

TWENTY SECOND DAY, JANUARY 30, 2017

2017 REGULAR SESSION

TWENTY SECOND DAY

NOON SESSION

Senate Chamber, Olympia
Monday, January 30, 2017

The Senate was called to order at 12:04 p.m. by the President of the Senate, Lt. Governor Habib presiding. No roll call was taken.

MOTION

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

MOTION

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

REPORTS OF STANDING COMMITTEES

January 26, 2017

SB 5230 Prime Sponsor, Senator Wilson: Concerning licensing and regulatory requirements of small business owners. Reported by Committee on Commerce, Labor & Sports

MAJORITY recommendation: Do pass. Signed by Senators Baumgartner, Chair; Braun, Vice Chair; Keiser, Ranking Minority Member; Hasegawa; Saldaña and Wilson.

Referred to Committee on Ways & Means.

MOTION

On motion of Senator Fain, the recommendation of the Standing Committee was accepted and the measure listed on the Standing Committee report was referred to the committee as designated.

MOTION

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

MESSAGE FROM STATE OFFICERS

The following reports were submitted to the Office of the Secretary and received by the Senate:

Department of Agriculture – *“Preliminary Assessment of Hemp Seed Products as Feed Ingredients for Laying Hens”* in accordance with House Bill No. 1268, report date January 18, 2017;

Department of Corrections – *“Community Work Industries Quarterly Detail Statements, Class 4 Industries, October - December 2016”* pursuant to 72.09.100 RCW, report date January 25, 2017;

Department of Corrections – *“Community Work Industries Quarterly Detail Statements, Class 3 Industries, October - December 2016”* pursuant to 72.09.100 RCW, report date January 25, 2017;

Department of Ecology – *“Management Review of the Dredged Material Management Program”* in accordance with House Bill No. 2376, report date January 1, 2017;

Department of Revenue – *“Tax Incentive Programs Descriptive Statistics for 2016”* pursuant to 82.32.534 RCW, report date December 31, 2016;

Department of Social & Health Services – *“Racial and Ethnic Disparities in Juvenile Court Evidence-Based Programs”* pursuant to 13.06.050 RCW, report date March 15, 2016;

Department of Social & Health Services – *“WorkFirst Maintenance of Effort and Work Participation Rate, January - March 2016”* pursuant to 74.08A.411 RCW, report date September 15, 2016;

Department of Social & Health Services – *“Kinship Care Oversight Committee 2016 Report”* pursuant to 74.13.621 RCW, report date December 1, 2016;

Department of Social & Health Services – *“Washington Connection Benefit Portal 2016 Report”* pursuant to 74.04.225 RCW, report date December 1, 2016;

Department of Social & Health Services – *“Transitions from Western State Hospital into Aging and Long-Term Support Administration Settings, Interim Report”* in accordance with Engrossed Substitute Senate Bill No. 6656, report date December 1, 2016;

Department of Social & Health Services – *“Behavioral and Primary Regulatory Alignment Task Force”* in accordance with Engrossed Third Substitute House Bill No. 1713, report date November 8, 2016;

Department of Social & Health Services – *“An Analysis of Expenditures for Medicaid Clients Served in Adult Family Homes and Assisted Living Facilities by Acuity Level”* in accordance with Second Engrossed Substitute House Bill No. 2376, report date January 10, 2017;

Department of Social & Health Services – *“Parental Notice of a Minor’s Substance Use Disorder Treatment”* in accordance with House Bill No. 1713, report date September 22, 2016.

MESSAGE FROM THE GOVERNOR
GUBERNATORIAL APPOINTMENTS

January 17, 2017

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.

RUSSELL D. HAUGE, appointed January 17, 2017, for the term ending January 15, 2019, as Member of the Liquor and Cannabis Board.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Commerce, Labor & Sports as Senate Gubernatorial Appointment No. 9241.

January 19, 2017

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.

BARBARA BAKER, appointed January 17, 2017, for the term ending December 31, 2022, as Member of the Fish and Wildlife Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Natural Resources & Parks as Senate Gubernatorial Appointment No. 9242.

January 23, 2017

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.

MARK R. BUSTO, appointed January 23, 2017, for the term ending September 8, 2019, as Member of the Public Employment Relations Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Commerce, Labor & Sports as Senate Gubernatorial Appointment No. 9243.

January 23, 2017

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

KIM M. THORBURN, reappointed January 23, 2017, for the term ending December 31, 2022, as Member of the Fish and Wildlife Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Natural Resources & Parks as Senate Gubernatorial Appointment No. 9244.

January 24, 2017

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

PHYLLIS L. GLEASMAN, reappointed January 24, 2017, for the term ending September 30, 2021, as Member of the Wenatchee Valley College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education as Senate Gubernatorial Appointment No. 9245.

MOTION

On motion of Senator Fain, all appointees listed on the Gubernatorial Appointments report were referred to the committees as designated.

MOTION

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

INTRODUCTION AND FIRST READING

SB 5570 by Senators Billig, Miloscia, Hunt, Zeiger, Kuderer, Keiser, Rolfes and Hasegawa

AN ACT Relating to certification of the level of foreign national ownership for corporations that participate in Washington state elections; amending RCW 42.17A.240; and creating a new section.

Referred to Committee on State Government.

SB 5571 by Senators Palumbo, Hunt, Hobbs, Billig, Rivers, Mullet, Saldaña and Kuderer

AN ACT Relating to school composting and recycling; and adding a new section to chapter 28A.150 RCW.

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

SB 5572 by Senators Hunt and Miloscia

AN ACT Relating to oversight of the state procurement and contracting for information technology goods and services; and amending RCW 39.26.005, 39.26.010, 39.26.050, 39.26.060, 39.26.080, 39.26.090, 39.26.110, 39.26.130, 39.26.140, and 39.26.180.

Referred to Committee on State Government.

SB 5573 by Senators McCoy, Hunt and Miloscia

AN ACT Relating to increasing membership of the state interoperability executive committee in order to foster interoperability; and amending RCW 43.105.331 and 43.105.020.

Referred to Committee on State Government.

SB 5574 by Senators Keiser and Bailey

AN ACT Relating to improving access to health care declarations; and amending RCW 70.122.130.

Referred to Committee on Health Care.

SB 5575 by Senators Palumbo, Miloscia, Frockt, Zeiger, Wellman, Takko, Hobbs, Brown, Rolfes, Hunt, Hasegawa, Cleveland, Baumgartner, Becker, Keiser, Liias, Billig, Carlyle, Conway, Saldaña and Kuderer

AN ACT Relating to including highway workers employed on a transportation project by a contractor in the tuition and fee exemption for children and surviving spouses of highway workers; and amending RCW 28B.15.380.

Referred to Committee on Ways & Means.

SB 5576 by Senators Keiser, Fortunato, Conway, Miloscia, Hobbs, Takko, Wilson, Hasegawa, Wellman and Saldaña

AN ACT Relating to compliance with apprenticeship utilization requirements; amending RCW 39.04.310, 39.04.320, 39.04.350, and 39.12.055; and adding a new section to chapter 49.04 RCW.

Referred to Committee on Commerce, Labor & Sports.

SB 5577 by Senators Conway and Keiser

AN ACT Relating to the rights and obligations associated with incapacitated persons and other vulnerable adults; amending RCW 74.34.020 and 11.92.043; adding a new section to chapter 11.92 RCW; and adding a new section to chapter 2.72 RCW.

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

SB 5578 by Senator Pearson

AN ACT Relating to the release of sex offender information; and amending RCW 4.24.550.

Referred to Committee on Law & Justice.

SB 5579 by Senators Rivers and Keiser

AN ACT Relating to improving transparency and protecting patients from balance billing; adding new sections to chapter 70.43 RCW; and creating new sections.

Referred to Committee on Health Care.

SB 5580 by Senator O'Ban

AN ACT Relating to integrating the treatment systems for mental health and substance use disorders; amending RCW 70.96A.140; creating a new section; providing an expiration date; and declaring an emergency.

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

SB 5581 by Senators Angel and Mullet

AN ACT Relating to authorizing public hospital districts to participate in self-insurance risk pools with nonprofit hospitals; adding a new chapter to Title 48 RCW; and prescribing penalties.

Referred to Committee on Financial Institutions & Insurance.

SB 5582 by Senators Honeyford, Keiser, Pedersen, Rossi and Conway

AN ACT Relating to clarifying the limited authority of gambling commission officers; and adding a new section to chapter 9.46 RCW.

Referred to Committee on Commerce, Labor & Sports.

SB 5583 by Senator Baumgartner

AN ACT Relating to rules and policies of the Washington interscholastic activities association and any voluntary nonprofit entity with the authority over interschool athletic activities and other interschool extracurricular activities for students of a school district; and amending RCW 28A.600.200.

Referred to Committee on Commerce, Labor & Sports.

SB 5584 by Senator Baumgartner

AN ACT Relating to college and university presidents; amending RCW 28B.20.105, 28B.30.120, 28B.35.110, 28B.40.110, and 42.56.250; adding a new section to chapter 28B.10 RCW; adding a new section to chapter 42.30 RCW; and creating a new section.

Referred to Committee on Higher Education.

SB 5585 by Senators Ranker, Braun, Rolfes, Fain, Saldaña, Frockt, Conway and Hasegawa

AN ACT Relating to modifying the future teachers conditional scholarship and loan repayment program to

increase the number of early elementary teachers; amending RCW 28B.102.010, 28B.102.030, 28B.102.040, 28B.102.050, 28B.102.055, 28B.102.060, and 28B.102.080; adding a new section to chapter 28B.102 RCW; and providing an expiration date.

Referred to Committee on Ways & Means.

SB 5586 by Senators Ranker, Rivers, Kuderer, Cleveland, Miloscia, Mullet, Saldaña, Keiser, Conway and Hasegawa

AN ACT Relating to prescription drug cost transparency; adding a new chapter to Title 43 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Health Care.

SB 5587 by Senators Hasegawa, Chase, Hobbs, Mullet and Keiser

AN ACT Relating to the linked deposit program; amending RCW 43.86A.030; and reenacting and amending RCW 43.86A.060.

Referred to Committee on Financial Institutions & Insurance.

SB 5588 by Senators Hasegawa, Saldaña, Chase, Darneille, Schoesler, McCoy, Hobbs, Pedersen and Keiser

AN ACT Relating to information concerning racial disproportionality; amending RCW 43.88C.010, 43.88A.020, and 43.88C.050; adding a new section to chapter 43.88C RCW; adding a new section to chapter 28A.300 RCW; adding a new section to chapter 74.04 RCW; creating new sections; and providing a contingent effective date.

HELD AT THE DESK.

SB 5589 by Senators Keiser and Baumgartner

AN ACT Relating to distillery promotional items and spirit sample sales; and amending RCW 66.24.140 and 66.28.310.

Referred to Committee on Commerce, Labor & Sports.

SB 5590 by Senators Chase, Ericksen and Hobbs

AN ACT Relating to illegal vehicle wrecking operations; amending RCW 46.80.020 and 46.80.150; reenacting and amending RCW 46.80.010; adding a new section to chapter 46.80 RCW; creating a new section; and providing a contingent expiration date.

Referred to Committee on Transportation.

SB 5591 by Senators O'Ban and Darneille

AN ACT Relating to creating efficiencies regarding requirements for license withholding and suspension for noncompliance with a child support order; amending RCW 74.20A.320; and creating a new section.

Referred to Committee on Law & Justice.

SB 5592 by Senators Palumbo, Wilson, Ranker, Zeiger, Lias, Bailey and Frockt

AN ACT Relating to decoupling services and activities fees from tuition; and reenacting and amending RCW 28B.15.069.

Referred to Committee on Higher Education.

SB 5593 by Senators Frockt, Becker, Rivers and O'Ban
AN ACT Relating to postsurgical care; amending RCW 70.230.010 and 70.230.050; and adding a new section to chapter 70.230 RCW.

Referred to Committee on Health Care.

SB 5594 by Senators Keiser, Rivers, Cleveland, Fain, Darneille, Miloscia, Wellman, Frockt, Conway and Rossi
AN ACT Relating to transition services for people with developmental disabilities; amending RCW 71A.20.170; adding new sections to chapter 71A.20 RCW; adding a new section to chapter 70.10 RCW; and creating new sections.

Referred to Committee on Health Care.

SB 5595 by Senators Billig, O'Ban, Darneille and Padden
AN ACT Relating to maintaining the quarterly average census method for calculating state hospital reimbursements; and amending RCW 71.24.310.

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

SJM 8007 by Senators Hasegawa, Hunt, Keiser, Kuderer, Rolfes, Wellman, Chase, Conway and Saldaña
Urging Congress to protect United States mail service.

Referred to Committee on State Government.

MOTION

On motion of Senator Fain, all measures listed on the Introduction and First Reading report were referred to the committees as designated with the exceptions of Senate Bill No. 5575 which had been designated to the Committee on Transportation and referred to the Committee on Ways & Means and Senate Bill No. 5588 which had been designated to the Committee on Law & Justice and was held at the desk.

MOTION

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

MOTION

Senator Fain moved adoption of the following resolution:

SENATE RESOLUTION 8611

By Senators Fain and McCoy

WHEREAS, Philip Jones was appointed to the Washington utilities and transportation commission by Governor Chris Gregoire; and

WHEREAS, He served as a dedicated public servant for nearly twelve years; and

WHEREAS, Phil graduated from Harvard University with honors in 1977, earning a degree in East Asian studies; and

WHEREAS, He served for five years as the senior legislative assistant to former United States Senator Daniel J. Evens; and

WHEREAS, He has been recognized both nationally and internationally for his work at the commission and as a leader in the regulatory community; and

WHEREAS, Philip Jones was formerly President of the national association of regulatory commissioners (NARC) and served on its board of directors and the executive committee; and

WHEREAS, While President of NARC, Philip focused on cyber and physical security for energy systems, addressing carbon pricing, carbon regulation, and mercury air toxins from coal-fired generation; and

WHEREAS, Philip Jones was awarded the Terry Barnich Award, which recognizes state commissioners who promote international cooperation among utility regulators and the development of professional regulation worldwide; and

WHEREAS, He worked to protect public interest by reviewing the terms and conditions of the mergers between Macquarie's purchase of Puget Sound Energy and Berkshire Hathaway's purchase of PacifiCorp; and

WHEREAS, He addressed 911 outages and worked with the Federal Communications Commission on Next Generation 911; and

WHEREAS, Phil spent five years in Amsterdam as the Managing Director of Cutter & Buck Europe; and

WHEREAS, He is a native of Spokane, Washington, and loves living in the beautiful Pacific Northwest;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate recognize Philip Jones for his passionate commitment to serve those in the great state of Washington.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8611.

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

MOTION

Senator Liias moved adoption of the following resolution:

SENATE RESOLUTION 8608

By Senators Liias, Rolfes, Billig, Hobbs, Takko, Kuderer, Palumbo, Hunt, Hasegawa, Darneille, McCoy, Chase, and Frockt

WHEREAS, On July 30, 2016, the community of Mukilteo, Washington, was shaken by an act of unspeakable violence; and

WHEREAS, Three young lives were lost in a senseless act of hatred and violence and one young man was seriously injured; and

WHEREAS, Anna Bui, Jordan Ebner, and Jake Long, all 19 years of age, contributed many things to the world during their lives; and

WHEREAS, Will Kramer, 18 years of age, who survived the shooting, spent weeks in the hospital and will forever bear the scars of the violence he endured; and

WHEREAS, First responders from multiple agencies, including the Mukilteo Police and Fire Departments, Washington State Patrol, Snohomish County Sheriff's Office, and Snohomish County Fire District No. 1, acted courageously to safeguard innocent lives and rescue the victims of this tragedy; and

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WHEREAS, Harborview Medical Center cared for Mr. Kramer and provided excellent care and treatment that resulted in his successful discharge; and

WHEREAS, Strong law enforcement cooperation and coordination led the Washington State Patrol to apprehend the perpetrator and take him into custody less than two hours after the first 911 call was made; and

WHEREAS, The community of Mukilteo has responded to this tragedy over the last six months by hosting vigils, community meetings, support groups, and memorial services to remember those who were lost and work to understand how to prevent acts of violence and hatred in the future;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate mourns the loss of Anna Bui, Jordan Ebner, and Jake Long and honors all of the victims and the families affected by this terrible act of violence by recognizing their strength and fortitude through immeasurable adversity; and

BE IT FURTHER RESOLVED, That the Washington State Senate expresses gratitude and appreciation to the first responders who saved Will Kramer's life, tended to victims, and ensured that justice was served; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the Senate to the families of Anna Bui, Jordan Ebner, Jake Long, and Will Kramer; to Mayor Jennifer Gregerson, Chief John R. Batiste, Sheriff Ty Trenary, Fire Chief Scott Cockrum; and to Paul Hayes of Harborview Medical Center.

Senator Liias spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8608.

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

REMARKS BY THE PRESIDENT

President Habib: "The President would like to add his words of consolation and sympathy to those of Senator Liias and thanks Senator Liias for bringing this resolution before the body."

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced Ms. Autumn Snider, mother of Jake Long; Mr. Paul Kramer, father of Will Kramer; Niki and Brad Ebner, Stepmother and father of Jordan Ebner; The Honorable Jennifer Gregerson, Mayor of Mukilteo; The Honorable Christine Cook, Mukilteo City Councilmember; Sergeant Doug Pardue; Trooper Torson Iverson; Sergeant James Arnold; Trooper Andrew Vanderwielen; and Trooper Jarid Holmes who were seated in the gallery.

MOTION

At 12:20 p.m., on motion of Senator Fain, the Senate adjourned until 12:00 o'clock noon Tuesday, January 31, 2017.

CYRUS HABIB, President of the Senate

HUNTER G. GOODMAN, Secretary of the Senate