

TWENTY THIRD DAY, JANUARY 31, 2017

2017 REGULAR SESSION

TWENTY THIRD DAY

 NOON SESSION

Senate Chamber, Olympia
Tuesday, January 31, 2017

The Senate was called to order at 12:00 o'clock noon 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 30, 2017

SB 5355 Prime Sponsor, Senator Conway: Expanding the use of telemedicine to improve access to care for injured workers. Reported by Committee on Commerce, Labor & Sports

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Conway; Hasegawa; Rossi; Saldaña and Wilson.

Referred to Committee on Health Care.

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 fifth order of business.

INTRODUCTION AND FIRST READING

SB 5596 by Senator Darneille

AN ACT Relating to phasing out use of the valid court order exception to place youth in detention for noncriminal behavior; amending RCW 7.21.030, 13.32A.250, 28A.225.090, and 43.185C.260; adding a new section to chapter 7.21 RCW; creating a new section; repealing RCW 43.185C.270; repealing 1998 c 296 s 35 (uncodified); and providing effective dates.

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

SB 5597 by Senators O'Ban and Pedersen

AN ACT Relating to requiring electronic payments to the division of child support when remitting funds in response

to an order to withhold income; amending RCW 74.20A.350; adding a new section to chapter 26.23 RCW; and providing an effective date.

Referred to Committee on Law & Justice.

SB 5598 by Senators Pedersen, Angel, Rolfes, King, Darneille, Bailey, Brown, Mullet, Carlyle, Braun, Hobbs, Palumbo, Wellman, Keiser, Honeyford, Ranker, Nelson, Lias, McCoy, Billig, Cleveland, Hasegawa, Frockt, Conway, Rivers, Saldaña, Kuderer, Chase, Hunt, Fain, Walsh, Van De Wege, Rossi, Zeiger, Warnick, Becker, Takko, Wilson and Schoesler

AN ACT Relating to granting relatives, including but not limited to grandparents, the right to seek visitation with a child through the courts; adding a new chapter to Title 26 RCW; and repealing RCW 26.09.240.

Referred to Committee on Law & Justice.

SB 5599 by Senators Rivers, Baumgartner, Bailey and Braun

AN ACT Relating to requiring unused state funds for the health care benefits of long-term care workers to be returned to the state; amending RCW 74.39A.310; reenacting and amending RCW 74.39A.009; and creating a new section.

Referred to Committee on Ways & Means.

SB 5600 by Senators Darneille and Saldaña

AN ACT Relating to rehabilitated offenders; amending RCW 9.95.425, 9.95.430, 9.95.435, 9.95.440, 9.94A.533, and 9.94A.6332; adding a new section to chapter 9.94A RCW; adding a new chapter to Title 9 RCW; and creating new sections.

Referred to Committee on Law & Justice.

SB 5601 by Senators Darneille, Hasegawa, Wellman and Chase

AN ACT Relating to teachers' postretirement employment options; amending RCW 41.32.068; and providing an expiration date.

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

SB 5602 by Senators Keiser, Cleveland, Wellman, Rolfes, Nelson, Kuderer, Conway, Pedersen, Hobbs, Saldaña, McCoy, Lias and Ranker

AN ACT Relating to requiring health plans to cover, with no cost sharing, all preventive services required to be covered under federal law as of December 31, 2016; and adding a new section to chapter 48.43 RCW.

Referred to Committee on Health Care.

SB 5603 by Senator Fortunato

AN ACT Relating to exempting state highway projects from local ordinances; adding a new section to chapter 35.21 RCW; adding a new section to chapter 35A.21 RCW; and adding a new section to chapter 36.01 RCW.

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Referred to Committee on Transportation.

SB 5604 by Senators Rivers and Cleveland

AN ACT Relating to purchasing managed dental care for medicaid enrollees; adding a new section to chapter 74.09 RCW; and creating new sections.

Referred to Committee on Health Care.

SB 5605 by Senators Walsh and Billig

AN ACT Relating to aligning the office of the superintendent of public instruction's background check authority with that of the department of early learning; amending RCW 28A.400.303, 28A.400.305, 28A.410.010, and 28A.410.090; reenacting and amending RCW 43.215.215; and adding a new section to chapter 28A.400 RCW.

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

SB 5606 by Senators Walsh, Rivers and Cleveland

AN ACT Relating to authorizing licensed marijuana producers to sell marijuana plants and marijuana seeds to qualifying medical marijuana patients and designated providers, and to sell marijuana seeds to medical marijuana cooperatives; amending RCW 69.50.325 and 69.51A.250; and adding a new section to chapter 69.51A RCW.

Referred to Committee on Commerce, Labor & Sports.

SB 5607 by Senators Braun, Rivers, Fain, Zeiger and Schoesler

AN ACT Relating to education; amending RCW 28A.150.390, 28A.510.250, 28A.150.392, 28A.710.280, 84.52.065, 84.52.043, 84.52.043, 84.48.080, 84.52.070, 84.55.070, 84.69.020, 84.36.381, 84.36.630, 84.52.053, 84.52.0531, 28A.150.410, 28A.400.200, 28A.405.415, 28A.400.350, 28A.150.550, 28A.320.330, 28A.505.140, 28A.505.040, 28A.505.050, 28A.505.060, 28A.505.100, 28A.150.203, 28A.410.025, 28A.657.020, 28A.150.250, 28A.150.280, 28A.150.290, 28A.150.310, 28A.150.315, 28A.150.350, 28A.150.360, 28A.150.400, 28A.160.130, 28A.160.170, 28A.165.055, 28A.185.010, 28A.185.020, 28A.340.040, 28A.400.220, 28A.400.240, 28A.400.250, 28A.625.110, 28A.625.150, 28A.710.220, 28A.710.240, 28A.715.040, 28A.405.140, and 28A.405.220; amending 2013 c 242 s 10, 2012 1st sp.s. c 10 s 10, 2010 c 237 ss 9, 8, and 10, and 2016 c 202 s 56 (uncodified); reenacting and amending RCW 84.48.110, 84.55.092, 84.52.0531, and 84.52.0531; adding new sections to chapter 28A.150 RCW; adding a new section to chapter 84.52 RCW; adding a new section to chapter 84.55 RCW; adding a new section to chapter 28A.500 RCW; adding new sections to chapter 28A.400 RCW; adding new sections to chapter 28A.405 RCW; adding new sections to chapter 28A.320 RCW; adding a new section to chapter 43.09 RCW; adding new sections to chapter 28A.657 RCW; adding new sections to chapter 28A.655 RCW; adding new sections to chapter 28A.625 RCW; adding new sections to chapter 41.56 RCW; adding new sections to chapter 41.59 RCW; adding new sections to chapter 28A.225 RCW; adding a new section to chapter 28A.155 RCW; adding a new section to chapter 28A.160 RCW; adding a new section to chapter 28A.165 RCW; adding a new section to chapter 28A.170 RCW; adding a new section to chapter 28A.175 RCW; adding a

new section to chapter 28A.180 RCW; adding a new section to chapter 28A.185 RCW; adding a new section to chapter 28A.188 RCW; adding a new section to chapter 28A.190 RCW; adding a new section to chapter 28A.193 RCW; adding a new section to chapter 28A.194 RCW; adding a new section to chapter 28A.205 RCW; adding a new section to chapter 28A.210 RCW; adding a new section to chapter 28A.215 RCW; adding a new section to chapter 28A.220 RCW; adding a new section to chapter 28A.230 RCW; adding a new section to chapter 28A.232 RCW; adding a new section to chapter 28A.235 RCW; adding a new section to chapter 28A.245 RCW; adding a new section to chapter 28A.250 RCW; adding new sections to chapter 28A.300 RCW; adding new sections to chapter 28A.305 RCW; adding new sections to chapter 28A.310 RCW; adding a new section to chapter 28A.315 RCW; adding a new section to chapter 28A.323 RCW; adding a new section to chapter 28A.325 RCW; adding a new section to chapter 28A.330 RCW; adding a new section to chapter 28A.335 RCW; adding a new section to chapter 28A.340 RCW; adding a new section to chapter 28A.343 RCW; adding new sections to chapter 28A.345 RCW; adding new sections to chapter 28A.410 RCW; adding a new section to chapter 28A.415 RCW; adding a new section to chapter 28A.505 RCW; adding a new section to chapter 28A.510 RCW; adding a new section to chapter 28A.515 RCW; adding a new section to chapter 28A.520 RCW; adding a new section to chapter 28A.525 RCW; adding a new section to chapter 28A.527 RCW; adding a new section to chapter 28A.530 RCW; adding a new section to chapter 28A.535 RCW; adding a new section to chapter 28A.540 RCW; adding a new section to chapter 28A.545 RCW; adding a new section to chapter 28A.600 RCW; adding a new section to chapter 28A.605 RCW; adding a new section to chapter 28A.620 RCW; adding a new section to chapter 28A.623 RCW; adding a new section to chapter 28A.630 RCW; adding a new section to chapter 28A.635 RCW; adding a new section to chapter 28A.640 RCW; adding a new section to chapter 28A.642 RCW; adding a new section to chapter 28A.645 RCW; adding a new section to chapter 28A.650 RCW; adding a new section to chapter 28A.660 RCW; adding a new section to chapter 28A.690 RCW; adding a new section to chapter 28A.700 RCW; adding a new section to chapter 28A.705 RCW; adding a new section to chapter 28A.715 RCW; adding a new section to chapter 43.06B RCW; creating new sections; recodifying RCW 28A.150.230, 28A.150.300, 28A.150.305, 28A.150.240, and 28A.150.550; decodifying RCW 28A.405.110; repealing RCW 28A.150.198, 28A.150.261, 28A.160.150, 28A.160.160, 28A.160.180, 28A.160.190, 28A.160.191, 28A.160.192, 28A.160.205, 28A.180.080, 28A.300.173, 28A.300.2851, 28A.400.201, 28A.405.200, 28A.415.020, 28A.415.023, 28A.415.024, 28A.415.025, 28A.150.260, 28A.400.205, and 28A.400.206; repealing 2015 c 2 ss 1, 4, and 5 and 2015 3rd sp.s. c 38 s 3 (uncodified); providing effective dates; providing a contingent effective date; providing expiration dates; and providing for submission of certain sections of this act to a vote of the people.

Referred to Committee on Ways & Means.

SB 5608 by Senator Darneille

AN ACT Relating to allowing minors to consent to share their personally identifying information in the Washington

homeless client management information system; and amending RCW 43.185C.180.

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

SB 5609 by Senator Darneille

AN ACT Relating to addressing resource limitations for public assistance; and reenacting and amending RCW 74.04.005.

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

SB 5610 by Senator Darneille

AN ACT Relating to the sentencing of juveniles; and amending RCW 9.94A.533 and 9.94A.535.

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

SB 5611 by Senators Zeiger, O'Ban and Conway

AN ACT Relating to creating a demonstration project for preserving public infrastructure and agricultural lands in floodplains; adding a new section to chapter 43.23 RCW; and creating a new section.

Referred to Committee on Natural Resources & Parks.

SB 5612 by Senators Padden and Pedersen

AN ACT Relating to the death investigations account; and amending RCW 43.103.090.

Referred to Committee on Law & Justice.

SB 5613 by Senator Darneille

AN ACT Relating to confinement in juvenile rehabilitation facilities for juveniles convicted in adult court; amending RCW 72.01.410; and creating new sections.

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

SB 5614 by Senator Darneille

AN ACT Relating to diversion agreements and counsel and release agreements by modifying the conditions under which both may be entered into and mandating eligibility for automatic destruction; and amending RCW 13.40.070 and 13.50.270.

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

SB 5615 by Senators Sheldon, Padden, Fortunato, Hobbs and Warnick

AN ACT Relating to the development of new manufactured housing communities outside of urban growth areas under the growth management act; amending RCW 36.70A.350; and creating a new section.

Referred to Committee on Local Government.

SB 5616 by Senator Fortunato

AN ACT Relating to limiting the enforcement of administrative rules and policies; adding a new section to

chapter 34.05 RCW; providing an effective date; and declaring an emergency.

Referred to Committee on State Government.

SB 5617 by Senator Fortunato

AN ACT Relating to limiting the enforcement of policies of the department of ecology; amending RCW 43.21A.080; providing an effective date; and declaring an emergency.

Referred to Committee on Energy, Environment & Telecommunications.

MOTION

On motion of Senator Fain, all measures listed on the Introduction and First Reading report were referred to the committees as designated.

MOTION

On motion of Senator Fain, Senate Bill No. 5588, which had been held at the desk on the previous day, was referred to the Committee on Ways & Means.

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
8605

By Senator King

WHEREAS, The Washington Information Network 2-1-1 has been serving the State of Washington since 2007 as a coalition of providers in every corner of the state; and

WHEREAS, WIN 2-1-1 provides information and referral services to anyone in need of essential health and human services such as training, employment, food pantries, help for the elderly and individuals with disabilities, affordable housing, support groups, and other ways for people to connect to their community; and

WHEREAS, WIN 2-1-1 provides real-time tracking of community needs, allowing policy makers and funders to make informed decisions about resource allocation; and

WHEREAS, WIN 2-1-1 supports approximately 291 million people in all fifty states, the District of Columbia, and Puerto Rico working to ensure that every American has access to services they need; and

WHEREAS, WIN 2-1-1 takes the calls of volunteers and those who wish to donate in times of crisis, allowing first responders to focus on relief efforts;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate celebrate the tenth anniversary of WIN 2-1-1 and the necessary service it provides to the residents of Washington state; and

BE IT FURTHER RESOLVED, That a copy of this resolution be immediately transmitted by the Secretary of the Senate to Program Manager, Tim Sullivan, of Washington Information Network 2-1-1.

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The President declared the question before the Senate to be the adoption of Senate Resolution No. 8605.

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

MOTION

Senator Fain moved adoption of the following resolution:

SENATE RESOLUTION
8612

By Senators Fain, Miloscia, Rivers, Pedersen, Billig, Zeiger, Bailey, Honeyford, Rossi, Brown, Ranker, Frockt, Conway, Darneille, Rolfes, Hasegawa, Braun, Van De Wege, Liias, Nelson, Wellman, Mullet, Saldaña, Schoesler, and Sheldon

WHEREAS, Ken has served the state for 44 years; and
 WHEREAS, This is the third and hopefully final time that Ken will retire; and
 WHEREAS, Ken joined the Washington State Patrol in March of 1972; and
 WHEREAS, He has been a member of the Washington State Senate family since 2006; and
 WHEREAS, He enjoys playing guitar and bass for his church; and
 WHEREAS, Ken was a Staff Sergeant in the United States Army Reserves; and
 WHEREAS, He enjoys hunting, fishing, riding his motorcycle, and brewing various microbeers and wines; and
 WHEREAS, He has been married for 42 years to his wonderful wife Debbie, with their 2 children and multiple grandchildren; and
 WHEREAS, Ken survived the Mt. St. Helens eruption without losing his patrol vehicle in the Toutle River; and

WHEREAS, His signature phrase "well the day ain't over with yet" has sidetracked numerous smooth days; and
 WHEREAS, He is the only person in the history of Senate Security to memorize every member, employee, and intern's first and last name by the end of the first week of session; and
 WHEREAS, Ken has been a great mentor to Senate Security and Legislative staff; and
 WHEREAS, Ken has brought humility and humor to every day in the Senate, brightening up even the most grueling and tiring of 2 a.m. floor sessions; and
 WHEREAS, Ken has served the Washington State Senate with exceptional professionalism and loyalty;
 NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate recognize Ken Boad for his many years of service to the people of Washington and wish him peace, happiness, and good health in his much deserved retirement.

Senators Fain and 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. 8612.
 The motion by Senator Fain carried and the resolution was adopted by voice vote.
 The Senate rose and recognized Mr. Ken Boad who was present at his station on the floor of the Senate.

MOTION

At 12:08 p.m., on motion of Senator Fain, the Senate adjourned until 10:00 o'clock a.m. Wednesday, February 1, 2017.

CYRUS HABIB, President of the Senate

HUNTER G. GOODMAN, Secretary of the Senate