

NINETEENTH DAY

NOON SESSION

Senate Chamber, Olympia
Monday, March 28, 2016

The Senate was called to order at 12:02 p.m. by the President Pro Tempore, Senator Roach presiding.

The Secretary called the roll and announced to the President Pro Tempore that all Senators were present, with the exceptions of Senators Billig, Habib, Hargrove, Jayapal, Lias and Ranker.

The Sergeant at Arms Color Guard consisting of Mr. Jack Bridgewater and Mr. Jeremiah Allison, Washington State University student athletes, guests of Senator Baumgartner, presented the Colors.

Senator Pearson offered the prayer.

MOTION

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

MOTION

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

REPORTS OF STANDING COMMITTEES

March 28, 2016

SB 6531 Prime Sponsor, Senator Hargrove: Changing who the department of corrections is required to supervise. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 6531 be substituted therefor, and the substitute bill do pass. Signed by Senators Padden, Chair; O'Ban, Vice Chair; Pedersen, Ranking Member; Darneille; Frockt; Pearson and Roach.

Passed to Committee on Rules for second reading.

MOTION

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

MOTION

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

MESSAGE FROM THE GOVERNOR

March 25, 2016

To the Honorable President and Members, The Senate of the State of Washington

Ladies and Gentlemen:

I have the honor to advise you that on March 25, 2016, Governor Inslee approved the following Senate Bills entitled:

Senate Bill No. 6200,
Relating to providing funding for steelhead conservation through the issuance of Washington's fish license plate collection;

Substitute Senate Bill No. 6254,
Relating to Purple Heart license plates;

Senate Bill No. 6299,
Relating to correcting certain manifest drafting errors in chapter 44, Laws of 2015 3rd sp. sess. (transportation revenue);

Substitute Senate Bill No. 6314,
Relating to county road administration and maintenance;

Substitute Senate Bill No. 6358,
Relating to rail fixed guideway public transportation system safety and security oversight, requiring rule making;

Substitute Senate Bill No. 6363,
Relating to the design and construction of certain transportation facilities adjacent to or across a river or waterway;

Senate Bill No. 6614,
Relating to measuring the performance of the state transportation system.

Sincerely,
Miguel Perez-Gibson, Executive Director of Legislative Affairs

**MESSAGE FROM THE GOVERNOR
GUBERNATORIAL APPOINTMENTS**

March 24, 2016

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

SHARONNE A. NAVAS, appointed March 7, 2016, for the term ending September 30, 2017, as Member of the Green River College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Refer to Committee on Higher Education.

MOTION

On motion of Senator Fain, and without objection, the appointee listed on the Gubernatorial Appointment report was referred to the committee as designated.

Senator Fraser announced a meeting of the Democratic Caucus immediately upon going at ease.

Senator Parlette announced a meeting of the Majority Coalition Caucus immediately upon going at ease.

MOTION

At 12:09 p.m., on motion of Senator Fain, the Senate was declared to be at ease for the purpose of a meeting of the Committee on Rules and for caucuses.

AFTERNOON SESSION

The Senate was called to order at 1:56 p.m. by the President Pro Tempore, Senator Roach presiding.

MOTION

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

MOTION

On motion of Senator Rolfes, and without objection, Senators Billig, Habib, Hargrove, Jayapal, Liias and Ranker were excused.

THIRD READING

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5105, by Senate Committee on Ways & Means (originally sponsored by Senators Padden, Frockt, O'Ban, Fain, Fraser, Pearson, Roach and Darneille)

Making a fourth driving under the influence offense a felony.

The bill was read on Third Reading.

Senator Padden spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 5105.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5105 and the bill passed the Senate by the following vote: Yeas, 43; Nays, 0; Absent, 0; Excused, 6.

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

Excused: Senators Billig, Habib, Hargrove, Jayapal, Liias and Ranker

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5105, 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

SUBSTITUTE SENATE BILL NO. 6328, by Senate Committee on Health Care (originally sponsored by Senators Dammeier, Hasegawa, Conway, O'Ban, Becker and Carlyle)

Concerning vapor products in respect to provisions concerning certain child-resistant packaging, definitions related to "vapor product," signage requirements prohibiting vapor product sales to minors, prohibition of the purchase and possession of vapor products by minors, the liquor and cannabis board's enforcement authority over vapor products, preemption of certain local regulation of vapor products, and a requirement for vendor-assisted sales of vapor products in retail establishments. Revised for 1st Substitute: Concerning vapor products in respect to youth substance use prevention associated with vapor products, amending and renaming the youth tobacco prevention account, provisions concerning certain child-resistant packaging, definitions related to "vapor product," signage requirement

The measure was read the second time.

MOTION

Senator Dammeier moved that the following striking amendment no. 763 by Senator Dammeier be adopted:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 26.28.080 and 2013 c 47 s 1 are each amended to read as follows:

(1) Every person who sells or gives, or permits to be sold or given, to any person under the age of eighteen years any cigar, cigarette, cigarette paper or wrapper, tobacco in any form, or a vapor product is guilty of a gross misdemeanor.

(2) It ((shall be no)) is not a defense to a prosecution for a violation of this section that the person acted, or was believed by the defendant to act, as agent or representative of another.

(3) For the purposes of this section, "vapor product" ((means a noncombustible tobacco-derived product containing nicotine that employs a mechanical heating element, battery, or circuit, regardless of shape or size, that can be used to heat a liquid nicotine solution contained in cartridges. Vapor product does not include any product that is regulated by the United States food and drug administration under chapter V of the federal food, drug, and cosmetic)) has the same meaning as provided in section 4 of this act.

Sec. 2. RCW 70.155.120 and 1993 c 507 s 13 are each amended to read as follows:

(1) The youth tobacco and vapor products prevention account is created in the state treasury. All fees collected pursuant to RCW 82.24.520 ((and)), 82.24.530, 82.26.160, and 82.26.170 and funds collected by the liquor ((control)) and cannabis board from the imposition of monetary penalties ((and samplers' fees)) shall be deposited into this account, except that ten percent of all such fees and penalties shall be deposited in the state general fund.

(2) Moneys appropriated from the youth tobacco and vapor products prevention account to the department of health shall be used by the department of health for implementation of this chapter, including collection and reporting of data regarding enforcement and the extent to which access to tobacco products and vapor products by youth has been reduced.

(3) The department of health shall enter into interagency agreements with the liquor ((control)) and cannabis board to pay the costs incurred, up to thirty percent of available funds, in carrying out its enforcement responsibilities under this chapter.

Such agreements shall set forth standards of enforcement, consistent with the funding available, so as to reduce the extent to which tobacco products and vapor products are available to individuals under the age of eighteen. The agreements shall also set forth requirements for data reporting by the liquor ((control)) and cannabis board regarding its enforcement activities.

(4) The department of health, the liquor and cannabis board, and the department of revenue shall enter into an interagency agreement for payment of the cost of administering the tobacco retailer licensing system and for the provision of quarterly documentation of tobacco wholesaler, retailer, and vending machine names and locations.

(5) The department of health shall, within up to seventy percent of available funds, provide grants to local health departments or other local community agencies to develop and implement coordinated tobacco and vapor product intervention strategies to prevent and reduce tobacco and vapor product use by youth.

NEW SECTION. Sec. 3. PREEMPTION. (1) This chapter preempts political subdivisions from adopting or enforcing requirements for the licensure and regulation of vapor product promotions and sales at retail. No political subdivision may impose fees or license requirements on retail outlets for possessing or selling vapor products, other than general business taxes or license fees not primarily levied on such products.

(2) No political subdivision may regulate the use of vapor products in outdoor public places, unless the public place is an area where children congregate, such as schools, playgrounds, and parks.

(3) Subject to section 21 of this act, political subdivisions may regulate the use of vapor products in indoor public places.

NEW SECTION. Sec. 4. DEFINITIONS. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Board" means the Washington state liquor and cannabis board.

(2) "Business" means any trade, occupation, activity, or enterprise engaged in for the purpose of selling or distributing vapor products in this state.

(3) "Child care facility" has the same meaning as provided in RCW 70.140.020.

(4) "Closed system nicotine container" means a sealed, prefilled, and disposable container of nicotine in a solution or other form in which such container is inserted directly into an electronic cigarette, electronic nicotine delivery system, or other similar product, if the nicotine in the container is inaccessible through customary or reasonably foreseeable handling or use, including reasonably foreseeable ingestion or other contact by children.

(5) "Delivery sale" means any sale of a vapor product to a purchaser in this state where either:

(a) The purchaser submits the order for such sale by means of a telephonic or other method of voice transmission, the mails or any other delivery service, or the internet or other online service; or

(b) The vapor product is delivered by use of the mails or of a delivery service. The foregoing sales of vapor products constitute a delivery sale regardless of whether the seller is located within or without this state. "Delivery sale" does not include a sale of any vapor product not for personal consumption to a retailer.

(6) "Delivery seller" means a person who makes delivery sales.

(7) "Distributor" means any person who:

(a) Sells vapor products to persons other than ultimate

consumers; or

(b) Is engaged in the business of selling vapor products in this state and who brings, or causes to be brought, into this state from outside of the state any vapor products for sale.

(8) "Liquid nicotine container" means a package from which nicotine in a solution or other form is accessible through normal and foreseeable use by a consumer and that is used to hold soluble nicotine in any concentration. "Liquid nicotine container" does not include closed system nicotine containers.

(9) "Manufacturer" means a person who manufactures and sells vapor products.

(10) "Minor" refers to an individual who is less than eighteen years old.

(11) "Person" means any individual, receiver, administrator, executor, assignee, trustee in bankruptcy, trust, estate, firm, copartnership, joint venture, club, company, joint stock company, business trust, municipal corporation, the state and its departments and institutions, political subdivision of the state of Washington, corporation, limited liability company, association, society, any group of individuals acting as a unit, whether mutual, cooperative, fraternal, nonprofit, or otherwise.

(12) "Place of business" means any place where vapor products are sold or where vapor products are manufactured, stored, or kept for the purpose of sale.

(13) "Playground" means any public improved area designed, equipped, and set aside for play of six or more children which is not intended for use as an athletic playing field or athletic court, including but not limited to any play equipment, surfacing, fencing, signs, internal pathways, internal land forms, vegetation, and related structures.

(14) "Retail outlet" means each place of business from which vapor products are sold to consumers.

(15) "Retailer" means any person engaged in the business of selling vapor products to ultimate consumers.

(16)(a) "Sale" means any transfer, exchange, or barter, in any manner or by any means whatsoever, for a consideration, and includes and means all sales made by any person.

(b) The term "sale" includes a gift by a person engaged in the business of selling vapor products, for advertising, promoting, or as a means of evading the provisions of this chapter.

(17) "School" has the same meaning as provided in RCW 70.140.020.

(18) "Self-service display" means a display that contains vapor products and is located in an area that is openly accessible to customers and from which customers can readily access such products without the assistance of a salesperson. A display case that holds vapor products behind locked doors does not constitute a self-service display.

(19) "Vapor product" means any noncombustible product that may contain nicotine and that employs a heating element, power source, electronic circuit, or other electronic, chemical, or mechanical means, regardless of shape or size, that can be used to produce vapor or aerosol from a solution or other substance.

(a) "Vapor product" includes any electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device and any vapor cartridge or other container that may contain nicotine in a solution or other form that is intended to be used with or in an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device.

(b) "Vapor product" does not include any product that meets the definition of marijuana, useable marijuana, marijuana concentrates, marijuana-infused products, cigarette, or tobacco products.

(c) For purposes of this subsection (19), "marijuana," "useable marijuana," "marijuana concentrates," and "marijuana-infused products" have the same meaning as provided in RCW 69.50.101.

NEW SECTION. Sec. 5. VAPOR PRODUCTS LICENSES. (1) The licenses issuable by the board under this chapter are as follows:

- (a) A vapor product retailer's license;
- (b) A vapor product distributor's license; and
- (c) A vapor product delivery sale license.

(2) Application for the licenses must be made through the business licensing system under chapter 19.02 RCW. The board may adopt rules regarding the regulation of the licenses. The board may refuse to issue any license under this chapter if the board has reasonable cause to believe that the applicant has willfully withheld information requested for the purpose of determining the eligibility of the applicant to receive a license, or if the board has reasonable cause to believe that information submitted in the application is false or misleading or is not made in good faith. In addition, for the purpose of reviewing an application for a distributor's license, retailer's license, or delivery seller's license, and for considering the denial, suspension, or revocation of any such license, the board may consider criminal conduct of the applicant, including an administrative violation history record with the board and a criminal history record information check within the previous five years, in any state, tribal, or federal jurisdiction in the United States, its territories, or possessions, and the provisions of RCW 9.95.240 and chapter 9.96A RCW do not apply to such cases. The board may, in its discretion, issue or refuse to issue the retailer's license, distributor's license, and delivery sale license subject to the provisions of RCW 70.155.100.

(3) The application processes for the retailer license and the distributor license, and any forms used for such processes, must allow the applicant to simultaneously apply for a delivery sale license without requiring the applicant to undergo a separate licensing application process in order to be licensed to conduct delivery sales. However, a delivery sale license obtained in conjunction with a retailer or distributor license under this subsection remains a separate license subject to the delivery sale licensing fee established under this chapter.

(4) No person may qualify for a retailer's license, distributor's license, or delivery sale license under this section without first undergoing a criminal background check. The background check must be performed by the board and must disclose any criminal conduct within the previous five years in any state, tribal, or federal jurisdiction in the United States, its territories, or possessions. If the applicant or licensee also has a license issued under chapter 66.24, 69.50, 82.24, or 82.26 RCW, the background check done under the authority of chapter 66.24, 69.50, 82.24, or 82.26 RCW satisfies the requirements of this subsection.

(5) Each license issued under this chapter expires on the business license expiration date. The license must be continued annually if the licensee has paid the required fee and complied with all the provisions of this chapter and the rules of the board adopted pursuant to this chapter.

(6) Each license and any other evidence of the license required under this chapter must be exhibited in each place of business for which it is issued and in the manner required for the display of a business license.

NEW SECTION. Sec. 6. LICENSING REQUIRED.

(1)(a) No person may engage in or conduct business as a retailer, distributor, or delivery seller in this state without a valid license issued under this chapter, except as otherwise provided by law. Any person who sells vapor products to ultimate consumers by a

means other than delivery sales must obtain a retailer's license under this chapter. Any person who sells vapor products to persons other than ultimate consumers or who meets the definition of distributor under this chapter must obtain a distributor's license under this chapter. Any person who conducts delivery sales of vapor products must obtain a delivery sale license.

(b) A violation of this subsection is punishable as a class C felony according to chapter 9A.20 RCW.

(2) No person engaged in or conducting business as a retailer, distributor, or delivery seller in this state may refuse to allow the enforcement officers of the board, on demand, to make full inspection of any place of business or vehicle where any of the vapor products regulated under this chapter are sold, stored, transported, or handled, or otherwise hinder or prevent such inspection. A person who violates this subsection is guilty of a gross misdemeanor.

(3) Any person licensed under this chapter as a distributor, any person licensed under this chapter as a retailer, and any person licensed under this chapter as a delivery seller may not operate in any other capacity unless the additional appropriate license is first secured, except as otherwise provided by law. A violation of this subsection is a misdemeanor.

(4) No person engaged in or conducting business as a retailer, distributor, or delivery seller in this state may sell or give, or permit to sell or give, a product that contains any amount of any cannabinoid, synthetic cannabinoid, cathinone, or methcathinone, unless otherwise provided by law. A violation of this subsection (4) is punishable according to RCW 69.50.401.

(5) The penalties provided in this section are in addition to any other penalties provided by law for violating the provisions of this chapter or the rules adopted under this chapter.

NEW SECTION. Sec. 7. DISTRIBUTOR LICENSING FEE. A fee of one hundred fifty dollars must accompany each vapor product distributor's license application or license renewal application under section 5 of this act. If a distributor sells or intends to sell vapor products at two or more places of business, whether established or temporary, a separate license with a license fee of one hundred dollars is required for each additional place of business.

NEW SECTION. Sec. 8. RETAILER LICENSING FEE. (1) A fee of one hundred seventy-five dollars must accompany each vapor product retailer's license application or license renewal application under section 5 of this act. A separate license is required for each separate location at which the retailer operates.

(2) A retailer applying for, or renewing, both a vapor products retailer's license under section 5 of this act and retailer's license under RCW 82.24.510 may pay a combined application fee of two hundred fifty dollars for both licenses.

Sec. 9. RCW 82.24.530 and 2012 2nd sp.s. c 4 s 12 are each amended to read as follows:

(1) A fee of ((ninety-three)) one hundred seventy-five dollars must accompany each retailer's license application or license renewal application. A separate license is required for each separate location at which the retailer operates. A fee of thirty additional dollars for each vending machine must accompany each application or renewal for a license issued to a retail dealer operating a cigarette vending machine. An additional fee of ninety-three dollars ((shall)) must accompany each application or renewal for a license issued to a retail dealer operating a cigarette-making machine.

(2) A retailer applying for, or renewing, both a retailer's license under RCW 82.24.510 and a vapor products retailer's license

under section 5 of this act may pay a combined application fee of two hundred fifty dollars for both licenses.

NEW SECTION. Sec. 10. DELIVERY SALE LICENSING FEE. A fee of two hundred fifty dollars must accompany each vapor product delivery sale license application or license renewal application under section 5 of this act.

NEW SECTION. Sec. 11. ENFORCEMENT—LICENSE SUSPENSION, REVOCATION. (1) The board, or its enforcement officers, has the authority to enforce provisions of this chapter.

(2) The board may revoke or suspend a retailer's, distributor's, or delivery seller's license issued under this chapter upon sufficient cause showing a violation of this chapter.

(3) A license may not be suspended or revoked except upon notice to the licensee and after a hearing as prescribed by the board.

(4) Any retailer's licenses issued under chapter 82.24 or 82.26 RCW to a person whose vapor product retailer's license or licenses have been suspended or revoked for violating RCW 26.28.080 must also be suspended or revoked during the period of suspension or revocation under this section.

(5) Any person whose license or licenses have been revoked under this section may reapply to the board at the expiration of two years of the license or licenses, unless the license was revoked pursuant to section 22(2)(e) of this act. The license or licenses may be approved by the board if it appears to the satisfaction of the board that the licensee will comply with the provisions of this chapter.

(6) A person whose license has been suspended or revoked may not sell vapor products or permit vapor products to be sold during the period of suspension or revocation on the premises occupied by the person or upon other premises controlled by the person or others or in any other manner or form.

(7) Any determination and order by the board, and any order of suspension or revocation by the board of the license or licenses issued under this chapter, or refusal to reinstate a license or licenses after revocation is reviewable by an appeal to the superior court of Thurston county. The superior court must review the order or ruling of the board and may hear the matter de novo, having due regard to the provisions of this chapter and the duties imposed upon the board.

(8) If the board makes an initial decision to deny a license or renewal, or suspend or revoke a license, the applicant may request a hearing subject to the applicable provisions under Title 34 RCW.

NEW SECTION. Sec. 12. SIGNAGE. (1) Except as provided in subsection (2) of this section, a person who holds a retailer's license issued under this chapter must display a sign concerning the prohibition of vapor product sales to minors. Such sign must:

(a) Be posted so that it is clearly visible to anyone purchasing vapor products from the licensee;

(b) Be designed and produced by the department of health to read: "The sale of vapor products to persons under age eighteen is strictly prohibited by state law. If you are under age eighteen, you could be penalized for purchasing a vapor product; photo id required;" and

(c) Be provided free of charge by the department of health.

(2) For persons also licensed under RCW 82.24.510 or 82.26.150, the board may issue a sign to read: "The sale of tobacco or vapor products to persons under age eighteen is strictly prohibited by state law. If you are under age eighteen, you could be penalized for purchasing a tobacco or vapor product; photo id

required," provided free of charge by the board.

(3) A person who holds a license issued under this chapter must display the license or a copy in a prominent location at the outlet for which the license is issued.

NEW SECTION. Sec. 13. LABELING REQUIREMENTS. (1) A manufacturer or distributor that sells, offers for sale, or distributes liquid nicotine containers shall label the vapor product with a: (a) Warning regarding the harmful effects of nicotine; (b) warning to keep the vapor product away from children; (c) warning that vaping is illegal for those under the legal age to use the product; and (d) except as provided in subsection (2) of this section, the amount of nicotine in milligrams per milliliter of liquid along with the total volume of the liquid contents of the product expressed in milliliters.

(2) For closed system nicotine containers as defined in section 4 of this act, a manufacturer that sells, offers for sale, or distributes vapor products in this state must annually provide the department of health with a disclosure of the nicotine content of such vapor product based on measurement standards to be established by the department of health.

(3)(a) This section expires on the effective date of the final regulations issued by the United States food and drug administration or by any other federal agency, when such regulations mandate warning or advertisement requirements for vapor products.

(b) The board must provide notice of the expiration date of this section to affected parties, the chief clerk of the house of representatives, the secretary of the senate, the office of the code reviser, and others as deemed appropriate by the board.

NEW SECTION. Sec. 14. PURCHASING, POSSESSING BY PERSONS UNDER EIGHTEEN—CIVIL INFRACTION—JURISDICTION. (1) A person under the age of eighteen who purchases or attempts to purchase, possesses, or obtains or attempts to obtain vapor products commits a class 3 civil infraction under chapter 7.80 RCW and is subject to a fine as set out in chapter 7.80 RCW or participation in up to four hours of community restitution, or both. The court may also require participation in a smoking cessation program. This provision does not apply if a person under the age of eighteen, with parental authorization, is participating in a controlled purchase as part of a board, law enforcement, or local health department activity.

(2) Municipal and district courts within the state have jurisdiction for enforcement of this section.

NEW SECTION. Sec. 15. AGE IDENTIFICATION REQUIREMENT. (1) When there may be a question of a person's right to purchase or obtain vapor products by reason of age, the retailer or agent thereof, must require the purchaser to present any one of the following officially issued forms of identification that shows the purchaser's age and bears his or her signature and photograph: (a) Liquor control authority card of identification of a state or province of Canada; (b) driver's license, instruction permit, or identification card of a state or province of Canada; (c) "identocard" issued by the Washington state department of licensing under chapter 46.20 RCW; (d) United States military identification; (e) passport; (f) enrollment card, issued by the governing authority of a federally recognized Indian tribe located in Washington, that incorporates security features comparable to those implemented by the department of licensing for Washington drivers' licenses. At least ninety days prior to implementation of an enrollment card under this subsection, the appropriate tribal authority must give notice to the board. The board must publish and communicate to licensees regarding the implementation of each new enrollment card; or (g) merchant

marine identification card issued by the United States coast guard.

(2) It is a defense to a prosecution under RCW 26.28.080 that the person making a sale reasonably relied on any of the officially issued identification as defined in subsection (1) of this section. The board must waive the suspension or revocation of a license if the licensee clearly establishes that he or she acted in good faith to prevent violations and a violation occurred despite the licensee's exercise of due diligence.

NEW SECTION. Sec. 16. VENDOR-ASSISTED SALES REQUIREMENT. (1) No person may offer a tobacco product or a vapor product for sale in an open, unsecured display that is accessible to the public without the intervention of a store employee.

(2) It is unlawful to sell or distribute vapor products from self-service displays.

(3) Retail establishments are exempt from subsections (1) and (2) of this section if minors are not allowed in the store and such prohibition is posted clearly on all entrances.

NEW SECTION. Sec. 17. MAIL AND INTERNET SALES. (1) No person may conduct a delivery sale or otherwise ship or transport, or cause to be shipped or transported, any vapor product ordered or purchased by mail or through the internet to any person unless such seller has a valid delivery sale license as required under this chapter.

(2) No person may conduct a delivery sale or otherwise ship or transport, or cause to be shipped or transported, any vapor product ordered or purchased by mail or through the internet to any person under the minimum age required for the legal sale of vapor products as provided under section 14 of this act.

(3) A delivery sale licensee must provide notice on its mail order or internet sales forms of the minimum age required for the legal sale of vapor products in Washington state as provided by section 14 of this act.

(4) A delivery sale licensee must not accept a purchase or order from any person without first obtaining the full name, birth date, and residential address of that person and verifying this information through an independently operated third-party database or aggregate of databases, which includes data from government sources, that are regularly used by government and businesses for the purpose of age and identity verification and authentication.

(5) A delivery sale licensee must accept payment only through a credit or debit card issued in the purchaser's own name. The licensee must verify that the card is issued to the same person identified through identity and age verification procedures in subsection (4) of this section.

(6) Before a delivery sale licensee delivers an initial purchase to any person, the licensee must verify the identity and delivery address of the purchaser by mailing or shipping to the purchaser a notice of sale and certification form confirming that the addressee is in fact the person placing the order. The purchaser must return the signed certification form to the licensee before the initial shipment of product. Certification forms are not required for repeat customers. In the alternative, before a seller delivers an initial purchase to any person, the seller must first obtain from the prospective customer an electronic certification, such as by email, that includes a declaration that, at a minimum, the prospective customer is over the minimum age required for the legal sale of a vapor product, and the credit or debit card used for payment has been issued in the purchaser's name.

(7) A delivery sale licensee must include on shipping documents a clear and conspicuous statement which includes, at a minimum, that the package contains vapor products, Washington law prohibits sales to those under the minimum age

established by this chapter, and violations may result in sanctions to both the licensee and the purchaser.

(8) A person who knowingly violates this section is guilty of a class C felony, except that the maximum fine that may be imposed is five thousand dollars.

(9) In addition to or in lieu of any other civil or criminal remedy provided by law, a person who has violated this section is subject to a civil penalty of up to five thousand dollars for each violation. The attorney general, acting in the name of the state, may seek recovery of the penalty in a civil action in superior court.

(10) The attorney general may seek an injunction in superior court to restrain a threatened or actual violation of this section and to compel compliance with this section.

(11) Any violation of this section is not reasonable in relation to the development and preservation of business and is an unfair and deceptive act or practice and an unfair method of competition in the conduct of trade or commerce in violation of RCW 19.86.020. Standing to bring an action to enforce RCW 19.86.020 for violation of this section lies solely with the attorney general. Remedies provided by chapter 19.86 RCW are cumulative and not exclusive.

(12)(a) In any action brought under this section, the state is entitled to recover, in addition to other relief, the costs of investigation, expert witness fees, costs of the action, and reasonable attorneys' fees.

(b) If a court determines that a person has violated this section, the court shall order any profits, gain, gross receipts, or other benefit from the violation to be disgorged and paid to the state treasurer for deposit in the general fund.

(13) Unless otherwise expressly provided, the penalties or remedies, or both, under this section are in addition to any other penalties and remedies available under any other law of this state.

(14) A licensee who violates this section is subject to license suspension or revocation by the board.

(15) The board may adopt by rule additional requirements for mail or internet sales.

(16) The board must not adopt rules prohibiting internet sales.

NEW SECTION. Sec. 18. CHILD-RESISTANT PACKAGING REQUIREMENT. (1) Any liquid nicotine container that is sold at retail shall be packaged in accordance with the child-resistant effectiveness standards set forth in 16 C.F.R. Sec. 1700.15, as in effect on the effective date of this section, as determined through testing in accordance with the method described in 16 C.F.R. Sec. 1700.20, as in effect on the effective date of this section.

(2) Any person that engages in retail sales of liquid nicotine containers in violation of this section is guilty of a gross misdemeanor.

NEW SECTION. Sec. 19. TASTINGS. (1) No person may offer a tasting of vapor products to the general public unless:

(a) The person is a licensed retailer under section 5 of this act;

(b) The tastings are offered only within the licensed premises operated by the licensee and the products tasted are not removed from within the licensed premises by the customer;

(c) Entry into the licensed premises is restricted to persons eighteen years of age or older;

(d) The vapor product being offered for tasting contains zero milligrams per milliliter of nicotine or the customer explicitly consents to a tasting of a vapor product that contains nicotine; and

(e) If the customer is tasting from a vapor device owned and maintained by the retailer, a disposable mouthpiece tip is attached to the vapor product being used by the customer for tasting or the vapor device is disposed of after each tasting.

(2) A violation of this section is a misdemeanor.

NEW SECTION. Sec. 20. COUPONS. (1) No person may give or distribute vapor products to a person free of charge by coupon, unless the vapor product was provided to the person as a contingency of prior or the same purchase as part of an in-person transaction or delivery sale.

(2) This section does not prohibit the use of coupons to receive a discount on a vapor product as part of an in-person transaction or delivery sale.

NEW SECTION. Sec. 21. USE OF VAPOR PRODUCTS IN CERTAIN PUBLIC PLACES. (1) Indoor areas.

(a) The use of vapor products is prohibited in the following indoor areas:

(i) Inside a child care facility, provided that a child care facility that is home-based is excluded from this paragraph when children enrolled in such child care facility are not present;

(ii) Schools;

(iii) Within five hundred feet of schools;

(iv) Schools buses; and

(v) Elevators.

(b) The use of vapor products is permitted for tasting and sampling in indoor areas of retail outlets.

(2) Outdoor areas. The use of vapor products is prohibited in the following outdoor areas:

(a) Real property that is under the control of a child care facility and upon which the child care facility is located, provided that a child care facility that is home-based is excluded from this paragraph when children enrolled in such child care facility are not present;

(b) Real property that is under the control of a school and upon which the school is located; and

(c) Playgrounds, during the hours between sunrise and sunset, when one or more persons under twelve years of age are present at such playground.

NEW SECTION. Sec. 22. PENALTIES, SANCTIONS, AND ACTIONS AGAINST LICENSEES. (1) The board may impose a monetary penalty as set forth in subsection (2) of this section, if the board finds that the licensee has violated RCW 26.28.080 or any other provision of this chapter.

(2) Subject to subsection (3) of this section, the sanctions that the board may impose against a person licensed under this chapter based upon one or more findings under subsection (1) of this section may not exceed the following:

(a) A monetary penalty of two hundred dollars for the first violation within any three-year period;

(b) A monetary penalty of six hundred dollars for the second violation within any three-year period;

(c) A monetary penalty of two thousand dollars for the third violation within any three-year period and suspension of the license for a period of six months for the third violation of RCW 26.28.080 within any three-year period;

(d) A monetary penalty of three thousand dollars for the fourth or subsequent violation within any three-year period and suspension of the license for a period of twelve months for the fourth violation of RCW 26.28.080 within any three-year period;

(e) Revocation of the license with no possibility of reinstatement for a period of five years for the fifth or more violation within any three-year period.

(3) If the board finds that a person licensed under this chapter and chapter 82.24 or 82.26 RCW has violated RCW 26.28.080, each subsequent violation of either of the person's licenses counts as an additional violation within that three-year period.

(4) Any retailer's licenses issued under chapter 82.24 or 82.26

RCW to a person whose vapor product retailer's license or licenses have been suspended or revoked for violating RCW 26.28.080 must also be suspended or revoked during the period of suspension or revocation under this section.

(5) The board may impose a monetary penalty upon any person other than a licensed retailer if the board finds that the person has violated RCW 26.28.080.

(6) The monetary penalty that the board may impose based upon one or more findings under subsection (5) of this section may not exceed fifty dollars for the first violation and one hundred dollars for each subsequent violation.

(7) The board may develop and offer a class for retail clerks and use this class in lieu of a monetary penalty for the clerk's first violation.

(8) The board may issue a cease and desist order to any person who is found by the board to have violated or intending to violate the provisions of this chapter or RCW 26.28.080, requiring such person to cease specified conduct that is in violation. The issuance of a cease and desist order does not preclude the imposition of other sanctions authorized by this statute or any other provision of law.

(9) The board may seek injunctive relief to enforce the provisions of RCW 26.28.080 or this chapter. The board may initiate legal action to collect civil penalties imposed under this chapter if the same have not been paid within thirty days after imposition of such penalties. In any action filed by the board under this chapter, the court may, in addition to any other relief, award the board reasonable attorneys' fees and costs.

(10) All proceedings under subsections (1) through (8) of this section must be conducted in accordance with chapter 34.05 RCW.

(11) The board may reduce or waive either the penalties or the suspension or revocation of a license, or both, as set forth in this chapter where the elements of proof are inadequate or where there are mitigating circumstances. Mitigating circumstances may include, but are not limited to, an exercise of due diligence by a retailer. Further, the board may exceed penalties set forth in this chapter based on aggravating circumstances.

Sec. 23. RCW 70.155.100 and 2006 c 14 s 5 are each amended to read as follows:

(1) The liquor ((control)) and cannabis board may suspend or revoke a retailer's license issued under RCW 82.24.510(1)(b) or 82.26.150(1)(b) held by a business at any location, or may impose a monetary penalty as set forth in subsection (((2))) (3) of this section, if the liquor ((control)) and cannabis board finds that the licensee has violated RCW 26.28.080, 70.155.020, 70.155.030, 70.155.040, 70.155.050, 70.155.070, or 70.155.090.

(2) Any retailer's licenses issued under section 5 of this act to a person whose license or licenses under chapter 82.24 or 82.26 RCW have been suspended or revoked for violating RCW 26.28.080 must also be suspended or revoked during the period of suspension or revocation under this section.

(3) The sanctions that the liquor ((control)) and cannabis board may impose against a person licensed under RCW 82.24.530 or 82.26.170 based upon one or more findings under subsection (1) of this section may not exceed the following:

(a) For violations of RCW 26.28.080 ((or)), 70.155.020, or 21 C.F.R. Sec. 1140.14, and for violations of RCW 70.155.040 occurring on the licensed premises:

(i) A monetary penalty of ((one)) two hundred dollars for the first violation within any ((two-year)) three-year period;

(ii) A monetary penalty of ((three)) six hundred dollars for the second violation within any ((two-year)) three-year period;

(iii) A monetary penalty of ((one)) two thousand dollars and suspension of the license for a period of six months for the third violation within any ((two-year)) three-year period;

(iv) A monetary penalty of ((one)) three thousand ((five hundred)) dollars and suspension of the license for a period of twelve months for the fourth violation within any ((two-year)) three-year period;

(v) Revocation of the license with no possibility of reinstatement for a period of five years for the fifth or more violation within any ((two-year)) three-year period;

(b) If the board finds that a person licensed under chapter 82.24 or 82.26 RCW and section 5 of this act has violated RCW 26.28.080, each subsequent violation of either of the person's licenses counts as an additional violation within that three-year period.

(c) For violations of RCW 70.155.030, a monetary penalty in the amount of one hundred dollars for each day upon which such violation occurred;

((c)) For violations of RCW 70.155.040 occurring on the licensed premises:

(i) A monetary penalty of one hundred dollars for the first violation within any two-year period;

(ii) A monetary penalty of three hundred dollars for the second violation within any two-year period;

(iii) A monetary penalty of one thousand dollars and suspension of the license for a period of six months for the third violation within any two-year period;

(iv) A monetary penalty of one thousand five hundred dollars and suspension of the license for a period of twelve months for the fourth violation within any two-year period;

(v) Revocation of the license with no possibility of reinstatement for a period of five years for the fifth or more violation within any two-year period;)

(d) For violations of RCW 70.155.050, a monetary penalty in the amount of ((three)) six hundred dollars for each violation;

(e) For violations of RCW 70.155.070, a monetary penalty in the amount of ((one)) two thousand dollars for each violation.

((3)) (4) The liquor ((control)) and cannabis board may impose a monetary penalty upon any person other than a licensed cigarette or tobacco product retailer if the liquor ((control)) and cannabis board finds that the person has violated RCW 26.28.080, 70.155.020, 70.155.030, 70.155.040, 70.155.050, 70.155.070, or 70.155.090.

((4)) (5) The monetary penalty that the liquor ((control)) and cannabis board may impose based upon one or more findings under subsection ((3)) (4) of this section may not exceed the following:

(a) For violation of RCW 26.28.080 or 70.155.020, ((fifty)) one hundred dollars for the first violation and ((one)) two hundred dollars for each subsequent violation;

(b) For violations of RCW 70.155.030, ((one)) two hundred dollars for each day upon which such violation occurred;

(c) For violations of RCW 70.155.040, ((one)) two hundred dollars for each violation;

(d) For violations of RCW 70.155.050, ((three)) six hundred dollars for each violation;

(e) For violations of RCW 70.155.070, ((one)) two thousand dollars for each violation.

((5)) (6) The liquor ((control)) and cannabis board may develop and offer a class for retail clerks and use this class in lieu of a monetary penalty for the clerk's first violation.

((6)) (7) The liquor ((control)) and cannabis board may issue a cease and desist order to any person who is found by the liquor ((control)) and cannabis board to have violated or intending to

violate the provisions of this chapter, RCW 26.28.080 ((or)), 82.24.500, or 82.26.190 requiring such person to cease specified conduct that is in violation. The issuance of a cease and desist order ((shall)) does not preclude the imposition of other sanctions authorized by this statute or any other provision of law.

((7)) (8) The liquor ((control)) and cannabis board may seek injunctive relief to enforce the provisions of RCW 26.28.080 ((or)), 82.24.500, 82.26.190 or this chapter. The liquor ((control)) and cannabis board may initiate legal action to collect civil penalties imposed under this chapter if the same have not been paid within thirty days after imposition of such penalties. In any action filed by the liquor ((control)) and cannabis board under this chapter, the court may, in addition to any other relief, award the liquor ((control)) and cannabis board reasonable attorneys' fees and costs.

((8)) (9) All proceedings under subsections (1) through ((6)) (7) of this section shall be conducted in accordance with chapter 34.05 RCW.

((9)) (10) The liquor ((control)) and cannabis board may reduce or waive either the penalties or the suspension or revocation of a license, or both, as set forth in this chapter where the elements of proof are inadequate or where there are mitigating circumstances. Mitigating circumstances may include, but are not limited to, an exercise of due diligence by a retailer. Further, the board may exceed penalties set forth in this chapter based on aggravating circumstances.

NEW SECTION. Sec. 24. LIQUOR AND CANNABIS BOARD AUTHORITY. (1) The board must have, in addition to the board's other powers and authorities, the authority to enforce the provisions of this chapter.

(2) The board and the board's authorized agents or employees have full power and authority to enter any place of business where vapor products are sold for the purpose of enforcing the provisions of this chapter.

(3) For the purpose of enforcing the provisions of this chapter, a peace officer or enforcement officer of the board who has reasonable grounds to believe a person observed by the officer purchasing, attempting to purchase, or in possession of vapor products is under eighteen years of age, may detain such person for a reasonable period of time and in such a reasonable manner as is necessary to determine the person's true identity and date of birth. Further, vapor products possessed by persons under eighteen years of age are considered contraband and may be seized by a peace officer or enforcement officer of the board.

(4) The board may work with local county health departments or districts and local law enforcement agencies to conduct random, unannounced, inspections to assure compliance.

(5) Upon a determination by the secretary of health or a local health jurisdiction that a vapor product may be injurious to human health or poses a significant risk to public health:

(a) The board, in consultation with the department of health and local county health jurisdictions, may cause a vapor product substance or solution sample, purchased or obtained from any vapor product retailer, distributor, or delivery sale licensee, to be analyzed by an analyst appointed or designated by the board;

(b) If the analyzed vapor product contains an ingredient, substance, or solution present in quantities injurious to human health or posing a significant risk to public health, as determined by the secretary of health or a local health jurisdiction, the board may suspend the license of the retailer or delivery sale licensee unless the retailer or delivery sale licensee agrees to remove the product from sales; and

(c) If upon a finding from the secretary of health or local health jurisdiction that the vapor product poses an injurious risk to public

health or significant public health risk, the retailer or delivery sale licensee does not remove the product from sale, the secretary of health or local health officer may file for an injunction in superior court prohibiting the sale or distribution of that specific vapor product substance or solution.

(6) Nothing in subsection (5) of this section permits a total ban on the sale or use of vapor products.

NEW SECTION. Sec. 25. SOURCE AND USE OF FUNDS. All license fees collected and funds collected by the board from the imposition of monetary penalties pursuant to this chapter must be deposited into the youth tobacco and vapor products prevention account created in RCW 70.155.120.

NEW SECTION. Sec. 26. EXEMPTIONS. This chapter does not apply to a motor carrier or a freight forwarder as defined in 49 U.S.C. Sec. 13102 or an air carrier as defined in 49 U.S.C. Sec. 40102.

NEW SECTION. Sec. 27. SEVERABILITY. 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.

Sec. 28. RCW 82.26.170 and 2005 c 180 s 13 are each amended to read as follows:

(1) A fee of ((ninety-three)) one hundred seventy-five dollars shall accompany each retailer's license application or license renewal application. A separate license is required for each separate location at which the retailer operates.

(2) The fee imposed under subsection (1) of this section does not apply to any person applying for a retailer's license or for renewal of a retailer's license if the person has a valid retailer's license under RCW 82.24.510 for the place of business associated with the retailer's license application or renewal application.

(3) A retailer applying for, or renewing, both a retailer's license under RCW 82.26.170 and a vapor products retailer's license under section 5 of this act may pay a combined application fee of two hundred fifty dollars for both licenses.

Sec. 29. RCW 66.08.145 and 2007 c 221 s 1 are each amended to read as follows:

(1) The liquor ((control)) and cannabis board may issue subpoenas in connection with any investigation, hearing, or proceeding for the production of books, records, and documents held under this chapter or chapters 70.155, 70.158, 70.--- (the new chapter created in section 31 of this act), 82.24, and 82.26 RCW, and books and records of common carriers as defined in RCW 81.80.010, or vehicle rental agencies relating to the transportation or possession of cigarettes or other tobacco products.

(2) The liquor ((control)) and cannabis board may designate individuals authorized to sign subpoenas.

(3) If any person is served a subpoena from the board for the production of records, documents, and books, and fails or refuses to obey the subpoena for the production of records, documents, and books when required to do so, the person is subject to proceedings for contempt, and the board may institute contempt of court proceedings in the superior court of Thurston county or in the county in which the person resides.

NEW SECTION. Sec. 30. A new section is added to chapter 70.155 RCW to read as follows:

(1) A person who holds a license issued under chapter 82.24 or 82.26 RCW or section 5 of this act must conduct the business and maintain the premises in compliance with Titles 9 and 9A RCW and chapter 69.50 RCW.

(2) The board may revoke or suspend a license issued under chapter 82.24 or 82.26 RCW or section 5 of this act upon

sufficient cause showing a violation of this section.

NEW SECTION. Sec. 31. NEW CHAPTER CREATION. Sections 3 through 8, 10 through 22, and 24 through 26 of this act constitute a new chapter in Title 70 RCW.

NEW SECTION. Sec. 32. EFFECTIVE DATE. (1) Sections 5 through 10 and 28 of this act take effect thirty days after the Washington state liquor and cannabis board prescribes the form for an application for a license required under section 6 of this act.

(2) The Washington state liquor and cannabis board must provide written notice of the effective date of sections 5 through 10 and 28 of this act to affected parties, the chief clerk of the house of representatives, the secretary of the senate, the office of the code reviser, and others as deemed appropriate by the department."

On page 1, line 1 of the title, after "Relating to" strike the remainder of the title and insert "youth vapor product substance use prevention, and vapor product regulation, without permitting a tax on the sale or production of vapor products; amending RCW 26.28.080, 70.155.120, 82.24.530, 70.155.100, 82.26.170, and 66.08.145; adding a new section to chapter 70.155 RCW; adding a new chapter to Title 70 RCW; prescribing penalties; providing a contingent effective date; and providing a contingent expiration date."

The President Pro Tempore declared the question before the Senate to be the adoption of the striking amendment no. 763 by Senator Dammeier to Substitute Senate Bill No. 6328.

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

MOTION

On motion of Senator Dammeier, the rules were suspended, Engrossed Substitute Senate Bill No. 6328 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Dammeier, Darneille, Cleveland, Sheldon, Frockt, Baumgartner and Conway spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 6328.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6328 and the bill passed the Senate by the following vote: Yeas, 37; Nays, 6; Absent, 0; Excused, 6.

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

Voting nay: Senators Chase, Dansel, Ericksen, Hewitt, Padden and Pearson

Excused: Senators Billig, Habib, Hargrove, Jayapal, Liias and Ranker

ENGROSSED SUBSTITUTE SENATE BILL NO. 6328, 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.

SECOND READING

SENATE BILL NO. 6531, by Senator Hargrove

Changing who the department of corrections is required to supervise. Revised for 1st Substitute: Changing who the department of corrections is required to supervise based on the current offense as defined in RCW 9.94A.501(4)(e)(ii) and the maximum duration of community custody as defined in RCW 9.94A.501(8).

MOTIONS

On motion of Senator Padden, Substitute Senate Bill No. 6531 was substituted for Senate Bill No. 6531 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Padden, the rules were suspended, Substitute Senate Bill No. 6531 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Padden spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6531.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6531 and the bill passed the Senate by the following vote: Yeas, 43; Nays, 0; Absent, 0; Excused, 6.

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

Excused: Senators Billig, Habib, Hargrove, Jayapal, Lias and Ranker

SUBSTITUTE SENATE BILL NO. 6531, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

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

THIRD READING

SECOND SUBSTITUTE SENATE BILL NO. 5127, by Senate Committee on Ways & Means (originally sponsored by Senators Angel, Roach and O'Ban)

Providing that veterans with total disability ratings and their surviving spouses and domestic partners are eligible to qualify for a property tax exemption without meeting certain income requirements. Revised for 2nd Substitute: Revising a property tax exemption for veterans with total disability ratings and their surviving spouses or domestic partners.

The bill was read on Third Reading.

MOTION

On motion of Senator Angel, the rules were suspended and Second Substitute Senate Bill No. 5127 was returned to second reading for the purpose of amendment.

MOTION

Senator Angel moved that the following striking amendment no. 584 by Senator Angel be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) This section is the tax preference performance statement for the tax preference in section 2 of this act. This performance statement is only intended to be used for subsequent evaluation of the tax preference. It is not intended to create a private right of action by any party or to determine eligibility for preferential tax treatment.

(2) The legislature categorizes this tax preference as one intended to provide tax relief for certain individuals, as indicated in RCW 82.32.808(2)(e).

(3) It is the legislature's specific public policy objective to provide more extensive property tax relief to veterans with total disability ratings and their surviving spouses or domestic partners to properly recognize their sacrifice on behalf of the nation and to enable them to remain in their residences, thus reducing homelessness and demand for services in state veterans' homes.

(4) To measure the effectiveness of this act in achieving the objective in subsection (3) of this section, the joint legislative audit and review committee must provide a report to the legislature by December 1, 2020, assessing the impact of the tax preference in reducing homelessness and demand for services in state veterans' homes among veterans with total disability ratings and their surviving spouses or domestic partners.

Sec. 2. RCW 84.36.381 and 2015 3rd sp.s. c 30 s 2 are each amended to read as follows:

A person is exempt from any legal obligation to pay all or a portion of the amount of excess and regular real property taxes due and payable in the year following the year in which a claim is filed, and thereafter, in accordance with the following:

(1) The property taxes must have been imposed upon a residence which was occupied by the person claiming the exemption as a principal place of residence as of the time of filing. However, any person who sells, transfers, or is displaced from his or her residence may transfer his or her exemption status to a replacement residence, but no claimant may receive an exemption on more than one residence in any year. Moreover, confinement of the person to a hospital, nursing home, assisted living facility, or adult family home does not disqualify the claim of exemption if:

(a) The residence is temporarily unoccupied;

(b) The residence is occupied by a spouse or a domestic partner and/or a person financially dependent on the claimant for support; or

(c) The residence is rented for the purpose of paying nursing home, hospital, assisted living facility, or adult family home costs;

(2) The person claiming the exemption must have owned, at the time of filing, in fee, as a life estate, or by contract purchase, the residence on which the property taxes have been imposed or if the person claiming the exemption lives in a cooperative

housing association, corporation, or partnership, such person must own a share therein representing the unit or portion of the structure in which he or she resides. For purposes of this subsection, a residence owned by a marital community or state registered domestic partnership or owned by cotenants is deemed to be owned by each spouse or each domestic partner or each cotenant, and any lease for life is deemed a life estate;

(3)((~~+~~)) The person claiming the exemption must be:

((~~+~~)) (a) Sixty-one years of age or older on December 31st of the year in which the exemption claim is filed, or must have been, at the time of filing, retired from regular gainful employment by reason of disability, or the surviving spouse or surviving domestic partner of a person who was receiving an exemption under this subsection at the time of the person's death if the surviving spouse or domestic partner is fifty-seven years of age or older and otherwise meets the requirements of this section; or

((~~+~~)) (b) A veteran of the armed forces of the United States entitled to and receiving compensation from the United States department of veterans affairs at a total disability rating for a service-connected disability(-

~~(b) However, any surviving spouse or surviving domestic partner of a person who was receiving an exemption at the time of the person's death will qualify if the surviving spouse or surviving domestic partner is fifty-seven years of age or older and otherwise meets the requirements of this section)), or the surviving spouse or surviving domestic partner of a person who was receiving an exemption under this subsection at the time of the person's death if the surviving spouse or domestic partner is fifty-seven years of age or older. Those who qualify under this subsection (3)(b) are exempt from all regular and excess property taxes on a residence that meets the requirements of subsections (1) and (2) of this section;~~

(4) The amount that ((~~the~~) a person qualifying under subsection (3)(a) of this section is exempt from an obligation to pay is calculated on the basis of combined disposable income, as defined in RCW 84.36.383. If the person claiming the exemption was retired for two months or more of the assessment year, the combined disposable income of such person must be calculated by multiplying the average monthly combined disposable income of such person during the months such person was retired by twelve. If the income of the person claiming exemption is reduced for two or more months of the assessment year by reason of the death of the person's spouse or the person's domestic partner, or when other substantial changes occur in disposable income that are likely to continue for an indefinite period of time, the combined disposable income of such person must be calculated by multiplying the average monthly combined disposable income of such person after such occurrences by twelve. If it is necessary to estimate income to comply with this subsection, the assessor may require confirming documentation of such income prior to May 31 of the year following application;

(5)(a) A person under subsection (3)(a) of this section who otherwise qualifies under this section and has a combined disposable income of forty thousand dollars or less is exempt from all excess property taxes; and

(b)(i) A person under subsection (3)(a) of this section who otherwise qualifies under this section and has a combined disposable income of thirty-five thousand dollars or less but greater than thirty thousand dollars is exempt from all regular property taxes on the greater of fifty thousand dollars or thirty-five percent of the valuation of his or her residence, but not to exceed seventy thousand dollars of the valuation of his or her residence; or

(ii) A person under subsection (3)(a) of this section who otherwise qualifies under this section and has a combined disposable income of thirty thousand dollars or less is exempt from all regular property taxes on the greater of sixty thousand dollars or sixty percent of the valuation of his or her residence;

(6)(a) For a person under subsection (3)(a) of this section who otherwise qualifies under this section and has a combined disposable income of forty thousand dollars or less, the valuation of the residence is the assessed value of the residence on the later of January 1, 1995, or January 1st of the assessment year the person first qualifies under this section. If the person subsequently fails to qualify under this section only for one year because of high income, this same valuation must be used upon requalification. If the person fails to qualify for more than one year in succession because of high income or fails to qualify for any other reason, the valuation upon requalification is the assessed value on January 1st of the assessment year in which the person requalifies. If the person transfers the exemption under this section to a different residence, the valuation of the different residence is the assessed value of the different residence on January 1st of the assessment year in which the person transfers the exemption.

(b) In no event may the valuation under this subsection be greater than the true and fair value of the residence on January 1st of the assessment year.

(c) This subsection does not apply to subsequent improvements to the property in the year in which the improvements are made. Subsequent improvements to the property must be added to the value otherwise determined under this subsection at their true and fair value in the year in which they are made.

NEW SECTION. Sec. 3. This act is not subject to the expiration date requirements provided in RCW 82.32.805.

NEW SECTION. Sec. 4. This act applies to the taxes levied for collection in 2017 and thereafter."

On page 1, line 3 of the title, after "partners;" strike the remainder of the title and insert "amending RCW 84.36.381; and creating new sections."

Senator Angel spoke in favor of adoption of the striking amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of the striking amendment no. 584 by Senator Angel to Second Substitute Senate Bill No. 5127.

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

MOTION

On motion of Senator Angel, the rules were suspended, Engrossed Second Substitute Senate Bill No. 5127 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Angel spoke in favor of passage of the bill.
Senator Takko spoke against passage of the bill.

POINT OF INQUIRY

Senator Takko: "Will Senator Angel yield to a question?"

REPLY BY THE PRESIDENT PRO TEMPORE

President Pro Tempore, Senator Roach: : “She does.”

Senator Takko: “Does this have any means testing?”

Senator Angel: “Senator Takko, that is the purpose of this bill is to get rid of the means testing for that veteran that is one hundred percent disabled through his or her service.”

The President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 5127.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5127 and the bill passed the Senate by the following vote: Yeas, 34; Nays, 9; Absent, 0; Excused, 6.

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

Voting nay: Senators Carlyle, Chase, Darneille, Frockt, Hasegawa, Keiser, Nelson, Pedersen and Takko

Excused: Senators Billig, Habib, Hargrove, Jayapal, Liias and Ranker

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5127, 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.

STATEMENT FOR THE JOURNAL

I voted no because, as the prime sponsor stated, the purpose of this bill is to eliminate the means test. I believe this is wrong policy. For example, the ex-spouse of a cumulative 100 percent disabled veteran who remarries a millionaire would still carry the tax exemption to the millionaire's property.

SENATOR HASEGAWA, 11th Legislative District

THIRD READING

SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 5575, by Senate Committee on Ways & Means (originally sponsored by Senators Braun, Honeyford and Hatfield)

Providing sales and use tax exemptions to encourage coal-fired electric generation plants to convert to natural gas-fired plants. Revised for 1st Substitute: Providing sales and use tax exemptions, in the form of a remittance of tax paid, to encourage coal-fired electric generation plants or biomass energy facilities to convert to natural gas-fired plants. (REVISED FOR ENGROSSED: Providing sales and use tax exemptions, in the form of a remittance of tax paid, to encourage coal-fired electric generation plants to convert to natural gas-fired plants or biomass energy facilities.)

The bill was read on Third Reading.

Senators Braun and Takko spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Second Engrossed Substitute Senate Bill No. 5575.

ROLL CALL

The Secretary called the roll on the final passage of Second Engrossed Substitute Senate Bill No. 5575 and the bill passed the Senate by the following vote: Yeas, 39; Nays, 4; Absent, 0; Excused, 6.

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

Voting nay: Senators Chase, Frockt, Pedersen and Rolfes

Excused: Senators Billig, Habib, Hargrove, Jayapal, Liias and Ranker

SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 5575, 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 third order of business.

MESSAGE FROM THE SECRETARY OF STATE

March 15, 2016

To the Honorable Members of the Washington State Senate:

I respectfully transmit for your consideration the following measures which were vetoed by the Governor, along with his objection to the bills, as required by Article III, section 12, of the Washington State Constitution:

ESSB 5145	Relating to the health technology clinical committee membership and rotating experts.
SB 5265	Relating to allowing a public depository to arrange for reciprocal deposits of public funds.
SB 5458	Relating to health district banking.
SB 5549	Relating to the registration and disciplining of pharmacy assistants.
SSB 5767	Relating to revising local government treasury practices and procedures.
SB 6148	Relating to the handling of certain personal property in a self-service storage facility.
SB 6162	Relating to the expiration date of the invasive species council and account.
SB 6170	Relating to providing for an exemption from disclosure of certain financial, commercial, and proprietary information held by a city retirement board on behalf of its employees' retirement system.
SSB 6177	Relating to modifying marijuana research license provisions.
SB 6196	Relating to modifying administrative processes

- ESSB 6206 Relating to authorizing the growing of industrial hemp.
- SB 6220 Relating to promoting economic development by maximizing the use of federal economic development funding opportunities.
- SSB 6281 Relating to enacting amendments to the uniform athlete agents act.
- SSB 6284 Relating to preventing water-sewer districts from prohibiting multipurpose fire sprinkler systems.
- SSB 6290 Relating to the apple commission.
- SSB 6326 Relating to the retention and maintenance of auto dealer and repair facility records.
- SSB 6341 Relating to the provision of personal services and promotional items by cannabis producers and processors.
- SSB 6342 Relating to private activity bond allocation.
- SSB 6354 Relating to the development of higher education reverse transfer agreement plans.
- SB 6398 Relating to certain cultural foods.
- SB 6401 Relating to recordkeeping requirements of secondary commercial fish receivers.
- SSB 6466 Relating to the creation of a work group to develop a plan for removing obstacles for higher education students with disability.
- SB 6491 Relating to apostille or other signature or attestation services by the secretary of state.
- SSB 6498 Relating to testimonial privileges for alcohol and drug addiction recovery sponsors.
- SSB 6569 Relating to the creation of a task force on patient out-of-pocket costs.
- ESSB 6606 Relating to wholesale vehicle dealers.
- SB 6633 Relating to the marine resources advisory council.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Seal of the state of Washington, this 15th day of March, 2016.

KIM WYMAN, Secretary of State

MESSAGE FROM THE GOVERNOR

March 10, 2016

To the Honorable President and Members, The Senate of the State of Washington:

Ladies and Gentlemen:

I am returning herewith, without my approval, Engrossed Substitute Senate Bill No. 6206 entitled: "AN ACT Relating to authorizing the growing of industrial hemp."

This is a worthy bill, but it has preceded the passage of the 2016-2017 supplemental operating budget, which is a greater legislative priority. Until a budget agreement is reached, I cannot support this bill.

For these reasons I have vetoed Engrossed Substitute Senate Bill No. 6206 in its entirety.

Respectfully submitted,
Jay Inslee, Governor

MOTION

Pursuant to Article 3, Section 12 of the State Constitution, on motion of Senator Fain, the Senate proceeded to reconsider Engrossed Substitute Senate Bill No. 6206, the Governor's objection(s) notwithstanding.

The President Pro Tempore declared the question before the Senate to be the final passage, on reconsideration, of Engrossed Substitute Senate Bill No. 6206, the Governor's objection(s) notwithstanding.

ROLL CALL

The Secretary called the roll on the final passage, on reconsideration, of Engrossed Substitute Senate Bill No. 6206 the Governor's objection(s) notwithstanding and the bill passed the Senate by the following vote: Yeas, 43; Nays, 0; Absent, 0; Excused, 6.

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

Excused: Senators Billig, Habib, Hargrove, Jayapal, Liias and Ranker

ENGROSSED SUBSTITUTE SENATE BILL NO. 6206, having received the required constitutional two-thirds majority, was declared passed on reconsideration, the Governor's objection(s) notwithstanding. The title of the bill was again ordered to stand as the title of the act.

MESSAGE FROM THE GOVERNOR

March 10, 2016

To the Honorable President and Members, The Senate of the State of Washington:

Ladies and Gentlemen:

I am returning herewith, without my approval, Senate Bill No. 5265 entitled: "AN ACT Relating to allowing a public depository to arrange for reciprocal deposits of public funds."

This is a worthy bill, but it has preceded the passage of the 2016-2017 supplemental operating budget, which is a greater legislative priority. Until a budget agreement is reached, I cannot support this bill.

For these reasons I have vetoed Senate Bill No. 5265 in its entirety.

Respectfully submitted,
Jay Inslee, Governor

MOTION

Pursuant to Article 3, Section 12 of the State Constitution, on motion of Senator Fain, the Senate proceeded to reconsider Senate Bill No. 5265, the Governor's objection(s)

notwithstanding.

The President Pro Tempore declared the question before the Senate to be the final passage, on reconsideration, of Senate Bill No. 5265, the Governor's objection(s) notwithstanding.

ROLL CALL

The Secretary called the roll on the final passage, on reconsideration, of Senate Bill No. 5265 the Governor's objection(s) notwithstanding and the bill passed the Senate by the following vote: Yeas, 43; Nays, 0; Absent, 0; Excused, 6.

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

Excused: Senators Billig, Habib, Hargrove, Jayapal, Liias and Ranker

SENATE BILL NO. 5265, having received the required constitutional two-thirds majority, was declared passed on reconsideration, the Governor's objection(s) notwithstanding. The title of the bill was again ordered to stand as the title of the act.

MESSAGE FROM THE GOVERNOR

March 10, 2016

To the Honorable President and Members, The Senate of the State of Washington:

Ladies and Gentlemen:

I am returning herewith, without my approval, Substitute Senate Bill No. 6290 entitled: "AN ACT Relating to the apple commission."

This is a worthy bill, but it has preceded the passage of the 2016-2017 supplemental operating budget, which is a greater legislative priority. Until a budget agreement is reached, I cannot support this bill.

For these reasons I have vetoed Substitute Senate Bill No. 6290 in its entirety.

Respectfully submitted,
Jay Inslee, Governor

MOTION

Pursuant to Article 3, Section 12 of the State Constitution, on motion of Senator Fain, the Senate proceeded to reconsider Substitute Senate Bill No. 6290, the Governor's objection(s) notwithstanding.

The President Pro Tempore declared the question before the Senate to be the final passage, on reconsideration, of Substitute Senate Bill No. 6290, the Governor's objection(s) notwithstanding.

ROLL CALL

The Secretary called the roll on the final passage, on reconsideration, of Substitute Senate Bill No. 6290 the Governor's objection(s) notwithstanding and the bill passed the Senate by the following vote: Yeas, 43; Nays, 0; Absent, 0; Excused, 6.

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

Excused: Senators Billig, Habib, Hargrove, Jayapal, Liias and Ranker

SUBSTITUTE SENATE BILL NO. 6290, having received the required constitutional two-thirds majority, was declared passed on reconsideration, the Governor's objection(s) notwithstanding. The title of the bill was again ordered to stand as the title of the act.

MESSAGE FROM THE GOVERNOR

March 10, 2016

To the Honorable President and Members, The Senate of the State of Washington:

Ladies and Gentlemen:

I am returning herewith, without my approval, Substitute Senate Bill No. 6326 entitled: "AN ACT Relating to the retention and maintenance of auto dealer and repair facility records."

This is a worthy bill, but it has preceded the passage of the 2016-2017 supplemental operating budget, which is a greater legislative priority. Until a budget agreement is reached, I cannot support this bill.

For these reasons I have vetoed Substitute Senate Bill No. 6326 in its entirety.

Respectfully submitted,
Jay Inslee, Governor

MOTION

Pursuant to Article 3, Section 12 of the State Constitution, on motion of Senator Fain, the Senate proceeded to reconsider Substitute Senate Bill No. 6326, the Governor's objection(s) notwithstanding.

The President Pro Tempore declared the question before the Senate to be the final passage, on reconsideration, of Substitute Senate Bill No. 6326, the Governor's objection(s) notwithstanding.

ROLL CALL

The Secretary called the roll on the final passage, on reconsideration, of Substitute Senate Bill No. 6326 the Governor's objection(s) notwithstanding and the bill passed the Senate by the following vote: Yeas, 43; Nays, 0; Absent, 0; Excused, 6.

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

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

Excused: Senators Billig, Habib, Hargrove, Jayapal, Liias and Ranker

SUBSTITUTE SENATE BILL NO. 6326, having received the required constitutional two-thirds majority, was declared passed on reconsideration, the Governor's objection(s) notwithstanding. The title of the bill was again ordered to stand as the title of the act.

MESSAGE FROM THE GOVERNOR

March 10, 2016

To the Honorable President and Members, The Senate of the State of Washington:

Ladies and Gentlemen:

I am returning herewith, without my approval, Substitute Senate Bill No. 6466 entitled: "AN ACT Relating to student services for students with disabilities."

This is a worthy bill, but it has preceded the passage of the 2016-2017 supplemental operating budget, which is a greater legislative priority. Until a budget agreement is reached, I cannot support this bill.

For these reasons I have vetoed Substitute Senate Bill No. 6466 in its entirety.

Respectfully submitted,
Jay Inslee, Governor

MOTION

Pursuant to Article 3, Section 12 of the State Constitution, on motion of Senator Fain, the Senate proceeded to reconsider Substitute Senate Bill No. 6466, the Governor's objection(s) notwithstanding.

The President Pro Tempore declared the question before the Senate to be the final passage, on reconsideration, of Substitute Senate Bill No. 6466, the Governor's objection(s) notwithstanding.

ROLL CALL

The Secretary called the roll on the final passage, on reconsideration, of Substitute Senate Bill No. 6466 the Governor's objection(s) notwithstanding and the bill passed the Senate by the following vote: Yeas, 42; Nays, 0; Absent, 1; Excused, 6.

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

Absent: Senator Braun

Excused: Senators Billig, Habib, Hargrove, Jayapal, Liias and Ranker

SUBSTITUTE SENATE BILL NO. 6466, having received the required constitutional two-thirds majority, was declared passed on reconsideration, the Governor's objection(s) notwithstanding. The title of the bill was again ordered to stand as the title of the act.

MOTION

On motion of Senator Rivers, and without objection, Senator Braun was excused.

MESSAGE FROM THE GOVERNOR

March 10, 2016

To the Honorable President and Members, The Senate of the State of Washington:

Ladies and Gentlemen:

I am returning herewith, without my approval, Substitute Senate Bill No. 6498 entitled: "AN ACT Relating to testimonial privileges for alcohol and drug addiction recovery sponsors."

This is a worthy bill, but it has preceded the passage of the 2016-2017 supplemental operating budget, which is a greater legislative priority. Until a budget agreement is reached, I cannot support this bill.

For these reasons I have vetoed Substitute Senate Bill No. 6498 in its entirety.

Respectfully submitted,
Jay Inslee, Governor

MOTION

Pursuant to Article 3, Section 12 of the State Constitution, on motion of Senator Fain, the Senate proceeded to reconsider Substitute Senate Bill No. 6498, the Governor's objection(s) notwithstanding.

The President Pro Tempore declared the question before the Senate to be the final passage, on reconsideration, of Substitute Senate Bill No. 6498, the Governor's objection(s) notwithstanding.

ROLL CALL

The Secretary called the roll on the final passage, on reconsideration, of Substitute Senate Bill No. 6498 the Governor's objection(s) notwithstanding and the bill passed the Senate by the following vote: Yeas, 43; Nays, 0; Absent, 0; Excused, 6.

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

Excused: Senators Billig, Habib, Hargrove, Jayapal, Liias and

Ranker

SUBSTITUTE SENATE BILL NO. 6498, having received the required constitutional two-thirds majority, was declared passed on reconsideration, the Governor's objection(s) notwithstanding. The title of the bill was again ordered to stand as the title of the act.

MESSAGE FROM THE GOVERNOR

March 10, 2016

To the Honorable President and Members, The Senate of the State of Washington:

Ladies and Gentlemen:

I am returning herewith, without my approval, Engrossed Substitute Senate Bill No. 6606 entitled: "AN ACT Relating to wholesale vehicle dealers."

This is a worthy bill, but it has preceded the passage of the 2016-2017 supplemental operating budget, which is a greater legislative priority. Until a budget agreement is reached, I cannot support this bill.

For these reasons I have vetoed Engrossed Substitute Senate Bill No. 6606 in its entirety.

Respectfully submitted,
Jay Inslee, Governor

MOTION

Pursuant to Article 3, Section 12 of the State Constitution, on motion of Senator Fain, the Senate proceeded to reconsider Engrossed Substitute Senate Bill No. 6606, the Governor's objection(s) notwithstanding.

The President Pro Tempore declared the question before the Senate to be the final passage, on reconsideration, of Engrossed Substitute Senate Bill No. 6606, the Governor's objection(s) notwithstanding.

ROLL CALL

The Secretary called the roll on the final passage, on reconsideration, of Engrossed Substitute Senate Bill No. 6606 the Governor's objection(s) notwithstanding and the bill passed the Senate by the following vote: Yeas, 41; Nays, 2; Absent, 0; Excused, 6.

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

Voting nay: Senators Benton and Padden

Excused: Senators Billig, Habib, Hargrove, Jayapal, Lias and Ranker

ENGROSSED SUBSTITUTE SENATE BILL NO. 6606, having received the required constitutional two-thirds majority, was declared passed on reconsideration, the Governor's objection(s) notwithstanding. The title of the bill was again

ordered to stand as the title of the act.

MESSAGE FROM THE GOVERNOR

March 10, 2016

To the Honorable President and Members, The Senate of the State of Washington:

Ladies and Gentlemen:

I am returning herewith, without my approval, Senate Bill No. 5549 entitled: "AN ACT Relating to the registration and disciplining of pharmacy assistants."

This is a worthy bill, but it has preceded the passage of the 2016-2017 supplemental operating budget, which is a greater legislative priority. Until a budget agreement is reached, I cannot support this bill.

For these reasons I have vetoed Senate Bill No. 5549 in its entirety.

Respectfully submitted,
Jay Inslee, Governor

MOTION

Pursuant to Article 3, Section 12 of the State Constitution, on motion of Senator Fain, the Senate proceeded to reconsider Senate Bill No. 5549, the Governor's objection(s) notwithstanding.

The President Pro Tempore declared the question before the Senate to be the final passage, on reconsideration, of Senate Bill No. 5549, the Governor's objection(s) notwithstanding.

ROLL CALL

The Secretary called the roll on the final passage, on reconsideration, of Senate Bill No. 5549 the Governor's objection(s) notwithstanding and the bill passed the Senate by the following vote: Yeas, 41; Nays, 2; Absent, 0; Excused, 6.

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

Voting nay: Senators O'Ban and Padden

Excused: Senators Billig, Habib, Hargrove, Jayapal, Lias and Ranker

SENATE BILL NO. 5549, having received the required constitutional two-thirds majority, was declared passed on reconsideration, the Governor's objection(s) notwithstanding. The title of the bill was again ordered to stand as the title of the act.

MESSAGE FROM THE GOVERNOR

March 10, 2016

To the Honorable President and Members, The Senate of the State of Washington:

Ladies and Gentlemen:

I am returning herewith, without my approval, Senate Bill No. 6633 entitled: "AN ACT Relating to marine resources advisory council."

This is a worthy bill, but it has preceded the passage of the 2016-2017 supplemental operating budget, which is a greater legislative priority. Until a budget agreement is reached, I cannot support this bill.

For these reasons I have vetoed Senate Bill No. 6633 in its entirety.

Respectfully submitted,
Jay Inslee, Governor

MOTION

Pursuant to Article 3, Section 12 of the State Constitution, on motion of Senator Fain, the Senate proceeded to reconsider Senate Bill No. 6633, the Governor's objection(s) notwithstanding.

The President Pro Tempore declared the question before the Senate to be the final passage, on reconsideration, of Senate Bill No. 6633, the Governor's objection(s) notwithstanding.

ROLL CALL

The Secretary called the roll on the final passage, on reconsideration, of Senate Bill No. 6633 the Governor's objection(s) notwithstanding and the bill passed the Senate by the following vote: Yeas, 43; Nays, 0; Absent, 0; Excused, 6.

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

Excused: Senators Billig, Habib, Hargrove, Jayapal, Lias and Ranker

SENATE BILL NO. 6633, having received the required constitutional two-thirds majority, was declared passed on reconsideration, the Governor's objection(s) notwithstanding. The title of the bill was again ordered to stand as the title of the act.

MESSAGE FROM THE GOVERNOR

March 10, 2016

To the Honorable President and Members, The Senate of the State of Washington:

Ladies and Gentlemen:

I am returning herewith, without my approval, Substitute Senate Bill No. 6342 entitled: "AN ACT Relating to private activity bond allocation."

This is a worthy bill, but it has preceded the passage of the 2016-2017 supplemental operating budget, which is a greater

legislative priority. Until a budget agreement is reached, I cannot support this bill.

For these reasons I have vetoed Substitute Senate Bill No. 6342 in its entirety.

Respectfully submitted,
Jay Inslee, Governor

MOTION

Pursuant to Article 3, Section 12 of the State Constitution, on motion of Senator Fain, the Senate proceeded to reconsider Substitute Senate Bill No. 6342, the Governor's objection(s) notwithstanding.

The President Pro Tempore declared the question before the Senate to be the final passage, on reconsideration, of Substitute Senate Bill No. 6342, the Governor's objection(s) notwithstanding.

ROLL CALL

The Secretary called the roll on the final passage, on reconsideration, of Substitute Senate Bill No. 6342 the Governor's objection(s) notwithstanding and the bill passed the Senate by the following vote: Yeas, 43; Nays, 0; Absent, 0; Excused, 6.

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

Excused: Senators Billig, Habib, Hargrove, Jayapal, Lias and Ranker

SUBSTITUTE SENATE BILL NO. 6342, having received the required constitutional two-thirds majority, was declared passed on reconsideration, the Governor's objection(s) notwithstanding. The title of the bill was again ordered to stand as the title of the act.

MESSAGE FROM THE GOVERNOR

March 10, 2016

To the Honorable President and Members, The Senate of the State of Washington:

Ladies and Gentlemen:

I am returning herewith, without my approval, Senate Bill No. 6220 entitled: "AN ACT Relating to promoting economic development by maximizing the use of federal economic development funding opportunities."

This is a worthy bill, but it has preceded the passage of the 2016-2017 supplemental operating budget, which is a greater legislative priority. Until a budget agreement is reached, I cannot support this bill.

For these reasons I have vetoed Senate Bill No. 6220 in its entirety.

Respectfully submitted,
Jay Inslee, Governor

MOTION

Pursuant to Article 3, Section 12 of the State Constitution, on motion of Senator Fain, the Senate proceeded to reconsider Senate Bill No. 6220, the Governor's objection(s) notwithstanding.

The President Pro Tempore declared the question before the Senate to be the final passage, on reconsideration, of Senate Bill No. 6220, the Governor's objection(s) notwithstanding.

ROLL CALL

The Secretary called the roll on the final passage, on reconsideration, of Senate Bill No. 6220 the Governor's objection(s) notwithstanding and the bill passed the Senate by the following vote: Yeas, 43; Nays, 0; Absent, 0; Excused, 6.

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

Excused: Senators Billig, Habib, Hargrove, Jayapal, Liias and Ranker

SENATE BILL NO. 6220, having received the required constitutional two-thirds majority, was declared passed on reconsideration, the Governor's objection(s) notwithstanding. The title of the bill was again ordered to stand as the title of the act.

MESSAGE FROM THE GOVERNOR

March 10, 2016

To the Honorable President and Members, The Senate of the State of Washington:

Ladies and Gentlemen:

I am returning herewith, without my approval, Senate Bill No. 6196 entitled: "AN ACT Relating to administrative processes for the utilities and transportation commission in managing deposits and costs reimbursements of the energy facility site evaluation council."

This is a worthy bill, but it has preceded the passage of the 2016-2017 supplemental operating budget, which is a greater legislative priority. Until a budget agreement is reached, I cannot support this bill.

For these reasons I have vetoed Senate Bill No. 6196 in its entirety.

Respectfully submitted,
Jay Inslee, Governor

MOTION

Pursuant to Article 3, Section 12 of the State Constitution, on motion of Senator Fain, the Senate proceeded to reconsider

Senate Bill No. 6196, the Governor's objection(s) notwithstanding.

The President Pro Tempore declared the question before the Senate to be the final passage, on reconsideration, of Senate Bill No. 6196, the Governor's objection(s) notwithstanding.

ROLL CALL

The Secretary called the roll on the final passage, on reconsideration, of Senate Bill No. 6196 the Governor's objection(s) notwithstanding and the bill passed the Senate by the following vote: Yeas, 43; Nays, 0; Absent, 0; Excused, 6.

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

Excused: Senators Billig, Habib, Hargrove, Jayapal, Liias and Ranker

SENATE BILL NO. 6196, having received the required constitutional two-thirds majority, was declared passed on reconsideration, the Governor's objection(s) notwithstanding. The title of the bill was again ordered to stand as the title of the act.

MESSAGE FROM THE GOVERNOR

March 10, 2016

To the Honorable President and Members, The Senate of the State of Washington:

Ladies and Gentlemen:

I am returning herewith, without my approval, Substitute Senate Bill No. 6177 entitled: "AN ACT Relating to the marijuana research license."

This is a worthy bill, but it has preceded the passage of the 2016-2017 supplemental operating budget, which is a greater legislative priority. Until a budget agreement is reached, I cannot support this bill.

For these reasons I have vetoed Substitute Senate Bill No. 6177 in its entirety.

Respectfully submitted,
Jay Inslee, Governor

MOTION

Pursuant to Article 3, Section 12 of the State Constitution, on motion of Senator Fain, the Senate proceeded to reconsider Substitute Senate Bill No. 6177, the Governor's objection(s) notwithstanding.

The President Pro Tempore declared the question before the Senate to be the final passage, on reconsideration, of Substitute Senate Bill No. 6177, the Governor's objection(s) notwithstanding.

ROLL CALL

The Secretary called the roll on the final passage, on reconsideration, of Substitute Senate Bill No. 6177 the Governor's objection(s) notwithstanding and the bill passed the Senate by the following vote: Yeas, 43; Nays, 0; Absent, 0; Excused, 6.

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

Excused: Senators Billig, Habib, Hargrove, Jayapal, Lias and Ranker

SUBSTITUTE SENATE BILL NO. 6177, having received the required constitutional two-thirds majority, was declared passed on reconsideration, the Governor's objection(s) notwithstanding. The title of the bill was again ordered to stand as the title of the act.

MESSAGE FROM THE GOVERNOR

March 10, 2016

To the Honorable President and Members, The Senate of the State of Washington:

Ladies and Gentlemen:

I am returning herewith, without my approval, Senate Bill No. 6162 entitled: "AN ACT Relating to the expiration date of the invasive species council and account."

This is a worthy bill, but it has preceded the passage of the 2016-2017 supplemental operating budget, which is a greater legislative priority. Until a budget agreement is reached, I cannot support this bill.

For these reasons I have vetoed Senate Bill No. 6162 in its entirety.

Respectfully submitted,
Jay Inslee, Governor

MOTION

Pursuant to Article 3, Section 12 of the State Constitution, on motion of Senator Fain, the Senate proceeded to reconsider Senate Bill No. 6162, the Governor's objection(s) notwithstanding.

The President Pro Tempore declared the question before the Senate to be the final passage, on reconsideration, of Senate Bill No. 6162, the Governor's objection(s) notwithstanding.

ROLL CALL

The Secretary called the roll on the final passage, on reconsideration, of Senate Bill No. 6162 the Governor's objection(s) notwithstanding and the bill passed the Senate by the following vote: Yeas, 43; Nays, 0; Absent, 0; Excused, 6.

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

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

Excused: Senators Billig, Habib, Hargrove, Jayapal, Lias and Ranker

SENATE BILL NO. 6162, having received the required constitutional two-thirds majority, was declared passed on reconsideration, the Governor's objection(s) notwithstanding. The title of the bill was again ordered to stand as the title of the act.

MOTION

On motion of Senator Rivers, and without objection, Senator Benton was excused.

MESSAGE FROM THE GOVERNOR

March 10, 2016

To the Honorable President and Members, The Senate of the State of Washington:

Ladies and Gentlemen:

I am returning herewith, without my approval, Substitute Senate Bill No. 5767 entitled: "AN ACT Relating to local government treasury practices and procedures."

This is a worthy bill, but it has preceded the passage of the 2016-2017 supplemental operating budget, which is a greater legislative priority. Until a budget agreement is reached, I cannot support this bill.

For these reasons I have vetoed Substitute Senate Bill No. 5767 in its entirety.

Respectfully submitted,
Jay Inslee, Governor

MOTION

Pursuant to Article 3, Section 12 of the State Constitution, on motion of Senator Fain, the Senate proceeded to reconsider Substitute Senate Bill No. 5767, the Governor's objection(s) notwithstanding.

The President Pro Tempore declared the question before the Senate to be the final passage, on reconsideration, of Substitute Senate Bill No. 5767, the Governor's objection(s) notwithstanding.

ROLL CALL

The Secretary called the roll on the final passage, on reconsideration, of Substitute Senate Bill No. 5767 the Governor's objection(s) notwithstanding and the bill passed the Senate by the following vote: Yeas, 42; Nays, 0; Absent, 0; Excused, 7.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Hasegawa,

Hewitt, Hill, Hobbs, Honeyford, Keiser, King, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senators Benton, Billig, Habib, Hargrove, Jayapal, Lias and Ranker

SUBSTITUTE SENATE BILL NO. 5767, having received the required constitutional two-thirds majority, was declared passed on reconsideration, the Governor's objection(s) notwithstanding. The title of the bill was again ordered to stand as the title of the act.

Senator Fraser announced a meeting of the Democratic Caucus immediately upon going at ease.

Senator Parlette announced a meeting of the Majority Coalition Caucus immediately upon going at ease.

MOTION

At 3:38 p.m., on motion of Senator Fain, the Senate was declared to be at ease subject to the call of the President.

EVENING SESSION

The Senate was called to order at 5:20 p.m. by the President Pro Tempore, Senator Roach presiding.

MESSAGE FROM THE GOVERNOR

March 10, 2016

To the Honorable President and Members, The Senate of the State of Washington:

Ladies and Gentlemen:

I am returning herewith, without my approval, Senate Bill No. 6170 entitled: "AN ACT Relating to an exemption from disclosure of certain financial, commercial, and proprietary information submitted to or obtained by a city retirement board on behalf of its employees' retirement system."

This is a worthy bill, but it has preceded the passage of the 2016-2017 supplemental operating budget, which is a greater legislative priority. Until a budget agreement is reached, I cannot support this bill.

For these reasons I have vetoed Senate Bill No. 6170 in its entirety.

Respectfully submitted,
Jay Inslee, Governor

MOTION

Pursuant to Article 3, Section 12 of the State Constitution, on motion of Senator Fain, the Senate proceeded to reconsider Senate Bill No. 6170, the Governor's objection(s) notwithstanding.

MOTION

On motion of Senator Mullet, and without objection, Senator

Carlyle was excused.

MOTION

On motion of Senator Fain, and without objection, Senators Bailey and Rivers were excused.

The President Pro Tempore declared the question before the Senate to be the final passage, on reconsideration, of Senate Bill No. 6170, the Governor's objection(s) notwithstanding.

ROLL CALL

The Secretary called the roll on the final passage, on reconsideration, of Senate Bill No. 6170 the Governor's objection(s) notwithstanding and the bill passed the Senate by the following vote: Yeas, 39; Nays, 0; Absent, 0; Excused, 10.

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

Excused: Senators Bailey, Benton, Billig, Carlyle, Habib, Hargrove, Jayapal, Lias, Ranker and Rivers

SENATE BILL NO. 6170, having received the required constitutional two-thirds majority, was declared passed on reconsideration, the Governor's objection(s) notwithstanding. The title of the bill was again ordered to stand as the title of the act.

The Vice President Pro Tempore, Senator Brown assumed the chair.

MESSAGE FROM THE GOVERNOR

March 10, 2016

To the Honorable President and Members, The Senate of the State of Washington:

Ladies and Gentlemen:

I am returning herewith, without my approval, Senate Bill No. 6148 entitled: "AN ACT Relating to the handling of certain personal property in a self-service storage facility."

This is a worthy bill, but it has preceded the passage of the 2016-2017 supplemental operating budget, which is a greater legislative priority. Until a budget agreement is reached, I cannot support this bill.

For these reasons I have vetoed Senate Bill No. 6148 in its entirety.

Respectfully submitted,
Jay Inslee, Governor

MOTION

Pursuant to Article 3, Section 12 of the State Constitution, on motion of Senator Fain, the Senate proceeded to reconsider Senate Bill No. 6148, the Governor's objection(s) notwithstanding.

The Vice President Pro Tempore declared the question before the Senate to be the final passage, on reconsideration, of Senate Bill No. 6148, the Governor's objection(s) notwithstanding.

ROLL CALL

The Secretary called the roll on the final passage, on reconsideration, of Senate Bill No. 6148 the Governor's objection(s) notwithstanding and the bill passed the Senate by the following vote: Yeas, 40; Nays, 0; Absent, 0; Excused, 9.

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

Excused: Senators Bailey, Billig, Carlyle, Habib, Hargrove, Jayapal, Liias, Ranker and Rivers

SENATE BILL NO. 6148, having received the required constitutional two-thirds majority, was declared passed on reconsideration, the Governor's objection(s) notwithstanding. The title of the bill was again ordered to stand as the title of the act.

MESSAGE FROM THE GOVERNOR

March 10, 2016

To the Honorable President and Members, The Senate of the State of Washington:

Ladies and Gentlemen:

I am returning herewith, without my approval, Substitute Senate Bill No. 5767 entitled: "AN ACT Relating to local government treasury practices and procedures."

This is a worthy bill, but it has preceded the passage of the 2016-2017 supplemental operating budget, which is a greater legislative priority. Until a budget agreement is reached, I cannot support this bill.

For these reasons I have vetoed Substitute Senate Bill No. 5767 in its entirety.

Respectfully submitted,
Jay Inslee, Governor

MOTION

Pursuant to Article 3, Section 12 of the State Constitution, on motion of Senator Fain, the Senate proceeded to reconsider Substitute Senate Bill No. 5767, the Governor's objection(s) notwithstanding.

The Vice President Pro Tempore declared the question before the Senate to be the final passage, on reconsideration, of Substitute Senate Bill No. 5767, the Governor's objection(s) notwithstanding.

ROLL CALL

The Secretary called the roll on the final passage, on reconsideration, of Substitute Senate Bill No. 5767 the

Governor's objection(s) notwithstanding and the bill passed the Senate by the following vote: Yeas, 42; Nays, 0; Absent, 0; Excused, 7.

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

Excused: Senators Benton, Billig, Habib, Hargrove, Jayapal, Liias and Ranker

SUBSTITUTE SENATE BILL NO. 5767, having received the required constitutional two-thirds majority, was declared passed on reconsideration, the Governor's objection(s) notwithstanding. The title of the bill was again ordered to stand as the title of the act.

MESSAGE FROM THE GOVERNOR

March 10, 2016

To the Honorable President and Members, The Senate of the State of Washington:

Ladies and Gentlemen:

I am returning herewith, without my approval, Engrossed Substitute Senate Bill No. 5145 entitled: "AN ACT Relating to the health technology clinical committee membership and rotating experts."

This is a worthy bill, but it has preceded the passage of the 2016-2017 supplemental operating budget, which is a greater legislative priority. Until a budget agreement is reached, I cannot support this bill.

For these reasons I have vetoed Engrossed Substitute Senate Bill No. 5145 in its entirety.

Respectfully submitted,
Jay Inslee, Governor

MOTION

Pursuant to Article 3, Section 12 of the State Constitution, on motion of Senator Fain, the Senate proceeded to reconsider Engrossed Substitute Senate Bill No. 5145, the Governor's objection(s) notwithstanding.

The Vice President Pro Tempore declared the question before the Senate to be the final passage, on reconsideration, of Engrossed Substitute Senate Bill No. 5145, the Governor's objection(s) notwithstanding.

ROLL CALL

The Secretary called the roll on the final passage, on reconsideration, of Engrossed Substitute Senate Bill No. 5145 the Governor's objection(s) notwithstanding and the bill passed the Senate by the following vote: Yeas, 40; Nays, 0; Absent, 0; Excused, 9.

Voting yea: Senators Angel, Baumgartner, Becker, Benton, Braun, Brown, Chase, Cleveland, Conway, Dammeier, Dansel,

Darneille, Ericksen, Fain, Fraser, Frockt, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Keiser, King, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senators Bailey, Billig, Carlyle, Habib, Hargrove, Jayapal, Lias, Ranker and Rivers

ENGROSSED SUBSTITUTE SENATE BILL NO. 5145, having received the required constitutional two-thirds majority, was declared passed on reconsideration, the Governor's objection(s) notwithstanding. The title of the bill was again ordered to stand as the title of the act.

MESSAGE FROM THE GOVERNOR

March 10, 2016

To the Honorable President and Members, The Senate of the State of Washington:

Ladies and Gentlemen:

I am returning herewith, without my approval, Substitute Senate Bill No. 6281 entitled: "AN ACT Relating to athlete agents."

This is a worthy bill, but it has preceded the passage of the 2016-2017 supplemental operating budget, which is a greater legislative priority. Until a budget agreement is reached, I cannot support this bill.

For these reasons I have vetoed Substitute Senate Bill No. 6281 in its entirety.

Respectfully submitted,
Jay Inslee, Governor

MOTION

Pursuant to Article 3, Section 12 of the State Constitution, on motion of Senator Fain, the Senate proceeded to reconsider Substitute Senate Bill No. 6281, the Governor's objection(s) notwithstanding.

The Vice President Pro Tempore declared the question before the Senate to be the final passage, on reconsideration, of Substitute Senate Bill No. 6281, the Governor's objection(s) notwithstanding.

ROLL CALL

The Secretary called the roll on the final passage, on reconsideration, of Substitute Senate Bill No. 6281 the Governor's objection(s) notwithstanding and the bill passed the Senate by the following vote: Yeas, 40; Nays, 0; Absent, 0; Excused, 9.

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

Excused: Senators Bailey, Billig, Carlyle, Habib, Hargrove, Jayapal, Lias, Ranker and Rivers

SUBSTITUTE SENATE BILL NO. 6281, having received the

required constitutional two-thirds majority, was declared passed on reconsideration, the Governor's objection(s) notwithstanding. The title of the bill was again ordered to stand as the title of the act.

MESSAGE FROM THE GOVERNOR

March 10, 2016

To the Honorable President and Members, The Senate of the State of Washington:

Ladies and Gentlemen:

I am returning herewith, without my approval, Substitute Senate Bill No. 6284 entitled: "AN ACT Relating to preventing water-sewer districts from prohibiting multipurpose fire sprinkler systems."

This is a worthy bill, but it has preceded the passage of the 2016-2017 supplemental operating budget, which is a greater legislative priority. Until a budget agreement is reached, I cannot support this bill.

For these reasons I have vetoed Substitute Senate Bill No. 6284 in its entirety.

Respectfully submitted,
Jay Inslee, Governor

MOTION

Pursuant to Article 3, Section 12 of the State Constitution, on motion of Senator Fain, the Senate proceeded to reconsider Substitute Senate Bill No. 6284, the Governor's objection(s) notwithstanding.

The Vice President Pro Tempore declared the question before the Senate to be the final passage, on reconsideration, of Substitute Senate Bill No. 6284, the Governor's objection(s) notwithstanding.

ROLL CALL

The Secretary called the roll on the final passage, on reconsideration, of Substitute Senate Bill No. 6284 the Governor's objection(s) notwithstanding and the bill passed the Senate by the following vote: Yeas, 40; Nays, 0; Absent, 0; Excused, 9.

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

Excused: Senators Bailey, Billig, Carlyle, Habib, Hargrove, Jayapal, Lias, Ranker and Rivers

SUBSTITUTE SENATE BILL NO. 6284, having received the required constitutional two-thirds majority, was declared passed on reconsideration, the Governor's objection(s) notwithstanding. The title of the bill was again ordered to stand as the title of the act.

MOTION

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

MESSAGE FROM THE GOVERNOR

March 10, 2016

To the Honorable President and Members, The Senate of the State of Washington:

Ladies and Gentlemen:

I am returning herewith, without my approval, Substitute Senate Bill No. 6354 entitled: "AN ACT Relating to developing higher education reverse transfer agreement plans."

This is a worthy bill, but it has preceded the passage of the 2016-2017 supplemental operating budget, which is a greater legislative priority. Until a budget agreement is reached, I cannot support this bill.

For these reasons I have vetoed Substitute Senate Bill No. 6354 in its entirety.

Respectfully submitted,
Jay Inslee, Governor

MOTION

Pursuant to Article 3, Section 12 of the State Constitution, on motion of Senator Fain, the Senate proceeded to reconsider Substitute Senate Bill No. 6354, the Governor's objection(s) notwithstanding.

The Vice President Pro Tempore declared the question before the Senate to be the final passage, on reconsideration, of Substitute Senate Bill No. 6354, the Governor's objection(s) notwithstanding.

ROLL CALL

The Secretary called the roll on the final passage, on reconsideration, of Substitute Senate Bill No. 6354 the Governor's objection(s) notwithstanding and the bill passed the Senate by the following vote: Yeas, 40; Nays, 0; Absent, 0; Excused, 9.

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

Excused: Senators Bailey, Billig, Carlyle, Habib, Hargrove, Jayapal, Liias, Ranker and Rivers

SUBSTITUTE SENATE BILL NO. 6354, having received the required constitutional two-thirds majority, was declared passed on reconsideration, the Governor's objection(s) notwithstanding. The title of the bill was again ordered to stand as the title of the act.

MESSAGE FROM THE GOVERNOR

March 10, 2016

To the Honorable President and Members, The Senate of the State of Washington:

Ladies and Gentlemen:

I am returning herewith, without my approval, Senate Bill No. 6401 entitled: "AN ACT Relating to record keeping requirements of secondary commercial fish receivers."

This is a worthy bill, but it has preceded the passage of the 2016-2017 supplemental operating budget, which is a greater legislative priority. Until a budget agreement is reached, I cannot support this bill.

For these reasons I have vetoed Senate Bill No. 6401 in its entirety.

Respectfully submitted,
Jay Inslee, Governor

MOTION

Pursuant to Article 3, Section 12 of the State Constitution, on motion of Senator Fain, the Senate proceeded to reconsider Senate Bill No. 6401, the Governor's objection(s) notwithstanding.

The Vice President Pro Tempore declared the question before the Senate to be the final passage, on reconsideration, of Senate Bill No. 6401, the Governor's objection(s) notwithstanding.

ROLL CALL

The Secretary called the roll on the final passage, on reconsideration, of Senate Bill No. 6401 the Governor's objection(s) notwithstanding and the bill passed the Senate by the following vote: Yeas, 41; Nays, 0; Absent, 0; Excused, 8.

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

Excused: Senators Bailey, Billig, Carlyle, Habib, Hargrove, Jayapal, Liias and Ranker

SENATE BILL NO. 6401, having received the required constitutional two-thirds majority, was declared passed on reconsideration, the Governor's objection(s) notwithstanding. The title of the bill was again ordered to stand as the title of the act.

MESSAGE FROM THE GOVERNOR

March 10, 2016

To the Honorable President and Members, The Senate of the State of Washington:

Ladies and Gentlemen:

I am returning herewith, without my approval, Senate Bill No. 6491 entitled: "AN ACT Relating to apostille or other signature or attestation services by the secretary of state."

This is a worthy bill, but it has preceded the passage of the 2016-2017 supplemental operating budget, which is a greater legislative priority. Until a budget agreement is reached, I cannot support this bill.

For these reasons I have vetoed Senate Bill No. 6491 in its entirety.

Respectfully submitted,
Jay Inslee, Governor

MOTION

Pursuant to Article 3, Section 12 of the State Constitution, on motion of Senator Fain, the Senate proceeded to reconsider Senate Bill No. 6491, the Governor's objection(s) notwithstanding.

The Vice President Pro Tempore declared the question before the Senate to be the final passage, on reconsideration, of Senate Bill No. 6491, the Governor's objection(s) notwithstanding.

ROLL CALL

The Secretary called the roll on the final passage, on reconsideration, of Senate Bill No. 6491 the Governor's objection(s) notwithstanding and the bill passed the Senate by the following vote: Yeas, 41; Nays, 0; Absent, 0; Excused, 8.

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

Excused: Senators Bailey, Billig, Carlyle, Habib, Hargrove, Jayapal, Liias and Ranker

SENATE BILL NO. 6491, having received the required constitutional two-thirds majority, was declared passed on reconsideration, the Governor's objection(s) notwithstanding. The title of the bill was again ordered to stand as the title of the act.

MESSAGE FROM THE GOVERNOR

March 10, 2016

To the Honorable President and Members, The Senate of the State of Washington:

Ladies and Gentlemen:

I am returning herewith, without my approval, Substitute Senate Bill No. 6341 entitled: "AN ACT Relating to the provision of personal services and promotional items by cannabis producers and processors."

This is a worthy bill, but it has preceded the passage of the 2016-2017 supplemental operating budget, which is a greater legislative priority. Until a budget agreement is reached, I cannot support this bill.

For these reasons I have vetoed Substitute Senate Bill No. 6341 in its entirety.

Respectfully submitted,

Jay Inslee, Governor

MOTION

Pursuant to Article 3, Section 12 of the State Constitution, on motion of Senator Fain, the Senate proceeded to reconsider Substitute Senate Bill No. 6341, the Governor's objection(s) notwithstanding.

MOTION

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

The Vice President Pro Tempore declared the question before the Senate to be the final passage, on reconsideration, of Substitute Senate Bill No. 6341, the Governor's objection(s) notwithstanding.

ROLL CALL

The Secretary called the roll on the final passage, on reconsideration, of Substitute Senate Bill No. 6341 the Governor's objection(s) notwithstanding and the bill passed the Senate by the following vote: Yeas, 36; Nays, 4; Absent, 0; Excused, 9.

Voting yea: Senators Angel, Baumgartner, Becker, Benton, Braun, Brown, Chase, Cleveland, Conway, Dammeier, Dangel, Darneille, Ericksen, Fain, Fraser, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Keiser, King, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, Pedersen, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senators O'Ban, Padden, Parlette and Pearson

Excused: Senators Bailey, Billig, Carlyle, Frockt, Habib, Hargrove, Jayapal, Liias and Ranker

SUBSTITUTE SENATE BILL NO. 6341, having received the required constitutional two-thirds majority, was declared passed on reconsideration, the Governor's objection(s) notwithstanding. The title of the bill was again ordered to stand as the title of the act.

MESSAGE FROM THE GOVERNOR

March 10, 2016

To the Honorable President and Members, The Senate of the State of Washington:

Ladies and Gentlemen:

I am returning herewith, without my approval, Senate Bill No. 5458 entitled: "AN ACT Relating to health district banking."

This is a worthy bill, but it has preceded the passage of the 2016-2017 supplemental operating budget, which is a greater legislative priority. Until a budget agreement is reached, I cannot support this bill.

For these reasons I have vetoed Senate Bill No. 5458 in its entirety.

Respectfully submitted,
Jay Inslee, Governor

MOTION

Pursuant to Article 3, Section 12 of the State Constitution, on motion of Senator Fain, the Senate proceeded to reconsider Senate Bill No. 5458, the Governor's objection(s) notwithstanding.

The Vice President Pro Tempore declared the question before the Senate to be the final passage, on reconsideration, of Senate Bill No. 5458, the Governor's objection(s) notwithstanding.

ROLL CALL

The Secretary called the roll on the final passage, on reconsideration, of Senate Bill No. 5458 the Governor's objection(s) notwithstanding and the bill passed the Senate by the following vote: Yeas, 41; Nays, 0; Absent, 0; Excused, 8.

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

Excused: Senators Bailey, Billig, Carlyle, Habib, Hargrove, Jayapal, Lias and Ranker

SENATE BILL NO. 5458, having received the required constitutional two-thirds majority, was declared passed on reconsideration, the Governor's objection(s) notwithstanding. The title of the bill was again ordered to stand as the title of the act.

MESSAGE FROM THE GOVERNOR

March 10, 2016

To the Honorable President and Members, The Senate of the State of Washington:

Ladies and Gentlemen:

I am returning herewith, without my approval, Substitute Senate Bill No. 6569 entitled: "AN ACT Relating to the creation of a task force on patient out-of-pocket costs."

This is a worthy bill, but it has preceded the passage of the 2016-2017 supplemental operating budget, which is a greater legislative priority. Until a budget agreement is reached, I cannot support this bill.

For these reasons I have vetoed Substitute Senate Bill No. 6569 in its entirety.

Respectfully submitted,
Jay Inslee, Governor

MOTION

Pursuant to Article 3, Section 12 of the State Constitution, on motion of Senator Fain, the Senate proceeded to reconsider Substitute Senate Bill No. 6569, the Governor's objection(s) notwithstanding.

The Vice President Pro Tempore declared the question before the Senate to be the final passage, on reconsideration, of

Substitute Senate Bill No. 6569, the Governor's objection(s) notwithstanding.

ROLL CALL

The Secretary called the roll on the final passage, on reconsideration, of Substitute Senate Bill No. 6569 the Governor's objection(s) notwithstanding and the bill passed the Senate by the following vote: Yeas, 41; Nays, 0; Absent, 0; Excused, 8.

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

Excused: Senators Bailey, Billig, Carlyle, Habib, Hargrove, Jayapal, Lias and Ranker

SUBSTITUTE SENATE BILL NO. 6569, having received the required constitutional two-thirds majority, was declared passed on reconsideration, the Governor's objection(s) notwithstanding. The title of the bill was again ordered to stand as the title of the act.

MESSAGE FROM THE GOVERNOR

March 10, 2016

To the Honorable President and Members, The Senate of the State of Washington:

Ladies and Gentlemen:

I am returning herewith, without my approval, Senate Bill No. 6398 entitled: "AN ACT Relating to cultural foods."

This is a worthy bill, but it has preceded the passage of the 2016-2017 supplemental operating budget, which is a greater legislative priority. Until a budget agreement is reached, I cannot support this bill.

For these reasons I have vetoed Senate Bill No. 6398 in its entirety.

Respectfully submitted,
Jay Inslee, Governor

MOTION

Pursuant to Article 3, Section 12 of the State Constitution, on motion of Senator Fain, the Senate proceeded to reconsider Senate Bill No. 6398, the Governor's objection(s) notwithstanding.

Senator Baumgartner spoke in favor of the motion.

The Vice President Pro Tempore declared the question before the Senate to be the final passage, on reconsideration, of Senate Bill No. 6398, the Governor's objection(s) notwithstanding.

ROLL CALL

The Secretary called the roll on the final passage, on reconsideration, of Senate Bill No. 6398 the Governor's

objection(s) notwithstanding and the bill passed the Senate by the following vote: Yeas, 41; Nays, 0; Absent, 0; Excused, 8.

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

Excused: Senators Bailey, Billig, Carlyle, Habib, Hargrove, Jayapal, Liias and Ranker

SENATE BILL NO. 6398, having received the required constitutional two-thirds majority, was declared passed on

reconsideration, the Governor's objection(s) notwithstanding. The title of the bill was again ordered to stand as the title of the act.

MOTION

At 6:01 p.m., on motion of Senator Fain, the Senate adjourned until 11:00 o'clock a.m., Tuesday, March 29, 2016.

BRAD OWEN, President of the Senate

HUNTER G. GOODMAN, Secretary of the Senate

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