

## TENTH DAY

---

**MORNING SESSION**

---

Senate Chamber, Olympia  
Wednesday, January 20, 2016

The Senate was called to order at 10:00 o'clock a.m. by the President of Senate, Lt. Governor Owen presiding. The Secretary called the roll and announced to the President that all senators were present.

The Sergeant at Arms Color Guard consisting of Pages Miss Ainsley Grace Austin and Mr. Charles Austin Freeman presented the Colors.

Page Miss Ainsley Grace Austin led the Senate in the Pledge of Allegiance.

The prayer was offered by Reverend Robert Brzezinski of Spirit Evolving Ministries Church, in Olympia.

## MOTION

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

## MOTION

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

## REPORTS OF STANDING COMMITTEES

January 19, 2016

**SB 6178** Prime Sponsor, Senator Honeyford: Concerning the outdoor burning of organic waste derived from pruning by commercial berry growers. Reported by Committee on Agriculture, Water & Rural Economic Development

MAJORITY recommendation: Do pass. Signed by Senators Warnick, Chair; Dansel, Vice Chair; Takko, Ranking Member; Hobbs and Honeyford.

Passed to Committee on Rules for second reading.

January 19, 2016

**SB 6179** Prime Sponsor, Senator Honeyford: Concerning water banking. Reported by Committee on Agriculture, Water & Rural Economic Development

MAJORITY recommendation: That Substitute Senate Bill No. 6179 be substituted therefor, and the substitute bill do pass. Signed by Senators Warnick, Chair; Dansel, Vice Chair; Takko, Ranking Member; Hobbs and Honeyford.

Passed to Committee on Rules for second reading.

January 19, 2016

**SB 6187** Prime Sponsor, Senator Litzow: Concerning the authority of the pollution liability insurance agency. Reported by Committee on Energy, Environment & Telecommunications

MAJORITY recommendation: That Substitute Senate Bill No. 6187 be substituted therefor, and the substitute bill do pass. Signed by Senators Ericksen, Chair; Sheldon, Vice

Chair; McCoy, Ranking Minority Member; Braun; Brown; Cleveland; Habib; Honeyford and Ranker.

Passed to Committee on Ways & Means.

January 19, 2016

**SB 6194** Prime Sponsor, Senator Litzow: Concerning public schools that are not common schools. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 6194 be substituted therefor, and the second substitute bill do pass. Signed by Senators Hill, Chair; Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Bailey; Becker; Brown; Hewitt; O'Ban; Padden; Parlette; Schoesler and Warnick.

MINORITY recommendation: Do not pass. Signed by Senators Hargrove, Ranking Member; Conway; Hasegawa and Nelson. MINORITY recommendation: That it be referred without recommendation. Signed by Senators Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Billig; Darneille; Pedersen and Rolfes.

Passed to Committee on Rules for second reading.

## MOTION

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

## MOTION

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

## INTRODUCTION AND FIRST READING

**SB 6408** by Senators Hill, McAuliffe, Litzow, Hobbs, Mullet, Benton, Rolfes, Frockt and Conway

AN ACT Relating to paraeducators; amending RCW 28A.630.400 and 28B.50.891; adding a new section to chapter 28A.410 RCW; and creating new sections.

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

**SB 6409** by Senators Bailey, Frockt, Braun, Becker, Carlyle and Chase

AN ACT Relating to administrative efficiencies in Washington state public higher education; and amending RCW 28B.10.027, 28B.10.029, 39.26.110, 39.26.140, 39.26.210, 42.48.010, 43.88.030, and 43.88.110.

Referred to Committee on Higher Education.

**SB 6410** by Senators Hewitt and Warnick

AN ACT Relating to requiring periodic certification elections for labor unions representing public employees;

and amending RCW 41.56.060, 41.56.070, 41.80.070, 41.80.080, 28B.52.030, 41.76.020, and 41.59.070.

Referred to Committee on Commerce & Labor.

SB 6411 by Senators Angel, Bailey, Rivers, Becker, Warnick and Padden

AN ACT Relating to expanding the eligibility of certain representatives and transferees to serve as directors, officers, and shareholders of professional service corporations; and amending RCW 18.100.118.

Referred to Committee on Law & Justice.

SB 6412 by Senators Hewitt and Schoesler

AN ACT Relating to modifying the penalty for taxpayers that do not submit an annual survey or report; amending RCW 82.32.534 and 82.32.585; creating a new section; and providing an effective date.

Referred to Committee on Ways & Means.

SB 6413 by Senators Mullet, Benton, Pedersen and Frockt

AN ACT Relating to tenant screening, evictions, and refunds under the residential landlord-tenant act; amending RCW 59.18.257 and 59.18.280; reenacting and amending RCW 59.18.030; and adding a new section to chapter 59.18 RCW.

Referred to Committee on Financial Institutions & Insurance.

SB 6414 by Senators Rolfes, Pearson, Warnick and Angel

AN ACT Relating to hatchery management agreements; and amending RCW 77.95.320.

Referred to Committee on Natural Resources & Parks.

SB 6415 by Senators Rolfes, Rivers, Parlette, Cleveland, Bailey, Jayapal, McAuliffe, Ranker, Warnick, Angel, Benton and Hasegawa

AN ACT Relating to career and technical education materials, supplies, and operating costs; amending RCW 28A.150.260; reenacting and amending RCW 28A.150.260; and providing effective dates.

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

SB 6416 by Senators Liias, Fain, Rolfes, Rivers, King, Billig, Parlette, Mullet, Pearson, Habib, Sheldon, Roach, Hobbs, Darneille, Benton and Conway

AN ACT Relating to firefighter memorial special license plates; amending RCW 46.68.420; reenacting and amending RCW 46.18.200 and 46.17.220; adding a new section to chapter 46.04 RCW; and providing an effective date.

Referred to Committee on Transportation.

SB 6417 by Senators Pearson and Roach

AN ACT Relating to adding certain commissioned court marshals of city police departments to the definition of uniformed personnel for the purpose of public employees' collective bargaining; and amending RCW 41.56.030.

Referred to Committee on Commerce & Labor.

SB 6418 by Senators Ranker, Rolfes, Nelson, Hargrove, Liias, Carlyle, Billig, Pedersen, Darneille, Keiser, Frockt, McCoy, Habib, Chase, Hasegawa and Conway

AN ACT Relating to oil transportation safety; amending RCW 88.40.025, 88.40.030, 88.40.040, 88.16.190, 90.56.370, and 82.23B.020; reenacting and amending RCW 88.40.011 and 88.40.020; adding new sections to chapter 90.56 RCW; and adding a new section to chapter 82.23B RCW.

Referred to Committee on Energy, Environment & Telecommunications.

SB 6419 by Senators Ranker, Nelson, Rolfes, Frockt and Chase

AN ACT Relating to air pollution emission control devices; amending RCW 70.94.015; reenacting and amending RCW 43.21B.300; adding new sections to chapter 70.120A RCW; creating a new section; and prescribing penalties.

Referred to Committee on Energy, Environment & Telecommunications.

SB 6420 by Senators Roach and Takko

AN ACT Relating to land capacity review and evaluation; and amending RCW 36.70A.215.

Referred to Committee on Government Operations & Security.

SB 6421 by Senators Ranker, Becker, McAuliffe and Mullet

AN ACT Relating to authorizing the use of epinephrine autoinjector devices through collaborative agreements; and adding a new section to chapter 70.54 RCW.

Referred to Committee on Health Care.

SB 6422 by Senators Miloscia and Chase

AN ACT Relating to providing affordable housing for all; amending RCW 43.185B.040, 36.22.178, and 43.185A.100; reenacting and amending RCW 43.185.070; adding new sections to chapter 43.185C RCW; adding a new chapter to Title 43 RCW; creating a new section; and recodifying RCW 36.22.179, 36.22.1791, 43.20A.790, 36.22.178, 43.185A.100, 43.185B.020, and 43.185B.040.

Referred to Committee on Human Services, Mental Health & Housing.

SB 6423 by Senators Miloscia, Braun, Schoesler, Brown, Roach, Sheldon and Benton

AN ACT Relating to improving state budgeting through zero-based budget reviews; adding a new section to chapter 43.88 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Accountability & Reform.

SB 6424 by Senators Miloscia, Braun, Schoesler, Brown and Roach

AN ACT Relating to annual self-assessments performed by state agencies under the quality management statute; and amending RCW 43.17.385.

Referred to Committee on Accountability & Reform.

TENTH DAY, JANUARY 20, 2016

2016 REGULAR SESSION

SB 6425 by Senators Hewitt, Fraser, Roach, Parlette, Mullet, Hobbs, Rivers, Takko, McCoy, Lias, Warnick, Ericksen, Rolfes, Darneille, Habib, Sheldon, Chase, Hasegawa and Conway

AN ACT Relating to gradually increasing the local government share of excess liquor revenues until the percentage-based method for distributions is restored; amending RCW 66.08.190, 66.08.190, and 66.08.210; creating a new section; providing effective dates; and providing an expiration date.

Referred to Committee on Ways & Means.

SB 6426 by Senators Conway, Dammeier, Takko, Becker, Mullet, Sheldon and Chase

AN ACT Relating to essential public facilities; and adding a new section to chapter 36.70A RCW.

Referred to Committee on Government Operations & Security.

SB 6427 by Senators Fain, Hargrove, Keiser, Honeyford, Rolfes and Roach

AN ACT Relating to specifying the documentation that must be provided to determine when sales tax applies to the sale of a motor vehicle to an enrolled tribal member; adding a new section to chapter 82.08 RCW; and prescribing penalties.

Referred to Committee on Ways & Means.

SB 6428 by Senator King

AN ACT Relating to the freight mobility strategic investment board's authority to remove funding allocation for projects after a certain number of years without construction occurring; and amending RCW 47.06A.050.

Referred to Committee on Transportation.

SB 6429 by Senators McAuliffe and Litzow

AN ACT Relating to school day start times; adding a new section to chapter 28A.320 RCW; and creating new sections.

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

SB 6430 by Senators Parlette, Darneille, O'Ban and Conway

AN ACT Relating to providing continuity of care for recipients of medical assistance during periods of incarceration; adding new sections to chapter 74.09 RCW; adding a new section to chapter 71.24 RCW; and creating a new section.

Referred to Committee on Human Services, Mental Health & Housing.

SB 6431 by Senators Mullet, Litzow, Billig and Fain

AN ACT Relating to maternity and paternity leave for K-12 teachers; creating new sections; and providing an expiration date.

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

SB 6432 by Senators Litzow, McAuliffe, Rolfes, Fain, Dammeier, Mullet, Carlyle and Darneille

AN ACT Relating to evaluating student mental health services and providing students with skills that promote mental health and well-being and increase academic performance; amending RCW 28A.310.500; creating new sections; and providing an expiration date.

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

SB 6433 by Senators Bailey, Angel, Becker, Brown, Braun, Warnick and Rolfes

AN ACT Relating to the forfeiture of the pension of a public employee convicted of a felony for misconduct associated with such person's service as a public employee; adding a new section to chapter 41.04 RCW; and prescribing penalties.

Referred to Committee on Ways & Means.

SB 6434 by Senators Bailey, Angel, Becker, Miloscia, Braun, Warnick and Roach

AN ACT Relating to garnishing public pensions to pay for the costs of incarceration of a public employee convicted of a felony for misconduct associated with such person's service as a public employee; amending RCW 41.26.053, 41.32.052, 41.34.080, 41.35.100, 41.37.090, 41.40.052, and 43.43.310; prescribing penalties; and providing an effective date.

Referred to Committee on Ways & Means.

SB 6435 by Senators Bailey, Schoesler, Miloscia, Angel, Roach, Becker and Parlette

AN ACT Relating to optional salary deferral programs; amending RCW 41.50.770 and 41.50.780; reenacting and amending RCW 43.84.092; and adding a new section to chapter 41.50 RCW.

Referred to Committee on Ways & Means.

SB 6436 by Senator Ericksen

AN ACT Relating to dredged materials; and amending RCW 70.105D.010, 70.105D.040, and 79.105.500.

Referred to Committee on Energy, Environment & Telecommunications.

SB 6437 by Senators Roach, O'Ban, Schoesler, Warnick, Brown, Honeyford and Benton

AN ACT Relating to detecting and deterring dangerous drone operations near correctional facilities; adding a new section to chapter 72.09 RCW; adding a new section to chapter 9A.76 RCW; and creating a new section.

Referred to Committee on Law & Justice.

SB 6438 by Senators Schoesler and Hargrove

AN ACT Relating to improvements to tax and licensing laws administered by the department of revenue; amending RCW 82.45.197, 82.04.040, 82.04.190, 82.70.040, 82.08.809, 82.12.809, 82.04.220, 82.32.670, 82.32.534, 82.32.585, 82.04.261, 82.04.334, 82.04.43391, 82.32.030, 82.16.010, 83.100.050, 19.02.115, 82.01.060, and 84.33.089; amending

2015 3rd sp.s. c 6 ss 2303, 801 and 2301 (uncodified); amending 2015 3rd sp.s. c 30 s 1 (uncodified); reenacting and amending RCW 84.34.108 and 82.32.790; reenacting RCW 82.04.280; creating new sections; repealing RCW 82.04.4483; repealing 2010 c 106 s 206 (uncodified); repealing 2009 c 461 s 3 (uncodified); repealing 2006 c 300 s 7 (uncodified); repealing 2003 c 149 s 4 (uncodified); providing a contingent effective date; and providing expiration dates.

Referred to Committee on Ways & Means.

SB 6439 by Senators Bailey, Conway, Schoesler, Hewitt and Roach

AN ACT Relating to volunteer firefighters and reserve officers assisting with multiregional state emergencies; amending RCW 41.40.010; and creating a new section.

Referred to Committee on Ways & Means.

SB 6440 by Senators Parlette, Cleveland, Becker, Rolfes, Warnick, Bailey, Miloscia, Nelson, Angel, Brown, Rivers, Frockt, Dammeier, O'Ban, King, Litzow, Hewitt, Fraser, Lias, Billig, Pedersen, Darneille, McCoy, Jayapal, Habib, Benton, Chase and Hasegawa

AN ACT Relating to reducing public health threats that particularly impact highly exposed populations, including children and firefighters, by establishing a process for the department of health to restrict the use of toxic flame retardant chemicals in certain types of consumer products; amending RCW 70.240.050; adding a new chapter to Title 70 RCW; prescribing penalties; and providing an expiration date.

Referred to Committee on Health Care.

SB 6441 by Senators Cleveland, Rolfes, Miloscia, Fraser, Darneille, Pedersen and Hasegawa

AN ACT Relating to increasing the notice of termination for tenancies under the residential landlord-tenant act; and amending RCW 59.18.200.

Referred to Committee on Financial Institutions & Insurance.

SB 6442 by Senators Cleveland, Keiser, Rolfes, Jayapal, Fraser, Conway, McAuliffe, Chase, Lias, Pedersen, Darneille, Ranker, Takko, McCoy, Frockt, Habib and Hasegawa

AN ACT Relating to enacting the equal pay opportunity act by amending and enhancing enforcement of the equal pay act and protecting worker communications about wages and employment opportunities; amending RCW 49.12.175; recodifying RCW 49.12.175; and adding a new chapter to Title 49 RCW.

Referred to Committee on Commerce & Labor.

SB 6443 by Senators Ericksen, Bailey, Padden, O'Ban, Angel, Becker, Braun, Miloscia, Warnick, Dammeier, Honeyford, Hewitt, Roach and Benton

AN ACT Relating to the human rights commission's rule-making authority; and adding a new section to chapter 49.60 RCW.

Referred to Committee on Commerce & Labor.

SB 6444 by Senators Braun and Angel

AN ACT Relating to providers of commercial transportation services; amending RCW 46.72.010; and adding a new chapter to Title 46 RCW.

Referred to Committee on Transportation.

SB 6445 by Senators Braun and Angel

AN ACT Relating to clarifying the role of physician assistants in the delivery of mental health services; amending RCW 71.05.230; reenacting and amending RCW 71.05.020; and adding a new section to chapter 71.05 RCW.

Referred to Committee on Health Care.

SB 6446 by Senator Braun

AN ACT Relating to survey requirements of ambulatory surgical facilities; amending RCW 70.230.100; and adding a new section to chapter 48.39 RCW.

Referred to Committee on Health Care.

SB 6447 by Senators Rivers, Keiser, Cleveland, Frockt and Mullet

AN ACT Relating to third-party administrators and benefits managers; adding a new chapter to Title 48 RCW; repealing RCW 19.340.010, 19.340.020, 19.340.030, 19.340.040, 19.340.050, 19.340.060, 19.340.070, 19.340.080, 19.340.090, 19.340.100, and 19.365.010; and providing an effective date.

Referred to Committee on Health Care.

SB 6448 by Senators Rolfes, Darneille and Hasegawa

AN ACT Relating to filing fee surcharges for funding dispute resolution centers; and amending RCW 7.75.035.

Referred to Committee on Law & Justice.

SJM 8017 by Senators Roach, Dammeier, O'Ban and Warnick

Requesting Congress to reform the harbor maintenance tax.

Referred to Committee on Trade & Economic Development.

#### MOTION

On motion of Senator Fain, and without objection, all measures listed on the Introduction and First Reading report were referred to the committees as designated with the exception of Senate Bill No. 6430 which was referred to the Committee on Human Services, Mental Health & Housing.

Senator Fain announced a meeting of the Committee on Rules Committee immediately at the rostrum.

#### MOTION

At 10:08 a.m., on motion of Senator Fain, the Senate was declared to be at ease subject to the call of the President for the purpose of a Rules Committee meeting.

The Senate was called to order at 11:13 a.m. by President of the Senate, Lt. Governor Owen.

#### MOTION

On motion of Senator Mullet, and without objection, Senator Habib was excused.

MOTION

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

THIRD READING

SENATE BILL NO. 5180, by Senators Benton, Mullet, Angel, Hobbs, Hargrove, Keiser and Darneille

Modernizing life insurance reserve requirements.

The bill was read on Third Reading.

Senators Benton and Mullet spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5180.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5180 and the bill passed the Senate by the following vote:

Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senator Habib

SENATE BILL NO. 5180, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

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

SECOND READING

SENATE BILL NO. 5879, by Senators Billig, McAuliffe and Kohl-Welles

Concerning early intervention services for infants and toddlers with disabilities and their families.

The measure was read the second time.

MOTION

On motion of Senator Billig, the rules were suspended, Senate Bill No. 5879 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Billig and Litzow spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5879.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5879 and the bill passed the Senate by the following vote:Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senator Habib

SENATE BILL NO. 5879, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

INTRODUCTION OF GUESTS

The President welcomed students from the Northwest Christian School and their advisor Angela Johnston, guests of Senator Dammeier, who were seated in the gallery.

SECOND READING

SENATE BILL NO. 6194, by Senate Committee on Ways & Means (originally sponsored by Senators Litzow, Mullet, Fain, Hobbs, Becker, Rivers, O'Ban, Dammeier, Angel, Hill, Bailey, Sheldon, Miloscia, Braun, Baumgartner and King)

Concerning public schools that are not common schools.

MOTION

On motion of Senator Litzow, Second Substitute Senate Bill No. 6194 was substituted for Senate Bill No. 6194 and the second substitute bill was placed on second reading and read the second time.

MOTION

Senator Jayapal moved that the following floor amendment no. 523 by Senator Conway be adopted: On page 1, after line 14, insert the following:

"NEW SECTION, Sec. 1. The legislature finds that it has yet to fully fulfill its basic education obligations under *McCleary v. State*, Supreme Court No. 84362-7. While the legislature recognizes the importance of providing educational stability to the students who had previously attended charter schools prior to the Supreme Court's ruling, it is also the intent of the legislature to recognize the state has an equally important obligation to the over one million students in our public schools who continue to wait for the state to provide them with the educational opportunities guaranteed by the state constitution."

Senators Chase, Conway and Jayapal spoke in favor of adoption of the amendment.

Senators Dammeier and Litzow spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 523 by Senator Conway on page 1, after line 14 to Second Substitute Senate Bill No. 6194.

## MOTION

Senator Rolfes demanded a division.

The motion by Senator Jayapal failed and floor amendment no. 523 by Senator Conway was not adopted by a rising vote.

## MOTION

Senator Billig moved that the following floor amendment no. 521 by Senator Billig be adopted:

On page 2, beginning on line 22, strike "the commission established in RCW 28A.710.070 or"

On page 3, beginning on line 1, after "(7)" strike all material through "(8)" on line 3 and insert "~~((("Commission" means the Washington charter school commission established in RCW 28A.710.070.~~

~~(8)))~~"

On page 3, line 6, strike "(9)" and insert "~~((9))~~ (8)"

On page 3, line 9, strike "(10)" and insert "~~((10))~~ (9)"

On page 3, line 11, strike "(11)" and insert "~~((11))~~ (10)"

Beginning on page 8, line 4, strike all of section 107

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

On page 10, line 1, after "following" strike all material through "~~(to)~~" and insert "~~((entities are eligible to))~~ entity"

On page 10, line 1, after "be" strike "authorizers" and insert "~~((authorizers))~~ an authorizer"

On page 10, beginning on line 3, strike all material through "(2)" on line 6 and insert "~~((1) The Washington charter school commission established under RCW 28A.710.070, for charter schools located anywhere in the state; and~~

~~(2))~~"

On page 20, beginning on line 35, after "(3)" strike all material through "the" on line 36 and insert "The"

Beginning on page 20, line 37, after "directors" strike all material through "and" on page 21, line 3 and insert "~~((if the school district board of directors is the authorizer or the chair of the commission if the commission is the authorizer))~~ and by"

On page 22, line 1, after "(b)" strike "Each authorizer" and insert "A school district board of directors for a school district in which a charter school was in operation under the authority of chapter 2, Laws of 2013"

On page 22, after line 6, insert the following:

"(c) If a charter school board had a charter contract with the charter school commission in effect as of December 1, 2015, and the charter school board wants the charter school to continue to operate as a charter school, the school district board of directors for a district in which that charter school was located must provide the charter school board the opportunity to execute a new contract with the same terms and duration or substantially the same terms and duration as were in effect on December 1, 2015. The school district board of directors that executes a charter contract under the authority of this subsection (8)(c) shall be considered an authorizer for the purposes of this chapter without having to apply to become an authorizer, but only for those charter schools that were in effect on December 1, 2015. In order to authorize additional charter schools under the provisions of this chapter, the school district board of directors must comply with the process established by the state board of education under RCW 28A.710.090."

On page 26, beginning on line 32, after "from" strike all material through "from" on line 33 and insert "~~((one authorizer to another or from))~~"

On page 26, line 33, after "school" strike "~~((applicant))~~" and insert "applicant"

On page 29, beginning on line 33, after "education" strike all material through "commission," on line 34 and insert "~~((-in collaboration with the commission.))~~"

On page 30, beginning on line 13, after "education" strike all material through "commission," on line 14 and insert "~~((-in collaboration with the commission.))~~"

On page 30, beginning on line 17, strike all of section 126

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

On page 37, beginning on line 9, strike all of section 137 and insert the following:

"NEW SECTION. Sec. 137. The following acts or parts of acts are each repealed:

(1)RCW 28A.710.005 (Findings—2013 c 2) and 2013 c 2 s 101;

(2)RCW 28A.710.070 (Washington charter school commission) and 2013 c 2 s 208; and

(3)RCW 28A.710.260 (Charter schools oversight account—Creation) and 2014 c 221 s 911."

On page 37, beginning on line 12, after "to" strike all material through "commission," on line 13

On page 37, line 13, after "authorizers" strike ","

On page 37, line 20, after "(3)" strike all material through "and school" and insert "School"

On page 37, beginning on line 27, after "may," strike all material through "parties" on line 28 and insert "in accordance with the provisions of RCW 28A.710.160,"

On page 45, beginning on line 18, strike all of section 302

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

On page 1, line 5 of the title, after "28A.710.060," strike "28A.710.070,"

On page 1, line 9 of the title, after "28A.710.240," strike "28A.710.260,"

On page 1, line 12 of the title, after "28A.710.005" insert ", 28A.710.070, and 28A.710.260"

On page 1, beginning on line 12 of the title, after "28A.710.005;" strike "making appropriations;" and insert "making an appropriation;"

Senators Billig, Dandel and Pedersen spoke in favor of adoption of the amendment.

Senators Baumgartner, Litzow and Parlette spoke against adoption of the amendment.

Senator Rolfes demanded a roll call.

The President declared that one-sixth of the members supported the demand and the demand was sustained.

The President declared the question before the Senate to be the adoption of floor amendment no. 521 by Senator Billig on page 2, line 22 to Second Substitute Senate Bill No. 6194.

## ROLL CALL

The Secretary called the roll on the adoption of floor amendment no. 521 by Senator Billig and the amendment was not adopted by the following vote: Yeas, 21; Nays, 27; Absent, 0; Excused, 1.

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

Voting nay: Senators Angel, Bailey, Baumgartner, Becker, Benton, Braun, Brown, Dammeier, Ericksen, Fain, Hewitt, Hill, Hobbs, Honeyford, King, Litzow, Miloscia, Mullet, O'Ban,

TENTH DAY, JANUARY 20, 2016

2016 REGULAR SESSION

Padden, Parlette, Pearson, Rivers, Roach, Schoesler, Sheldon and Warnick

Excused: Senator Habib

adoption of floor amendment no. 520 by Senator Frockt on page 10, line 1 to Second Substitute Senate Bill No. 6194.

The motion by Senator Frockt failed and floor amendment no. 520 was not adopted by voice vote.

#### WITHDRAWAL OF AMENDMENT

On motion of Senator Conway, and without objection, floor amendment no. 522 by Senator Conway on page 5, line 10 to Second Substitute Senate Bill No. 6194 was withdrawn.

#### MOTION

Senator Rolfes moved that floor amendment no. 518 by Senator Rolfes be adopted: On page 45, after line 27, insert the following:

**"NEW SECTION, Sec. 304.** (1) The sum of eighteen million dollars is appropriated for the fiscal biennium ending June 30, 2017, from the general fund to the office of financial management for the purposes of ensuring that the appropriation from the Washington opportunity pathways account in section 303 this act does not reduce the total funding available for the other programs that have received appropriations from the Washington opportunity pathways account. The office of financial management shall allocate the appropriation in this subsection to (a) the student achievement council for the purposes of the state need grant and college bound scholarship programs; and (b) the department of early learning for the early childhood education and assistance program.

(2) The office of financial management shall place in reserve status eighteen million dollars from Washington opportunity pathways account appropriations in chapter 4, Laws of 2015 3rd sp. sess. to the student achievement council and the department of early learning. The amount placed in reserve status under this subsection shall remain unallotted and shall not be expended."

Senators Litzow and Rolfes spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 518 by Senator Rolfes on page 45, after line 27 to Second Substitute Senate Bill No. 6194.

The motion by Senator Rolfes carried and floor amendment no. 518 was adopted by voice vote.

#### MOTION

Senator Frockt moved that floor amendment no. 520 by Senator Frockt be adopted: On page 10, at the beginning of line 1, insert "(1)"

On page 10, at the beginning of line 3, strike "(1)" and insert "(((4))) (a)"

On page 10, at the beginning of line 6, strike "(2)" and insert "(((2))) (b)"

On page 10, after line 11, insert the following:

"(2) Beginning January 1, 2019, no authorizer may exercise the authority granted under this section to authorize new charter schools unless and until the supreme court terminates its jurisdiction over the case of *McCleary v. State*. Supreme Court No. 84362-7."

Correct internal references accordingly.

Senators Carlyle and Frockt spoke in favor of adoption of the amendment.

Senators Baumgartner and Litzow spoke against adoption of the amendment.

The President declared the question before the Senate to be the

#### PARLIAMENTARY INQUIRY

Senator Schoesler: "Did the previous speaker (Senator Carlyle) present his honorarium to the body before engaging in that speech?"

#### REPLY BY THE PRESIDENT

President Owen: "President of the Senate: "The President believes that normally it is following the speech."

Senator Schoesler: "We hope that perhaps, that the gift is that this is the last speech we hear this year."

#### MOTION

On motion of Senator Mullet, and without objection, Senator Ranker was excused.

#### MOTION

On motion of Senator Litzow, the rules were suspended, Engrossed Second Substitute Senate Bill No. 6194 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 6194.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 6194 and the bill passed the Senate by the following vote: Yeas, 27; Nays, 20; Absent, 0; Excused, 2.

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

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

Excused: Senators Habib and Ranker

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

#### MOTION

At 12:35 p.m., on motion of Senator Fain, the Senate adjourned until 12:00 o'clock p.m., Thursday, January 21, 2016.

BRAD OWEN, President of the Senate

HUNTER G. GOODMAN, Secretary of the Senate





5180		Introduction & 1st Reading.....	2
	Third Reading .....		5
	Third Reading Final Passage .....		5
521		Second Reading .....	6
5879		Second Reading .....	5
	Third Reading Final Passage .....		5
6178		Committee Report.....	1
6179		Committee Report.....	1
6187		Committee Report.....	1
6194		Committee Report.....	1
	Other Action.....		7
	Second Reading .....		5, 7
6194-ES2		Third Reading Final Passage .....	7
6194-S2		Second Reading .....	5
6408		Introduction & 1st Reading.....	1
6409		Introduction & 1st Reading.....	1
6410		Introduction & 1st Reading.....	1
6411		Introduction & 1st Reading.....	2
6412		Introduction & 1st Reading.....	2
6413		Introduction & 1st Reading.....	2
6414		Introduction & 1st Reading.....	2
6415		Introduction & 1st Reading.....	2
6416		Introduction & 1st Reading.....	2
6417		Introduction & 1st Reading.....	2
6418		Introduction & 1st Reading.....	2
6419		Introduction & 1st Reading.....	2
6420		Introduction & 1st Reading.....	2
6421		Introduction & 1st Reading.....	2
6422		Introduction & 1st Reading.....	2
6423		Introduction & 1st Reading.....	2
6424		Introduction & 1st Reading.....	2
6425		Introduction & 1st Reading.....	3
6426		Introduction & 1st Reading.....	3
6427		Introduction & 1st Reading.....	3
6428		Introduction & 1st Reading.....	3
6429		Introduction & 1st Reading.....	3
6430		Introduction & 1st Reading.....	3
	Other Action.....		4
6431		Introduction & 1st Reading.....	3
6432		Introduction & 1st Reading.....	3
6433		Introduction & 1st Reading.....	3
6434		Introduction & 1st Reading.....	3
6435		Introduction & 1st Reading.....	3
6436		Introduction & 1st Reading.....	3
6437		Introduction & 1st Reading.....	3
6438		Introduction & 1st Reading.....	3
6439		Introduction & 1st Reading.....	4
6440		Introduction & 1st Reading.....	4
6441		Introduction & 1st Reading.....	4
6442		Introduction & 1st Reading.....	4
6443		Introduction & 1st Reading.....	4

Introduction & 1st Reading..... 4  
6444  
Introduction & 1st Reading..... 4  
6445  
Introduction & 1st Reading..... 4  
6446  
Introduction & 1st Reading..... 4  
6447  
Introduction & 1st Reading..... 4  
6448  
Introduction & 1st Reading..... 4  
8017  
Introduction & 1st Reading..... 4  
CHAPLAIN OF THE DAY

Brzezinski, Reverend Robert ..... 1  
FLAG BEARER  
Austin, Miss Ainsley Grace ..... 1  
Freeman, Mr. Charles Austin..... 1  
GUESTS  
Austin, Miss Ainsley Grace (Pledge of  
Allegiance)..... 1  
Johnston, Ms. Angela, and Students from the  
Northwest Christian School ..... 5  
PRESIDENT OF THE SENATE  
Reply by the President ..... 7  
WASHINGTON STATE SENATE  
Parliamentary Inquiry, Senator Schoesler..... 7

