

TWENTY FOURTH DAY, FEBRUARY 3, 2021

2021 REGULAR SESSION

TWENTY FOURTH DAY

AFTERNOON SESSION

Senate Chamber, Olympia
Wednesday, February 3, 2021

The Senate was called to order at 1:40 p.m. by the President of the Senate, Lt. Governor Heck presiding. The Secretary called the roll and announced to the President that all Senators were present.

The Washington State Patrol Honor Guard presented the Colors.

Miss Olivia Retallack and Mr. Benjamin Retallack led the Senate in the Pledge of Allegiance. The Retallacks are the grandchildren of Mr. Andy Staubitz, Senate Sergeant at Arms.

Pastor Bob Luhn of the Othello Church of the Nazarene offered the prayer. Pastor Luhn is a guest of Senator Schoesler.

REMARKS BY THE PRESIDENT

President Heck: "Before we begin today, the President would like to offer a gentle reminder. Rule 27, combined with longstanding and deep tradition of the Washington State Senate combined with language in Mason's Manual, which is on occasion used as our backstop to our Reed's Rules, specifically do not allow for the reading of speeches on the floor. This is true whether the speeches are given remotely or while physically present here. This does not mean members cannot use notes, of course they can. The language specifically in Mason's Manual, for example, says '*Members do not have the right to read their own written speeches without permission of the body. Members are entitled to speak from notes.*' The President would respectfully request your acknowledgement and cooperation in this regard, and I thank you."

MOTIONS

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

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

REPORTS OF STANDING COMMITTEES

February 3, 2021

SB 5022 Prime Sponsor, Senator Das: Concerning the management of certain materials to support recycling and waste and litter reduction. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: That Substitute Senate Bill No. 5022 be substituted therefor, and the substitute bill do pass. Signed by Senators Lovelett, Vice Chair; Carlyle, Chair; Das; Liias; Nguyen; Stanford and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Ericksen, Ranking Member; Brown; Fortunato; Sheldon and Short.

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

Referred to Committee on Ways & Means.

February 3, 2021

SB 5040 Prime Sponsor, Senator Fortunato: Enhancing litter control along state highways. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: Do pass. Signed by Senators Lovelett, Vice Chair; Carlyle, Chair; Brown; Das; Fortunato; Hobbs; Nguyen; Sheldon; Short; Stanford and Wellman.

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

Referred to Committee on Transportation.

February 3, 2021

SB 5101 Prime Sponsor, Senator Stanford: Establishing tribal representation on the emergency management council. Reported by Committee on State Government & Elections

MAJORITY recommendation: Do pass. Signed by Senators Wilson, J., Ranking Member; Hunt, Chair; Kuderer, Vice Chair; Hasegawa and Hawkins.

Referred to Committee on Rules for second reading.

February 2, 2021

SB 5119 Prime Sponsor, Senator Darneille: Concerning individuals in custody. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: That Substitute Senate Bill No. 5119 be substituted therefor, and the substitute bill do pass. Signed by Senators Gildon, Ranking Member; Darneille, Chair; Nguyen, Vice Chair; Dozier; Saldaña and Wilson, C.

Referred to Committee on Ways & Means.

February 3, 2021

SB 5174 Prime Sponsor, Senator Wilson, J.: Providing for the recycling of wind turbine blades. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: That Substitute Senate Bill No. 5174 be substituted therefor, and the substitute bill do pass. Signed by Senators Lovelett, Vice Chair; Carlyle, Chair; Brown; Das; Fortunato; Hobbs; Nguyen; Sheldon; Short; Stanford and Wellman.

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

Referred to Committee on Ways & Means.

February 3, 2021

SB 5182 Prime Sponsor, Senator Kuderer: Concerning advisory votes. Reported by Committee on State Government & Elections

MAJORITY recommendation: That Substitute Senate Bill

No. 5182 be substituted therefor, and the substitute bill do pass. Signed by Senators Hunt, Chair; Kuderer, Vice Chair; Hasegawa and Hawkins.

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

Referred to Committee on Rules for second reading.

February 3, 2021

SB 5196 Prime Sponsor, Senator Billig: Describing how the legislature may convene a special session. Reported by Committee on State Government & Elections

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

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Wilson, J., Ranking Member.

Referred to Committee on Rules for second reading.

February 2, 2021

SB 5248 Prime Sponsor, Senator Darneille: Establishing the joint legislative task force on jail standards. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: Do pass. Signed by Senators Gildon, Ranking Member; Darneille, Chair; Nguyen, Vice Chair; Dozier; Saldaña and Wilson, C.

Referred to Committee on Ways & Means.

February 2, 2021

SGA 9010 LORETTA S. DEKAY, reappointed on June 22, 2017, for the term ending June 12, 2021, as Member of the Columbia River Gorge Commission. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member and Liias.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

February 2, 2021

SGA 9123 JERRY J. MENINICK, appointed on October 30, 2019, for the term ending June 12, 2023, as Member of the Columbia River Gorge Commission. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member and Liias.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

SUPPLEMENTAL REPORTS OF STANDING COMMITTEES

Pursuant to Senate Rule 45(13), notice was received from the Committee on Health & Long Term Care that the following

measures had been re-referred to the Subcommittee on Behavioral Health:

SENATE BILL NO. 5370,
SENATE BILL NO. 5397,
and SENATE BILL NO. 5412.

MOTIONS

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

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

INTRODUCTION AND FIRST READING

SB 5412 by Senator Warnick

AN ACT Relating to facilitating supportive relationships with family and significant individuals within the behavioral health system; adding a new section to chapter 71.24 RCW; adding a new section to chapter 72.23 RCW; and creating a new section.

Referred to Committee on Behavioral Health Subcommittee to Health & Long Term Care.

SB 5413 by Senators Wilson, C.

AN ACT Relating to solitary confinement; amending RCW 72.09.015; adding a new section to chapter 72.09 RCW; adding a new section to chapter 70.48 RCW; adding a new section to chapter 36.28A RCW; creating new sections; and providing an effective date.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SB 5414 by Senators Gildon and Conway

AN ACT Relating to providing a tax preference for data centers in counties with a certain population; adding new sections to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; creating new sections; and providing expiration dates.

Referred to Committee on Business, Financial Services & Trade.

SB 5415 by Senator Lovelett

AN ACT Relating to the energy facility site evaluation council; amending RCW 80.50.040, 80.50.060, 80.50.071, 80.50.100, 80.50.140, 80.50.175, and 43.79A.040; reenacting and amending RCW 80.50.020, 80.50.030, and 80.50.090; adding new sections to chapter 80.50 RCW; repealing RCW 80.50.190; providing an effective date; and declaring an emergency.

Referred to Committee on Environment, Energy & Technology.

SB 5416 by Senator Padden

AN ACT Relating to prohibiting abortion on the basis of Down syndrome; amending RCW 9.02.110 and 9.02.170; and adding new sections to chapter 9.02 RCW.

Referred to Committee on Law & Justice.

SB 5417 by Senators King and Conway

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AN ACT Relating to extending certain privileges granted to liquor licensees to mitigate the impact of the coronavirus pandemic; amending RCW 66.24.175, 66.24.630, and 82.08.150; adding a new section to chapter 66.08 RCW; creating new sections; making an appropriation; providing expiration dates; and declaring an emergency.

Referred to Committee on Labor, Commerce & Tribal Affairs.

SB 5418 by Senators Billig and Kuderer

AN ACT Relating to prohibiting health care entities from providing donors or board members privileged access to drugs or vaccines that are in limited supply; adding a new section to chapter 70.01 RCW; prescribing penalties; and declaring an emergency.

Referred to Committee on Health & Long Term Care.

SB 5419 by Senators Stanford and Nobles

AN ACT Relating to replacing the Marcus Whitman statue in the national statuary hall collection with a statue of Billy Frank Jr.; adding a new section to chapter 43.08 RCW; creating new sections; and providing a contingent expiration date.

Referred to Committee on Labor, Commerce & Tribal Affairs.

SB 5420 by Senator Muzzall

AN ACT Relating to data reporting requirements for hospitals; adding a new section to chapter 70.41 RCW; adding a new section to chapter 71.12 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Health & Long Term Care.

SJM 8004 by Senator Hasegawa

Addressing "de-risking" by financial institutions.

Referred to Committee on Business, Financial Services & Trade.

SJR 8205 by Senator Fortunato

Amending the state Constitution so that the right of the individual citizen to bear arms in defense of himself, or the state includes the right to possess firearm magazines and firearm loading devices of any size.

Referred to Committee on Law & Justice.

HB 1063 by Representatives Harris, Cody, Bateman, Kloba, Ortiz-Self, Leavitt, Slatter, Tharinger, Callan, Riccelli, Macri, Rule, Davis and Pollet

AN ACT Relating to allowing additional renewals for behavioral health professional trainee and associate credentials; amending RCW 18.205.095 and 18.225.145; and declaring an emergency.

Referred to Committee on Health & Long Term Care.

ESHB 1108 by House Committee on Civil Rights & Judiciary (originally sponsored by Orwall, Ortiz-Self, Kloba, Hackney, Chopp, Santos, Macri, Pollet and Harris-Talley)

AN ACT Relating to maintaining funding and assistance for homeowners navigating the foreclosure process; amending RCW 61.24.166 and 61.24.173; creating a new section; providing an expiration date; and declaring an emergency.

Referred to Committee on Business, Financial Services & Trade.

HB 1367 by Representatives Ormsby, Bergquist, Ramos, Callan, Gregerson, Simmons, Berry, Sullivan, Leavitt, Kloba, Macri, Ramel and Harris-Talley

AN ACT Relating to revising 2019-2021 fiscal biennium appropriations of state and federal funding for previously implemented medicaid rates and other medicaid expenditures in the developmental disabilities and long-term care programs in response to the COVID-19 pandemic; creating new sections; making appropriations; and declaring an emergency.

Referred to Committee on Ways & Means.

ESHB 1368 by House Committee on Appropriations (originally sponsored by Ormsby, Macri, Ramos, Callan, Gregerson, Berry, Sullivan, Leavitt, Duerr, Bergquist, Kloba, Riccelli, Ramel, Harris-Talley and Pollet)

AN ACT Relating to responding to the COVID-19 pandemic through state actions supported by federal funding; adding a new section to chapter 43.70 RCW; creating new sections; making appropriations; and declaring an emergency.

Referred to Committee on Ways & Means.

MOTIONS

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 Engrossed Substitute House Bill No. 1108 which was designated to the Committee on Housing & Local Government and referred to the Committee on Business, Financial Services & Trade.

On motion of Senator Liias and pursuant to Emergency Senate Rule J (2), the Rules Committee was relieved of Senate Bill No. 5272 and Senate Bill No. 5272 was placed on the day's 2nd Reading Calendar.

On motion of Senator Liias, Emergency Senate Rule K (2) was suspended as to Senate Bill No. 5272, so the body may consider amendments thereto.

At 1:45 p.m., on motion of Senator Liias, the Senate was declared to be at ease subject to the call of the President.

Senator Hasegawa announced a meeting of the Democratic Caucus.

Senator Rivers announced a meeting of the Republican Caucus.

The Senate was called to order at 2:55 p.m. by President Heck.

MOTION

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

SECOND READING

SENATE BILL NO. 5121, by Senators Darneille, Das, Dhingra, Hasegawa, Mullet, Nguyen, and Wilson, C.

Expanding eligibility for the graduated reentry program.

MOTION

On motion of Senator Liias, Substitute Senate Bill No. 5121 was substituted for Senate Bill No. 5121 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Rivers moved that the following floor amendment no. 031 by Senator Rivers be adopted:

On page 1, after line 4, insert the following:

"NEW SECTION. Sec. 1. (1) The legislature declares its specific intent to dedicate any savings generated by this act to a special account to be used for purposes specified in section 3 of this act.

(2) This section expires June 30, 2023."

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

On page 5, after line 18, insert the following:

"NEW SECTION. Sec. 3. A new section is added to chapter 72.09 RCW to read as follows:

(1) The corrections and public safety account is created in the custody of the state treasurer to be used only for the purposes of this section.

(2) Expenditures from the account may be used only for:

(a) Funding victims' services in local jurisdictions and superior courts; or

(b) Supplementing the crime victim's compensation account under RCW 7.68.045.

(3) It is the express intent of the legislature that moneys in the corrections and public safety account may not be transferred to any other account or spent for any purposes other than provided under this section.

(4) Revenues to the corrections and public safety account consist of:

(a) Funds transferred to the account pursuant to this act; and

(b) Any other revenues appropriated to or deposited into the account.

(5)(a) For the 2021-2023 fiscal biennium, the state treasurer shall transfer any savings generated by this act during the 2021-2023 fiscal biennium from the general fund to the corrections and public safety account.

(b) Moneys transferred to the corrections and public safety account in (a) of this subsection may only be used by the department for the purposes of subsection (2) of this section.

(c) Moneys in the account as referenced in (a) of this subsection may be spent only after appropriation.

(6) Moneys appropriated to the corrections and public safety account may not be used to supplant existing funding or levels of service.

(7) If the account balance in the corrections and public safety account exceeds \$10,000,000 at any time, the amount in excess of \$10,000,000 shall be transferred to the state general fund.

(8) During the 2021-2023 fiscal biennium, any residue in the account shall be accumulated and shall not revert to the state general fund until the end of the biennium.

(9) This section expires June 30, 2023."

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

On page 1, beginning on line 2 of the title, after "9.94A.728;" strike all material through "section" on line 3 and insert "adding a new section to chapter 72.09 RCW; creating new sections; and providing expiration dates"

Senator Rivers spoke in favor of adoption of the amendment.

Senator Rolfes spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 031 by Senator Rivers on page 1, after line 4 to Substitute Senate Bill No. 5121.

The motion by Senator Rivers did not carry and floor amendment no. 031 was not adopted by voice vote.

MOTION

Senator Dozier moved that the following floor amendment no. 032 by Senator Dozier be adopted:

On page 1, after line 4, insert the following:

"NEW SECTION. Sec. 1. (1) The legislature declares its specific intent to dedicate any savings generated by this act to a special account to be used for purposes specified in section 3 of this act.

(2) This section expires June 30, 2023."

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

On page 5, after line 18, insert the following:

"NEW SECTION. Sec. 3. A new section is added to chapter 72.09 RCW to read as follows:

(1) The corrections and public safety account is created in the custody of the state treasurer to be used only for the purposes of this section.

(2) Expenditures from the account may be used only for:

(a) Replacing the offender management network information system maintained by the department with a more efficient and technologically advanced system; and

(b) Implementing a comprehensive electronic health records system at the department.

(3) It is the express intent of the legislature that moneys in the corrections and public safety account may not be transferred to any other account or spent for any purposes other than provided under this section.

(4) Revenues to the corrections and public safety account consist of:

(a) Funds transferred to the account pursuant to this act; and

(b) Any other revenues appropriated to or deposited into the account.

(5)(a) For the 2021-2023 fiscal biennium, the state treasurer shall transfer any savings generated by this act during the 2021-2023 fiscal biennium from the general fund to the corrections and public safety account.

(b) Moneys transferred to the corrections and public safety account in (a) of this subsection may only be used by the department for the purposes of subsection (2) of this section.

(c) Moneys in the account as referenced in (a) of this subsection may be spent only after appropriation.

(6) Moneys appropriated to the corrections and public safety account may not be used to supplant existing funding or levels of service.

(7) If the account balance in the corrections and public safety account exceeds \$25,000,000 at any time, the amount in excess of \$25,000,000 shall be transferred to the state general fund.

(8) During the 2021-2023 fiscal biennium, any residue in the account shall be accumulated and shall not revert to the state general fund until the end of the biennium.

(9) This section expires June 30, 2023."

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

On page 1, line 2 of the title, after "9.94A.728;" strike the remainder of the title and insert "adding a new section to chapter 72.09 RCW; creating new sections; and providing expiration dates."

Senator Dozier spoke in favor of adoption of the amendment.
Senator Rolfes spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 032 by Senator Dozier on page 1, after line 4 to Substitute Senate Bill No. 5121.

The motion by Senator Dozier did not carry and floor amendment no. 032 was not adopted by voice vote.

MOTION

Senator Rivers moved that the following floor amendment no. 033 by Senator Rivers be adopted:

On page 1, line 15, after "least" strike "six" and insert "12"

Senator Rivers spoke in favor of adoption of the amendment.
Senator Darneille spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 033 by Senator Rivers on page 1, line 15 to Substitute Senate Bill No. 5121.

The motion by Senator Rivers did not carry and floor amendment no. 033 was not adopted by voice vote.

MOTION

Senator Short moved that the following floor amendment no. 030 by Senator Short be adopted:

On page 2, after line 4, insert the following:
"(iii) Offenders subject to this subsection may not be released to electronic monitoring before the department sends and receives receipt of notice by all identified victims."

Senator Short spoke in favor of adoption of the amendment.
Senator Dhingra spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 030 by Senator Short on page 2, after line 4 to Substitute Senate Bill No. 5121.

The motion by Senator Short did not carry and floor amendment no. 030 was not adopted by voice vote.

MOTION

Senator Rivers moved that the following floor amendment no. 035 by Senator Rivers be adopted:

On page 2, after line 4, insert the following:
"(iii) Home detention under (a) of this subsection may not be imposed for offenders convicted of a felony offense where the offender was armed with a firearm or deadly weapon in the commission of the offense."

Senators Rivers and Short spoke in favor of adoption of the amendment.

Senators Darneille and Dhingra spoke against adoption of the amendment.

Senator Rivers demanded a roll call.

The President declared that one-sixth of the members

supported the demand, and the demand was sustained.

The President declared the question before the Senate to be the adoption of the amendment by Senator Rivers on page 2, after line 4 to Substitute Senate Bill No. 5121.

ROLL CALL

The Secretary called the roll on the adoption of the amendment by Senator Rivers and the amendment was not adopted by the following vote: Yeas, 21; Nays, 28; Absent, 0; Excused, 0.

Voting yea: Senators Braun, Brown, Dozier, Ericksen, Fortunato, Gildon, Hawkins, Holy, Honeyford, King, McCune, Muzzall, Padden, Rivers, Schoesler, Sheldon, Short, Wagoner, Warnick, Wilson, J. and Wilson, L.

Voting nay: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liiias, Lovelett, Mullet, Nguyen, Nobles, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon, Stanford, Van De Wege, Wellman and Wilson, C.

MOTION

Senator Darneille moved that the following floor amendment no. 023 by Senator Darneille be adopted:

On page 2, line 17, after "offenders" strike "convicted of" and insert "currently serving a term of confinement for"

Senators Darneille and Braun spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 023 by Senator Darneille on page 2, line 17 to Substitute Senate Bill No. 5121.

The motion by Senator Darneille carried and floor amendment no. 023 was adopted by voice vote.

MOTION

Senator Warnick moved that the following floor amendment no. 026 by Senator Warnick be adopted:

On page 2, line 19, after "offense;" strike "or"
On page 2, line 22, after "9.94A.411(2)" insert "; or (D) Any crime committed in furtherance of a criminal street gang"

Senators Warnick and Short spoke in favor of adoption of the amendment.

Senator Nguyen spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 026 by Senator Warnick on page 2, line 19 to Substitute Senate Bill No. 5121.

The motion by Senator Warnick did not carry and floor amendment no. 026 was not adopted by voice vote.

MOTION

Senator Short moved that the following floor amendment no. 027 by Senator Short be adopted:

On page 2, line 19, after "offense;" strike "or"
On page 2, line 22, after "9.94A.411(2)" insert "; or (D) Any crime involving a child"

Senators Short and Brown spoke in favor of adoption of the amendment.

Senator Dhingra spoke against adoption of the amendment.

Senator Short demanded a roll call.

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

The President declared the question before the Senate to be the adoption of the amendment by Senator Short on page 2, line 19 to Substitute Senate Bill No. 5121.

ROLL CALL

The Secretary called the roll on the adoption of the amendment by Senator Short and the amendment was not adopted by the following vote: Yeas, 21; Nays, 28; Absent, 0; Excused, 0.

Voting yea: Senators Braun, Brown, Dozier, Ericksen, Fortunato, Gildon, Hawkins, Holy, Honeyford, King, McCune, Muzzall, Padden, Rivers, Schoesler, Sheldon, Short, Wagoner, Warnick, Wilson, J. and Wilson, L.

Voting nay: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, Mullet, Nguyen, Nobles, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon, Stanford, Van De Wege, Wellman and Wilson, C.

MOTION

Senator Padden moved that the following floor amendment no. 039 by Senator Padden be adopted:

On page 2, line 19, after "~~offense;~~" strike "~~or~~"

On page 2, line 22, after "~~9.94A.411(2)~~" insert "~~;~~ or (D) Any crime involving the theft of a motor vehicle"

Senators Padden and Brown spoke in favor of adoption of the amendment.

Senator Dhingra spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 039 by Senator Padden on page 2, line 19 to Substitute Senate Bill No. 5121.

The motion by Senator Padden did not carry and floor amendment no. 039 was not adopted by voice vote.

MOTION

Senator Gildon moved that the following floor amendment no. 024 by Senator Gildon be adopted:

On page 2, after line 22, insert the following:

"(c) An offender may not be transferred to home detention as part of the graduated reentry program under this section unless the offender has willfully participated in programming and has had no more than five general infractions and no more than two serious infractions during the offender's term of confinement in accordance with department policies."

Senators Gildon and Short spoke in favor of adoption of the amendment.

Senator Darneille spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 024 by Senator Gildon on page 2, after line 22 to Substitute Senate Bill No. 5121.

The motion by Senator Gildon did not carry and floor amendment no. 024 was not adopted by voice vote.

MOTION

Senator Wagoner moved that the following floor amendment no. 036 by Senator Wagoner be adopted:

On page 2, line 34, after "arrangement" insert "in the offender's county of origin as defined in RCW 72.09.270"

On page 2, line 34, after "detention" insert ", unless release to the offender's county of origin would result in the release of the offender within 50 miles of the victim's residence"

Senator Wagoner spoke in favor of adoption of the amendment.

Senator Wilson, C. spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 036 by Senator Wagoner on page 2, line 34 to Substitute Senate Bill No. 5121.

The motion by Senator Wagoner did not carry and floor amendment no. 036 was not adopted by voice vote.

MOTION

Senator Gildon moved that the following floor amendment no. 025 by Senator Gildon be adopted:

On page 2, line 35, after "(5)" insert the following:

"All offenders placed on home detention as part of the graduated reentry program must receive racial equity and implicit bias training prior to transfer to home detention.

(6)"

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

Senators Gildon and Dozier spoke in favor of adoption of the amendment.

Senator Liias spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 025 by Senator Gildon on page 2, line 35 to Substitute Senate Bill No. 5121.

The motion by Senator Gildon did not carry and floor amendment no. 025 was not adopted by voice vote.

MOTION

Senator Short moved that the following floor amendment no. 028 by Senator Short be adopted:

On page 3, after line 18, insert the following:

"(9) The department may not release participants under subsection (1)(a) of this section to electronic home monitoring as part of the graduated reentry program in counties where the crime rate exceeds the state average."

Senator Short spoke in favor of adoption of the amendment.

Senator Pedersen spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 028 by Senator Short on page 3, line 18 to Substitute Senate Bill No. 5121.

The motion by Senator Short did not carry and floor amendment no. 028 was not adopted by voice vote.

MOTION

Senator Braun moved that the following floor amendment no. 037 by Senator Braun be adopted:

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On page 3, after line 18, insert the following:

"(9) The department shall publish a monthly report on its website with the number of offenders who were transferred during the month to home detention as part of the graduated reentry program. The department shall submit an annual report by December 1st to the appropriate committees of the legislature with the number of offenders who were transferred to home detention as part of the graduated reentry program during the prior year."

Senators Braun and Darneille spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 037 by Senator Braun on page 3, after line 18 to Substitute Senate Bill No. 5121.

The motion by Senator Braun carried and floor amendment no. 037 was adopted by voice vote.

MOTION

Senator Short moved that the following floor amendment no. 029 by Senator Short be adopted:

On page 5, beginning on line 19, strike all of section 3

On page 1, line 2 of the title, after "program;" strike the remainder of the title and insert "and amending RCW 9.94A.733 and 9.94A.728."

Senators Short and Brown spoke in favor of adoption of the amendment.

Senator Rolfes spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 029 by Senator Short on page 5, line 19 to Substitute Senate Bill No. 5121.

The motion by Senator Short did not carry and floor amendment no. 029 was not adopted by voice vote.

MOTION

Senator Rivers moved that the following floor amendment no. 038 by Senator Rivers be adopted:

On page 5, after line 23, insert the following:

"NEW SECTION. Sec. 4. The secretary of state shall submit this act to the people for their adoption and ratification, or rejection, at the next general election to be held in this state, in accordance with Article II, section 1 of the state Constitution and the laws adopted to facilitate its operation."

Senator Rivers spoke in favor of adoption of the amendment.

Senator Liias spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 038 by Senator Rivers on page 5, line 23 to Substitute Senate Bill No. 5121.

The motion by Senator Rivers did not carry and floor amendment no. 038 was not adopted by voice vote.

MOTION

On motion of Senator Liias, the rules were suspended, Engrossed Substitute Senate Bill No. 5121 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Darneille and Dhingra spoke in favor of passage of the bill.

Senators Gildon, Rivers and Braun spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5121.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5121 and the bill passed the Senate by the following vote: Yeas, 28; Nays, 21; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, Mullet, Nguyen, Nobles, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon, Stanford, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Braun, Brown, Dozier, Ericksen, Fortunato, Gildon, Hawkins, Holy, Honeyford, King, McCune, Muzzall, Padden, Rivers, Schoesler, Sheldon, Short, Wagoner, Warnick, Wilson, J. and Wilson, L.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5121, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 4:31 p.m., on motion of Senator Liias, the Senate was declared to be at ease subject to the call of the President.

The Senate was called to order at 4:44 p.m. by President Heck.

SECOND READING

SENATE BILL NO. 5032, by Senators Hasegawa, Warnick, Kuderer, and Wilson, C.

Concerning the reauthorization and improvements to alternative public works contracting procedures.

The measure was read the second time.

MOTION

On motion of Senator Hasegawa, the rules were suspended, Senate Bill No. 5032 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Hasegawa, Warnick, Wagoner and Fortunato spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5032.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5032 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Dozier, Ericksen, Fortunato, Frockt, Gildon, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCune, Mullet,

Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SENATE BILL NO. 5032, 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. 5073, by Senators Dhingra, Das, Kuderer, Salomon, Warnick, and Wilson, C.

Concerning involuntary commitment.

MOTIONS

On motion of Senator Dhingra, Substitute Senate Bill No. 5073 was substituted for Substitute Senate Bill No. 5073 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Dhingra, the rules were suspended, Substitute Senate Bill No. 5073 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Dhingra and Wagoner spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5073.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5073 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 2; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Dozier, Fortunato, Frockt, Gildon, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senators Ericksen and Hasegawa

SUBSTITUTE SENATE BILL NO. 5073, 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.

PERSONAL PRIVILEGE

Senator Padden: "Thank you Mr. President. I just want to call to my colleagues' attention that in three days, February 6, we would have celebrated the 110th birthday of Ronald Wilson Reagan, the 40th President of the United States. And I think it is good to call attention to him. It was a different time, it, maybe some would argue a better time, but I think it is good to remember his remarkable life. I remember, you know, the time he was a lifeguard. He saved numerous people from drowning. Later was a sportscaster in Des Moines, Iowa for the Iowa Cubs, announcing play-by-play baseball. And of course, he became a famous actor. But his political career really started in 1964 with that famous speech *A Time for Choosing* in which he was supporting the

candidacy of Barry Goldwater. Now Barry didn't do so well, he a, I was involved a little bit in his campaign, but I was a young guy and I thought he was going to win but it turns out he only carried five states. It just shows that at that time, perhaps I wasn't too realistic. But, that speech propelled Ronald Reagan on and in 1966 he got elected Governor of California. Amazing. And he was elected one time after that. 68 he made his first attempt to run for the Republican nomination for president and didn't make it. He tried again in '76. Came very close and lost to Gerald Ford. Um, but I was a supporter, very active in the campaign and as many of you know, ended up being a visionary and ahead of my time by casting an electoral vote for him in '76 when it wasn't until 1980 that he won in a remarkable fashion. Many quotes, many things that he did, I remember especially his work with Pope John Paul II and Margaret Thatcher and the impact on freeing up Eastern Europe where there is much more freedom today than there was then. And of course, the wall is down, and he made the famous speech to 'Tear down that wall'. But perhaps my favorite quote, or one of them that he made was 'The closest thing to eternal life on earth is a government program.' And that seems to continue to remain true. He was a very popular president. Very decent person. And I think we all remember his long, long goodbye, dying of Alzheimer's Disease. But I just wanted to make a few remarks about somebody that I admire greatly, Ronald Wilson Reagan. Thank you very much Mr. President."

SECOND READING

SENATE BILL NO. 5198, by Senators Schoesler, Dozier, Honeyford, King, Short and Warnick

Easing ambulance restrictions in rural areas.

The measure was read the second time.

MOTION

On motion of Senator Liias, the rules were suspended, Senate Bill No. 5198 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Schoesler and Kuderer spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5198.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5198 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Dozier, Ericksen, Fortunato, Frockt, Gildon, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senator Van De Wege

SENATE BILL NO. 5198, 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. 5184, by Senators Nobles, Wellman, Billig, Carlyle, Conway, Das, Dhingra, Frockt, Hasegawa, Hunt, Kuderer, Liias, Lovelett, Nguyen, Randall, Saldaña, Salomon, and Wilson, C.

Establishing a building point of contact in all K-12 public schools for students in foster care.

The measure was read the second time.

MOTION

On motion of Senator Nobles, the rules were suspended, Senate Bill No. 5184 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Nobles, Hawkins, Nguyen, Short, Rivers, Randall, Brown, Carlyle and Dozier spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5184.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5184 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Dozier, Ericksen, Fortunato, Frockt, Gildon, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SENATE BILL NO. 5184, 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.

REMARKS BY THE PRESIDENT

President Heck: "Senator Nobles, you have come a long way from foster care. Congratulations."

PERSONAL PRIVILEGE

Senator Nobles: "I just want to say thank you for this bill passing the Senate floor tonight. I also just want to recognize that Mr. John Ryan was the first black person to serve the 28th Legislative District and Senator Rosa Franklin was the first black woman to serve the state of Washington in the Senate. And I want to stand here and say the name of Manny Ellis, and I want to stand here for my four children, and I want to stand here for other youth who are experiencing foster care, and moms who are teen moms, and single moms, and other community members who are experiencing homelessness. And I want to ask them to just stay faithful, stay hopeful. I also want to make sure that we understand Mr. President, that part of being a leader is bringing people together and it is not good enough to stay apart. So, I stand here, Mr. President, to help to unite the haves and the have nots, the housed and the unhoused, the faithful and the hopeless, the Democrats and the Republicans. And I hope that we can do good work Mr. President as leaders. And I do want to say that I am so proud to be here, and I absolutely have come a long way from

experiencing foster care. Thank you, Mr. President."

SECOND READING

SENATE BILL NO. 5077, by Senators Dozier, Mullet, Brown, Das, Warnick, and Wilson, C.

Providing authority to licensed companies to allow licensed mortgage loan originators to work from their residences without the company licensing the residence as a branch office of the company.

The measure was read the second time.

MOTION

On motion of Senator Dozier, the rules were suspended, Senate Bill No. 5077 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Dozier, Mullet, Rivers, and Hawkins spoke in favor of passage of the bill.

Senators Hunt, Muzzall, Darneille and Sheldon spoke on passage of the bill.

PERSONAL PRIVILEGE

Senator Rolfes: "Thank you Mr. President. You know we have a vast viewership on TVW, and I think it needs to be said that the Senate is currently undergoing a timeworn, not always funny, but usually entertaining tradition of gently razzing the new Senators when they make their first-floor speech and pass their first bill. So, I just want to say congratulations to all of our new members and someday we will all be in person, and you're kind of lucky that you got to do this on Zoom and not on the floor."

The President declared the question before the Senate to be the final passage of Senate Bill No. 5077.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5077 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Dozier, Ericksen, Fortunato, Frockt, Gildon, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SENATE BILL NO. 5077, 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.

REMARKS BY THE PRESIDENT

President Heck: "And Senator Dozier, Congratulations to you too sir for passing your first bill."

PERSONAL PRIVILEGE

Senator Dozier: "Well, first of all I would like to thank this body. I've had the opportunity to get to know some of you a little bit in this difficult time when we don't get to visit much. But so

far, all of you that I have met, I've enjoyed working with you and look forward to the many years ahead to be in this body of senators and hope that we can all be together. It may not be this year, but I look forward to it in the future. Thank you."

PERSONAL PRIVILEGE

Senator Nobles: "Sorry, Mr. President, but I forgot to mention that I heard it was also tradition to provide a gift to all the Senate members. And so, right about now, you should be receiving an email with instructions on how to receive your special gift from me, from my district and me. Thank you."

REMARKS BY SENATOR DOZIER

Senator Dozier: "Mr. President, I have been informed and I know this from past history, that one of our previous senators in the 16th District, Senator Mike Hewitt, was probably the person that really liked to exploit the wine industry in Walla Walla. Um, I guess I will be sending out emails to find out whether it's white wine, red wine, or your choice of something. I guess you'll be receiving it very soon. Um, Senator Nobles, I hope your phone rings like mine did."

SECOND READING

SENATE BILL NO. 5005, by Senators Pedersen, Padden and Mullet

Concerning business corporations.

The measure was read the second time.

MOTION

On motion of Senator Pedersen, the rules were suspended, Senate Bill No. 5005 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Pedersen and Padden spoke in favor of passage of the bill.

Senator Hasegawa spoke on passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5005.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5005 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Dozier, Ericksen, Fortunato, Frockt, Gildon, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Lias, Lovelett, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SENATE BILL NO. 5005, 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. 5011, by Senators Pedersen, Wilson, L., Brown, Kuderer, Mullet and Warnick

Addressing electronic meetings and notice provisions for common interest communities, condominiums, and homeowners' associations.

MOTIONS

On motion of Senator Pedersen, Substitute Senate Bill No. 5011 was substituted for Senate Bill No. 5011 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Pedersen, the rules were suspended, Substitute Senate Bill No. 5011 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Pedersen and Padden spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5011.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5011 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Dozier, Ericksen, Fortunato, Frockt, Gildon, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Lias, Lovelett, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SUBSTITUTE SENATE BILL NO. 5011, 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. 5272, by Senators Rolfes, Frockt, Conway, Das, Dhingra, Keiser, Lovelett, Mullet, Nguyen, Nobles, Randall, Saldaña, Stanford, Wilson, C., and Wilson, J.

Concerning temporarily waiving certain liquor and cannabis board annual licensing fees.

MOTION

On motion of Senator Rolfes, Substitute Senate Bill No. 5272 was substituted for Senate Bill No. 5272 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Wilson, L. moved that the following floor amendment no. 040 by Senator Wilson, L. be adopted:

On page 2, beginning on line 9, after "waived" strike "for licenses that expire"

On page 2, line 11, after "section" insert "for:"

(i) Licenses that expire during the 12-month waiver period under this subsection (1)(e); and

month waiver period under this subsection (1)(b)"

On page 40, beginning on line 13, after "waived" strike "for licenses that expire"

On page 40, line 15, after "section" insert "for:

(i) Licenses that expire during the 12-month waiver period under this subsection (5)(b); and

(ii) Licenses issued to persons previously licensed under this section at any time during the 12-month period prior to the 12-month waiver period under this subsection (5)(b)"

On page 41, beginning on line 9, after "waived" strike "for licenses that expire"

On page 41, line 11, after "section" insert "for:

(i) Licenses that expire during the 12-month waiver period under this subsection (2)(b); and

(ii) Licenses issued to persons previously licensed under this section at any time during the 12-month period prior to the 12-month waiver period under this subsection (2)(b)"

Senators Wilson, L. and Rolfes spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 040 by Senator Wilson, L. on page 2, line 9 to Substitute Senate Bill No. 5272.

The motion by Senator Wilson, L. carried and floor amendment no. 040 was adopted by voice vote.

MOTION

On motion of Senator Rolfes, the rules were suspended, Engrossed Substitute Senate Bill No. 5272 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Rolfes, Wilson, L. and Lovelett spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5272.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5272 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Dozier, Fortunato, Frockt, Gildon, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senator Ericksen

ENGROSSED SUBSTITUTE SENATE BILL NO. 5272, 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.

POINT OF ORDER

Senator Short: "Mr. President, I move that the Senate advance to the ninth order of business for the purpose of relieving the State Government & Elections Committee of Senate Bill 5114 concerning safely reopening Washington."

Senator Short demanded a roll call.

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

President Heck: "Questions relating to the priority of business are not debatable. By tradition, one explanatory speech has been allowed on each side."

REMARKS BY SENATOR SHORT

Senator Short: "Thank you Mr. President. The explanation for what we are doing today is to respond to the extraordinary circumstances that still exist, Mr. President, for restaurants and business that all, though some are open under existing operations many of our communities and businesses are closed. You know what Senate Bill No. 5114 does, Mr. President, is that it doesn't rely on a proposition of creating winners and losers. It does it straight across the board and it does so safely. It doesn't rely on a regional approach that ignores local health districts and the information they have. And a regional approach that really pits rural against urban. It doesn't make sense Mr. President. Mr. President Senate Bill No. 5114 doesn't rely on the outdated, unreliable data Mr. President. We know that when we look at Department of Health's data Mr. President that that it says that it isn't something that can be totally relied upon. In fact, Mr. President we find that of the metrics that are used to decide when a business, you know at the whim of the state, can reopen or not we have one set of data, hospitals or not that are current within about a week. We have case-rate data that's two weeks old. And then we get into the positivity rate that is three weeks old Mr. President. So, if you are Thurston County and you just opened on February 1st, that was based on January 9th data. Now look, that does not mean I'm trying to play Monday night quarterback nor does this bill. But it says that we all ought to put our heads together and thoughtfully approach this. All of us together. All of us in the Legislature including the Governor. And we need to do it with fairness and consistency, and we need to do it now. And I believe until that time happens this is the bill that gets us there the quickest and I would urge its support and immediate brought forward. Thank you, Mr. President."

REMARKS BY SENATOR LIAS

Senator Liias: "Thank you Mr. President. This is a procedural motion which for those that are following along on TVW means it has nothing to do with the merits of the bill we're just deciding whether to go to item nine on the agenda versus item six on the agenda. Mr. President, I am pleased that the Senate Ways & Means Committee will be advancing legislation to bring forward 2.2 billion dollars more relief to Washingtonians. That is a wonderful step forward. As to this motion it is procedural and asking for a no."

The President declared that the question before the Senate be the motion by Senator Short to advance to the ninth order of business.

ROLL CALL

The Secretary called the roll on the motion by Senator Short to advance to the ninth order of business and the motion did not pass the Senate by the following vote: Yeas, 21; Nays, 28; Absent, 0; Excused, 0.

Voting yea: Senators, Braun, Brown, Dozier, Ericksen, Fortunato, Gildon, Hawkins, Holy, Honeyford, King, McCune, Muzzall, Padden, Rivers, Schoesler, Sheldon, Short, Wagoner, Warnick, Wilson, J. and Wilson, L.

TWENTY FOURTH DAY, FEBRUARY 3, 2021

2021 REGULAR SESSION

Voting nay: Senator Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, Mullet, Nguyen, Nobles, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon, Stanford, Van De Wege, Wellman, and Wilson, C.

At 6:06 p.m., on motion of Senator Liias, the Senate adjourned until 12:30 p.m., Thursday, February 4, 2021.

DENNY HECK, President of the Senate

BRAD HENDRICKSON, Secretary of the Senate

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