

SEVENTY EIGHTH DAY

NOON SESSION

Senate Chamber, Olympia
Monday, April 1, 2019

The Senate was called to order at 12:05 p.m. by the President Pro Tempore, Senator Keiser presiding. No roll call was taken.

The prayer was offered by the Rev. Alfredo Feregrino, Our Lady of Guadalupe Episcopal Church Seattle, Renton. Reverend Feregrino was a guest of Senator Saldaña.

The President called upon the Secretary to read the journal of the preceding day.

MOTION

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

MOTION

On motion of Senator Liias, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

March 28, 2019

SB 5214 Prime Sponsor, Senator Hobbs: Making transportation appropriations for the 2019-2021 fiscal biennium. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5214 be substituted therefor, and the substitute bill do pass. Signed by Senators Hobbs, Chair; King, Ranking Member; Cleveland; Das; Fortunato; Lovelett; Nguyen; Padden; Randall; Takko; Wilson, C.; Zeiger; Saldaña, Vice Chair; Sheldon, Assistant Ranking Member and O'Ban.

Referred to Committee on Rules for second reading.

March 28, 2019

2SHB 1059 Prime Sponsor, Committee on Appropriations: Extending the business and occupation tax return filing due date for annual filers. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Van De Wege; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Bailey; Billig; Conway; Darneille; Frockt, Vice Chair, Operating, Capital Lead; Hasegawa; Keiser; Liias; Palumbo; Pedersen; Rivers; Schoesler; Hunt Rolfes, Chair.

Referred to Committee on Rules for second reading.

March 29, 2019

HB 1061 Prime Sponsor, Representative Blake: Designating the Pacific razor clam as the state clam. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Takko; Hasegawa; Zeiger, Ranking Member; Kuderer, Vice Chair Hunt, Chair.

Referred to Committee on Rules for second reading.

March 29, 2019

2SHB 1065 Prime Sponsor, Committee on Appropriations: Protecting consumers from charges for out-of-network health care services. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: Do pass as amended. Signed by Senators Cleveland, Chair; Randall, Vice Chair; O'Ban, Ranking Member; Bailey; Dhingra; Frockt; Keiser; Rivers and Van De Wege.

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

Referred to Committee on Ways & Means.

March 29, 2019

2SHB 1087 Prime Sponsor, Committee on Appropriations: Concerning long-term services and supports. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: Do pass as amended. Signed by Senators Van De Wege; Keiser; Frockt; Dhingra; Randall, Vice Chair Cleveland, Chair.

MINORITY recommendation: Do not pass. Signed by Senators Rivers; Becker and Bailey.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator O'Ban, Ranking Member.

Referred to Committee on Ways & Means.

March 29, 2019

SHB 1195 Prime Sponsor, Committee on State Government & Tribal Relations: Concerning the efficient administration of campaign finance and public disclosure reporting and enforcement. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: Do pass as amended. Signed by Senators Kuderer, Vice Chair; Hunt, Chair; Hasegawa and Takko.

MINORITY recommendation: Do not pass. Signed by Senator Zeiger, Ranking Member.

Referred to Committee on Rules for second reading.

March 29, 2019

HB 1220 Prime Sponsor, Representative Dolan: Adding a nonvoting representative from the office of the insurance commissioner to the public employees' benefits board. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Hunt, Chair; Kuderer, Vice Chair; Zeiger, Ranking

Member; Hasegawa and Takko.

Referred to Committee on Rules for second reading.

March 29, 2019

E2SHB 1224 Prime Sponsor, Committee on Appropriations: Concerning prescription drug cost transparency. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: Do pass as amended. Signed by Senators Cleveland, Chair; Randall, Vice Chair; O'Ban, Ranking Member; Bailey; Becker; Dhingra; Keiser; Rivers and Van De Wege.

Referred to Committee on Ways & Means.

March 29, 2019

SHB 1295 Prime Sponsor, Committee on Capital Budget: Concerning public works contracting procedures. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Hunt, Chair; Kuderer, Vice Chair; Zeiger, Ranking Member; Hasegawa and Takko.

Referred to Committee on Rules for second reading.

March 28, 2019

SHB 1403 Prime Sponsor, Committee on Finance: Simplifying the administration of municipal business and occupation tax apportionment. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Rivers; Pedersen; Palumbo; Liias; Keiser; Hunt; Schoesler; Hasegawa; Conway; Billig; Bailey; Brown, Assistant Ranking Member, Operating; Braun, Ranking Member; Frockt, Vice Chair, Operating, Capital Lead; Darneille and Van De Wege.

Referred to Committee on Rules for second reading.

March 28, 2019

SHB 1430 Prime Sponsor, Committee on Appropriations: Concerning the licensing and enforcement system modernization project account. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Van De Wege; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Bailey; Billig; Conway; Darneille; Frockt, Vice Chair, Operating, Capital Lead; Hasegawa; Keiser; Liias; Palumbo; Pedersen; Rivers; Schoesler; Hunt Rolfes, Chair.

Referred to Committee on Rules for second reading.

March 29, 2019

2SHB 1448 Prime Sponsor, Committee on Appropriations: Creating the veterans service officer program. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Zeiger, Ranking Member; Takko; Kuderer, Vice Chair Hunt, Chair.

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

Referred to Committee on Ways & Means.

March 29, 2019

HB 1554 Prime Sponsor, Representative Thai: Concerning dental hygienists. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: Do pass. Signed by Senators Frockt; Dhingra; Becker; Bailey; O'Ban, Ranking Member; Randall, Vice Chair; Cleveland, Chair; Van De Wege and Keiser.

Referred to Committee on Rules for second reading.

March 29, 2019

HB 1753 Prime Sponsor, Representative Riccelli: Requiring a statement of inquiry for rules affecting fees related to health professions. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: Do pass. Signed by Senators Cleveland, Chair; Randall, Vice Chair; O'Ban, Ranking Member; Bailey; Becker; Dhingra; Frockt; Keiser; Rivers and Van De Wege.

Referred to Committee on Rules for second reading.

March 29, 2019

HB 1908 Prime Sponsor, Representative Graham: Repealing the electronic authentication act. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Hunt, Chair; Kuderer, Vice Chair; Zeiger, Ranking Member; Hasegawa and Takko.

Referred to Committee on Rules for second reading.

March 29, 2019

EHB 2020 Prime Sponsor, Representative Dolan: Exempting the disclosure of names in employment investigation records. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: Do pass as amended. Signed by Senators Hunt, Chair; Zeiger, Ranking Member; Kuderer, Vice Chair; Hasegawa and Takko.

Referred to Committee on Rules for second reading.

March 28, 2019

HB 2035 Prime Sponsor, Representative Lovick: Concerning taxes on in-state broadcasters. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Rivers; Pedersen; Palumbo; Liias; Keiser; Hunt; Schoesler; Hasegawa; Conway; Billig; Bailey; Brown, Assistant Ranking Member, Operating; Braun, Ranking Member; Frockt, Vice Chair, Operating, Capital Lead; Darneille and Van De Wege.

Referred to Committee on Rules for second reading.

MOTION

SEVENTY EIGHTH DAY, APRIL 1, 2019

2019 REGULAR SESSION

On motion of Senator Liias, all measures listed on the Standing Committee report were referred to the committees as designated.

MOTION

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

MOTION

Senator Schoesler moved adoption of the following resolution:

SENATE RESOLUTION
8629

By Senators Schoesler, Hunt, Wellman, Das, Takko, Cleveland, Becker, Mullet, Dhingra, Frockt, Wilson, C., Saldaña, Kuderer, Pedersen, Hobbs, Conway, Billig, Liias, Carlyle, McCoy, Brown, Hasegawa, King, Nguyen, Short, Rolfes, Lovelett, Darneille, Van De Wege, Keiser, Sheldon, Fortunato, O'Ban, Rivers, Walsh, Padden, Honeyford, Bailey, Wagoner, Zeiger, Wilson, L., and Warnick

WHEREAS, Edgar Martinez was born in New York City on January 2, 1963, grew up playing baseball with his brother and neighborhood friends in Dorado, Puerto Rico, and attended American College in Puerto Rico; and

WHEREAS, Edgar Martinez was 19 years old when he signed with the Seattle Mariners as an amateur free agent in 1982; and

WHEREAS, Edgar Martinez rose from a graveyard-shift laborer in Puerto Rico to one of the most outstanding hitters in major league history; and

WHEREAS, When Edgar Martinez was a skinny 20-year-old with the Mariners' Class A team in Bellingham in 1983, he hit only .173 and was better known for his glove than his bat; and

WHEREAS, Edgar Martinez endured several more seasons in the minors before he made his major league debut in 1987; and

WHEREAS, Edgar Martinez became Seattle's everyday third baseman in 1990 and responded by hitting .302 that season and .307 in 1991; and

WHEREAS, Edgar Martinez made his American League All-Star debut in 1992, a season in which he was crowned American League batting champion with a .343 average; and

WHEREAS, A badly pulled hamstring in a 1993 preseason exhibition game in Vancouver, B.C., caused Edgar to miss most of that season and forced him to transform himself from an able third baseman into arguably the greatest designated hitter in history; and

WHEREAS, Edgar Martinez helped keep baseball alive in Seattle in 1995 by delivering the biggest hit in Mariners' history, a game-winning double ripped down the left-field line in the bottom of the 11th inning of the fifth and final game of the American League Divisional Series against the New York Yankees, knocking in Joey Cora and Ken Griffey Jr. and resulting in the most famous and enduring moment in Mariners' history, as teammates mobbed Griffey at the plate after he slid home with the series-winning run while a sold-out King Dome crowd roared with joy; and

WHEREAS, Edgar Martinez became a fan favorite throughout the Northwest and a team icon as a result of his loyalty and dedication to the Mariners and the Northwest, his quiet team leadership, his humble, friendly, and pleasant demeanor, his powerful bat, and his funny TV ads for the Mariners and Eagle Hardware – "It's a light bat"; and

WHEREAS, Mariners' fans often showed their love and respect for Edgar Martinez by serenading him with chants of "Eddddd...Grrrrr" before or after one of his at-bats; and

WHEREAS, Edgar Martinez gained even more respect and admiration from fans throughout the region for his willingness to give back to the community through charities and other activities, which is evidenced by his winning the 2004 Roberto Clemente Award for outstanding baseball skills and devotion to the community; and

WHEREAS, Edgar Martinez is revered for his many contributions to the community, including to Seattle Children's Hospital, Parent Project Muscular Dystrophy, Overlake Hospital, Make-A-Wish Foundation, Wishing Star Foundation, United Way, Esperanza, Page Ahead Children's Literacy Program, Big Brothers Big Sisters, Boys & Girls Clubs of America, and Mariners Care; and

WHEREAS, Edgar Martinez defined the position of designated hitter, setting the major league record for home runs and RBIs by a DH, and is the only designated hitter in the history of baseball to win a batting title, hitting .356 in 1995; and

WHEREAS, Major League Baseball Commissioner Allan H. "Bud" Selig paid fitting tribute to Edgar Martinez's remarkable status as the most prolific designated hitter in the history of Major League Baseball when he announced on October 2, 2004, that the American League Designated Hitter of the Year Award had been officially renamed "The Edgar Martinez Award"; and

WHEREAS, Edgar Martinez retired at the end of the 2004 season with the same team with which he began, a rarity among major league ballplayers, ending his 18-year career with a .312 batting average, 309 home runs, 1,261 runs batted in and 2,247 hits, including 514 doubles; and

WHEREAS, Edgar Martinez is one of nine players to retire with a .300+ batting average, 500 doubles, 300 home runs, 1,000 walks, and a .400+ on-base percentage – an on-base percentage better than the great Stan Musial; and

WHEREAS, Edgar had his number 11 retired by the Mariners, and it hangs in left field alongside Jackie Robinson's 42 and Ken Griffey Jr.'s 24; and next to Edgar's Cantina in T-Mobile Park; and

WHEREAS, Edgar Martinez Drive is located next to the stadium; and

WHEREAS, After retiring as a player, Edgar Martinez returned to Mariners' dugout by serving as the team's hitting coach from the middle of the 2015 season until the end of the 2018 season, and is now in a hitting adviser role for the Mariners organization; and

WHEREAS, On January 22, 2019, Edgar Martinez was inducted into the Baseball Hall of Fame, becoming the second player to enter the Hall of Fame as a Seattle Mariner, joining Ken Griffey Jr.; and

WHEREAS, Edgar Martinez and fellow 2019 inductees Mariano Rivera, Roy Halliday, Mike Mussina, Lee Smith, and Harold Baines will be formally added to the Baseball Hall of Fame during a ceremony in Cooperstown, New York, on July 21, 2019; and

WHEREAS, Edgar Martinez batted .652 against 2019 unanimous Hall of Fame reliever Mariano Rivera while all other Hall of Fame hitters batted .236 against him; and

WHEREAS, Rivera said of Martinez, "Thank God he retired. Oh my God, I think every pitcher will say that because this man was tough;"

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate honor and congratulate Edgar Martinez on being elected to the Baseball Hall of Fame and again thank him for his amazing career with the Seattle Mariners and for

giving so much back to the team’s fans and to the community.

Senators Schoesler, Hunt, Padden, Billig, Palumbo, Carlyle, Saldaña and Darneille spoke in favor of adoption of the resolution.

The President Pro Tempore declared the question before the Senate to be the adoption of Senate Resolution No. 8629.

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

INTRODUCTION OF SPECIAL GUESTS

The President Pro Tempore welcomed and introduced Mr. Edgar Martinez and his daughter, Jacqueline, who were seated at the rostrum.

With permission of the Senate, business was suspended to allow Mr. Edgar Martinez to address the Senate.

REMARKS BY MR. EDGAR MARTINEZ

Mr. Martinez: “Thank you. Thank you. Thank you. Thank you for this great honor, for this resolution. For me and my family this is a moment that we will always treasure. And for my daughter Jacqueline to be here and experience this is a nice experience. So, thank you I am very grateful for spending some time with you today and for the resolution. It means a lot and it is a great honor. Thank you.”

Pursuant to Article 2, Section 32 of the State Constitution and Senate Rule 1(5), the President Pro Tempore announced the President had, on Friday, March 29, 2019, signed the following measures in open session:

- ENGROSSED HOUSE BILL NO. 1074,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1099,
- HOUSE BILL NO. 1349,
- SUBSTITUTE HOUSE BILL NO. 1399,
- and SECOND SUBSTITUTE HOUSE BILL NO. 1497.

MOTION

On motion of Senator Liias, the Senate reverted to the fourth order of business.

MESSAGES FROM THE HOUSE

March 29, 2019

MR. PRESIDENT:

The House has passed:

- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1109,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1160,
- ENGROSSED THIRD SUBSTITUTE HOUSE BILL NO. 1257,
- and the same are herewith transmitted.

BERNARD DEAN, Chief Clerk

March 28, 2019

MR. PRESIDENT:

The House has passed:

- ENGROSSED HOUSE BILL NO. 1354,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1997,
- and the same are herewith transmitted.

BERNARD DEAN, Chief Clerk

MOTION

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

INTRODUCTION AND FIRST READING

SB 6000 by Senator Frockt

AN ACT Relating to state general obligation bonds and related accounts.

Referred to Committee on Ways & Means.

SB 6001 by Senator Frockt

AN ACT Relating to the capital budget.

Referred to Committee on Ways & Means.

SB 6002 by Senator Frockt

AN ACT Relating to the capital budget.

Referred to Committee on Ways & Means.

SB 6003 by Senator Rolfes

AN ACT Relating to state government.

Referred to Committee on Ways & Means.

SB 6004 by Senator Rolfes

AN ACT Relating to fiscal matters.

Referred to Committee on Ways & Means.

SB 6005 by Senator Rolfes

AN ACT Relating to revenue.

Referred to Committee on Ways & Means.

SB 6006 by Senator Rolfes

AN ACT Relating to education.

Referred to Committee on Ways & Means.

SB 6007 by Senator Keiser

AN ACT Relating to increasing the tax on cigarettes; and amending RCW 82.24.026.

Referred to Committee on Ways & Means.

EHB 1354 by Representatives Walen, Stokesbary, Wylie, Orcutt, Vick, Frame, Eslick and Ormsby

AN ACT Relating to providing that scan-down allowances on food and beverages intended for human and pet consumption are bona fide discounts for purposes of the business and occupation tax; adding a new section to chapter 82.04 RCW; and creating a new section.

Referred to Committee on Ways & Means.

ESHB 1997 by House Committee on Housing, Community Development & Veterans (originally sponsored by Ryu, Pollet, Dolan, Valdez, Macri, Stanford, Appleton, Santos and Doglio)

AN ACT Relating to manufactured/mobile homes; amending RCW 46.17.155, 59.30.050, and 59.21.050; reenacting and amending RCW 82.45.010; adding a new section to chapter 59.21 RCW; and creating a new section.

Referred to Committee on Ways & Means.

SEVENTY EIGHTH DAY, APRIL 1, 2019

2019 REGULAR SESSION

MOTION

At 12:33 p.m., on motion of Senator Liias, the Senate adjourned until 12:00 o'clock p.m. Tuesday, April 2, 2019.

On motion of Senator Liias, all measures listed on the Introduction and First Reading report were referred to the committees as designated with the exception of House Bill No. 1997 which had been designated to the Committee on Housing Stability & Affordability and was referred to the Committee on Ways & Means.

KAREN KEISER, President Pro Tempore of the Senate

BRAD HENDRICKSON, Secretary of the Senate

MOTION

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