, The 2016 Regular Session of the Sixty-fourth Legislature is drawing to a close; and

WHEREAS, It is necessary to provide for the completion of the work of the Senate after its adjournment and during the interim period between the close of the 2016 Regular Session of the Sixty-fourth Legislature and the convening of the next regular session;

NOW, THEREFORE, BE IT RESOLVED, That the Senate Facilities and Operations Committee shall have full authority and direction over the authorization and execution of any contracts or subcontracts that necessitate the expenditure of Senate appropriations, subject to all applicable budget controls and limitations; and

BE IT FURTHER RESOLVED, That the Senate Facilities and Operations Committee may, as they deem appropriate, authorize travel for which members and staff may receive therefor their actual necessary expenses, and such per diem as may be authorized by law, subject to all applicable budget controls and limitations, to be paid upon receipt of their vouchers out of funds appropriated for legislative expenses; and

BE IT FURTHER RESOLVED, That the Secretary of the Senate and the Senate Facilities and Operations Committee be, and they hereby are, authorized to retain such employees as they may deem necessary and that said employees be allowed such rate of pay therefor, subject to all applicable budget controls and limitations, as the Secretary of the Senate and the Senate Facilities and Operations Committee shall deem proper; and

BE IT FURTHER RESOLVED, That the Secretary of the Senate be, and he or she hereby is, authorized and directed to make out and execute the necessary vouchers upon which warrants for legislative expenses and expenditures shall be drawn from funds provided therefor; and

BE IT FURTHER RESOLVED, That the Secretary of the

Senate and the Facilities and Operations Committee be, and they hereby are, authorized to approve written requests by standing committees to meet during the interim period; and

BE IT FURTHER RESOLVED, That the Secretary of the Senate be, and hereby is, authorized and directed to have printed a copy of the Senate Journals of the 2016 Regular Session of the Sixty-fourth Legislature; and

BE IT FURTHER RESOLVED, That the Rules Committee is authorized to assign subject matters to standing committees for study during the interim, and the Majority Leader is authorized to create special committees as may be necessary to carry out the functions of the Senate in an orderly manner and appoint members thereto with the approval of the Facilities and Operations Committee; and

BE IT FURTHER RESOLVED, That the Secretary of the Senate is authorized to express the sympathy of the Senate by sending flowers or memorials in the event of a bereavement in the legislative "family"; and

BE IT FURTHER RESOLVED, That such use of the Senate facilities is permitted upon such terms as the Secretary of the Senate shall deem proper.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8739.

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

MOTION

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

INTRODUCTION AND FIRST READING OF HOUSE BILLS

HCR 4416 By Representatives Sullivan and Kretz  
 Returning bills to their house of origin.  
 BOOST.

HCR 4417 By Representatives Sullivan and Kretz  
 Adjourning the 2016 Regular Session of the Sixty-fourth Legislature SINE DIE.  
 BOOST.

MOTION

On motion of Senator Fain, under suspension of the rules House Concurrent Resolution No. 4416 and House Concurrent Resolution No. 4417 were placed on the second reading calendar.

MOTION

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

PERSONAL PRIVILEGE

Senator Fain: "Thank you, Mr. President. I'm coming back next year, so the press can take pictures of you right now if you like."

SECOND READING

HOUSE CONCURRENT RESOLUTION NO. 4416, by Representatives Sullivan and Kretz

Returning bills to their house of origin.

The measure was read the second time.

MOTION

On motion of Senator Fain, the rules were suspended, House Concurrent Resolution No. 4416 was advanced to third reading, the second reading considered the third and the concurrent resolution was placed on final passage.

The President declared the question before the Senate to be the adoption of House Concurrent Resolution No. 4416

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

SECOND READING

HOUSE CONCURRENT RESOLUTION NO. 4417, by Representatives Sullivan and Kretz

Adjourning the 2016 Regular Session of the Sixty-fourth Legislature SINE DIE.

The measure was read the second time.

MOTION

On motion of Senator Fain, the rules were suspended, House Concurrent Resolution No. 4417 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

The President declared the question before the Senate to be the final passage of House Concurrent Resolution No. 4417.

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

MOTION

On motion of Senator Fain, and without objection, all measures listed on the second and third reading calendars and being held at the desk were referred to the Committee on Rules.

MOTION

On motion of Senator Fain, and without objection, the reading of the Journal for the sixtieth day of the 2016 Regular Session of the Sixty-Fourth Legislature was dispensed with and it was approved.

Under the provisions of HOUSE CONCURRENT RESOLUTION NO. 4416, the following House Bills were returned to the House of Representatives:

- SECOND SUBSTITUTE HOUSE BILL NO. 1037,
- SECOND ENGROSSED SUBSTITUTE HOUSE BILL NO. 1094,
- HOUSE BILL NO. 1231,
- ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1236,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1248,
- SUBSTITUTE HOUSE BILL NO. 1290,
- HOUSE BILL NO. 1294,
- ENGROSSED THIRD SUBSTITUTE HOUSE BILL NO. 1295,

- HOUSE BILL NO. 1322,
- SUBSTITUTE HOUSE BILL NO. 1428,
- HOUSE BILL NO. 1512,
- HOUSE BILL NO. 1565,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1571,
- ENGROSSED HOUSE BILL NO. 1590,
- ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1605,
- SUBSTITUTE HOUSE BILL NO. 1631,
- ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1645,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1646,
- SUBSTITUTE HOUSE BILL NO. 1718,
- ENGROSSED HOUSE BILL NO. 1770,
- ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1808,
- SUBSTITUTE HOUSE BILL NO. 1855,
- SUBSTITUTE HOUSE BILL NO. 1874,
- SECOND SUBSTITUTE HOUSE BILL NO. 1900,
- SUBSTITUTE HOUSE BILL NO. 1915,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1949,
- ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1983,
- ENGROSSED HOUSE BILL NO. 2033,
- SECOND ENGROSSED HOUSE BILL NO. 2086,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2148,
- SUBSTITUTE HOUSE BILL NO. 2214,
- SUBSTITUTE HOUSE BILL NO. 2296,
- HOUSE BILL NO. 2298,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2307,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2340,
- SUBSTITUTE HOUSE BILL NO. 2342,
- ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2346,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2366,
- SECOND ENGROSSED SUBSTITUTE HOUSE BILL NO. 2376,
- SUBSTITUTE HOUSE BILL NO. 2381,
- SUBSTITUTE HOUSE BILL NO. 2396,
- HOUSE BILL NO. 2399,
- SUBSTITUTE HOUSE BILL NO. 2429,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2430,
- SUBSTITUTE HOUSE BILL NO. 2441,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2450,
- ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2453,
- HOUSE BILL NO. 2462,
- SUBSTITUTE HOUSE BILL NO. 2483,
- HOUSE BILL NO. 2494,
- SUBSTITUTE HOUSE BILL NO. 2500,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2518,
- HOUSE BILL NO. 2522,
- HOUSE BILL NO. 2526,
- ENGROSSED HOUSE BILL NO. 2534,
- SUBSTITUTE HOUSE BILL NO. 2575,
- SUBSTITUTE HOUSE BILL NO. 2583,
- ENGROSSED HOUSE BILL NO. 2610,
- SUBSTITUTE HOUSE BILL NO. 2615,
- HOUSE BILL NO. 2619,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2621,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2647,
- ENGROSSED HOUSE BILL NO. 2659,
- SUBSTITUTE HOUSE BILL NO. 2674,
- HOUSE BILL NO. 2679,
- SUBSTITUTE HOUSE BILL NO. 2682,

ENGROSSED HOUSE BILL NO. 2698,  
 SUBSTITUTE HOUSE BILL NO. 2705,  
 SUBSTITUTE HOUSE BILL NO. 2716,  
 SUBSTITUTE HOUSE BILL NO. 2743,  
 HOUSE BILL NO. 2764,  
 SECOND SUBSTITUTE HOUSE BILL NO. 2769,  
 ENGROSSED HOUSE BILL NO. 2775,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2778,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2804 ,  
 SUBSTITUTE HOUSE BILL NO. 2805 ,  
 HOUSE BILL NO. 2806 ,  
 HOUSE BILL NO. 2844 ,  
 SUBSTITUE HOUSE BILL NO. 2849 ,  
 SUBSTITUTE HOUSE BILL NO. 2871 ,  
 HOUSE BILL NO. 2888 ,  
 HOUSE BILL NO. 2930 ,  
 SECOND SUBSTITUTE HOUSE BILL NO. 2933 ,  
 SUBSTITUTE HOUSE BILL NO. 2936 ,  
 SUBSTITUTE HOUSE BILL NO. 2964 ,  
 SUBSTITUTE HOUSE BILL NO. 2973 ,  
 HOUSE JOINT MEMORIAL NO. 4000

Under the provisions of HOUSE CONCURRENT RESOLUTION NO. 4416, the following House Bills were returned to the House of Representatives:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1067,  
 SECOND ENGROSSED SUBSTITUTE HOUSE BILL NO. 1100,  
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1390,  
 ENGROSSED HOUSE BILL NO. 1465,  
 THIRD SUBSTITUTE HOUSE BILL NO. 1499,  
 HOUSE BILL NO. 1560,  
 HOUSE BILL NO. 1561,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1581,  
 SUBSTITUTE HOUSE BILL NO. 1632,  
 SECOND SUBSTITUTE HOUSE BILL NO. 1651,  
 HOUSE BILL NO. 1659,  
 THIRD SUBSTITUTE HOUSE BILL NO. 1713,  
 SECOND SUBSTITUTE HOUSE BILL NO. 1725,  
 SECOND SUBSTITUTE HOUSE BILL NO. 1737,  
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1745,  
 SUBSTITUTE HOUSE BILL NO. 1790,  
 HOUSE BILL NO. 1804,  
 SUBSTITUTE HOUSE BILL NO. 1867,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1875,  
 SUBSTITUTE HOUSE BILL NO. 2287,  
 SUBSTITUTE HOUSE BILL NO. 2300,  
 HOUSE BILL NO. 2315,  
 HOUSE BILL NO. 2321,  
 HOUSE BILL NO. 2331,  
 SUBSTITUTE HOUSE BILL NO. 2334,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2355,  
 HOUSE BILL NO. 2388,  
 HOUSE BILL NO. 2390,  
 SUBSTITUTE HOUSE BILL NO. 2417,  
 SUBSTITUTE HOUSE BILL NO. 2435,  
 SUBSTITUTE HOUSE BILL NO. 2452,  
 SUBSTITUTE HOUSE BILL NO. 2465,  
 HOUSE BILL NO. 2493,  
 SUBSTITUTE HOUSE BILL NO. 2496,  
 SUBSTITUTE HOUSE BILL NO. 2501,  
 SUBSTITUTE HOUSE BILL NO. 2503,  
 HOUSE BILL NO. 2507,

HOUSE BILL NO. 2512,  
 HOUSE BILL NO. 2543,  
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2573,  
 HOUSE BILL NO. 2578,  
 SUBSTITUTE HOUSE BILL NO. 2585,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2604,  
 SUBSTITUTE HOUSE BILL NO. 2632,  
 HOUSE BILL NO. 2639,  
 HOUSE BILL NO. 2648,  
 HOUSE BILL NO. 2675,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2708,  
 SUBSTITUTE HOUSE BILL NO. 2725,  
 SUBSTITUTE HOUSE BILL NO. 2767,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2783,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2825,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2834,  
 HOUSE BILL NO. 2845,  
 SUBSTITUTE HOUSE BILL NO. 2851,  
 SUBSTITUTE HOUSE BILL NO. 2895,  
 HOUSE BILL NO. 2929,  
 HOUSE BILL NO. 2970,  
 HOUSE CONCURRENT RESOLUTION NO. 4401

#### MESSAGE FROM THE HOUSE

March 10, 2016

MR. PRESIDENT:

Under the provisions of HOUSE CONCURRENT RESOLUTION NO. 4416, the following Senate bills are returned to the Senate:

SENATE BILL NO. 5094,  
 ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5105,  
 SENATE BILL NO. 5205,  
 SUBSTITUTE SENATE BILL NO. 5221,  
 ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5243,  
 SENATE BILL NO. 5271,  
 SENATE BILL NO. 5277,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5343,  
 SENATE BILL NO. 5363,  
 SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 5575,  
 SUBSTITUTE SENATE BILL NO. 5583,  
 SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 5623,  
 SECOND ENGROSSED SENATE BILL NO. 5624,  
 SUBSTITUTE SENATE BILL NO. 5640,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5694,  
 SENATE BILL NO. 5779,  
 SENATE BILL NO. 5894,  
 SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 5915,  
 SENATE BILL NO. 5937,  
 SUBSTITUTE SENATE BILL NO. 6007,  
 SUBSTITUTE SENATE BILL NO. 6019,  
 SENATE BILL NO. 6150,  
 SENATE BILL NO. 6155,  
 SENATE BILL NO. 6169,  
 SENATE BILL NO. 6178,  
 SECOND SUBSTITUTE SENATE BILL NO. 6187,  
 SENATE BILL NO. 6199,  
 ENGROSSED SENATE BILL NO. 6207,

SIXTIETH DAY, MARCH 10, 2016

2016 REGULAR SESSION

BERNARD DEAN, Deputy Chief Clerk

SUBSTITUTE SENATE BILL NO. 6210,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6215,  
 SECOND SUBSTITUTE SENATE BILL NO. 6239,  
 SECOND SUBSTITUTE SENATE BILL NO. 6243,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6246,  
 SENATE BILL NO. 6262,  
 SUBSTITUTE SENATE BILL NO. 6265,  
 SUBSTITUTE SENATE BILL NO. 6268,  
 SUBSTITUTE SENATE BILL NO. 6289,  
 SENATE BILL NO. 6291,  
 SENATE BILL NO. 6292,  
 SECOND SUBSTITUTE SENATE BILL NO. 6297,  
 SUBSTITUTE SENATE BILL NO. 6301,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6317,  
 ENGROSSED SENATE BILL NO. 6321,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6334,  
 SENATE BILL NO. 6350,  
 SENATE BILL NO. 6396,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6406,  
 SECOND SUBSTITUTE SENATE BILL NO. 6408,  
 SUBSTITUTE SENATE BILL NO. 6409,  
 SUBSTITUTE SENATE BILL NO. 6411,  
 SENATE BILL NO. 6414,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6426,  
 SUBSTITUTE SENATE BILL NO. 6439,  
 SUBSTITUTE SENATE BILL NO. 6464,  
 SUBSTITUTE SENATE BILL NO. 6483,  
 SENATE BILL NO. 6488,  
 SECOND SUBSTITUTE SENATE BILL NO. 6497,  
 SENATE BILL NO. 6538,  
 SENATE BILL NO. 6545,  
 SUBSTITUTE SENATE BILL NO. 6583,  
 ENGROSSED SENATE BILL NO. 6617,  
 ENGROSSED SENATE BILL NO. 6631,  
 SECOND ENGROSSED SENATE JOINT RESOLUTION  
 NO. 8204

and the same are herewith transmitted.

MESSAGE FROM THE HOUSE

March 10, 2016

MR. PRESIDENT:

The Speaker has signed:

HOUSE CONCURRENT RESOLUTION NO. 4416,  
 HOUSE CONCURRENT RESOLUTION NO. 4417

and the same are herewith transmitted.

BERNARD DEAN, Deputy Chief Clerk

SIGNED BY THE PRESIDENT

Pursuant to Article 2, Section 32 of the State Constitution and Senate Rule 1(5), the President announced the signing of and thereupon did sign in open session:

HOUSE CONCURRENT RESOLUTION NO. 4416,  
 HOUSE CONCURRENT RESOLUTION NO. 4417.

The President invited senators, staff and any members of the public present onto the senate floor and line the aisle asking that they not sit at the senators' desks to witness the joint closing of session.

MOTION

At 9:13 p.m., on motion of Senator Fain, the 2016 Regular Session of the Sixty-Fourth Legislature adjourned SINE DIE.

BRAD OWEN, President of the Senate

HUNTER G. GOODMAN, Secretary of the Senate

1037-2S	Messages.....	67	1581-ES	Messages.....	68
1067-ES	Messages.....	68	1590-E	Messages.....	67
1094-2ES	Messages.....	67	1605-E2S	Messages.....	67
1100-2ES	Messages.....	68	1631-S	Messages.....	67
1130-S	Messages.....	24	1632-S	Messages.....	68
	President Signed.....	25	1645-E2S	Messages.....	67
1231	Messages.....	67	1646-ES	Messages.....	67
1236-E2S	Messages.....	67	1651-2S	Messages.....	68
1248-ES	Messages.....	67	1659	Messages.....	68
1290-S	Messages.....	67	1682-3S	Messages.....	24
1294	Messages.....	67		President Signed.....	25
1295-E3S	Messages.....	67	1713-3S	Messages.....	68
1322	Messages.....	67	1718-S	Messages.....	67
1351-ES	Messages.....	24	1725-2S	Messages.....	68
	President Signed.....	25	1737-2S	Messages.....	68
1390-E2S	Messages.....	68	1745-E2S	Messages.....	68
1428-S	Messages.....	67	1763-E2S	Messages.....	24
1465-E	Messages.....	68		President Signed.....	25
1499-3S	Messages.....	68	1770-E	Messages.....	67
1512	Messages.....	67	1790-S	Messages.....	68
1541-4S	Messages.....	19, 65	1804	Messages.....	68
	President Signed.....	65	1808-E2S	Messages.....	67
1560	Messages.....	68	1855-S	Messages.....	67
1561	Messages.....	68	1867-S	Messages.....	68
1565	Messages.....	67	1874-S		
1571-ES					

Messages .....	67	President Signed.....	25
1875-ES		2366-ES	
Messages .....	68	Messages .....	67
1900-2S		2376-2ES	
Messages .....	67	Messages .....	67
1915-S		2381-S	
Messages .....	67	Messages .....	67
1949-ES		2388	
Messages .....	67	Messages .....	68
1983-E2S		2390	
Messages .....	67	Messages .....	68
2033-E		2396-S	
Messages .....	67	Messages .....	67
2086-2E		2399	
Messages .....	67	Messages .....	67
2148-ES		2417-S	
Messages .....	67	Messages .....	68
2214-S		2427-S	
Messages .....	67	Messages .....	19, 65
2287-S		President Signed.....	65
Messages .....	68	2429-S	
2296-S		Messages .....	67
Messages .....	67	2430-ES	
2298		Messages .....	67
Messages .....	67	2435-S	
2300-S		Messages .....	68
Messages .....	68	2439-E2S	
2307-ES		Messages .....	65
Messages .....	67	Other Action.....	57
2315		President Signed.....	66
Messages .....	68	Second Reading .....	54, 57
2321		Third Reading Final Passage .....	57
Messages .....	68	2439-S2	
2331		Messages .....	65
Messages .....	68	2440-S	
2334-S		Messages .....	48, 65
Committee Report.....	1	Other Action.....	35
Messages .....	68	Other Action.....	26
2340-ES		President Signed.....	66
Messages .....	67	Second Reading .....	26, 30
2342-S		Third Reading Final Passage .....	35
Messages .....	67	2441-S	
2346-E2S		Messages .....	67
Messages .....	67	2449-2S	
2355-ES		Messages .....	48, 65
Messages .....	68	President Signed.....	66
2362-E		2450-ES	
Messages .....	24	Messages .....	67

2452-S		2573-E2S	
Messages .....	68	Messages .....	68
2453-E2S		2575-S	
Messages .....	67	Messages .....	67
2462		2578	
Messages .....	67	Messages .....	68
2465-S		2583-S	
Messages .....	68	Messages .....	67
2483-S		2585-S	
Messages .....	67	Messages .....	68
2493		2604-ES	
Messages .....	68	Messages .....	68
2494		2610-E	
Messages .....	67	Messages .....	67
2496-S		2615-S	
Messages .....	68	Messages .....	67
2500-S		2619	
Messages .....	67	Messages .....	67
2501-S		2621-ES	
Messages .....	68	Messages .....	67
2503-S		2632-S	
Messages .....	68	Messages .....	68
2507		2637	
Messages .....	68	Messages .....	24
2511-ES		President Signed.....	25
Messages .....	24	2639	
President Signed.....	25	Messages .....	68
2512		2644-S	
Messages .....	68	Messages .....	24
2518-ES		President Signed.....	25
Messages .....	67	2647-ES	
2522		Messages .....	67
Messages .....	67	2648	
2524-ES		Messages .....	68
Messages .....	24	2659-E	
President Signed.....	25	Messages .....	67
2526		2667-E2S	
Messages .....	67	Messages .....	65
2530-2S		President Signed.....	66
Messages .....	24	Second Reading .....	36
President Signed.....	25	Third Reading Final Passage .....	36
2534-E		2674-S	
Messages .....	67	Messages .....	67
2543		2675	
Messages .....	68	Messages .....	68
2545-ES		2679	
Messages .....	24	Messages .....	67
President Signed.....	25	2681-2S	



Messages ..... 24  
 President Signed..... 25  
 2682-S  
 Messages ..... 67  
 2698-E  
 Messages ..... 68  
 2700-ES  
 Messages ..... 19, 65  
 President Signed..... 66  
 2705-S  
 Messages ..... 68  
 2708-ES  
 Messages ..... 68  
 2711-S  
 Messages ..... 24  
 President Signed..... 25  
 2716-S  
 Messages ..... 68  
 2725-S  
 Messages ..... 68  
 2743-S  
 Messages ..... 68  
 2764  
 Messages ..... 68  
 2767-S  
 Messages ..... 68  
 2769-2S  
 Messages ..... 68  
 2775-E  
 Messages ..... 68  
 2778-ES  
 Messages ..... 68  
 2783-ES  
 Messages ..... 68  
 2791-2S  
 Messages ..... 24  
 President Signed..... 25  
 2793-E2S  
 Messages ..... 24  
 President Signed..... 25  
 2804-ES  
 Messages ..... 68  
 2805-S  
 Messages ..... 68  
 2806  
 Messages ..... 68  
 2825-ES  
 Messages ..... 68

2831-S  
 Messages ..... 24  
 President Signed..... 25  
 2834-ES  
 Messages ..... 68  
 2839-2S  
 Committee Report..... 1  
 Messages ..... 65  
 President Signed..... 66  
 Second Reading ..... 64  
 Third Reading Final Passage ..... 64  
 2839-S2  
 Second Reading ..... 64  
 2841-S  
 Other Action..... 60  
 Other Action..... 58  
 Second Reading ..... 58  
 Third Reading Final Passage ..... 60  
 2844  
 Messages ..... 68  
 2845  
 Messages ..... 68  
 2847-ES  
 Messages ..... 24  
 President Signed..... 25  
 2849-S  
 Messages ..... 68  
 2851-S  
 Messages ..... 68  
 2871-S  
 Messages ..... 68  
 2872-E2S  
 Messages ..... 24  
 President Signed..... 25  
 2877-2S  
 Messages ..... 24  
 President Signed..... 25  
 2888  
 Messages ..... 68  
 2895-S  
 Messages ..... 68  
 2906-ES  
 Messages ..... 24  
 President Signed..... 25  
 2908-ES  
 Messages ..... 19, 65  
 President Signed..... 66  
 2928-ES

Messages.....	19, 65	Messages.....	68
President Signed.....	66	5105-E2S	
2929		Messages.....	68
Messages.....	68	5109-E2S	
2930		Speaker Signed.....	24
Messages.....	68	5180	
2933-2S		President Signed.....	2
Messages.....	68	Speaker Signed.....	24
2936-S		5205	
Messages.....	68	Messages.....	68
2959-E		5221-S	
Messages.....	24	Messages.....	68
President Signed.....	25	5243-E2S	
2964-S		Messages.....	68
Messages.....	68	5271	
2970		Messages.....	68
Messages.....	68	5277	
2973-S		Messages.....	68
Messages.....	68	5343-ES	
2985		Messages.....	68
Other Action.....	25	5363	
Second Reading.....	25	Messages.....	68
Third Reading Final Passage.....	25	5435-ES	
2985-S		Speaker Signed.....	24
Committee Report.....	1	5575-2ES	
Messages.....	48, 65	Messages.....	68
President Signed.....	66	5583-S	
Second Reading.....	24	Messages.....	68
4000		5623-2ES	
Messages.....	68	Messages.....	68
4010		5624-2E	
Messages.....	24	Messages.....	68
President Signed.....	25	5640-S	
4401		Messages.....	68
Messages.....	68	5689	
4416		Speaker Signed.....	24
Adopted.....	67	5694-ES	
Messages.....	65, 69	Messages.....	68
Other Action.....	66	5778-S	
President Signed.....	69	Speaker Signed.....	24
Second Reading.....	66	5779	
4417		Messages.....	68
Adopted.....	67	5857-5ES	
Messages.....	65, 69	Speaker Signed.....	24
Other Action.....	66	5894	
President Signed.....	69	Messages.....	68
Second Reading.....	67	5915-2ES	
5094		Messages.....	68

5937	Messages.....	68	Speaker Signed.....	24	
6007-S	Messages.....	68	6262	Messages.....	69
6019-S	Messages.....	68	6264-S	Speaker Signed.....	24
6091-E	Speaker Signed.....	24	6265-S	Messages.....	69
6100-E	Speaker Signed.....	24	6268-S	Messages.....	69
6150	Messages.....	68	6273-S	Speaker Signed.....	24
6155	Messages.....	68	6274	Final Passage as amended by House.....	63
6160-S	Speaker Signed.....	24		Messages.....	65
6169	Messages.....	68		Other Action.....	62
6178	Messages.....	68		President Signed.....	65
6187-2S	Messages.....	68	6289-S	Messages.....	69
6194-E2S	Final Passage as amended by House.....	14	6291	Messages.....	69
	Messages.....	65	6292	Messages.....	69
	Other Action.....	14	6293-ES	Speaker Signed.....	24
	President Signed.....	49	6297-2S	Messages.....	69
6199	Messages.....	68	6301-S	Messages.....	69
6207-E	Messages.....	68	6317-ES	Messages.....	69
6210-S	Messages.....	69	6321-E	Messages.....	69
6211-S	Speaker Signed.....	24	6327-S	Final Passage as amended by House.....	62
6215-ES	Messages.....	69		Messages.....	65
6227-S	Speaker Signed.....	24		Other Action.....	35, 62
6238-S	Speaker Signed.....	24		President Signed.....	65
6239-2S	Messages.....	69	6328	Committee Report.....	1
6243-2S	Messages.....	69	6329-S	Speaker Signed.....	24
6246-ES	Messages.....	69	6334-ES	Messages.....	69
6261-S	Messages.....	69	6337-S	Speaker Signed.....	24
			6349-E	President Signed.....	2
				Speaker Signed.....	24

6350	Messages.....	69	6534-E2S	Speaker Signed.....	24
6353	Other Action.....	19	6538	Messages.....	69
6360-S	President Signed.....	19	6545	Messages.....	69
	Speaker Signed.....	24	6564-E2S	Speaker Signed.....	24
6396	Messages.....	69	6583-S	Messages.....	69
6406-ES	Messages.....	69	6601-E2S	Speaker Signed.....	24
6408-2S	Messages.....	69	6617-E	Messages.....	69
6409-S	Messages.....	69	6620-E	Speaker Signed.....	24
6411-S	Messages.....	69	6631-E	Messages.....	69
6413-E	President Signed.....	2	8204-2E	Messages.....	69
	Speaker Signed.....	24	8739	Adopted.....	66
6414	Messages.....	69		Introduced.....	66
6426-ES	Messages.....	69	CHAPLAIN OF THE DAY		
6439-S	Messages.....	69		Senator Rolfes.....	1
6455-E2S	Final Passage as amended by House.....	54	GUESTS		
	Messages.....	65		Dammeier, Mr. Brent.....	24
	Other Action.....	19, 54		Dammeier, Mr. Craig.....	24
	President Signed.....	65		Dammeier, Mrs. Lauren.....	24
6464-S	Messages.....	69		Dammeier, Mrs. Molly.....	24
6470-S	Speaker Signed.....	24		Hargrove, Mr. Daniel.....	41
6483-S	Messages.....	69		Hargrove, Mr. Jimmy.....	41
6488	Messages.....	69		Hargrove, Mrs. Laurie.....	41
6497-2S	Messages.....	69		Hewitt, Mrs. Cory.....	39
6523-S	Final Passage as amended by House.....	64		Inslee, The Honorable Jay.....	42
	Messages.....	65		Japhet, Ms. Rebecca.....	38
	Other Action.....	63		Kalich, Miss Myra J.....	1
	President Signed.....	65		May, Ms. Jeri.....	39
6528-ES	Speaker Signed.....	24		Pitts, Mr. Kristian.....	1
				SkillSource Learning Center.....	35
			PRESIDENT OF THE SENATE		
				Remarks by the President.....	39, 41
				Reply by the President.....	14, 19
			WASHINGTON STATE SENATE		
				Personal Privilege, Senator Angel.....	21, 43
				Personal Privilege, Senator Bailey.....	21, 38
				Personal Privilege, Senator Baumgartner ..	22, 37, 47

Personal Privilege, Senator Becker. 20, 37, 45	Personal Privilege, Senator Lias ..... 44
Personal Privilege, Senator Benton..... 47	Personal Privilege, Senator Litzow..... 20, 38
Personal Privilege, Senator Braun ..... 22, 48	Personal Privilege, Senator McCoy ..... 44
Personal Privilege, Senator Brown . 21, 38, 47	Personal Privilege, Senator Miloscia ..... 48
Personal Privilege, Senator Carlyle ..... 21	Personal Privilege, Senator Mullet ..... 38
Personal Privilege, Senator Conway..... 20	Personal Privilege, Senator Nelson..... 41
Personal Privilege, Senator Dammeier 23, 36, 48	Personal Privilege, Senator O'Ban ..... 22, 48
Personal Privilege, Senator Dansel..... 23, 43	Personal Privilege, Senator Padden ..... 44
Personal Privilege, Senator Darneille ... 21, 43	Personal Privilege, Senator Parlette ..... 20, 38
Personal Privilege, Senator Ericksen ..... 46	Personal Privilege, Senator Pearson ..... 37, 45
Personal Privilege, Senator Fain ..... 66	Personal Privilege, Senator Ranker..... 41
Personal Privilege, Senator Fraser ..... 37, 42	Personal Privilege, Senator Rivers..... 23
Personal Privilege, Senator Frockt..... 20	Personal Privilege, Senator Roach..... 44
Personal Privilege, Senator Habib ..... 46	Personal Privilege, Senator Rolfes..... 22, 48
Personal Privilege, Senator Hargrove.. 20, 36, 40	Personal Privilege, Senator Schoesler.. 19, 36, 41
Personal Privilege, Senator Hasegawa..... 48	Personal Privilege, Senator Sheldon38, 42, 63
Personal Privilege, Senator Hewitt 21, 24, 39, 41	Personal Privilege, Senator Warnick ..... 20
Personal Privilege, Senator Hill..... 39, 43	Point of Order, Senator Baumgartner ..... 19
Personal Privilege, Senator Hobbs.. 22, 37, 46	Point of Order, Senator McAuliffe ..... 14
Personal Privilege, Senator Honeyford. 22, 38	Point of Order, Senator Rolfes..... 14
Personal Privilege, Senator Jayapal ..... 45	Presiding Officer, Senator Benton ..... 57
Personal Privilege, Senator Keiser..... 47	Presiding Officer, Senator Fraser..... 49
	Presiding Officer, Senator Hargrove..... 63
	Presiding Officer, Senator Hewitt..... 60