

ELEVENTH DAY

AFTERNOON SESSION

Senate Chamber, Olympia
Thursday, January 18, 2024

The Senate was called to order at 12:30 p.m. by the President of the Senate, Lt. Governor Heck presiding. No roll call was taken.

MOTIONS

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

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

REPORTS OF STANDING COMMITTEES

January 16, 2024

SB 5404 Prime Sponsor, Senator Wagoner: Increasing cannabis revenue distributions to local governments. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Braun; Hansen; MacEwen and Stanford.

Referred to Committee on Ways & Means.

January 16, 2024

SB 5568 Prime Sponsor, Senator Wagoner: Restoring liquor sales revenue distributions to local governments. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Braun; Hansen; MacEwen and Stanford.

Referred to Committee on Ways & Means.

January 17, 2024

SB 5774 Prime Sponsor, Senator Billig: Increasing the capacity to conduct timely fingerprint-based background checks for prospective child care employees and other programs. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 5774 be substituted therefor, and the substitute bill do pass. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; Hunt; McCune; Mullet and Pedersen.

Referred to Committee on Ways & Means.

January 16, 2024

SB 5778 Prime Sponsor, Senator Keiser: Protecting the rights of workers to refrain from attending meetings or listening to their employer's speech on political or religious matters. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 5778 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; Hansen and Stanford.

MINORITY recommendation: Do not pass. Signed by Senators King, Ranking Member; Braun and MacEwen.

Referred to Committee on Rules for second reading.

January 17, 2024

SB 5790 Prime Sponsor, Senator Dhingra: Concerning bleeding control equipment in schools. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; Hunt; McCune; Mullet and Pedersen.

Referred to Committee on Rules for second reading.

January 16, 2024

SB 5794 Prime Sponsor, Senator King: Concerning architecture licensing examinations. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 5794 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Braun; Hansen; MacEwen and Stanford.

Referred to Committee on Rules for second reading.

January 17, 2024

SB 5804 Prime Sponsor, Senator Kuderer: Concerning opioid overdose reversal medication in high schools. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 5804 be substituted therefor, and the substitute bill do pass. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; Hunt; McCune; Mullet and Pedersen.

Referred to Committee on Rules for second reading.

January 16, 2024

SB 5808 Prime Sponsor, Senator Van De Wege: Granting interest arbitration to certain public safety telecommunicators. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 5808 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Hansen; MacEwen and Stanford.

MINORITY recommendation: That it be referred without

recommendation. Signed by Senator Braun.

Referred to Committee on Rules for second reading.

January 16, 2024

SB 5886 Prime Sponsor, Senator Braun: Adding purposes for the use of existing firefighter safety funding. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Braun; Hansen; MacEwen and Stanford.

Referred to Committee on Rules for second reading.

January 17, 2024

SB 5904 Prime Sponsor, Senator Nobles: Extending the terms of eligibility for financial aid programs. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: Do pass. Signed by Senators Nobles, Chair; Hansen, Vice Chair; Holy, Ranking Member and Hawkins.

Referred to Committee on Ways & Means.

January 17, 2024

SB 5923 Prime Sponsor, Senator Wellman: Addressing fentanyl and other substance use prevention education. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 5923 be substituted therefor, and the substitute bill do pass. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; Hunt; McCune; Mullet and Pedersen.

Referred to Committee on Ways & Means.

January 16, 2024

SB 5979 Prime Sponsor, Senator Keiser: Concerning accrued leave for construction workers. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Braun; Hansen; MacEwen and Stanford.

Referred to Committee on Rules for second reading.

January 17, 2024

SB 5999 Prime Sponsor, Senator Hansen: Expanding financial aid eligibility. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: Do pass. Signed by Senators Nobles, Chair; Hansen, Vice Chair; Holy, Ranking Member and Hawkins.

Referred to Committee on Ways & Means.

January 17, 2024

SB 6035 Prime Sponsor, Senator Lias: Concerning the public

service loan forgiveness program. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: Do pass. Signed by Senators Nobles, Chair; Hansen, Vice Chair; Holy, Ranking Member and Hawkins.

Referred to Committee on Rules for second reading.

January 17, 2024

SB 6053 Prime Sponsor, Senator Holy: Improving equitable access to postsecondary education. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That Substitute Senate Bill No. 6053 be substituted therefor, and the substitute bill do pass. Signed by Senators Nobles, Chair; Hansen, Vice Chair; Holy, Ranking Member and Hawkins.

Referred to Committee on Rules for second reading.

January 17, 2024

SGA 9382 NICOLE R. BASCOMB-GREEN, appointed on July 31, 2023, for the term ending at the Governor's pleasure, as Chair of the Housing Finance Commission. Reported by Committee on Housing

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Kuderer, Chair; Frame, Vice Chair; Fortunato, Ranking Member; Braun; Cleveland; Gildon; Rivers; Saldaña; Shewmake and Trudeau.

Referred to Committee on Rules for second reading.

January 17, 2024

SGA 9384 WILLIAM N. RUMPF, reappointed on July 31, 2023, for the term ending June 30, 2027, as Member of the Housing Finance Commission. Reported by Committee on Housing

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Kuderer, Chair; Frame, Vice Chair; Fortunato, Ranking Member; Braun; Cleveland; Gildon; Rivers; Saldaña; Shewmake and Trudeau.

Referred to Committee on Rules for second reading.

January 16, 2024

SGA 9410 ELIZABETH G. FORD, appointed on October 2, 2023, for the term ending September 8, 2028, as Member of the Public Employment Relations Commission. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; Hansen and Stanford.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator MacEwen.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators King, Ranking Member and Braun.

Referred to Committee on Rules for second reading.

MOTION

On motion of Pedersen, all measures listed on the Standing Committee report were referred to the committees as designated with the exception of Senate Bill No. 6035 which was designated to the Committee on Rules and referred to the Committee on Ways & Means.

MOTION

On motion of Senator Pedersen, the Senate advanced to the third order of business.

MESSAGE FROM THE SECRETARY OF STATE

CERTIFICATION OF INITIATIVE TO THE LEGISLATURE
I-2081

Pursuant to Article II, Section 1 of the Washington State Constitution, RCW 29A.72.230, and WAC 434-379-010, the Office of the Secretary of State has caused the signatures submitted in support of Initiative to the Legislature No. 2081 to be examined in the following manner:

1. It was determined that 449,646 signatures were submitted by the sponsors of the initiative. A random sample of 13,490 signatures was taken from those submitted;
2. Each sampled signature was examined to determine if the signer was a registered voter of the state, if the signature was reasonably similar to the one appearing on the record of that voter, and if the same signature appeared more than once in the sample. We found 10,937 valid signatures, 2,529 signatures that were invalid and 24 pairs of duplicated signatures in the sample;
3. We calculated an allowance for the chance error of sampling 75 by multiplying the square root of the number of invalid signatures by 1.5;
4. We estimated the upper limit of the number of signatures on the initiative petition which were invalid (86,810) by dividing the sum of the number of invalid signatures in the sample and allowance for the chance of error of sampling by the sampling ratio;
5. We determined the maximum allowable number of duplicate pairs of signatures on the petition (38,320) by subtracting the sum of the number of signatures required by Article II, Section 1 of the Washington State Constitution (324,516) and the estimate of the upper limit of the number of invalid signatures on the petition from the number of signatures submitted;
6. We determined the expected number of duplicate pairs of signatures in the sample (34) by multiplying the square of the sampling ratio by the maximum allowable number of pairs of signatures on the initiative petition;
7. We determined the acceptable number of duplicate pairs of signatures in the sample (25) by subtracting 1.65 times the square root of the expected number of pairs of signatures in the sample from the expected number of pairs of signatures in the sample; and
8. The number of duplicate pairs of signatures in the sample is less than the acceptable number of duplicate pairs of signatures in the sample.

Therefore, I hereby declare Initiative to the Legislature No. 2081 to contain sufficient signatures.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the State of Washington this 18th day of January, 2024.

STEVE HOBBS
Secretary of State

[seal]

Bob Ferguson
ATTORNEY GENERAL OF WASHINGTON
Administration Division
PO Box 40100 • Olympia, WA 98504-0100 • (360) 753-6200

May 5, 2023

The Honorable Steve Hobbs
Elections Division
ATTN: Initiative and Referendum
PO Box 40220
Olympia, WA 98504-0220

Re: Initiative No. 2081

Dear Secretary Hobbs:
Pursuant to RCW 29A.72.060, we supply herewith the ballot title and ballot measure summary for Initiative No. 2081 to the Legislature (an act relating to establishing the parents' bill of rights).

BALLOT TITLE

Statement of Subject: Initiative Measure No. 2081 concerns parental rights relating to their children's public school education.

Concise Description: This measure would provide certain rights to parents and guardians of public- school children, including rights to review instructional materials, inspect records, receive certain notifications, and opt out of certain activities, like sexual-health education.

Should this measure be enacted into law? Yes [] No []

BALLOT MEASURE SUMMARY

This measure would allow parents and guardians of public-school children to review instructional materials and inspect student records including health and disciplinary records, upon request. It would require public schools to provide parents and guardians with certain notifications including about medical services given and when students are taken off campus; access to calendars and certain policies; and written notice and opportunities to opt students out of comprehensive sexual- health education and answering certain surveys or assignments.

Sincerely,
/s/ *Cristina Sepe*
CRISTINA SEPE
Deputy Solicitor General

Initiative Measure No. 2081
Filed April 19, 2023

AN ACT Relating to establishing the parents' bill of rights; and adding a new section to chapter 28A.605 RCW.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF

WASHINGTON:

NEW SECTION. Sec. 1. A new section is added to chapter 28A.605 RCW to read as follows:

- (1) The legislature finds that: (a) Parents are the primary stakeholders in their children's upbringing; (b) parental involvement is a significant factor in increasing student achievement; and (c) access to student information encourages greater parental involvement.
- (2) Parents and legal guardians of public school children younger than 18 years old have all of the following rights:
 - (a) To examine the textbooks, curriculum, and supplemental material used in their child's classroom;
 - (b)(i) To inspect their child's public school records in accordance with RCW 28A.605.030, and to receive a copy of their child's records within 10 business days of submitting a written request, either electronically or on paper.
 - (ii) Parents or legal guardians must not be required to appear in person for the purposes of requesting or validating a request for their child's public school records.
 - (iii) No charge may be imposed on a parent or legal guardian to receive such records electronically. Any charges for a paper copy of such records must be reasonable and set forth in the official policies and procedures of the school district.
 - (iv) Public school records include all of the following:
 - (A) Academic records including, but not limited to, test and assessment scores in accordance with RCW 28A.230.195;
 - (B) Medical or health records;
 - (C) Records of any mental health counseling;
 - (D) Records of any vocational counseling;
 - (E) Records of discipline, including expulsions and suspensions under RCW 28A.600.015;
 - (F) Records of attendance, including unexcused absences in accordance with RCW 28A.225.020;
 - (G) Records associated with a child's screening for learning challenges, exceptionalities, plans for an individualized education program, or plan adopted under section 504 of the rehabilitation act of 1973; and
 - (H) Any other student-specific files, documents, or other materials that are maintained by the public school;
 - (c) To receive prior notification when medical services are being offered to their child, except where emergency medical treatment is required. In cases where emergency medical treatment is required, the parent and legal guardian must be notified as soon as practicable after the treatment is rendered;
 - (d) To receive notification when any medical service or medications have been provided to their child that could result in any financial impact to the parent's or legal guardian's health insurance payments or copays;
 - (e) To receive notification when the school has arranged directly or indirectly for medical treatment that results in follow-up care beyond normal school hours. Follow-up care includes monitoring the child for aches and pains, medications, medical devices such as crutches, and emotional care needed for the healing process;
 - (f) To receive immediate notification if a criminal action is deemed to have been committed against their child or by their child;
 - (g) To receive immediate notification if law enforcement personnel question their child, except in cases where the parent or legal guardian has been accused of abusing or

- neglecting the child;
- (h) To receive immediate notification if their child is taken or removed from the public school campus without parental permission, including to stay at a youth shelter or "host home" as defined in RCW 74.15.020;
- (i) To receive assurance their child's public school will not discriminate against their child based upon the sincerely held religious beliefs of the child's family in accordance with chapter 28A.642 RCW;
- (j) To receive written notice and the option to opt their child out of any surveys, assignments, questionnaires, role-playing activities, recordings of their child, or other student engagements that include questions about any of the following:
 - (i) The child's sexual experiences or attractions;
 - (ii) The child's family beliefs, morality, religion, or political affiliations;
 - (iii) Any mental health or psychological problems of the child or a family member; and
 - (iv) All surveys, analyses, and evaluations subject to areas covered by the protection of pupil rights amendment of the family educational rights and privacy act;
- (k) To receive written notice and have the option to opt their child out of instruction on topics associated with sexual activity in accordance with RCW 28A.300.475;
- (l) To receive from the public school the annual school calendar, no later than 30 days prior to the beginning of the school year, and to be notified in writing as soon as feasible of any revisions to such calendar. Such calendar must be posted to the public school's website and must include, at a minimum, student attendance days and any event that requires parent or student attendance outside of normal school days or hours;
- (m) To receive in writing each year or to view on the public school's website a comprehensive listing of any required fee and its purpose and use and a description of how economic hardships may be addressed;
- (n) To receive in writing each year or to view on the school's website a description of the school's required dress code or uniform established pursuant to RCW 28A.320.140, if applicable, for students; and
- (o) To be informed if their child's academic performance, including whether their child is provided a student learning plan under RCW 28A.655.270, is such that it could threaten the child's ability to be promoted to the next grade level and to be offered an in-person meeting with the child's classroom teacher and principal to discuss any resources or strategies available to support and encourage the child's academic improvement.
- (3) Notwithstanding anything to the contrary, a public school shall not be required to release any records or information regarding a student's medical or health records or mental health counseling records to a parent during the pendency of an investigation of child abuse or neglect conducted by any law enforcement agency or the department of children, youth, and families where the parent is the target of the investigation, unless the parent has obtained a court order.
- (4) As used in this section "public school" has the same meaning as in RCW 28A.150.010.

MOTION

On motion of Senator Pedersen, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 6271 by Senators Keiser and Stanford

AN ACT Relating to modifying the cannabis excise tax to consider THC concentration; adding a new section to chapter 69.50 RCW; and providing an expiration date.

Referred to Committee on Labor & Commerce.

SB 6272 by Senator Mullet

AN ACT Relating to dedicating the state share of cannabis excise tax revenue to counties and cities for the purpose of attracting and retaining commissioned law enforcement officers; and amending RCW 69.50.540.

Referred to Committee on Labor & Commerce.

SB 6273 by Senator Boehnke

AN ACT Relating to conducting an audit of the juvenile rehabilitation system; creating a new section; and providing an expiration date.

Referred to Committee on Human Services.

SB 6274 by Senator Torres

AN ACT Relating to establishing a grant program to fund school resource officers on public school campuses; and amending RCW 28A.300.650.

Referred to Committee on Early Learning & K-12 Education.

SB 6275 by Senators Nobles and Wilson, C.

AN ACT Relating to identifying African American studies curricula for students in grades seven through 12; creating new sections; and providing an expiration date.

Referred to Committee on Early Learning & K-12 Education.

MOTIONS

On motion of Senator Pedersen, all measures listed on the Introduction and First Reading report were referred to the committees as designated.

On motion of Senator Pedersen, the Senate advanced to the eighth order of business.

Senator Kuderer moved adoption of the following resolution:

SENATE RESOLUTION
8653

By Senators Kuderer, Kauffman, Hasegawa, Nobles, Lovelett, and Wellman

WHEREAS, The Washington State Senate recognize Spokane-born Danny O'Keefe, for all his musical accomplishments, along with his environmental and cultural activism; and

WHEREAS, Danny O'Keefe has had a long-lasting career of over 50 years in both music and advocacy; and

WHEREAS, Danny O'Keefe has collaborated with numerous

other musicians, such as writing "Well, Well, Well" with Bob Dylan; and

WHEREAS, His song "Good Time Charlie's Got the Blues" reached the top 10 songs on multiple US charts in 1972 and has sold over a million copies; and

WHEREAS, Danny O'Keefe has inspired other musicians to record and share versions of his songs, such as Elvis Presley, Jerry Lee Lewis, Judy Collins, Willie Nelson, and Andy Williams; and

WHEREAS, Danny O'Keefe uses his platform to raise awareness on issues outside of music, having founded the Songbird Foundation, an organization that advocated for songbird species and their habitat loss; and

WHEREAS, Danny O'Keefe continues to perform at numerous benefit concerts for communities in Washington State; and

WHEREAS, Danny O'Keefe named his album *Looking Glass & The Dreamers* after the renowned strategist and Nez Perce leader Chief Looking Glass; and

WHEREAS, Danny O'Keefe has researched, read about, learned from, and met with the Nez Perce Tribe to gain invaluable knowledge of their culture and history; and

WHEREAS, Danny O'Keefe learned of the Nez Perce Tribe's plight in the early colonial United States and the significance colonialism had on their lands and their freedoms; and

WHEREAS, Danny O'Keefe has used his music to educate others on the history of the Nez Perce Tribe as one of the original stewards of the Northwest; and

WHEREAS, Danny O'Keefe's music and collaboration with Indigenous artists has led to renewed calls for solidarity; and

WHEREAS, Danny O'Keefe celebrated his 80th birthday last May;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate honor Danny O'Keefe for his numerous accomplishments and contributions to Washington State as a changemaker.

Senators Kuderer and Kauffman spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8653.

The motion by Senator Kuderer carried and the resolution was adopted by voice vote.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced Mr. Shannon Wheeler, Chairman, Nez Perce Tribal Executive Committee (NPTEC) who was seated in the gallery. The Nimiipuu people have been connected to the lands and waters across modern-day Idaho, Washington, Oregon, and Montana. Headquartered in Lapwai, the Nez Perce Reservation spans about 770,000 acres within the State of Idaho.

MOTION

At 12:41 p.m., on motion of Senator Pedersen, the Senate adjourned until 11:30 a.m. Friday, January 19, 2024.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

2081-I		6035	
Message from the Secretary of State	3	Committee Report.....	2
5404		Other Action.....	3
Committee Report.....	1	6053	
5568		Committee Report.....	2
Committee Report.....	1	6271	
5774		Introduction & 1st Reading.....	5
Committee Report.....	1	6272	
5778		Introduction & 1st Reading.....	5
Committee Report.....	1	6273	
5790		Introduction & 1st Reading.....	5
Committee Report.....	1	6274	
5794		Introduction & 1st Reading.....	5
Committee Report.....	1	6275	
5804		Introduction & 1st Reading.....	5
Committee Report.....	1	8653	
5808		Adopted.....	5
Committee Report.....	1	Introduced	5
5886		9382 Bascomb-Green, Nicole	
Committee Report.....	2	Committee Report.....	2
5904		9384 Rumpf, William	
Committee Report.....	2	Committee Report.....	2
5923		9410 Ford, Elizabeth	
Committee Report.....	2	Committee Report.....	2
5979		GUESTS	
Committee Report.....	2	Nez Perce Tribe representative, Lapwai, ID.	6
5999		Wheeler, Mr. Shannon, Chairman, Nez Perce	
Committee Report.....	2	Tribal Executive Committee	6