

THIRTY FOURTH DAY

House Chamber, Olympia, Saturday, February 10, 2024

The House was called to order at 10:00 a.m. by the Speaker (Representative Bronoske presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Jon Miles and Forest Bailey. The Speaker (Representative Bronoske presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Representative Davis from the 32nd Legislative District

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

The Speaker assumed the chair.

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

The House resumed consideration of SUBSTITUTE HOUSE BILL NO. 2037 on second reading.

SECOND READING

**SUBSTITUTE HOUSE BILL NO. 2037, by House Committee on Education (originally sponsored by Couture, Senn, Leavitt, Fitzgibbon, Rude, Hutchins, Low, Christian, Ramel, Ryu, Ormsby, Barnard, Graham, Callan, Macri, Cheney, Sandlin, Goodman, Caldier, Nance, Riccelli, Reeves, Paul, Pollet, Griffey and Davis)**

**Concerning Holocaust and genocide education in public schools.**

Representative Alvarado moved the adoption of amendment (943):

On page 2, line 28, after "Holocaust" insert ",""

On page 2, at the beginning of line 29, strike "and"

On page 2, line 31, after "history" insert "," particularly including diasporic communities with lived experiences of surviving, being made refugee by, or otherwise being directly impacted by genocide, and a public institution of higher education with expertise in advancing knowledge about the Holocaust, genocide, and crimes against humanity that includes curriculum development and teacher training""

On page 3, line 1, after "(4)" insert "Screening criteria designed to eliminate bias in instructional materials must be used when selecting curricula and materials to implement this section."

(5)"

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

On page 3, line 34, after "(2)" insert "Screening criteria designed to eliminate bias in instructional materials must be used when selecting curricula and materials to implement this section."

(3)"

On page 3, on line 36, after "Holocaust" strike "and" and insert ","

On page 3, line 39, after "history" insert "," particularly including diasporic communities with lived experiences of surviving, being made refugee by, or otherwise being directly impacted by genocide, and a public institution of higher education with expertise in advancing knowledge about the Holocaust, genocide, and crimes against humanity that includes curriculum development and teacher training""

On page 4, after line 10, insert the following:

"NEW SECTION. Sec. 4. (1) By September 30, 2025, and in compliance with RCW 43.01.036, the office of the superintendent of public instruction must report to the appropriate committees of the legislature how the agency will meaningfully include or has meaningfully included diasporic communities with lived experiences of surviving, being made refugee by, or otherwise being directly impacted by genocide when collaborating with organizations as required by RCW 28A.300.115(2). The office of the superintendent of public instruction must provide an interim update on their progress to the appropriate committees of the legislature by January 15, 2025.

(2) The office of the superintendent of public instruction must include in the report:

(a) The stakeholders, organizations, and institutions with which the office of the superintendent of public instruction has collaborated or plans to collaborate in developing best practices and guidelines for high quality instruction, and in supporting teachers in implementing these best practices and guidelines, as required by RCW 28A.300.115(2);

(b) The questions solicited and the feedback received in the collaboration process;

(c) The methods by which organizations were identified for collaboration; and

(d) Any other relevant information about the collaboration process.

(3) This section expires July 1, 2026."

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

Correct the title.

Representatives Alvarado and Fitzgibbon spoke in favor of the adoption of the amendment.

Representative Stokesbary spoke against the adoption of the amendment.

### MOTION

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

Amendment (943) was adopted.

Representative Couture moved the adoption of amendment (839):

On page 3, line 3, after "section" strike "on an annual basis" and insert "((~~on an annual basis~~))"

On page 3, beginning on line 4, after "must" strike all material through "learning" on line 6 and insert "develop and update as needed, in collaboration with the organizations described in subsection (2) of this section, and electronically publish, guidance on vertical alignment, materials, and training"

On page 3, line 12, after "(1)(a)" strike "Beginning" and insert "In addition to the requirements in section 1 of this act, beginning"

On page 3, beginning on line 14, after "public" strike "middle schools, junior high schools, and high schools" and insert "schools that serve students in any of grades six through twelve"

On page 4, line 1, after "Develop" strike "and annually update" and insert ", update as needed,"

On page 4, line 3, after "section;" strike "and"

On page 4, line 5, after "guidelines" strike all material through "must" on line 6 and insert "; and (iii) Develop,"

On page 4, line 8, after "and" strike "professional learning" and insert "training"

Representatives Couture and Santos spoke in favor of the adoption of the amendment.

Amendment (839) was adopted.

The bill was ordered engrossed.

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

Representatives Couture, Senn and Stokesbary spoke in favor of the passage of the bill.

The Speaker stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2037.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2037, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2

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

Excused: Representatives Chandler and Graham

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2037, having received the necessary constitutional majority, was declared passed.

### STATEMENT FOR THE JOURNAL

I intended to vote YEA on Engrossed Substitute House Bill No. 2037.

Representative Graham, 6th District

### SECOND READING

**HOUSE BILL NO. 1929, by Representatives Cortes, Eslick, Ortiz-Self, Leavitt, Duerr, Ramel, Slatter, Taylor, Orwall, Ryu, Reed, Simmons, Ormsby, Fey, Callan, Peterson, Timmons, Kloba, Macri, Street, Gregerson, Doglio, Paul, Chopp, Mena, Goodman, Lekanoff, Reeves, Fosse, Pollet and Davis**

**Supporting young adults following inpatient behavioral health treatment.**

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1929 was substituted for House Bill No. 1929 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1929 was read the second time.

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

Representatives Cortes, Eslick and Christian spoke in favor of the passage of the bill.

The Speaker stated the question before the House to be the final passage of Second Substitute House Bill No. 1929.

### ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1929, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner,

Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

SECOND SUBSTITUTE HOUSE BILL NO. 1929, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2311, by Representatives Davis, Maycumber, Paul, Robertson, Callan, Mosbrucker, Goodman, Griffey, Stearns, Reed, Ryu, Couture, Ramel, Ortiz-Self, Eslick, Bateman, Riccelli, Timmons, Simmons, Fosse, Peterson, Pollet and Shavers**

### **Supporting first responder wellness and peer support.**

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 2311 was substituted for House Bill No. 2311 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 2311 was read the second time.

Representative Davis moved the adoption of the striking amendment (938):

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 1.** A new section is added to chapter 43.101 RCW to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, the commission shall convene a task force on first responder wellness in Washington state. To the extent possible, the membership of the task force should include representatives that reflect the diversity of the first responder professions, including diversity in geography, gender, sexuality, and race.

(2) The first responder wellness task force shall be cochaired by the executive director of the commission, or the executive director's designee, and a representative of the fire service, and consist of the following additional membership:

(a) Two members from each of the following professions:

(i) Emergency medical services frontline providers;

(ii) Emergency dispatchers; and

(iii) Jail corrections officers;

(b) One member from each of the following entities:

(i) The Washington council of police and sheriffs;

(ii) The Washington state fraternal order of police;

(iii) The Washington state patrol troopers association;

(iv) The Washington state patrol lieutenants and captains association;

(v) The Washington association of sheriffs and police chiefs;

(vi) The Washington state council of firefighters;

(vii) The Washington fire chiefs association;

(viii) The Washington state firefighters' association;

(ix) The department of labor and industries;

(x) The state board for volunteer firefighters and reserve officers;

(xi) The state chapter of the association of public safety communications officials;

(xii) The state chapter of the national emergency number association; and

(xiii) International brotherhood of teamsters local 117;

(c) Two members representing the interests of tribal law enforcement officers and agencies;

(d) Two members representing the interests of tribal first responders;

(e) Two members from the Washington association of coroners and medical examiners;

(f) One member from the University of Washington department of psychiatry and behavioral sciences, who has implemented a regional state-funded law enforcement officer wellness program;

(g) One member from the Washington federation of state employees, representing the interests of the department of corrections' community corrections officers;

(h) The chief of the Washington state patrol, or the chief's designee;

(i) The secretary of the department of corrections, or the secretary's designee; and

(j) Any other members that the commission determines should participate in the task force to represent the interests of first responders.

(3) The commission shall convene the initial meeting of the task force no later than December 1, 2024.

(4) At a minimum, the task force shall meet quarterly.

(5) The task force shall:

(a) Monitor the implementation of this act;

(b) Evaluate the findings and recommendations of the task force on law enforcement officer mental health and wellness in Washington state as established under chapter 327, Laws of 2020 (SSB 6570), and determine ways in which the task force on first responder wellness may continue developing upon the recommendations of the task force on law enforcement officer mental health and wellness; and

(c) Make recommendations to improve first responder wellness across the first responder professions in the state.

(6)(a) The task force shall also develop and publish model policies for first responder peer support services tailored to the following first responder professions:

(i) Law enforcement officers;

(ii) Firefighters;

(iii) Emergency medical services frontline providers;

(iv) Emergency dispatchers;

(v) Corrections officers; and

(vi) Coroners and medical examiners.

(b) The task force must design the model policies to support efforts to establish and expand peer support services opportunities and networks for the professions specified under (a) of this subsection, and to develop best practices and resources for peer supporters from those professions.

(c) In developing the model policies, the task force must obtain the services of an organization with expertise in peer emotional support and peer workforce development to provide technical assistance.

(d) The task force must publish the model policies by December 31, 2025.

(7) Beginning December 1, 2025, the task force shall submit an annual report to the legislature on the status of its work.

(8) This section expires December 31, 2028.

**NEW SECTION. Sec. 2.** A new section is added to chapter 43.101 RCW to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, the commission shall contract with an organization with expertise in peer emotional support and peer workforce development to develop and administer a 40-hour training program for first responder peer supporters. The contracting organization must have prior experience developing peer support training for first responders in the state.

(2) The contracting organization must engage in in-depth consultation with law enforcement officers, corrections officers, firefighters, emergency services dispatchers or recordkeepers, and emergency medical personnel when developing the training program, and compensate the first responders for their consultation.

(3) A portion of the training program's curriculum must be relevant to all first responder professions, and a portion must be specifically curated to address the unique needs of each first responder profession.

(4) The contracting organization must complete development of the training program and begin administering it by August 1, 2025.

(5) The contracting organization must utilize current or retired first responders as cotrainers to deliver the training program.

(6) For the purposes of this section:

(a) "First responder" has the same meaning as defined in RCW 5.60.060; and

(b) "Peer supporter" has the same meaning as defined in RCW 5.60.060.

**NEW SECTION. Sec. 3.** A new section is added to chapter 43.101 RCW to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, the commission shall contract with an organization with expertise in mental health and substance use disorder counseling and treatment of first responders to develop and administer training for mental health and substance use disorder professionals to engender familiarity and cultural competency in the treatment of first responder clients.

(2) The contracting organization must consult with mental health professionals, substance use disorder professionals, law enforcement officers, corrections officers, firefighters, emergency services dispatchers or recordkeepers, and emergency medical personnel when developing the training.

(3) The contracting organization may develop the training to have in-person, virtual, and hybrid participation options to expand availability and accessibility of the training.

(4) The commission must direct the contracting organization to offer a set number of training opportunities annually as determined by the commission, provided free of charge, to mental health and substance use disorder professionals who are interested in treating first responder clients.

(5) For the purposes of this section, "first responder" has the same meaning as defined in RCW 5.60.060.

**NEW SECTION. Sec. 4.** A new section is added to chapter 43.101 RCW to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, the commission shall contract with an organization that provides free and confidential crisis response and referral services for Washington state active and retired first responders and their families, to develop and maintain:

(a) A first responder peer support network, which may include individual and group support options to help first responder peer supporters address the vicarious trauma and secondary traumatic stress incurred by performing their peer support duties; and

(b) A directory of licensed mental health and substance use disorder professionals who have cultural competency, experience, and training with treating first responders, which must indicate whether such professionals have completed the training established under section 3 of this act.

(2) The commission may also contract with an organization with expertise in peer emotional support and peer workforce development to provide technical assistance in developing the first responder peer support network described in subsection (1) (a) of this section.

(3) For the purposes of this section:

(a) "First responder" has the same meaning as defined in RCW 5.60.060; and

(b) "Peer supporters" has the same meaning as defined in RCW 5.60.060.

**NEW SECTION. Sec. 5.** A new section is added to chapter 43.101 RCW to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, the commission shall establish and administer a grant program to provide funding to first responder entities and agencies for the implementation or expansion of peer support services programs.

(2) Any first responder entity or agency that receives funding through the grant program must:

(a) Ensure that every peer supporter designated by the entity or agency enrolls in and completes the 40-hour training program established under section 2 of this act after it is made available;

(b) Compensate every peer supporter designated by the entity or agency for their services in that role; and

(c) Provide information to every peer supporter designated by the entity or agency about the first responder peer support network established under section 4(1)(a) of this act.

(3) For the purposes of this section:

(a) "First responder" has the same meaning as defined in RCW 5.60.060; and

(b) "Peer supporter" has the same meaning as defined in RCW 5.60.060.

**Sec. 6.** RCW 5.60.060 and 2023 c 202 s 2 are each amended to read as follows:

(1) A spouse or domestic partner shall not be examined for or against his or her spouse or domestic partner, without the consent of the spouse or domestic partner; nor can either during marriage or during the domestic partnership or afterward, be without the consent of the other, examined as to any communication made by one to the other during the marriage or the domestic partnership. But this exception shall not apply to a civil action or proceeding by one against the other, nor to a criminal action or proceeding for a crime committed by one against the other, nor to a criminal action or proceeding against a spouse or domestic partner if the marriage or the domestic partnership occurred subsequent to the filing of formal charges against the defendant, nor to a criminal action or proceeding for a crime committed by said spouse or domestic partner against any child of whom said spouse or domestic partner is the parent or guardian, nor to a proceeding under chapter 71.05 or 71.09 RCW: PROVIDED, That the spouse or the domestic partner of a person sought to be detained under chapter 71.05 or 71.09 RCW may not be compelled to testify and shall be so informed by the court prior to being called as a witness.

(2)(a) An attorney or counselor shall not, without the consent of his or her client, be examined as to any communication made by the client to him or her, or his or her advice given thereon in the course of professional employment.

(b) A parent or guardian of a minor child arrested on a criminal charge may not be examined as to a communication between the child and his or her attorney if the communication was made in the presence of the parent or guardian. This privilege does not extend to communications made prior to the arrest.

(3) A member of the clergy, a Christian Science practitioner listed in the Christian Science Journal, or a priest shall not, without the consent of a person making the confession or sacred confidence, be examined as to any confession or sacred confidence made to him or her in his or her professional character, in the course of discipline enjoined by the church to which he or she belongs.

(4) Subject to the limitations under RCW 71.05.217 (6) and (7), a physician or surgeon or osteopathic physician or surgeon or podiatric physician or surgeon shall not, without the consent of his or her patient, be examined in a civil action as to any information acquired in attending such patient, which was necessary to enable him or her to prescribe or act for the patient, except as follows:

(a) In any judicial proceedings regarding a child's injury, neglect, or sexual abuse or the cause thereof; and

(b) Ninety days after filing an action for personal injuries or wrongful death, the claimant shall be deemed to waive the physician-patient privilege. Waiver of the physician-patient privilege for any one physician or condition constitutes a waiver of the privilege as to all physicians or conditions, subject to such limitations as a court may impose pursuant to court rules.

(5) A public officer shall not be examined as a witness as to communications made to him or her in official confidence, when the public interest would suffer by the disclosure.

(6)(a) A peer ~~((support group counselor))~~ supporter shall not, without consent of the peer support ~~((group client))~~ services recipient making the communication, be compelled to testify about any communication made to the ~~((counselor))~~ peer supporter by the peer support ~~((group client))~~ services recipient while receiving ~~((counseling))~~ individual or group services. The ~~((counselor))~~ peer supporter must be designated as such by ~~((the))~~ their employing agency ~~((employing the peer support group client))~~ prior to ~~((the incident that results in counseling))~~ providing peer support services. The privilege only applies when the communication was made to the ~~((counselor))~~ peer supporter while acting in his or her capacity as a peer ~~((support group counselor))~~ supporter. The privilege applies regardless of whether the peer support services recipient is an employee of the same agency as the peer supporter. Peer support services may be coordinated or designated among first responder agencies pursuant to chapter 10.93 RCW, interlocal agreement, or other similar provision, provided however that a written agreement is not required for the privilege to apply. The privilege does not apply if the ~~((counselor))~~ peer supporter was an initial responding first responder, department of corrections staff person, or jail staff person; a witness; or a party to the incident which prompted the delivery of peer support ~~((group counseling))~~ services to the peer support ~~((group client))~~ services recipient.

(b) For purposes of this section:

(i) "First responder" means:

(A) A law enforcement officer;

(B) A limited authority law enforcement officer;

(C) A firefighter;

(D) An emergency services dispatcher or recorder;

(E) Emergency medical personnel, as licensed or certified by this state; ~~((or))~~

(F) A member or former member of the Washington national guard acting in an emergency response capacity pursuant to chapter 38.52 RCW; or

(G) A coroner or medical examiner, or a coroner's or medical examiner's agent or employee.

(ii) "Law enforcement officer" means a general authority Washington peace officer as defined in RCW 10.93.020.

(iii) "Limited authority law enforcement officer" means a limited authority Washington peace officer as defined in RCW 10.93.020 who is employed by the department of corrections, state parks and recreation commission, department of natural resources, liquor and cannabis board, or Washington state gambling commission.

(iv) "Peer support (~~(group client)~~) services recipient" means:

(A) A first responder;

(B) A department of corrections staff person; or

(C) A jail staff person.

(v) "Peer (~~(support group counselor)~~) supporter" means:

(A) A first responder, retired first responder, department of corrections staff person, or jail staff person or a civilian employee of a first responder entity or agency, local jail, or state agency who has received training to provide emotional and moral support and (~~(counseling)~~) services to a peer support (~~(group client)~~) services recipient who needs those services as a result of an incident or incidents in which the peer support (~~(group client)~~) services recipient was involved while acting in his or her official capacity or to deal with other stress that is impacting the peer support services recipient's performance of official duties; or

(B) A nonemployee (~~(counselor)~~) who has been designated by the first responder entity or agency, local jail, or state agency to provide emotional and moral support and counseling to a peer support (~~(group client)~~) services recipient who needs those services as a result of an incident or incidents in which the peer support (~~(group client)~~) services recipient was involved while acting in his or her official capacity.

(7) A sexual assault advocate may not, without the consent of the victim, be examined as to any communication made between the victim and the sexual assault advocate.

(a) For purposes of this section, "sexual assault advocate" means the employee or volunteer from a community sexual assault program or underserved populations provider, victim assistance unit, program, or association, that provides information, medical or legal advocacy, counseling, or support to victims of sexual assault, who is designated by the victim to accompany the victim to the hospital or other health care facility and to proceedings concerning the alleged assault, including police and prosecution interviews and court proceedings.

(b) A sexual assault advocate may disclose a confidential communication without the consent of the victim if failure to disclose is likely to result in a clear,

imminent risk of serious physical injury or death of the victim or another person. Any sexual assault advocate participating in good faith in the disclosing of records and communications under this section shall have immunity from any liability, civil, criminal, or otherwise, that might result from the action. In any proceeding, civil or criminal, arising out of a disclosure under this section, the good faith of the sexual assault advocate who disclosed the confidential communication shall be presumed.

(8) A domestic violence advocate may not, without the consent of the victim, be examined as to any communication between the victim and the domestic violence advocate.

(a) For purposes of this section, "domestic violence advocate" means an employee or supervised volunteer from a community-based domestic violence program or human services program that provides information, advocacy, counseling, crisis intervention, emergency shelter, or support to victims of domestic violence and who is not employed by, or under the direct supervision of, a law enforcement agency, a prosecutor's office, or the child protective services section of the department of children, youth, and families as defined in RCW 26.44.020.

(b) A domestic violence advocate may disclose a confidential communication without the consent of the victim if failure to disclose is likely to result in a clear, imminent risk of serious physical injury or death of the victim or another person. This section does not relieve a domestic violence advocate from the requirement to report or cause to be reported an incident under RCW 26.44.030(1) or to disclose relevant records relating to a child as required by RCW 26.44.030(15). Any domestic violence advocate participating in good faith in the disclosing of communications under this subsection is immune from liability, civil, criminal, or otherwise, that might result from the action. In any proceeding, civil or criminal, arising out of a disclosure under this subsection, the good faith of the domestic violence advocate who disclosed the confidential communication shall be presumed.

(9) A mental health counselor, independent clinical social worker, or marriage and family therapist licensed under chapter 18.225 RCW may not disclose, or be compelled to testify about, any information acquired from persons consulting the individual in a professional capacity when the information was necessary to enable the individual to render professional services to those persons except:

(a) With the written authorization of that person or, in the case of death or disability, the person's personal representative;

(b) If the person waives the privilege by bringing charges against the mental health counselor licensed under chapter 18.225 RCW;

(c) In response to a subpoena from the secretary of health. The secretary may subpoena only records related to a complaint or report under RCW 18.130.050;

(d) As required under chapter 26.44 or 74.34 RCW or RCW 71.05.217 (6) or (7); or

(e) To any individual if the mental health counselor, independent clinical social worker, or marriage and family therapist licensed under chapter 18.225 RCW reasonably believes that disclosure will avoid or minimize an imminent danger to the health or safety of the individual or any other individual; however, there is no obligation on the part of the provider to so disclose.

(10) An individual who acts as a sponsor providing guidance, emotional support, and counseling in an individualized manner to a person participating in an alcohol or drug addiction recovery fellowship may not testify in any civil action or proceeding about any communication made by the person participating in the addiction recovery fellowship to the individual who acts as a sponsor except with the written authorization of that person or, in the case of death or disability, the person's personal representative.

(11)(a) Neither a union representative nor an employee the union represents or has represented shall be examined as to, or be required to disclose, any communication between an employee and union representative or between union representatives made in the course of union representation except:

(i) To the extent such examination or disclosure appears necessary to prevent the commission of a crime that is likely to result in a clear, imminent risk of serious physical injury or death of a person;

(ii) In actions, civil or criminal, in which the represented employee is accused of a crime or assault or battery;

(iii) In actions, civil or criminal, where a union member is a party to the action, the union member may obtain a copy of any statement previously given by that union member concerning the subject matter of the action and may elicit testimony concerning such statements. The right of the union member to obtain such statements, or the union member's possession of such statements, does not render them discoverable over the objection of the union member;

(iv) In actions, regulatory, civil, or criminal, against the union or its affiliated, subordinate, or parent bodies or their agents; or

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

(b) The privilege created in this subsection (11) does not apply to any record of communications that would otherwise be subject to disclosure under chapter 42.56 RCW.

(c) The privilege created in this subsection (11) may not interfere with an employee's or union representative's applicable statutory mandatory reporting requirements, including but not limited to duties to report in chapters 26.44, 43.101, and 74.34 RCW.

(d) For purposes of this subsection:

(i) "Employee" means a person represented by a certified or recognized union regardless of whether the employee is a member of the union.

(ii) "Union" means any lawful organization that has as one of its primary purposes the representation of employees in their employment relations with employers, including without limitation labor organizations defined by 29 U.S.C. Sec. 152(5) and 5 U.S.C. Sec. 7103(a)(4), representatives defined by 45 U.S.C. Sec. 151, and bargaining representatives defined in RCW 41.56.030, and employee organizations as defined in RCW 28B.52.020, 41.59.020, 41.80.005, 41.76.005, 47.64.011, and 53.18.010.

(iii) "Union representation" means action by a union on behalf of one or more employees it represents in regard to their employment relations with employers, including personnel matters, grievances, labor disputes, wages, rates of pay, hours of employment, conditions of work, or collective bargaining.

(iv) "Union representative" means a person authorized by a union to act for the union in regard to union representation.

(v) "Communication" includes any oral, written, or electronic communication or document containing such communication.

**NEW SECTION. Sec. 7.** Section 6 of 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.

**NEW SECTION. Sec. 8.** If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2024, in the omnibus appropriations act, this act is null and void."

Correct the title.

Representatives Davis and Mosbrucker spoke in favor of the adoption of the striking amendment.

The striking amendment (938) was adopted.

The bill was ordered engrossed.

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

Representatives Davis, Corry, Griffey and Maycumber spoke in favor of the passage of the bill.

The Speaker stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 2311.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 2311, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan,

Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2311, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1185, by Representatives Hackney, Duerr, Berry, Ramel, Fitzgibbon, Doglio and Pollet**

**Reducing environmental impacts associated with lighting products.**

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1185 was substituted for House Bill No. 1185 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1185 was read the second time.

Representative Ybarra moved the adoption of amendment (888):

Beginning on page 1, line 14, strike all of sections 1 through 17 and insert the following:

"NEW SECTION. **Sec. 1.** By December 1, 2026, the department of ecology must carry out a small business economic impact statement, consistent with the requirements of RCW 19.85.030, that examines the impacts of a potential prohibition on the sale of mercury-containing lights to begin January 1, 2029. Nothing in this section provides authority for the department of ecology to prohibit the sale of mercury-containing lights."

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

Beginning on page 30, line 32, after "beginning" strike all material through "2029" on page 31, line 29 and insert "January 1, 2035"

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

Representatives Ybarra, Harris, Dye and Christian spoke in favor of the adoption of the amendment.

Representative Hackney spoke against the adoption of the amendment.

Division was demanded and the demand was sustained. The Speaker divided the House. The result was 41 - YEAS; 51 - NAYS.

Amendment (888) was not adopted.

Representative Ybarra moved the adoption of amendment (914):

Beginning on page 19, line 33, after "2015," strike all material through "year." on page 20, line 5 and insert "and each year thereafter, each stewardship organization shall pay to the department an annual fee equivalent to ~~((three thousand dollars))~~ \$3,000 for each participating producer to cover the department's administrative and enforcement costs."

On page 25, beginning on line 20, after "chapter." strike all material through "~~chapter.~~)" on line 27 and insert "The department may not retain fees in excess of the estimated amount necessary to cover the agency's administrative costs over the coming year related to the mercury light stewardship program under this chapter. Beginning with the state fiscal year 2018, by October 1st after the closing of each state fiscal year, the department shall refund any fees collected in excess of its estimated administrative costs to any approved stewardship organization under this chapter."

Representatives Ybarra, Dye, Harris and Christian spoke in favor of the adoption of the amendment.

Representative Hackney spoke against the adoption of the amendment.

Amendment (914) was not adopted.

Representative Ybarra moved the adoption of amendment (915):

Beginning on page 27, line 32, after "(1)" strike all material through "70A.505.050" on page 28, line 10 and insert "An exemption from the taxes imposed in this chapter is provided for:

(a) Producers, with respect to environmental handling charges added to the purchase price of mercury-containing lights either by the producer or a retailer pursuant to an agreement with the producer;

(b) Retailers, with respect to environmental handling charges added to the purchase price of mercury-containing lights sold at retail, including the portion of environmental handling charges retained as reimbursement for any costs associated with the collection and remittance of the charges; and

(c) Stewardship organizations, with respect to environmental handling charges received from producers and retailers and to the receipts from charges to participating producers"

Representatives Ybarra, Hackney and Dye spoke in favor of the adoption of the amendment.

Amendment (915) was adopted.

The bill was ordered engrossed.

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



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

Representatives Dye, Christian, Walsh and Orcutt spoke against the passage of the bill.

The Speaker stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1185.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1185, and the bill passed the House by the following vote: Yeas, 52; Nays, 45; Absent, 0; Excused, 1

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

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

Excused: Representative Chandler

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1185, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1879, by Representatives Lekanoff, Santos, Ryu, Tharinger, Ortiz-Self, Ramel, Cortes, Morgan, Reed, Ormsby, Timmons, Callan, Peterson, Chopp, Donaghy, Gregerson, Doglio, Fosse, Orwall, Bergquist, Stonier, Mena, Wylie, Reeves, Riccelli, Pollet, Shavers and Davis**

**Naming the curriculum used to inform students about tribal history, culture, and government after John McCoy (lulilāš).**

The bill was read the second time.

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

Representatives Lekanoff, Low and Santos spoke in favor of the passage of the bill.

The Speaker stated the question before the House to be the final passage of House Bill No. 1879.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1879, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt,

Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Chandler

HOUSE BILL NO. 1879, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1989, by Representatives Barkis, Low, Jacobsen, Graham, Sandlin, Bergquist, Robertson and Hutchins**

### Creating a graffiti abatement and reduction program.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1989 was substituted for House Bill No. 1989 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1989 was read the second time.

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

Representatives Barkis, Paul, Christian, Hutchins and Harris spoke in favor of the passage of the bill.

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 1989.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1989, and the bill passed the House by the following vote: Yeas, 96; Nays, 1; Absent, 0; Excused, 1

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

Voting Nay: Representative Thai

Excused: Representative Chandler

SUBSTITUTE HOUSE BILL NO. 1989, having received the necessary constitutional majority, was declared passed.

The Speaker called upon Representative Bronoske to preside.

### SECOND READING

**HOUSE BILL NO. 2331, by Representatives Stonier, Macri, Davis, Pollet, Reed and Ramel**

**Modifying requirements for public school instructional and supplemental instructional materials.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2331 was substituted for House Bill No. 2331 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2331 was read the second time.

With the consent of the House, amendment (951) was withdrawn.

Representative Christian moved the adoption of amendment (950):

On page 3, line 4, after "subsection;" strike "and"

On page 3, line 13, after "superintendent" insert "; and

(f) Provide that decisions made by a superintendent under (e) of this subsection (1) may only be issued after a public hearing evaluating the materials that are the subject of the requested review as required by RCW 28A.150.230(2)(g) has been completed"

On page 5, line 18, after "superintendent" insert ". Decisions made by a superintendent under this subsection (1)(a)(v)(D) may only be issued after a public hearing evaluating the materials that are the subject of the complaint as required by RCW 28A.150.230(2)(g) has been completed"

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

Representative Stonier spoke against the adoption of the amendment.

Amendment (950) was not adopted.

Representative Griffey moved the adoption of amendment (947):

On page 3, line 10, after "subsection" strike "are final and not subject to appeal" and insert "may be appealed to the school district board of directors"

On page 5, beginning on line 14, after "subsection" strike all material through "appeal" on line 15 and insert "may be appealed to the school district board of directors"

On page 5, beginning on line 34, after "28A.640.010" strike all material through "section," on line 35 and insert ", but"

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

Amendment (947) was adopted.

Representative Corry moved the adoption of amendment (957):

On page 3, beginning on line 10, after "appeal." strike all material through "superintendent." on line 13

On page 5, beginning on line 15, after "appeal" strike all material through "superintendent" on line 18

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

Representative Stonier spoke against the adoption of the amendment.

Amendment (957) was not adopted.

Representative Walsh moved the adoption of amendment (948):

On page 4, line 5, after "materials" insert ", which must be based on, in order of priority, instructional value, age-appropriateness, inclusivity, and cultural appropriateness for the community"

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

Representative Stonier spoke against the adoption of the amendment.

Amendment (948) was not adopted.

With the consent of the House, amendment (935) was withdrawn.

Representative Walsh moved the adoption of amendment (1012):

On page 4, line 13, after "of" strike "representative" and insert "((representative)): Representative"

On page 4, line 15, after "committees" strike ", and, in the case of districts which" and insert "((and, in the case of districts which)); one or more parents of enrolled students, with the parent members equaling less than one-half of the total membership of the committee; and in the case of districts that"

On page 4, beginning on line 19, after "children." strike all material through "membership of" on line 21 and insert "((The committee may include parents at the school board's discretion: PROVIDED, That parent members shall make up less than one-half of the total membership of)) School districts shall develop and implement comprehensive outreach programs to parents of enrolled students in the district for the purpose of recruiting parent members for instructional materials committees;

(iv) Instructional materials committees that are unable to recruit at least one parent of an enrolled student to serve on the committee must, while they are without a parent member, report quarterly to the school district board of directors and the public on their efforts to recruit one or more parents to serve on"

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

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

Amendment (1012) was adopted.

Representative McClintock moved the adoption of amendment (953):

On page 5, beginning on line 32, beginning with "materials" strike all material through "a" on line 33 and insert "equal representations of materials on the study of the role and contributions of individuals or groups that are part of a protected class under chapter 28A.642 or 28A.640 RCW for each"

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

Representative Stonier spoke against the adoption of the amendment.

Amendment (953) was not adopted.

Representative Harris moved the adoption of amendment (949):

On page 6, after line 10, insert the following:

"NEW SECTION. Sec. 4. A new section is added to chapter 28A.345 RCW to read as follows:

By December 1, 2024, the Washington state school directors' association shall create a form for instructional materials committees to use when making recommendations under RCW 28A.320.230. The form must delineate each protected class in chapter 28A.640 and 28A.642 RCW and direct instructional materials committees, for each recommended instructional material, to indicate for which protected class or classes the recommended material applies. The form must also indicate whether the recommended material was adopted by the school district board of directors.

NEW SECTION. Sec. A new section is added to chapter 28A.320 RCW to read as follows:

(1) School district boards of directors, on or before June 15, 2025, and annually thereafter, shall provide completed versions of the forms required by section 4 of this act to the office of the superintendent of public instruction. The superintendent of public instruction, on or before December 15, 2025, and annually thereafter, shall provide a report summarizing the data from the completed forms to:

(a) The educational opportunity gap oversight and accountability committee established in RCW 28A.300.136;

(b) The office of the education ombuds established in RCW 43.06B.010; and

(c) The appropriate committees of the legislature, in accordance with RCW 43.01.036.

(2) Annual reports required by this section shall include an analysis of any disproportionality in recommendations of instructional materials committees, and subsequent adoption decisions of school district boards of directors, for the purpose of determining whether each protected class under RCW 28A.642.010 and 28A.640.010 is equitably addressed in recommendations of instructional materials committees and decisions by school district boards of directors to adopt or decline the recommendations."

Renumber the remaining sections consecutively, correct any internal

references accordingly, and correct the title.

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

Representative Stonier spoke against the adoption of the amendment.

Amendment (949) was not adopted.

Representative Couture moved the adoption of amendment (952):

On page 6, after line 10, insert the following:

"NEW SECTION. Sec. 4. A new section is added to chapter 28A.320 RCW to read as follows:

(1) Each school district board of directors shall ensure that members of instructional materials committees established under RCW 28A.320.230, teacher-librarians, principals, and school district superintendents are annually informed of the provisions of chapter 9.68 RCW.

(2) For the purposes of this section, "teacher-librarian" has the same meaning as in RCW 28A.320.240."

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

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

Representative Stonier spoke against the adoption of the amendment.

Amendment (952) was not adopted.

Representative Rude moved the adoption of the striking amendment (960):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 28A.320 RCW to read as follows:

(1)(a) Except as provided otherwise by this section, a school district board of directors may not refuse to approve, or prohibit the use of, any textbook, instructional material, supplemental instructional material, or other curriculum for student instruction on the basis that it relates to or includes the study of the role and contributions of any individual or group who is part of a protected class under chapter 28A.640 or 28A.642 RCW.

(b) Subsection (1)(a) of this section does not apply if the content of the material relating to the role and contributions of an individual or group violates the provisions of chapter 28A.640 or 28A.642 RCW, including containing bias against any individual or group who is part of a protected class under chapter 28A.640 or 28A.642 RCW.

(2)(a) Beginning June 1, 2025, and annually thereafter, each school district board of directors shall report to the office of the superintendent of public instruction on actions taken by the school

district during the preceding school year to incorporate materials on the study of the role and contributions of individuals or groups that are part of a protected class under chapter 28A.640 or 28A.642 RCW into their instructional materials and supplemental instructional materials.

(b) Beginning December 15, 2025, and annually thereafter, the office of the superintendent of public instruction, in accordance with RCW 43.01.036, shall provide a report to appropriate committees of the legislature summarizing the reports provided by school district boards of directors under (a) of this subsection.

(3) This section governs school operation and management under RCW 28A.710.040 and 28A.715.020 and applies to charter schools established under chapter 28A.710 RCW and state-tribal education compact schools subject to chapter 28A.715 RCW to the same extent as it applies to school districts."

Correct the title.

Representative Rude spoke in favor of the adoption of the striking amendment.

Representative Stonier spoke against the adoption of the striking amendment.

The striking amendment (960) was not adopted.

The bill was ordered engrossed.

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

Representatives Santos, Macri, Berg and Stonier spoke in favor of the passage of the bill.

Representatives Rude, Abbarno and Ybarra spoke against the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2331.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2331, and the bill passed the House by the following vote: Yeas, 58; Nays, 39; Absent, 0; Excused, 1

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

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

Excused: Representative Chandler

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2331, having received the necessary constitutional majority, was declared passed.

#### HOUSE BILL NO. 1249, by Representatives Corry and Reeves

##### Regarding limits on the sale and possession of retail cannabis products.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1249 was substituted for House Bill No. 1249 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1249 was read the second time.

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

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

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1249.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1249, and the bill passed the House by the following vote: Yeas, 88; Nays, 9; Absent, 0; Excused, 1

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

Voting Nay: Representatives Barnard, Bergquist, Christian, Davis, Dent, Dye, Eslick, Leavitt and Mosbrucker

Excused: Representative Chandler

SUBSTITUTE HOUSE BILL NO. 1249, having received the necessary constitutional majority, was declared passed.

#### HOUSE BILL NO. 2014, by Representatives Volz, Donaghy, Leavitt, Couture, Ryu, Reed, Ormsby, Graham, Sandlin, Jacobsen, Schmidt, Harris, Steele, Fey, Riccelli, Low, Reeves, Paul, Macri and Shavers

##### Concerning the definition of veteran and restoring honor to veterans.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 2014 was substituted for House Bill No. 2014 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 2014 was read the second time.

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

Representatives Donaghy and Volz spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 2014.

### ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 2014, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

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

Excused: Representative Chandler

SECOND SUBSTITUTE HOUSE BILL NO. 2014, having received the necessary constitutional majority, was declared passed.

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

### INTRODUCTION & FIRST READING

HB 2497 by Representatives Nance, Fitzgibbon, Fey, Abbarno, Peterson, McEntire, Shavers, Street, Pollet, Mena, Berry, Ramos, Slatter, Tharinger, Farivar, Reed, Senn, Walsh, Callan, Davis, Lekanoff, Chapman, Kloba, Donaghy, Simmons, Alvarado, Ryu and Leavitt

AN ACT Relating to creating the Washington state ferries 75 work group; creating new sections; and providing an expiration date.

Referred to Committee on Transportation.

SSB 5306 by Senate Committee on Agriculture, Water, Natural Resources & Parks (originally sponsored by Short, Van De Wege, Nobles and Stanford)

AN ACT Relating to authorizing the department of fish and wildlife to establish disease interdiction and control check stations; and adding a new chapter to Title 77 RCW.

Referred to Committee on AGRICULTURE AND NATURAL RESOURCES.

2SSB 5660 by Senate Committee on Ways & Means (originally sponsored by Boehnke, Dhingra, Saldaña, Wellman and Wilson, C.)

AN ACT Relating to establishing a mental health advance directive effective implementation work group; creating a new section; and providing an expiration date.

Referred to Committee on Health Care & Wellness.

SSB 5774 by Senate Committee on Early Learning & K-12 Education (originally sponsored by Billig, Hawkins, Wilson, C., Wellman, Dozier, Frame, Kuderer, Lovick, Mullet, Nguyen, Nobles, Padden, Salomon and Shewmake)

AN ACT Relating to increasing the capacity to conduct timely fingerprint-based background checks for prospective

child care employees and other programs; amending RCW 43.216.270 and 74.15.030; creating a new section; and declaring an emergency.

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

2SSB 5784 by Senate Committee on Ways & Means (originally sponsored by Van De Wege, Muzzall, Mullet, Nobles, Wagoner and Warnick)

AN ACT Relating to deer and elk damage to commercial crops; amending RCW 77.36.080, 77.36.100, and 77.36.130; adding a new section to chapter 77.36 RCW; creating new sections; and providing an expiration date.

Referred to Committee on AGRICULTURE AND NATURAL RESOURCES.

SSB 5802 by Senate Committee on Ways & Means (originally sponsored by Muzzall, Hasegawa, Lovelett, Nobles, Rivers and Robinson)

AN ACT Relating to providing flexibility in calculation of nursing rates for the purposes of implementing new centers for medicare and medicaid services data; amending RCW 74.46.485, 74.46.496, and 74.46.501; and reenacting and amending RCW 74.46.020.

Referred to Committee on Appropriations.

SB 5818 by Senators Van De Wege, Mullet, Nguyen, Salomon, Liias, Randall, Hasegawa, Kauffman, Dhingra, Stanford, Nobles and Saldaña

AN ACT Relating to authorizing an exemption to the seashore conservation area for a qualified infrastructure project; amending RCW 79A.05.630; and declaring an emergency.

Referred to Committee on AGRICULTURE AND NATURAL RESOURCES.

E2SSB 5838 by Senate Committee on Ways & Means (originally sponsored by Nguyen, Conway, Dhingra, Frame, Hasegawa, Hunt, Keiser, Kuderer, Liias, Lovelett, Lovick, Muzzall, Nobles, Saldaña, Salomon, Stanford, Torres, Valdez and Wellman)

AN ACT Relating to establishing an artificial intelligence task force; creating new sections; providing an expiration date; and declaring an emergency.

Referred to Committee on Consumer Protection & Business.

SB 5852 by Senators Braun, Mullet, Short, Torres and Wilson, L.

AN ACT Relating to special education safety net awards; amending RCW 28A.150.392; and creating a new section.

Referred to Committee on Education.

2SSB 5882 by Senate Committee on Ways & Means (originally sponsored by Stanford, Wellman, Hunt, Pedersen, Wilson, C., Conway, Hasegawa, Kuderer, Nobles, Salomon, Shewmake, Valdez and Van De Wege)

AN ACT Relating to increasing prototypical school staffing to better meet student needs; amending RCW 28A.150.260 and 28A.400.007; creating a new section; and providing an effective date.

Referred to Committee on Appropriations.

SB 5885 by Senator Torres

AN ACT Relating to procedures for certificates of annexation submitted to the office of financial management; and amending RCW 35.13.260 and 35A.14.700.

Referred to Committee on Local Government.

SB 5897 by Senators Mullet and Wilson, L.

AN ACT Relating to nontax statutes administered by the department of revenue modifying provisions of the business licensing service program concerning fee change notice requirements, the administration of the business license account balance, and the handling fee exemption for the local government nonresident business license endorsement; and amending RCW 19.02.075 and 35.90.070.

Referred to Committee on Finance.

E2SSB 5908 by Senate Committee on Ways & Means (originally sponsored by Wilson, C., Frame, Billig, Dhingra, Hasegawa, Hunt, Kuderer, Liias, Lovelett, Lovick, Nguyen, Nobles, Stanford, Trudeau and Valdez)

AN ACT Relating to the provision of extended foster care services to youth ages 18 to 21; amending RCW 13.34.267, 74.13.031, and 74.13.336; reenacting and amending RCW 13.34.030 and 74.13.020; and creating a new section.

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

SSB 5953 by Senate Committee on Human Services (originally sponsored by Wilson, C., Frame, Hasegawa, Kuderer, Lovelett, Nguyen, Nobles, Salomon, Trudeau and Valdez)

AN ACT Relating to financial aid grants for incarcerated students; and amending RCW 72.09.460 and 72.09.465.

Referred to Committee on Postsecondary Education & Workforce.

ESSB 5973 by Senate Committee on Law & Justice (originally sponsored by Liias, Nguyen, Kuderer, Mullet, Nobles, Shewmake and Valdez)

AN ACT Relating to heat pumps in common interest communities; adding a new section to chapter 64.32 RCW; adding a new section to chapter 64.34 RCW; adding a new section to chapter 64.38 RCW; adding a new section to chapter 64.90 RCW; creating a new section; prescribing penalties; and providing a contingent expiration date.

Referred to Committee on Housing.

SSB 5986 by Senate Committee on Ways & Means (originally sponsored by Cleveland, Muzzall, Hasegawa, Kuderer, Mullet, Nobles, Randall, Salomon, Valdez and Wellman)

AN ACT Relating to protecting consumers from charges for out-of-network health care services by prohibiting balance billing for ground ambulance services and addressing coverage of transports to treatment for emergency medical conditions; amending RCW 48.43.005, 48.49.003, 48.49.060, 48.49.070, 48.49.090, 48.49.100, and 48.49.130; adding new sections to chapter 48.49 RCW; adding new sections to chapter 18.73 RCW; adding a new section to chapter 48.43 RCW; creating a new section; and repealing RCW 48.49.190.

Referred to Committee on Health Care & Wellness.

SSB 6020 by Senate Committee on Agriculture, Water, Natural Resources & Parks (originally sponsored by Muzzall, Braun and Lovelett)

AN ACT Relating to establishing a Puget Sound nonspot shrimp pot fishery license; amending RCW 77.70.005, 77.70.410, 77.70.420, and 77.65.220; and adding a new section to chapter 77.70 RCW.

Referred to Committee on AGRICULTURE AND NATURAL RESOURCES.

SB 6080 by Senators Boehnke, Dozier, Mullet and Shewmake

AN ACT Relating to simplifying the funding provisions of the statewide tourism marketing account; amending RCW 82.08.225; and providing an effective date.

Referred to Committee on Appropriations.

SSB 6108 by Senate Committee on Labor & Commerce (originally sponsored by King, Stanford and Mullet)

AN ACT Relating to retainage on private construction projects; and amending RCW 60.30.010 and 60.30.020.

Referred to Committee on Labor & Workplace Standards.

SB 6148 by Senators Rivers, Braun, Dozier, Frame, Hasegawa and Wilson, C.

AN ACT Relating to establishing maternal and perinatal quality of care metrics for Washingtonians on medicaid; adding a new section to chapter 74.09 RCW; and creating a new section.

Referred to Committee on Health Care & Wellness.

SSB 6197 by Senate Committee on Ways & Means (originally sponsored by Holy, Conway, Van De Wege, Fortunato, Hasegawa, Kuderer, Mullet, Nobles and Valdez)

AN ACT Relating to the law enforcement officers' and firefighters' retirement system plan 2; amending RCW 41.26.048, 41.26.030, 41.26.030, 41.50.130, and 41.26.470; adding a new section to chapter 41.26 RCW; providing effective dates; and providing an expiration date.

Referred to Committee on Appropriations.

ESSB 6264 by Senate Committee on Early Learning & K-12 Education (originally sponsored by Wellman, Hasegawa, Nobles, Saldaña and Wilson, C.)

AN ACT Relating to supporting the implementation of competency-based education; amending RCW 28A.230.125; adding a new chapter to Title 28A RCW; and repealing RCW 28A.300.810.

Referred to Committee on Education.

SB 6283 by Senators Nobles, Billig, Shewmake, Holy, King, Liias, Lovick, Wilson, C., Wilson, J., Valdez, Kauffman, Hawkins, Lovelett, Padden, Fortunato, Cleveland, Trudeau, Frame, Hasegawa, Kuderer, Saldaña and Stanford

AN ACT Relating to eliminating the expiration date for the Sandy Williams connecting communities program; and amending RCW 47.04.380.

Referred to Committee on Transportation.

SSB 6301 by Senate Committee on Ways & Means (originally sponsored by Lovick, Dhingra, Boehnke, Hunt, Kuderer, Lovelett, MacEwen, Mullet, Padden, Shewmake, Warnick and Wilson, J.)

AN ACT Relating to basic law enforcement academy; and amending RCW 43.101.190.

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

LAURIE JINKINS, Speaker

BERNARD DEAN, Chief Clerk

SB 6308 by Senators Dhingra, Robinson, Kuderer, Nobles and Trudeau

AN ACT Relating to extending timelines for implementation of the 988 system; amending RCW 71.24.892 and 71.24.908; reenacting and amending RCW 71.24.890; and providing an expiration date.

Referred to Committee on Appropriations.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

The Speaker assumed the chair.

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

### MOTIONS

There being no objection, the Committee on Rules was relieved of the following bills and the bills were placed on the second reading calendar:

HOUSE BILL NO. 1761  
HOUSE BILL NO. 1870  
HOUSE BILL NO. 1899  
HOUSE BILL NO. 1996  
HOUSE BILL NO. 2009  
HOUSE BILL NO. 2124  
HOUSE BILL NO. 2173  
HOUSE BILL NO. 2257  
HOUSE BILL NO. 2375  
HOUSE BILL NO. 2368  
HOUSE BILL NO. 2301  
HOUSE BILL NO. 2230  
HOUSE BILL NO. 2007  
HOUSE BILL NO. 1862  
HOUSE BILL NO. 2392  
HOUSE BILL NO. 1935  
HOUSE BILL NO. 1551  
HOUSE BILL NO. 2411  
HOUSE BILL NO. 2295  
HOUSE BILL NO. 1894  
HOUSE BILL NO. 1565  
HOUSE BILL NO. 2445  
HOUSE BILL NO. 1934  
HOUSE BILL NO. 2147  
HOUSE BILL NO. 2389  
HOUSE BILL NO. 2481  
HOUSE BILL NO. 2474  
HOUSE BILL NO. 2153  
HOUSE BILL NO. 2195  
HOUSE BILL NO. 2303  
HOUSE BILL NO. 1304  
HOUSE BILL NO. 2455  
HOUSE BILL NO. 2440  
HOUSE BILL NO. 2430  
HOUSE BILL NO. 2073  
HOUSE BILL NO. 1919  
HOUSE BILL NO. 1906

ENGROSSED SECOND SUBSTITUTE

There being no objection, the Committee on Rules was relieved of the following bill and the bill was placed on the third reading calendar:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1282

There being no objection, the House adjourned until 9:00 a.m., Monday, February 12, 2024, the 36th Day of the 2024 Regular Session.

1185	Second Reading. . . . .	8	2195	Other Action. . . . .	15
1185-S2	Second Reading. . . . .	8	2230	Other Action. . . . .	15
	Amendment Offered. . . . .	8	2257	Other Action. . . . .	15
	Third Reading Final Passage. . . . .	9	2295	Other Action. . . . .	15
1249	Second Reading. . . . .	12	2301	Other Action. . . . .	15
1249-S	Second Reading. . . . .	12	2303	Other Action. . . . .	15
	Third Reading Final Passage. . . . .	12	2311	Second Reading. . . . .	3
1282-S	Other Action. . . . .	15	2311-S2	Second Reading. . . . .	3
1304	Other Action. . . . .	15		Amendment Offered. . . . .	3
1551	Other Action. . . . .	15		Third Reading Final Passage. . . . .	7
1565-S2	Other Action. . . . .	15	2331	Second Reading. . . . .	9
1761	Other Action. . . . .	15	2331-S	Second Reading. . . . .	9
1862	Other Action. . . . .	15		Amendment Offered. . . . .	10, 11
1870	Other Action. . . . .	15		Third Reading Final Passage. . . . .	12
1879	Second Reading. . . . .	9	2368	Other Action. . . . .	15
	Third Reading Final Passage. . . . .	9	2375	Other Action. . . . .	15
1894	Other Action. . . . .	15	2389	Other Action. . . . .	15
1899	Other Action. . . . .	15	2392	Other Action. . . . .	15
1906	Other Action. . . . .	15	2411	Other Action. . . . .	15
1919	Other Action. . . . .	15	2430	Other Action. . . . .	15
1929	Second Reading. . . . .	2	2440	Other Action. . . . .	15
1929-S2	Second Reading. . . . .	2	2445	Other Action. . . . .	15
	Third Reading Final Passage. . . . .	2	2455	Other Action. . . . .	15
1934	Other Action. . . . .	15	2474	Other Action. . . . .	15
1935	Other Action. . . . .	15	2481	Other Action. . . . .	15
1989	Second Reading. . . . .	9	2497	Introduction & 1st Reading. . . . .	13
1989-S	Second Reading. . . . .	9	5306-S	Introduction & 1st Reading. . . . .	13
	Third Reading Final Passage. . . . .	9	5660-S2	Introduction & 1st Reading. . . . .	13
1996	Other Action. . . . .	15	5774-S	Introduction & 1st Reading. . . . .	13
2007	Other Action. . . . .	15	5784-S2	Introduction & 1st Reading. . . . .	13
2009	Other Action. . . . .	15	5802-S	Introduction & 1st Reading. . . . .	13
2014	Second Reading. . . . .	12	5818	Introduction & 1st Reading. . . . .	13
2014-S2	Second Reading. . . . .	12	5838-S2	Introduction & 1st Reading. . . . .	13
	Third Reading Final Passage. . . . .	13	5852	Introduction & 1st Reading. . . . .	13
2037-S	Second Reading. . . . .	1	5882-S2	Introduction & 1st Reading. . . . .	13
	Amendment Offered. . . . .	1, 2	5885	Introduction & 1st Reading. . . . .	13
	Third Reading Final Passage. . . . .	2	5897	Introduction & 1st Reading. . . . .	14
	Other Action. . . . .	1	5908-S2	Introduction & 1st Reading. . . . .	14
2073	Other Action. . . . .	15	5953-S	Introduction & 1st Reading. . . . .	14
2124	Other Action. . . . .	15	5973-S	Introduction & 1st Reading. . . . .	14
2147	Other Action. . . . .	15			
2153	Other Action. . . . .	15			
2173	Other Action. . . . .	15			



5986-S	Introduction & 1st Reading. ....	14
6020-S	Introduction & 1st Reading. ....	14
6080	Introduction & 1st Reading. ....	14
6108-S	Introduction & 1st Reading. ....	14
6148	Introduction & 1st Reading. ....	14
6197-S	Introduction & 1st Reading. ....	14
6264-S	Introduction & 1st Reading. ....	14
6283	Introduction & 1st Reading. ....	14
6301-S	Introduction & 1st Reading. ....	14
6308	Introduction & 1st Reading. ....	15
HOUSE OF REPRESENTATIVES (Speaker Jenkins presiding)		
Statement for the Journal Representative Graham. ....		2