

TWENTY SIXTH DAY

MORNING SESSION

Senate Chamber, Olympia
Friday, February 3, 2017

The Senate was called to order at 10:00 o'clock a.m. by the President of the Senate, Lt. Governor Habib presiding. No roll call was taken.

MOTION

On motion of Senator Hawkins, 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

February 2, 2017

SB 5035 Prime Sponsor, Senator Pedersen: Concerning patients' access to investigational medical products. Reported by Committee on Health Care

MAJORITY recommendation: That Substitute Senate Bill No. 5035 be substituted therefor, and the substitute bill do pass. Signed by Senators Rivers, Chair; Cleveland, Ranking Minority Member; Kuderer; Bailey; Conway; Keiser; Miloscia; Mullet; O'Ban and Walsh.

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

Referred to Committee on Rules for second reading.

February 2, 2017

SB 5070 Prime Sponsor, Senator Rivers: Concerning paraeducators. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Zeiger, Chair; Rolfes, Ranking Minority Member; Billig; Mullet and Rivers.

Referred to Committee on Ways & Means.

February 2, 2017

SB 5084 Prime Sponsor, Senator Rolfes: Providing women with timely information regarding their breast health. Reported by Committee on Health Care

MAJORITY recommendation: That Substitute Senate Bill No. 5084 be substituted therefor, and the substitute bill do pass. Signed by Senators Rivers, Chair; Cleveland, Ranking Minority Member; Kuderer; Bailey; Conway; Keiser; Miloscia; Mullet; O'Ban and Walsh.

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

Referred to Committee on Rules for second reading.

February 2, 2017

SB 5107 Prime Sponsor, Senator Billig: Creating a local pathway for local governments, school districts, and nonprofit organizations to provide more high quality early learning opportunities by reducing barriers and increasing efficiency. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 5107 be substituted therefor, and the substitute bill do pass. Signed by Senators Zeiger, Chair; Rolfes, Ranking Minority Member; Billig; Mullet and Rivers.

Referred to Committee on Ways & Means.

February 2, 2017

SB 5118 Prime Sponsor, Senator Rolfes: Increasing the personal needs allowance for persons receiving state-financed care. Reported by Committee on Health Care

MAJORITY recommendation: Do pass. Signed by Senators Rivers, Chair; Becker, Vice Chair; Cleveland, Ranking Minority Member; Kuderer; Bailey; Conway; Keiser; Miloscia; Mullet; O'Ban and Walsh.

Referred to Committee on Ways & Means.

February 2, 2017

SB 5129 Prime Sponsor, Senator Hunt: Concerning charter school students participating in interschool athletics and extracurricular activities. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Zeiger, Chair; Rolfes, Ranking Minority Member; Billig; Mullet and Rivers.

Referred to Committee on Rules for second reading.

February 2, 2017

SB 5133 Prime Sponsor, Senator Takko: Concerning county boards of equalization. Reported by Committee on Local Government

MAJORITY recommendation: That Substitute Senate Bill No. 5133 be substituted therefor, and the substitute bill do pass. Signed by Senators Short, Chair; Angel, Vice Chair; Takko, Ranking Minority Member and Palumbo.

Referred to Committee on Rules for second reading.

February 2, 2017

SB 5153 Prime Sponsor, Senator Fain: Requiring proof of financial responsibility before the issuance of vehicle registrations. Reported by Committee on Transportation

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators King, Chair; Sheldon, Vice Chair; Hobbs, Ranking Minority Member; Lias; Cleveland; Ericksen; Hawkins; O'Ban; Saldaña; Takko; Walsh and Wilson.

Referred to Committee on Financial Institutions & Insurance.

February 2, 2017

SB 5177 Prime Sponsor, Senator Bailey: Requiring long-term care workers to be trained to recognize hearing loss. Reported by Committee on Health Care

MAJORITY recommendation: Do pass. Signed by Senators Rivers, Chair; Becker, Vice Chair; Cleveland, Ranking Minority Member; Kuderer; Bailey; Conway; Keiser; Miloscia; Mullet; O'Ban and Walsh.

Referred to Committee on Rules for second reading.

February 2, 2017

SB 5179 Prime Sponsor, Senator Bailey: Requiring coverage for hearing instruments under public employee and medicaid programs. Reported by Committee on Health Care

MAJORITY recommendation: That Substitute Senate Bill No. 5179 be substituted therefor, and the substitute bill do pass. Signed by Senators Rivers, Chair; Becker, Vice Chair; Cleveland, Ranking Minority Member; Kuderer; Bailey; Conway; Keiser; Miloscia; Mullet; O'Ban and Walsh.

Referred to Committee on Ways & Means.

February 2, 2017

SB 5187 Prime Sponsor, Senator Angel: Concerning county auditors. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Senators Short, Chair; Angel, Vice Chair; Takko, Ranking Minority Member and Palumbo.

Referred to Committee on Rules for second reading.

February 2, 2017

SB 5234 Prime Sponsor, Senator Mullet: Requiring establishment of a systemwide credit policy regarding AP exams. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Senators Wilson, Chair; Bailey, Vice Chair; Palumbo, Ranking Minority Member and Baumgartner.

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

Referred to Committee on Rules for second reading.

February 2, 2017

SB 5237 Prime Sponsor, Senator Bailey: Updating workforce investment act references and making no substantive changes. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Senators Wilson, Chair; Bailey, Vice Chair; Palumbo, Ranking Minority Member; Baumgartner and Frockt.

Referred to Committee on Rules for second reading.

February 2, 2017

SB 5285 Prime Sponsor, Senator Wilson: Conducting a workforce study of employment opportunities in the agriculture, environment, and natural resources economic sectors intended to provide educators with the information needed for informing

students about employment opportunities in the studied fields. Reported by Committee on Higher Education

MAJORITY recommendation: That Substitute Senate Bill No. 5285 be substituted therefor, and the substitute bill do pass. Signed by Senators Wilson, Chair; Bailey, Vice Chair; Palumbo, Ranking Minority Member; Baumgartner and Frockt.

Referred to Committee on Ways & Means.

February 2, 2017

SB 5314 Prime Sponsor, Senator Wilson: Concerning county treasurer administrative efficiencies. Reported by Committee on Local Government

MAJORITY recommendation: That Substitute Senate Bill No. 5314 be substituted therefor, and the substitute bill do pass. Signed by Senators Short, Chair; Angel, Vice Chair; Takko, Ranking Minority Member and Palumbo.

Referred to Committee on Rules for second reading.

February 2, 2017

SB 5332 Prime Sponsor, Senator Warnick: Extending the expiration date of the public utility tax exemption for certain electrolytic processing businesses. Reported by Committee on Energy, Environment & Telecommunications

MAJORITY recommendation: Do pass. Signed by Senators Ericksen, Chair; Brown; Hobbs; Honeyford and Short.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Carlyle, Ranking Minority Member; Ranker and Wellman.

Referred to Committee on Ways & Means.

February 2, 2017

SB 5361 Prime Sponsor, Senator Bailey: Concerning the opportunity scholarship program. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Senators Wilson, Chair; Bailey, Vice Chair; Palumbo, Ranking Minority Member; Baumgartner and Frockt.

Referred to Committee on Rules.

February 2, 2017

SCR 8401 Prime Sponsor, Senator Bailey: Approving the 2016 state comprehensive plan for workforce training and education. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Senators Wilson, Chair; Bailey, Vice Chair; Palumbo, Ranking Minority Member; Baumgartner and Frockt.

Referred to Committee on Rules for second reading.

February 2, 2017

SGA 9193 ROGER MILLAR, appointed on August 9, 2016, for the term ending at the governor's pleasure, as Secretary of the Department of Transportation - Agency Head. Reported by Committee on Transportation

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MAJORITY recommendation: That said appointment be confirmed. Signed by Senators King, Chair; Sheldon, Vice Chair; Hobbs, Ranking Minority Member; Liias; Cleveland; Ericksen; Hawkins; O'Ban; Saldaña; Takko; Walsh and Wilson.

Referred to Committee on Rules for second reading.

February 2, 2017

SGA 9219 HEATHER L. MANSY, appointed on October 3, 2016, for the term ending September 30, 2021, as Member of the Lower Columbia College Board of Trustees. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Zeiger, Chair; Rolfes, Ranking Minority Member; Billig; Mullet and Rivers.

Referred to Committee on Higher Education.

MOTION

On motion of Senator Hawkins, the recommendations of the Standing Committees were accepted and all measures listed on the Standing Committee report were referred to the committees as designated with the exception of Senate Bill No. 5361 which had been designated to the Committee on Rules and referred to the Committee on Ways & Means.

MOTION

On motion of Senator Hawkins, the Senate advanced to the fourth order of business.

MESSAGES FROM THE HOUSE

February 2, 2017

MR. PRESIDENT:

The House has adopted:

SENATE CONCURRENT RESOLUTION NO. 8402, and the same is herewith transmitted.

NONA SNELL, Deputy Chief Clerk

February 2, 2017

MR. PRESIDENT:

The House has passed:

SUBSTITUTE HOUSE BILL NO. 1027, HOUSE BILL NO. 1056, HOUSE BILL NO. 1167, SUBSTITUTE HOUSE BILL NO. 1184, SUBSTITUTE HOUSE BILL NO. 1414, and the same are herewith transmitted.

NONA SNELL, Deputy Chief Clerk

MOTION

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

INTRODUCTION AND FIRST READING

SB 5693 by Senator Darneille

AN ACT Relating to removal of juvenile convictions or adjudications from sexually violent predator status under RCW 71.09.030; and amending RCW 71.09.030.

Referred to Committee on Law & Justice.

SB 5694 by Senator Darneille

AN ACT Relating to the sealing of juvenile records; and amending RCW 13.50.050.

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

SB 5695 by Senators Darneille and Hunt

AN ACT Relating to the development of a juvenile special sex offender disposition alternative treatment court; and adding a new section to chapter 13.40 RCW.

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

SB 5696 by Senators Wellman, Fain, Warnick, Walsh and Zeiger

AN ACT Relating to breakfast after the bell programs in certain public schools; adding new sections to chapter 28A.235 RCW; and creating a new section.

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

SB 5697 by Senators Rivers, Cleveland, Conway, Keiser and Bailey

AN ACT Relating to developing a standardized prescription drug benefit package for individual and small group market offerings; amending RCW 48.43.700 and 48.43.705; adding a new section to chapter 48.43 RCW; and creating a new section.

Referred to Committee on Health Care.

SB 5698 by Senators Rivers and Liias

AN ACT Relating to cannabis health and beauty aids; amending RCW 69.50.575, 69.50.325, and 69.50.580; and reenacting and amending RCW 69.50.101.

Referred to Committee on Health Care.

SB 5699 by Senators Rivers and Mullet

AN ACT Relating to pharmacy appeals of payments made by pharmacy benefit managers; and amending RCW 19.340.100.

Referred to Committee on Health Care.

SB 5700 by Senators Ranker, Rivers, Liias, Pedersen and Darneille

AN ACT Relating to training long-term care providers on the needs of the LGBTQ population; amending RCW 74.39A.341; adding a new section to chapter 70.128 RCW; adding a new section to chapter 18.20 RCW; and adding a new section to chapter 18.51 RCW.

Referred to Committee on Health Care.

SB 5701 by Senators Frockt, Keiser, Chase, Hasegawa, Darneille, Ranker, McCoy, Kuderer, Saldaña, Conway and Hunt

AN ACT Relating to creating the Washington apple care trust; adding a new chapter to Title 43 RCW; creating new sections; repealing RCW 82.04.260 and 48.14.0201; providing contingent effective dates; and providing an expiration date.

Referred to Committee on Health Care.

SB 5702 by Senators Keiser, Honeyford and Frockt

AN ACT Relating to improving state funding for school construction, modernization, and asset preservation; amending RCW 28A.525.025, 28A.525.020, 28A.525.090, 28A.525.058, and 28A.525.310; adding a new chapter to Title 28A RCW; creating new sections; recodifying RCW 28A.525.020, 28A.525.025, 28A.525.058, 28A.525.070, 28A.525.080, 28A.525.090, and 28A.525.310; repealing RCW 28A.525.010, 28A.525.030, 28A.525.040, 28A.525.050, 28A.525.055, 28A.525.060, 28A.525.095, 28A.525.161, 28A.525.162, 28A.525.164, 28A.525.166, 28A.525.168, 28A.525.170, 28A.525.172, 28A.525.174, 28A.525.176, 28A.525.178, 28A.525.180, 28A.525.190, and 28A.525.200; providing effective dates; providing expiration dates; and declaring an emergency.

Referred to Committee on Ways & Means.

SB 5703 by Senator Padden

AN ACT Relating to a special allegation for habitual property offenders; amending RCW 9.94A.533; adding a new section to chapter 9.94A RCW; creating a new section; and prescribing penalties.

Referred to Committee on Law & Justice.

SB 5704 by Senator Becker

AN ACT Relating to the modification of the disposable income calculation for the property tax exemption for senior citizens, disabled veterans, and disabled retired persons; and amending RCW 84.36.383.

Referred to Committee on Ways & Means.

SB 5705 by Senators Becker, O'Ban, Rivers, Bailey, Miloscia, Schoesler, Warnick, Brown, Zeiger and Honeyford

AN ACT Relating to inspection and review of state contracted behavioral health and recovery agencies; and amending RCW 43.20A.894.

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

SB 5706 by Senators Becker, Rivers, Bailey, Brown, O'Ban, Fortunato and Warnick

AN ACT Relating to parent-initiated behavioral health treatment for children aged thirteen to seventeen years old; amending RCW 71.34.600, 71.34.600, 71.34.650, 71.34.650, 71.34.660, and 71.34.660; adding a new section to chapter 71.34 RCW; providing an effective date; and providing an expiration date.

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

SB 5707 by Senators Rossi, Palumbo, Miloscia, Mullet, Rivers, Sheldon, Pearson and Zeiger

AN ACT Relating to replacing the Interstate 405 express toll lanes with a general purpose lane and a high occupancy vehicle lane; reenacting and amending RCW 47.56.810 and 43.84.092; adding a new section to chapter 47.01 RCW; creating new sections; repealing RCW 47.56.880, 47.56.886, and 47.56.884; providing an effective date; and declaring an emergency.

Referred to Committee on Transportation.

SB 5708 by Senator Walsh

AN ACT Relating to equipment assistance grants to enhance student nutrition in public schools; adding a new section to chapter 28A.235 RCW; and creating new sections.

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

SB 5709 by Senator Miloscia

AN ACT Relating to providing notification to parents when a minor accesses behavioral health services; amending RCW 71.34.500, 71.34.500, 71.34.530, 70.96A.095, 71.34.510, and 70.96A.230; providing an effective date; and providing an expiration date.

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

SB 5710 by Senators Kuderer and Palumbo

AN ACT Relating to penalties awarded for violations of the public records act; and amending RCW 42.56.550.

Referred to Committee on State Government.

SB 5711 by Senators Ericksen, Hobbs, Honeyford and Palumbo

AN ACT Relating to telecommunications services; amending RCW 35.21.860, 35.99.020, 35.99.040, 35A.21.245, 80.36.630, 80.36.650, 80.36.660, 80.36.670, 80.36.680, and 80.36.690; adding new sections to chapter 35.99 RCW; adding a new section to chapter 80.36 RCW; adding new sections to chapter 35.21 RCW; adding new sections to chapter 54.04 RCW; and repealing RCW 35.21.455, 54.04.045, 80.36.620, and 80.36.700.

Referred to Committee on Energy, Environment & Telecommunications.

SB 5712 by Senators Zeiger, Frockt, Saldaña, Warnick, Fain, Walsh, Bailey, Hawkins, Baumgartner, Braun, Schoesler, Hasegawa, Billig, Mullet and Rolfes

AN ACT Relating to developing a bilingual educational workforce; adding a new section to chapter 28A.180 RCW; and creating a new section.

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

SB 5713 by Senators Palumbo, Wilson, Zeiger and King

AN ACT Relating to creating the skilled worker outreach, recruitment, and key training program; and adding a new chapter to Title 28C RCW.

Referred to Committee on Higher Education.

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SB 5714 by Senator McCoy

AN ACT Relating to the social emotional learning benchmarks work group; creating new sections; and providing an expiration date.

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

HB 1018 by Representatives Dent, Gregerson, Hargrove, Tarleton, Pike and Klippert

AN ACT Relating to modifying the maximum amount for grants provided to airports and air navigation facilities; amending RCW 47.68.090; and creating a new section.

Referred to Committee on Transportation.

HB 1053 by Representatives Reeves, Vick, Kirby, Ormsby, Gregerson and Tarleton

AN ACT Relating to the Washington state credit union act; amending RCW 31.12.055, 31.12.065, 31.12.195, 31.12.246, 31.12.267, 31.12.326, 31.12.335, 31.12.386, 31.12.404, and 31.12.413; reenacting and amending RCW 31.12.005; and reenacting RCW 31.12.436.

Referred to Committee on Financial Institutions & Insurance.

HB 1064 by Representatives Morris, Smith, Doglio and Hudgins

AN ACT Relating to removing expiration dates, obsolete dates, and an outdated statutory reference from the enforcement provisions of the underground utility damage prevention act; and amending RCW 19.122.130, 19.122.140, and 19.122.150.

Referred to Committee on Energy, Environment & Telecommunications.

HB 1069 by Representatives Jinkins, Appleton, Kirby, Fey and Cody

AN ACT Relating to procedures for enforcing outpatient civil commitment orders; amending RCW 71.05.590, 71.05.590, and 71.05.590; providing effective dates; and providing expiration dates.

Referred to Committee on Law & Justice.

HB 1091 by Representatives Appleton, Ormsby, Stanford, McDonald, Dolan, Doglio, Gregerson, Kilduff, Santos, Tarleton, Pollet and Peterson

AN ACT Relating to solemnizing marriages; and amending RCW 26.04.050.

Referred to Committee on Law & Justice.

HB 1107 by Representatives Haler, Wylie, Riccelli, Shea, Stanford, Robinson, Fey, Tarleton and Pollet

AN ACT Relating to eliminating the term "branch" as an identifying factor for extensions of the public institutions of higher education; and amending RCW 28B.12.030, 28B.15.0139, 28B.45.010, 28B.45.012, 28B.45.014, 28B.45.020, 28B.45.0201, 28B.45.030, 28B.45.040, 28B.45.080, 28B.50.820, 34.05.514, 44.28.816, 43.41.393, 43.88D.010, and 84.14.010.

Referred to Committee on Higher Education.

HB 1125 by Representatives Condotta, Sawyer and Vick

AN ACT Relating to limiting the total number of retail marijuana licenses that may be held by a retailer and co-owners; and amending RCW 69.50.325.

Referred to Committee on Commerce, Labor & Sports.

HB 1139 by Representatives Kilduff, Rodne, Jinkins and Muri

AN ACT Relating to the methods of services provided by the office of public guardianship; and amending RCW 2.72.005, 2.72.010, 2.72.020, 2.72.030, and 11.28.120.

Referred to Committee on Law & Justice.

HB 1150 by Representatives DeBolt and Blake

AN ACT Relating to clarifying procedures for appointment to the Chehalis board created by chapter 194, Laws of 2016; amending RCW 43.21A.731; and declaring an emergency.

Referred to Committee on Energy, Environment & Telecommunications.

HB 1162 by Representatives Kilduff, Muri, Rodne, Jinkins, Orwall and McDonald

AN ACT Relating to requirements for providing notice regarding court review of initial detention decisions under the involuntary treatment act; amending RCW 71.05.203 and 71.05.203; providing an effective date; and providing an expiration date.

Referred to Committee on Law & Justice.

MOTION

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

MOTION

On motion of Senator Hawkins and without objection, Senate Bill No. 5689 which had been previously held at the desk on February 2, 2017 was referred to the Committee on Commerce, Labor & Sports.

SIGNED BY THE PRESIDENT

Pursuant to Article 2, Section 32 of the State Constitution and Senate Rule 1(5), the President announced the signing of and thereupon did sign in open session:

SENATE CONCURRENT RESOLUTION NO. 8402.

MOTION

At 10:04 a.m., on motion of Senator Hawkins, the Senate adjourned until 12:00 o'clock noon Monday, February 6, 2017.

CYRUS HABIB, President of the Senate

HUNTER G. GOODMAN, Secretary of the Senate