

TWENTY FOURTH DAY

MORNING SESSION

Senate Chamber, Olympia  
Wednesday, February 1, 2017

The Senate was called to order at 10:00 o'clock a.m. by the President of the Senate, Lt. Governor Habib presiding. The Secretary called the roll and announced to the President that all Senators were present.

The Sergeant at Arms Color Guard consisting of Pages Leif Grandorff and Annalise Hemingway, presented the Colors. The prayer was offered by Reverend Seth Winterhalter of Harbor Church, Olympia.

MOTION

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

MOTION

Senator Liias moved the Senate be at ease until 10:45 a.m. for the purpose of caucuses.

Senator Fain objected.

The President declared the question before the Senate to be the motion by Senator Liias that the Senate go at ease.

The motion by Senator Liias carried and the Senate went at ease until 10:45 a.m. for the purpose of caucus.

Senator Becker announced a meeting of the Majority Coalition Caucus.

The Senate was called to order at 10:46 a.m. by President Habib.

MOTION

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

REPORTS OF STANDING COMMITTEES

January 31, 2017

SB 5016 Prime Sponsor, Senator Hobbs: Concerning deficiency claims after auction of a private property vehicle impound. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5016 be substituted therefor, and the substitute bill do pass. Signed by Senators King, Chair; Hobbs, Ranking Minority Member; Liias; Cleveland; Fortunato; Hawkins; O'Ban; Saldaña; Takko; Van De Wege; Walsh and Wilson.

Referred to Committee on Rules for second reading.

January 31, 2017

SB 5018 Prime Sponsor, Senator Hasegawa: Authorizing wheelchair accessible taxicabs access to high occupancy vehicle lanes. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5018 be substituted therefor, and the substitute bill do pass. Signed by Senators King, Chair; Hobbs, Ranking Minority Member; Liias; Cleveland; Fortunato; Hawkins; O'Ban; Saldaña; Takko; Van De Wege; Walsh and Wilson.

Referred to Committee on Rules for second reading.

January 31, 2017

SB 5049 Prime Sponsor, Senator King: Concerning relocation assistance following real property acquisition. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators King, Chair; Hobbs, Ranking Minority Member; Liias; Cleveland; Fortunato; Hawkins; O'Ban; Saldaña; Takko; Van De Wege; Walsh and Wilson.

Referred to Committee on Rules for second reading.

January 30, 2017

SB 5106 Prime Sponsor, Senator O'Ban: Clarifying obligations under the involuntary treatment act. Reported by Committee on Human Services, Mental Health & Housing

MAJORITY recommendation: That Substitute Senate Bill No. 5106 be substituted therefor, and the substitute bill do pass. Signed by Senators O'Ban, Chair; Miloscia, Vice Chair; Darneille, Ranking Minority Member; Hunt; Padden and Walsh.

Referred to Committee on Rules for second reading.

January 31, 2017

SB 5147 Prime Sponsor, Senator Hobbs: Providing an exemption from certain maximum vehicle length limitations. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5147 be substituted therefor, and the substitute bill do pass. Signed by Senators King, Chair; Hobbs, Ranking Minority Member; Liias; Cleveland; Fortunato; Hawkins; O'Ban; Saldaña; Takko; Van De Wege; Walsh and Wilson.

Referred to Committee on Rules for second reading.

January 31, 2017

SB 5235 Prime Sponsor, Senator Takko: Withdrawing territory from a cemetery district. Reported by Committee on Local Government

MAJORITY recommendation: That Substitute Senate Bill No. 5235 be substituted therefor, and the substitute bill do pass. Signed by Senators Angel, Acting Chair; Takko, Ranking Minority Member; Palumbo and Sheldon.

Referred to Committee on Rules for second reading.

January 31, 2017

TWENTY FOURTH DAY, FEBRUARY 1, 2017

2017 REGULAR SESSION

SB 5286 Prime Sponsor, Senator Angel: Prohibiting regulation of the amount of rent for commercial properties. Reported by Committee on Financial Institutions & Insurance

IN TESTIMONY WHEREOF, I have set my hand and affixed the seal of the State of Washington. Done at the Capitol in Olympia, Washington, this 31st day of January, 2017.

MAJORITY recommendation: That Substitute Senate Bill No. 5286 be substituted therefor, and the substitute bill do pass. Signed by Senators Angel, Chair; Fain; Fortunato and Hobbs.

Kim Wyman  
Secretary of State

MINORITY recommendation: Do not pass. Signed by Senators Mullet, Ranking Minority Member and Kuderer.

CERTIFICATE OF APPOINTMENT

Referred to Committee on Rules for second reading.

STATE OF WASHINGTON  
COUNTIES OF FERRY,  
OKANOGAN, PEND OREILLE,  
SPOKANE AND STEVENS

January 31, 2017

SB 5607 Prime Sponsor, Senator Braun: Concerning education. Reported by Committee on Ways & Means

The undersigned Commissioners of Ferry County, Okanogan County, Pend Oreille County, Spokane County and Stevens County, Washington do hereby appoint Shelly Short of 1591 Swill Valley Road, Addy, WA 99101 to the office of STATE SENATOR of the 7th LEGISLATIVE DISTRICT of the State of Washington. The term for this position will expire on the day of certification of the 2017 General Election in November, 2017.

MAJORITY recommendation: That Substitute Senate Bill No. 5607 be substituted therefor, and the substitute bill do pass. Signed by Senators Braun, Chair; Brown, Vice Chair; Rossi, Vice Chair; Honeyford, Vice Chair, Capital Budget ; Bailey; Becker; Fain; Miloscia; Padden; Rivers; Schoeler; Warnick and Zeiger.

Signed this 30th day of January, 2017.

MINORITY recommendation: Do not pass. Signed by Senators Frockt, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member; Billig; Conway; Darneille; Keiser and Pedersen.

BOARD OF COUNTY COMMISSIONERS  
OF FERRY COUNTY, WASHINGTON

Chairman Nathan David  
Commissioner Mike Blankenship  
Commissioner Johnna Exner

Referred to Committee on Rules for second reading.

BOARD OF COUNTY COMMISSIONERS  
OF OKANOGAN COUNTY, WASHINGTON

Chairman Jim DeTro  
Commissioner Chris Branch  
Commissioner Andy Hover

MOTION

On motion of Senator Fain, the recommendations of the Standing Committees were accepted and all measures listed on the Standing Committee report were referred to the committees as designated.

BOARD OF COUNTY COMMISSIONERS  
OF PEND OREILLE COUNTY, WASHINGTON

Chairman Karen Skoog  
Commissioner Steve Kiss  
Commissioner Mike Manus

MOTION

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

BOARD OF COUNTY COMMISSIONERS  
OF SPOKANE COUNTY, WASHINGTON

Chairman Al French  
Commissioner Josh Kerns  
Commissioner Shelly O'Quinn

MESSAGE FROM THE SECRETARY OF STATE

January 31, 2017

To the Honorable Hunter Goodman  
Secretary of the Senate  
Legislative Building  
Olympia, WA 98501

BOARD OF COUNTY COMMISSIONERS  
OF STEVENS COUNTY, WASHINGTON

Chairman Steve Parker  
Commissioner Wes McCart  
Commissioner Don Dashiell

Dear Secretary Goodman:

I, Kim Wyman, Secretary of the State of Washington and custodian of the Seal of the State of Washington, do hereby certify that the attached is a true and correct copy of the certificate of appointment of Shelly Short for the office of State Senator for the 7th Legislative District of the State of Washington, which seat was recently vacated by the resignation of Senator Brian Dansel.

EDITOR'S NOTE: See Day 17, January 25, for resignation creating vacancy. Senator Short was sworn in February 1, 9:00 a.m. prior to convening.

MOTION

I further certify that Shelly Short has been duly appointed to the office of State Senator from the 7th Legislative District of the State of Washington.

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

## INTRODUCTION AND FIRST READING

SB 5618 by Senator Darneille

AN ACT Relating to arrest of sixteen and seventeen year olds for domestic violence assault; and reenacting and amending RCW 10.31.100.

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

SB 5619 by Senators Rivers, Keiser and Hunt

AN ACT Relating to health care services balance billing; amending RCW 48.43.005, 48.43.093, and 48.43.515; adding new sections to chapter 48.43 RCW; prescribing penalties; and providing an effective date.

Referred to Committee on Health Care.

SB 5620 by Senators King, Hobbs, Fain, Mullet and Palumbo

AN ACT Relating to transportation network companies; amending RCW 48.177.010, 51.12.020, 46.72.010, 46.74.020, and 50.04.100; reenacting and amending RCW 42.56.270 and 43.79A.040; adding a new chapter to Title 46 RCW; recodifying RCW 48.177.010; and repealing RCW 48.177.005.

Referred to Committee on Transportation.

SB 5621 by Senators Brown, Hobbs, Rivers, Sheldon, Ericksen, Warnick, Honeyford, Becker and Braun

AN ACT Relating to projects of statewide significance for economic development and transportation; amending RCW 43.157.005 and 43.157.020; reenacting and amending RCW 43.157.010; and creating a new section.

Referred to Committee on Agriculture, Water, Trade & Economic Development.

SB 5622 by Senators Rolfes and Mullet

AN ACT Relating to integrating career readiness standards and instruction into the program of basic education; amending RCW 28A.700.070 and 28A.655.070; creating new sections; and providing an expiration date.

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

SB 5623 by Senators Rolfes, Billig, Wellman, Saldaña, Takko, Hunt, Darneille and Ranker

AN ACT Relating to fulfilling the state's paramount duty for all children through equitable and responsible investments in the state's basic education program and reductions to local effort contributions; amending RCW 28A.150.200, 28A.150.410, 28A.400.205, 28A.400.200, 28A.500.020, and 28A.150.260; reenacting and amending RCW 84.52.0531, 28A.500.030, and 28A.150.260; adding new sections to chapter 28A.150 RCW; adding a new section to chapter 28A.400 RCW; adding new sections to chapter 28A.415 RCW; creating new sections; recodifying RCW 28A.300.600, 28A.300.602, and 28A.300.604; repealing RCW 28A.400.201, 28A.415.020, 28A.415.023, 28A.415.024, and 28A.415.025; providing effective dates; and providing expiration dates.

Referred to Committee on Ways & Means.

SB 5624 by Senators Hasegawa and Fortunato

AN ACT Relating to transparency in retail electrical customer billing; and amending RCW 19.29A.020 and 19.29A.030.

Referred to Committee on Energy, Environment & Telecommunications.

SB 5625 by Senators Zeiger, Darneille, Walsh, Hunt and O'Ban

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 5626 by Senators Miloscia, Cleveland and Rivers

AN ACT Relating to prohibiting the use of step therapy in treatments for stage four advanced, metastatic cancer; and adding a new section to chapter 48.43 RCW.

Referred to Committee on Health Care.

SB 5627 by Senators Kuderer, Hunt and Saldaña

AN ACT Relating to the sale of manufactured/mobile home communities; amending RCW 59.20.030, 82.45.010, and 82.45.060; adding new sections to chapter 59.20 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Financial Institutions & Insurance.

SB 5628 by Senators Takko, Fortunato and Sheldon

AN ACT Relating to fire protection district formation by the legislative authority of a city or town subject to voter approval; amending RCW 84.55.092, 29A.36.071, 52.14.010, and 52.14.020; adding new sections to chapter 52.02 RCW; and adding a new section to chapter 52.14 RCW.

Referred to Committee on Local Government.

SB 5629 by Senators Angel and Hobbs

AN ACT Relating to creating and establishing the rights and duties for title insurance rating and advisory organizations; amending RCW 48.29.010, 48.29.147, and 48.29.017; adding new sections to chapter 48.29 RCW; and prescribing penalties.

Referred to Committee on Financial Institutions & Insurance.

SB 5630 by Senators Braun, Ranker, Mullet, Rivers, Cleveland, Zeiger and Liias

AN ACT Relating to reinstating tax preferences for certain high-technology research and development; amending RCW 82.63.010, 82.63.020, and 82.63.045; reenacting RCW 82.63.060 and 82.63.065; adding a new section to chapter 82.04 RCW; adding a new section to chapter 82.63 RCW; creating a new section; and providing expiration dates.

Referred to Committee on Ways & Means.

SB 5631 by Senators Becker and Frockt

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AN ACT Relating to the University of Washington's alternative process for awarding contracts; amending RCW 28B.20.744; repealing RCW 43.131.413 and 43.131.414; providing an effective date; and declaring an emergency.

Referred to Committee on Higher Education.

SB 5632 by Senators O'Ban, Palumbo, Angel, Wilson, Zeiger, Rossi and Padden

AN ACT Relating to organized retail theft; amending RCW 9A.56.350; and prescribing penalties.

Referred to Committee on Law & Justice.

SB 5633 by Senators Palumbo, Rossi, Angel, Pedersen, O'Ban, Wilson, Zeiger and Padden

AN ACT Relating to changing the definition of theft; and amending RCW 9A.56.020.

Referred to Committee on Law & Justice.

SB 5634 by Senators Padden, Angel, Palumbo, Wilson, Zeiger and Rossi

AN ACT Relating to aggregating counts of retail theft with special circumstances; and amending RCW 9A.56.360.

Referred to Committee on Law & Justice.

SB 5635 by Senators Padden, Pedersen, Angel, Palumbo, O'Ban, Wilson, Rossi and Zeiger

AN ACT Relating to retail theft with special circumstances; amending RCW 9A.56.360; and prescribing penalties.

Referred to Committee on Law & Justice.

SB 5636 by Senators Becker, Rivers, Bailey, Walsh and Fain

AN ACT Relating to exploring solutions to allow telemedicine licensure reciprocity; and creating a new section.

Referred to Committee on Health Care.

SB 5637 by Senators Becker, Rivers, Bailey and O'Ban

AN ACT Relating to health insurance mandates in the individual and small group markets; amending RCW 48.43.715; and creating a new section.

Referred to Committee on Health Care.

SB 5638 by Senators Becker, Rivers, O'Ban, Miloscia, Walsh and Bailey

AN ACT Relating to exempting certain skilled nursing facilities from certificate of need requirements for the addition of beds for a limited period of time; amending RCW 70.38.111; adding a new section to chapter 70.38 RCW; and declaring an emergency.

Referred to Committee on Health Care.

SB 5639 by Senators Conway and Zeiger

AN ACT Relating to alternative student assessments; amending RCW 28A.655.061; and adding a new section to chapter 28A.655 RCW.

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

SB 5640 by Senators Conway, Cleveland, Frockt and Zeiger

AN ACT Relating to technical college high school diploma programs; and amending RCW 28B.50.535.

Referred to Committee on Higher Education.

SB 5641 by Senators Keiser and Honeyford

AN ACT Relating to school district nomenclature; amending RCW 28A.300.065, 28A.310.370, 28A.330.100, 28A.330.110, 28A.330.230, 28A.335.240, 28A.335.290, 28A.340.020, 28A.343.030, 28A.343.050, 28A.343.300, 28A.343.600, 28A.343.610, 28A.343.620, 28A.343.630, 28A.343.640, 28A.343.650, 28A.343.660, 28A.343.670, 28A.343.680, 28A.505.050, 28A.505.060, 28A.505.170, 28A.505.180, 28A.525.166, 29A.04.340, 42.23.030, 53.36.020, and 84.52.020; and reenacting and amending RCW 28A.343.020.

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

SB 5642 by Senators Brown, King, Miloscia, Baumgartner, Bailey, Sheldon, Rivers, Zeiger, Honeyford and Hobbs

AN ACT Relating to a pilot program that provides incentives for investments in Washington state job creation and economic development; amending RCW 82.85.010 and 82.85.020; and providing expiration dates.

Referred to Committee on Agriculture, Water, Trade & Economic Development.

SB 5643 by Senators Wellman and Hobbs

AN ACT Relating to lead-based paint certification fees; and amending RCW 70.103.030.

Referred to Committee on Energy, Environment & Telecommunications.

SB 5644 by Senator Honeyford

AN ACT Relating to skill center facility maintenance; and adding a new section to chapter 28A.245 RCW.

Referred to Committee on Ways & Means.

SB 5645 by Senator Honeyford

AN ACT Relating to withdrawal of candidacy; and amending RCW 29A.24.131.

Referred to Committee on State Government.

SB 5646 by Senators Honeyford, King, Chase and Keiser

AN ACT Relating to services provided by residential habilitation centers; and amending RCW 71A.20.180.

Referred to Committee on Health Care.

SB 5647 by Senator Honeyford

AN ACT Relating to creating a low-income home rehabilitation revolving loan program; reenacting and amending RCW 43.79A.040; and adding new sections to chapter 43.330 RCW.

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

SB 5648 by Senator Rolfes

AN ACT Relating to vehicular homicide, barring use of the defense of driving while under fatigue, drowsiness, or sleep, and increasing the time period for license suspension; amending RCW 46.61.520 and 46.20.285; reenacting and amending RCW 9.94A.515; and prescribing penalties.

Referred to Committee on Law & Justice.

SB 5649 by Senator Hawkins

AN ACT Relating to modifying the eligibility requirements for certain counties to form a regional transportation planning organization; and amending RCW 47.80.020.

Referred to Committee on Transportation.

SB 5650 by Senators Conway, Darneille, Zeiger and O'Ban

AN ACT Relating to creating the safe streets pilot project; adding a new section to chapter 43.330 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Law & Justice.

SB 5651 by Senators Conway, Becker and Zeiger

AN ACT Relating to the siting of schools and school facilities; amending RCW 36.70A.280 and 36.70A.280; adding new sections to chapter 36.70A RCW; providing an effective date; and providing an expiration date.

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

SB 5652 by Senators Angel and Rolfes

AN ACT Relating to actions by the boundary review board; and amending RCW 36.93.150, 36.93.170, and 36.93.180.

Referred to Committee on Local Government.

SB 5653 by Senators Becker, Braun, Brown, Bailey, Padden, Zeiger, King, Wilson, O'Ban, Rossi, Walsh, Hawkins and Fain

AN ACT Relating to administration of the public employees' benefits program; amending RCW 41.50.030, 41.05.013, 41.05.014, 41.05.015, 41.05.017, 41.05.019, 41.05.021, 41.05.022, 41.05.023, 41.05.026, 41.05.033, 41.05.035, 41.05.036, 41.05.039, 41.05.046, 41.05.055, 41.05.065, 41.05.074, 41.05.075, 41.05.085, 41.05.123, 41.05.130, 41.05.143, 41.05.160, 41.05.175, 41.05.177, 41.05.180, 41.05.183, 41.05.220, 41.05.310, 41.05.400, 41.05.520, 41.05.540, 41.05.550, 41.05.600, 41.05.601, 41.05.630, 41.05.655, and 41.05.660; reenacting and amending RCW 41.05.011 and 41.05.120; adding a new section to chapter 41.50 RCW; adding a new chapter to Title 43 RCW; creating a new section; recodifying RCW 41.05.014, 41.05.015, 41.05.036, 41.05.037, 41.05.220, 41.05.230, 41.05.400, 41.05.520, 41.05.530, 41.05.550, 41.05.600, 41.05.601, 41.05.650, 41.05.651, 41.05.660, 41.05.670, 41.05.680, 41.05.690, 41.05.730, 41.05.735, and 41.05.800; repealing RCW 41.05.006 and 41.05.295; and providing an effective date.

Referred to Committee on Ways & Means.

SB 5654 by Senators Rivers and Keiser

AN ACT Relating to protecting consumers from charges for out-of-network health care services; amending RCW 48.43.093; adding a new section to chapter 48.43 RCW; and providing an effective date.

Referred to Committee on Health Care.

SB 5655 by Senators Angel and Mullet

AN ACT Relating to the delivery of insurance notices and documents by electronic means; and amending RCW 48.185.005.

Referred to Committee on Financial Institutions & Insurance.

SB 5656 by Senators Miloscia and Rivers

AN ACT Relating to ending homelessness; amending RCW 26.44.020, 26.44.030, 74.15.030, 43.330.700, 43.330.702, 43.330.705, 43.330.706, 43.330.710, 43.185C.180, 43.185C.030, 43.185C.040, 43.185C.070, 43.185C.160, 43.185C.170, 36.22.178, 36.22.179, 36.22.1791, and 43.185C.240; reenacting and amending RCW 71.05.020 and 71.05.020; adding a new section to chapter 13.32A RCW; adding new sections to chapter 43.185C RCW; adding a new chapter to Title 9A RCW; creating new sections; prescribing penalties; making appropriations; providing an effective date; and providing an expiration date.

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

SB 5657 by Senators Miloscia and Rivers

AN ACT Relating to the hosting of the homeless by religious organizations; amending RCW 36.01.290, 35.21.915, and 35A.21.360; and creating a new section.

Referred to Committee on Local Government.

SB 5658 by Senator Pearson

AN ACT Relating to the use of solid fuel burning devices; amending RCW 70.94.473, 70.94.430, and 70.94.431; and prescribing penalties.

Referred to Committee on Energy, Environment & Telecommunications.

SB 5659 by Senators Bailey, Hawkins, Schoesler and Warnick

AN ACT Relating to the eligibility of emergency medical technicians employed by public hospital districts for membership in the law enforcement officers' and firefighters' retirement system; amending RCW 41.26.030; and creating a new section.

Referred to Committee on Ways & Means.

SB 5660 by Senators Hunt, Becker and Darneille

AN ACT Relating to removing references to specific nonoperational historical facilities from state statute; and amending RCW 27.34.395 and 27.34.900.

Referred to Committee on State Government.

SB 5661 by Senator Rolfes

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AN ACT Relating to interruptive service credit for members of the law enforcement officers' and fire fighters' retirement system; and amending RCW 41.26.520 and 41.26.030.

Referred to Committee on Ways & Means.

SB 5662 by Senator Zeiger

AN ACT Relating to professional educator standards board membership; and amending RCW 28A.410.200.

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

SB 5663 by Senators Zeiger, Takko, Frockt and Billig

AN ACT Relating to providing support for foster youth in obtaining drivers' licenses and automobile liability insurance; adding a new section to chapter 74.13 RCW; and making an appropriation.

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

SB 5664 by Senators Braun, Takko, Hawkins and King

AN ACT Relating to eliminating the reduction in state basic education funding that occurs in counties with federal forestlands; amending RCW 28A.150.250 and 28A.520.020; creating a new section; and providing an effective date.

Referred to Committee on Ways & Means.

SB 5665 by Senators Wilson, Keiser, Conway and King

AN ACT Relating to the use of credit cards for purchases of spirits and wine by a purchaser licensed to sell spirits and/or wine for consumption on the licensed premises; and amending RCW 66.28.270.

Referred to Committee on Commerce, Labor & Sports.

SB 5666 by Senators Frockt and Palumbo

AN ACT Relating to establishing the Washington promise program, which provides for affordable access to community and technical colleges; amending RCW 43.88C.010; adding a new chapter to Title 28B RCW; providing an effective date; and declaring an emergency.

Referred to Committee on Higher Education.

SCR 8402 by Senators Schoesler and Nelson

Honoring former members of the Senate and House of Representatives of the State of Washington who have passed from this life.

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. 5624 which had been designated to the Committee on Commerce, Labor & Sports and referred to the Committee on Energy, Environment & Telecommunications; Senate Bill No. 5644 which had been designated to the Committee on Early Learning & K-12 Education and referred to the Committee on Ways & Means; and Senate Concurrent Resolution 8402 which was placed on the day's second reading calendar.

MOTION

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

MOTION

Senator Mullet moved adoption of the following resolution:

SENATE RESOLUTION

8610

By Senators Mullet, Fain, and Frockt

WHEREAS, The students of Tahoma High School enrolled in the We the People: The Citizen and Constitution program have exhibited superior knowledge of the Constitution of the United States and the lessons taught by our forefathers; and

WHEREAS, On Saturday, January 7, 2017, the state "We the People" competition was won by the team from Tahoma High School, marking the school's 20th state championship; and

WHEREAS, These students will represent their state at the 30th anniversary "We the People" finals in Washington, D.C., where they will aspire to uphold the standards of excellence for which Tahoma High School is known; and

WHEREAS, These students have immersed themselves in the United States Constitution and Bill of Rights, and their extraordinary understanding of the country's founding documents and principles and formidable debate skills have inspired those who have watched them progress to the level of state champions; and

WHEREAS, The Tahoma team is coached by Gretchen Wulffing, who was named Washington's Civic Educator of the Year in 2011 and who continues to ingrain in her students the importance of learning about American constitutional democracy and the contemporary relevance of the nation's founding documents and principles; and

WHEREAS, Studies have shown that 80 percent of high school seniors in the program are registered to vote, compared to an average of 37 percent among other high school seniors, proof that "We the People" instills greater interest in participating in government; and

WHEREAS, Tahoma High School has a distinguished record of excellence in competitions at the national level, placing fourth in the nation in 2000; capturing the Western Regional Award in 2001, 2008, and 2014; taking the top Unit Two in the Nation Award in 2003; placing in the top ten in 2012 and 2013; and earning the top Unit Five in the Nation Award in 2010 and 2011; and

WHEREAS, In 2015 the Tahoma team finished fourth in the nation, posting the highest finish in school and state history, and in 2016 Tahoma finished ninth in the nation. Tahoma has now advanced teams to the top ten in the nation four times;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate honor Zoe Brown, Noah Casey, Jessica Davies, Jonathan Feher, David Ferrer, Jandrea Grobbelaar, Makaila Heifner, Lydia Kropelnicki, Kieran Lowe, Michelle McLoughlin, Rosella Miller, Calista Moore, Taylor Murrey, Cameron Musard, Amber Neathery, Ryan Nelson, Jared Perrine, James Riordan, Peter Seely, Matthew Simmons, Everett Wall, Benjamin Weaver, and Tierra Wilson as "Warriors of the Constitution"; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the Senate to the members of Tahoma High School's "We the People" team, to team advisor Gretchen Wulffing, and to Tahoma High School

principal Terry Duty to convey the respect of this body for a job well done and to wish them success in their continuing endeavors.

Senator Mullet spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8610.

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

#### MOTION

On motion of Senator Fain, the Senate reverted to the sixth order of business.

#### SECOND READING

SENATE CONCURRENT RESOLUTION NO. 8402, by Senators Schoesler and Nelson

Honoring former members of the Senate and House of Representatives of the State of Washington who have passed from this life.

The measure was read the second time.

#### MOTION

On motion of Senator Fain, the rules were suspended, Senate Concurrent Resolution No. 8402 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

The President declared the question before the Senate to be the final passage of Senate Concurrent Resolution No. 8402.

Senator Fain spoke in favor of adoption of the resolution.

SENATE CONCURRENT RESOLUTION NO. 8402 having received a majority was adopted by voice vote.

#### MOTION

At 10:57 a.m., on motion of Senator Fain, the Senate was declared to be at ease subject to the call of the President.

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#### EVENING SESSION

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The Senate was called to order at 4:39 p.m. by President Habib.

#### REMARKS BY THE PRESIDENT

President Habib: "The President is pleased to welcome now Senator Shelly Short, who is joining this body, and it gives the President great pleasure to work with Senator Short once more. We served in the House of Representatives together."

The President appointed Senator Short to the following committees: Chair, Committee on Local Government; Committee on Agriculture, Water, Trade & Economic Development; and Committee on Energy, Environment & Telecommunications.

On motion of Senator Fain, the committee assignments were confirmed by voice vote.

#### PERSONAL PRIVILEGE

Senator Warnick: "Thank you Mr. President, I would personally like to welcome Senator Short to the Senate I have known her for quite a long time and I just want to tell you a little bit about her. She is a passionate, passionate advocate for her district I worked with her in that other body and saw that passion in both the legislative arena and Washington State. I would describe her as a little bit of a pitbull so we have to be careful with her. She does want to work. Most importantly she is a wife, she is a mom, and I got to know her through the 4H program. She and I have both been 4H leaders in the past and we're also have another hobby we like to spend time with and she is a real cowgirl and she can really ride a horse. So I am just really glad to welcome another cowgirl to the Senate. Welcome, Shelly. Thank you very much Mr. President."

#### PERSONAL PRIVILEGE

Senator Rolfes: "Thank you Mr. President. I also want to welcome Shelly on behalf of our side of the aisle or if others want to speak that is great too. Point of personal privilege."

President Habib: "Please state your point. I believe you already were."

Senator Rolfes: "Then-Representative Short and then-Representative Rolfes, we served together on the powerful House Ecology Committee together for years where we worked and collaborated on things like the Growth Management Act and climate change and more recently wolf management policy and, I think. Welcome to the Senate and I look forward to working with you again."

#### SECOND READING

SENATE BILL NO. 5122, by Senators Takko and Rivers

Concerning fire commissioner compensation.

The measure was read the second time.

#### MOTION

On motion of Senator Takko, the rules were suspended, Senate Bill No. 5122 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Takko and Short 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. 5122.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5122 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Darneille, Ericksen, Fain, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Honeyford, Hunt, Keiser, King, Kuderer, Lias, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Palumbo, Pearson, Pedersen, Ranker, Rivers, Rolfes, Rossi, Saldaña, Schoesler, Sheldon, Short, Takko, Van De Wege, Walsh, Warnick, Wellman, Wilson and Zeiger

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SENATE BILL NO. 5122, 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. 5079, by Senators McCoy, Becker, Rivers, Cleveland, Keiser, Conway, Kuderer, Darneille, Saldaña, Wellman and Bailey

Concerning dental health services in tribal settings.

MOTIONS

On motion of Senator McCoy, Substitute Senate Bill No. 5079 was substituted for Senate Bill No. 5079 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator McCoy, the rules were suspended, Substitute Senate Bill No. 5079 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators McCoy, Rivers, Frockt and Cleveland 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. 5079.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5079 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Darneille, Ericksen, Fain, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Honeyford, Hunt, Keiser, King, Kuderer, Lias, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Palumbo, Pearson, Pedersen, Ranker, Rivers, Rolfes, Rossi, Saldaña, Schoesler, Sheldon, Short, Takko, Van De Wege, Walsh, Warnick, Wellman, Wilson and Zeiger

SUBSTITUTE SENATE BILL NO. 5079, 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, Padden, Frockt, Fain and Kuderer

Concerning the business corporation act.

The measure was read the second time.

MOTION

On motion of Senator Pedersen, the rules were suspended, 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 Senate Bill No. 5011.

ROLL CALL

The Secretary called the roll on the final passage of 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 Angel, Bailey, Baumgartner, Becker, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Darneille, Ericksen, Fain, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Honeyford, Hunt, Keiser, King, Kuderer, Lias, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Palumbo, Pearson, Pedersen, Ranker, Rivers, Rolfes, Rossi, Saldaña, Schoesler, Sheldon, Short, Takko, Van De Wege, Walsh, Warnick, Wellman, Wilson and Zeiger

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. 5607, by Senators Braun, Rivers, Fain, Zeiger, Schoesler, Honeyford, Warnick, King, Brown, Angel, Wilson, Sheldon, Becker and Miloscia

Concerning education.

MOTION

On motion of Senator Braun, Substitute Senate Bill No. 5607 was substituted for Senate Bill No. 5607 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Wellman moved that floor amendment no. 3 by Senators Wellman, Conway, Rolfes and Saldaña be adopted:

Beginning on page 3, line 13, strike all material through page 37, line 16

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

Beginning on page 46, after line 6, strike the remainder of the bill

On page 1, line 1 of the title, after "education;" strike the remainder of the title and insert "amending RCW 84.52.0531; 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 84.52.0531; creating a new section; providing effective dates; and providing an expiration date."

Senators Wellman and Kuderer spoke in favor of adoption of the amendment.

Senator Braun spoke against adoption of the amendment.

Senator Lias 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 floor amendment no. 3 by Senators Wellman, Conway, Rolfes and Saldaña on page 3, line 13 and page 1, line 1, to Substitute Senate Bill No. 5607.

ROLL CALL



The Secretary called the roll on the motion by Senator Wellman and the amendment was not adopted by the following vote: Yeas, 24; Nays, 25; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Carlyle, Chase, Cleveland, Conway, Darneille, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, McCoy, Mullet, Nelson, Palumbo, Pedersen, Ranker, Rolfes, Saldaña, Takko, Van De Wege and Wellman

Voting nay: Senators Angel, Bailey, Baumgartner, Becker, Braun, Brown, Ericksen, Fain, Fortunato, Hawkins, Honeyford, King, Miloscia, O'Ban, Padden, Pearson, Rivers, Rossi, Schoesler, Sheldon, Short, Walsh, Warnick, Wilson and Zeiger

#### MOTION

Senator Darneille moved that floor amendment no. 4 by Senators Darneille, Rolfes and Saldaña be adopted:

On page 9, beginning on line 2, after "based on" strike all material through "program" on line 5 and insert "the district percentage of students in grades K-12 who were eligible for free or reduced-price meals in the prior school year"

On page 53, beginning on line 3, after "means the" strike all material through "program" on line 6 and insert "district percentage of students in grades K-12 who were eligible for free or reduced-price meals in the prior school year"

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

Senator Braun spoke against adoption of the amendment.

Senator Liias 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 floor amendment no. 4 by Senators Darneille, Rolfes and Saldaña on page 9, line 2, to Substitute Senate Bill No. 5607.

#### ROLL CALL

The Secretary called the roll on the adoption of floor amendment No. 4 by Senator Darneille and the amendment was not adopted by the following vote: Yeas, 24; Nays, 25; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Carlyle, Chase, Cleveland, Conway, Darneille, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, McCoy, Mullet, Nelson, Palumbo, Pedersen, Ranker, Rolfes, Saldaña, Takko, Van De Wege and Wellman

Voting nay: Senators Angel, Bailey, Baumgartner, Becker, Braun, Brown, Ericksen, Fain, Fortunato, Hawkins, Honeyford, King, Miloscia, O'Ban, Padden, Pearson, Rivers, Rossi, Schoesler, Sheldon, Short, Walsh, Warnick, Wilson and Zeiger

#### MOTION

Senator Carlyle moved that the following floor amendment no. 5 by Senators Carlyle, Chase, Frockt, Palumbo, Pedersen, Ranker, Rolfes, Saldaña and Wellman be adopted:

On page 32, line 4, after "YEAR" strike "2020" and insert "2019"

On page 34, line 3, after "percent)) strike "ten" and insert "twenty-four"

On page 36, beginning on line 2, after "percentage." strike all material through "2019." on line 4

On page 37, line 6, after "year" strike "2019" and insert "2018"

Senators Carlyle and Liias spoke in favor of adoption of the amendment.

Senator Braun spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 5 by Senators Carlyle, Chase, Frockt, Palumbo, Pedersen, Ranker, Rolfes, Saldaña and Wellman on page 32, line 4 to Substitute Senate Bill No. 5607.

The motion by Senator Carlyle did not carry and the amendment was not adopted by voice vote.

#### MOTION

Senator Carlyle moved that floor amendment no. 6 by Senator Carlyle be taken together, considered as one, and be adopted.

On page 37, after line 14, insert the following:

"**NEW SECTION. Sec. 305.** A new section is added to chapter 84.52 RCW to read as follows:

(1) Commensurate with taxes due and payable beginning in calendar year 2019, to offset the net reduction in commercial and industrial property taxes paid on property located within the county resulting from the provisions of chapter . . . , Laws of 2017 (this act), county assessors must levy a uniform parcel fee on such commercial and industrial properties. Counties may not impose a parcel fee under this section if there is a net increase in commercial and industrial property taxes paid on property located within the county.

(2) Money collected under this section by county treasurers shall be transmitted to the department and deposited into the education legacy trust account."

On page 1, line 16 of the title, after "RCW; adding" strike "a new section" and insert "new sections"

Senator Carlyle spoke in favor of adoption of the amendment.

Senator Braun spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 6 by Senator Carlyle on page 37, line 14 and 1, line 16, to Substitute Senate Bill No. 5607.

The motion by Senator Carlyle did not carry and the amendment was not adopted by voice vote.

#### MOTION

Senator Keiser moved that floor amendment no. 7 by Senators Keiser, Conway, and Saldaña be adopted.

Beginning on page 51, after line 30, strike all material through "duty." on page 52, line 24

Re-number the remaining sections consecutively and correct any internal references accordingly.

Beginning on page 53, after line 12, strike all material through "Constitution." on page 54, line 7

Re-number the remaining sections consecutively and correct any internal references accordingly.

Beginning on page 54, after line 7, strike all material through "authority." on page 56, line 37

Re-number the remaining sections consecutively and correct any internal references accordingly.

Beginning on page 56, after line 37, strike all of Part VI

Re-number the remaining parts and sections consecutively and correct any internal references accordingly.

Beginning on page 66, after line 12, strike all of Part VIII

Re-number the remaining parts and sections consecutively and correct any internal references accordingly.

Beginning on page 74, after line 4, strike all of Part X

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

On page 75, beginning on line 1, strike all of Part XI

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

Beginning on page 75, after line 19, strike all of Part XII

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

Beginning on page 76, after line 20, strike all of Part XIII

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

Beginning on page 97, line 1, strike all of section 1418

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

Beginning on page 100, after line 31, strike all of Part XV

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

Beginning on page 119, after line 25, strike all of Part XVI

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

Beginning on page 123, after line 18, strike all of Part XVII

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

On page 1, line 4 of the title, after "28A.400.200," strike the remainder of the title and insert "28A.320.330, 28A.505.140, 28A.505.040, 28A.505.050, 28A.505.060, 28A.505.100, 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.232.020, 28A.400.220, 28A.400.240, 28A.625.110, 28A.625.150, 28A.710.220, 28A.710.240, and 28A.715.040; 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 a new section 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 a new section 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 a new section to chapter 28A.625 RCW; adding a new section to chapter 28A.657 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."

Senators Keiser, Hasegawa and Conway spoke in favor of adoption of the amendment.

Senator Braun spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of the floor amendment no. 7 by Senators Keiser, Conway, and Saldaña on page 51, line 30 and 1, line 4, to Substitute Senate Bill No. 5607.

The motion by Senator Keiser did not carry and the amendment was not adopted by a rising vote.

MOTION

Senator Billig moved that floor amendment no. 8 by Senators Billig and Rolfes be adopted.

Beginning on page 67, line 35, strike all of subsection (7) and insert the following:

"(7) "Classroom teacher" generally means a person who holds a ~~((professional education certificate and))~~ certificate as authorized by the Washington professional educator standards board, is employed in a position for which such certificate is required, and whose primary duty is the daily educational instruction of students. In exceptional cases, people of unusual competence but without certification may teach students so long as a certificated person exercises general supervision, but the hiring of such classified employees shall not occur during a labor dispute, and such classified employees shall not be hired to replace certificated employees during a labor dispute."

Beginning on page 68, line 37, strike all of section 803

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

On page 1, at the beginning of line 7 of the title, strike "28A.410.025,"

Senators Billig and Rolfes spoke in favor of adoption of the amendment.

Senator Braun spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 8 by Senators Billig and Rolfes on page 67, line 35 and 1, line 7, to Substitute Senate Bill No. 5607.

The motion by Senator Billig did not carry and the amendment was not adopted by voice vote.

MOTION

On motion of Senator Braun, the rules were suspended, Substitute Senate Bill No. 5607 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Braun, Fain, Baumgartner, Erickson and O'Ban spoke in favor of passage of the bill.

Senators Rolfes, Wellman, Mullet, Hasegawa, Pedersen, Ranker, Chase and Billig spoke against passage of the bill.

Senator Baumgartner requested that Senator Billig yield to a question.

Senator Billig declined to yield.

Senator Baumgartner spoke in favor of passage of the bill.

Senators Billig spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5607.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5607 and the bill passed the Senate by the following vote: Yeas, 25; Nays, 24; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Braun, Brown, Erickson, Fain, Fortunato, Hawkins, Honeyford, King, Miloscia, O'Ban, Padden, Pearson, Rivers, Rossi, Schoesler, Sheldon, Short, Walsh, Warnick, Wilson and Zeiger

Voting nay: Senators Billig, Carlyle, Chase, Cleveland, Conway, Darneille, Frockt, Hasegawa, Hobbs, Hunt, Keiser,

Kuderer, Liias, McCoy, Mullet, Nelson, Palumbo, Pedersen, Ranker, Rolfes, Saldaña, Takko, Van De Wege and Wellman

SUBSTITUTE SENATE BILL NO. 5607, 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 6:34 p.m., on motion of Senator Fain, the Senate adjourned until 12:00 o'clock noon Thursday, February 2, 2017.

CYRUS HABIB, President of the Senate

HUNTER G. GOODMAN, Secretary of the Senate