VOTERS' PAMPHLET

WASHINGTON STATE ELECTIONS

GENERAL ELECTION
NOVEMBER 6

2018

YOUR BALLOT WILL BE MAILED BY **OCTOBER 19**

(800) 448-4881 | vote.wa.gov

OFFICIAL PUBLICATION

Secretary of State
Kim Wyman

A message from Secretary of State Kim Wyman

Welcome to your 2018 General Election Voters' Pamphlet!

This important election will decide local, state, and national races and issues. All 10 of Washington's congressional seats and a statewide race for the U.S. Senate are on the ballot in this election, as are all 98 seats in the state House of Representatives and 25 of 49 seats in the state Senate. City and county elections will select judges, council members, and other officials who administer day-to-day government functions locally.

Several statewide initiatives are on the ballot this year as well, with the potential to significantly affect public policy and Washingtonians' lives. For more than a century, citizens have used petitions to place issues directly before the state's voters, and the Voters' Pamphlet has provided valuable information about what each proposal would do. Inside this edition of the Pamphlet, you'll find explanations of each initiative, the impact each would have on state government finances, and arguments for and against.

To participate in this election, you must be registered to vote in Washington. You may check your registration status anytime online at MyVote.wa.gov. If you are not yet registered to vote in this year's General Election, you have until October 29th to register at your county's elections office.

This year, you and voters throughout the state will be able to return ballots by mail without using a stamp. This new convenience provides greater access to elections. Whether you use a mailbox or drop box, you can cast your vote postage-free.

Voting is your opportunity to make your voice heard at the ballot box and make a difference in your community. Please take time to read through this Voters' Pamphlet to learn about the important issues and political offices being decided this year, and then fill out your ballot and return it by November 6th by mail or in one of your county's drop boxes.

Thank you for your time and your participation in the political process. Make an impact in your community and our state by voting this fall!

Kim Wyman
Secretary of State

@secstatewa

/WASecretaryofState
/WashingtonStateElections

November 6, 2018 General Election

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Local Candidates and Measures

This pamphlet contains information for state candidates and measures.

For information on local candidates and measures, visit MyVote.wa.gov or contact your county elections department. You can find their contact information in the back of this Voters' Pamphlet.

Political parties

Washington State Democrats

PO Box 4027
Seattle, WA 98194
(206) 583-0664
info@wa-democrats.org
www.wa-democrats.org

Washington State Republican Party

11811 NE 1st St, Ste A306
Bellevue, WA 98005
(425) 460-0570
caleb@wsrp.org
www.wsrp.org

Who donates to campaigns?

View financial contributors for candidates and measures:

Public Disclosure Commission

www.pdc.wa.gov
Toll Free (877) 601-2828

Voting in Washington State

Qualifications

You must be at least 18 years old, a U.S. citizen, a resident of Washington State, and not under Department of Corrections supervision for a Washington State felony conviction.

Register to vote & update your address

The deadline to update your voting address has passed. Contact your *former* county elections department to request a ballot at your new address.

New voters may register in person until **October 29** at your county elections department.

Military voters are exempt from voter registration deadlines.

Cast Your Ballot

1. Your ballot will be mailed to the address you provide in your voter registration.

2. Vote your ballot and sign your return envelope.

3. Return it by mail or to an official ballot drop box by **8 p.m.** on **November 6**. No stamp needed for this election!

Where is my ballot?

Your ballot will be mailed by October 19.

If you need a replacement ballot, contact your county elections department listed at the end of this pamphlet.

View

Election Results

VOTE.WA.GOV

or get the mobile app

WA State Election Results

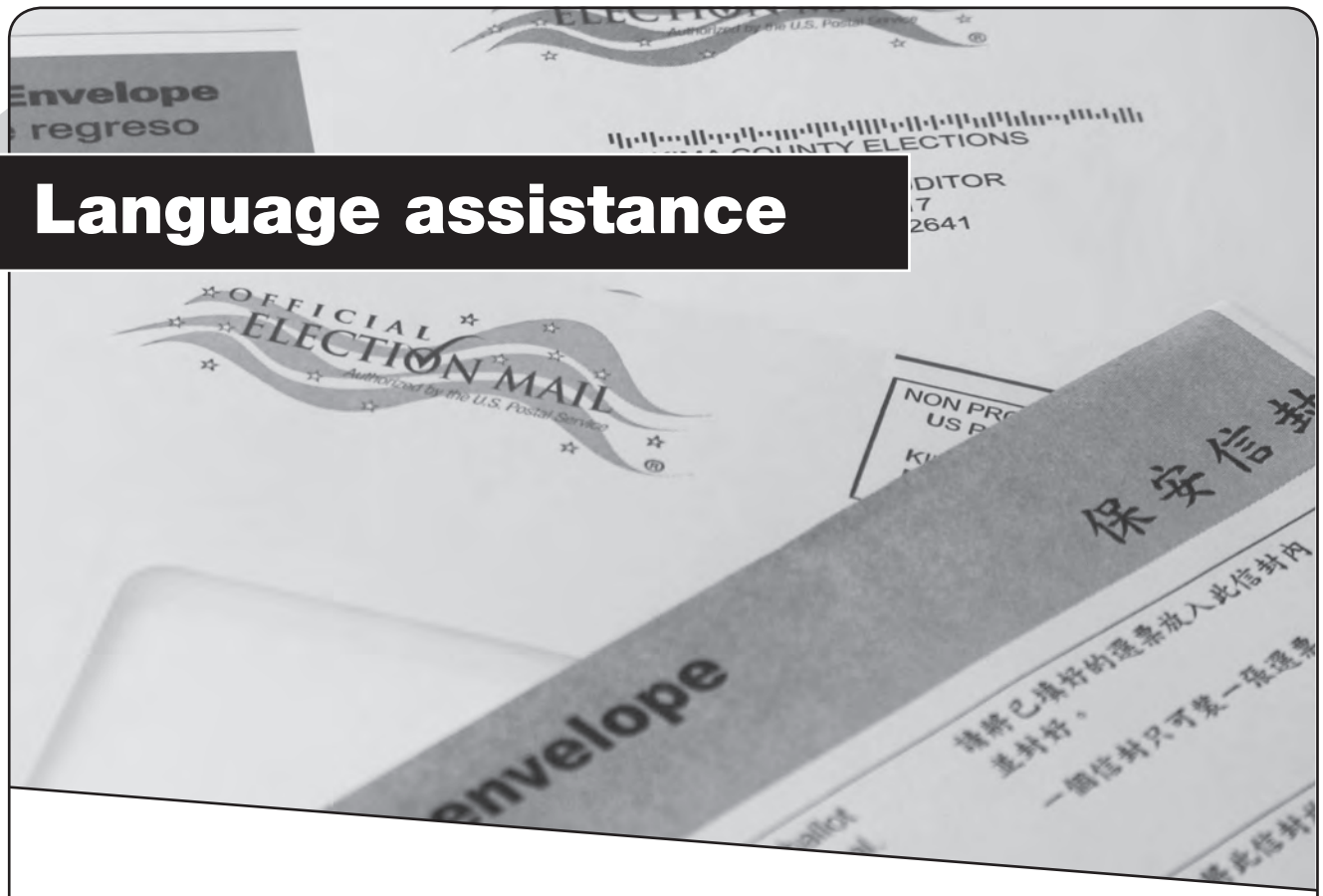
Accessible pamphlet available

Audio and plain text voters' pamphlets available at **vote.wa.gov**.

No Internet access?

To receive a copy on CD or USB drive, call **(800) 448-4881**.

Language assistance



Se habla español

Todos los votantes del estado de Washington tienen acceso al folleto electoral y a los formularios de inscripción en español por internet en **www.vote.wa.gov**.

Adicionalmente, los votantes de los condados de Yakima, Franklin y Adams recibirán su boleta y folleto electoral de forma bilingüe antes de cada elección.

Si usted o alguien que conoce necesitan asistencia en español llame al **(800) 448-4881**.

中國口語

所有華盛頓州的選民都可在網站 **www.vote.wa.gov** 查看中文選民手冊和選民登記表格。

此外，金郡選民也可登記在每次選舉前自動獲取中文選票和選民手冊。

如果您或您認識的人需要語言協助，請致電 **(800) 448-4881**。

Việt Nam được nói

Tất cả cử tri ở Tiểu Bang Washington có thể truy cập sách dành cho cử tri và đơn ghi danh cử tri bằng tiếng Việt trực tuyến tại www.vote.wa.gov.

Ngoài ra, cử tri ở Quận King có thể đăng ký để tự động nhận lá phiếu và sách dành cho cử tri bằng tiếng Việt trước mỗi cuộc bầu cử.

Nếu quý vị hoặc người nào quý vị biết cần trợ giúp ngôn ngữ, xin vui lòng gọi **(800) 448-4881.**

The federal Voting Rights Act requires translated elections materials.

The Ballot Measure Process

The Initiative

Any voter may propose an initiative to create a new state law or change an existing law.

Initiatives to the People
are proposed laws submitted directly to voters.

Initiatives to the Legislature
are proposed laws submitted to the Legislature.

The Referendum

Any voter may demand that a law proposed by the Legislature be referred to voters before taking effect.

Referendum Bills
are proposed laws the Legislature has referred to voters.

Referendum Measures
are laws recently passed by the Legislature that voters have demanded be referred to the ballot.

Laws by the People

Before an **Initiative to the People** or an **Initiative to the Legislature** can appear on the ballot, the sponsor must collect...

259,622
VOTERS' SIGNATURES

8% of all votes in the last Governor's race

Before a **Referendum Measure** can appear on the ballot, the sponsor must collect...

129,811
VOTERS' SIGNATURES

4% of all votes in the last Governor's race

Initiatives & Referenda
BECOME LAW
with a simple
MAJORITY VOTE

Initiative Measure No.

1631

Initiative Measure No. 1631 concerns pollution.

This measure would charge pollution fees on sources of greenhouse gas pollutants and use the revenue to reduce pollution, promote clean energy, and address climate impacts, under oversight of a public board.

Should this measure be enacted into law?

[ ] Yes

[ ] No

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The Secretary of State is not responsible for the content of statements or arguments (WAC 434-381-180).

Explanatory Statement

Written by the Office of the Attorney General

The Law as it Presently Exists

Under existing law, Washington has set goals to reduce greenhouse gases emitted in Washington. Those gases include carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, sulfur hexafluoride, and other gases designated by the Department of Ecology. The goals are to reduce greenhouse gas emissions in the state to 1990 levels by 2020 and to continue reducing greenhouse gas emissions to achieve fifty percent of 1990 levels by 2050. The Department of Commerce is responsible for developing a plan to reduce greenhouse gas emissions and reporting progress toward meeting the state's goals. State agencies are required to reduce greenhouse gas emissions by certain specified levels.

Various laws and state agency rules relate to the reduction of greenhouse gas emissions. These include emission standards for certain power plants, renewable fuel standards, building codes, requirements for utilities to use renewable resources, converting state vehicles to clean fuels, motor vehicle emission standards, and land use laws such as the Growth Management Act, which encourage efficient transportation systems.

Under the State Environmental Policy Act (SEPA), state and local government must engage in a variety of public processes to review, avoid, or minimize environmental impacts. These processes include analyzing greenhouse gases and considering input from individuals and Indian tribes concerning environmental impacts of state permitting or other action.

The Effect of the Proposed Measure if Approved

This measure would impose a pollution fee on large emitters of greenhouse gases. Money raised by the fee would be used for certain environmental programs and projects. The measure would create a public oversight board to implement the measure and approve funding for programs and projects. It also sets forth procedures for proposing and approving the programs and projects that could be funded by money generated from the new fee.

The pollution fee imposed by the measure would apply to fossil fuels sold or used within this state and electricity generated within or imported into this state. Fossil fuels include motor vehicle fuel and other petroleum products intended for combustion, natural gas, coal, coke, and any form of fuel created from these products. The pollution fee would be collected only one time on any particular unit of fossil fuels or energy. This means that the fee would not have to be paid again by subsequent sellers or users of the same fuel or energy.

The fee imposed on fossil fuels would be collected from various persons or companies. For motor vehicle fuel and "special fuel" (diesel and certain other fuels), the fee would be collected from fuel licensees who currently pay the motor vehicle fuel taxes on those fuels. For natural gas, the fee would be collected from natural gas public utilities or entities that pay the state's natural gas use tax. For refinery facilities, the fee would be collected from the refinery for fossil fuels consumed or used by the refinery. The fee may also be collected from a seller of fossil fuels to end users or consumers, a seller of fuel used for certain combined heat and power, or from other persons designated by the Department of Revenue.

The fee imposed on electricity would be collected from importers of electricity generated using fossil fuels, importers of electricity generated from an unspecified source, or a power plant located in Washington that generates electricity using fossil fuels.

The fee charged would be based on the amount of carbon content in the fossil fuels. In the case of electricity, the fee would be based on the carbon content of the fossil fuels used to generate the electricity. "Carbon content" means the carbon dioxide equivalent released from burning or oxidation of fossil fuels. Carbon dioxide equivalent is a measure used to compare emissions from various greenhouse gases based on their global warming potential. So the carbon content of a fossil fuel is a measure of the carbon dioxide and other greenhouse gases that are released when the fossil fuel is burned or otherwise consumed. For purposes of calculating the fee, the Department of Ecology is responsible for determining the carbon content of fossil fuels or inherent in electricity.

Beginning January 1, 2020, the pollution fee is set at fifteen dollars per metric ton of carbon content. The fee increases by two dollars per metric ton each year and is also adjusted for inflation each year. The two-dollar annual increases continue until the state's existing greenhouse gas reduction goal for 2035 is met and the state is on pace and likely to meet the 2050 greenhouse gas reduction goal. At that time, the pollution fee will be fixed, except for the annual inflation adjustments.

The measure would not impose the fee in certain circumstances. For example, the fee would not apply to fossil fuels brought into Washington in the fuel supply tank of a motor vehicle, vessel, locomotive, or aircraft. It would not apply to fossil fuels exported or sold for export outside Washington. It would not apply to fossil fuels supplied to a light and power business for purposes of generating electricity. It would not apply to fossil fuels and electricity sold to and used by certain facilities designated by the Department of Commerce as within energy-intensive and trade-exposed industries. It would not apply to aircraft fuels, certain fuel used for agricultural purposes, and

motor vehicle fuel or special fuel currently exempt from taxation. It would not apply to Indian tribes and Indians in circumstances where they are exempt from state taxation. The fee would not apply to facilities that generate electricity by burning coal, if those facilities are legally bound to close by 2025 or to comply with certain emission standards by 2025.

The measure also allows for credits in certain circumstances. For example, a fee-payer may receive a credit if the fossil fuel or electricity is subject to a similar fee on carbon content in another jurisdiction and the fee-payer receives approval from the Department of Commerce. A light and power business or gas distribution business, also known as a utility, may receive a credit up to the full amount of the fee for investments in programs, activities, or projects consistent with a clean energy investment plan. But to receive that credit, the utility's clean energy investment plan must be approved by the state Utilities and Transportation Commission (for investor-owned utilities) or the Department of Commerce (for consumer-owned utilities).

The measure would establish a public oversight board to implement the new law. The board would have fifteen voting members: the chair; the Commissioner of Public Lands; the directors of the Department of Commerce, the Department of Ecology, and the Recreation and Conservation Office; four at-large positions; and six co-chairs of three investment panels. The three investment panels would be created by the measure and would provide advice and recommendations to the board and assist in developing criteria for approving spending on certain projects. There would be certain requirements for the at-large positions and the six co-chairs.

The board would have numerous powers and duties. It would make decisions about which projects and programs to fund with the moneys raised by the pollution fee. It would review and approve rules developed by other agencies that set guidelines for the various programs required or funded by the measure. The board would consult with other agencies and government bodies, Indian tribes, and others in developing projects. It would report to the Governor and Legislature regarding progress and challenges in implementing the measure.

The measure would require consultation with Indian tribes by any state agency implementing the law, or receiving funding for projects, on decisions that may directly affect Indian tribes and tribal lands. The board could not approve spending on projects that directly affect an Indian tribe's lands or usual and accustomed fishing areas without first engaging in this formal consultation and following a mutually agreed timeline for the consultation. If a project is funded without this consultation and directly affects lands owned or controlled by an Indian tribe or affects lands where a tribe has a significant interest, action on the project must cease upon request by an affected Indian tribe.

The measure would place all pollution fees collected in the state treasury in an account called the "clean up pollution fund." Expenditures from the fund would be limited to certain investments defined in the measure. The measure includes certain criteria that must be considered when approving funding.

The measure would allow money from the clean up pollution fund to be used for reasonable administrative costs. After administrative costs, the clean up pollution fund must be used for certain categories of investments: seventy percent of the clean up pollution fund must be spent on clean air and clean energy investments, twenty-five percent for clean water and healthy forest investments, and five percent for healthy communities investments. The board may allow different percentages in certain circumstances.

The measure defines clean air and clean energy investments as programs, activities, or projects that reduce pollution or that assist affected workers or people with lower incomes. As noted above, seventy percent of the fund would be spent in this category. The measure identifies some programs that fit this spending category, including those that promote renewable energy such as solar and wind power; that increase energy efficiency; that reduce transportation-related carbon emissions through use of electric vehicles or public transportation; and that promote the capturing and storing of carbon in water, soil, forests, or other natural areas. At least fifteen percent of the clean air and clean energy investments must be used to reduce the energy burden of people with lower incomes through programs such as assistance with paying energy bills, promoting public or shared transportation, and reducing energy consumption. In addition, within four years, a minimum of $50 million would be set aside for a program to support fossil-fuel workers who are affected by the transition away from fossil fuels. The program may include wage replacement, health benefits, pension contributions, retraining costs, and other services.

The Department of Commerce, in consultation with others, must propose rules and criteria for disbursing funds for clean air and clean energy investments. The proposed rules and criteria must be approved by the board. The measure includes certain requirements for the rules and criteria for disbursing funds and includes certain goals for reducing carbon emissions and global temperature increases.

The second spending category for the clean up pollution fund is to address the impacts of climate change on the state's waters and forests. Twenty-five percent of the fund will be spent in this category. Examples for this category include spending to restore and protect state waters, to address ocean acidification, to reduce flood risk, to reduce risk of wildfires, and to address other impacts of

climate change. Various state agencies are responsible for proposing rules and criteria for eligible programs. The rules and criteria for these programs must be approved by the board.

Finally, the third spending category for the clean up pollution fund is to prepare communities for the impacts of climate change and to help certain populations who are particularly affected by climate change. Five percent of the fund will be spent in this category. In this category, funds can be used for wildfire prevention and preparedness, relocation of communities on tribal lands affected by sea level rise and floods, and public school education about the impacts of climate change and ways to reduce pollution. A portion of this fund must be used to help communities participate in carrying out the measure, such as help in preparing proposals for projects.

In addition to the spending requirements for these three categories, the measure imposes other requirements on spending. At least thirty-five percent of spending from the clean up pollution fund must provide direct and meaningful benefits to what the measure calls "pollution and health action areas." The Department of Health designates those areas based on University of Washington analyses of vulnerable populations and environmental burdens. A particular area partially or fully within Indian reservations or other Indian lands would also qualify as a pollution and health action area. At least ten percent of funds must be spent for projects formally supported by a resolution of an Indian tribe, and ten percent must be spent for projects located in and benefiting a pollution and health action area.

Fiscal Impact Statement

Written by the Office of Financial Management
For more information visit www.ofm.wa.gov/ballot

FISCAL IMPACT SUMMARY

Initiative 1631 imposes a pollution fee on large emitters of greenhouse gases. The fee will raise $2,295,785,000 during the first five fiscal years. The additional Utilities and Transportation Commission regulatory fee will raise $9,685,072 during the first five fiscal years. A public oversight board is established to supervise revenue expenditures to reduce carbon pollution, promote clean energy and address climate impacts to the environment and communities. Twelve state agencies and two higher education institutions are estimated to expend $27,178,592. The remaining expenditures cannot be estimated until the public board approves investment plans. Local government expenditures are estimated to be $158,623,072.

GENERAL ASSUMPTIONS

- The effective date of the initiative is Dec. 6, 2018.
- The provisions of the initiative apply prospectively, not retroactively.
- Because the pollution fee will not be collected until Jan. 1, 2020, it is assumed that all costs for state agencies, except the Utilities and Transportation Commission (UTC), to implement the initiative before this date will be paid from the State General Fund. UTC costs are paid from the Public Service Revolving Account.
- Estimates use the state's fiscal year of July 1 through June 30. Fiscal year 2019 is July 1, 2018, to June 30, 2019.

REVENUE

Local Revenue

The initiative will not impact local revenue.

State Revenue

The initiative would generate an estimated $2,305,470,073 over five fiscal years from the state pollution fee and UTC regulatory fees.

State Pollution Fee

The initiative would impose a pollution fee on large emitters of fossil fuels based upon the carbon content of fossil fuels sold or used within the state, electricity generated within the state (including out-of-state sales) and electricity imported for consumption in the state. Beginning Jan. 1, 2020, the pollution fee is set at $15 per metric ton of carbon content. The fee would increase by $2 per metric ton each year and is also adjusted for inflation each year. The $2 annual increases would continue until the state's existing greenhouse gas reduction goal for 2035 is met and the state is on pace and likely to meet the 2050 greenhouse gas reduction goal. At that time, the pollution fee would be fixed, except for annual inflation adjustments. The initiative would provide exemptions from the fee for certain fossil fuels and facilities.

The initiative would allow qualifying light and power businesses or gas distribution businesses to claim credits up to 100 percent of the pollution fee for investments made through clean energy investment plans that are approved by the UTC for investor-owned utilities and by the Department of Commerce for consumer-owned utilities.

All revenues from the pollution fee are deposited into the Clean Up Pollution Fund.

STATE REVENUE ASSUMPTIONS

Revenue estimates are based on: 1) the U.S. Energy Information Agency (EIA) 2018 Annual Energy Outlook; 2) the IHS Markit June 2018 forecast of the Consumer Price Index for All Urban Consumers (CPI-U); and 3) the Washington State Department of Commerce, State Energy Office, Carbon Tax Assessment Model (CTAM) – version 3.5. The Department of Commerce periodically updates data in the CTAM. Any data updates to the CTAM made

between preparation and publication of this fiscal impact statement are not reflected in the estimates displayed here. Although the initiative specifies that the US Bureau of Labor Statistic price index for all urban wage earners and clerical workers (CPI-W) is used to calculate the inflationary increase in the carbon fee, the Department of Revenue does not have access to a forecast for CPI-W so the CPI-U is used instead.

The following assumptions are made in the CTAM for modeling purposes:

- Year one is set to calendar year 2020 to most closely correspond to the Jan. 1, 2020, effective date of the proposed pollution fee.
- The baseline reference energy forecast (option A) is specified, which corresponds to the EIA Annual Energy Outlook 2018 reference case.
- Marine fuels are exempted.
- Aircraft fuels are exempted.
- "Transition coal," i.e., power generated from coal plants scheduled to close by 2025, is exempted.
- Power generated from Colstrip plants 1 and 2 are exempted since they are legally bound to cease operations by Dec. 31, 2025.

The following have been factored into the modeling to the extent possible:

- An exemption for aircraft fuels.
- An exemption for maritime fuels.
- An exemption for pollution emissions from coal closure facilities.
- An exemption for the fossil fuels and electricity sold to or used onsite by facilities with a primary activity that falls into an Energy Intensive Trade Exposed (EITE) sector. (Note that due to lack of available data, no attempt has been made to model the impact of this exemption for qualifying support facilities.)

- Facility-specific emissions data has been drawn from the Washington State Department of Ecology's Greenhouse Gas Reporting Program, which requires facilities that emit at least 10,000 metric tons of CO2 per year in Washington to report. Note that facilities that emit fewer than 10,000 metric tons of CO2 per year in Washington are not included in the data set used for estimating the EITE exemption.
- Emissions estimates have been adjusted to the extent possible to remove biogenic fuel emissions, non-CO2 emissions and industrial process emissions.
- Zero growth is assumed for EITE facility emissions into the future.
- The initiative defines "carbon content" to include both CO2 emissions and other CO2 equivalents (methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, sulfur hexafluoride, nitrogen trifluoride) released through the combustion or oxidation of fossil fuels. The revenue from this proposal could be approximately 1 percent higher than modeled because the CTAM does not apply a tax or fee to CO2 equivalents.
- Five months of cash collections are reflected in fiscal year 2020 due to the Jan. 1, 2020, effective date for the pollution fee.
- No credits are granted for payment of a similar fee in other jurisdictions.
- Qualifying light and power businesses or gas distribution businesses are assumed to claim credit for 100 percent of the pollution fees for which they are liable.

State Revenue Impacts

(See Table 1 on page 15)

Pollution Fee Revenues Distribution Assumptions and Descriptions

Following deductions for administrative costs, 70 percent of the balance in the Clean Up Pollution Fund will be deposited into the Clean Air and Clean Energy Account, 25 percent will be deposited into the Clean Water and Healthy Forests Investments Account and 5 percent will be deposited into the Healthy Communities Account.

In addition, the initiative defines investor-owned utility-retained credits in the utilities' Clean Energy Investment Account as gross operating revenue subject to UTC regulatory fees. This fee is equal to one-tenth of 1 percent of the first $50,000 of gross operating revenue, plus two-tenths of 1 percent of any gross operating revenue in excess of $50,000. In addition, each investor-owned utility must pay an annual fee of up to 1 percent of credited fees deposited into the Clean Energy Investment Account for UTC administrative costs to implement the initiative. It is assumed that the fee is set annually at 1 percent and excludes any amounts retained by consumer-owned utilities. These revenues would be deposited into the Public Service Revolving Account.

The initiative specifies that the Clean Up Pollution Fund may be used to pay for reasonable administrative costs. It is assumed that "administrative costs" include tax administration and other tasks necessary to implement the initiative unless a state agency has a usual fund source for the work required by the initiative.

(See Table 2 on page 15)

STATE GOVERNMENT EXPENDITURES

State Agency Implementation Cost Assumptions

Because the pollution fee will not be collected until Jan. 1, 2020, it is assumed that all costs for state agencies, except UTC, to implement the initiative before this date will be paid from the State General Fund. UTC costs are paid from the Public Service Revolving Account.

The initiative would establish a public oversight board (POB) to implement the new law. The POB adopts all programmatic policies, procedures and rules per the State Administrative Procedures Act for programs funded through the Clean Air and Clean Energy Account, the Clean Water and Healthy Forests Investments Account and the Healthy Communities Account. Utility investment plans are approved by the Department of Commerce and UTC by Dec. 31, 2020, to allow utilities to obtain pollution fee credits.

POB activity is phased as follows: 1) formation and organization; 2) programmatic rule makings and review and approval of investment plans; 3) project approvals and updates to rules, policies and procedures; 4) appropriation recommendations to the Legislature; and 5) tribal consultations throughout.

The POB would meet bimonthly in Olympia beginning March 1, 2019. From March 2019 through January 2020, the POB would hold one-day meetings; from February 2020 through January 2021, each meeting would last two days, with one-day meetings thereafter.

For each of the three Investment Advisory Panels, meeting length, location and frequency would mirror that of the POB, except that panel meetings would start in July 2019.

The Department of Health would begin work on Jan. 1, 2019, to designate pollution and health action areas and would complete this task by July 31, 2019.

To meet the requirement that state agencies submit all policies, procedures and rules related to expenditures from the Clean Air and Clean Energy Account, the Clean Water and Healthy Forests Investments Account and the Healthy Communities Account to the POB by Jan. 1, 2020, state agency work would begin on Jan. 1, 2019. State agencies would also begin work on Jan. 1, 2019, to develop the initial pollution reduction investment plans and rules that describe the processes and criteria to disburse funds from the Clean Air and Clean Energy Account, with review and approval by the POB by Jan. 1, 2020. A permanent pollution reduction investment plan and rule would be submitted to the POB by Jan. 1, 2022.

The Department of Ecology would begin work on Jan. 1, 2019, and would adopt emergency rules by Nov. 1, 2019, that specify the carbon content inherent in or associated with covered fossil fuels and electricity.

STATE AGENCY EXPENDITURES

State agency costs are estimated to be $27,178,592 over five fiscal years to implement the initiative. Costs by agency are:

- The Department of Revenue would incur costs estimated at $4,170,500 to administer pollution fee collection activities.
- The Office of the Governor would incur costs estimated at $8,326,874 for the staffing, operation, per diem and compensation of the POB and three investment panels that would review and adopt through the rule-making process, as needed, plans, procedures, criteria and rules for the programs as well as conduct effectiveness reviews.
- The Department of Commerce would incur costs estimated at $10,668,899 to draft the initial and final pollution reduction investment plans as well as the proposed rules for process and criteria to disburse funds from the Clean Air and Clean Energy Account. In consultation with the Environmental and Economic Justice Panel, the department would incur costs to develop a plan for investments that directly reduce the energy burden of people with lower incomes; design and implement comprehensive enrollment campaigns to inform and enroll people with lower incomes in energy assistance programs; create a program and provide assistance and support to workers in fossil fuel industries affected by the transition to a cleaner energy economy; and develop draft procedures and rules to provide community capacity grants to participate in implementing the initiative. The agency would participate in development of carbon emission standards, validate a facility's EITE designation and review petitions by fee payers for credits for similar pollution fees imposed by other states. It would also conduct effectiveness reviews of programs in achieving carbon reduction goals and implementing pollution reduction plans.
- The Department of Health would incur estimated costs of $631,000 to designate and update pollution and health action areas, participate on the POB and help support the Environmental and Economic Justice Panel and other investment panels.
- The Department of Ecology would incur both estimated costs and savings. Estimated costs of $3,325,787 would be incurred to develop procedures, criteria and rules for grant programs for increasing the ability to remediate and adapt to the impacts of ocean acidification, reducing flood risk and restoring natural floodplain ecological function, increasing the sustainable supply of water and improving storm water infrastructure from previously developed areas within an urban growth boundary. These costs would also enable Ecology to contribute to development of procedures, criteria and rules on restoring and protecting estuaries, fisheries and marine shoreline habitats, and preparing for sea level rise. The agency would also adopt emergency rules specifying the basis for the carbon content of covered fossil fuels and electricity, work in consultation with the Department of Commerce to select a default emission

factor for light and power businesses, and publish a default emissions factor for U.S. Bonneville Power Administration sales of electricity in Washington state. Ecology would also serve as a voting member of the POB, engage investment advisory panels and participate in conducting effectiveness reviews of programs in achieving carbon reduction goals and implementing pollution reduction plans. Ecology would incur estimated savings of $10,436,000 in the State General Fund and the State Toxics Control Account from adopting rules to eliminate the program supporting the Clean Air Rule (Chapter 173-442 Washington Administrative Code) and associated greenhouse gas emissions reporting (Chapter 173-441 Washington Administrative Code), for a net estimated savings of $7,110,213 over the five-year period.

- The Washington State Recreation and Conservation Office would incur estimated costs of $534,272 to develop proposed procedures, criteria and rules for a grant program to prevent the conversion and fragmentation of working forests, farmland and natural habitat that sequester carbon and provide additional ecological benefits and to participate in the development of proposed procedures, criteria and rules for clean water investments that improve resilience from climate impacts. The agency would also participate as a voting member of the POB.
- The Department of Fish and Wildlife would incur estimated costs of $423,600 to participate in development of proposed procedures, criteria and rules for clean water investments that improve resilience from climate impacts.
- The Puget Sound Partnership would incur estimated costs of $272,772 to participate in the development of proposed procedures, criteria and rules for clean water investments that improve resilience from climate impacts, review programs and projects for consistency with the Puget Sound Action Agenda, and participate in conducting effectiveness reviews of programs in achieving carbon reduction goals and implementing pollution reduction plans.
- The Department of Natural Resources would incur estimated costs of $2,573,400 to develop proposed procedures, criteria and rules to sequester carbon through blue carbon projects, invest in healthy forests and enhance community preparedness and awareness of wildfires. Costs would also support tribal communities to suppress, prevent and recover from wildfires, and relocate tribal communities impacted by flooding and sea level rise. The agency would also participate in development of proposed procedures, criteria and rules for clean water investments that improve resilience from climate impacts.
- The Washington State Department of Agriculture would incur estimated costs of $485,000 to develop proposed procedures, criteria and rules for a program to increase soil sequestration and reduce emissions from the loss and disturbance of soils.
- The UTC would incur estimated costs of $4,800,418 to review and approve private utilities' clean energy investment plans, review utilities' annual reports on implementing their clean energy investment plans, conduct necessary rule making, support the POB and the investment panels, undertake tribal consultation on clean energy investments and participate in development of an effectiveness report.
- The University of Washington would incur estimated costs of $797,070 for its Department of Environmental and Occupational Health Sciences to assist the Department of Health in designating and updating pollution and health action areas, and for the Climate Impacts Group to provide technical assistance to the Department of Natural Resources in developing programs and allocating funds for the clean water and healthy forest investments that increase resilience from climate impacts on wildlife and forest health and for investments to prepare communities for challenges caused by climate change.
- The Washington State University Energy Program would incur estimated costs of $525,000 to participate in drafting the initial and final pollution reduction investment plans.
- The Office of Superintendent of Public Instruction would incur estimated costs of $80,000 for developing and implementing education programs and teacher development programs to expand awareness of and increase preparedness for the environmental, social and economic impacts of climate change and strategies to reduce pollution.

(See Table 3 on page 16)

LOCAL GOVERNMENT AND SCHOOL DISTRICT EXPENDITURES

(See Table 4 on page 16)

Cities, public utility districts, port districts and other local governments that provide electricity and natural gas services would potentially be required to pay the pollution fee. It is estimated that 43 local governments would likely be impacted by the initiative. Publicly owned utilities could either pay the pollution fee or claim a credit for state-approved clean-energy investments. It is assumed that publicly owned utilities operated by local governments would incur costs of $158,623,072 over four years, primarily for state-approved clean-energy investments made in lieu of pollution fees for which they would be liable.

Key assumptions used to generate these estimates are:

- Pollution fee estimates are based upon the Department of Commerce's 2016 Washington State Electric Utility Fuel Mix Disclosure Report and the EIA 2016 data on natural gas utility deliveries.
- All consumer-owned utilities will withhold 100 percent of pollution-fee liability as pollution-fee credits equal to the value of clean-energy investments; however, the specific types of programmatic investments are unknown at this time. Jurisdictions choosing to participate in credit-eligible activities will incur indeterminate costs related to developing clean energy investment plans, applying for credits and reporting on funding usage.
- Neither the mix of fuels associated with electricity sources nor the demand for carbon-based fuels changes from 2016 reported levels. Local governments generally do not have the ability to modify their fuel mixes in the near term, and the impact of utility clean-energy investments on fuel mix and electricity demand are unknown at this time.

The Office of Superintendent of Public Instruction estimates that there are approximately 30 school districts that operate their own fueling distribution facilities that service their school bus fleets. To the extent these districts purchase fuel from out-of-state suppliers, they would be liable for the pollution fee. The source of fuel for these facilities is unknown, so no estimate is included of any potential costs to school districts. Similarly, the pollution fee liability incurred by local governments operating their own fuel-distribution facilities supplied with fuel imported directly from out of state is not known at this time.

Table 1 – Pollution fee revenues deposited into the Clean Up Pollution Fund

State Revenue Impact	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023
Clean Up Pollution Fund	$0	$238,374,000	$610,047,000	$686,365,000	$760,999,000

Table 2 – State revenues

State Revenue Impact by Fund	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023
Clean Up Pollution Fund (Administration)	$0	$4,670,163	$6,495,803	$6,106,598	$4,840,946
Clean Air and Clean Energy Account	$0	$163,592,686	$422,485,838	$476,180,881	$529,310,638
Clean Water and Healthy Forest Account	$0	$58,425,959	$150,887,799	$170,064,601	$189,039,514
Healthy Communities Account	$0	$11,685,192	$30,177,560	$34,012,920	$37,807,903
Public Service Revolving Account	$0	$996,266	$2,545,019	$2,898,850	$3,244,937
State Total	**$0**	**$239,370,266**	**$612,592,019**	**$689,263,850**	**$764,243,938**

Table 3 – State Expenditures from the State General Fund, the Clean Up Pollution Fund, the Public Service Revolving Account and the State Toxics Control Account					
Agency	**FY 2019**	**FY 2020**	**FY 2021**	**FY 2022**	**FY 2023**
Governor's Office	$174,180	$2,109,440	$2,031,220	$1,930,146	$2,081,888
Department of Revenue	$0	$1,764,400	$819,700	$810,700	$775,700
Department of Commerce	$2,452,979	$2,542,708	$1,657,286	$2,649,444	$1,366,482
Department of Health	$315,000	$46,000	$162,000	$62,000	$46,000
Department of Ecology	$(467,705)	$(701,365)	$(1,943,750)	$(1,905,164)	$(2,092,229)
Recreation and Conservation Office	$118,846	$261,226	$139,846	$7,177	$7,177
Department of Fish and Wildlife	$62,800	$191,000	$169,800	$0	$0
Puget Sound Partnership	$33,419	$33,420	$33,104	$93,098	$79,731
Department of Natural Resources	$650,700	$1,241,100	$648,800	$16,400	$16,400
Department of Agriculture	$118,000	$224,000	$143,000	$0	$0
Utilities and Transportation Commission	$253,294	$843,092	$1,111,404	$1,479,395	$1,113,233
University of Washington	$208,518	$160,161	$142,797	$142,797	$142,797
Washington State University	$75,000	$175,000	$125,000	$100,000	$50,000
Office of Superintendent of Public Instruction	$0	$80,000	$0	$0	$0
Total	**$3,995,031**	**$8,970,182**	**$5,240,207**	**$5,385,993**	**$3,587,179**

Table 4 – Total local government expenditure impact					
	FY 2019	**FY 2020**	**FY 2021**	**FY 2022**	**FY 2023**
Publicly Owned Utilities	$0	$18,811,545	$40,579,011	$46,552,927	$52,679,589
Local Government Total	**$0**	**$18,811,545**	**$40,579,011**	**$46,552,927**	**$52,679,589**

Argument for

Building a Cleaner Healthier Future for Our Kids
We have a responsibility to future generations to pass on a healthier place to live. Initiative 1631 is a sensible step that puts a fee on large polluters like big oil companies, making them pay when they pollute our air and water and invests in affordable clean energy and healthier communities.

Holding Big Polluters Accountable to Protect our Air and Water
When big oil companies pollute they leave the rest of us to pay the price with our health and environment. Initiative 1631 will make clean energy like wind and solar more affordable for more people, reduce over 25 million tons of pollution annually, and build new clean energy projects creating 41,000 good paying jobs across the state.

Public Accountability and Transparency
All investments are overseen by a public board of experts in science, business, health, and trusted community leaders so that big oil companies and their lobbyists aren't making decisions about our future. Regular audits will ensure we're reducing pollution and expanding clean energy.

Washington vs. Big Oil
Initiative 1631 is backed by the largest initiative coalition in state history, including over 200 organizations and businesses like The Nature Conservancy, American Lung Association, Union of Concerned Scientists, REI, Children's Alliance, Sierra Club, MomsRising, Physicians for Social Responsibility, Tulalip Tribes, Washington Conservation Voters, OneAmerica, UFCW 21, and Latino Community Fund.

By voting *Yes* we will build clean energy, create thousands of jobs, and pass on a healthier future for our kids.

Rebuttal of argument against

Five out-of-state oil companies are funding 99.9% of the opposition campaign. They will say anything to protect their billion-dollar profits. 1631 is a sensible step to reduce pollution today and leave a better future for our kids, by making big oil companies pay for the pollution they create. It makes clean energy more affordable, creating over 41,000 good paying jobs here in Washington. Let's build our future on our terms.

Written by

Carrie Nyssen, American Lung Association, Vancouver; **Leonard Forsman**, President, Affiliated Tribes of Northwest Indians, Suquamish; **Ann Murphy**, President, League of Women Voters of Washington, Spokane; **Tony Lee**, Co-Chair, Asian Pacific Islander Coalition, Seattle; **Bonnie Frye Hemphill**, Solar Installers of Washington, Seattle; **Cenetra Pickens**, Registered Nurse, union member SEIU Healthcare 1199NW, Tacoma

Contact: (206) 535-6617; info@yeson1631.org; yeson1631.org

Argument against

I-1631's deeply flawed, unfair energy tax would force Washington families, small businesses and consumers to pay billions in higher costs for gasoline, electricity, heating and natural gas – while exempting the state's largest polluters, and providing little accountability for spending.

$2.3 Billion Energy Tax, Increases Every Year
The state's analysis shows 1631 would cost consumers over $2.3 billion in the first five years alone. Higher electricity and natural gas bills would add hundreds of millions more in consumer costs, and 1631's escalating taxes would automatically increase every year – with no cap.

Largest Polluters Exempt
1631 would exempt many of the state's largest polluters, including a coal-fired power plant, pulp and paper mills, aircraft manufacturers and other large corporate emitters. Six of the state's top 10 carbon emitters would be exempt from 1631, while consumers and small businesses would pay billions.

Gasoline, Energy Prices Increase Annually With No Cap
Independent estimates show 1631 would increase gasoline prices by up to fourteen cents more per gallon at first, increasing annually, and quadrupling within 15 years, with no cap. Families, small businesses and farmers would also pay higher costs for natural gas, heating fuel, electricity and transportation, costing households hundreds more per year, especially hurting those who could least afford it.

Lack of Accountability, No Guarantee
1631's unelected board would have broad authority to disperse billions with little accountability and no specific plan, no requirements to spend funds specifically to reduce greenhouse gases, and no guarantee of effectiveness. 1631 deserves a *no* vote.

Rebuttal of argument for

I-1631's deeply flawed approach to climate policy exempts Washington's largest polluters, imposes a permanently escalating tax on Washington families, and disproportionately burdens those who can least afford it. I-1631 has no clear guidelines for how its unelected board of political appointees would spend billions in taxpayer dollars, and no real accountability or likelihood of significantly reducing greenhouse gases. *Cliff Mass, Ph.D., atmospheric sciences expert, represents his own opinions – not those of the University of Washington.*

Written by

Dean Maxwell, Mayor of Anacortes 1993 – 2013; **Anne Lawrence**, Board Member, Washington Farm Bureau, Family Farmer, Vancouver; **Brian Sonntag**, Washington State Auditor 1993 – 2013; **Sabrina Jones**, Small Business Owner, Spokane; **Mark Riker**, Executive Secretary, Washington State Building Trades; **Cliff Mass**, Professor of Atmospheric Sciences, Seattle, Washington

Contact: (877) 539-4443; info@VoteNOon1631.com; VoteNOon1631.com

Initiative Measure No.

1634

Initiative Measure No. 1634 concerns taxation of certain items intended for human consumption.

This measure would prohibit new or increased local taxes, fees, or assessments on raw or processed foods or beverages (with exceptions), or ingredients thereof, unless effective by January 15, 2018, or generally applicable.

Should this measure be enacted into law?

[ ] Yes

[ ] No

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The Secretary of State is not responsible for the content of statements or arguments (WAC 434-381-180).

Explanatory Statement

Written by the Office of the Attorney General

The Law as it Presently Exists

All local taxation must be authorized by state law. Current state law gives broad taxing authority to counties, cities, and towns. The Washington Supreme Court has recognized that cities' and towns' taxing authority includes the authority to tax retailers for the privilege of conducting a specific type of retail business within the city. Counties and cities also have authority to impose sales and use taxes within certain limits that the Legislature has set. For example, local sales or use taxes can be imposed only when the state sales or use tax is also due on a sale or item.

Local governments like cities and counties have relied on this broad local taxing authority to impose taxes related to specific products. For example, in 2017 the City of Seattle adopted an ordinance imposing a privilege tax on the distribution of sweetened beverages like soda within the city limits. The City of Seattle's tax is calculated based on the volume of sweetened beverages or concentrate distributed in the city.

The State has imposed state sales and use taxes on the retail sale of most items, but food and food ingredients are generally exempt from these state taxes. Nevertheless, state sales and use taxes are imposed on prepared food, alcoholic beverages, bottled water, and soft drinks. There are also additional state taxes on alcoholic beverages, cigarettes, tobacco products, and marijuana products.

The Effect of the Proposed Measure if Approved

If adopted, Initiative 1634 would prevent local governments from imposing or collecting any new tax, fee, or other assessment on certain grocery items after January 15, 2018. This restriction would prohibit any new local tax, fee, or assessment of any kind on the manufacture, distribution, sale, possession, ownership, transfer, transportation, container, use, or consumption of certain groceries. Initiative 1634 would also prohibit any increase of existing local taxes, fees, or assessments on these grocery items after January 15, 2018.

Local governments covered by this initiative are counties, cities, and towns, as well as other municipal corporations and local taxing districts. Covered grocery items would include any raw or processed food or beverage, or any ingredient, intended for human consumption. This would include, for example, meat, produce, grains, dairy products, nonalcoholic beverages, spices, and condiments, among other things. Covered groceries do not include alcoholic beverages, marijuana products, or tobacco.

Initiative 1634 would not prevent the State from imposing new taxes on groceries. It would not prevent local governments from imposing or collecting a new tax, fee, or assessment that is generally applicable to a broad range of businesses and business activity, so long as it does not impose a higher tax rate on groceries or impose a higher tax rate based on a classification related to groceries. Initiative 1634 would not prohibit a local tax, fee, or assessment on alcoholic beverages, marijuana products, or tobacco. Initiative 1634 would not restrict counties' and cities' existing authority to impose local sales and use taxes. Initiative 1634 would not restrict local governments' existing authority to impose other taxes on transactions involving non-grocery items.

Fiscal Impact Statement

Written by the Office of Financial Management
For more information visit www.ofm.wa.gov/ballot

FISCAL IMPACT SUMMARY

Initiative 1634 prohibits new or increased local taxes, fees or assessments on raw or processed foods, beverages or their ingredients, intended for human consumption except alcoholic beverages, marijuana products and tobacco, unless they are generally applicable and meet specified requirements. The initiative allows local government to continue to collect revenue if the ordinance was in effect by Jan.15, 2018. The revenue and expenditure impacts cannot be determined because the potential lost revenue is based on volume of product sold within the jurisdiction.

GENERAL ASSUMPTIONS

- The effective date of the initiative is Dec. 6, 2018.
- The provisions of the initiative apply to taxes, fees or other assessments on groceries applied after Jan. 15, 2018.
- Estimates use the state's fiscal year of July 1 through June 30. Fiscal year 2019 is July 1, 2018, to June 30, 2019.

REVENUE

Local revenue impacts

The initiative has an indeterminate impact on local revenue. It would prohibit imposing or collecting any new tax or fee, or making an inflationary adjustment on taxes or fees on certain grocery items after Jan. 15, 2018.

The city of Seattle enacted a sweetened beverage privilege tax prior to the effective date of the initiative. Seattle estimates the tax will generate $23.378 million per year. Since the imposition of the tax was started before Jan. 15, 2018, the tax will remain in effect. However, the city of Seattle would not be able to adjust the tax by inflation.

State revenue impacts assumptions and description

The initiative would not have a state revenue impact because it does not apply to state taxes, fees or other assessments.

EXPENDITURES

Local government expenditures

The initiative would not have an expenditure impact on local governments because it prevents the future imposition of local taxes or fees on groceries after Jan. 15, 2018.

State government expenditures

The initiative would not have an expenditure impact on state government because it does not apply to state taxes, fees or other assessments.

Argument for

Yes on I-1634 protects working families, farmers, and local businesses.
I-1634 would ensure that our groceries – foods and beverages that we consume every day – are protected from any new or increased local tax, fee, or assessment.

Help keep groceries affordable.
The rising cost of living makes it harder for families to afford the basics. Special interest groups across the country, and here in Washington, are proposing taxes on groceries like meats, dairy and juices – basic necessities for all families. I-1634 would prevent local governments from enacting new taxes on groceries. Higher grocery prices don't hurt the wealthy elites but crush the middle class and those on fixed incomes, including the elderly.

Take a stand for fairness.
Washington has the most regressive tax system in the country and places a larger tax burden on the backs of middle and fixed-income families than the wealthy. Taxes on groceries make our current tax structure even more unfair for those struggling to make ends meet.

Bipartisan and diverse support for I-1634 from citizens, farmers, local businesses, and community organizations.
Organizations that represent Washington farmers (Washington Farm Bureau, Tree Fruit Association, State Dairy Federation), labor (Joint Council of Teamsters, International Association of Machinists, Seattle Building Trades), and business (Washington Beverage Association, Washington Food Industry Association, Washington Retail Association, Korean American Grocers Association) are united in supporting I-1634 to keep our groceries affordable.

By voting yes on I-1634, you can take a stand for affordability and fairness for Washington's working families.

Rebuttal of argument against

I-1634 prohibits new, local taxes on groceries, period. It does not prevent voters from raising taxes on anything else to meet local needs. *This is necessary to close a loophole allowing municipalities to tax groceries, even though the state does not.* That's why thousands of Washington workers, farmers, small businesses, and consumers support I-1634. It protects us from taxation of everyday foods and beverages which raises prices, costs jobs and hurts working families.

Written by

Jeff Philipps, Spokane civic leader, President of Rosauers Supermarkets; **April Clayton**, Farmer, Chelan/Douglas County Farm Bureau Vice President; **Haddia Abbas Nazer**, Yakima small businesswoman, Central Washington Hispanic Chamber President; **Carl Livingston**, Seattle community activist, lawyer, professor, and Pastor; **Heidi Piper Schultz**, Vancouver small businesswoman, Corwin Beverage Company Board President; **Larry Brown**, Auburn City Councilman**,** Aerospace Machinists 751 Legislative Director

Contact: (425) 214-2030; info@yestoaffordablegroceries.com; yestoaffordablegroceries.com

Argument against

Initiative 1634 takes away local control and gives it to the state
This confusing measure imposes a one-size-fits-all state law that takes power away from voters and hands it to the state, silencing our voice in local decision-making. Different communities have unique needs and local voters deserve a say in how revenue decisions are made. This initiative is a slippery slope toward greater state control at the expense of our cities, towns, and local communities.

Corporate special interests are spending millions to strip away voter choices and protect profits
I-1634 has nothing to do with keeping our food affordable. In fact, tax prohibitions on everyday food items — from fruits and vegetables to milk and bread—are already reflected in voter approved state law. Instead, this measure is funded almost exclusively by the multi-billion-dollar soda industry. They are only concerned with their profits and are spending millions on this initiative—and misleading advertisements—that would undermine local control.

Reject Initiative 1634 to prevent future erosion of local powers by special interests
I-1634 sets a dangerous precedent -- any special interest could spend millions on a misleading initiative to limit our rights as voters and our local autonomy. Voting *no* sends a clear message that we value local control and will not be fooled by the political agenda of wealthy industries or outside groups.

Rebuttal of argument for

State law already precludes taxes on groceries. Initiative 1634 is funded by the soda industry to take away local choices from our cities and towns. This confusing measure reduces local options while increasing state control at a time when we are struggling to fund important community programs. Stand with doctors, teachers and community advocates in saying no to this blatant corporate power grab.

Written by

Mary Ann Bauman, MD, American Heart Association; **Kate Burke**, Spokane City Council; **Jill Mangaliman**, Got Green; **Jim Krieger**, MD, MPH Healthy Food America; **Val Thomas-Matson**, Healthy King County Coalition; **Carolyn Conner,** Nutrition First

Contact: (360) 878-2543; vic@wahealthykidscoalition.org; www.wahealthykidscoalition.org

Initiative Measure No.

1639

Initiative Measure No. 1639 concerns firearms.

This measure would require increased background checks, training, age limitations, and waiting periods for sales or delivery of semiautomatic assault rifles; criminalize noncompliant storage upon unauthorized use; allow fees; and enact other provisions.

Should this measure be enacted into law?

[ ] Yes

[ ] No

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The Secretary of State is not responsible for the content of statements or arguments (WAC 434-381-180).

Explanatory Statement

Written by the Office of the Attorney General

The Law as it Presently Exists

Washington law requires background checks for the sale or transfer of firearms, with exceptions. This background check requirement applies to sales and transfers of firearms through firearms dealers, at gun shows, online, and between unlicensed private individuals. This requirement applies to most sales of firearms, as well as gifts or loans of firearms. The background check includes checking with federal and state agencies for criminal convictions, pending criminal charges or warrants, and certain mental health records.

A sale or transfer of a firearm cannot take place if the background check shows that the buyer or recipient is legally ineligible to possess it. The sale or transfer of a firearm may be completed if the result of a background check is not received within 10 business days. That 10 day period is extended to 60 days if the buyer or recipient does not have a valid permanent Washington driver's license or state identification card, or has not lived in Washington for at least 90 days. It is a felony to deliver a firearm to any person reasonably believed to be prohibited from owning or possessing a firearm.

The delivery of a pistol may be restricted based on an outstanding warrant for a buyer's arrest or certain other charges or proceedings that might be pending against the buyer. Certain recordkeeping requirements apply to the sale of a pistol that do not apply to other types of firearms. A licensed firearm dealer must report to the state the buyer's name, address, and other information. The state maintains records of the sales of pistols. The state does not maintain records of other transfers or a registry of firearms. State law requires that an application for the purchase of a pistol contain a warning about the possibility of criminal prosecution for the illegal possession of firearms, and that state and federal laws regarding possession of firearms differ.

State law makes it illegal to possess some kinds of firearms. These include machine guns, short-barreled shotguns, and short-barreled rifles. Machine guns include firearms that do not require a separate trigger pull for each shot, and can store ammunition in a separable device such as a clip that can fire at the rate of five or more shots per second. There are exceptions to this prohibition.

State law prohibits certain people from possessing firearms. A person convicted of certain crimes or found not guilty by reason of insanity is ineligible to possess a firearm. The entry of a civil commitment order based on mental health also makes a person ineligible to possess a firearm. The entry of restraining orders for harassing, stalking, or threatening an intimate partner or child may make a person ineligible to possess a firearm under some circumstances. Firearm rights can be restored under some circumstances.

People between the ages of 18 and 21 are generally allowed to possess a pistol only in their residence, their place of business, or property under their control. A person under age 18 is generally prohibited from possessing a firearm. State law allows a person under age 18 to possess a firearm only under limited circumstances. These exceptions include, among others: while attending a firearms safety course, while practicing or target shooting at an approved range, while competing in an organized competition, while hunting with a valid hunting license, or in certain instances with parental permission.

Residents of other states may purchase rifles and shotguns in Washington if they are eligible to possess such weapons under federal law and the laws of both Washington and the state in which they reside. Nonresidents are subject to the same background check requirements that apply to Washington residents.

State law does not currently require firearms safety training to possess a firearm. Hunter safety training may be required to obtain a hunting license. State law does not specifically regulate firearms storage.

The Effect of the Proposed Measure if Approved

This measure would change state laws regarding firearms. Some of these changes would relate only to semiautomatic assault rifles, as defined. Other changes would apply to other types of firearms as well.

> The initiative defines a "semiautomatic assault rifle" to mean:
>
> any rifle which utilizes a portion of the energy of a firing cartridge to extract the fired cartridge case and chamber the next round, and which requires a separate pull of the trigger to fire each cartridge.

The initiative defines semiautomatic assault rifles not to include antique firearms, permanently inoperable firearms, or any firearm that is manually operated by bolt, pump, lever, or slide action.

This initiative would add new requirements for the purchase of a semiautomatic assault rifle. Buyers would be required to provide proof that they have completed a recognized firearm safety training program within the past five years. That training program must include instruction on:

- Basic firearms safety rules;
- Firearms and children, including secure gun storage and talking to children about gun safety;

- Firearms and suicide prevention;
- Secure gun storage to prevent unauthorized access and use;
- Safe handling of firearms; and
- State and federal firearms laws, including prohibited firearms transfers.

This initiative would make it illegal for a person under 21 years of age to buy a pistol or semiautomatic assault rifle. It would make it illegal for any person to sell or transfer a semiautomatic assault rifle to a person under age 21. The initiative would prohibit a person between the ages of 18 and 21 from possessing a semiautomatic assault rifle except in the person's residence, fixed place of business, on real property under his or her control, or for other specified purposes.

The initiative would require a dealer to wait at least 10 days before delivering a semiautomatic assault rifle to a buyer. It would also prohibit anyone who is not a resident of Washington from buying a semiautomatic assault rifle in Washington.

The initiative would change some laws that currently apply only to pistols and apply them to both pistols and semiautomatic assault rifles. These include restrictions on delivery when a buyer has an outstanding warrant for his or her arrest. This would also be true for situations in which certain charges or proceedings are pending. Background check and record keeping requirements that currently apply only to the purchase of pistols would also apply to the purchase of semiautomatic assault rifles. The same requirements for collecting and maintaining information on purchases of pistols would apply to purchases of semiautomatic assault rifles.

The initiative would require a new warning on application forms for the purchase of a pistol or semiautomatic assault rifle. This new warning would read:

> CAUTION: The presence of a firearm in the home has been associated with an increased risk of suicide, death during domestic violence incidents, and unintentional deaths to children and others.

The initiative would allow the state to impose a fee of up to $25 on each purchaser of a semiautomatic assault rifle. This fee would be used to offset certain costs of implementing the initiative. The fee would be adjusted for inflation.

The initiative would create new criminal offenses for the unsafe storage of a firearm if a person who cannot legally possess a firearm gets it and uses it in specified ways. These crimes would apply to a person who stores or leaves a firearm in a place where the person knows, or reasonably should know, that a prohibited person may gain access to the firearm. Failure to securely store a firearm would only be a crime if certain other events happen. A person who fails to securely store a firearm would be guilty of a felony if a person who is legally ineligible to possess a firearm uses it to cause personal injury or death. A person who fails to securely store a firearm would be guilty of a gross misdemeanor if a person who is legally ineligible to possess a firearm discharges it, uses it in a way that shows intent to intimidate someone or that warrants alarm for the safety of others, or uses the firearm in the commission of a crime.

The initiative would not mandate how or where a firearm must be stored. But it would provide that the crimes regarding unsecure storage would sometimes not apply. Those crimes would not apply if the firearm was in secure gun storage, meaning a locked box, gun safe, or other locked storage space that is designed to prevent unauthorized use or discharge of a firearm. The crimes also would not apply if the firearm was secured with a trigger lock or similar device that is designed to prevent the unauthorized use or discharge of the firearm. The crimes would not apply if the person who gets the firearm is ineligible to possess it because of age but the access is with parental permission and under adult supervision. The crimes would not apply in cases of self-defense. Finally, the crimes would not apply if the person who is ineligible to possess a firearm obtains it through unlawful entry, if the unauthorized access or theft is reported to law enforcement within five days of the time the victim knew or should have known that the firearm had been taken.

The initiative would require every firearm dealer to offer to sell or give the purchaser or transferee of any firearm a secure gun storage device or trigger lock. It would also require every store, shop, or sales outlet where firearms are sold to post a warning sign advising buyers that they may face criminal prosecution if they store or leave an unsecured firearm where a person prohibited from possessing the firearm can get it. A similar written warning must be delivered to firearm buyers and transferees. Violation of these requirements would be a civil infraction.

Finally, the initiative would require the development of a cost-effective and efficient process to verify that people who have acquired pistols or semiautomatic assault rifles remain eligible to possess a firearm under state and federal law. This process would provide for notice to local chiefs of police and sheriffs to take steps to ensure that persons legally ineligible to possess firearms are not illegally in possession of firearms.

Fiscal Impact Statement

Written by the Office of Financial Management
For more information visit www.ofm.wa.gov/ballot

FISCAL IMPACT SUMMARY

Initiative 1639 changes state laws regarding firearms. It allows the state to collect a fee up to $25 for certain rifle sales and transfers; however, the number of these rifle sales and transfers isn't available. The initiative creates new criminal offenses for unsafe storage of a firearm. The state and local costs related to these criminal offenses cannot be determined as there is no data to estimate the number of cases filed or persons convicted each year. The cost for the annual verification cannot be determined as the process has not been developed. Therefore, the fiscal impacts cannot be determined.

General Assumptions

- The effective date of the initiative is July 1, 2019, except Section 13, which takes effect Jan. 1, 2019.
- The provisions of the initiative apply prospectively, not retroactively.
- No data is available on the number of semiautomatic rifles bought or transferred each year in Washington. Federal law prohibits the tracking of gun purchases (U.S.C. Title 18, Part 1, Chapter 44, Sec. 926).
- Fiscal estimates use the state's fiscal year of July 1 through June 30. Fiscal year 2019 is July 1, 2018, to June 30, 2019.

REVENUE

State Revenue

The Department of Licensing (DOL) would be authorized to charge a fee of up to $25 for each semiautomatic assault rifle (SAR) sale or transfer. (The initiative includes a new definition for SAR.) The fee would be adjusted for inflation. The initiative specifies the distribution of this revenue to state agencies and local law enforcement agencies for record keeping and other related costs they incur. Because data is not available to provide an estimate on the number of SARs purchased, no estimate of state revenue is available. However, the state does have data on the number of background checks conducted for concealed pistol licenses (CPLs) and sales of handguns and long guns (which would include SARs and other long guns). An average of 560,000 such background checks were conducted each year between 2013 and 2017.

Washington state law also requires mental health background checks for all CPLs and handgun sales, but not long gun sales. An average of 300,000 mental health background checks were conducted each year between 2013 and 2017.

Subtracting the number of mental health background checks for CPLs and handguns from the number of criminal checks for CPLs, hand guns and long guns yields an average estimate of 260,000 long gun criminal checks per year. The state does not have data to determine what percentage of the total long gun checks would meet the definition of SAR under the initiative.

EXPENDITURES

State Government Expenditures

Annual verification of eligibility to possess a firearm

The initiative would allow, but would not require, DOL, Washington State Patrol and other state and local law enforcement agencies to form a temporary group to advise on how to set up an efficient, cost-effective process for annual verification of eligibility to possess a firearm. Whether such a group is formed, and what expenses it may incur, are unknown and indeterminate. However, DOL has conducted similar work group activities that cost $15,000.

The initiative does not define the verification process, and DOL has not yet identified a likely option or set of options for annual verifications. Therefore potential costs to state and local governments are indeterminate.

Mental health background checks

The initiative would require mental health background checks for someone to purchase a SAR. Although data is not available to estimate the number of additional mental health background checks that would need to be performed, more work is likely for the Health Care Authority. One or more additional background check specialists could be hired at an annual cost of $83,000 each.

Unsafe storage of a firearm crime

The initiative would create a new class C felony of Community Endangerment Due to Unsafe Storage of a Firearm in the First Degree. It would be punishable by 0–12 months in county jail (see local expenditure impacts). The number of potential prosecutions and convictions of this new crime is unknown.

If an aggravated exceptional sentence were imposed, a sentence exceeding 12 months would result and be served at a state prison. The average cost of a state prison bed is $101 per day.

There would be an indeterminate fiscal impact due to additional filings or trial court proceedings to the Administrative Office of the Courts as a result of any new misdemeanor and/or felony charges.

Dealers registered with DOL would be required to post

warning signs and provide a written warning to a purchaser about secure gun storage. DOL would incur minimal costs to print and mail the warning signs to dealers.

Record keeping

The initiative would require the Department of Licensing to keep records of CPL and SAR applications and transfers. The department already tracks CPL applications and transfers. The addition of SARs to record keeping, as required by the initiative, would increase the data input workload to its firearms database. (While online submission is available, DOL receives 60 percent of applications by mail, in paper form, from dealers and private gun sales.) The department would also incur costs to update forms and upgrade computer systems to add SAR records to its firearms database. DOL would experience rule-making, information services and administrative costs to implement this initiative. One-time costs would be at least $1.1 million and $500,000 annually thereafter. Additional staffing costs could be incurred, depending on the number of SAR records the agency processes.

Local Government Expenditures

Annual verification of eligibility to possess a firearm

If a person is found ineligible to possess a pistol or SAR, the Department of Licensing is required to notify a chief of police or sheriff, who then takes steps to ensure that the person does not illegally possess one. Associated costs are indeterminate.

Unsafe storage of a firearm crime

The initiative would create a new class C felony (Community Endangerment Due to Unsafe Storage of a Firearm in the First Degree). As an unranked Class C felony offense, it is punishable by a standard range term of confinement of 0–12 months in jail.

It also would create a new gross misdemeanor (Community Endangerment Due to Unsafe Storage of a Firearm in the Second Degree). As a gross misdemeanor offense, it is punishable by a standard range term of confinement of 0–364 days in jail.

Average costs to prosecute and defend a comparable felony are $2,260 and, for a comparable misdemeanor, approximately $1,700.

Sentences of less than one year in length are typically served in county jails. The average cost of a county jail bed is $106 per day.

According to local governments, it is unknown how many people may be charged, tried or convicted. Costs are indeterminate for city and county law enforcement agencies, prosecutors, indigent defense attorneys and county jails.

view ballot status

myvote.wa.gov

MyVote

Argument for

***Yes* on I-1639: For Safer Schools and Communities**
Five of the last six school shooters used an assault weapon; 80% of school shooters obtained guns from their own home or that of a relative or friend. Over 187,000 students have experienced school gun violence since 1999. Deadly shootings, including Parkland, Las Vegas, Orlando, and even Mukilteo, involved assault weapons. Enough is enough. We need to get serious about keeping firearms, especially assault weapons, out of the wrong hands.

Assault Weapons are Made to Kill
Assault weapons are not designed for hunting or protecting families from danger; they are military-grade weapons designed to kill large numbers of people. These weapons belong in the hands of trained experts, not people who might harm others.

Commonsense Reforms
In the U.S. military, soldiers are not allowed to handle firearms without training. Yet, anyone in Washington can buy military-grade weapons without training or additional screening. This measure prevents anyone under the age of 21 from purchasing a semi-automatic assault rifle. It requires additional background checks and mandatory training so people who buy these weapons use them safely. I-1639 requires securing these and other deadly weapons, reducing how easily kids and prohibited users can access them.

We Must Act to Reduce Gun Violence
No law will stop every person intent on committing violence, but we must do something. Reducing access to assault weapons and ensuring those who do own assault weapons have safety training is a commonsense reform we urgently need.

Rebuttal of argument against

The gun lobby has a long track record of trying to convince Washingtonians there's nothing we can do to stop the plague of gun violence. They are wrong. This common sense measure requires the same standards for purchasing semi-automatic assault rifles that are already required for handguns. It will not affect law-abiding, responsible gun owners, rather, it will establish common sense safeguards to help prevent dangerous, unlawful access to firearms.

Written by

Paul Kramer, Survivor, Mukilteo shooting; **Ola Jackson**, Student, Rainier Beach High School; **Chris Reykdal**, Washington Superintendent of Public Instruction; **Regina Malveaux**, Member, Washington State Women's Commission, CEO YWCA Spokane; **Mitzi Johanknecht**, King County Sheriff; **Matt Vadnal**, Mill Creek resident, Colonel United States Army Reserve

Contact: (206) 718-3529; info@yeson1639.org; yeson1639.org

Argument against

I-1639 Removes Rights from Law-Abiding Adults
Washington's law-abiding adults aged 18-20 are responsible enough to vote, purchase a home, and serve in our military. Yet I-1639's proponents want you to believe these same adults cannot be trusted to defend themselves or their families and are attempting to use the crimes of a few as a justification to curtail the rights of hundreds of thousands of Washingtonians.

I-1639 Makes Firearms Unavailable for Self-Defense
I-1639 would require gun owners to lock up their firearms or face criminal charges. This strict mandate renders firearms useless in self-defense situations by requiring them to be locked up. The United States Supreme Court invalidated a similar law as a violation of the Second Amendment, but I-1639's proponents are nonetheless seeking to create this unconstitutional requirement in Washington.

I-1639's Misguided Approach Will Not Impact Crime
Handguns- not rifles- are used in the majority of crimes committed with a firearm in Washington. Targeting rifle ownership will only restrict law-abiding adults from accessing them for self-defense, home protection, and hunting.

I-1639 is Another Extreme Seattle Agenda that Fails to Improve Safety
I-1639 is bankrolled by a handful of Seattle billionaires that are more concerned with pushing failed California-style gun control than finding real solutions to make our schools and communities safe. This 33-page initiative requires firearm registration, waiting periods, mandatory government training, firearm storage requirements, purchase tax, and more- none of which will stop criminals or protect our Washington schools.

Rebuttal of argument for

I-1639 is not about "assault weapons". I-1639 targets *all* semi-automatic rifles, *including hunting rifles and target shooting rifles.* These are not fully automatic military grade weapons- these are commonly owned rifles used for self-defense, home protection and hunting. I-1639 places Washingtonians at risk by restricting access to firearms for lawful self-defense, while doing *nothing* to increase security in schools or target violent criminals. Don't let I-1639 leave Washingtonians defenseless. Vote No.

Written by

Brad Klippert, Deputy Sheriff, State Representative, Public Safety Committee; **Jane Milhans**, Home Invasion Survivor, Women's Self-Defense Trainer; **Keely Hopkins**, State Director, National Rifle Association; **Alan Gottlieb**, Founder, Second Amendment Foundation; **Robin Ball**, "Refuse to Be a Victim" Instructor, Spokane Region; **Brian Blake**, State Representative, Democrat, 19th Legislative District

Contact: www.VoteNo1639.org

Initiative Measure No.

940

Initiative Measure No. 940 concerns law enforcement.

This measure would require law enforcement to receive violence de-escalation, mental-health, and first-aid training, and provide first-aid; and change standards for use of deadly force, adding a "good faith" standard and independent investigation.

Should this measure be enacted into law?

[ ] Yes

[ ] No

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The Secretary of State is not responsible for the content of statements or arguments (WAC 434-381-180).

Explanatory Statement

Written by the Office of the Attorney General

The Law as it Presently Exists

State law sets forth when peace officers may use deadly force in carrying out their duties. Peace officers include active police officers, Washington State Patrol officers, and Department of Fish and Wildlife officers with enforcement powers. Under existing law, a peace officer is not criminally liable for using deadly force if the officer acts without malice and with a good faith belief that deadly force is justifiable. The law recognizes certain circumstances where deadly force could be justifiable. For example, it might be justifiable if the force is necessary to overcome resistance. In addition, it might be justifiable if the peace officer believes deadly force is necessary to arrest a suspect who the officer reasonably believes has committed a felony; to prevent escape or recapture an escapee from prison or jail; or to suppress a riot involving a deadly weapon. In the situation where a peace officer uses deadly force to arrest a suspect who may have committed a felony, the officer must have probable cause to believe the suspect poses a threat of serious physical harm if not arrested. Evidence that the suspect poses such a threat could include that the suspect has threatened an officer with a weapon, or that there is probable cause to believe the suspect has committed a crime involving threatened or actual serious physical harm. In such cases, deadly force may also be used if necessary to prevent the suspect's escape after a warning has been issued, if possible.

State law also provides for establishment of a Criminal Justice Training Commission (the Commission) to provide programs and set standards for training law enforcement personnel. Every new full-time law enforcement officer must take eight hours of crisis intervention training during their six months at the basic training academy, but there is no requirement that the Commission provide or that officers take any training specifically dealing with violence de-escalation. And while the Commission must develop and make mental health trainings available to law enforcement officers, state law does not require that officers take these trainings.

Existing state law does not contain any provision regarding a law enforcement officer's duty to render or facilitate first aid.

The Effect of the Proposed Measure if Approved

This measure addresses three aspects of law enforcement. First, it addresses when law enforcement officers may use deadly force. Second, it requires de-escalation and mental health training for officers. Third, it requires officers to provide first aid in certain circumstances.

In general, the new measure applies to "law enforcement officers," which includes "law enforcement personnel" and "peace officers." So, like existing law, it applies to active police officers, Washington State Patrol officers, and Department of Fish and Wildlife officers with enforcement powers. But it also applies to reserve officers and volunteers, or any other public employees whose primary function is enforcement of criminal laws.

The measure would change the standard for when a law enforcement officer may justifiably use deadly force. It would adopt a "good faith" standard that permits a law enforcement officer to use deadly force only if: (1) a reasonable law enforcement officer, in light of all the facts and circumstances known to the officer at the time, would have believed that deadly force was necessary to prevent death or serious physical harm to the officer or another person; and (2) the particular officer intended to use deadly force for a lawful purpose and sincerely and in good faith believed that the use of deadly force was warranted under the circumstances. In other words, to determine if the officer acted in "good faith," the new law would examine not only what a particular officer's intentions were, but also what a reasonable officer would have done under the circumstances. The "good faith" test would apply in the specific situations listed under existing law as justifiable uses of deadly force (such as to prevent escape from a prison), but also would determine whether an officer's use of deadly force is justifiable in any other potential situation that might arise. An officer who uses deadly force would not be criminally liable only if he or she meets the good faith test.

To help determine whether the good faith test is met, the measure would require an independent investigation any time an officer's use of deadly force results in death or substantial or great bodily harm. The investigation would be done by someone other than the agency whose officer was involved in the use of deadly force. If deadly force is used on a tribal member, the investigation must include consultation with the member's tribe and any appropriate information sharing.

The second change is that beginning in 2019, the measure would require all law enforcement officers in the state to take violence de-escalation and mental health trainings developed by the Criminal Justice Training Commission. All existing law enforcement officers would be required to take both trainings by a date to be set by the Commission, and all new officers would need to take both trainings within fifteen months of starting employment. The initial violence de-escalation training must educate officers on the good faith standard for use of deadly force. In addition to the initial trainings, all law enforcement officers would be required to periodically take continuing violence de-escalation and mental health trainings to practice their

skills, update their knowledge and training, and learn about new legal requirements.

The Commission would be required to consult with law enforcement agencies and community stakeholders to come up with a curriculum for the violence de-escalation and mental health trainings, and to set specific training requirements—for example, how many hours the trainings will be and how officers will receive the trainings. In addition, the Commission would set a requirement that officers take the trainings to maintain their certification. The Commission would be required to consider a number of specific subjects to include in the curriculum, including: patrol tactics to avoid escalating situations that lead to violence; alternatives to jail booking, arrests, or citations; implicit and explicit bias, cultural competency, and the historical intersection of race and policing; de-escalation techniques for dealing with people with disabilities and/or behavioral health issues; "shoot/don't shoot" scenario training; alternatives to the use of physical or deadly force so that such force is only used as a last resort; mental health and policing; and using public service, including rendering first aid, to provide more opportunities for positive interactions with the community. For the mental health trainings, the Commission would be allowed to use the existing curriculum it currently offers on mental health and crisis intervention.

The third change is that the measure would require law enforcement personnel to provide first-aid to save lives, and require the Commission to consult with law enforcement agencies to adopt guidelines for implementing this duty. The guidelines must establish first aid training requirements; assist agencies and law enforcement officers in balancing competing public health and safety duties; and establish that law enforcement officers have a paramount duty to preserve the life of persons they come into contact with, including providing or facilitating first aid as early as possible.

The Commission may adopt any rules required to carry out the objectives of the measure, and if it does adopt rules it must seek input from the Attorney General, law enforcement agencies, tribes, and community stakeholders.

Fiscal Impact Statement

Written by the Office of Financial Management
For more information visit www.ofm.wa.gov/ballot

FISCAL IMPACT

Initiative 940 requires all law enforcement officers in the state to receive violence de-escalation and mental health training, as developed by the Criminal Justice Training Commission. There will be costs for the state to develop the training and costs for state and local government certified peace officers to take the training. The fiscal impacts cannot be determined because the training has not been developed at this time.

GENERAL ASSUMPTIONS

- The effective date of the initiative is Dec. 6, 2018.
- The provisions of the initiative apply prospectively, not retroactively.
- Estimates use the state's fiscal year of July 1 through June 30. Fiscal year 2019 is July 1, 2018, to June 30, 2019.

REVENUE

State revenue impacts

This initiative will have an indeterminate state revenue impact. While the entity providing the training may charge a reasonable fee, the initiative does not specify whether local governments or the state should pay for the training. Although the Criminal Justice Training Commission may charge a fee if it provides the training, the fee has not been determined.

Local revenue impacts

Local governments may charge a fee for providing the training, which cannot be estimated at this time.

EXPENDITURES

State government expenditures

The initiative would have an indeterminate state expenditure impact. The Criminal Justice Training Commission would consult with law enforcement agencies and community stakeholders to adopt rules for carrying out the initiative's training requirements. The Commission estimates each law enforcement officer would require at least 40 hours of additional training to meet the requirements. The stakeholder advisory group may recommend more hours of training, but for the purposes of this analysis, 40 hours of initial training and two hours of refresher training each year thereafter are assumed. According to the Washington Association of Sheriffs and Police Chiefs' publication 2017 Full Time Law Enforcement Employees Data, the Commission may have to train more than 10,000 law enforcement officers. This number includes state and local certified peace officers, but excludes tribal police officers.

The initiative allows the Commission, private parties or law enforcement agencies to provide training. The cost of the training is indeterminate because it is unknown who would provide the training; however, the expenditure impacts above assume the Commission would provide the initial training and refresher training spread out over multiple years to all current certified peace officers.

To meet training requirements, the Commission would need to hire a curriculum developer for the initial training and the refresher training. It would also require a program manager, administrative support staff, special skills instructors, firearm simulators, facility costs and other equipment. Ongoing annual costs for the initial training and the two-hour refresher training would be the same as the first year, but would include online training. The Commission assumes providing initial training to more than 1,300 officers a year. The Commission estimates the first-year costs at $1.26 million and ongoing annual costs at $900,000.

Costs for taking training

The initiative would have an indeterminate state expenditure impact for those agencies with state certified peace officers taking the training. However, if the Commission were to require an additional 40 hours of training for each state certified peace officer, the expenditure amount could be $2 million. Annual impacts for the two-hour refresher training could impact state agencies that employ commissioned certified peace officers, up to $107,000. The expenditure impacts are based on the following assumptions:

- The costs above reflect the backfill or pay overtime to officers who attend training; they don't account for the actual cost of training.
- The state employed 1,585 certified peace officers in 2017.
- The average hourly salary for certified peace officers is $33.61.
- The subsequent fiscal year assumptions don't include training costs for new hires because it is unknown how many state certified peace officers will be hired by the affected state agencies and when they may start training.

All certified peace officers, as required in the Washington Administrative Code 139-05-300, must receive continuing education and training that includes crisis intervention training. The current training may partially meet the Commission's requirements, which could reduce the expenditure impacts to local governments. If the Commission requires an extra 40 hours of training, annual costs for state and local law enforcement could be $900,000 a fiscal year, as reflected in the state expenditure impact for the Commission.

Local government expenditures

The initiative would have an indeterminate local expenditure impact. If, for example, the Commission were to require an additional 40 hours of training for each certified peace officer, the cost for training could have an expenditure impact of more than $12 million. Refresher training, as required by the Commission, may take two hours and could cost local governments $605,000 per year. This expenditure impact assumes all certified peace officers would be trained in one year. Depending on who conducts the training and how long it takes to complete the training, the $12 million could be spread over multiple years.

The local government expenditure impact is also based on the following:

- The cost assumptions above reflect the backfill or overtime pay to officers who attend training; they don't account for the cost of training.
- Local police departments employed more than 9,000 certified peace officers in 2017.
- The average hourly salary for certified peace officers is $33.61.
- The subsequent fiscal year assumptions don't include training costs for any new hires because it is unknown how many peace officers would be hired by local law enforcement agencies and when they may start training.

All certified peace officers, as required in the Washington Administrative Code 139-05-300, must receive continuing education and training that includes crisis intervention training. The current training may partially meet the Commission's requirements, which could reduce the expenditure impacts to local governments. If the Commission conducts the estimated 40 hours of initial and the two-hour refresher training, the annual costs for training could be $900,000 a fiscal year. These costs are already reflected in the Commission's expenditure impact above.

Argument for

Washington ranks fifth in the nation in number of deaths from police use of force. The loss of life is devastating for families and officers. Our state law makes it virtually impossible to prosecute an officer. I-940 creates a fair process to determine if an officer acted reasonably, uses a good faith standard in place in twenty-seven states, and requires independent investigations so police do not investigate themselves, which will build trust.

I-940 will save lives.
940 mandates de-escalation and mental health training and requires first aid at the scene. This is common sense. The focus on prevention will help save lives.

I-940 protects people experiencing mental health crises.
Up to a third of those killed by police in Washington State have signs of mental illness. I-940 improves mental health training so officers can handle difficult situations and keep people with mental illness safe.

I-940 acknowledges the tensions driven by racial and economic differences.
People with disabilities, people of color, youth, Native Americans, LGBTQ+, and people in poverty are sometimes misunderstood in a crisis. I-940 provides modern training to help officers communicate with people from all walks of life, to better understand the people they serve, making everyone safer.

I-940 is supported by both community organizations and law enforcement leaders.
The training in I-940 is effective in police departments across the country, and is why local law enforcement leaders as well as OneAmerica, Children's Alliance, Equal Rights Washington, Moms Rising, ACLU, and the League of Women Voters support I-940.

Rebuttal of argument against

Since 1986, state law has shielded officers who unnecessarily kill people by requiring proof of "malice," or evil intent, a subjective standard virtually impossible to prove. Washington is the only state with this standard. Since 2005, police have killed over 300 Washingtonians, up to a third showing signs of mental illness. Only one officer was charged, and acquitted. Washington's families deserve an objective standard, independent investigations, and better training—improvements that will increase community safety.

Written by

Lisa Earl, mother of Jackie Salyers, Puyallup Tribe member; **Katrina Johnson**, cousin of Charleena Lyles; **Mitzi Johanknecht**, King County Sheriff; **Larry Sanchez**, Retired Grant County Deputy Sheriff; **Lauren Simonds**, Washington National Alliance on Mental Illness; **Mark Stroh**, Executive Director Disability Rights Washington

Contact: (360) 453-7898; info@de-escalatewa.org; https://www.deescalatewa.org/

Argument against

Public Safety Opposes I-940
Vote *no*

I-940 is a complex proposal that will create confusion and could compromise public safety.

Washington's first responders fundamentally believe that portions of I-940 are bad public policy, costly to implement, fail to provide funding or resources to improve training, will erode public safety, and will not reduce violent interactions between members of the public and law enforcement. I-940 pits the public against law enforcement. I-940 divides rather than unites.

Washington's peace officers are well trained and sensitive to the needs of the community. During the 2018 Legislative session an historic collaboration between the authors and supporters of I-940 and law enforcement resulted in a comprehensive effort to review and reform some areas addressed in the initiative. A continuation of that effort needs to occur.

Initiative 940, as written, would force police officers to hesitate in performing their responsibilities putting the public and officers' lives at risk. Please vote no on I-940 now and allow the 2019 Legislature to pass the comprehensive changes that address every component of the necessary reforms. These reforms must include adequate financial funding, community input, and legislative review to insure all concerns are fully addressed. I-940 falls far short in achieving these goals.

Please join *all* law enforcement in voting *"no"* on I-940.

Rebuttal of argument for

Law enforcement is unified in its belief that I-940 is bad public policy that will be costly to implement, will fail to provide funding or resources to improve training, will erode public safety, and will not reduce violent interactions between the public and law enforcement. I-940 divides more than it unites. For these reasons, law enforcement stands in opposition to I-940. We ask you to join us and *vote no*.

Written by

Mike Solan, Council of Metropolitan Police and Sheriffs; **Teresa Taylor**, Washington Council of Police & Sheriffs; **James Schrimpsher**, Washington Fraternal Order of Police;; **Jeff Merrill**, Washington State Patrol Troopers Association; **Mike Padden,** State Senator (R), Spokane Valley

Contact: 206-247-8889;
http://coalitionforasaferwashington.com/

ADVISORY VOTES

What's an advisory vote?

Advisory votes are non-binding. The results will **not** change the law.

Repeal or maintain?

You are advising the Legislature to repeal or maintain a tax increase.

Repeal - you *don't favor* the tax increase.

Maintain - you *favor* the tax increase.

Want more info?

Contact your legislator. Their contact information is on the following pages.

View the complete text of the bill at **www.vote.wa.gov/completetext.**

View additional cost information at **www.ofm.wa.gov/ballot.**

Advisory votes are the result of Initiative 960, approved by voters in 2007.

Advisory Vote No.

19

Engrossed Second Substitute Senate Bill 6269

The legislature expanded, without a vote of the people, the oil spill response and administration taxes to crude oil or petroleum products received by pipeline, costing $13,000,000 over ten years for government spending.

This tax increase should be:

[ ] Repealed

[ ] Maintained

Ten-Year Projection

Provided by the Office of Financial Management
For more information visit **www.ofm.wa.gov/ballot**

Engrossed Second Substitute Senate Bill 6269 (E2SSB 6269)			
Fiscal Year	Oil Spill Administration Tax	Oil Spill Response Tax	Total
2018	$ 224,000	$ 56,000	**$ 280,000**
2019	1,344,000	28,000	**$ 1,372,000**
2020	1,344,000		**$ 1,344,000**
2021	1,344,000		**$ 1,344,000**
2022	1,344,000	308,000	**$ 1,652,000**
2023	1,344,000	336,000	**$ 1,680,000**
2024	1,344,000	28,000	**$ 1,372,000**
2025	1,344,000		**$ 1,344,000**
2026	1,344,000		**$ 1,344,000**
2027	1,344,000	308,000	**$ 1,652,000**
Total:	**$ 12,320,000**	**$ 1,064,000**	**$ 13,384,000**

Final Votes Cast by the Legislature

Senate: Yeas, 42; Nays, 7; Absent, 0; Excused, 0
House: Yeas, 62; Nays, 35; Absent, 0; Excused, 1

Final Votes Cast by Each Legislator

District 1
Sen. Guy Palumbo
(D, Snohomish), (360) 786-7600
guy.palumbo@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Derek Stanford
(D, Bothell), (360) 786-7928
derek.stanford@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Shelley Kloba
(D, Kirkland), (360) 786-7900
shelley.kloba@leg.wa.gov
E2SSB 6269 (AV19): Yea

District 2
Sen. Randi Becker
(R, Eatonville), (360) 786-7602
randi.becker@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Andrew Barkis
(R, Olympia), (360) 786-7824
andrew.barkis@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. J.T. Wilcox
(R, Yelm), (360) 786-7912
jt.wilcox@leg.wa.gov
E2SSB 6269 (AV19): Nay

District 3
Sen. Andy Billig
(D, Spokane), (360) 786-7604
andy.billig@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Marcus Riccelli
(D, Spokane), (360) 786-7888
marcus.riccelli@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Timm Ormsby
(D, Spokane), (360) 786-7946
timm.ormsby@leg.wa.gov
E2SSB 6269 (AV19): Yea

District 4
Sen. Mike Padden
(R, Spokane Valley), (360) 786-7606
mike.padden@leg.wa.gov
E2SSB 6269 (AV19): Nay

Rep. Matt Shea
(R, Spokane Valley), (360) 786-7984
matt.shea@leg.wa.gov
E2SSB 6269 (AV19): Nay

Rep. Bob McCaslin
(R, Spokane Valley), (360) 786-7820
bob.mccaslin@leg.wa.gov
E2SSB 6269 (AV19): Nay

District 5
Sen. Mark Mullet
(D, Issaquah), (360) 786-7608
mark.mullet@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Jay Rodne
(R, Snoqualmie), (360) 786-7852
jay.rodne@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Paul Graves
(R, Fall City), (360) 786-7876
paul.graves@leg.wa.gov
E2SSB 6269 (AV19): Yea

District 6
Sen. Michael Baumgartner
(R, Spokane), (360) 786-7610
michael.baumgartner@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Mike Volz
(R, Spokane), (360) 786-7922
mike.volz@leg.wa.gov
E2SSB 6269 (AV19): Nay

Rep. Jeff Holy
(R, Cheney), (360) 786-7962
jeff.holy@leg.wa.gov
E2SSB 6269 (AV19): Nay

District 7
Sen. Shelly Short
(R, Addy), (360) 786-7612
shelly.short@leg.wa.gov
E2SSB 6269 (AV19): Nay

Rep. Jacquelin Maycumber
(R, Republic), (360) 786-7908
jacquelin.maycumber@leg.wa.gov
E2SSB 6269 (AV19): Nay

Rep. Joel Kretz
(R, Wauconda), (360) 786-7988
joel.kretz@leg.wa.gov
E2SSB 6269 (AV19): Nay

District 8
Sen. Sharon Brown
(R, Kennewick), (360) 786-7614
sharon.brown@leg.wa.gov
E2SSB 6269 (AV19): Nay

Rep. Brad Klippert
(R, Kennewick), (360) 786-7882
brad.klippert@leg.wa.gov
E2SSB 6269 (AV19): Nay

Rep. Larry Haler
(R, Richland), (360) 786-7986
larry.haler@leg.wa.gov
E2SSB 6269 (AV19): Nay

Initiative 960, approved by voters in 2007, requires a list of every Legislator, their party preference, hometown, contact information, and how they voted on each bill resulting in an Advisory Vote.

District 9
Sen. Mark Schoesler
(R, Ritzville), (360) 786-7620
mark.schoesler@leg.wa.gov
E2SSB 6269 (AV19): Nay

Rep. Mary Dye
(R, Pomeroy), (360) 786-7942
mary.dye@leg.wa.gov
E2SSB 6269 (AV19): Nay

Rep. Joe Schmick
(R, Colfax), (360) 786-7844
joe.schmick@leg.wa.gov
E2SSB 6269 (AV19): Nay

District 10
Sen. Barbara Bailey
(R, Oak Harbor), (360) 786-7618
barbara.bailey@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Norma Smith
(R, Clinton), (360) 786-7884
norma.smith@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Dave Hayes
(R, Camano Island), (360) 786-7914
dave.hayes@leg.wa.gov
E2SSB 6269 (AV19): Yea

District 11
Sen. Bob Hasegawa
(D, Seattle), (360) 786-7616
bob.hasegawa@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Zack Hudgins
(D, Tukwila), (360) 786-7956
zack.hudgins@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Steve Bergquist
(D, Renton), (360) 786-7862
steve.bergquist@leg.wa.gov
E2SSB 6269 (AV19): Yea

District 12
Sen. Brad Hawkins
(R, East Wenatchee), (360) 786-7622
brad.hawkins@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Cary Condotta
(R, Wenatchee), (360) 786-7954
cary.condotta@leg.wa.gov
E2SSB 6269 (AV19): Nay

Rep. Mike Steele
(R, Chelan), (360) 786-7832
mike.steele@leg.wa.gov
E2SSB 6269 (AV19): Nay

District 13
Sen. Judy Warnick
(R, Moses Lake), (360) 786-7624
judy.warnick@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Tom Dent
(R, Moses Lake), (360) 786-7932
tom.dent@leg.wa.gov
E2SSB 6269 (AV19): Nay

Rep. Matt Manweller
(R, Ellensburg), (360) 786-7808
matt.manweller@leg.wa.gov
E2SSB 6269 (AV19): Excused

District 14
Sen. Curtis King
(R, Yakima), (360) 786-7626
curtis.king@leg.wa.gov
E2SSB 6269 (AV19): Nay

Rep. Norm Johnson
(R, Yakima), (360) 786-7810
norm.johnson@leg.wa.gov
E2SSB 6269 (AV19): Nay

Rep. Gina Mosbrucker
(R, Goldendale), (360) 786-7856
gina.mosbrucker@leg.wa.gov
E2SSB 6269 (AV19): Yea

District 15
Sen. Jim Honeyford
(R, Sunnyside), (360) 786-7684
jim.honeyford@leg.wa.gov
E2SSB 6269 (AV19): Nay

Rep. Bruce Chandler
(R, Granger), (360) 786-7960
bruce.chandler@leg.wa.gov
E2SSB 6269 (AV19): Nay

Rep. David Taylor
(R, Moxee), (360) 786-7874
david.taylor@leg.wa.gov
E2SSB 6269 (AV19): Nay

District 16
Sen. Maureen Walsh
(R, College Place), (360) 786-7630
maureen.walsh@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Bill Jenkin
(R, Prosser), (360) 786-7836
bill.jenkin@leg.wa.gov
E2SSB 6269 (AV19): Nay

Rep. Terry Nealey
(R, Dayton), (360) 786-7828
terry.nealey@leg.wa.gov
E2SSB 6269 (AV19): Nay

District 17
Sen. Lynda Wilson
(R, Vancouver), (360) 786-7632
lynda.wilson@leg.wa.gov
E2SSB 6269 (AV19): Nay

Rep. Vicki Kraft
(R, Vancouver), (360) 786-7994
vicki.kraft@leg.wa.gov
E2SSB 6269 (AV19): Nay

Rep. Paul Harris
(R, Vancouver), (360) 786-7976
paul.harris@leg.wa.gov
E2SSB 6269 (AV19): Yea

District 18
Sen. Ann Rivers
(R, La Center), (360) 786-7634
ann.rivers@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Brandon Vick
(R, Vancouver), (360) 786-7850
brandon.vick@leg.wa.gov
E2SSB 6269 (AV19): Nay

Rep. Liz Pike
(R, Camas), (360) 786-7812
liz.pike@leg.wa.gov
E2SSB 6269 (AV19): Nay

District 19
Sen. Dean Takko
(D, Longview), (360) 786-7636
dean.takko@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Jim Walsh
(R, Aberdeen), (360) 786-7806
jim.walsh@leg.wa.gov
E2SSB 6269 (AV19): Nay

Rep. Brian Blake
(D, Aberdeen), (360) 786-7870
brian.blake@leg.wa.gov
E2SSB 6269 (AV19): Yea

District 20
Sen. John Braun
(R, Centralia), (360) 786-7638
john.braun@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Richard DeBolt
(R, Chehalis), (360) 786-7896
richard.debolt@leg.wa.gov
E2SSB 6269 (AV19): Nay

Rep. Ed Orcutt
(R, Kalama), (360) 786-7990
ed.orcutt@leg.wa.gov
E2SSB 6269 (AV19): Nay

District 21
Sen. Marko Liias
(D, Everett), (360) 786-7640
marko.liias@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Strom Peterson
(D, Edmonds), (360) 786-7950
strom.peterson@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Lillian Ortiz-Self
(D, Mukilteo), (360) 786-7972
lillian.ortiz-self@leg.wa.gov
E2SSB 6269 (AV19): Yea

District 22
Sen. Sam Hunt
(D, Olympia), (360) 786-7642
sam.hunt@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Laurie Dolan
(D, Olympia), (360) 786-7940
laurie.dolan@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Beth Doglio
(D, Olympia), (360) 786-7992
beth.doglio@leg.wa.gov
E2SSB 6269 (AV19): Yea

District 23
Sen. Christine Rolfes
(D, Bainbridge Island), (360) 786-7644
christine.rolfes@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Sherry Appleton
(D, Poulsbo), (360) 786-7934
sherry.appleton@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Drew Hansen
(D, Bainbridge Island), (360) 786-7842
drew.hansen@leg.wa.gov
E2SSB 6269 (AV19): Yea

District 24
Sen. Kevin Van De Wege
(D, Sequim), (360) 786-7646
kevin.vandewege@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Mike Chapman
(D, Port Angeles), (360) 786-7916
mike.chapman@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Steve Tharinger
(D, Sequim), (360) 786-7904
steve.tharinger@leg.wa.gov
E2SSB 6269 (AV19): Yea

Don't know which legislative district you live in?
Call the legislative hotline at **(800) 562-6000** or visit **www.leg.wa.gov.**

District 25
Sen. Hans Zeiger
(R, Puyallup), (360) 786-7648
hans.zeiger@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Melanie Stambaugh
(R, Puyallup), (360) 786-7948
melanie.stambaugh@leg.wa.gov
E2SSB 6269 (AV19): Nay

Rep. Joyce McDonald
(R, Puyallup), (360) 786-7968
joyce.mcdonald@leg.wa.gov
E2SSB 6269 (AV19): Nay

District 26
Sen. Jan Angel
(R, Port Orchard), (360) 786-7650
jan.angel@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Jesse Young
(R, Gig Harbor), (360) 786-7964
jesse.young@leg.wa.gov
E2SSB 6269 (AV19): Nay

Rep. Michelle Caldier
(R, Port Orchard), (360) 786-7802
michelle.caldier@leg.wa.gov
E2SSB 6269 (AV19): Yea

District 27
Sen. Jeannie Darneille
(D, Tacoma), (360) 786-7652
jeannie.darneille@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Laurie Jinkins
(D, Tacoma), (360) 786-7930
laurie.jinkins@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Jake Fey
(D, Tacoma), (360) 786-7974
jake.fey@leg.wa.gov
E2SSB 6269 (AV19): Yea

District 28
Sen. Steve O'Ban
(R, Tacoma), (360) 786-7654
steve.oban@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Dick Muri
(R, Steilacoom), (360) 786-7890
dick.muri@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Christine Kilduff
(D, University Place), (360) 786-7958
christine.kilduff@leg.wa.gov
E2SSB 6269 (AV19): Yea

District 29
Sen. Steve Conway
(D, Tacoma), (360) 786-7656
steve.conway@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. David Sawyer
(D, Tacoma), (360) 786-7906
david.sawyer@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Steve Kirby
(D, Tacoma), (360) 786-7996
steve.kirby@leg.wa.gov
E2SSB 6269 (AV19): Yea

District 30
Sen. Mark Miloscia
(R, Federal Way), (360) 786-7658
mark.miloscia@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Mike Pellicciotti
(D, Federal Way), (360) 786-7898
mike.pellicciotti@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Kristine Reeves
(D, Federal Way), (360) 786-7830
kristine.reeves@leg.wa.gov
E2SSB 6269 (AV19): Yea

District 31
Sen. Phil Fortunato
(R, Kent), (360) 786-7660
phil.fortunato@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Drew Stokesbary
(R, Auburn), (360) 786-7846
drew.stokesbary@leg.wa.gov
E2SSB 6269 (AV19): Nay

Rep. Morgan Irwin
(R, Enumclaw), (360) 786-7866
morgan.irwin@leg.wa.gov
E2SSB 6269 (AV19): Nay

District 32
Sen. Maralyn Chase
(D, Edmonds), (360) 786-7662
maralyn.chase@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Cindy Ryu
(D, Shoreline), (360) 786-7880
cindy.ryu@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Ruth Kagi
(D, Seattle), (360) 786-7910
ruth.kagi@leg.wa.gov
E2SSB 6269 (AV19): Yea

District 33
Sen. Karen Keiser
(D, Des Moines), (360) 786-7664
karen.keiser@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Tina Orwall
(D, Des Moines), (360) 786-7834
tina.orwall@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Mia Gregerson
(D, SeaTac), (360) 786-7868
mia.gregerson@leg.wa.gov
E2SSB 6269 (AV19): Yea

District 34
Sen. Sharon Nelson
(D, Vashon), (360) 786-7667
sharon.nelson@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Eileen Cody
(D, West Seattle), (360) 786-7978
eileen.cody@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Joe Fitzgibbon
(D, West Seattle), (360) 786-7952
joe.fitzgibbon@leg.wa.gov
E2SSB 6269 (AV19): Yea

District 35
Sen. Tim Sheldon
(D, Shelton), (360) 786-7668
timothy.sheldon@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Dan Griffey
(R, Allyn), (360) 786-7966
dan.griffey@leg.wa.gov
E2SSB 6269 (AV19): Nay

Rep. Drew MacEwen
(R, Union), (360) 786-7902
drew.macewen@leg.wa.gov
E2SSB 6269 (AV19): Nay

District 36
Sen. Reuven Carlyle
(D, Seattle), (360) 786-7670
reuven.carlyle@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Noel Frame
(D, Seattle), (360) 786-7814
noel.frame@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Gael Tarleton
(D, Ballard), (360) 786-7860
gael.tarleton@leg.wa.gov
E2SSB 6269 (AV19): Yea

District 37
Sen. Rebecca Saldaña
(D, Seattle), (360) 786-7688
rebecca.saldana@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Sharon Tomiko Santos
(D, Seattle), (360) 786-7944
sharontomiko.santos@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Eric Pettigrew
(D, Seattle), (360) 786-7838
eric.pettigrew@leg.wa.gov
E2SSB 6269 (AV19): Yea

District 38
Sen. John McCoy
(D, Tulalip), (360) 786-7674
john.mccoy@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. June Robinson
(D, Everett), (360) 786-7864
june.robinson@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Mike Sells
(D, Everett), (360) 786-7840
mike.sells@leg.wa.gov
E2SSB 6269 (AV19): Yea

District 39
Sen. Keith Wagoner
(R, Sedro-Woolley), (360) 786-7676
keith.wagoner@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Dan Kristiansen
(R, Snohomish), (360) 786-7967
dan.kristiansen@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Carolyn Eslick
(R, Sultan), (360) 786-7816
carolyn.eslick@leg.wa.gov
E2SSB 6269 (AV19): Nay

District 40
Sen. Kevin Ranker
(D, Deer Harbor), (360) 786-7678
kevin.ranker@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Kristine Lytton
(D, Anacortes), (360) 786-7800
kristine.lytton@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Jeff Morris
(D, Mount Vernon), (360) 786-7970
jeff.morris@leg.wa.gov
E2SSB 6269 (AV19): Yea

Initiative 960, approved by voters in 2007, requires a list of every Legislator, their party preference, hometown, contact information, and how they voted on each bill resulting in an Advisory Vote.

District 41
Sen. Lisa Wellman
(D, Mercer Island), (360) 786-7641
lisa.wellman@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Tana Senn
(D, Mercer Island), (360) 786-7894
tana.senn@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Judy Clibborn
(D, Mercer Island), (360) 786-7926
judy.clibborn@leg.wa.gov
E2SSB 6269 (AV19): Yea

District 42
Sen. Doug Ericksen
(R, Ferndale), (360) 786-7682
doug.ericksen@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Luanne Van Werven
(R, Lynden), (360) 786-7980
luanne.vanwerven@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Vincent Buys
(R, Lynden), (360) 786-7854
vincent.buys@leg.wa.gov
E2SSB 6269 (AV19): Yea

District 43
Sen. Jamie Pedersen
(D, Seattle), (360) 786-7628
jamie.pedersen@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Nicole Macri
(D, Seattle), (360) 786-7826
nicole.macri@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Frank Chopp
(D, Seattle), (360) 786-7920
frank.chopp@leg.wa.gov
E2SSB 6269 (AV19): Yea

District 44
Sen. Steve Hobbs
(D, Lake Stevens), (360) 786-7686
steve.hobbs@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. John Lovick
(D, Mill Creek), (360) 786-7804
john.lovick@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Mark Harmsworth
(R, Mill Creek), (360) 786-7892
mark.harmsworth@leg.wa.gov
E2SSB 6269 (AV19): Nay

District 45
Sen. Manka Dhingra
(D, Redmond), (360) 786-7672
manka.dhingra@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Roger Goodman
(D, Kirkland), (360) 786-7878
roger.goodman@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Larry Springer
(D, Kirkland), (360) 786-7822
larry.springer@leg.wa.gov
E2SSB 6269 (AV19): Yea

District 46
Sen. David Frockt
(D, Seattle), (360) 786-7690
david.frockt@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Gerry Pollet
(D, Seattle), (360) 786-7886
gerry.pollet@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Javier Valdez
(D, Seattle), (360) 786-7818
javier.valdez@leg.wa.gov
E2SSB 6269 (AV19): Yea

District 47
Sen. Joe Fain
(R, Auburn), (360) 786-7692
joe.fain@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Mark Hargrove
(R, Covington), (360) 786-7918
mark.hargrove@leg.wa.gov
E2SSB 6269 (AV19): Nay

Rep. Pat Sullivan
(D, Covington), (360) 786-7858
pat.sullivan@leg.wa.gov
E2SSB 6269 (AV19): Yea

District 48
Sen. Patty Kuderer
(D, Bellevue), (360) 786-7694
patty.kuderer@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Vandana Slatter
(D, Bellevue), (360) 786-7936
vandana.slatter@leg.wa.gov
E2SSB 6269 (AV19): Yea

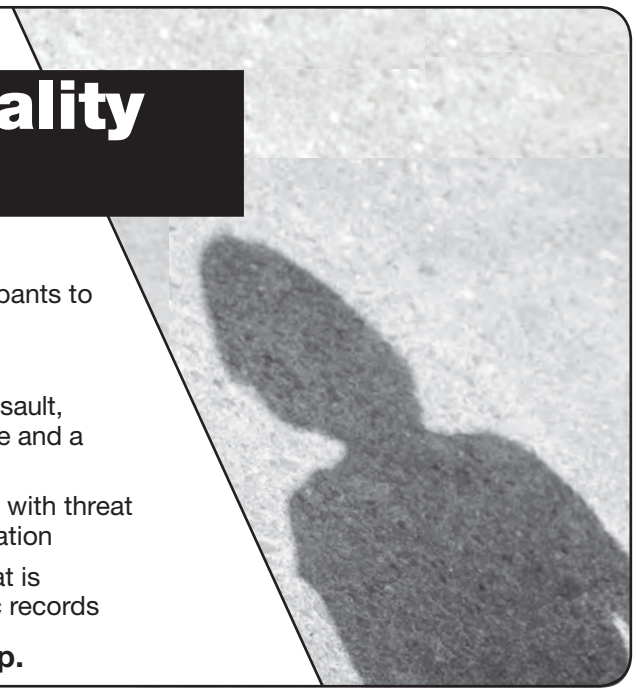
Rep. Joan McBride
(D, Kirkland), (360) 786-7848
joan.mcbride@leg.wa.gov
E2SSB 6269 (AV19): Yea

District 49
Sen. Annette Cleveland
(D, Vancouver), (360) 786-7696
annette.cleveland@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Sharon Wylie
(D, Vancouver), (360) 786-7924
sharon.wylie@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Monica Jurado Stonier
(D, Vancouver), (360) 786-7872
monica.stonier@leg.wa.gov
E2SSB 6269 (AV19): Yea

Address confidentiality for crime survivors



Keep your voting address confidential

The Address Confidentiality Program can register participants to vote without creating a public record.

To be eligible:

- you must be a survivor of domestic violence, sexual assault, trafficking or stalking, or be employed in criminal justice and a target of felony harassment on the job
- you must meet with a victim advocate who can assist with threat assessment, safety planning, and the program application
- you should have recently moved to a new location that is unknown to the offender and undocumented in public records

Call (800) 822-1065 or visit **www.sos.wa.gov/acp.**

Federal Qualifications & Responsibilities

Except for the President and Vice President, all federal officials elected in Washington must be registered voters of the state. Only federal offices have age requirements above and beyond being a registered voter.

Congress

The U.S. Senate and House of Representatives have equal responsibility for declaring war, maintaining the armed forces, assessing taxes, borrowing money, minting currency, regulating commerce, and making all laws and budgets necessary for the operation of government.

U.S. Senator

Senators must be at least 30 years old and citizens of the U.S. for at least nine years. Senators serve six-year terms. The Senate has 100 members; two from each state.

The Senate has several exclusive powers, including consenting to treaties, confirming federal appointments made by the President, and trying federal officials impeached by the House of Representatives.

U.S. Representative

Representatives must be at least 25 years old and citizens of the U.S. for at least seven years. Representatives are not required to be registered voters of their district, but must be registered voters of the state. Representatives serve two-year terms.

The House of Representatives has 435 members, all of whom are up for election in even-numbered years. Each state has a different number of members based on population. After the 2010 Census, Washington was given a 10th Congressional District.

Who donates to campaigns?

View financial contributors for federal candidates:

Federal Election Commission

www.fec.gov
Toll Free (800) 424-9530

Candidate statements are printed exactly as submitted. The Office of the Secretary of State does not make corrections of any kind or verify statements for truth or fact.

Maria
Cantwell
(Prefers Democratic Party)

Elected Experience
U.S. Senate 2001-present, U.S. House of Representatives 1993-1995, Washington State Legislature 1987-1993.

Other Professional Experience
Real Networks, Vice President of Marketing & Senior Vice President of the Consumer Products Division 1995-2000.

Education
First in her family to graduate college with the help of financial aid. Received B.A. in Public Administration from Miami University.

Community Service
Maria is an avid hiker and outdoorswoman who has summited Mt. Rainier, Mt. Adams, Grand Teton, Kilimanjaro, and hopes to tackle more of our nation's highest peaks.

Statement
Maria fights to do what's right for Washingtonians. She knows too many Washington families struggle to get by. Maria has worked to help create family-wage jobs and prepare America's workforce for 21st century innovation. She has passed laws to help our agriculture, aviation, maritime, fishing, and bustling port economies.

Housing costs are skyrocketing. That's why Maria successfully worked across the aisle to increase federal incentives to build more affordable housing. She fought to save the Affordable Care Act. Maria kept her promise to protect Social Security, Medicare, and Medicaid. She supported new laws to ensure veterans receive the healthcare they deserve. Maria believes prescription drugs should be affordable and pharmaceutical companies should be held accountable for flooding communities with addictive painkillers and she helped secure increased funding for law enforcement and treatment.

Making the dream of college education more affordable, Maria supports increasing Pell grants, allowing students to refinance loans, and she helped pass a 21st Century GI Bill to expand educational opportunities for veterans. Washington leads in aerospace and manufacturing trades. That's why Maria's bipartisan legislation creates the first federal tax incentive for apprenticeships - retraining veterans and laid-off workers at community colleges.

Maria helps grow Washington's tech industry by fighting for Net Neutrality and cybersecurity.

First responders are heroes who need support. Maria fought for wildfire funding focusing on prevention, protecting lives, and growing rural jobs. A vibrant outdoor economy supports rural communities. Maria led the charge to stop fee hikes in our National Parks and prevented oil exploration off Washington's coasts. She believes in state tax deductibility. Congress, like small business, needs to live within its means. Maria believes PAYGO measures fight our deficit.

Our American values are being challenged. We need to keep Maria in the other Washington fighting for our Washington values.

Contact
(206) 682-7328; maria@cantwell.com; www.cantwell.com

continue

Susan
Hutchison
(Prefers Republican Party)

Elected Experience
Chairman, Washington State Republican Party 2013-18; Winner, 2009 County Executive Primary, Seattle Times endorsement

Other Professional Experience
20 years TV News Journalist KIRO(CBS)-Five Emmys; 10 years Executive Director, Simonyi Fund for Arts and Sciences

Education
Bachelor of Science, University of Florida; Certificate, National Security Forum, USAF Air University

Community Service
Seattle Colleges Advisory Board; Mayor Nickels Good Neighbor Award; Seattle Children's Hospital Foundation; Seattle Symphony Chair; King County Elections Task Force-Ron Sims appointee; Salvation Army NW Board; Governor's A+ Education Commission-Gary Locke appointee; Young Life Chair; Woodrow Wilson International Center for Scholars-Presidential appointee; Smithsonian Air and Space Museum Trustee

Statement
Our people deserve better than an ineffective Senator seeking an undeserved 4th term. We need a Senator who truly cares about the concerns of *this* Washington, not the *other*. Unlike her, I've been in every county and corner of the state these last 5 years--and I've heard you! You are fed up with Seattle's harmful policies which she accepts and supports--polices that jeopardize our future. You want a Senator who votes *your* pocketbook, not hers. You want big change *now* and so do I. In this election, I'm fighting for you. And I need your vote.

My ties here actually began before I was born--when my German and Norwegian immigrant grandparents settled in Tacoma. While I moved a lot as a military daughter and wife, my husband and I returned to the Puget Sound as soon as we finished Marine Corps active duty. We raised our two boys, investing time in things that matter: our kids' teachers, schools, and teams; our work (my husband at Boeing); our church--serving UW students; and *many* significant community needs. We also enjoyed hiking mountains, whale watching and helping visitors pronounce Puyallup.

But all the while I was fighting for you. *Against* a state income tax, *against* reckless spending of your taxes. *For* children's health, *for* public schools, *for* fair elections in King County. Unlike my opponent, I would have voted *for* working-family tax cuts, *for* our military, *for* the first woman to head the CIA. I will champion Washington's farms that feed the world. I can bring home vital infrastructure dollars, which she cannot. And be assured, when President Trump is good for Washington State, I'll support him. When he's not, *I* can talk to him.

I'll be your voice. I'll fight for you. Let's win this together!

Contact
(206) 880-1820; info@susan4senate.com;
www.susan4senate.com

end

Cathy McMorris

Rodgers

(Prefers Republican Party)

Elected Experience
U.S. Representative from 5th Congressional District; Chair of House Republican Conference and highest-ranking Republican woman in Congress. Member, House Energy and Commerce Committee. Served in the Washington State House of Representatives; elected House Republican Leader.

Other Professional Experience
Worked in family-owned orchard for 13 years.

Education
Education Executive MBA University of Washington, BA Pensacola Christian College.

Community Service
Strong advocate for the military, veterans, farmers, small business owners, students, and people with disabilities.

Statement
Growing up, I never imagined I'd go from working on the family orchard in Kettle Falls to working in Congress for the people of Eastern Washington. It's the honor of my life to work every day helping people in our community – veterans who've served our country, entrepreneurs creating jobs and world-class products, farmers that feed the world, the vulnerable who need our assistance, and hardworking men and women trying to support their families and live their own version of the American Dream.

In the last two years, I've delivered for Eastern Washington. The most sweeping tax reforms in thirty years are still creating jobs and raising wages, and the bills I've had signed into law are bringing more doctors to Eastern Washington, helping people with disabilities, improving the VA, and providing funding for our timber dependent communities. I've secured permanent forest management reforms to keep our forests healthy, and I've fought to expand Fairchild Air Force Base and protect our dams.

We don't need a bigger government, but a more efficient, effective, and accountable one. I've proposed legislation to rein in wasteful spending, hold bureaucrats accountable, and reform our broken budget process. The federal government should live within its means, just like working families in Eastern Washington.

But fundamentally, I believe trust has been broken. You see it in the divisiveness and lack of civility in our country. My mission is to restore trust and confidence in representative government and the rule of law, and that's why I work every day to serve as a unifying force here in our community and in Congress.

With God's grace, the support of my family, and help from all of you, I believe we can find common ground and work together to build a stronger, more unified Eastern Washington.

Contact
(509) 624-1199; cathy@cathyforcongress.com;
www.cathyforcongress.com

continue

Lisa
Brown
(Prefers Democratic Party)

Elected Experience
Washington State Senator, Spokane, 1996-2013; Washington State Representative, Spokane, 1993-1996; first female Democratic State Senate Majority Leader.

Other Professional Experience
WSU Spokane - Chancellor; Gonzaga University - Associate Professor; Eastern Washington University - Associate Professor and Acting Director, Women's Programs.

Education
PhD Economics, University of Colorado; MA Economics, University of Colorado; BA Economics, University of Illinois.

Community Service
Current: YWCA Spokane, Ignite Northwest, Spokane River Clean-Up; Former: United Way, Spokane Teaching Health Center; Downtown Spokane Partnership; Washington Health Alliance, Empire Health Foundation, Spokane Neighborhood Action Programs, Greater Spokane Incorporated, University District Development Association

Statement
I'm running for Congress because we need change in our nation's capital.

Like most of us, I'm frustrated by a broken Congress paralyzed by partisan politics and not delivering results for eastern Washington. Too many politicians put party over the people they represent. Special interests are rewarded, when Congress should be tackling what's most important to families: more affordable health care and prescription drugs, improved education, an economy that works for all of us, and retirement security.

I'm a problem solver. I start by listening to the people I represent and then focus on working with others, finding common ground, and getting results.

As state senator, I led efforts to expand children's health care and to create the breast and cervical cancer screening program. As a working parent, I understood the importance of expanded child care and new college scholarships. As the Senate majority leader, I made sure eastern Washington got a veterans care facility and our fair share of state resources, creating jobs and revitalizing our economy. As the WSU Spokane chancellor, I worked with a team of university and community leaders to create a new medical school headquartered in Spokane, with a mission to train doctors to serve our rural communities.

Unfortunately, the spirit of cooperation we used to start the medical school doesn't exist in Congress. The priorities of young people and seniors, small businesses, working families, and farmers in eastern Washington have taken a backseat to special interests and politicians repeating party talking points.

After 14 years of the same representation and not much to show for it, *it's time for a change.* I look forward to hearing from you or meeting you at one of our town halls. With your support and your vote, we can bring a new approach to Congress.

Contact
(509) 954-9132; lisa@lisabrownforcongress.com;
lisabrownforcongress.com

end

Legislative Qualifications & Responsibilities

Legislators must be registered voters of their district.

Legislature

Legislators propose and enact public policy, set a budget, and provide for the collection of taxes to support state and local government.

State Senator

The Senate has 49 members; one from each legislative district in the state. Senators are elected to four-year terms, and approximately one-half the membership of the Senate is up for election each even-numbered year. The Senate's only exclusive duty is to confirm appointments made by the governor.

State Representative

The House of Representatives has 98 members; two from each legislative district in the state. Representatives are elected to two-year terms, so the total membership of the House is up for election each even-numbered year.

Candidate statements are printed exactly as submitted. The Office of the Secretary of State does not make corrections of any kind or verify statements for truth or fact.

Marcus
Riccelli
(Prefers Democratic Party)

Elected Experience
State Representative elected in 2012, 2014 and 2016; serving on Health Care, Transportation, and Capital Budget Committees; Chair, Legislative Evaluation and Accountability Program Committee

Other Professional Experience
Project Manager, CHAS Health; Adjunct Instructor, EWU College of Health Science and Public Health; former Senior Policy Advisor to State Senator Lisa Brown; Eastern Washington Director, U.S. Senator Maria Cantwell; Operations Manager, Northeast Community Center

Education
Bachelor of Business Administration, Gonzaga University; Master of Public Administration, University of Washington

Community Service
Current: Member, North Spokane YMCA Advisory Board; Rotarian; Youth Soccer Coach. Past: Board Member, Daybreak Youth Services; Co-Director, Spokane YMCA Youth Legislature Program; Big Brother

Statement
It's an honor serving you. Working together, we've created jobs here at home, made investments in our schools, and delivered for Spokane priorities. Representing you, I wrote legislation to create the WSU Medical School in Spokane, passed the nation's strongest bill to ban rental housing discrimination, and helped secure over $1 billion for new transportation investments in Spokane.

With your continued support, we will put people first, grow our economy from the middle out, and ensure every child has an equal opportunity to thrive regardless of the zip code they were born in. *I would appreciate your vote!*

Contact
(509) 465-4305; info@marcusriccelli.com;
www.marcusriccelli.com

Tom
Taylor
(Prefers Republican Party)

Elected Experience
Senator, Washington State University (twice elected). Precinct Committee Officer (PCO), Spokane.

Other Professional Experience
Congressional Internship. Equity Trader. Entrepreneur. Scone Ranger. And more.

Education
Washington State University, Graduated. Boren Scholarship recipient. Speaks Chinese.

Community Service
Advocate for transparency in legislative public records. Advocate for 1st Amendment rights of those unlawfully blocked on legislators' political FB pages. Spokane Polls FB group. Spokane Politics FB group. And more.

Statement
What is my role as an elected representative? I contend it is to actually "*Represent*" the needs of Spokane citizens in Olympia. Unlike many politicians who force their views on constituents, I will run these issues by you and Spokane citizens before voting. This will work to ensure legislative accountability and responsibility.

My commitment to the people of Spokane: 1) To inform you about bills and issues *without* bias. 2) To communicate by phone, email, polling, and in person to learn where you stand on issues. 3) To be your voice in Olympia. 4) To guarantee government transparency.

Contact
(509) 828-2843; tomgtaylor@yahoo.com

Timm
Ormsby
(Prefers Democratic Party)

Elected Experience
State Representative, serving since 2003; current Chair of the Appropriations Committee tasked with crafting and negotiating the state's operating budget; special appointee to the State Investment Board and Select Committee on Pension Policy.

Other Professional Experience
39 years in construction; past president of the Plasterers and Cement Masons Local 72, member since 1990; business Representative for Northeastern Washington – Northern Idaho Building Trades Council since 2000.

Education
St. Aloysius Catholic School, North Central High School

Community Service
Married to Kim, Timm has three children and four grandchildren. President, Spokane Regional Labor Council; Board member of SNAP and United Way of Spokane County.

Statement
Born and raised in Spokane, I know firsthand about the education and employment challenges that face our community. Serving as your Representative for the past fifteen years has been a privilege that I do not take lightly or for granted. Together we have made record investments in our schools and worked to close wasteful tax loopholes. But there is still work to be done. Moving forward, we need proven leaders who can build on our legislative successes, continue to fight for Spokane's best interests, and deliver results for our community. I humbly ask for your vote.

Contact
(509) 389-8288; vote.ormsby@gmail.com;
voteormsby.com

Dave
Lucas
(Prefers Republican Party)

Elected Experience
Spokane Neighborhood Council Chair

Other Professional Experience
Marine Corps Veteran, Lieutenant Colonel retired. Local business development and manager.

Education
Bachelors degree in Economics from UC Davis, NROTC at UC Berkeley, and Masters degree in Military Studies, Marine Corps University

Community Service
Dave is married to Laura, a Gonzaga graduate, and they have two wonderful boys. He serves on the Mann-Grandstaff Veterans Affairs Medical Center committee, Inland Northwest Boy Scout Council Executive Board, Inland Northwest Council National Eagle Scout Association Committee Chair, Cataldo school safety committee, Cub Scout Wolf Den Leader

Statement
Dave is a Marine Corps Veteran, who has continued to make a difference by serving our community with the Neighborhood Council, the VA and as a Scout Leader. He is running for office because our families can be better represented in the State Legislature.

As your Representative, Dave will sponsor efforts to combat property crime, and oppose arbitrary taxes on our citizens and small businesses to support a robust local job market for *everyone.* He genuinely cares about the wellbeing of our community, and kindly asks for your vote.

Contact
(509) 540-3283; vote.dave.lucas@gmail.com;
www.votedavelucas.com

Matt
Shea

(Prefers Republican Party)

Elected Experience
Matt Shea currently serves as 4th District State Representative and House Republican Caucus Chair.

Other Professional Experience
Decorated and honorably discharged Army combat veteran with tours in both Bosnia and Iraq. Currently practices at M. Casey Law in Spokane, Washington.

Education
"Cum Laude" graduate of Gonzaga Law School; Bachelor of Arts in History and Political Science and R.O.T.C. Distinguished Military Graduate from Gonzaga University.

Community Service
Matt is an allied attorney with the Alliance Defending Freedom, affiliated attorney with the Pacific Justice Institute, lifetime member of the VFW, member of the American Legion, and involved in various church ministries.

Statement
Returning home after serving in Iraq, I was amazed at how much state government had grown, and how much taxes had risen. We are literally being taxed and regulated out of the American Dream. *This must stop.*

My motto is: *Less Tax, Less Government, More Freedom*. For me to support legislation, it must pass three conservative tests: Is it needed? Can it be done more efficiently in the private sector? Will it increase taxes? I will always support legislation that limits government, promotes job growth, and defends our Constitutionally protected rights. I would be honored to have your vote.

Contact
(509) 252-0963; matt@voteshea.com; www.voteshea.com

Ted
Cummings

(Prefers Democratic Party)

Elected Experience
Chairman of the Clerical and Technical Unit for United Steel Workers Local 338. Executive Board Member on the Spokane Regional Labor Council.

Other Professional Experience
Employed at Kaiser Aluminum since 1988. Currently a Mechanical Lab Technician in the Trentwood Physical Testing Lab. Co-Owner of Pell Creek Land & Livestock, where we raise certified angus cattle, and grow hay and timber.

Education
Gonzaga Prep High School 1979, Spokane Community College AA 1997.

Community Service
Donor at Inland Northwest Blood Center.

Statement
The American Dream was once achievable. Today, shortsighted legislation and stagnant wages make it more and more difficult for people to achieve it. We must maintain manufacturing jobs, support apprenticeship programs and trade schools to allow us to keep Washington competitive, and keep our citizens employed.

I believe in the power of coming together and getting things done. We must work to find solutions for our health care and infrastructure needs. I plan to use my experience working in conflict resolution and contract negotiation as a union representative and a business owner to serve this community.

Contact
(509) 319-6960; tedcummings@tedforwashington.com; www.tedforwashington.com

Bob
McCaslin
(Prefers Republican Party)

Elected Experience
It has been a pleasure to have served the citizens of the 4th District for the last 4 years as your State Representative.

Other Professional Experience
Kindergarten Teacher

Education
BA from Washington State University, MA from Whitworth University

Community Service
Volunteer Chaplain at Juvenile Hall, Spokane County

Statement
Thank you for the honor of serving you as your representative in Olympia. I will continue to bring my conservative values to state government to help keep your taxes low, and treat the revenue the state has received as your hard-earned income that you expect us to use well. This is your money, not mine. As the Assistant Ranking member on the Early Learning and Human Services Committee, I will continue to fight the good fight for you, my constituents. It is a privilege to be your state representative.

Contact
(509) 994-9836; asbestossuitbaby@gmail.com; votebobmccaslin.com

Mary
May
(Prefers Democratic Party)

Elected Experience
This is my first opportunity to serve as an elected official.

Other Professional Experience
Policy and city planning professional for 25 years. Member of American Institute of Certified Planners. Experienced in multi-jurisdictional projects and process improvement, designing solutions that are fiscally responsible and benefit business, the public, and the environment.

Education
Bachelor's Degree in Geography, followed by Graduate Work in Public Administration from San Diego State University. Lean Green Belt Certification from Eastern Washington University.

Community Service
Founding Member, Enlighten – Dyslexia Understood. Board of Trustees, Temple Beth Shalom. Volunteer, Spokanimal. Sunday school teacher. Troop Leader, Girl Scouts.

Statement
I am a lifelong public servant, committed to serving the 4th LD. I welcome the chance to work on difficult issues, facilitating responsible change and improvements through civil discussions and collaboration. As your representative in Olympia, I will work for you to secure access to quality, affordable health care for all; protect the beauty and resources of a healthy environment for our future generations; ensure that public schools have the resources to educate kids in ways that prepare them to be responsible citizens; advocate for veterans; and defend our earned benefits so seniors can retire with dignity and security.

Contact
(619) 302-8757; marymay4thLD@gmail.com; VoteMaryMay.com

Jeff
Holy

(Prefers Republican Party)

Elected Experience
Jeff has served three terms as a Washington State Representative.

Other Professional Experience
U.S. Army Veteran, Retired Spokane Police Officer, Detective and Former Police Guild Director. Jeff is currently an attorney in private practice.

Education
J.D. Gonzaga Law School; B.S. Psychology Washington State University; WA State Police Academy

Community Service
Jeff coached youth baseball, is a past board member of Spokane Services for the Deaf and Hard of Hearing, is a board member of Spokane Neighborhood Action Partners (SNAP), is a Knights of Columbus Member, and is a board member of Law Enforcement & Fire Fighter Retirement system (LEOFF II).

Statement
Jeff Holy is a community leader who has demonstrated his commitment to Spokane County and will continue to serve us well as our next State Senator.

As our State Representative, Jeff fought for Eastern Washington! He has worked to rein in wasteful spending and balance the budget without raising taxes. Jeff knows that more taxes on businesses will hurt our economic recovery.

The 22 years Jeff spent protecting our streets as a Spokane police officer and detective taught him the importance of public safety and being tough on crime. As an attorney, Jeff stands strong for the law-abiding citizens of our district, and will continue to fight for us as our Senator.

Jeff is committed to funding the fundamentals of education and opposing unfunded mandates that harm our schools.

Contact
(509) 747-5840; votejeffholy@gmail.com;
VoteJeffHoly.com

Jessa
Lewis

(Prefers Democratic Party)

Elected Experience
Jessa Lewis is running for office for the first time to make sure Eastern Washington families have a needed voice in the legislature.

Other Professional Experience
Eastern Washington Director of Health Care for All-WA; Park Ranger; Startup and Business Consultant; Energy Security Coordinator, Joint Base Lewis McChord.

Education
Graduate, Ferris High School; Alumna, Spokane Falls Community College; B.A., Resource Management and Energy Policy, Evergreen State College; Master's, Business Administration, Presidio Graduate School

Community Service
Volunteered in school classrooms and on field trips, trash pickup and trail maintenance, affordable housing and public education advocacy, and coordinated Earth Day Spokane.

Statement
I'm a working mom who is tired of seeing Eastern Washington consistently left behind. My daughter will be heading to college soon and I want this to be a place that she can come back to, get a good job, and enjoy the quality of life we all cherish.

In my day job, I've worked to bring affordable and accessible health care to the State of Washington. For too long, our families and businesses have borne the burden of a broken health care system. At the same time, I believe we need to continue to strengthen our public school system. Education creates opportunity and lifts many people out of the cycle of poverty. That's why I will champion universal pre-k and tuition-free community college for all Washington residents.

As we improve our education system, we need to ensure there are strong family wage jobs in the Spokane area so our children aren't forced to chase opportunity elsewhere.

Endorsed: Washington State Labor Council, Children's Campaign Fund, Washington Building Trades, Senator Andy Billig, Representative Marcus Riccelli, Spokane City Council President Ben Stuckart, Spokane Councilmember Kate Burke, Spokane Councilmember Breeann Beggs, teachers, doctors, nurses, business leaders, and many more.

Contact
(509) 481-9151; info@electjessalewis.com;
electjessalewis.com

Mike
Volz
(Prefers Republican Party)

Elected Experience
State Representative, 6th District

Other Professional Experience
Mike is serving as the Chief Deputy Treasurer at Spokane County and has wide range of experience in a variety of positions, including: Military Police officer in the US Army, dock foreman for a freight company, Controller for a music company, Financial Analyst for a large medical company and Assistant Director of Finance at STA.

Education
Mike Volz earned a Bachelor degree with a double concentration in accounting and finance from EWU, a Master degree from Gonzaga and is a licensed CPA and certified in Lean management. Mike also teaches at Whitworth University.

Community Service
No information submitted

Statement
Mike Volz, 53, is a veteran, has over 30 years' experience in the public and private sectors, degrees from EWU and Gonzaga, and is a CPA. Mike and his wife Diane have been married for 28 years and have three children.

Long-term resident and current 6th District Representative, Mike Volz knows Spokane County and the 6th District. Because of his broad financial background and commitment to education, Mike has earned positions on the Appropriations, Education, and Capital Budget Committees. He has been a strong proponent of fiscal responsibility and opposed tax increases and needless regulation.

Contact
(509) 951-8190; VoteMikeVolz@gmail.com;
www.MikeVolz.com

Kay
Murano
(Prefers Democratic Party)

Elected Experience
This is my first time running for political office. I am not a career politician or a bureaucrat. I have spent my career helping people.

Other Professional Experience
I am Executive Director of the Spokane Low Income Housing Consortium, where I build coalitions, implement creative solutions to get results, and am financially responsible.

Education
B.A. Business Administration, Trinity Western University

Community Service
I served as Administrator for the Spokane Homeless Coalition and a member of the Spokane Mayor's Task Force on Housing Quality. I am active in the community through Volunteers of America, Catholic Charities of Spokane, and the Lilac Bloomsday Association.

Statement
Too many families are struggling while partisan politicians ignore the needs of our community. I was raised in Spokane and have spent my career putting people first -- helping families, veterans, and seniors build better lives.

I want to represent *you* so we can solve the issues you've told me are your priorities: education, housing, healthcare, safety, and property tax relief. I bring common sense and the ability to negotiate to solve problems. With your vote, I'll work every day to improve opportunity for our community. *Endorsed by: affordable housing advocates, working families, teachers, elected leaders, and 6th LD neighbors!*

Contact
(509) 701-8308; kay@votekaymurano.com;
votekaymurano.com/

Dave
Wilson
(Prefers Democratic Party)

Elected Experience
Elected Commissioner for the Accrediting Council for Continuing Education and Training, 2005-2014; Vice-Chair 2007-2009, Chair 2009-2012.

Other Professional Experience
Founder and President of Interface College, Spokane

Education
MA Education, Gonzaga University; BA Communications, St. Ambrose University, Davenport Iowa

Community Service
12 plus years as board member/officer of the Northwest Career College Federation, and Washington State Private School Advisory Committee. Served as chair & member of the K-12 Education committee of the Chamber of Commerce; my business was a 29-year member of same. Founding board member of People for Effective Government, coached youth sports for thirteen years.

Statement
As your representative I will hold myself to your highest standards of accountability. I will be visible, accessible and responsive--across the district. I will listen to constituents and work hard on the issues important to our community. My interest is in representing you, not a party or political ideology.

I am focused on the future, including education at every level, public safety--especially in our schools, and accessible, affordable healthcare for everyone. I will promote solutions that help our economy grow and address income inequality. I care about you and your family's future. I ask for your vote.

Contact
(509) 263-1634; Dave@ElectDaveWilson.com;
ElectDaveWilson.com

Jenny
Graham
(Prefers Republican Party)

Elected Experience
6312 Precinct Committee Officer 2016.

Other Professional Experience
Law reform champion 2014. Published author. Army Reserves veteran. Small Business Owner and CEO of Estes and Graham Home Rentals, LLC. Former bookkeeper Les Schwab Tires.

Education
Graduate Thomas Jefferson High School 1983. Graduate Nash Beauty College 1984. Registered since 2004 - World Tae Kwon Do Federation 2nd degree Black Belt former instructor.

Community Service
Former Cub Scout Den Mother - Pack 183. Former Girl Scout volunteer - Troop 25. District 81 schools volunteer. 4H Junior/Live Stock Show volunteer (Les Schwab Tires). Former Spokane Parks and Recreation ski coach for the developmentally disabled and Special Olympics.

Statement
Jenny Graham championed State House Bill 1352 in 2014. She tirelessly represented Washington State's children in Olympia resulting in extending child sexual assault statutes of limitations.

Jenny will focus on four key areas. Public Safety – we need safe neighborhoods, mental health reform, and effective school security protecting our children. Jobs – prosperity requires a tax and regulatory climate that encourages jobs growth in Washington State. Education – a good education is vital to providing a ready work force and creates individual opportunities. Taxes – We need responsible review of existing tax revenue funds and distribution to lower taxes.

Contact
(509) 999-1498; jennycg48@gmail.com;
www.votegraham.gop

Shelly
Short
(Prefers Republican Party)

Elected Experience
First elected to the legislature in 2008, rising to the position of Caucus Chair. I was appointed to the State Senate in 2017 and overwhelmingly won the 2017 special election. I continue to be a leader in fighting against unnecessary and burdensome agency rules and regulations that undermine individual rights and our economic prosperity.

Other Professional Experience
I ran local district offices for two Congressional members, was Legislative Assistant to Representative Joel Kretz and a paralegal for 10 years.

Education
Legislative Energy Horizon Institute's Energy Policy Planning Program; Spokane Community College; Eastern Washington University.

Community Service
Past 4-H leader.

Statement
Experience we can trust. For 24 years, I have worked hard for folks in the Seventh District. Thank you for entrusting me to represent you for the past ten years. I am incredibly honored.

My focus has been, and will continue to be, to fight for our conservative values, our liberties, our way of life and to stand against government's appetite for endless taxes and unchecked spending. I will continue to battle state government when it stands in the way of our prosperity and the prosperity of our children! People matter, our families matter, our small businesses and communities matter.

There is no greater priority to me than promoting local jobs, getting folks back to work and protecting the foundation of the 7th District - from managing our natural resources and wildlife to local healthcare, from student centered education to access to water. I've built relationships, educated legislators and challenged the status quo in order to be a more effective leader for the 7th District.

As your Senator, I will continue to use my experience to fight for you. I would be honored to have your support and I ask for your vote!

Contact
(509) 994-7430; shelly@vote4shelly.com;
www.vote4shelly.com

Karen
Hardy
(Prefers Democratic Party)

Elected Experience
Washington State 7th LD Committeewoman

Other Professional Experience
Nearly 20 years with Delta Airlines took me around the world, from cleaning crew to security coordination in multiple cities. September 11th was cause for a refocus in my life. Following my lifelong love of horses, I became a licensed horse trainer, wrangler, and eventually owned a stable. I currently manage a draft horse program near Deer Park, yet my proudest "jobs," have been Mom to two girls who are now wonderful young women and wife to my amazing husband.

Education
Clark College, WA; Minnesota Horse Training Academy

Community Service
Founder, Stevens County Animal Welfare Advocates

Statement
Trust should be something we experience from our lawmakers, not something we owe them for simply spending decades in politics. Almost all we can count on from Olympia or the other Washington these days are words like "fight" and "battle", then the blame game when promises made become excuses given.

I have a different approach, one that begins with honesty. The truth is, we don't have economic prosperity to defend. Our retirement funds are being drained for healthcare, helping our children who have moved back home, and caring for our grandchildren while their parents desperately try to make ends meet.

We need to admit that our veterans have to choose between healthcare and food, our friends and neighbors are experiencing the devastation of addiction, our community is failing to thrive in a State that is thriving. Creating jobs, managing natural resources and providing quality education can't just be a promise, it's time to make it a reality.

Together, let's restore a trust that we can experience through honest conversations about our real, everyday concerns. It's time to stop fighting and start working. I trust we can do better and I ask for your vote to prove it. Thank you.

Contact
(509) 936-2977; Karen@karenforsenate.com;
www.karenforsenate.com

Jacquelin
Maycumber
(Prefers Republican Party)

Elected Experience
Republic School Board 2015. Elected 7th District State Representative. Assistant Ranking member of the Environment Committee and member of the Health Care Committee

Other Professional Experience
Fought for the citizens of the 7th district as Legislative Assistant for 8 years. Served as a Law Enforcement Officer for El Paso County, Colorado. Worked as a Biomedical Research Scientist for the cure of HIV.

Education
Bachelors in Biochemistry

Community Service
15 years volunteering locally, Chamber of Commerce Vice-President, Economic Development Committee, Prospectors Days Committee, youth softball coach, assistant high school coach, girl scouts co-leader, service for sight, and many more.

Statement
Integrity Experience Community I am a proven fighter for property rights, decreased taxes for working families and economic development. I passed legislation that will give local governments control, equipment and funds to fight wildfires while addressing homelessness. I support funding education first. My top priority is creating an environment that promotes a healthy economy so we don't continue to export our greatest commodity, our children. We must remove over burdensome taxes and restrictions so our communities can grow. My family has lived in the 7th District for generations and understands its people and needs. I ask for your vote.

Contact
(509) 690-2754; votemaycumber@gmail.com; Votemaycumber.com

Randall (Randy)
Michaelis
(Prefers Democratic Party)

Elected Experience
No information submitted

Other Professional Experience
Elementary teacher for 11 years: Mead, Auburn, Deer Park Schools. Whitworth University: Director of Computer Education, Professor, Chair Teacher Education, Faculty President, Associate Dean, Student Success Team, Accreditation Liaison Officer, Associate Provost, Dean of School of Education. Recipient of Faculty Teaching Award. Co-author $650,000 M. J. Murdock grant.

Education
Mead High School, B.A. Whitworth (Biology), M.Ed. Eastern Washington University (Math and Computer Science), Ph.D. Washington State University (Education)

Community Service
Numerous outreach programs for schools on the impact of poverty on teaching and learning. OSPI committees for Elementary testing development. Accreditation evaluator.

Statement
Our politics have become too polarized and divisive. We can do better. This will require thoughtful people working together addressing common problems. I believe I have the experience and skills to do this well. Economic development, health care access, resources for families facing serious mental health and addiction issues, and good schools will be my priorities. We need to protect this beautiful corner of the Northwest; I'll oppose the silicon smelter proposed for Newport.

Endorsements: Spokane County Democrats; Brian Benzel, former Mead/Spokane Superintendent; Bill and Bonnie Robinson, Emeritus Whitworth University President; Tom Johnson, Spokane Teachers Credit Union retired CEO

Contact
(509) 991-6196; randymichaelis2018@gmail.com; randymichaelis.org

Joel
Kretz

(Prefers Republican Party)

Elected Experience
First elected in 2004, I serve on three standing committees including Agriculture and Natural Resources and Rules and serve as Deputy Minority Leader.

Other Professional Experience
Thirty-year timber and ranching small business owner.

Education
Studied at Green River and Olympic College.

Community Service
Active in the Okanogan Farm Bureau and Coalition for Property Rights and longtime member of the NRA.

Statement
My top priorities include restoring a healthy economic climate and jobs, reducing tax and regulatory burdens while protecting our schools and essential services. While families and small business prioritize spending, government continues to grow and spend beyond it's means, I'm working to reverse that trend. I've worked hard to build strong working relationships on both sides of the aisle and educate urban legislators on Eastern Washington issues which I believe is essential to getting things done for the people of the 7th District. I'd like to continue providing common sense in Olympia, and I ask for your vote.

Contact
(509) 994-7430; kretzranch@gmail.com

Mike
Bell

(Prefers Democratic Party)

Elected Experience
None

Other Professional Experience
Owner of a Spokane-based CPA practice for 25 years with 20 employees specializing in hospitals, clinics, and healthcare organizations in Chewelah, Colville, Newport, Omak, Republic, Tonasket, Deer Park and hundreds of other communities throughout the west. I was a submarine-qualified hospital corpsman on active duty for five years during the Vietnam era and three additional years in the reserves.

Education
BA North Carolina State University '79 – Accounting major

Community Service
National Rural Health Association Board, Washington Rural Health Association Treasurer, co-founder Washington Rural Health Clinic Association, and faculty for health care educational programs throughout the country.

Statement
I've worked hard for 25 years to ensure our healthcare organizations have the resources needed to properly care for our families. I accomplished this through sound business principals, innovative solutions and good old-fashioned problem solving. This will also be my approach to public service. Too often politics interfere with progress and solutions, leaving our infrastructure crumbling, our schools lacking needed resources, and our senior citizens and veterans to choose between food and healthcare.

We can do better. This straight forward common-sense approach is ready to work for a bright future. I'd be honored to earn your vote.

Contact
(509) 710-3892; mrbellcpa@gmail.com; mikebell2018.com

Mary
Dye

(Prefers Republican Party)

Elected Experience
As your elected State Representative, I serve on the House Environment Committee, Capital Budget Committee and Appropriations Committee. I'm a passionate leader in empowering our communities and reforming the way Olympia works with our citizens and local governments.

Other Professional Experience
From 1987 to present, I co-manage a 3rd generation wheat farm. I previously served as an agricultural educator in the Peace Corps in Ubon Thailand.

Education
Bachelor of Science - Plant Science, Crop Management, University of Idaho, 1983.

Community Service
I have championed causes important to Eastern Washington including "Save Our Dams", "Freedom to Farm" and defending our rural values.

Statement
Leadership with results. As your elected State Representative, I have focused on economic development and building infrastructure that will expand opportunities for families, farms, and communities. I passed legislation that will develop broadband fiber in areas with poor access to high speed internet. I worked to secure water for our towns and farms, found resources to repair and improve railroads, helped improve highway safety, and enhance school security.

With principle driven leadership, and talent for seeking creative solutions, I create tools that help expand and promote economic opportunities so citizens in Eastern Washington can live successful lives in freedom.

Contact
(509) 566-7049; electmarydye@gmail.com;
www.vote4mary.com

Jenn
Goulet

(Prefers Democratic Party)

Elected Experience
No information submitted

Other Professional Experience
Jenn is a small business owner performing instructional design services for Microsoft. Previously, Jenn was a training specialist at the HAMMER Federal Training Center and a technical writer supporting the Department of Energy's environmental cleanup efforts on the Hanford Site.

Education
Jenn has a Bachelor of Applied Science in Applied Management from Columbia Basin College.

Community Service
Jenn has a decade of experience as a leader of nonprofit and political organizations. She is a current member of the board of directors of Planned Parenthood of Greater Washington and North Idaho and is the former chair of the Franklin County Democrats.

Statement
Jenn will fight to expand educational opportunities for our children, so they have more career options in well-paying trades, as well as work to lower the rising price of college. Jenn will also work to appropriate state funds to repair and expand our roads, bridges, and dams because they're vital to ensuring we continue to have a functioning economy. She will expand family wage jobs by encouraging new industries to expand into our district, while protecting the historic nature of the Palouse. Vote for Jenn because the 9th Legislative District needs innovative ideas, not more of the same.

Contact
(509) 596-8760; Info@jenngoulet.com;
www.jenngoulet.com

Joe
Schmick
(Prefers GOP Party)

Elected Experience
2007 to present 9th District Representative. 1990-1996 Washington Barley Commission. 1991-1996 National Barley Improvement Committee

Other Professional Experience
Washington Agriculture and Forestry Education Foundation graduate Class 14. Washington Farm Bureau Healthcare Trust 2000-2014. Washington State Farm Bureau State Board of Directors 1993-2007. American Farm Bureau Grain Quality Committee 1998

Education
Eastern Washington University BA in Accounting. Minor in Economics 1980

Community Service
Whitman County Wetlands Committee. Whitman County Natural Resources Committee. Little Leauge Coach 1983-1993

Statement
Representative Joe Schmick takes our Palouse values to Olympia where his priorities are: *Jobs*-We need a tax and regulatory climate that encourages businesses to locate in all parts of Washington, not just Puget Sound. *Healthcare*-We must reduce health insurance costs while maintaining access to quality medical care. *Education*-A strong education creates individual opportunities for success and ensures a high-quality workforce. *Freedom*-Our farmers, small business owners, and families treasure their land. Property rights and personal freedoms must be protected. Government must respect our rights and work cooperatively with landowners to enhance and preserve our environment.

Contact
(509) 879-2078; people4schmick@gmail.com; joeschmick.com

Matthew
Sutherland
(Prefers Democratic Party)

Elected Experience
Matthew Sutherland isn't a career politician. His elected experience has been the distinct honor of serving as the Vice Chair of the Whitman County Planning Commission.

Other Professional Experience
Board Member, Pullman Board of Adjustment; Committee Member, Pullman Police Advisory Committee; Non-Commissioned Officer, United States Army; Second Lieutenant, Washington Army National Guard.

Education
B.A. in Political Science from Washington State University, certified into the Physics major; Pursuing an M.A. in Global Security Policy from WSU.

Community Service
Volunteer Leader, Church Youth Group; Volunteer, Center for Civic Engagement (WSU); Board Member, Michael F. Lange Foundation (supports and promotes global social change and peace).

Statement
As an NCO in the US Army, Matthew Sutherland went on a humanitarian aid mission to El Salvador. While studying at WSU, he worked at SEL and researched at a Solar Cell Lab. He's running to address the concerns of working families in eastern Washington that have been continually ignored. Like many Americans, he's lived paycheck to paycheck and has been unsure of how to make ends meet. He knows people don't ask for much – good paying jobs, affordable healthcare, and quality schools. Matt will deliver real results for our communities and put people before politics.

Contact
(509) 619-6844; info@sutherlandforwa.com

Judicial Qualifications & Responsibilities

Washington judges are nonpartisan. Judicial candidates must be in good standing to practice law in Washington and are prohibited from statements that appear to commit them on legal issues that may come before them in court. Judges must be registered Washington voters.

State Supreme Court Justice

The Washington Supreme Court is the highest judiciary in the state. State Supreme Court justices hear appeals and decide cases from Courts of Appeals and other lower courts. Nine justices are elected statewide to serve six-year terms.

Court of Appeals Judge

Court of Appeals judges hear appeals from Superior Courts. A total of 22 judges serve three divisions headquartered in Seattle, Tacoma, and Spokane. Each division is further split into three districts. Court of Appeals judges serve six-year terms.

Superior Court Judge

Superior Courts hear felony criminal cases, civil matters, divorces, juvenile cases, and appeals from the lower courts. Superior Courts are organized by county into 30 districts. Superior Court judges serve four-year terms.

Candidate statements are printed exactly as submitted. The Office of the Secretary of State does not make corrections of any kind or verify statements for truth or fact.

Susan
Owens
(Nonpartisan)

Unopposed

Legal/Judicial Experience
Washington State Supreme Court Justice; former District Court Judge, Western Clallam County; former Chief Judge, Quileute Tribe; former Chief Judge, Lower Elwha S'Klallam Tribe

Other Professional Experience
Member, Rules Committee, Bench-Bar-Press Committee, and the Board for Judicial Administration

Education
BA, Duke University; JD, University of North Carolina at Chapel Hill

Community Service
Justice Owens has trained judges nationally from Anchorage to Albuquerque on domestic violence issues, and participated in the writing of the Northwest Tribal Judges Domestic Violence Manual. She has also lectured at the National College of Prosecuting Attorneys' Domestic Violence Conference, and is committed to this very important area of law.

Statement
"I bring diverse judicial experience and a commitment to upholding our laws and Constitution to my job as a Supreme Court Justice. I'm a proud, independent voice for common sense rulings that respect our rights and communities."

Supreme Court Justice Susan Owens has served with integrity, independence and a strong commitment to our Constitutional rights. Prior to being elected to the Supreme Court in 2000, Justice Owens served on the Clallam County District Court for nearly two decades. An advocate for crime victims and families, she earned a national reputation teaching judges how to enforce tougher domestic violence laws.

One of the most productive Justices, authoring numerous important opinions on complex cases, Justice Owens has served with honor and the respect of her peers. Her plain interpretations of the law are rooted in common sense, free of bias, and seek to respect your rights and privacy.

A seasoned judge when she joined the court, she has earned the respect and endorsements of judges statewide, advocates for women, crime victims, working families and law enforcement. Re-elect Justice Susan Owens.

Contact
(360) 866-6052; sowens@olypen.com;
www.reelectjusticesusanowens.com

Nathan Choi

(Nonpartisan)

Legal/Judicial Experience
Practicing Attorney since 1999. Licensed in Multiple Jurisdictions. Practiced in Multiple Countries. Hawaii Supreme Court Annexed Arbitrator from 2003-2009

Other Professional Experience
Professor of Accounting-Hawaii Business College; Merrill Lynch (Once World's Largest Brokerage) Midmarkets Securities Trading Desk; Developed Numerous Real Estate Projects; Housing Association Director; Chief Executive Office (Private Equity/Non-Profit Charitable Organizations) Real Estate Principal Broker

Education
Juris Doctor and Masters of Business Administration-University of Hawaii Bachelor's Degree in Real Estate and Accounting-University of Hawaii

Community Service
Donated Numerous Generous Scholarships; Funded Multiple Missionary/Humanitarian Organizations; Conducted Free Legal Seminars for Immigrants and other less privileged members of society

Statement
The 2 most important qualities of a Judge in order of importance 1:Fairness 2: Real world experience. Nathan Choi owes no political party or special interest Quid Pro Quo. This is the cause of the current constitutional crisis in our Nation's Capital. Why else does one judge rule in opposite of another under identical written laws? I am a Patriot. My allegiance is to you.

Nathan Choi is the most experienced candidate to resolve current vital issues in Washington. The housing problem can be resolved with proper interpretation and implementation of laws. The Supreme Court is in the special position to interpret legislative laws to positively impact the public. The Judiciary needs Real World Experience how rulings affect developers, business, and the public. I have litigated and developed housing and know exactly how they create or eliminate affordable housing and other legal problems.

The Judiciary needs an understanding of economics, tax regulations and the ripple effects of their decisions. I am the only candidate who has successfully developed Real Estate and understands the Macro Economics of legal decisions and will apply the law without bias and for the benefit of the public. Learn more at WAjudicialwatchdog.org.

Contact
(425) 691-6559; kanakavaivai@gmail.com;
www.nathanchoiforjudge.org

Steve Gonzalez

(Nonpartisan)

Legal/Judicial Experience
Current Supreme Court Justice. Ten years as King County Superior Court Judge. Former Assistant US Attorney, Domestic Violence Prosecutor, and business lawyer.

Other Professional Experience
Chair, statewide Access to Justice Board and Interpreter Commission. Chair, Traveling Court and Court Security Committees. National instructor on prosecuting international terrorism. State Constitutional Law Instructor at Gonzaga University.

Education
JD, UC Berkeley. BA with Honors, Pitzer College. Rotary International Scholar in Economics. Honorary Doctorates from Gonzaga and University of Puget Sound.

Community Service
Board member, Washington Leadership Institute, Northwest Minority Job Fair. Regularly teaches civics in schools across Washington, and mentors students.

Statement
Justice Steve Gonzalez is a husband and father with a distinguished career serving the people of Washington and protecting the integrity of our judicial system. He writes clear opinions that support our rights and the rule of law.

He spent a decade as a King County Superior Court Judge and earned a reputation as a fierce advocate for judicial access and fairness. As a lawyer, he prosecuted terrorism, hate crimes, and domestic violence. He was also a business attorney and regularly did free work for people who could not pay.

Justice Gonzalez was named "Outstanding Judge of the Year" by several organizations, including the Washington State Bar. He is rated "Exceptionally Well Qualified" by ten professional *and* civic organizations, including the Veterans Bar, Joint Asian Bar, and Washington Women Lawyers.

Justice Gonzalez has bipartisan support. He is endorsed by his Supreme Court colleagues, Attorney General Bob Ferguson, former Attorney General Rob McKenna, Congresswomen Pramila Jayapal and Suzan DelBene, former Governor Gary Locke, Secretary of State Kim Wyman, Senator Bob Hasegawa, Representative Sharon Tomiko Santos, former Representative Velma Veloria, former King County Executive Ron Sims, judges statewide; State Labor Council, State Fire Fighters, State Patrol; legislative districts across the state.

Contact
(206) 707-9239; info@justicegonzalez.com;
justicegonzalez.com

Sheryl Gordon
McCloud

(Nonpartisan)

Unopposed

Legal/Judicial Experience
Supreme Court Justice since 2012; nearly 30 years as an accomplished trial and appellate lawyer; former adjunct professor, Seattle University School of Law

Other Professional Experience
Chair, Gender & Justice Commission; member, State Bar Association's Council on Public Defense; Washington Women Lawyers President's Award recipient. Prior to service on the Court, recipient of William O. Douglas Award presented by the Washington Association of Criminal Defense Lawyers for "extraordinary courage and dedication" to justice

Education
J.D., University of Southern California Law Center; B.A., State University of New York at Buffalo, *cum laude*

Community Service
Frequent speaker at school, community, and court-related events

Statement
Justice McCloud was elected to the Supreme Court in 2012 after a long career fighting for constitutional and individual rights, often for people who could not afford a lawyer.

Now, she is an experienced Supreme Court Justice. Her fairness, hard work, clear writing, and intellect have earned her awards, endorsements, and "exceptionally well qualified" ratings from groups with varying points of view across the state. She is endorsed by Democrats, Republicans, Independents, and community leaders – all who believe in the importance of an independent judiciary.

Justice McCloud remains dedicated to equal rights and access to justice for all. She believes this is a time when all of us, regardless of our political views, must stand together in defending our right to a fair and independent judiciary – a right vital to our democracy.

Endorsements: Attorney General Bob Ferguson; former Attorney General Rob McKenna; former U.S. Attorneys Mike McKay and John McKay; 12 current & former Supreme Court justices and over 150 judges statewide; National Women's Political Caucus of Washington; Washington State Labor Council; State Patrol Troopers Association; State Council of Firefighters; King County Democrats; See more: www.justicesherylmccloud.com; Rated "Exceptionally Well Qualified" by 10 independent Bar Associations

Contact
(425) 466-0619; justicesherylmccloud@gmail.com;
www.justicesherylmccloud.com

Laurel
Siddoway
(Nonpartisan)

Unopposed

Legal/Judicial Experience
I presently serve as Presiding Chief Judge of the Court of Appeals (all divisions), previously served as the Chief Judge and Acting Chief Judge of Division Three, and have served as a Judge of the Court since 2010. Before becoming a judge, I practiced trial law for over 30 years, privileged to represent clients in many types of civil litigation in state and federal courts.

Other Professional Experience
Adjunct Professor of Trial Advocacy, Gonzaga University School of Law.

Education
LL.M. in Taxation, New York University, 1985; J.D., University of Utah, 1979; B.S., University of Utah, 1975.

Community Service
Trustee, Spokane Symphony.

Statement
My three decades helping clients with their problems and advocating on their behalf before becoming a judge informs my firm belief about what parties and their lawyers want and need from those of us on the Court of Appeals: an open mind, diligence, dedication to following the law, and clarity in our opinions. It has been my privilege to work hard for the voters of my district on the Court of Appeals for the past eight years. I look forward to continuing the important work of the Court and would be honored by your vote.

Contact
(509) 280-0365; laurelsiddoway2018@gmail.com; reelectjudgesiddoway.com

Dennis (DC)

Cronin

(Nonpartisan)

Legal/Judicial Experience
Representing people from all walks of life for 33 years; hired in 1987 under the mentorship of Carl Maxey; practicing attorney and mediator with appellate opinions in Eastern District, Ninth Circuit and Washington Courts; Spokane County Superior Court Pro Tem, 2005-2015.

Other Professional Experience
President, Association of Family and Conciliation Courts - Washington; Chair, Spokane Bar Family Law Section; Vice President, Northwest Mediation; Mediator; WSAJ Eagle Member.

Education
J.D., Gonzaga School of Law; B.A., Fairfield University; Holy Cross High School.

Community Service
Former Chair, Spokane City Human Rights Commission; Current Chair, Spokane City Ethics Commission, serving each with bipartisan support.

Statement
As an appellate attorney and Superior Court Pro Tem from 2005 - 2015 presiding over cases presented in Superior Court, Dennis is uniquely qualified to understand how judicial decisions and the court process impact families for life, underscoring the importance of clear judicial decisions and policies consistent within the comprehensive spectrum of Federal and State laws.

For 33 years, Dennis has represented ordinary people in the areas of experience required of a Superior Court Judge, concentrating since 2000 on complex family law including domestic violence, adoptions, criminal, juvenile, tax law, military law and retirement ramifications in divorce.

Judges are your public servants. As a small business owner with proven experience, Dennis is uniquely qualified to improve our court system for families. His work ethic, legal knowledge, independence, impartiality and persevering commitment to justice by ensuring the law is applied fairly to all is recognized by state and local judicial ratings of "Well Qualified" and "Exceptionally Well Qualified" and endorsements across partisan lines by ordinary people and organizations. On behalf of families throughout Spokane County, Dennis is honored to continue working over the coming months to earn your vote this November

Contact
(509) 990-8683; info@DennisCroninForJudge.com;
www.DennisCroninForJudge.com

Michelle (Shelley)

Szambelan

(Nonpartisan)

Legal/Judicial Experience
Superior Court Judge; Municipal Court Judge; pro tem Superior Court Judge; District Court Civil Judge Pro Tem; Assistant City Attorney, Civil Division; Appellate Prosecutor; Acting City Prosecutor; Civil Litigation, private firm; 1992 Clerk Class, Arizona Court of Appeals.

Other Professional Experience
Judicial College: Dean, Trustee, Faculty; Judicial Ethics Advisory Committee; Spokane Regional Law & Justice Council; MacArthur Foundation Safety & Justice Challenge Grant Site Team; Spokane County Bar Association: Trustee & Volunteer Lawyer Program, Director; Contributor, Black's Law Dictionary.

Education
Gonzaga University, B.S. 1988; Juris Doctorate, 1991.

Community Service
Gonzaga Preparatory HS, Director; Habitat for Humanity volunteer; Street Law Team-Teacher.

Statement
The Governor appointed Judge Shelley Szambelan to Superior Court for good reasons. She has over 27 years of legal experience in a variety of complex areas of civil and criminal law, including over twelve years of judicial experience, counting pro tem work. Judge Szambelan has consistently received the highest judicial evaluation ratings from legal organizations.

In addition to bringing diversity to the bench, Judge Szambelan brings a strong work ethic and legal scholarship. She has appeared at all levels of Washington State and federal courts, including the United States Supreme Court.

Judge Shelley Szambelan is a respected, collaborative leader. Her hard work has helped to improve how people experience justice through innovative change, and thoughtful, systematic reforms. She consistently treats all people fairly with dignity and respect.

Judge Shelley Szambelan's work and fairness over the years has resulted in endorsements from both sides who appear before her: the County and City Prosecutors; the County and City Public Defenders; the County Sheriff; prominent civil and criminal defense attorneys, as well as distinguished plaintiff and family law attorneys; established business owners, as well as Labor. Judicial experience matters: She is the only choice with more than a decade being a judge.

Contact
(509) 954-7144; friendsofjudgeszambelan@gmail.com;
friendsofjudgeszambelan.com

Coming July 2019

Voter registration laws will change in time for next year's Primary.

Starting July 2019... New Voter Registration Deadlines

8 days before Election Day: To register by mail or online, your application must be received no later than 8 days before Election Day.

Election Day: Visit a local voting center to register or update your address **in person** no later than 8 p.m. on Election Day.

Future Voter Sign-up

Also starting in July 2019, sixteen and seventeen year olds can sign up as Future Voters and will be registered to vote when they turn eighteen.

Automatic Voter Registration

Applicants who meet all qualifications will be registered to vote when receving or renewing an enhanced driver's license or identicard, unless they opt out. Starting July 2019.

For full bill information visit **app.leg.wa.gov/billinfo**
SSB 6021, 2SHB 1513, and E2SHB 2595

How do I read measure text?

Language in double parentheses with a line through it is existing state law; it will be taken out of the law if this measure is approved by voters.

((~~sample of text to be deleted~~))

Underlined language does not appear in current state law but will be added to the law if this measure is approved by voters.

sample of text to be added

Complete Text

Initiative Measure No. 1631

AN ACT Relating to reducing pollution by investing in clean air, clean energy, clean water, healthy forests, and healthy communities by imposing a fee on large emitters based on their pollution; and adding a new chapter to Title 70 RCW.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF WASHINGTON:

NEW SECTION. **Sec. 1.** FINDINGS AND DETERMINATIONS. The people of the state of Washington make the following findings and determinations:

(1) The intent of this chapter is to protect Washington for our children, our grandchildren, and future generations by quickly and effectively reducing pollution and addressing its negative impacts.

(2) Fossil fuel consumption and related pollution contribute directly to climate change and the regional effects of global warming, which harm Washington's health, economy, natural resources, environment, and communities. This harm includes, but is not limited to, intensified storms, droughts, sea level rise, increased flooding, more frequent and severe wildfires, and other adverse impacts to forests, agriculture, wildlife, fisheries, rivers, and the marine environment.

(3) Investments in clean air, clean energy, clean water, healthy forests, and healthy communities will facilitate the transition away from fossil fuels, reduce pollution, and create an environment that protects our children, families, and neighbors from the adverse impacts of pollution. Funding these investments through a fee on large emitters of pollution based on the amount of pollution they contribute is fair and makes sense. A pollution fee offsets and alleviates burdens to which those emitters directly contribute.

(4) The transition to the clean energy economy will have tremendous economic and job growth benefits. Washington's tradition of innovation and technology development combined with the funding available under this chapter will increase economic opportunity, enhance economic and environmental sustainability, and create and support family-sustaining jobs across the state. The business community will play a critical role in leading this transition and in reducing pollution.

(5) Both pollution itself and transitioning to a society that prioritizes clean air, clean energy, clean water, healthy forests, and healthy communities disproportionately impact some people, workers, and communities more than others, including communities within pollution and health action areas. The use of a pollution fee to offset and alleviate those impacts is appropriate to ensure a successful and just transition.

(6) The investments authorized in this chapter constitute the purchase of pollution reduction and the protection of Washington's clean air, clean water, healthy forests, and healthy communities.

NEW SECTION. **Sec. 2.** SHORT TITLE. This act may be known and cited as the Protect Washington Act.

NEW SECTION. **Sec. 3.** CLEAN UP POLLUTION FUND. (1) The clean up pollution fund is created in the state treasury. All receipts collected from the pollution fee imposed by this chapter must be deposited in the fund. The department of revenue is authorized to create subfunds or subaccounts as may be necessary or appropriate to implement the purposes of this chapter. Receipts collected from the pollution fee imposed by this chapter may only be spent after appropriation into the clean up pollution fund.

(2) After reasonable administrative costs:

(a) Seventy percent of total expenditures under this act must be used for the clean air and clean energy investments authorized under section 4 of this act;

(b) Twenty-five percent of total expenditures under this act must be used for the clean water and healthy forests investments authorized under section 5 of this act; and

(c) Five percent of total expenditures under this act must be used for the healthy communities investments authorized under section 6 of this act.

(3) The board may authorize deviation from the allocations in subsection (2) of this section if there are an insufficient number of interested or eligible programs, activities, or projects seeking funding or if the board otherwise determines that variance from the prescribed allocation is critically important to achieve the purposes of this chapter.

(4) Compliance with the allocations required in subsection (2) of this section may be calculated based upon the average expenditures from the fund over any four-year period.

(5) In addition to the requirements of subsection (2) of this section, each year the total investments made under this chapter must meet the following requirements:

(a) A minimum of thirty-five percent of total investments authorized under this chapter must provide direct and meaningful benefits to pollution and health action areas.

(b) A minimum of ten percent of the total investments authorized under this chapter must fund programs, activities, or projects that are located within the boundaries of and provide direct and meaningful benefits to pollution and health action areas. An investment that meets the requirements of both this subsection (5)(b) and of (a) of this subsection may count towards the requisite minimum percentage for both subsections.

(c) A minimum of ten percent of the total investments authorized under this chapter must be used for programs, activities, or projects formally supported by a resolution of an Indian tribe, with priority given to otherwise qualifying projects directly administered or proposed by an Indian tribe. An investment that meets the requirements of both this subsection (5)(c) and of (a) of this subsection may count towards the requisite minimum percentage for both subsections. However, investments under this subsection (5)(c) are in addition to, and may not count towards, the requisite minimum percentage for (b) of this subsection. Programs, activities, or projects for which credits are authorized pursuant to section 4(6) of this act may, but are not required to, count towards the requisite minimum percentage for this subsection (5)(c).

(d) For the purposes of this subsection, "benefits" means investments or activities that:

(i) Reduce vulnerable population characteristics, environmental burdens, or associated risks that contribute significantly to the cumulative impact designation of the pollution and health action area;

(ii) Meaningfully protect the pollution and health action area from, or support community response to, the impacts of climate change; or

(iii) Meet a community need identified by vulnerable members of the community that is consistent with the intent of this chapter and endorsed by the environmental and economic justice panel.

(6) The expenditure of moneys under this chapter must be consistent with applicable federal, state, and local laws, and treaty rights, including but not limited to prohibitions on uses of public funds imposed by the state Constitution.

(7) Public entities, including but not limited to state agencies, municipal corporations, and federally recognized tribes, and not-for-profit and for-profit private entities are eligible to receive investment funds authorized under this chapter.

(8) Funding under this chapter and credits authorized under section 4(6) of this act may be invested in pilot tests and other market and technology development projects that are designed to test the effectiveness of the proposed project, program, or technology.

NEW SECTION. **Sec 4.** CLEAN AIR AND CLEAN ENERGY INVESTMENTS.

(1) The clean air and clean energy account is created in the state treasury. All moneys directed to the account from the clean up pollution fund created in section 3 of this act must be deposited in the account. Money in the account must be used for programs, activities, or projects that yield or facilitate verifiable reductions in pollution or assist affected workers or people with lower incomes during the transition to a clean energy economy, including but not limited to:

(a) Programs, activities, or projects that deploy eligible renewable energy resources, such as solar and wind power;

(b) Programs, activities, or projects, including self-directed investments, that increase the energy efficiency or reduce carbon emissions of industrial facilities, including but not limited to proposals to implement combined heat and power, district energy, or on-site renewables, such as solar and wind power, to upgrade existing equipment to more efficient models, to reduce process emissions, and to switch to less carbon-intensive fuel sources, especially converting fossil fuel sources of energy to nonfossil fuel sources;

(c) Programs, activities, or projects, including self-directed investments, that increase energy efficiency in new and existing buildings, with a goal of creating carbon neutral buildings across the state;

(d) Programs, activities, or projects that reduce transportation-related carbon emissions, including but not limited to programs, activities, or projects that:

(i) Accelerate the deployment of zero-emission fleets and vehicles, including off-road and maritime vehicles, create zero-emission vehicle refueling infrastructure, or deploy grid infrastructure to integrate electric vehicles and charging equipment;

(ii) Reduce vehicle miles traveled or increase public transportation, including investing in public transit, transportation demand management, nonmotorized transportation, affordable transit-oriented housing, and high-speed rural broadband to facilitate telecommuting options such as telemedicine or online job training; or

(iii) Increase fuel efficiency in vehicles and vessels where options to convert to zero-emissions, low-carbon fuels, or public transportation are cost-prohibitive and inapplicable or unavailable;

(e) Programs, activities, or projects that improve energy efficiency, including programs, activities, or projects related to developing the demand side management of electricity, district energy, or heating and cooling, and investments in market transformation of energy efficiency products;

(f) Programs, activities, or projects that replace the use of natural gas with gas not derived from fossil fuels, including but not limited to biomethane and synthetic gas. Programs, activities, or projects may include investments that address the incremental cost of nonfossil fuel gas or investments that expand the manufacture or delivery of nonfossil fuel gas;

(g) Programs, activities, or projects that deploy distributed generation, energy storage, demand side management technologies, and other grid modernization projects; or

(h) Programs, activities, or projects that result in sequestration of carbon, including but not limited to sequestration in aquatic marine and freshwater natural resources, agricultural lands and soils, terrestrial, riparian, and aquatic habitats, and working forests. Funding under this subsection (1)(h) may not fund legally required land management responsibilities, such as requirements under the forest practices act or other pertinent land use regulations.

(2)(a) The department of commerce, working with the panels, the Washington State University extension energy program, the department of transportation, and in consultation with the utilities and transportation commission, investor-owned and consumer-owned utilities, and other experts and agencies, and after review of other states' plans to reduce carbon pollution or investment strategies for greenhouse gas reduction, shall develop pollution reduction investment plans and proposed rules that describe

the process and criteria to disburse funds from the clean air and clean energy account in compliance with this section. All investment plans and proposed rules required by this subsection must follow this same process.

(i) The department of commerce shall propose and submit to the board for approval an initial investment plan, processes, and procedures for investments made under this section, which the board shall review and approve by January 1, 2020. The investment plan, processes, and procedures govern investments made under this section until the permanent investment plan required by (a)(ii) of this subsection is adopted by rule.

(ii) By January 1, 2022, the department of commerce shall draft and submit to the board a permanent investment plan and proposed rules for the board to review and approve through the rule-making process. Upon adoption of the final rules by the board, the adopted investment plan supersedes the initial investment plan authorized under (a)(i) of this subsection.

(iii) The department of commerce shall propose updates to the permanent investment plan and proposed rules every four years for review and approval by the board through the rule-making process.

(b) The investment plans must prescribe a competitive project selection process that results in a balanced portfolio of investments containing a wide range of technology, sequestration, and emission reduction solutions that efficiently and effectively reduce the state's carbon emissions from 2018 levels by a minimum of twenty million metric tons by 2035 and a minimum of fifty million metric tons by 2050 while creating economic, environmental, and health benefits. The emission reductions to be achieved under the plan should, in combination with reductions achieved under other state policies, achieve emissions reductions that are consistent with the state's proportional share of global carbon reductions that will limit global temperature increases to two degrees centigrade and preferably below one and one-half degrees centigrade.

(3)(a) For investments authorized under subsection (1)(h) of this section:

(i) The department of natural resources shall develop proposed procedures, criteria, and rules for a program to sequester carbon through blue carbon projects.

(ii) The department of agriculture shall develop proposed procedures, criteria, and rules for a program to increase soil sequestration and reduce emissions from the loss and disturbance of soils, including the conversion of grassland and cropland soils to urban development.

(iii) The recreation and conservation office shall develop proposed procedures, criteria, and rules for a grant program that funds projects to prevent the conversion and fragmentation of working forests, farmland, and natural habitats of all types; expands habitat and working forest connectivity; promotes reforestation; funds the acquisition of permanent conservation easements or fee simple title with deed restrictions that result in increased forest carbon sequestration through the implementation of improved forest management practices that safeguard ecological benefits, protect habitat, and provide sustainable jobs in rural communities; and supports management activities that improve landscape-scale ecological functions to protect water, soils, and habitat for fish, wildlife, and plants and reduce potential for emissions of greenhouse gases. The program must prioritize and rank projects that effectively capture and store carbon and provide a diversity of additional ecological benefits.

(b) Procedures and criteria for the programs, activities, or projects created under (a)(ii) and (iii) of this subsection must retain sufficient flexibility to serve as a source of matching funds from other sources and to allow for a portion of the funds awarded to provide for the long-term costs of stewardship obligations on lands protected under those programs, activities, or projects.

(c) The proposed procedures, criteria, and rules for the programs, activities, or projects created under (a)(ii) and (iii) of this subsection must be developed in consultation with the panels and must be submitted to the board for final review and approval by January 1, 2020.

(4)(a) There must be sufficient investments made from the clean air and clean energy account to prevent or eliminate the increased energy burden of people with lower incomes as a result of actions to reduce pollution, including the pollution fees collected from large emitters under this chapter. At a minimum, fifteen percent of the clean air and clean energy account is dedicated to investments that directly reduce the energy burden of people with lower incomes. Additional funds from the clean air and clean energy account must be allocated for program development, recruitment, enrollment, and administration to achieve the intent of this subsection. Investments are in addition to programs, activities, or projects funded through credits authorized under subsection (6) of this section. After the first effectiveness report is issued, the environmental and economic justice panel may make recommendations to the board on measures to better achieve the intent of this subsection.

(b) The department of commerce or, for credits authorized pursuant to subsection (6) of this section, a light and power business or gas distribution business shall:

(i) In meaningful consultation with people with lower incomes and with the environmental and economic justice panel, develop a draft plan that identifies programs, activities, or projects that achieve the intent of this subsection and maximize the number of people with lower incomes benefiting at levels appropriate to need. The draft plan must be submitted to the board for final review and approval.

(ii) Prioritize programs, activities, and projects that create the following sustained energy burden reductions:

(A) Energy affordability through bill assistance programs and other similar programs;

(B) Reductions in dependence on fossil fuels used for transportation, including public and shared transportation for access and mobility;

(C) Reductions in household energy consumption, such as weatherization; and

(D) Community renewable energy projects that allow qualifying participants to own or receive the benefits of those projects at reduced or no cost.

(iii) In consultation with community-based nonprofit or-

ganizations and Indian tribes as appropriate, design and implement comprehensive enrollment campaigns that are language and culturally appropriate to inform and enroll people with lower incomes in the assistance programs authorized under this subsection. The campaign must also inform people with lower incomes of other energy cost reduction programs for which they may be eligible. The campaign should strive to achieve enrollment of one hundred percent of people with lower incomes. The department of commerce may contract with third parties to carry out the requirements of this subsection.

(c) Programs, activities, or projects that count toward the expenditures required by section 3(5)(a) of this act may not be counted toward the minimum expenditures required by this subsection.

(5) Within four years of the effective date of this section, a minimum balance of fifty million dollars of the clean air and clean energy account must be set aside, replenished annually, and maintained for a worker-support program for bargaining unit and nonsupervisory fossil fuel workers who are affected by the transition away from fossil fuels to a clean energy economy. The department of commerce, in consultation with the environmental and economic justice panel, may allocate additional moneys from the fund if necessary to meet the needs of eligible workers in the event of unforeseen or extraordinary amounts of dislocation.

(a) Worker support may include but is not limited to full wage replacement, health benefits, and pension contributions for every worker within five years of retirement; full wage replacement, health benefits, and pension contributions for every worker with at least one year of service for each year of service up to five years of service; wage insurance for up to five years for workers reemployed who have more than five years of service; up to two years of retraining costs including tuition and related costs, based on in-state community and technical college costs; peer counseling services during transition; employment placement services, prioritizing employment in the clean energy sector; relocation expenses; and any other services deemed necessary by the environmental and economic justice panel.

(b) The department of commerce, in consultation with the environmental and economic justice panel, shall develop draft rules, procedures, and criteria, to identify affected workers and administer this program. These draft rules, procedures, and criteria must be submitted to the board for final review and approval through the rule-making process.

(6)(a) A qualifying light and power business or gas distribution business may claim credits for up to one hundred percent of the pollution fees for which it is liable under this chapter. Credits may be authorized for, and in advance of, investment in programs, activities, or projects consistent with a clean energy investment plan that has been approved by the utilities and transportation commission, for investor-owned utilities and gas distribution businesses, or the department of commerce, for consumer-owned utilities.

(b) Clean energy investment plans must be developed by a qualifying light and power business or gas distribution business in meaningful collaboration with stakeholders, including the board and the panels. The qualifying light and power business or gas distribution business shall solicit public input and submit the clean energy investment plan for review and approval by the commission, for investor-owned utilities and gas distribution businesses, or the department, for consumer-owned utilities.

(c) To receive approval, the clean energy investment plan must:

(i) Identify investments aligned with the pollution reduction investment plan, targets, and goals authorized under and identified in subsection (2) of this section. Eligible investments include:

(A) Those categories listed in subsection (1)(a) through (g) of this section;

(B) A customer education and outreach program to promote widespread participation by consumers and businesses;

(C) The accelerated depreciation of a fossil fuel-fired generator owned by a light and power business, limited to thirty percent of credits authorized under a clean energy investment plan, if:

(I) The accelerated depreciation schedule includes recovery of all plant-in-service costs of the light and power business that owns or controls the plant associated with the fossil fuel-fired generator;

(II) The plant is replaced with renewable resources or demand side resources that emit no greenhouse gases; and

(III) The accelerated depreciation schedule and replacement power plan is included in a clean energy investment plan approved by the commission;

(D) Replacing all or a part of the debt financing portion of a capital investment made in the development of eligible renewable energy resources if doing so lowers the cost of financing and the construction of the capital investment commences after the effective date of this section;

(E) For a qualifying gas distribution business, purchasing alternative carbon reduction units. Alternative carbon reduction units are available only if a gas distribution business demonstrates in its clean energy investment plan that it has pursued all other available investment opportunities. No more than ten percent of the pollution fee owed in a given year may be reduced by purchasing alternative carbon reduction units. A qualifying gas distribution business must demonstrate that any carbon reduction unit it purchased verifiably reduced carbon emissions within the state, created benefits, as defined in section (3)(5)(d) of this act, within pollution and health action areas, and was developed in meaningful consultation with vulnerable populations. Alternative carbon reduction units are available only during the ten years immediately following the effective date of this section;

(ii) Identify sufficient investments to eliminate net increases in energy burden of customers that are people with lower incomes as a result of actions to reduce pollution, including the requirements of this act. At a minimum, fifteen percent of credits must be dedicated to investments that directly reduce energy burden on people with lower incomes. Additional funds must be allocated for program development, recruitment, enrollment, and administration

to achieve the intent of this subsection. These investments must be consistent with subsection (4) of this section;

(iii) Demonstrate how the requirements of section 3(5)(a) of this act have been met and the criteria in section 7 of this act, excluding subsection (1)(d) of that section, have been given priority in the development of the plan;

(iv) Describe a long-term strategy to eliminate any fee obligation imposed by this chapter on electricity and minimize any fee obligation on natural gas;

(v) Provide performance metrics, including performance metrics designed to measure pollution reduction achieved, energy burden reduction benefits supplied, and other indicators of progress in achieving the purposes of this chapter. Performance metrics must cover the life of the plan;

(vi) Demonstrate that expenditures in the plan are in addition to existing programs and expenditures necessary to meet other emissions reduction, energy conservation, low income, or renewable energy requirements in the absence of this chapter and incremental to investments or expenditures that the light and power business or gas distribution business would have pursued in the absence of the plan and the requirements of this chapter; and

(vii) Describe methods of addressing shortfalls of previous plans in achieving the requirements set forth in this subsection (6)(c).

(d) The department and the commission may choose to approve the entire plan or only parts of a plan and authorize credits only for the approved segments. The department, the commission, and the board may confer with and provide recommendations to one another prior to the approval of a clean energy investment plan. The department and the commission may make determinations based on the efficacy of the plan, including appropriate comparison to carbon reduction and other outcomes that are projected to be achieved under the state's pollution reduction investment plan developed under subsection (2) of this section, results of the effectiveness report developed under section 12 of this act, and other criteria they adopt.

(e) A light and power business or gas distribution business authorized to receive credits under this subsection must establish and maintain a separate clean energy investment account into which it must deposit amounts equal to the credits authorized under this section. Funds deposited into this account must be expended during the year in which the funds were collected from customers, the preceding year, or any of the three subsequent years, after which they must be remitted to the clean air and clean energy account.

(f) Upon approval of a clean energy investment plan, a qualifying light and power business or gas distribution business must expend moneys from its clean energy investment account in accordance with the approved clean energy investment plan, with the oversight of the commission or department. A light and power business or gas distribution business must submit annual reports to the commission or department that include, at a minimum, the status of the plan and an evaluation of whether its investments have achieved the performance metrics identified in the clean energy investment plan.

(g) If the commission or the department determines that a plan did not meet a performance metric, the commission or department may require the light and power business or gas distribution business to remit remaining credits dedicated for the nonperforming plan or components to the clean air and clean energy account and may deny future plans unless they meet the requirements of this subsection.

(h) To maintain eligibility to receive a credit for fees, a qualifying light and power business or gas distribution business must submit and receive approval of an updated clean energy investment plan every two years.

(i) An investor-owned light and power business or gas distribution business may not earn a rate of return from the portion of investments paid for with credits under this section.

(j) Credits may not support programs, activities, or projects that are otherwise legally required by federal, state, or local laws, or that are required as a result of a legal settlement or other action binding on the potential recipient of the funds. Credits may not be used to supplant existing funding for related programs.

(k) A qualifying light and power business or gas distribution business is authorized to use a reasonable portion of credits for necessary administrative costs related to the requirements of this subsection, including the development and implementation of an approved clean energy investment plan.

(l) For the purposes of this subsection, a qualifying light and power business or gas distribution business may request that within one hundred twenty days the department of health designate additional pollution and health action areas located in the service area of the qualifying light and power business or gas distribution business.

(m) Credited fees in the clean energy investment account are considered gross operating revenue for the purpose of RCW 80.24.010, and may not be considered gross income for the purposes of chapters 82.04 and 82.16 RCW. In addition to fees paid pursuant to RCW 80.24.010 on credited fees in the clean energy investment account, each investor-owned utility must pay an annual fee set by the commission annually through order of up to one percent of credited fees deposited in the clean energy investment account to pay for the commission's reasonable cost of administering this subsection.

(n) The commission and department must adopt rules concerning the process, timelines, reporting, committees, standards, and documentation required to ensure proper implementation of this subsection. These rules must allow for stakeholder contribution to the clean energy investment plans and establish requirements for review, approval, performance metrics, and independent monitoring and evaluation of a clean energy investment plan of a light and power business or gas distribution business.

(o) The amount of credits authorized and spent under this subsection counts towards the minimum percentage of investments required by section 3(2)(a) of this act.

(p) The definitions in this subsection (6)(p) apply throughout this subsection unless the context clearly requires otherwise.

(i) "Commission" means the utilities and transportation

commission.

(ii) "Department" means the department of commerce.

(7) Funding made available for programs, activities, or projects under this section must be additive to existing funding and may not supplant funding otherwise available.

(8) The expenditures of funds under this section may not support programs, activities, or projects that are otherwise legally required by federal, state, or local laws, or that are required as a result of a legal settlement or other legal action or court order binding on the potential recipient of the funds.

NEW SECTION. **Sec. 5.** CLEAN WATER AND HEALTHY FORESTS INVESTMENTS. (1) The clean water and healthy forests account is created in the state treasury. All moneys directed to the account from the clean up pollution fund created in section 3 of this act must be deposited in the account. Moneys in the account are intended to increase the resiliency of the state's waters and forests to the impacts of climate change. Moneys in the account must be spent in a manner that is consistent with existing and future assessment of climate risks and resilience from the scientific community and expressed concerns of and impacts to pollution and health action areas.

(2) Moneys in the account may be allocated for the following purposes:

(a) Clean water investments that improve resilience from climate impacts.

(i) Funding under this subsection (2)(a) must be used to:

(A) Restore and protect estuaries, fisheries, and marine shoreline habitats, and prepare for sea level rise;

(B) Increase the ability to remediate and adapt to the impacts of ocean acidification;

(C) Reduce flood risk and restore natural floodplain ecological function;

(D) Increase the sustainable supply of water and improve aquatic habitat, including groundwater mapping and modeling; or

(E) Improve infrastructure treating stormwater from previously developed areas within an urban growth boundary designated under chapter 36.70A RCW, with a preference given to projects that use green stormwater infrastructure.

(ii) Funding under this subsection (2)(a) proposed for projects in the Puget Sound basin must be reviewed by the Puget Sound partnership for consistency with the Puget Sound action agenda authorized under chapter 90.71 RCW. This review must be conducted in a manner that does not delay the approval of programs, activities, or projects under this subsection.

(iii) The departments of ecology, natural resources, fish and wildlife, the Puget Sound partnership, and the recreation and conservation office must jointly develop draft procedures, criteria, and rules for the program authorized under this subsection (2)(a).

(b) Healthy forests investments to improve resilience from climate impacts.

(i) Funding under this subsection (2)(b) must be used for projects and activities that will:

(A) Increase resilience to wildfire in the face of increased temperature and drought; or

(B) Improve forest health and reduce vulnerability to changes in hydrology, insect infestation, and other impacts of climate change.

(ii) The department of natural resources may consider supporting cross laminated timber and other mass timber technologies in support of this work.

(iii) The department of natural resources must develop draft procedures, criteria, and rules for the program authorized under this subsection (2)(b). Funding priority must be given to programs, activities, or projects prioritized pursuant to RCW 76.06.200 and 79.10.530 across any combination of local, state, federal, tribal, and private ownerships.

(iv) The department of natural resources must adopt rigorous performance-based criteria and objectives for funding decisions under this subsection (2)(b), such as the number of acres burned or thinned or otherwise treated to improve forest health, acres of forest for which wildland fire prevention measures have been implemented, and the number of communities in the wildland urban interface for which wildfire resilience and defense measures have been implemented.

(3) Draft procedures, criteria, and rules required under this section must be developed in consultation with the clean water and healthy forests panel and must be submitted to the board for final review and approval subject to the rule-making process.

(4) Moneys in the account may not be used for projects that would violate tribal treaty rights or result in significant long-term damage to critical habitat or ecological functions. Investments from this account must result in long-term environmental benefit and increased resiliency to the impacts of climate change.

(5) Funding made available for projects under this section should be considered additive to existing funding and is not intended to supplant funding otherwise available for such projects.

NEW SECTION. **Sec. 6.** HEALTHY COMMUNITIES INVESTMENTS. (1) The healthy communities account is created in the state treasury. All moneys directed to the account from the clean up pollution fund created in section 3 of this act must be deposited in the account. Moneys in the account must be used for programs, activities, or projects to prepare communities for challenges caused by climate change and to ensure that the impacts of climate change are not disproportionately borne by certain populations. Investments from this account may be used for the following purposes, with first priority given to programs, activities, or projects eligible for funding under (a), (b), and (c) of this subsection:

(a) Enhancing community preparedness and awareness before, during, and after wildfires;

(b) Developing and implementing resources to support fire suppression, prevention, and recovery for tribal communities impacted or potentially impacted by wildfires;

(c) Relocating communities on tribal lands that are impacted by flooding and sea level rise; and

(d) Developing and implementing education programs and teacher professional development opportunities at public schools to expand awareness of and increase pre-

paredness for the environmental, social, and economic impacts of climate change and strategies to reduce pollution.

(2) Funding under this section may not supplant federal funding or federal obligations otherwise required by law or treaty.

(3) The department of natural resources, in consultation with the environmental and economic justice panel, shall develop draft procedures, criteria, and rules for the programs authorized in subsection (1)(a) through (c) of this section. The procedures, criteria, and rules for the program authorized in subsection (1)(a) of this section must prioritize programs, activities, or projects that benefit communities with limited English proficiency and other vulnerable populations in communities at risk from wildfires.

(4) The superintendent of public instruction shall develop draft procedures, criteria, and rules for the program authorized in subsection (1)(d) of this section.

(5) Twenty percent of the healthy communities account must be reserved for developing community capacity to participate in the implementation of this chapter, including the preparation of funding proposals. Funds for this community capacity program must be allocated through a competitive process with a preference for projects proposed by vulnerable populations in pollution and health action areas and rural communities. Any Indian tribe that applies must receive up to two hundred thousand dollars per year to build tribal capacity to participate in the implementation of this chapter. The department of commerce shall work with the environmental and economic justice panel to develop draft procedures, criteria, and rules for this program.

(6) Proposed procedures, criteria, and rules prepared under this section must be sent to the board for final adoption, including through the rule-making process as appropriate.

NEW SECTION. **Sec. 7.** INVESTMENT CRITERIA. (1) After applying the account-specific criteria in sections 4, 5, and 6 of this act, preference must be given to investments authorized under section 3 of this act and credits authorized under section 4(6) of this act that meet one or more of the following investment criteria:

(a) Procurement and use of materials and content that have lower carbon emissions associated with their transportation and manufacturing, as determined through the best available reporting and assessment tools;

(b) Support of high quality labor standards, prevailing wage rates determined by local collective bargaining, apprenticeship and preapprenticeship utilization and preferred entry standards, community workforce agreements with priority local hire, procurement from women, veteran, and minority-owned businesses, procurement from and contracts with entities that have a history of complying with federal and state wage and hour laws and regulations, and other related labor standards;

(c) Reduction of worker and public exposure to emissions of air pollutants regulated under chapter 70.94 RCW, discharges of pollutants regulated under chapter 90.48 RCW, or releases of hazardous substances under chapter 70.105D RCW; and

(d) Reduction of pollution through strategies that reduce vehicle miles traveled, including by reducing travel distances for people with lower incomes.

(2) Projects that satisfy multiple criteria in subsection (1) of this section receive first preference under this section.

NEW SECTION. **Sec. 8.** POLLUTION FEE. (1) A pollution fee is imposed on and must be collected from large emitters based on the carbon content of:

(a) Fossil fuels sold or used within this state; and

(b) Electricity generated within or imported for consumption in the state.

(2) The fee must be levied only once on a particular unit of fossil fuels or electricity.

(3) Beginning January 1, 2020, the pollution fee on large emitters is equal to fifteen dollars per metric ton of carbon content. Beginning January 1, 2021, the pollution fee on large emitters increases by two dollars per metric ton of carbon content each January 1st. The annual increase shall adjust for inflation each year. The pollution fee is fixed and no longer increases, except for annual increases for inflation, when the state's 2035 greenhouse gas reduction goal is met and the state's emissions are on a trajectory that indicates that compliance with the state's 2050 goal is likely, as those goals exist or are subsequently amended, as determined by the board.

(4) In order to calculate the pollution fee on large emitters imposed by this chapter, by November 1, 2019, the department of ecology must, in consultation with the department of revenue, adopt emergency rules specifying the basis for the carbon content inherent in or associated with covered fossil fuels and electricity. In developing these rules, the department of ecology may consider, among other resources, the carbon dioxide content measurements for fossil fuels from the federal energy information administration and the federal environmental protection agency. The department of ecology may periodically update the rules specifying the carbon content of fossil fuels and electricity.

(5) For the generation or import of electricity from an unspecified source, the department of ecology, in consultation with the department of commerce, must select a default emission factor that maximizes the incentive for light and power businesses to specify power sources without also unduly burdening the ability to purchase electricity from the market.

(6) For power generated or imported by the Bonneville power administration, the department of ecology must publish a default emissions factor for sales into Washington state.

(7) A credit for the fee owed may be authorized as provided in section 4(6) of this act. The utilities and transportation commission and the department of commerce shall ensure that resources are not reallocated between customers, customer classes, or geographies for the purposes of artificially reducing the application of this fee without reducing actual pollution emissions and, in doing so, must also not unduly burden the ability of a light and power business or gas distribution business to transact with the market.

(8) The department of revenue is directed to collect the fee and is authorized to take actions it deems necessary to collect the pollution fee.

(9) To carry out the purposes of this chapter, the state

is authorized to issue general obligation or revenue bonds within the limitations now or hereafter prescribed by the laws of this state, and may use, and is authorized to pledge, the moneys collected under this section for repayment of those bonds.

(10) The pollution fee owed by a large emitter may be assumed by a light and power business when it purchases electricity from that large emitter.

(11) When a large emitter purchases power from the Bonneville power administration, the larger emitter must assume the pollution fees, if any.

NEW SECTION. **Sec. 9.** EXEMPTIONS. (1) To ensure consistency with existing state and federal law and to facilitate the timely, feasible, and effective reduction of pollution under this chapter, the pollution fee imposed on large emitters does not apply to and may not be collected for:

(a) Fossil fuels brought into this state in the fuel supply tank of a motor vehicle, vessel, locomotive, or aircraft;

(b) Fossil fuels that are exported or sold for export outside of Washington. Export to a federally recognized Indian tribal reservation located within this state is not considered export outside of Washington;

(c) Fossil fuels directly or eventually supplied to a light and power business for purposes of generating electricity;

(d) Motor vehicle and special fuel currently exempt from taxation under RCW 82.38.080;

(e) Fossil fuels and electricity sold to and used onsite by facilities with a primary activity that falls into an EITE sector, including any facility primarily supporting one or more facilities falling into one or more EITE sectors such as administrative, engineering, or other office facilities, after the department of commerce has validated a facility's designation within such sector or its supporting facility status in an EITE sector;

(f) Aircraft fuels as defined in RCW 82.42.010 and maritime fuels;

(g) Activities or property of Indian tribes and individual Indians that are exempt from state taxation as a matter of federal law and state law, whether by statute, rule, or compact, including but not limited to the exemptions listed in WAC 458-20-192. For motor vehicle fuel or special fuel sold on tribal lands, the fee may be included in any agreements under RCW 82.38.310;

(h) Diesel fuel, biodiesel fuel, or aircraft fuel when these fuels are used solely for agricultural purposes by a farm fuel user, as those terms are defined in RCW 82.08.865;

(i) Pollution emissions from a coal closure facility. For the purpose of this chapter, a "coal closure facility" is any facility that generates electricity through the combustion of coal as of the effective date of this section and:

(i) Is legally bound to comply with emissions performance standards as set forth in RCW 80.80.040 by December 31, 2025; or

(ii) Is legally bound to cease operation by December 31, 2025.

(2) For any electricity or fossil fuels subject to the fee imposed by this chapter that are also subject to a similar fee on carbon content imposed by another jurisdiction, the payer may take a credit against the fee imposed by this chapter up to the amount of the similar fee paid to the other jurisdiction if the payer petitions to and receives approval for the credit from the department of commerce.

(3) For electricity generated in Washington that is sold out of state to a jurisdiction that has a similar fee on carbon content, a large emitter may receive a credit equal to the amount of the fee in the receiving jurisdiction up to the amount of the fee owed under this chapter if the payer petitions to and receives approval for the credit from the department of commerce.

NEW SECTION. **Sec. 10.** PUBLIC OVERSIGHT BOARD AND CONSULTATION. (1) The public oversight board is established within the executive office of the governor. The purpose of the board is to ensure timely, effective, and efficient implementation of this chapter. The board must ensure robust public involvement, accountability, and transparency in the implementation of this chapter.

(2) The board has fifteen voting members, including the chair, the six cochairs of the panels, four at-large positions, the commissioner of public lands, and the directors of the department of commerce, the department of ecology, and the recreation and conservation office. The governor shall appoint the chair and the four at-large positions, one of which must be a tribal representative and one of which must represent vulnerable populations in pollution and health action areas, to achieve an overall board membership with appropriate expertise in pollution reduction. The at-large positions must serve staggered four-year terms. The department of health, the department of transportation, and the superintendent of public instruction are nonvoting members of the board.

(3) The board has the following powers and duties:

(a) Develop budget recommendations pursuant to the process set forth in chapter 43.88 RCW;

(b) Work with appropriate state agencies to utilize, where feasible, existing programs to deliver funding made available under this chapter;

(c) Evaluate the funding proposals developed by the state agencies and the panels and provide final approval of funding for programs and projects under this chapter at a public hearing;

(d) Adopt rules under chapter 34.05 RCW as necessary to carry out the purposes of this chapter;

(e) Review and approve procedures, criteria, and rules developed under the provisions of this chapter, the pollution reduction investment plan developed under section 4 of this act, and the effectiveness report required by section 12 of this act;

(f) Develop a tribal consultation process for programs, activities, or projects proposed for funding under this chapter consistent with subsection (9) of this section;

(g) Confer with the governor and the legislature regarding implementation of this chapter; and

(h) Carry out such other duties necessary for implementation of this chapter or that are delegated to the board.

(4) The board must be led by the chair of the board. The chair is a full-time staff person appointed by the governor and should be housed in the office of the governor. The chair should have experience in management and admin-

istration and expertise in and a demonstrated commitment to reducing pollution and transitioning to a clean energy economy.

(5) In addition to leading the board, the chair has, without limitation, the following duties and authorities:

(a) Drive implementation of programs, activities, or projects in a manner that achieves timely and effective pollution reduction and the other purposes of this chapter;

(b) Solicit analysis from any state agency or office on matters related to implementation of this chapter;

(c) Convene and preside over a climate subcabinet, consisting of representatives of the agencies with responsibility to implement portions of this chapter and the cochairs of the panels;

(d) Periodically brief the governor and legislative leaders regarding progress, challenges, and obstacles in implementing this chapter; and

(e) Hire staff as necessary to support the work of the chair and the board.

(6) Members of the board who are not state employees must be compensated in accordance with RCW 43.03.240 and are entitled to reimbursement individually for travel expenses incurred in the performance of their duties as members of the board in accordance with RCW 43.03.050 and 43.03.060.

(7) All state agencies shall cooperate with and support the board as it implements this chapter. All state agencies shall complete their duties under this chapter and otherwise drive its implementation with a sense of urgency.

(8) To ensure timeliness, efficiency, and effectiveness, the board and the joint legislative audit and review committee shall jointly develop a schedule for periodic review and reporting regarding the implementation of this chapter.

(9) In furtherance of strengthening partnerships between the state and Indian tribes, achieving the goals set forth in this chapter, and to ensure mutual respect for the rights, interests, and obligations of each sovereign, this chapter must be construed to recognize and affirm the inherent sovereignty of Indian tribes, and to further the government-to-government relationships between Indian tribes and the state as follows:

(a) Any state agency acting under the authority of this chapter or receiving funding under this chapter must consult with Indian tribes on all decisions that may directly affect Indian tribes and tribal lands including but not limited to activities such as rule making. That consultation must follow the agency's protocol for consultation with Indian tribes developed pursuant to the centennial accord and must occur independent of any public participation process required by state law or by the agency, regardless of whether the agency receives a request for consultation from an Indian tribe.

(b) Any project proposed for funding under this chapter that directly impacts tribal lands or usual and accustomed fishing areas must be subject to meaningful formal consultation with Indian tribes before the board approves disbursement of investment moneys for the project. Consultation must include all consultation required under state or federal law and the provisions of this section. The goal of consultation is to share information regarding the project to ensure a complete understanding of the project and to identify and address tribal concerns. The process for consultation must be as follows:

(i) Consultation with Indian tribes must be initiated when a project is being evaluated for funding by a panel.

(ii) Consultation is initiated upon receipt of a letter from the board or panel to the person identified by Indian tribes under RCW 43.376.050. If an Indian tribe does not respond within forty-five days of receipt of the letter, the board may conclude that the Indian tribe has declined consultation on the project. The board shall provide notice in a manner that ensures actual receipt by the tribe and provides clarity as to the commencement of the forty-five day period outlined herein.

(iii) Where an Indian tribe responds to the letter, the board must utilize the consultation process established by the board, including a mutually agreed timeline for completion of consultation. The consultation process runs concurrently with the panels' and board's evaluation of the project and must be completed prior to the date determined by the board to complete final funding decisions.

(iv) The board and the Indian tribe must work in good faith during the consultation process to reach consensus on whether the project should be funded.

(c) For programs, activities, or projects that directly impact tribal lands, the goal of the consultation process is to obtain free, prior, and informed consent for the project. For these programs, activities, or projects, consultation is complete when the Indian tribe's government provides the board with a written resolution providing consent or withholding consent by the deadline set for completion of the consultation process.

(d) If any project that directly impacts tribal lands is funded under this chapter without complying with (b) and (c) of this subsection, upon a request by an Indian tribe, all further action on the project must cease until consultation with the Indian tribe is complete.

(e) Nothing in this subsection precludes a panel or the board from evaluating similar programs, activities, or projects as a group or using existing programs, activities, or projects to provide preliminary funding recommendations.

(f) Informal and early consultation between an Indian tribe and a project proponent is encouraged.

(g) The utilities and transportation commission shall comply with this subsection in exercising its authority under section 4 of this act.

NEW SECTION. **Sec. 11.** INVESTMENT ADVISORY PANELS. (1) Three panels are created to provide detailed recommendations to the board and state agencies regarding implementation of this chapter, including the development of proposed rules, criteria, procedures, and other program elements. The governor shall appoint members of each panel for four-year, staggered terms. At least one-third of the membership of each panel must be representatives of the interests of vulnerable populations in pollution and health action areas.

(2) The clean air and clean energy panel must be cochaired by one business interest and a stakeholder that

represents a statewide labor organization that represents a broad cross-section of workers. The panel may have no more than nine members, representing tribal, environmental, business, and labor communities and pollution and health action areas outside of tribal lands. The panel's membership must have expertise in carbon reduction programs, activities, and technologies. The panel shall work with appropriate state agencies to identify existing state programs that can be utilized to provide preliminary evaluations of grant applications, develop criteria and processes for evaluating programs, activities, or projects proposed that cannot be evaluated under existing programs, and prepare funding and other recommendations to the board for expenditures from the clean air and clean energy account, created in section 4 of this act. The clean air and clean energy panel may also develop, as needed, and recommend rules for the board's consideration.

(3) The clean water and healthy forests panel must be cochaired by one tribal leader and one stakeholder that represents statewide environmental interests. The panel may have no more than nine members, representing tribal, environmental, business, and labor communities and pollution and health action areas outside of tribal lands. The panel shall work with appropriate state agencies to identify existing state programs that can be utilized to provide initial evaluations of grant applications, develop funding criteria and processes for programs, activities, or projects that cannot be evaluated under existing programs, and prepare funding and other recommendations to the board for expenditures from the clean water and healthy forests account, created in section 5 of this act. The panel may also recommend rules for the board's consideration.

(4) The environmental and economic justice panel must be cochaired by one tribal leader and one person that is a representative of the interests of vulnerable populations in pollution and health action areas outside of tribal lands. In addition to the cochairs, the panel consists of two members representing union labor with expertise in economic dislocation, clean energy economy, or energy-intensive and trade-exposed industries and five members, including at least one tribal leader and at least two nontribal leaders representing the interest of vulnerable populations in pollution and health action areas. The purpose of the panel is to:

(a) Prepare funding recommendations to the board for expenditures from the healthy communities account, created in section 6 of this act;

(b) Develop draft procedures, criteria, and rules for evaluating programs, activities, or projects for review and approval by the board and make funding recommendations regarding people with lower incomes, affected workers, vulnerable populations, and pollution and health action areas;

(c) Make recommendations regarding preventing or eliminating any increased energy burden of people with lower incomes as a result of actions to reduce pollution, including the pollution fees collected from large emitters under this chapter;

(d) Define meaningful consultation with pollution and health action areas, vulnerable populations, and people with lower incomes, and provide opportunities for vulnerable populations to consult on the implementation of this chapter;

(e) Evaluate compliance with the investment criteria in section 7 of this act;

(f) Define qualifying events and workers for the allocation of funds authorized under section 4(5) of this act;

(g) Review and comment on the analyses required under section 12 of this act and identify and recommend opportunities and measures to reduce burdens identified in the cumulative impact designation of pollution and health action areas pursuant to section 12(2) of this act, to increase economic opportunities, and to decrease risks, such as displacement; and

(h) Administer, in cooperation with the department of commerce, the community capacity grants authorized under section 6(5) of this act.

(5) Relevant state agencies shall cooperate with and support the panels as they implement this chapter.

(6) Any single individual may serve on more than one panel. Members of the panels who are not state employees must be compensated in accordance with RCW 43.03.240 and are entitled to reimbursement individually for travel expenses incurred in the performance of their duties as members of the panel in accordance with RCW 43.03.050 and 43.03.060. Members of the environmental and economic justice panel may receive financial support from organizations and the governments of Indian tribes through approved community capacity grants awarded under section 6(5) of this act.

NEW SECTION. **Sec. 12.** EFFECTIVENESS REVIEW AND POLLUTION MAPPING. (1)(a) By December 10, 2022, and every four years thereafter, the department of commerce, with support from relevant agencies and in consultation with the panels, the board, academic institutions, and other experts as appropriate, and taking into account scientific and community assessments of climate impacts, risks, and resilience needs, must develop and submit to the board a draft effectiveness report for final review and approval by the board.

(b) The effectiveness report must describe progress in achieving the purposes of this chapter, including progress made in achieving the carbon reduction goals established in section 4(2)(b) of this act and in developing and implementing the pollution reduction plans and clean energy investment plans under section 4 of this act. In addition, the effectiveness report must also include information regarding the impact of the implementation of this chapter upon employment and jobs, including the number and nature of jobs created, worker hours, job quality, job access and demographics, cobenefits secured, and other employment and economic information as deemed appropriate. The effectiveness report must also identify and evaluate outcomes, risks, and recommendations for vulnerable populations, pollution and health action areas, people with lower incomes, Indian tribes, and affected workers. The effectiveness report must recommend improvements to the implementation of this chapter.

(2) By July 31, 2019, the department of health shall des-

ignate pollution and health action areas. This designation must be at a minimum resolution of census tract scale and be based on the cumulative impact analysis of vulnerable populations and environmental burdens conducted by the University of Washington's department of environmental and occupational health sciences. The designation and ranking of census tracts in the cumulative impacts analysis and underlying data must be available for public review and may be integrated with or build upon other population tracking resources. The designation of pollution and health action areas and the cumulative impact analysis of vulnerable populations and environmental burdens must be periodically evaluated and updated by the department of health after meaningful consultation with vulnerable populations, the environmental and economic justice panel, and the University of Washington's department of environmental and occupational health sciences.

NEW SECTION. **Sec. 13.** DEFINITIONS. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Alternative carbon reduction unit" means a credit for one metric ton reduction in pollution that substitutes for an equivalent emission reduction in a qualifying gas distribution business's operations and is real, permanent, enforceable, verifiable, and additional to business as usual. The unit must derive from an action that reduces pollution.

(2) "Board" or "oversight board" means the public oversight board created in section 10 of this act.

(3) "Carbon content" means the carbon dioxide equivalent that is released through the combustion or oxidation of a fossil fuel, or that is associated with the combustion or oxidation of a fossil fuel, used to generate electricity.

(4) "Carbon dioxide equivalent" has the same meaning as provided in RCW 70.235.010.

(5) "Consumer-owned utility" has the same meaning as in RCW 19.29A.010.

(6) "Eligible renewable energy resource" has the same meaning as in RCW 19.285.030.

(7) "Energy burden" is the percentage of household income spent on road transportation and home energy bills.

(8) "Energy-intensive and trade-exposed sectors" and "EITE sectors" mean:

(a) Those sectors identified under "EITE covered party" in WAC 173-442-020(1)(m) as of April 22, 2017; and

(b) Other sectors the department of commerce designates that have, on average across all facilities belonging to the sector in the state, both a greater energy intensity of production and a greater trade share of goods than the corresponding averages for any other EITE sector.

(9) "Environmental burdens" refers to the cumulative risks to communities caused by historic and current:

(a) Exposure to conventional and toxic hazards in the air, water, and land, and;

(b) Adverse environmental effects, which are environmental conditions caused or made worse by contamination or pollution or that create vulnerabilities to climate impacts.

(10) "Fossil fuel" means petroleum products that are intended for combustion, natural gas, coal or coke of any kind, or any form of solid, liquid, or gaseous fuel derived from these products including but not limited to motor vehicle fuel, special fuel, aircraft fuel, marine fuel, still gas, propane, and petroleum residuals such as bunker fuel. For purposes of imposing the pollution fee on the carbon content of fossil fuels consumed by a refinery facility during the process of refining fossil fuels, "fossil fuel" also means crude oil and petroleum.

(11) "Fund" means the clean up pollution fund established under section 3 of this chapter.

(12) "Gas distribution business" has the same meaning as provided in RCW 82.16.010.

(13) "Greenhouse gas" and "greenhouse gases" have the same meaning as provided in RCW 70.235.010(6).

(14) An "Indian tribe" is an Indian nation, tribe, band, community, or other entity:

(a) Recognized as an Indian tribe by the federal department of the interior; and

(b) With its principal governmental office located within the geographical boundaries of the state of Washington or with treaty-reserved rights retained within the geographical boundaries of the state of Washington.

(15) "Inflation" means the percentage change in the consumer price index for all urban wage earners and clerical workers for the United States as published for the most recent twelve-month period by the bureau of labor statistics of the federal department of labor by September 30th of the year before the fees are payable.

(16) "Investor-owned utility" has the same meaning as in RCW 19.29A.010.

(17) "Large emitter" means:

(a) For electricity:

(i) An importer of electricity that was generated using fossil fuels or is subject to a default emissions factor under section 8 of this act; or

(ii) A power plant located in the state of Washington that generates electricity using fossil fuels.

(b) For motor vehicle fuel and special fuel, entities required to pay the tax specified in RCW 82.38.030(9).

(c) For natural gas, entities required to pay the tax specified in chapter 82.16 RCW, or, if the fee is not paid by a gas distribution business under chapter 82.16 RCW, by the person required to pay tax as provided in RCW 82.12.022 (1) through (3) and (8) through (10).

(d) For other petroleum products, persons as designated by rule by the department of revenue.

(e) A seller of fossil fuels to end users or consumers.

(f) A seller of fossil fuels sold for combined heat and power as defined in RCW 19.280.020.

(g) A refinery facility for crude oil, crude oil derivatives and other fossil fuels consumed by or in a refinery facility.

(18) "Light and power business" has the same meaning as provided in RCW 82.16.010, and includes a light and power business owned or operated by a municipality.

(19) "Maritime fuels" means diesel, gasoline, and biofuel-blend fuels sold from fuel docks for use in vessels and bunker and other fuels sold for use in ships for interstate and international transportation.

(20) "Motor vehicle fuel" has the same meaning as provided in RCW 82.38.020.

(21) "Panel" or "panels" means any or all of the panels established in section 11 of this chapter.

(22) "Person" means the state of Washington, political subdivision of the state of Washington, municipal corporation, the United States, and any individual, receiver, administrator, executor, assignee, trustee in bankruptcy, trust, estate, firm, partnership, joint venture, club, company, joint stock company, business trust, corporation, limited liability company, association, society, or any group of individuals acting as a unit, whether mutual, cooperative, fraternal, nonprofit, or otherwise.

(23) "People with lower incomes" means:

(a) All Washington residents with an annual income, adjusted for household size, which is at or below the greater of:

(i) Eighty percent of the area median income as reported by the federal department of housing and urban development; or

(ii) Two hundred percent of the federal poverty line; and

(b) Members of an Indian tribe who meet the income-based criteria for existing other means-tested benefits through formal resolution by the governing council of an Indian tribe.

(24) "Petroleum product" means hydrocarbons that are the product of the fractionation, distillation, or other refining or processing of crude oil that are used as, usable as, or may be refined as a fuel or fuel blend stock.

(25) "Pollution" means, for purposes of this chapter only, the presence of or introduction into the environment of greenhouse gases.

(26) "Pollution and health action areas" are those communities designated by the department of health based on the cumulative impacts analysis required by section 12(2) of this chapter and census tracts that are fully or partially on "Indian Country" as defined in 18 U.S.C. Sec. 1151.

(27) "Power plant" has the same meaning as in RCW 80.80.010.

(28) "Special fuel" has the same meaning as provided in RCW 82.38.020 and includes fuel that is sold or used to propel vessels.

(29) "Supplier" means a person that produces, refines, imports, sells, or delivers fossil fuels in or into the state for use or processing within the state.

(30) "Tribal lands" means "Indian Country" as defined in 18 U.S.C. Sec. 1151, lands owned by or held in trust for an Indian tribe, and sensitive tribal areas. For the purposes of this chapter, "sensitive tribal areas" are areas in which an Indian tribe has a significant interest, such as sacred sites, traditional cultural properties, and burial grounds protected under chapter 27.44 RCW.

(31) "Tribal leaders" means persons identified by Indian tribes under RCW 43.376.050 or other designee formally appointed by the Indian tribe.

(32) "Usual and accustomed fishing area" is any area adjudicated to have been reserved for fishing by one or more Indian tribe(s) through treaties as recognized by *United States v. Washington,* 20 F. Supp. 3d 899 (2008). For purposes of this chapter only, "usual and accustomed fishing area" refers to waterways only and not nearby uplands.

(33) "Vulnerable populations" are communities that experience high cumulative risk from environmental burdens due to:

(a) Adverse socioeconomic factors, such as unemployment, high housing and transportation costs relative to income, and linguistic isolation; and

(b) Sensitivity factors, such as low birth weight and higher rates of hospitalization.

NEW SECTION. **Sec. 16.** All departments and agencies named in this chapter may adopt rules, develop guidance, and create forms and other documents necessary to effectuate the provisions and purposes of this chapter.

NEW SECTION. **Sec. 17.** As of the effective date of this section, chapter 173-442 WAC and associated amendments to chapter 173-441 WAC previously adopted by the department of ecology may not be enforced by the department of ecology. If this chapter is invalidated, the department of ecology is directed to enforce chapter 173-442 WAC and associated amendments to chapter 173-441 WAC.

NEW SECTION. **Sec. 18.** If any provision of this chapter or its application to any person or circumstance is held invalid, the remainder of the chapter or the application of the provision to other persons or circumstances is not affected. If any provision of this chapter or its application to any person or circumstance is held unconstitutional or unlawful, this chapter shall be construed to provide for the maximum application of the pollution fee and investments authorized in this chapter. Each exemption in section 9 of this act is severable and, if any exemption is held unconstitutional or unlawful, the remainder of the chapter is not affected.

NEW SECTION. **Sec. 19.** The findings and determinations in section 1 of this act are an integral part of this chapter. The provisions of this chapter are to be liberally construed to effectuate the policies and purposes of this chapter.

NEW SECTION. **Sec. 20.** The people find and determine that the pollution fee imposed in this chapter is not a tax in light of the purposes, benefits, and use of the fee. Nevertheless, if a court of final jurisdiction determines that the pollution fee imposed in this chapter is a tax, then that tax shall be deemed authorized, imposed, and exempt from the provisions of RCW 82.32.805 and 82.32.808.

NEW SECTION. **Sec. 21.** Sections 1 through 19 of this act constitute a new chapter in Title 70 RCW.

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Complete Text

Initiative Measure No. 1634

AN ACT Relating to the taxation of groceries; and adding a new chapter to Title 82 RCW.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF WASHINGTON:

NEW SECTION. **Sec. 1.** SHORT TITLE. This chapter may be known and cited as the "keep groceries affordable act of 2018."

NEW SECTION. **Sec. 2.** KEEPING GROCERIES AFFORDABLE: FINDINGS AND DECLARATIONS.

(1) Whereas access to food is a basic human need of every Washingtonian; and

(2) Whereas keeping the price of groceries as low as possible improves the access to food for all Washingtonians; and

(3) Whereas taxing groceries is regressive and hurts low- and fixed-income Washingtonians the most; and

(4) Whereas working families in Washington pay a greater share of their family income in state and local taxes than their wealthier counterparts; now, therefore,

(5) The people of the state of Washington find and declare that no local governmental entity may impose any new tax, fee, or other assessment that targets grocery items.

NEW SECTION. **Sec. 3.** DEFINITIONS.

For purposes of this chapter: (1) "Alcoholic beverages" has the same meaning as provided in RCW 82.08.0293.

(2) "Groceries" means any raw or processed food or beverage, or any ingredient thereof, intended for human consumption except alcoholic beverages, marijuana products, and tobacco. "Groceries" includes, but is not limited to, meat, poultry, fish, fruits, vegetables, grains, bread, milk, cheese and other dairy products, nonalcoholic beverages, kombucha with less than 0.5% alcohol by volume, condiments, spices, cereals, seasonings, leavening agents, eggs, cocoa, teas, and coffees whether raw or processed.

(3) "Local governmental entity" has the same meaning as provided in RCW 4.96.010.

(4) "Marijuana products" has the same meaning as provided in RCW 69.50.101.

(5) "Tax, fee, or other assessment on groceries" includes, but is not limited to, a sales tax, gross receipts tax, business and occupation tax, business license tax, excise tax, privilege tax, or any other similar levy, charge, or exaction of any kind on groceries or the manufacture, distribution, sale, possession, ownership, transfer, transportation, container, use, or consumption thereof.

(6) "Tobacco" has the same meaning as provided in RCW 82.08.0293.

NEW SECTION. **Sec. 4**. KEEPING GROCERIES TAX FREE—PROTECTING TRADITIONAL LOCAL REVENUE STREAMS—CONTINUED AUTHORITY.

Notwithstanding any other law to the contrary:

(1) Except as provided in subsections (2) through (4) of this section, a local governmental entity may not impose or collect any tax, fee, or other assessment on groceries.

(2) Nothing in this section precludes the continued collection of any existing tax, fee, or other assessment on groceries as is in effect as of January 15, 2018; but no existing tax, fee, or other assessment on groceries may be increased in rate, scope, base, or otherwise after January 15, 2018, except as provided in subsections (3) and (4) of this section.

(3) Nothing in this section prohibits the imposition and collection of a tax, fee, or other assessment on groceries if:

(a) The tax, fee, or other assessment is generally applicable to a broad range of businesses and business activity; and

(b) The tax, fee, or other assessment does not establish or rely on a classification related to or involving groceries or a subset of groceries for purposes of establishing or otherwise resulting in a higher tax rate due to such classification.

(4) Nothing in this section prohibits the imposition and collection of a local retail sales and use tax pursuant to RCW 82.14.030 on those persons taxable by the state under chapters 82.08 and 82.12 RCW.

NEW SECTION. **Sec. 5.** IMPLEMENTATION.

Notwithstanding any other law to the contrary:

(1) This chapter applies to any tax, fee, or other assessment on groceries first imposed, increased, or collected by a local governmental entity on or after January 15, 2018.

(2) The provisions of this chapter are to be construed liberally so as to effectuate their intent, policy, and purposes.

NEW SECTION. **Sec. 6.** SEVERABILITY.

(1) 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.

(2) The people of the state of Washington hereby declare that they would have adopted this chapter, and each and every portion, section, subsection, clause, sentence, phrase, word, and application not declared invalid or unconstitutional without regard to whether any portion of this chapter, or application thereof, would be subsequently declared invalid.

NEW SECTION. **Sec. 7.** Sections 1 through 5 of this act constitute a new chapter in Title 82 RCW.

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Complete Text

Initiative Measure No. 1639

AN ACT Relating to increasing public safety by implementing firearm safety measures, including requiring enhanced background checks, waiting periods, and increased age requirements for semiautomatic assault rifles and secure gun storage for all firearms; amending RCW 9.41.090, 9.41.092, 9.41.094, 9.41.097, 9.41.0975, 9.41.110, 9.41.113, 9.41.124, 9.41.240, 9.41.129, and 9.41.010; adding new sections to chapter 9.41 RCW; creating new sections; prescribing penalties; and providing effective dates.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF WASHINGTON:

NEW SECTION. **Sec. 1.** INTENT. Gun violence is far too common in Washington and the United States. In particular, shootings involving the use of semiautomatic assault rifles have resulted in hundreds of lives lost, devastating injuries, and lasting psychological impacts on survivors, their families, and communities. Semiautomatic assault rifles are specifically designed to kill quickly and efficiently and have been used in some of the country's deadliest mass shootings, including in Newtown, Connecticut; Las Vegas, Nevada; and Parkland and Orlando, Florida, among others. Semiautomatic assault rifles have also been used in deadly shootings in Washington, including in Mukilteo and Tacoma.

The impacts of gun violence by assault weapons fall heavily on children and teenagers. According to one analysis, more than two hundred eight thousand students attending at least two hundred twelve schools have experienced a shooting on campus since the Columbine mass shooting in 1999. Active shooter drills are normal for a generation of American schoolchildren, instilling at a young age the sad and unnecessary realization that a mass shooting can happen in any community, in any school, at any time.

Enough is enough. The people find and declare that it is crucial and urgent to pass laws to increase public safety and reduce gun violence.

Implementing an enhanced background check system for semiautomatic assault rifles that is as strong as the one required to purchase a handgun and requiring safety training and a waiting period will help ensure that we keep these weapons out of dangerous hands. Further, federal law prohibits the sale of pistols to individuals under the age of twenty-one and at least a dozen states further restrict the ownership or possession of firearms by individuals under the age of twenty-one. This makes sense, as studies show that eighteen to twenty year olds commit a disproportionate number of firearm homicides in the United States and research indicates that the brain does not fully mature until a later age. Raising the minimum age to purchase semiautomatic assault rifles to twenty-one is a commonsense step the people wish to take to increase public safety.

Finally, firearms taken from the home by children or other persons prohibited from possessing firearms have been at the heart of several tragic gun violence incidents. One study shows that over eighty-five percent of school shooters obtained the firearm at their home or from a friend or relative. Another study found that more than seventy-five percent of firearms used in youth suicide attempts and unintentional injuries were stored in the residence of the victim, a relative, or a friend. Secure gun storage requirements for all firearms will increase public safety by helping ensure that children and other prohibited persons do not inappropriately gain access to firearms, and notice requirements will make the potential dangers of firearms clear to purchasers.

Therefore, to increase public safety for all Washingtonians, in particular our children, this measure would, among other things: Create an enhanced background check system applicable to semiautomatic assault rifles similar to what is required for handguns, require that individuals complete a firearm safety training course and be at least twenty-one years of age to purchase or possess such weapons, enact a waiting period for the purchase of such weapons, and establish standards for the responsible storage of all firearms.

NEW SECTION. **Sec. 2.** SHORT TITLE. This act may be known and cited as the public safety and semiautomatic assault rifle act.

Sec. 3. ENHANCED BACKGROUND CHECKS. RCW 9.41.090 and 2018 c 201 s 6003 are each amended to read as follows:

(1) In addition to the other requirements of this chapter, no dealer may deliver a pistol to the purchaser thereof until:

(a) The purchaser produces a valid concealed pistol license and the dealer has recorded the purchaser's name, license number, and issuing agency, such record to be made in triplicate and processed as provided in subsection (((~~(5)~~))) (6) of this section. For purposes of this subsection (1)(a), a "valid concealed pistol license" does not include a temporary emergency license, and does not include any license issued before July 1, 1996, unless the issuing agency conducted a records search for disqualifying crimes under RCW 9.41.070 at the time of issuance;

(b) The dealer is notified in writing by (i) the chief of police or the sheriff of the jurisdiction in which the purchaser resides that the purchaser is eligible to possess a pistol under RCW 9.41.040 and that the application to purchase is approved by the chief of police or sheriff; or (ii) the state that the purchaser is eligible to possess a firearm under RCW 9.41.040, as provided in subsection (3)(b) of this section; or

(c) The requirements or time periods in RCW 9.41.092 have been satisfied.

(2) In addition to the other requirements of this chapter, no dealer may deliver a semiautomatic assault rifle to the purchaser thereof until:

(a) The purchaser provides proof that he or she has completed a recognized firearm safety training program within the last five years that, at a minimum, includes instruction on:

(i) Basic firearms safety rules;

(ii) Firearms and children, including secure gun storage and talking to children about gun safety;

(iii) Firearms and suicide prevention;

(iv) Secure gun storage to prevent unauthorized access and use;

(v) Safe handling of firearms; and

(vi) State and federal firearms laws, including prohibited firearms transfers.

The training must be sponsored by a federal, state, county, or municipal law enforcement agency, a college or university, a nationally recognized organization that customarily offers firearms training, or a firearms training school with instructors certified by a nationally recognized organization that customarily offers firearms training. The proof of training shall be in the form of a certification that states under the penalty of perjury the training included the minimum requirements; and

(b) The dealer is notified in writing by (i) the chief of police or the sheriff of the jurisdiction in which the purchaser resides that the purchaser is eligible to possess a firearm under RCW 9.41.040 and that the application to purchase is approved by the chief of police or sheriff; or (ii) the state that the purchaser is eligible to possess a firearm under RCW 9.41.040, as provided in subsection (3)(b) of this section; or

(c) The requirements or time periods in RCW 9.41.092 have been satisfied.

(3)(a) Except as provided in (b) of this subsection, in determining whether the purchaser meets the requirements of RCW 9.41.040, the chief of police or sheriff, or the designee of either, shall check with the national crime information center, including the national instant criminal background check system, provided for by the Brady Handgun Violence Prevention Act (18 U.S.C. Sec. 921 et seq.), the Washington state patrol electronic database, the health care authority electronic database, and with other agencies or resources as appropriate, to determine whether the applicant is ineligible under RCW 9.41.040 to possess a firearm.

(b) The state, through the legislature or initiative process, may enact a statewide firearms background check system equivalent to, or more comprehensive than, the check required by (a) of this subsection to determine that a purchaser is eligible to possess a firearm under RCW 9.41.040. Once ((~~the~~)) a state system is established, a dealer shall use the state system and national instant criminal background check system, provided for by the Brady Handgun Violence Prevention Act (18 U.S.C. Sec. 921 et seq.), to make criminal background checks of applicants to purchase firearms. ((~~However, a chief of police or sheriff, or a designee of either, shall continue to check the health care authority's electronic database and with other agencies or resources as appropriate, to determine whether applicants are ineligible under RCW 9.41.040 to possess a firearm.~~))

(((~~3~~))) (4) In any case under this section where the applicant has an outstanding warrant for his or her arrest from any court of competent jurisdiction for a felony or misdemeanor, the dealer shall hold the delivery of the pistol or semiautomatic assault rifle until the warrant for arrest is served and satisfied by appropriate court appearance. The local jurisdiction for purposes of the sale, or the state pursuant to subsection (3)(b) of this section, shall confirm the existence of outstanding warrants within seventy-two hours after notification of the application to purchase a pistol or semiautomatic assault rifle is received. The local jurisdiction shall also immediately confirm the satisfaction of the warrant on request of the dealer so that the hold may be released if the warrant was for an offense other than an offense making a person ineligible under RCW 9.41.040 to possess a ((~~pistol~~)) firearm.

(((~~4~~))) (5) In any case where the chief or sheriff of the local jurisdiction, or the state pursuant to subsection (3)(b) of this section, has reasonable grounds based on the following circumstances: (a) Open criminal charges, (b) pending criminal proceedings, (c) pending commitment proceedings, (d) an outstanding warrant for an offense making a person ineligible under RCW 9.41.040 to possess a ((~~pistol~~)) firearm, or (e) an arrest for an offense making a person ineligible under RCW 9.41.040 to possess a ((~~pistol~~)) firearm, if the records of disposition have not yet been reported or entered sufficiently to determine eligibility to purchase a ((~~pistol~~)) firearm, the local jurisdiction or the state may hold the sale and delivery of the pistol or semiautomatic assault rifle up to thirty days in order to confirm existing records in this state or elsewhere. After thirty days, the hold will be lifted unless an extension of the thirty days is approved by a local district court, superior court, or municipal court for good cause shown. A dealer shall be notified of each hold placed on the sale by local law enforcement or the state and of any application to the court for additional hold period to confirm records or confirm the identity of the applicant.

(((~~5~~))) (6)(a) At the time of applying for the purchase of a pistol or semiautomatic assault rifle, the purchaser shall sign in triplicate and deliver to the dealer an application containing:

(i) His or her full name, residential address, date and place of birth, race, and gender;

(ii) The date and hour of the application;

(iii) The applicant's driver's license number or state identification card number;

(iv) A description of the pistol or semiautomatic assault rifle including the make, model, caliber and manufacturer's number if available at the time of applying for the purchase of a pistol or semiautomatic assault rifle. If the manufacturer's number is not available at the time of applying for the purchase of a pistol or semiautomatic assault rifle, the application may be processed, but delivery of the pistol or semiautomatic assault rifle to the purchaser may not occur unless the manufacturer's number is recorded on the application by the dealer and transmitted to the chief of police of the municipality or the sheriff of the county in which the purchaser resides, or the state pursuant to subsection (3)(b) of this section; ((~~and~~))

(v) A statement that the purchaser is eligible to purchase and possess a ((~~pistol~~)) firearm under ((~~RCW 9.41.040~~)) state and federal law; and

(vi) If purchasing a semiautomatic assault rifle, a statement by the applicant under penalty of perjury that the applicant has completed a recognized firearm safety training program within the last five years, as required by subsection (2) of this section.

(b) The application shall contain ((a)) two warnings substantially stated as follows:

(i) CAUTION: Although state and local laws do not differ, federal law and state law on the possession of firearms differ. If you are prohibited by federal law from possessing a firearm, you may be prosecuted in federal court. State permission to purchase a firearm is not a defense to a federal prosecution; and

(ii) CAUTION: The presence of a firearm in the home has been associated with an increased risk of death to self and others, including an increased risk of suicide, death during domestic violence incidents, and unintentional deaths to children and others.

The purchaser shall be given a copy of the department of fish and wildlife pamphlet on the legal limits of the use of firearms((,)) and firearms safety((~~, and the fact that local laws and ordinances on firearms are preempted by state law and must be consistent with state law~~)).

(c) The dealer shall, by the end of the business day, sign and attach his or her address and deliver a copy of the application and such other documentation as required under subsections (1) and (2) of this section to the chief of police of the municipality or the sheriff of the county of which the purchaser is a resident, or the state pursuant to subsection (3)(b) of this section. The triplicate shall be retained by the dealer for six years. The dealer shall deliver the pistol or semiautomatic assault rifle to the purchaser following the period of time specified in this chapter unless the dealer is notified of an investigative hold under subsection ((~~(4)~~)) (5) of this section in writing by the chief of police of the municipality ((~~or~~)), the sheriff of the county, or the state, whichever is applicable, ((~~denying~~)) or of the denial of the purchaser's application to purchase and the grounds thereof. The application shall not be denied unless the purchaser is not eligible to purchase or possess ((~~a pistol~~)) the firearm under ((~~RCW 9.41.040~~)) state or ((~~9.41.045, or~~)) federal law.

(d) The chief of police of the municipality or the sheriff of the county, or the state pursuant to subsection (3)(b) of this section, shall retain or destroy applications to purchase a pistol or semiautomatic assault rifle in accordance with the requirements of 18 U.S.C. Sec. 922.

((~~(6)~~)) (7)(a) To help offset the administrative costs of implementing this section as it relates to new requirements for semiautomatic assault rifles, the department of licensing may require the dealer to charge each semiautomatic assault rifle purchaser or transferee a fee not to exceed twenty-five dollars, except that the fee may be adjusted at the beginning of each biennium to levels not to exceed the percentage increase in the consumer price index for all urban consumers, CPI-W, or a successor index, for the previous biennium as calculated by the United States department of labor.

(b) The fee under (a) of this subsection shall be no more than is necessary to fund the following:

(i) The state for the cost of meeting its obligations under this section;

(ii) The health care authority, mental health institutions, and other health care facilities for state-mandated costs resulting from the reporting requirements imposed by RCW 9.41.097(1); and

(iii) Local law enforcement agencies for state-mandated local costs resulting from the requirements set forth under RCW 9.41.090 and this section.

(8) A person who knowingly makes a false statement regarding identity or eligibility requirements on the application to purchase a ((~~pistol~~)) firearm is guilty of false swearing under RCW 9A.72.040.

((~~(7)~~)) (9) This section does not apply to sales to licensed dealers for resale or to the sale of antique firearms.

Sec. 4. WAITING PERIOD. RCW 9.41.092 and 2018 c 145 s 4 are each amended to read as follows:

(1) Except as otherwise provided in this chapter and except for semiautomatic assault rifles under subsection (2) of this section, a licensed dealer may not deliver any firearm to a purchaser or transferee until the earlier of:

((~~(1)~~)) (a) The results of all required background checks are known and the purchaser or transferee ((~~(a)~~)) (i) is not prohibited from owning or possessing a firearm under federal or state law and ((~~(b)~~)) (ii) does not have a voluntary waiver of firearm rights currently in effect; or

((~~(2)~~)) (b) Ten business days have elapsed from the date the licensed dealer requested the background check. However, for sales and transfers of pistols if the purchaser or transferee does not have a valid permanent Washington driver's license or state identification card or has not been a resident of the state for the previous consecutive ninety days, then the time period in this subsection shall be extended from ten business days to sixty days.

(2) Except as otherwise provided in this chapter, a licensed dealer may not deliver a semiautomatic assault rifle to a purchaser or transferee until ten business days have elapsed from the date of the purchase application or, in the case of a transfer, ten business days have elapsed from the date a background check is initiated.

NEW SECTION. **Sec. 5.** SECURE GUN STORAGE. A new section is added to chapter 9.41 RCW to read as follows:

(1) A person who stores or leaves a firearm in a location where the person knows, or reasonably should know, that a prohibited person may gain access to the firearm:

(a) Is guilty of community endangerment due to unsafe storage of a firearm in the first degree if a prohibited person obtains access and possession of the firearm and causes personal injury or death with the firearm; or

(b) Is guilty of community endangerment due to unsafe storage of a firearm in the second degree if a prohibited person obtains access and possession of the firearm and:

(i) Causes the firearm to discharge;

(ii) Carries, exhibits, or displays the firearm in a public place in a manner that either manifests an intent to intimidate another or that warrants alarm for the safety of other persons; or

(iii) Uses the firearm in the commission of a crime.

(2)(a) Community endangerment due to unsafe storage of a firearm in the first degree is a class C felony punishable according to chapter 9A.20 RCW.

(b) Community endangerment due to unsafe storage of a firearm in the second degree is a gross misdemeanor punishable according to chapter 9A.20 RCW.

(3) Subsection (1) of this section does not apply if:

(a) The firearm was in secure gun storage, or secured with a trigger lock or similar device that is designed to prevent the unauthorized use or discharge of the firearm;

(b) In the case of a person who is a prohibited person on the basis of the person's age, access to the firearm is with the lawful permission of the prohibited person's parent or guardian and supervised by an adult, or is in accordance with RCW 9.41.042;

(c) The prohibited person obtains, or obtains and discharges, the firearm in a lawful act of self-defense; or

(d) The prohibited person's access to the firearm was obtained as a result of an unlawful entry, provided that the unauthorized access or theft of the firearm is reported to a local law enforcement agency in the jurisdiction in which the unauthorized access or theft occurred within five days of the time the victim of the unlawful entry knew or reasonably should have known that the firearm had been taken.

(4) If a death or serious injury occurs as a result of an alleged violation of subsection (1)(a) of this section, the prosecuting attorney may decline to prosecute, even though technically sufficient evidence to prosecute exists, in situations where prosecution would serve no public purpose or would defeat the purpose of the law in question.

(5) For the purposes of this section, "prohibited person" means a person who is prohibited from possessing a firearm under state or federal law.

(6) Nothing in this section mandates how or where a firearm must be stored.

NEW SECTION. **Sec. 6.** AVAILABILITY OF SECURE GUN STORAGE. A new section is added to chapter 9.41 RCW to read as follows:

(1) When selling or transferring any firearm, every dealer shall offer to sell or give the purchaser or transferee a secure gun storage device, or a trigger lock or similar device that is designed to prevent the unauthorized use or discharge of the firearm.

(2) Every store, shop, or sales outlet where firearms are sold, that is registered as a dealer in firearms with the department of licensing, shall conspicuously post, in a prominent location so that all patrons may take notice, the following warning sign, to be provided by the department of licensing, in block letters at least one inch in height:

WARNING: YOU MAY FACE CRIMINAL PROSECUTION IF YOU STORE OR LEAVE AN UNSECURED FIREARM WHERE A PERSON WHO IS PROHIBITED FROM POSSESSING FIREARMS CAN AND DOES OBTAIN POSSESSION.

(3) Every store, shop, or sales outlet where firearms are sold that is registered as a dealer in firearms with the department of licensing, upon the sale or transfer of a firearm, shall deliver a written warning to the purchaser or transferee that states, in block letters not less than one-fourth inch in height:

WARNING: YOU MAY FACE CRIMINAL PROSECUTION IF YOU STORE OR LEAVE AN UNSECURED FIREARM WHERE A PERSON WHO IS PROHIBITED FROM POSSESSING FIREARMS CAN AND DOES OBTAIN POSSESSION.

(4) Every person who violates this section is guilty of a class 1 civil infraction under chapter 7.80 RCW and may be fined up to two hundred fifty dollars. However, no such fines may be levied until thirty days have expired from the time warning signs required under subsection (2) of this section are distributed by the department of licensing.

Sec. 7. RCW 9.41.094 and 2018 c 201 s 6004 are each amended to read as follows:

A signed application to purchase a pistol or semiautomatic assault rifle shall constitute a waiver of confidentiality and written request that the health care authority, mental health institutions, and other health care facilities release, to an inquiring court or law enforcement agency, information relevant to the applicant's eligibility to purchase a pistol or semiautomatic assault rifle to an inquiring court or law enforcement agency.

Sec. 8. RCW 9.41.097 and 2018 c 201 s 6005 are each amended to read as follows:

(1) The health care authority, mental health institutions, and other health care facilities shall, upon request of a court, ((~~or~~)) law enforcement agency, or the state, supply such relevant information as is necessary to determine the eligibility of a person to possess a ((~~pistol~~)) firearm or to be issued a concealed pistol license under RCW 9.41.070 or to purchase a pistol or semiautomatic assault rifle under RCW 9.41.090.

(2) Mental health information received by: (a) The department of licensing pursuant to RCW 9.41.047 or 9.41.173; (b) an issuing authority pursuant to RCW 9.41.047 or 9.41.070; (c) a chief of police or sheriff pursuant to RCW 9.41.090 or 9.41.173; (d) a court or law enforcement agency pursuant to subsection (1) of this section; or (e) the state pursuant to RCW 9.41.090, shall not be disclosed except as provided in RCW 42.56.240(4).

Sec. 9. RCW 9.41.0975 and 2009 c 216 s 7 are each amended to read as follows:

(1) The state, local governmental entities, any public or private agency, and the employees of any state or local governmental entity or public or private agency, acting in good faith, are immune from liability:

(a) For failure to prevent the sale or transfer of a firearm to a person whose receipt or possession of the firearm is unlawful;

(b) For preventing the sale or transfer of a firearm to a person who may lawfully receive or possess a firearm;

(c) For issuing a concealed pistol license or alien firearm license to a person ineligible for such a license;

(d) For failing to issue a concealed pistol license or alien firearm license to a person eligible for such a license;

(e) For revoking or failing to revoke an issued concealed pistol license or alien firearm license;

(f) For errors in preparing or transmitting information as part of determining a person's eligibility to receive or possess a firearm, or eligibility for a concealed pistol license or alien firearm license;

(g) For issuing a dealer's license to a person ineligible for such a license; or

(h) For failing to issue a dealer's license to a person eligible for such a license.

(2) An application may be made to a court of competent jurisdiction for a writ of mandamus:

(a) Directing an issuing agency to issue a concealed pistol license or alien firearm license wrongfully refused;

(b) Directing a law enforcement agency to approve an application to purchase a pistol or semiautomatic assault rifle wrongfully denied;

(c) Directing that erroneous information resulting either in the wrongful refusal to issue a concealed pistol license or alien firearm license or in the wrongful denial of a purchase application for a pistol or semiautomatic assault rifle be corrected; or

(d) Directing a law enforcement agency to approve a dealer's license wrongfully denied.

The application for the writ may be made in the county in which the application for a concealed pistol license or alien firearm license or to purchase a pistol or semiautomatic assault rifle was made, or in Thurston county, at the discretion of the petitioner. A court shall provide an expedited hearing for an application brought under this subsection (2) for a writ of mandamus. A person granted a writ of mandamus under this subsection (2) shall be awarded reasonable attorneys' fees and costs.

Sec. 10. RCW 9.41.110 and 2009 c 479 s 10 are each amended to read as follows:

(1) No dealer may sell or otherwise transfer, or expose for sale or transfer, or have in his or her possession with intent to sell, or otherwise transfer, any pistol without being licensed as provided in this section.

(2) No dealer may sell or otherwise transfer, or expose for sale or transfer, or have in his or her possession with intent to sell, or otherwise transfer, any firearm other than a pistol without being licensed as provided in this section.

(3) No dealer may sell or otherwise transfer, or expose for sale or transfer, or have in his or her possession with intent to sell, or otherwise transfer, any ammunition without being licensed as provided in this section.

(4) The duly constituted licensing authorities of any city, town, or political subdivision of this state shall grant licenses in forms prescribed by the director of licensing effective for not more than one year from the date of issue permitting the licensee to sell firearms within this state subject to the following conditions, for breach of any of which the license shall be forfeited and the licensee subject to punishment as provided in RCW 9.41.010 through 9.41.810. A licensing authority shall forward a copy of each license granted to the department of licensing. The department of licensing shall notify the department of revenue of the name and address of each dealer licensed under this section.

(5)(a) A licensing authority shall, within thirty days after the filing of an application of any person for a dealer's license, determine whether to grant the license. However, if the applicant does not have a valid permanent Washington driver's license or Washington state identification card, or has not been a resident of the state for the previous consecutive ninety days, the licensing authority shall have up to sixty days to determine whether to issue a license. No person shall qualify for a license under this section without first receiving a federal firearms license and undergoing fingerprinting and a background check. In addition, no person ineligible to possess a firearm under RCW 9.41.040 or ineligible for a concealed pistol license under RCW 9.41.070 shall qualify for a dealer's license.

(b) A dealer shall require every employee who may sell a firearm in the course of his or her employment to undergo fingerprinting and a background check. An employee must be eligible to possess a firearm, and must not have been convicted of a crime that would make the person ineligible for a concealed pistol license, before being permitted to sell a firearm. Every employee shall comply with requirements concerning purchase applications and restrictions on delivery of pistols or semiautomatic assault rifles that are applicable to dealers.

(6)(a) Except as otherwise provided in (b) of this subsection, the business shall be carried on only in the building designated in the license. For the purpose of this section, advertising firearms for sale shall not be considered the carrying on of business.

(b) A dealer may conduct business temporarily at a location other than the building designated in the license, if the temporary location is within Washington state and is the location of a gun show sponsored by a national, state, or local organization, or an affiliate of any such organization, devoted to the collection, competitive use, or other sporting use of firearms in the community. Nothing in this subsection (6)(b) authorizes a dealer to conduct business in or from a motorized or towed vehicle.

In conducting business temporarily at a location other than the building designated in the license, the dealer shall comply with all other requirements imposed on dealers by RCW 9.41.090, 9.41.100, and ((~~9.41.110~~)) this section. The license of a dealer who fails to comply with the requirements of RCW 9.41.080 and 9.41.090 and subsection (8) of this section while conducting business at a temporary location shall be revoked, and the dealer shall be permanently ineligible for a dealer's license.

(7) The license or a copy thereof, certified by the issuing authority, shall be displayed on the premises in the area where firearms are sold, or at the temporary location, where it can easily be read.

(8)(a) No pistol or semiautomatic assault rifle may be sold: (i) In violation of any provisions of RCW 9.41.010 through 9.41.810; nor (ii) may a pistol or semiautomatic assault rifle be sold under any circumstances unless the purchaser is personally known to the dealer or shall present clear evidence of his or her identity.

(b) A dealer who sells or delivers any firearm in violation of RCW 9.41.080 is guilty of a class C felony. In addition to any other penalty provided for by law, the dealer is subject to mandatory permanent revocation of his or her dealer's license and permanent ineligibility for a dealer's license.

(c) The license fee for pistols shall be one hundred twenty-five dollars. The license fee for firearms other than pistols shall be one hundred twenty-five dollars. The license fee for ammunition shall be one hundred twenty-five dollars. Any dealer who obtains any license under subsection (1), (2), or (3) of this section may also obtain the remaining licenses without payment of any fee. The fees received under this

section shall be deposited in the state general fund.

(9)(a) A true record in triplicate shall be made of every pistol or semiautomatic assault rifle sold, in a book kept for the purpose, the form of which may be prescribed by the director of licensing and shall be personally signed by the purchaser and by the person effecting the sale, each in the presence of the other, and shall contain the date of sale, the caliber, make, model and manufacturer's number of the weapon, the name, address, occupation, and place of birth of the purchaser, and a statement signed by the purchaser that he or she is not ineligible under ((~~RCW 9.41.040~~)) state or federal law to possess a firearm.

(b) One copy shall within six hours be sent by certified mail to the chief of police of the municipality or the sheriff of the county of which the purchaser is a resident, or the state pursuant to RCW 9.41.090; the duplicate the dealer shall within seven days send to the director of licensing; the triplicate the dealer shall retain for six years.

(10) Subsections (2) through (9) of this section shall not apply to sales at wholesale.

(11) The dealer's licenses authorized to be issued by this section are general licenses covering all sales by the licensee within the effective period of the licenses. The department shall provide a single application form for dealer's licenses and a single license form which shall indicate the type or types of licenses granted.

(12) Except as provided in RCW 9.41.090, every city, town, and political subdivision of this state is prohibited from requiring the purchaser to secure a permit to purchase or from requiring the dealer to secure an individual permit for each sale.

Sec. 11. RCW 9.41.113 and 2017 c 264 s 2 are each amended to read as follows:

(1) All firearm sales or transfers, in whole or part in this state including without limitation a sale or transfer where either the purchaser or seller or transferee or transferor is in Washington, shall be subject to background checks unless specifically exempted by state or federal law. The background check requirement applies to all sales or transfers including, but not limited to, sales and transfers through a licensed dealer, at gun shows, online, and between unlicensed persons.

(2) No person shall sell or transfer a firearm unless:

(a) The person is a licensed dealer;

(b) The purchaser or transferee is a licensed dealer; or

(c) The requirements of subsection (3) of this section are met.

(3) Where neither party to a prospective firearms transaction is a licensed dealer, the parties to the transaction shall complete the sale or transfer through a licensed dealer as follows:

(a) The seller or transferor shall deliver the firearm to a licensed dealer to process the sale or transfer as if it is selling or transferring the firearm from its inventory to the purchaser or transferee, except that the unlicensed seller or transferor may remove the firearm from the business premises of the licensed dealer while the background check is being conducted. If the seller or transferor removes the firearm from the business premises of the licensed dealer while the background check is being conducted, the purchaser or transferee and the seller or transferor shall return to the business premises of the licensed dealer and the seller or transferor shall again deliver the firearm to the licensed dealer prior to completing the sale or transfer.

(b) Except as provided in (a) of this subsection, the licensed dealer shall comply with all requirements of federal and state law that would apply if the licensed dealer were selling or transferring the firearm from its inventory to the purchaser or transferee, including but not limited to conducting a background check on the prospective purchaser or transferee in accordance with federal and state law requirements ((~~and~~)), fulfilling all federal and state recordkeeping requirements, and complying with the specific requirements and restrictions on semiautomatic assault rifles in this act.

(c) The purchaser or transferee must complete, sign, and submit all federal, state, and local forms necessary to process the required background check to the licensed dealer conducting the background check.

(d) If the results of the background check indicate that the purchaser or transferee is ineligible to possess a firearm, then the licensed dealer shall return the firearm to the seller or transferor.

(e) The licensed dealer may charge a fee that reflects the fair market value of the administrative costs and efforts incurred by the licensed dealer for facilitating the sale or transfer of the firearm.

(4) This section does not apply to:

(a) A transfer between immediate family members, which for this subsection shall be limited to spouses, domestic partners, parents, parents-in-law, children, siblings, siblings-in-law, grandparents, grandchildren, nieces, nephews, first cousins, aunts, and uncles, that is a bona fide gift or loan;

(b) The sale or transfer of an antique firearm;

(c) A temporary transfer of possession of a firearm if such transfer is necessary to prevent imminent death or great bodily harm to the person to whom the firearm is transferred if:

(i) The temporary transfer only lasts as long as immediately necessary to prevent such imminent death or great bodily harm; and

(ii) The person to whom the firearm is transferred is not prohibited from possessing firearms under state or federal law;

(d) A temporary transfer of possession of a firearm if: (i) The transfer is intended to prevent suicide or self-inflicted great bodily harm; (ii) the transfer lasts only as long as reasonably necessary to prevent death or great bodily harm; and (iii) the firearm is not utilized by the transferee for any purpose for the duration of the temporary transfer;

(e) Any law enforcement or corrections agency and, to the extent the person is acting within the course and scope of his or her employment or official duties, any law enforcement or corrections officer, United States marshal, member of the armed forces of the United States or the national guard, or federal official;

(f) A federally licensed gunsmith who receives a firearm solely for the purposes of service or repair, or the return of

the firearm to its owner by the federally licensed gunsmith;

(g) The temporary transfer of a firearm (i) between spouses or domestic partners; (ii) if the temporary transfer occurs, and the firearm is kept at all times, at an established shooting range authorized by the governing body of the jurisdiction in which such range is located; (iii) if the temporary transfer occurs and the transferee's possession of the firearm is exclusively at a lawful organized competition involving the use of a firearm, or while participating in or practicing for a performance by an organized group that uses firearms as a part of the performance; (iv) to a person who is under eighteen years of age for lawful hunting, sporting, or educational purposes while under the direct supervision and control of a responsible adult who is not prohibited from possessing firearms; (v) under circumstances in which the transferee and the firearm remain in the presence of the transferor; or (vi) while hunting if the hunting is legal in all places where the person to whom the firearm is transferred possesses the firearm and the person to whom the firearm is transferred has completed all training and holds all licenses or permits required for such hunting, provided that any temporary transfer allowed by this subsection is permitted only if the person to whom the firearm is transferred is not prohibited from possessing firearms under state or federal law;

(h) A person who (i) acquired a firearm other than a pistol by operation of law upon the death of the former owner of the firearm or (ii) acquired a pistol by operation of law upon the death of the former owner of the pistol within the preceding sixty days. At the end of the sixty-day period, the person must either have lawfully transferred the pistol or must have contacted the department of licensing to notify the department that he or she has possession of the pistol and intends to retain possession of the pistol, in compliance with all federal and state laws; or

(i) A sale or transfer when the purchaser or transferee is a licensed collector and the firearm being sold or transferred is a curio or relic.

Sec. 12. RCW 9.41.124 and 2015 c 1 s 7 are each amended to read as follows:

Residents of a state other than Washington may purchase rifles and shotguns, except those firearms defined as semiautomatic assault rifles, in Washington: PROVIDED, That such residents conform to the applicable provisions of the federal Gun Control Act of 1968, Title IV, Pub. L. 90-351 as administered by the United States secretary of the treasury: AND PROVIDED FURTHER, That such residents are eligible to purchase or possess such weapons in Washington and in the state in which such persons reside: AND PROVIDED FURTHER, That such residents are subject to the procedures and background checks required by this chapter.

Sec. 13. RCW 9.41.240 and 1994 sp.s. c 7 s 423 are each amended to read as follows:

(1) A person under twenty-one years of age may not purchase a pistol or semiautomatic assault rifle, and except as otherwise provided in this chapter, no person may sell or transfer a semiautomatic assault rifle to a person under twenty-one years of age.

(2) Unless an exception under RCW 9.41.042, 9.41.050, or 9.41.060 applies, a person at least eighteen years of age, but less than twenty-one years of age, may possess a pistol only:

((~~(1)~~)) (a) In the person's place of abode;

((~~(2)~~)) (b) At the person's fixed place of business; or

((~~(3)~~)) (c) On real property under his or her control.

(3) Except in the places and situations identified in RCW 9.41.042 (1) through (9) and 9.41.060 (1) through (10), a person at least eighteen years of age, but less than twenty-one years of age, may possess a semiautomatic assault rifle only:

(a) In the person's place of abode;

(b) At the person's fixed place of business;

(c) On real property under his or her control; or

(d) For the specific purpose of (i) moving to a new place of abode; (ii) traveling between the person's place of abode and real property under his or her control; or (iii) selling or transferring the firearm in accordance with the requirements of this chapter; provided that in all of these situations the semiautomatic assault rifle is unloaded and either in secure gun storage or secured with a trigger lock or similar device that is designed to prevent the unauthorized use or discharge of the firearm.

Sec. 14. RCW 9.41.129 and 2005 c 274 s 203 are each amended to read as follows:

The department of licensing ((~~may~~)) shall keep copies or records of applications for concealed pistol licenses provided for in RCW 9.41.070, copies or records of applications for alien firearm licenses, copies or records of applications to purchase pistols or semiautomatic assault rifles provided for in RCW 9.41.090, and copies or records of pistol or semiautomatic assault rifle transfers provided for in RCW 9.41.110. The copies and records shall not be disclosed except as provided in RCW 42.56.240(4).

NEW SECTION. **Sec. 15.** A new section is added to chapter 9.41 RCW to read as follows:

(1) Within twelve months of the effective date of this section, the department of licensing shall, in conjunction with the Washington state patrol and other state and local law enforcement agencies as necessary, develop a cost-effective and efficient process to:

(a) Verify, on an annual or more frequent basis, that persons who acquired pistols or semiautomatic assault rifles pursuant to this chapter remain eligible to possess a firearm under state and federal law; and

(b) If such persons are determined to be ineligible for any reason, (i) notify and provide the relevant information to the chief of police or the sheriff of the jurisdiction in which the purchaser resides and (ii) take steps to ensure such persons are not illegally in possession of firearms.

(2) The department of licensing, where appropriate, may consult with individuals from the public and private sector or ask the individuals to establish a temporary advisory committee to accomplish the purposes in subsection (1) of this section. Members of such an advisory committee are not entitled to expense reimbursement.

Sec. 16. RCW 9.41.010 and 2018 c 7 s 1 are each amended to read as follows:

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

(1) "Antique firearm" means a firearm or replica of a firearm not designed or redesigned for using rim fire or conventional center fire ignition with fixed ammunition and manufactured in or before 1898, including any matchlock, flintlock, percussion cap, or similar type of ignition system and also any firearm using fixed ammunition manufactured in or before 1898, for which ammunition is no longer manufactured in the United States and is not readily available in the ordinary channels of commercial trade.

(2) "Barrel length" means the distance from the bolt face of a closed action down the length of the axis of the bore to the crown of the muzzle, or in the case of a barrel with attachments to the end of any legal device permanently attached to the end of the muzzle.

(3) "Bump-fire stock" means a butt stock designed to be attached to a semiautomatic firearm with the effect of increasing the rate of fire achievable with the semiautomatic firearm to that of a fully automatic firearm by using the energy from the recoil of the firearm to generate reciprocating action that facilitates repeated activation of the trigger.

(4) "Crime of violence" means:

(a) Any of the following felonies, as now existing or hereafter amended: Any felony defined under any law as a class A felony or an attempt to commit a class A felony, criminal solicitation of or criminal conspiracy to commit a class A felony, manslaughter in the first degree, manslaughter in the second degree, indecent liberties if committed by forcible compulsion, kidnapping in the second degree, arson in the second degree, assault in the second degree, assault of a child in the second degree, extortion in the first degree, burglary in the second degree, residential burglary, and robbery in the second degree;

(b) Any conviction for a felony offense in effect at any time prior to June 6, 1996, which is comparable to a felony classified as a crime of violence in (a) of this subsection; and

(c) Any federal or out-of-state conviction for an offense comparable to a felony classified as a crime of violence under (a) or (b) of this subsection.

(5) "Curio or relic" has the same meaning as provided in 27 C.F.R. Sec. 478.11.

(6) "Dealer" means a person engaged in the business of selling firearms at wholesale or retail who has, or is required to have, a federal firearms license under 18 U.S.C. Sec. 923(a). A person who does not have, and is not required to have, a federal firearms license under 18 U.S.C. Sec. 923(a), is not a dealer if that person makes only occasional sales, exchanges, or purchases of firearms for the enhancement of a personal collection or for a hobby, or sells all or part of his or her personal collection of firearms.

(7) "Family or household member" means "family" or "household member" as used in RCW 10.99.020.

(8) "Felony" means any felony offense under the laws of this state or any federal or out-of-state offense comparable to a felony offense under the laws of this state.

(9) "Felony firearm offender" means a person who has previously been convicted or found not guilty by reason of insanity in this state of any felony firearm offense. A person is not a felony firearm offender under this chapter if any and all qualifying offenses have been the subject of an expungement, pardon, annulment, certificate, or rehabilitation, or other equivalent procedure based on a finding of the rehabilitation of the person convicted or a pardon, annulment, or other equivalent procedure based on a finding of innocence.

(10) "Felony firearm offense" means:

(a) Any felony offense that is a violation of this chapter;

(b) A violation of RCW 9A.36.045;

(c) A violation of RCW 9A.56.300;

(d) A violation of RCW 9A.56.310;

(e) Any felony offense if the offender was armed with a firearm in the commission of the offense.

(11) "Firearm" means a weapon or device from which a projectile or projectiles may be fired by an explosive such as gunpowder. "Firearm" does not include a flare gun or other pyrotechnic visual distress signaling device, or a powder-actuated tool or other device designed solely to be used for construction purposes.

(12) "Gun" has the same meaning as firearm.

(13) "Law enforcement officer" includes a general authority Washington peace officer as defined in RCW 10.93.020, or a specially commissioned Washington peace officer as defined in RCW 10.93.020. "Law enforcement officer" also includes a limited authority Washington peace officer as defined in RCW 10.93.020 if such officer is duly authorized by his or her employer to carry a concealed pistol.

(14) "Lawful permanent resident" has the same meaning afforded a person "lawfully admitted for permanent residence" in 8 U.S.C. Sec. 1101(a)(20).

(15) "Licensed collector" means a person who is federally licensed under 18 U.S.C. Sec. 923(b).

(16) "Licensed dealer" means a person who is federally licensed under 18 U.S.C. Sec. 923(a).

(17) "Loaded" means:

(a) There is a cartridge in the chamber of the firearm;

(b) Cartridges are in a clip that is locked in place in the firearm;

(c) There is a cartridge in the cylinder of the firearm, if the firearm is a revolver;

(d) There is a cartridge in the tube or magazine that is inserted in the action; or

(e) There is a ball in the barrel and the firearm is capped or primed if the firearm is a muzzle loader.

(18) "Machine gun" means any firearm known as a machine gun, mechanical rifle, submachine gun, or any other mechanism or instrument not requiring that the trigger be pressed for each shot and having a reservoir clip, disc, drum, belt, or other separable mechanical device for storing, carrying, or supplying ammunition which can be loaded into the firearm, mechanism, or instrument, and fired therefrom at the rate of five or more shots per second.

(19) "Nonimmigrant alien" means a person defined as such in 8 U.S.C. Sec. 1101(a)(15).

(20) "Person" means any individual, corporation, company, association, firm, partnership, club, organization, soci-

ety, joint stock company, or other legal entity.

(21) "Pistol" means any firearm with a barrel less than sixteen inches in length, or is designed to be held and fired by the use of a single hand.

(22) "Rifle" means a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned, made or remade, and intended to use the energy of the explosive in a fixed metallic cartridge to fire only a single projectile through a rifled bore for each single pull of the trigger.

(23) "Sale" and "sell" mean the actual approval of the delivery of a firearm in consideration of payment or promise of payment.

(24) "Secure gun storage" means:

(a) A locked box, gun safe, or other secure locked storage space that is designed to prevent unauthorized use or discharge of a firearm; and

(b) The act of keeping an unloaded firearm stored by such means.

(25) "Semiautomatic assault rifle" means any rifle which utilizes a portion of the energy of a firing cartridge to extract the fired cartridge case and chamber the next round, and which requires a separate pull of the trigger to fire each cartridge.

"Semiautomatic assault rifle" does not include antique firearms, any firearm that has been made permanently inoperable, or any firearm that is manually operated by bolt, pump, lever, or slide action.

(26) "Serious offense" means any of the following felonies or a felony attempt to commit any of the following felonies, as now existing or hereafter amended:

(a) Any crime of violence;

(b) Any felony violation of the uniform controlled substances act, chapter 69.50 RCW, that is classified as a class B felony or that has a maximum term of imprisonment of at least ten years;

(c) Child molestation in the second degree;

(d) Incest when committed against a child under age fourteen;

(e) Indecent liberties;

(f) Leading organized crime;

(g) Promoting prostitution in the first degree;

(h) Rape in the third degree;

(i) Drive-by shooting;

(j) Sexual exploitation;

(k) Vehicular assault, when caused by the operation or driving of a vehicle by a person while under the influence of intoxicating liquor or any drug or by the operation or driving of a vehicle in a reckless manner;

(l) Vehicular homicide, when proximately caused by the driving of any vehicle by any person while under the influence of intoxicating liquor or any drug as defined by RCW 46.61.502, or by the operation of any vehicle in a reckless manner;

(m) Any other class B felony offense with a finding of sexual motivation, as "sexual motivation" is defined under RCW 9.94A.030;

(n) Any other felony with a deadly weapon verdict under RCW 9.94A.825;

(o) Any felony offense in effect at any time prior to June 6, 1996, that is comparable to a serious offense, or any federal or out-of-state conviction for an offense that under the laws of this state would be a felony classified as a serious offense; or

(p) Any felony conviction under RCW 9.41.115.

(((~~(25)~~))) (27) "Short-barreled rifle" means a rifle having one or more barrels less than sixteen inches in length and any weapon made from a rifle by any means of modification if such modified weapon has an overall length of less than twenty-six inches.

(((~~(26)~~))) (28) "Short-barreled shotgun" means a shotgun having one or more barrels less than eighteen inches in length and any weapon made from a shotgun by any means of modification if such modified weapon has an overall length of less than twenty-six inches.

(((~~(27)~~))) (29) "Shotgun" means a weapon with one or more barrels, designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned, made or remade, and intended to use the energy of the explosive in a fixed shotgun shell to fire through a smooth bore either a number of ball shot or a single projectile for each single pull of the trigger.

(((~~(28)~~))) (30) "Transfer" means the intended delivery of a firearm to another person without consideration of payment or promise of payment including, but not limited to, gifts and loans. "Transfer" does not include the delivery of a firearm owned or leased by an entity licensed or qualified to do business in the state of Washington to, or return of such a firearm by, any of that entity's employees or agents, defined to include volunteers participating in an honor guard, for lawful purposes in the ordinary course of business.

(((~~(29)~~))) (31) "Unlicensed person" means any person who is not a licensed dealer under this chapter.

NEW SECTION. **Sec. 17.** This act takes effect July 1, 2019, except for section 13 of this act which takes effect January 1, 2019.

NEW SECTION. **Sec. 18.** The director of the department of licensing may take the necessary steps to ensure that this act is implemented on its effective date.

NEW SECTION. **Sec. 19.** If any provision of this act or its application to any person or circumstance is held invalid or preempted by federal law, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

--- END ---

Complete Text

Initiative Measure No. 940

AN ACT Relating to law enforcement; amending RCW 9A.16.040; adding new sections to chapter 43.101 RCW; adding new sections to chapter 36.28A RCW; and creating new sections.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF WASHINGTON:

PART I
TITLE AND INTENT

NEW SECTION. **Sec. 1.** This act may be known and cited as the law enforcement training and community safety act.

NEW SECTION. **Sec. 2.** The intent of the people in enacting this act is to make our communities safer. This is accomplished by requiring law enforcement officers to obtain violence de-escalation and mental health training, so that officers will have greater skills to resolve conflicts without the use of physical or deadly force. Law enforcement officers will receive first aid training and be required to render first aid, which will save lives and be a positive point of contact between law enforcement officers and community members to increase trust and reduce conflicts. Finally, the initiative adopts a "good faith" standard for officer criminal liability in those exceptional circumstances where deadly force is used, so that officers using deadly force in carrying out their duties in good faith will not face prosecution.

PART II
REQUIRING LAW ENFORCEMENT OFFICERS TO RECEIVE VIOLENCE DE-ESCALATION TRAINING

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

(1) Beginning one year after the effective date of this section, all law enforcement officers in the state of Washington must receive violence de-escalation training. Law enforcement officers beginning employment after the effective date of this section must successfully complete such training within the first fifteen months of employment. The commission shall set the date by which other law enforcement officers must successfully complete such training.

(2) All law enforcement officers shall periodically receive continuing violence de-escalation training to practice their skills, update their knowledge and training, and learn about new legal requirements and violence de-escalation strategies.

(3) The commission shall set training requirements through the procedures in section 5 of this act.

PART III
REQUIRING LAW ENFORCEMENT OFFICERS TO RECEIVE MENTAL HEALTH TRAINING

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

(1) Beginning one year after the effective date of this section, all law enforcement officers in the state of Washington must receive mental health training. Law enforcement officers beginning employment after the effective date of this section must successfully complete such training within the first fifteen months of employment. The commission shall set the date by which other law enforcement officers must successfully complete such training.

(2) All law enforcement officers shall periodically receive continuing mental health training to update their knowledge about mental health issues and associated legal requirements, and to update and practice skills for interacting with people with mental health issues.

(3) The commission shall set training requirements through the procedures in section 5 of this act.

PART IV
TRAINING REQUIREMENTS SHALL BE SET IN CONSULTATION WITH LAW ENFORCEMENT AND COMMUNITY STAKEHOLDERS

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

(1) Within six months after the effective date of this section, the commission must consult with law enforcement agencies and community stakeholders and adopt rules for carrying out the training requirements of sections 3 and 4 of this act. Such rules must, at a minimum:

(a) Adopt training hour requirements and curriculum for initial violence de-escalation trainings required by this act;

(b) Adopt training hour requirements and curriculum for initial mental health trainings required by this act, which may include all or part of the mental health training curricula established under RCW 43.101.227 and 43.101.427;

(c) Adopt training hour requirements and curricula for continuing trainings required by this act;

(d) Establish means by which law enforcement officers will receive trainings required by this act; and

(e) Require compliance with this act's training requirements as a condition of maintaining certification.

(2) In developing curricula, the commission shall consider inclusion of the following:

(a) De-escalation in patrol tactics and interpersonal communication training, including tactical methods that use time, distance, cover, and concealment, to avoid escalating situations that lead to violence;

(b) Alternatives to jail booking, arrest, or citation in situations where appropriate;

(c) Implicit and explicit bias, cultural competency, and the historical intersection of race and policing;

(d) Skills including de-escalation techniques to effectively, safely, and respectfully interact with people with disabilities and/or behavioral health issues;

(e) "Shoot/don't shoot" scenario training;

(f) Alternatives to the use of physical or deadly force so that deadly force is used only when unavoidable and as a last resort;

(g) Mental health and policing, including bias and stigma; and

(h) Using public service, including rendering of first aid, to provide a positive point of contact between law enforce-

ment officers and community members to increase trust and reduce conflicts.

(3) The initial violence de-escalation training must educate officers on the good faith standard for use of deadly force established by this act and how that standard advances violence de-escalation goals.

(4) The commission may provide trainings, alone or in partnership with private parties or law enforcement agencies, authorize private parties or law enforcement agencies to provide trainings, or any combination thereof. The entity providing the training may charge a reasonable fee.

PART V
ESTABLISHING LAW ENFORCEMENT OFFICERS' DUTY TO RENDER FIRST AID

NEW SECTION. **Sec. 6.** A new section is added to chapter 36.28A RCW to read as follows:

(1) It is the policy of the state of Washington that all law enforcement personnel must render first aid to save lives.

(2) Within one year after the effective date of this section, the Washington state criminal justice training commission, in consultation with the Washington state patrol, the Washington association of sheriffs and police chiefs, organizations representing state and local law enforcement officers, health providers and/or health policy organizations, tribes, and community stakeholders, shall develop guidelines for implementing the duty to render first aid adopted in this section. The guidelines must: (a) Adopt first aid training requirements; (b) assist agencies and law enforcement officers in balancing competing public health and safety duties; and (c) establish that law enforcement officers have a paramount duty to preserve the life of persons whom the officer comes into direct contact with while carrying out official duties, including providing or facilitating immediate first aid to those in agency care or custody at the earliest opportunity.

PART VI
ADOPTING A "GOOD FAITH" STANDARD FOR LAW ENFORCEMENT OFFICER USE OF DEADLY FORCE

Sec. 7. RCW 9A.16.040 and 1986 c 209 s 2 are each amended to read as follows:

(1) Homicide or the use of deadly force is justifiable in the following cases:

(a) When a public officer applies deadly force ((~~is acting~~)) in obedience to the judgment of a competent court; or

(b) When necessarily used by a peace officer meeting the good faith standard of this section to overcome actual resistance to the execution of the legal process, mandate, or order of a court or officer, or in the discharge of a legal duty((~~.~~)); or

(c) When necessarily used by a peace officer meeting the good faith standard of this section or person acting under the officer's command and in the officer's aid:

(i) To arrest or apprehend a person who the officer reasonably believes has committed, has attempted to commit, is committing, or is attempting to commit a felony;

(ii) To prevent the escape of a person from a federal or state correctional facility or in retaking a person who escapes from such a facility; ((~~or~~))

(iii) To prevent the escape of a person from a county or city jail or holding facility if the person has been arrested for, charged with, or convicted of a felony; or

(iv) To lawfully suppress a riot if the actor or another participant is armed with a deadly weapon.

(2) In considering whether to use deadly force under subsection (1)(c) of this section, to arrest or apprehend any person for the commission of any crime, the peace officer must have probable cause to believe that the suspect, if not apprehended, poses a threat of serious physical harm to the officer or a threat of serious physical harm to others. Among the circumstances which may be considered by peace officers as a "threat of serious physical harm" are the following:

(a) The suspect threatens a peace officer with a weapon or displays a weapon in a manner that could reasonably be construed as threatening; or

(b) There is probable cause to believe that the suspect has committed any crime involving the infliction or threatened infliction of serious physical harm.

Under these circumstances deadly force may also be used if necessary to prevent escape from the officer, where, if feasible, some warning is given, provided the officer meets the good faith standard of this section.

(3) A public officer ((~~or peace officer~~)) covered by subsection (1)(a) of this section shall not be held criminally liable for using deadly force without malice and with a good faith belief that such act is justifiable pursuant to this section.

(4) A law enforcement officer shall not be held criminally liable for using deadly force if such officer meets the good faith standard adopted in this section.

(5) The following good faith standard is adopted for law enforcement officer use of deadly force:

(a) The good faith standard is met only if both the objective good faith test in (b) of this subsection and the subjective good faith test in (c) of this subsection are met.

(b) The objective good faith test is met if a reasonable officer, in light of all the facts and circumstances known to the officer at the time, would have believed that the use of deadly force was necessary to prevent death or serious physical harm to the officer or another individual.

(c) The subjective good faith test is met if the officer intended to use deadly force for a lawful purpose and sincerely and in good faith believed that the use of deadly force was warranted in the circumstance.

(d) Where the use of deadly force results in death, substantial bodily harm, or great bodily harm, an independent investigation must be completed to inform the determination of whether the use of deadly force met the objective good faith test established by this section and satisfied other applicable laws and policies.

(6) For the purpose of this section, "law enforcement officer" means any law enforcement officer in the state of Washington, including but not limited to law enforcement personnel and peace officers as defined by RCW 43.101.010.

(7) This section shall not be construed as:

(a) Affecting the permissible use of force by a person acting under the authority of RCW 9A.16.020 or 9A.16.050; or

(b) Preventing a law enforcement agency from adopting standards pertaining to its use of deadly force that are more restrictive than this section.

PART VII
MISCELLANEOUS

NEW SECTION. **Sec. 8.** The provisions of this act are to be liberally construed to effectuate the intent, policies, and purposes of this act. Nothing in this act precludes local jurisdictions or law enforcement agencies from enacting additional training requirements or requiring law enforcement officers to provide first aid in more circumstances than required by this act or guidelines adopted under this act.

NEW SECTION. **Sec. 9.** Except where a different timeline is provided in this act, the Washington state criminal justice training commission must adopt any rules necessary for carrying out the requirements of this act within one year after the effective date of this section. In carrying out all rule making under this act, the commission shall seek input from the attorney general, law enforcement agencies, tribes, and community stakeholders. The commission shall consider the use of negotiated rule making. The rules must require that procedures under RCW 9A.16.040(5)(d) be carried out completely independent of the agency whose officer was involved in the use of deadly force; and, when the deadly force is used on a tribal member, such procedures must include consultation with the member's tribe and, where appropriate, information sharing with such tribe. Where this act requires involvement of community stakeholders, input must be sought from organizations advocating for: Persons with disabilities; members of the lesbian, gay, bisexual, transgender, and queer community; persons of color; immigrants; non-citizens; native Americans; youth; and formerly incarcerated persons.

NEW SECTION. **Sec. 10.** 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. 11.** For constitutional purposes, the subject of this act is "law enforcement."

--- END ---

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