

TWENTY THIRD DAY, JANUARY 30, 2018

2018 REGULAR SESSION

TWENTY THIRD DAY

NOON SESSION

Senate Chamber, Olympia
Tuesday, January 30, 2018

The Senate was called to order at 12:01 p.m. by the President of the Senate, Lt. Governor Habib presiding. No roll call was taken.

MOTION

On motion of Senator Liias, 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 29, 2018

SB 5110 Prime Sponsor, Senator Billig: Enhancing youth voter registration. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5110 be substituted therefor, and the substitute bill do pass. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; Chase; Cleveland; Dhingra; Liias; McCoy; Takko; Walsh; Wellman and Zeiger.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators King, Ranking Member; O'Ban and Sheldon.

Referred to Committee on Rules for second reading.

January 29, 2018

SB 5249 Prime Sponsor, Senator Keiser: Providing damages for wage theft. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Hasegawa, Vice Chair; Conway; Kuderer and Saldaña.

MINORITY recommendation: Do not pass. Signed by Senators Braun; King and Wilson.

Referred to Committee on Rules for second reading.

January 29, 2018

SB 6016 Prime Sponsor, Senator Van De Wege: Concerning telework. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 6016 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Hasegawa, Vice Chair; Braun; Conway; King; Kuderer; Saldaña and Wilson.

Referred to Committee on Ways & Means.

January 29, 2018

SB 6026 Prime Sponsor, Senator Kuderer: Prohibiting health carriers and pharmacy benefit managers from using contracts to prevent pharmacists from telling their customers about cheaper ways to buy prescription drugs. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 6026 be substituted therefor, and the substitute bill do pass. Signed by Senators Cleveland, Chair; Kuderer, Vice Chair; Rivers, Ranking Member; Becker; Conway; Keiser; Mullet and Van De Wege.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Bailey and Fain.

Referred to Committee on Ways & Means.

January 29, 2018

SB 6113 Prime Sponsor, Senator Bailey: Concerning priority processing for adult family home license applications. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: Do pass. Signed by Senators Cleveland, Chair; Kuderer, Vice Chair; Rivers, Ranking Member; Bailey; Becker; Conway; Fain; Keiser; Mullet and Van De Wege.

Referred to Committee on Rules for second reading.

January 29, 2018

SB 6153 Prime Sponsor, Senator Palumbo: Informing high school students enrolled in dual credit courses about the online credit search tool. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Rolfes, Vice Chair; Zeiger, Ranking Member; Billig; Hawkins; Mullet; Padden; Pedersen and Rivers.

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

Referred to Committee on Rules for second reading.

January 29, 2018

SB 6155 Prime Sponsor, Senator Short: Concerning bone marrow donation information provided to driver's license and identocard applicants. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 6155 be substituted therefor, and the substitute bill do pass. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Chase; Cleveland; Dhingra; McCoy; O'Ban; Sheldon; Takko; Walsh; Wellman and Zeiger.

Referred to Committee on Rules for second reading.

January 29, 2018

SB 6184 Prime Sponsor, Senator Wellman: Adding part-time employees to state civil service. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Hasegawa, Vice Chair; Conway; Kuderer and Saldaña.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun; King and Wilson.

Referred to Committee on Ways & Means.

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SB 6199 Prime Sponsor, Senator Cleveland: Concerning the individual provider employment administrator program. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 6199 be substituted therefor, and the substitute bill do pass. Signed by Senators Cleveland, Chair; Kuderer, Vice Chair; Conway; Keiser; Mullet and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Senators Rivers, Ranking Member; Bailey and Becker.

Referred to Committee on Ways & Means.

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SB 6201 Prime Sponsor, Senator Liias: Making the open educational resources project permanent. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Rolfes, Vice Chair; Zeiger, Ranking Member; Billig; Hawkins; Hunt; Mullet; Padden; Pedersen and Rivers.

Referred to Committee on Ways & Means.

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SB 6226 Prime Sponsor, Senator Keiser: Improving health outcomes for injured workers by facilitating better access to medical records and telemedicine. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 6226 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway; King; Kuderer and Saldaña.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun and Wilson.

Referred to Committee on Rules for second reading.

January 29, 2018

SB 6229 Prime Sponsor, Senator Van De Wege: Requiring employers to provide exclusive bargaining representatives reasonable access to new employees for the purposes of presenting information about their exclusive bargaining representative. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by

Senators Keiser, Chair; Hasegawa, Vice Chair; Conway; Kuderer and Saldaña.

MINORITY recommendation: Do not pass. Signed by Senators Braun; King and Wilson.

Referred to Committee on Rules for second reading.

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SB 6248 Prime Sponsor, Senator Wellman: Granting of high school diplomas by community or technical colleges. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Rolfes, Vice Chair; Zeiger, Ranking Member; Billig; Hawkins; Hunt; Mullet; Padden; Pedersen and Rivers.

Referred to Committee on Rules for second reading.

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SB 6270 Prime Sponsor, Senator Conway: Restricting the social security offset to disability compensation. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Hasegawa, Vice Chair; Conway; Kuderer and Saldaña.

MINORITY recommendation: Do not pass. Signed by Senators Braun; King and Wilson.

Referred to Committee on Rules for second reading.

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SB 6293 Prime Sponsor, Senator Wilson: Addressing the creation of a deferred prosecution program for nonpayment of license fees and taxes for vehicle, vessel, and aircraft registrations. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 6293 be substituted therefor, and the substitute bill do pass. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Chase; Cleveland; Dhingra; McCoy; O'Ban; Sheldon; Takko; Walsh; Wellman and Zeiger.

Referred to Committee on Rules for second reading.

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SB 6296 Prime Sponsor, Senator Saldaña: Concerning the deduction of union dues and fees. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 6296 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Hasegawa, Vice Chair; Conway; Kuderer and Saldaña.

MINORITY recommendation: Do not pass. Signed by Senators Braun; King and Wilson.

Referred to Committee on Rules for second reading.

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SB 6330 Prime Sponsor, Senator Hobbs: Concerning medical

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certificate requirements for applicants and holders of commercial drivers' licenses and commercial learners' permits. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 6330 be substituted therefor, and the substitute bill do pass. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Chase; Cleveland; Dhingra; Liias; McCoy; O'Ban; Sheldon; Takko; Walsh; Wellman and Zeiger.

Referred to Committee on Rules for second reading.

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SB 6354 Prime Sponsor, Senator Ericksen: Allowing counties to request ferry capital improvement funds without creating ferry districts. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Chase; Cleveland; Dhingra; McCoy; O'Ban; Sheldon; Takko; Walsh; Wellman and Zeiger.

Referred to Committee on Rules for second reading.

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SB 6389 Prime Sponsor, Senator Zeiger: Regarding career and technical education in alternative learning experience programs. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Zeiger, Ranking Member; Hawkins; Hunt; Padden; Pedersen and Rivers.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Rolfes, Vice Chair; Billig and Mullet.

Referred to Committee on Ways & Means.

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SB 6403 Prime Sponsor, Senator Wellman: Supporting the business of child care. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Rolfes, Vice Chair; Zeiger, Ranking Member; Billig; Hawkins; Hunt; Mullet; Pedersen and Rivers.

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

Referred to Committee on Ways & Means.

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SB 6471 Prime Sponsor, Senator Keiser: Developing model policies to create workplaces that are safe from sexual harassment. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Hasegawa, Vice Chair; Conway; Kuderer and Saldaña.

MINORITY recommendation: That it be referred without

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recommendation. Signed by Senators Braun and King.

Referred to Committee on Rules for second reading.

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SB 6475 Prime Sponsor, Senator Hobbs: Prohibiting the imposition of regional transit authority property taxes on less than a whole parcel. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 6475 be substituted therefor, and the substitute bill do pass. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Chase; Cleveland; Dhingra; Liias; McCoy; O'Ban; Sheldon; Takko; Walsh; Wellman and Zeiger.

Referred to Committee on Rules for second reading.

MOTION

On motion of Liias, the measures listed on the Standing Committee report were referred to the committees as designated with the exceptions of Senate Bill No. 6229 and Senate Bill No. 6296 which had been designated to the Committee on Ways & Means and were referred to the Committee on Rules.

MOTION

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

MESSAGE FROM OTHER STATE OFFICERS

Department of Commerce – “*Homelessness in Washington State, 2017 Report on the Homeless Grant Programs*”, pursuant to 43.185C RCW;

“*State of the Data Center Industry, An Analysis of Washington’s Competiveness in this Fast-Growing High-Tech Field*”, in accordance with Substitute Senate Bill No. 5883

Department of Health – “*Chiropractic Quality Assurance Commission Pilot Project*”, in accordance with Second Substitute House Bill No. 1518;

“*Ambulatory Surgical Facility Fiscal Report for 2017*”, in accordance with Substitute Senate Bill No. 5778;

Department of Labor and Industries – “*Comprehensive Catastrophic Care Management Project, 2017 Report*”, in accordance with Second Engrossed Substitute House Bill No. 2376;

Department of Licensing – “*Special License Plate Annual Report, Reporting for 2016*” pursuant to 46.18.060 RCW;

“*Military Service Member and Military Spouse Licensing Report*”, pursuant to 18.340 RCW;

Office of the Superintendent of Public Instruction – “*School Accountability Funding Report*”, in accordance with Substitute Senate Bill No. 5883;

“*Dyslexia Support*”, pursuant to 28A.300.530 RCW;

Office for Regulatory Innovation and Assistance – “*Impacts of Significant Legislative Rulemaking (2016-17)*”, pursuant to 34.05.328 RCW;

Department of Social & Health Services – “*WorkFirst Monitoring Report, State Fiscal Year 2017, as of June 30, 2017*”, pursuant to 74.08A.341 RCW;

Sustainable Aviation Biofuels Workgroup – “*Sustainable Aviation Biofuels Workgroup, 2017 Report*”, in accordance with Substitute House Bill No. 2422; and

Department of Transportation – “*US 2 Westbound Trestle*

Funding and Finance Study”, in accordance with Engrossed Senate Bill No. 5096.

MOTION

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

MESSAGES FROM THE HOUSE

January 29, 2018

MR. PRESIDENT:

The House has passed:

- HOUSE BILL NO. 1133,
- SUBSTITUTE HOUSE BILL NO. 1559,
- SUBSTITUTE HOUSE BILL NO. 1560,
- HOUSE BILL NO. 1584,
- HOUSE BILL NO. 2257,
- SUBSTITUTE HOUSE BILL NO. 2320,
- HOUSE BILL NO. 2363,
- SUBSTITUTE HOUSE BILL NO. 2419,
- SUBSTITUTE HOUSE BILL NO. 2424,
- HOUSE BILL NO. 2642,
- HOUSE BILL NO. 2702,
- SUBSTITUTE HOUSE BILL NO. 2752,

and the same are herewith transmitted.

NONA SNELL, Deputy Chief Clerk

January 30, 2018

MR. PRESIDENT:

The Speaker has signed:

ENGROSSED SENATE BILL NO. 5375,

and the same is herewith transmitted.

NONA SNELL, Deputy Chief Clerk

MOTION

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

INTRODUCTION AND FIRST READING

SB 6579 by Senator Fortunato

AN ACT Relating to birthing centers; amending RCW 18.46.010 and 18.46.020; and creating a new section.

Referred to Committee on Health & Long Term Care.

SB 6580 by Senator Rolfes

AN ACT Relating to human immunodeficiency virus (HIV) testing; creating a new section; and repealing RCW 70.24.330 and 70.24.335.

Referred to Committee on Health & Long Term Care.

SB 6581 by Senator Honeyford

AN ACT Relating to surf pools; amending RCW 70.90.110, 70.90.120, and 70.90.160; and creating a new section.

Referred to Committee on Health & Long Term Care.

SB 6582 by Senators Chase and Saldaña

AN ACT Relating to the criminal history of applicants to institutions of higher education; and adding a new chapter to Title 28B RCW.

Referred to Committee on Higher Education & Workforce Development.

SB 6583 by Senators Wellman, Ranker and Keiser

AN ACT Relating to establishing the Washington state women’s commission; and adding a new chapter to Title 43 RCW.

Referred to Committee on State Government, Tribal Relations & Elections.

MOTION

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

MOTION

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

MOTION

Senator Van De Wege moved adoption of the following resolution:

SENATE RESOLUTION
8691

By Senators Van De Wege, Liias, Rolfes, Chase, Pedersen, Nelson, McCoy, Ranker, Bailey, Angel, Sheldon, King, and Hobbs

WHEREAS, The Washington Legislature in 1868 established pilot and pilotage regulations for the Strait of Juan de Fuca and Puget Sound and related waters; and

WHEREAS, The legislature established that it shall be the duty of the governor to appoint two experienced and resident ship masters and one resident merchant to constitute a board of pilot commissioners for the different ports of Puget Sound, the Strait of Juan de Fuca, and related waters; and

WHEREAS, The legislature established that the commissioners shall meet in Port Townsend at least once every three months and hold their first regular meeting on the first Monday of May, 1868; and

WHEREAS, The Pilotage Act was signed into law on January 30, 1868, by the seventh governor of Washington Territory, the honorable Marshall F. Moore, a union army veteran of the civil war who served as governor from 1867 to 1869; and

WHEREAS, The commission and pilots have been serving Washington State and waterborne commerce in the Puget Sound region for one hundred fifty years; and

WHEREAS, No persons, except those licensed by the commissioners, may pilot vessels in or out of the bays or harbors of Puget Sound, the Strait of Juan de Fuca, or their inlets or harbors, for hire; and

WHEREAS, It is the duty of every pilot in charge of a vessel arriving in any of the ports of Puget Sound or its branches to have the vessel safely moored or anchored in such position as the master may direct, and that pilots keep a pilot station and boats in good condition for cruising the Strait of Juan de Fuca and for safely boarding vessels upon arrival and disembark; and

WHEREAS, It is the mission of the state and Puget Sound pilots to ensure against the loss of lives, loss of or damage to property and vessel, and to protect the marine environment by

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maintaining efficient and competent pilotage service on our state's inland waters within the Puget Sound pilotage district; and

WHEREAS, The Pilotage Act, regulated and administered by the state's board of pilotage commissioners and serviced by state licensed pilots, has successfully handled nearly two hundred fifty thousand vessel assignments, spanning more than three decades, without a major incident in the Puget Sound; and

WHEREAS, This unparalleled safety record has earned Puget Sound recognition from the United States Coast Guard Captain of the Port as the safest major port in the nation; and

WHEREAS, Puget Sound pilots were available to board ships on arrival at the Port Angeles pilot station ninety-nine percent of the time providing nearly perfect service; and

WHEREAS, The state's compulsory pilotage program has successfully mitigated the risk of ships operating in Puget Sound waters while preserving Washington's position as an able competitor for waterborne commerce from other ports and nations of the world;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate honor this historic date of January 30, 2018, as the 150th Anniversary of Washington's Pilotage Act of 1868.

Senator Van De Wege spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8691.

The motion by Senator Van De Wege carried and the resolution was adopted by voice vote.

PERSONAL PRIVILEGE

Senator Sheldon: "Thank you Mr. President. When Senator Keiser was on the rostrum recently, I wanted to expand on a point that I made. I have travelled around our country a little bit and been in some of the state capitols that are neighboring us. Obviously Boise has had quite a restoration in their capitol not too long ago, and it looks great. My observation Mr. President, is that the capitol dome here is in the worst shape I have ever seen it. It is almost black. The north side is certainly much darker than the south side, but it needs cleaning badly. I have the

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privilege to park down in the garage under, below this building, and talk to the maintenance people down there and they agree with me that they had never seen it in this poor of condition. So, my point by rising here today is to help us to enlist some help in getting this capitol dome cleaned up so it looks presentable and looks like the capitol dome that all of our citizens should recognize. Thank you."

President Habib: "Thank you and Senator Sheldon I can virtually, and I wasn't here then, but I can virtually guarantee, because I believe you were, this is not the worst condition you have ever seen the capitol dome in. You were here during the Nisqually earthquake years."

Senator Sheldon: "Yes, I was here during the earthquake but that did not affect the condition of it. I think it is a lichen or a mold that has attached itself. We've had projects to clean the capitol dome before, I recall, and it's an extensive job but I have never seen us go this long and have it be in such poor condition."

President Habib: "You are certainly welcome and I will tell you that it is something that on behalf of the Senate as Lt. Governor, I chair the Senate Capitol Committee and it has come up but I would, we will share the next meeting of that committee with you, the time and the date of it, and we would be glad to have you come and discuss that with members of the committee."

Senator Sheldon: "Mr. President, I would love to do that. Thank you very much for your response."

MOTION

At 12:07 p.m., on motion of Senator Liias, the Senate adjourned until 9:30 o'clock a.m. Wednesday, January 31, 2018.

CYRUS HABIB, President of the Senate

BRAD HENDRICKSON, Secretary of the Senate

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