

TWENTY FOURTH DAY

MORNING SESSION

Senate Chamber, Olympia
Wednesday, January 31, 2018

The Senate was called to order at 9:34 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 Miss Gwen McQuaig and Mr. John Weeks, presented the Colors.

Miss Amelia Vaith led the Senate in the Pledge of Allegiance. The prayer was offered by Rabbi David Lipper of Temple B'nai Torah, Bellevue.

MOTION

Pursuant to Rule 46, on motion of Senator Liias, and without objection, the various standing committees were granted special leave to meet during the day's floor session.

MOTION

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

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

REPORTS OF STANDING COMMITTEES

January 30, 2018

SB 5450 Prime Sponsor, Senator Liias: Concerning the use of cross-laminated timber for building construction. Reported by Committee on Local Government

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

Referred to Committee on Rules for second reading.

January 29, 2018

SB 5912 Prime Sponsor, Senator Kuderer: Concerning insurance coverage of tomosynthesis or three-dimensional mammography. Reported by Committee on Ways & Means

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Rolfes, Chair; Frockt, Vice Chair; Braun, Ranking Member; Honeyford, Assistant Ranking Member; Bailey; Billig; Brown; Conway; Darneille; Hasegawa; Hunt; Keiser; Mullet; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner and Warnick.

Referred to Committee on Rules for second reading.

January 30, 2018

SB 5917 Prime Sponsor, Senator Mullet: Requiring a systemwide credit policy regarding international baccalaureate exams. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: Do pass. Signed by Senators Ranker, Chair; Palumbo, Vice Chair; Hawkins, Ranking Member; Carlyle; Liias; Miloscia; Nelson and Short.

MINORITY recommendation: Do not pass. Signed by Senator Ericksen.

Referred to Committee on Rules for second reading.

January 29, 2018

SB 6036 Prime Sponsor, Senator Mullet: Concerning the creation of a work group to study and make recommendations on natural disaster mitigation and resiliency activities. Reported by Committee on Ways & Means

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Rolfes, Chair; Frockt, Vice Chair; Braun, Ranking Member; Honeyford, Assistant Ranking Member; Bailey; Becker; Billig; Brown; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Mullet; Pedersen; Ranker; Rivers; Schoesler; Van De Wege; Wagoner and Warnick.

Referred to Committee on Rules for second reading.

January 30, 2018

SB 6038 Prime Sponsor, Senator Pedersen: Concerning limited cooperative associations. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 6038 be substituted therefor, and the substitute bill do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; Angel, Assistant Ranking Member; Darneille; Frockt and Wilson.

Referred to Committee on Rules for second reading.

January 30, 2018

SB 6068 Prime Sponsor, Senator Frockt: Concerning the applicability of nondisclosure agreements in civil actions for sexual harassment or assault. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 6068 be substituted therefor, and the substitute bill do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Angel, Assistant Ranking Member; Darneille; Frockt and Wilson.

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

Referred to Committee on Rules for second reading.

January 30, 2018

SB 6074 Prime Sponsor, Senator Takko: Concerning recording documents related to the inheritance exemption for the real estate excise tax. Reported by Committee on Local Government

MAJORITY recommendation: That Substitute Senate Bill No. 6074 be substituted therefor, and the substitute bill do pass. Signed by Senators Takko, Chair; Short, Ranking Member; Angel and Liias.

Referred to Committee on Rules for second reading.

January 29, 2018

SB 6086 Prime Sponsor, Senator Ranker: Protecting the state's marine waters from the release of nonnative finfish from marine finfish aquaculture sites. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 6086 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Mullet; Palumbo; Pedersen; Ranker and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Senators Braun, Ranking Member; Honeyford, Assistant Ranking Member; Bailey; Becker; Brown; Rivers; Schoesler; Wagoner and Warnick.

Referred to Committee on Rules for second reading.

January 30, 2018

SB 6142 Prime Sponsor, Senator Liias: Revising the authority of commissioners of courts of limited jurisdiction. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 6142 be substituted therefor, and the substitute bill do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Angel, Assistant Ranking Member; Darneille; Frockt and Wilson.

Referred to Committee on Rules for second reading.

January 30, 2018

SB 6150 Prime Sponsor, Senator Cleveland: Concerning opioid use disorder treatment, prevention, and related services. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 6150 be substituted therefor, and the substitute bill do pass. Signed by Senators Cleveland, Chair; Kuderer, Vice Chair; Rivers, Ranking Member; Conway; Fain; Keiser; Mullet and Van De Wege.

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

Referred to Committee on Ways & Means.

January 29, 2018

SB 6210 Prime Sponsor, Senator Conway: Addressing the terms under which tribal schools may participate in the state retirement systems as part of a state-tribal education compact. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair; Braun, Ranking Member; Billig; Carlyle; Conway; Darneille; Hasegawa;

Hunt; Keiser; Mullet; Pedersen; Ranker; Schoesler and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Senators Becker and Warnick.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Honeyford, Assistant Ranking Member; Bailey; Brown; Rivers and Wagoner.

Referred to Committee on Rules for second reading.

January 30, 2018

SB 6221 Prime Sponsor, Senator Walsh: Concerning the Washington achieving a better life experience program account. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 6221 be substituted therefor, and the substitute bill 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 30, 2018

SB 6261 Prime Sponsor, Senator Ranker: Modifying eligibility for state need grants. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That Substitute Senate Bill No. 6261 be substituted therefor, and the substitute bill do pass. Signed by Senators Ranker, Chair; Palumbo, Vice Chair; Carlyle; Liias; Miloscia and Nelson.

MINORITY recommendation: Do not pass. Signed by Senator Ericksen.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Hawkins, Ranking Member and Short.

Referred to Committee on Ways & Means.

January 30, 2018

SB 6264 Prime Sponsor, Senator Ranker: Regulating contracts by institutions of higher education with private entities. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: Do pass. Signed by Senators Ranker, Chair; Palumbo, Vice Chair; Carlyle; Liias; Miloscia and Nelson.

MINORITY recommendation: Do not pass. Signed by Senator Ericksen.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Hawkins, Ranking Member and Short.

Referred to Committee on Rules for second reading.

January 30, 2018

SB 6292 Prime Sponsor, Senator Wilson: Concerning electronic monitoring of domestic violence perpetrators. Reported by

Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; Angel, Assistant Ranking Member; Darneille; Frockt and Wilson.

Referred to Committee on Rules for second reading.

January 30, 2018

SB 6297 Prime Sponsor, Senator Dhingra: Concerning provisions governing firearms possession by persons who have been found incompetent to stand trial and who have a history of one or more violent acts. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 6297 be substituted therefor, and the substitute bill do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; Angel, Assistant Ranking Member; Darneille and Frockt.

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

Referred to Committee on Rules for second reading.

January 30, 2018

SB 6298 Prime Sponsor, Senator Dhingra: Adding domestic violence harassment to the list of offenses for which a person is prohibited from possessing a firearm. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Angel, Assistant Ranking Member; Darneille and Frockt.

MINORITY recommendation: Do not pass. Signed by Senator Wilson.

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

Referred to Committee on Rules for second reading.

January 30, 2018

SB 6324 Prime Sponsor, Senator Angel: Concerning the destruction of court exhibits by county clerks. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 6324 be substituted therefor, and the substitute bill do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; Angel, Assistant Ranking Member; Darneille; Frockt and Wilson.

Referred to Committee on Rules for second reading.

January 30, 2018

SB 6351 Prime Sponsor, Senator Van De Wege: Authorizing the health care authority to require fingerprint-based background checks and conviction record checks for the nonemergency medical transportation program. 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 30, 2018

HB 1056 Prime Sponsor, Representative Kilduff: Concerning consumer protections for military service members on active duty. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; Angel, Assistant Ranking Member; Darneille; Frockt and Wilson.

Referred to Committee on Rules for second reading.

January 30, 2018

SGA 9135 TIM G. WETTACK, reappointed on September 18, 2015, for the term ending August 2, 2018, as Member of the Sentencing Guidelines Commission. Reported by Committee on Law & Justice

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Darneille and Frockt.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Padden, Ranking Member; Angel, Assistant Ranking Member and Wilson.

Referred to Committee on Rules for second reading.

MOTION

On motion of Liias, all measures listed on the Standing Committee report were referred to the committees as designated with the exception of Senate Bill No. 6221 which had been designated to the Committee on Ways & Means and was referred to the Committee on Rules.

MOTION

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

MESSAGE FROM THE GOVERNOR

January 30, 2018

To the Honorable President and Members,
The Senate of the State of Washington

Ladies and Gentlemen:

I have the honor to advise you that on January 30, 2018, Governor Inslee approved the following Senate Bill entitled:

Engrossed Senate Bill No. 5375

Relating to renaming the cancer research endowment authority to the Andy Hill cancer research endowment.

Sincerely,
/s/
Drew Shirk, Executive Director of Legislative Affairs

MOTION

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

INTRODUCTION AND FIRST READING

SB 6584 by Senators Hasegawa and Chase

AN ACT Relating to the motion picture competitiveness program; amending RCW 43.365.020; and creating a new section.

Referred to Committee on Economic Development & International Trade.

SB 6585 by Senator Wagoner

AN ACT Relating to creating the veterans service officer program; and adding new sections to chapter 43.60A RCW.

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

SB 6586 by Senator Wagoner

AN ACT Relating to modifying qualifications for disabled veterans to receive fee exempt license plates; and amending RCW 46.18.235.

Referred to Committee on Transportation.

SB 6587 by Senator Hasegawa

AN ACT Relating to the transparency of local taxing districts; adding a new section to chapter 87.03 RCW; adding a new section to chapter 35.58 RCW; adding a new section to chapter 54.04 RCW; adding a new section to chapter 85.08 RCW; adding a new section to chapter 36.58A RCW; adding a new section to chapter 36.58 RCW; adding a new section to chapter 36.95 RCW; and adding a new section to chapter 57.02 RCW.

Referred to Committee on Local Government.

SB 6588 by Senators Honeyford and Warnick

AN ACT Relating to establishing the water infrastructure program; and adding a new chapter to Title 90 RCW.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

SB 6589 by Senators Chase and Hasegawa

AN ACT Relating to establishing a joint legislative task force on the data center industry in Washington; creating a new section; and providing an expiration date.

Referred to Committee on Economic Development & International Trade.

HB 1133 by Representatives Griffey and Appleton

AN ACT Relating to limiting the uses of the fire protection contractor license fund; and amending RCW 18.160.050.

Referred to Committee on Labor & Commerce.

SHB 1559 by House Committee on Appropriations (originally sponsored by Representatives Goodman, Hayes, Bergquist, Dolan, Doglio, Griffey, Ryu, Lovick, Fitzgibbon, Sells and Ormsby)

AN ACT Relating to granting binding interest arbitration rights to certain uniformed personnel; amending RCW 41.80.005 and 41.80.010; adding new sections to chapter 41.80 RCW; and prescribing penalties.

Referred to Committee on Labor & Commerce.

SHB 1560 by House Committee on Appropriations (originally sponsored by Representatives Stanford, Chandler, Ormsby, Harris, Bergquist, Fey, Stonier, Peterson and Doglio)

AN ACT Relating to plan membership default provisions in the public employees' retirement system, the teachers' retirement system, and the school employees' retirement system; amending RCW 41.32.835, 41.35.610, and 41.40.785; and declaring an emergency.

Referred to Committee on Ways & Means.

HB 1584 by Representatives Young, Shea, Taylor and Condotta
AN ACT Relating to the sale of software used in the unauthorized interference of ticket sales over the internet; and amending RCW 19.345.020.

Referred to Committee on Energy, Environment & Technology.

HB 2257 by Representatives McBride, Stokesbary, Graves, Rodne, Macri, Jinkins and Doglio

AN ACT Relating to prohibiting maintenance of certification from being required for certain health professions; amending RCW 18.71.010 and 18.57.001; adding a new section to chapter 18.71 RCW; and adding a new section to chapter 18.57 RCW.

Referred to Committee on Health & Long Term Care.

SHB 2320 by House Committee on Community Development, Housing & Tribal Affairs (originally sponsored by Representatives Reeves, Stanford, Bergquist, Tarleton, Slatter, Shea, Barkis, Senn and Ryu)

AN ACT Relating to the creation of a work group to study and make recommendations on natural disaster mitigation and resiliency activities; and adding new sections to chapter 48.02 RCW.

Referred to Committee on Financial Institutions & Insurance.

HB 2363 by Representatives Pellicciotti and McDonald

AN ACT Relating to addressing the use of unmanned aircraft to deliver contraband to certain facilities; amending RCW 9A.76.010, 9A.76.140, 9A.76.150, and 9A.76.160; and prescribing penalties.

Referred to Committee on Law & Justice.

SHB 2419 by House Committee on Commerce & Gaming (originally sponsored by Representatives Hargrove, Muri and Haler)

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AN ACT Relating to beer, wine, cider, and mead at farmers markets; and amending RCW 66.24.244, 66.24.170, 66.24.175, and 66.04.010.

Referred to Committee on Labor & Commerce.

SHB 2424 by House Committee on Finance (originally sponsored by Representatives Lytton and Nealey)

AN ACT Relating to correcting the use tax exemption for self-produced fuel; amending 2017 3rd sp.s. c 28 s 605 (uncodified); creating new sections; and declaring an emergency.

Referred to Committee on Ways & Means.

HB 2642 by Representatives McCaslin, Pettigrew, Harmsworth, Shea, Dolan, Dent, Bergquist, Holy and Young

AN ACT Relating to requiring the department of children, youth, and families to provide a written explanation for a determination of unsuitability for unsupervised access to children in care; reenacting and amending RCW 43.216.270; and providing an effective date.

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

HB 2702 by Representatives Robinson, McCabe and Springer

AN ACT Relating to making technical corrections to the family and medical leave program and making no substantive changes; and amending RCW 50A.04.010, 50A.04.110, 50A.04.500, 50A.04.525, 50A.04.540, 50A.04.565, and 50A.04.600.

Referred to Committee on Labor & Commerce.

SHB 2752 by House Committee on Judiciary (originally sponsored by Representatives Stanford and Kloba)

AN ACT Relating to issuance of search warrants by district and municipal court judges; and amending RCW 2.20.030.

Referred to Committee on Law & Justice.

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 Becker moved adoption of the following resolution:

SENATE RESOLUTION
8693

By Senator Becker

WHEREAS, The first creamery in Washington was started in Cheney in 1880; and

WHEREAS, Washington's dairy industry is actually older than

the state itself; and

WHEREAS, Families across Washington have depended on the safe and nutritious dairy products provided by the dairy farmers of Washington state for generations; and

WHEREAS, Dairy is an essential part of a healthy diet, is one of the major food groups represented on the USDA's "MyPlate" dietary guidelines, and three cups of dairy products per day are recommended for people nine years old and older; and

WHEREAS, There are approximately four hundred twenty family dairy farms in Washington state with approximately two hundred seventy-seven thousand dairy cows; and

WHEREAS, Dairy ranks as the second highest dollar-valued agricultural commodity produced in Washington, with a direct economic impact valued at two billion three hundred million dollars and a total value to Washington's economy of more than five billion two hundred million dollars; and

WHEREAS, There are over six thousand one hundred eighty-four on-farm dairy jobs in twenty-nine counties across Washington and over twelve thousand one hundred fifty-nine jobs in the dairy industry in total; and

WHEREAS, Washington's milk production ranked second in dollar value among all of Washington's bountiful agricultural commodities; and

WHEREAS, Washington ranks tenth in the nation for number of dairy cows per state; and

WHEREAS, Washington ranks sixth in the nation in milk production per cow, with twenty-three thousand eight hundred forty-eight pounds of milk per year; and

WHEREAS, Dairy Day at the legislature takes place on January 31, 2018, when legislators will visit with Washington dairy producers and enjoy delicious dairy products that are produced in Washington and will be handed out by the Washington State Dairy Federation, Washington State Dairy Women, and the state and county Dairy Ambassadors;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate acknowledge and honor the women and men whose work on dairy farms throughout Washington has contributed much to the strength and vitality of our economy, the character of our communities, and the general well-being of our citizens; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the Senate to Washington State Dairy Ambassador Anna Teachman, alternate Ambassadors Juliana LeClair and Claire Leininger, Dairy Farmers of Washington, and the Washington State Dairy Federation.

Senators Becker, Wellman, Honeyford, Ericksen and Warnick spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8693.

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

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced the Washington State Dairy Ambassadors, led by Ambassador Miss Anna Teachman, who were present in the gallery and recognized by the senate.

REMARKS BY SENATOR LIAS

Senator Liias: "Thank you Mr. President. I heard Senator Warnick's concern about co-sponsoring this resolution and I want to assure her that she can fill out one of the slips and be added to

the Dairy Day resolution. All the members have until thirty minutes after floor action to be added to that resolution and we can join in the celebration.”

MOTION

Senator O’Ban moved adoption of the following resolution:

SENATE RESOLUTION

8696

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

WHEREAS, Amtrak train No. 501 derailed near DuPont in southern Pierce County at 7:33 a.m. on December 18, 2017, during its inaugural trip on the new stretch of track known as the Point Defiance bypass, with seventy-seven passengers and five crewmembers onboard; and

WHEREAS, Sixty-two passengers and crewmembers were injured and three passengers lost their lives; and

WHEREAS, Second Lieutenant Robert McCoy, an Army medic, was driving on Interstate 5 just as the train derailed and without thought to his welfare, immediately jumped out of his truck and began carrying the wounded out of harm’s way and off the road to safety, and then climbed into a suspended train car to help those trapped inside; and

WHEREAS, Daniel Konzelman and Alicia Hoverson were also driving along Interstate 5 and came upon the scene just after the derailment and quickly helped extricate passengers from the damaged train and were a calming presence to the injured; and

WHEREAS, DuPont Mayor Mike Courts and his team were coincidentally at City Hall that morning to begin a scheduled emergency training, and they began coordination of the emergency response, opening up City Hall for emergency workers, taking in those affected, providing food, water, and triage services; and

WHEREAS, Many other pedestrians, police officers, firefighters, nurses, and doctors jumped into action to help those in need; and

WHEREAS, Pierce County Executive Bruce Dammeier and the Pierce County Incident Management Team, led by Captain Jerry Lawrence from the Pierce County Sheriff’s Department and Captain Scott Engle of the Puyallup Police Department, spearheaded a multiagency response; and

WHEREAS, The responding agencies included: West Pierce Fire; Joint Base Lewis-McChord; the City of DuPont; the Pierce County Medical Examiner; the Office of the Governor; the Washington State Department of Transportation; the Washington State Patrol; the Federal Bureau of Investigation; the National Transportation Safety Board; Amtrak; and the American Red Cross; and

WHEREAS, These agencies showed exemplary coordination in helping the injured and addressing the myriad of issues resulting from a catastrophe of this magnitude, with remarkable effectiveness and sensitivity to the injured and their families; and

WHEREAS, These agencies worked collaboratively and professionally to remove damaged vehicles and equipment, assess damages, and perform necessary repairs that allowed the opening of Interstate 5, an essential and critical Washington state highway,

within fifty-seven hours; and

WHEREAS, Madigan Army Medical Center at Joint Base Lewis-McChord; Providence St. Peter Hospital and Capital Medical Center in Olympia; Harborview Medical Center, Virginia Mason Medical Center, and Children’s Hospital in Seattle; St. Joseph Medical Center, Tacoma General, and Allenmore Hospital in Tacoma; Good Samaritan Hospital in Puyallup; and, St. Francis Hospital in Federal Way all treated victims of the train crash; and

WHEREAS, Joint Base Lewis-McChord made available its Eagles Pride Golf Course as the command center for coordination among all responding agencies and opened its restricted roadways for use by the general public to accommodate traffic from the impassable southbound lanes of Interstate 5;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate hereby honors all those who acted promptly, efficiently, and effectively in a time of extraordinary confusion and emotional stress to aid the injured and their families and console those who lost loved ones; and

BE IT FURTHER RESOLVED, That a copy of this resolution be immediately transmitted by the Secretary of the Senate to those mentioned in this resolution.

Senators O’Ban, Zeiger, Chase, Becker and Angel spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8696.

The motion by Senator O’Ban carried and the resolution was adopted by voice vote.

REMARKS BY THE PRESIDENT

President Habib: “As was mentioned, we are honored and blessed to have a number of individuals here with us today whose lives were touched in one way or another by this tragedy. We have those who were themselves injured in the accident, as a result of the accident, we have those whose lives who have been inalterably changed as a result of the loss of a loved one, and as was also mentioned we have those who are here who were part of this tremendous rescue effort; our first responders, doctors, nurses, police, and good Samaritans, as was mentioned a number of times. I would ask that all of our guests would stand so that the Senate can express our solidarity and support and our grief for those who have been lost and our gratitude and appreciation for all those who ran to the rescue.”

The Senate rose and recognized the loss of life, the service provided, and the individuals and communities affected by the derailment of Amtrak train No. 501.

MOTIONS

On motion of Senator Liias and without objection, all the names of the senators were added to Senate Resolution No. 8696, honoring those affected by the Amtrak train No 501 derailment.

At 10:17 a.m., on motion of Senator Liias, the Senate was declared to be at ease subject to the call of the President.

The Senate was called to order at 10:39 a.m. by President Habib.

MOTION

On motion of Senator Liias, the Senate reverted to the seventh order of business.

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THIRD READING
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Keiser moved that Julia L. Patterson, Senate Gubernatorial Appointment No. 9047, be confirmed as a member of the Gambling Commission.

Senators Keiser, Fain and Conway spoke in favor of passage of the motion.

APPOINTMENT OF JULIA L. PATTERSON

The President declared the question before the Senate to be the confirmation of Julia L. Patterson, Senate Gubernatorial Appointment No. 9047, as a member of the Gambling Commission.

The Secretary called the roll on the confirmation of Julia L. Patterson, Senate Gubernatorial Appointment No. 9047, as a member of the Gambling Commission and the appointment was confirmed by the following vote: Yeas, 46; Nays, 1; Absent, 2; Excused, 0.

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

Voting nay: Senator Baumgartner

Absent: Senators Fortunato and Walsh

Julia L. Patterson, Senate Gubernatorial Appointment No. 9047, having received the constitutional majority was declared confirmed as a member of the Gambling Commission.

MOTION

On motion of Senator Bailey, Senators Fortunato and Walsh were excused.

MOTION

Senator Keiser moved that Valoria A.Loveland, Senate Gubernatorial Appointment No. 9159, be confirmed as a member of the Lottery Commission.

Senator Keiser spoke in favor of the motion.

APPOINTMENT OF VALORIA A. LOVELAND

The President declared the question before the Senate to be the confirmation of Valoria A.Loveland, Senate Gubernatorial Appointment No. 9159, as a member of the Lottery Commission.

The Secretary called the roll on the confirmation of Valoria A.Loveland, Senate Gubernatorial Appointment No. 9159, as a member of the Lottery Commission and the appointment was confirmed by the following vote: Yeas, 47; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Becker, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Darneille, Dhingra, Ericksen, Fain, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Honeyford, Hunt, Keiser, King, Kuderer, Liias, McCoy,

Miloscia, Mullet, Nelson, O'Ban, Padden, Palumbo, Pedersen, Ranker, Rivers, Rolfes, Saldaña, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Warnick, Wellman, Wilson and Zeiger

Voting nay: Senator Baumgartner

Excused: Senator Walsh

Valoria A.Loveland, Senate Gubernatorial Appointment No. 9159, having received the constitutional majority was declared confirmed as a member of the Lottery Commission.

MOTION

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

SECOND READING

SECOND ENGROSSED SUBSTITUTE HOUSE BILL NO. 1508, by House Committee on Appropriations (originally sponsored by Representatives Stonier, Dolan, Ortiz-Self, Riccelli, Orwall, Peterson, Sawyer, Doglio, Gregerson, Slatter, Frame, Macri, Bergquist, Senn, Ryu, Kloba, Stanford, Sells, Farrell, Lovick, McBride, Pollet, Hudgins, Jinkins, Kagi, Appleton, Goodman, Tharinger, Clibborn, Ormsby, Cody, Santos, Fey and Pettigrew)

Promoting student health and readiness through meal and nutrition programs.

The measure was read the second time.

MOTION

Senator Wellman moved that the following committee amendment by the Committee on Ways & Means be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** (1) The legislature finds that thoughtful and evidence-based school food programs are associated with improved outcomes for students, including reductions in tardiness, absenteeism, suspensions, and reported illnesses and visits to nurses' offices. The legislature further finds that thoughtful and evidence-based school food programs are also associated with improved student results on standardized tests and improved graduation rates.

(2) The legislature acknowledges that existing school-related farm programs play an important role in helping students to better understand the relationships between academics, food, farming, and good health.

(3) The legislature finds that the purpose of sections 1 through 7 of this act is to achieve the public policy benefits specified in subsection (1) of this section: Improved student outcomes. To do so, the legislature intends to:

(a) Expand opportunities for students to have a healthy breakfast by requiring schools with large populations of qualifying low-income students to offer breakfast after the bell programs, a program model that has increased breakfast participation rates in other states; and

(b) Increase support for school-related farm programs that have proven successful in supporting students through policies that, among other benefits, promote student health and readiness through healthy local foods and school garden projects; and

(c) Conduct an analysis of breakfast after the bell programs

established in accordance with section 3 of this act.

NEW SECTION. Sec. 2. A new section is added to chapter 28A.235 RCW to read as follows:

The definitions in this section apply throughout sections 3 through 4 of this act unless the context clearly requires otherwise.

(1) "Breakfast after the bell" means a breakfast that is offered to students after the beginning of the school day. Examples of breakfast after the bell models include, but are not limited to:

(a) "Grab and go," where easy-to-eat breakfast foods are available for students to take at the start of the school day or in between morning classes;

(b) "Second chance breakfast," where breakfast foods are available during recess, a nutrition break, or later in the morning, for students who are not hungry first thing in the morning, or who arrive late to school; and

(c) "Breakfast in the classroom," where breakfast is served in the classroom, often during homeroom or first period.

(2) "Eligible for free or reduced-price meals" means a student who is eligible under the national school lunch program or school breakfast program to receive lunch or breakfast at no cost to the student or at a reduced cost to the student.

(3) "High-needs school" means any public school: (a) That has enrollment of seventy percent or more students eligible for free or reduced-price meals in the prior school year; or (b) that is using provision two of the national school lunch act or the community eligibility provision under section 104(a) of the federal healthy, hunger-free kids act of 2010 to provide universal meals and that has a claiming percentage for free or reduced-price meals of seventy percent or more.

(4) "Public school" has the same meaning as provided in RCW 28A.150.010.

(5) "School breakfast program" means a program meeting federal requirements under 42 U.S.C. Sec. 1773.

(6) "School lunch program" means a program meeting federal requirements under 42 U.S.C. Sec. 1751.

NEW SECTION. Sec. 3. A new section is added to chapter 28A.235 RCW to read as follows:

(1)(a) In accordance with section 6 of this act and except as provided in subsection (2) of this section, beginning in the 2019-20 school year, each high-needs school shall offer breakfast after the bell to each student and provide adequate time for students to consume the offered food.

(b) Public schools that are not obligated by this section to offer breakfast after the bell are encouraged to do so. Nothing in this section is intended to prevent a high-needs school from implementing a breakfast after the bell program before the 2019-20 school year.

(2) High-needs schools with at least seventy percent of free or reduced-price eligible children participating in both school lunch and school breakfast are exempt from the provisions of subsection (1) of this section. The office of the superintendent of public instruction shall evaluate individual participation rates annually, and make the participation rates publicly available.

(3) Each high-needs school may determine the breakfast after the bell service model that best suits its students. Service models include, but are not limited to, breakfast in the classroom, grab and go breakfast, and second chance breakfast.

(4) All breakfasts served in a breakfast after the bell program must comply with federal meal patterns and nutrition standards for school breakfast programs under the federal healthy, hunger-free kids act of 2010, (P.L. 111-296) and any federal regulations implementing that act. By December 1, 2018, and as needed thereafter, the office of the superintendent of public instruction must develop and distribute best practices and provide technical

assistance to school districts on strategies for selecting food items that are low in added sugar. When choosing foods to serve in a breakfast after the bell program, schools must give preference to foods that are healthful and fresh, and if feasible, give preference to Washington-grown food.

(5) Subject to the availability of amounts appropriated for this specific purpose, the superintendent of public instruction shall administer one-time start-up allocation grants to each high-needs school implementing a breakfast after the bell program under this section. Grant funds provided under this section must be used for the costs associated with launching a breakfast after the bell program, including but not limited to equipment purchases, training, additional staff costs, and janitorial services.

(6) The legislature does not intend to include the breakfast after the bell programs under this section, including the provision of breakfast, within the definition or funding of the program of basic education under Article IX of the state Constitution.

NEW SECTION. Sec. 4. A new section is added to chapter 28A.235 RCW to read as follows:

(1) Before January 2, 2019, the office of the superintendent of public instruction shall develop and distribute procedures and guidelines for the implementation of section 3 of this act that comply with federal regulations governing the school breakfast program. The guidelines and procedures must include ways schools and districts can solicit and consider the input of families regarding implementation and continued operation of breakfast after the bell programs. The guidelines and procedures must also include recommendations and best practices for designing, implementing, and operating breakfast after the bell programs that are based upon the implementation and operational experiences of schools of differing sizes and in different geographic regions of the state that have implemented breakfast after the bell programs.

(2) The office of the superintendent of public instruction shall offer training and technical and marketing assistance to all public schools and school districts related to offering breakfast after the bell, including assistance with various funding options available to high-needs schools such as the community eligibility provision under 42 U.S.C. Sec. 1759a(a)(1), programs under provision two of the national school lunch act, and claims for reimbursement under the school breakfast program.

(3) In accordance with this section, the office of the superintendent of public instruction shall collaborate with nonprofit organizations knowledgeable about equity, the opportunity gap, hunger and food security issues, and best practices for improving student access to school breakfast. The office shall maintain a list of opportunities for philanthropic support of school breakfast programs and make the list available to schools interested in breakfast after the bell programs.

(4) The office of the superintendent of public instruction shall incorporate the annual collection of information about breakfast after the bell delivery models into existing data systems and make the information publicly available.

Sec. 5. RCW 28A.150.205 and 1992 c 141 s 502 are each amended to read as follows:

Unless the context clearly requires otherwise, the definition in this section applies throughout RCW 28A.150.200 through 28A.150.295.

(1) "Instructional hours" means those hours students are provided the opportunity to engage in educational activity planned by and under the direction of school district staff, as directed by the administration and board of directors of the district, inclusive of intermissions for class changes, recess, and teacher/parent-guardian conferences that are planned and

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scheduled by the district for the purpose of discussing students' educational needs or progress, and exclusive of time actually spent for meals.

(2)(a) If students are provided the opportunity to engage in educational activity that is part of the regular instructional program concurrently with the consumption of breakfast, the period of time designated for student participation in breakfast after the bell, as defined in section 2 of this act, must be considered instructional hours.

(b) Breakfast after the bell programs, as defined in section 2 of this act, including the provision of breakfast, are not considered part of the definition or funding of the program of basic education under Article IX of the state Constitution.

NEW SECTION. Sec. 6. A new section is added to chapter 28A.235 RCW to read as follows:

The office of the superintendent of public instruction, school districts, and affected schools shall implement sections 2 through 4, chapter . . . , Laws of 2018 (sections 2 through 4 of this act) only in years in which funding is specifically provided for the purposes of chapter . . . , Laws of 2018 (this act), referencing chapter . . . , Laws of 2018 (this act) by bill or chapter number or statutory references, in a biennial or supplemental operating budget.

Sec. 7. RCW 28A.235.150 and 1993 c 333 s 3 are each amended to read as follows:

(1)(a) To the extent funds are appropriated for this specific purpose, the superintendent of public instruction may award grants to school districts to:

(i) Increase awareness of and participation in school breakfast and lunch programs(~~(-to-)), including breakfast after the bell programs;~~

(ii) Improve program quality(~~(, -and to-)), including the nutritional content of program food and the promotion of nutritious food choices by students;~~

(iii) Promote innovative school-based programs, including but not limited to developing gardens that provide produce used in school breakfast or lunch programs; and

(iv) Improve the equipment and facilities used in the programs.

(b) If applicable, school districts shall demonstrate that they have applied for applicable federal funds before applying for funds under this subsection.

(2) To the extent funds are appropriated for this specific purpose, the superintendent of public instruction shall increase the state support for school breakfasts and lunches, including breakfast after the bell programs.

(3) As used in this section, "breakfast after the bell" has the definition in section 2 of this act.

NEW SECTION. Sec. 8. A new section is added to chapter 28A.235 RCW to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, the office of the superintendent of public instruction may coordinate with the department of agriculture to promote and facilitate new and existing regional markets programs, including farm-to-school initiatives established in accordance with RCW 15.64.060, and small farm direct marketing assistance in accordance with RCW 15.64.050. In coordinating with the department of agriculture, the office of the superintendent of public instruction is encouraged to provide technical assistance, including outreach and best practices strategies, to school districts with farm-to-school initiatives.

(2) Subject to the availability of amounts appropriated for this specific purpose, the regional markets programs of the department of agriculture must be a centralized connection point for schools and other institutions for accessing and sharing

information, tools, ideas, and best practices for purchasing Washington-grown food.

(a) In accordance with this subsection (2), program staff from the department of agriculture may provide:

(i) Scale-appropriate information and resources to farms to help them respond to the growing demand for local and direct marketed products; and

(ii) Targeted technical assistance to farmers, food businesses, and buyers, including schools, about business planning, access to markets, product development, distribution infrastructure, and sourcing, procuring, and promoting Washington-grown foods.

(b) In accordance with this subsection (2), program staff from the department of agriculture may provide technical assistance to:

(i) Support new and existing farm businesses;

(ii) Maintain the economic viability of farms;

(iii) Support compliance with applicable federal, state, and local requirements; and

(iv) Support access and preparation efforts for competing in markets that are a good fit for their scale and products, including schools and public institutions, and direct-to-consumer markets that include, but are not limited to, farmers' markets, local retailers, restaurants, value-added product developments, and agritourism opportunities.

(3) Subject to the availability of amounts appropriated for this specific purpose, the regional markets programs of the department of agriculture may support school districts in establishing or expanding farm-to-school initiatives by providing information and guidance to overcome barriers to purchasing Washington-grown food. In accordance with this subsection (3), regional markets program activities may include, but are not limited to:

(a) Connecting schools and other institutions with farmers and distribution chains;

(b) Overcoming seasonality constraints;

(c) Providing budgeting assistance;

(d) Navigating procurement requirements; and

(e) Developing educational materials that can be used in cafeterias, classrooms, and in other educational environments.

(4) Subject to the availability of amounts appropriated for this specific purpose, school districts and other institutions may coordinate with the department of agriculture to promote and facilitate new and existing farm-to-school initiatives. School district representatives involved in these initiatives may include, but not limited to, school nutrition staff, purchasing staff, student representatives, and parent organizations.

(5) Subject to the availability of amounts appropriated for this specific purpose, the office of the superintendent of public instruction may award grants to school districts to collaborate with community-based organizations, food banks, and farms or gardens for reducing high school dropout occurrences through farm engagement projects. Projects established by school districts that receive grants in accordance with this section must:

(a) Primarily target low-income and disengaged youth who have dropped out or who are at risk of dropping out of high school; and

(b) Provide participating youth with opportunities for:

(i) Performing community service, including, but not limited to, building food gardens for low-income families, and work-based learning and employment during the school year and summer through farm or garden programs;

(ii) Earning core and elective credits applied toward high school graduation, including but not limited to, science, health, and career and technical education credits;

(iii) Receiving development support and services, including social and emotional learning, counseling, leadership training,

and career and college guidance; and

(iv) Improving food security for themselves and their community through the project.

NEW SECTION. Sec. 9. A new section is added to chapter 28A.235 RCW to read as follows:

(1) The joint legislative audit and review committee shall conduct an analysis of breakfast after the bell programs established in schools in accordance with section 3 of this act. The analysis of the schools establishing breakfast after the bell programs shall include a review of any changes in student:

- (a) Tardiness and absenteeism;
- (b) Suspensions;
- (c) Reported illnesses and visits to nurses' offices;
- (d) Results on standardized tests; and
- (e) Graduation rates.

(2) The analysis shall also include a review of the outcomes of similar programs or efforts in other states.

(3) The office of the superintendent of public instruction and the education and research data center of the office of financial management shall assist in providing any data required to conduct the analysis. The analysis, including any findings and recommendations, must be completed and submitted to the superintendent of public instruction and, in accordance with RCW 43.01.036, the education committees of the house of representatives and the senate by December 1, 2026.

NEW SECTION. Sec. 10. Sections 3, 4, and 6 of this act expire June 30, 2028.

NEW SECTION. Sec. 11. This act may be known and cited as the Washington kids ready to learn act of 2018."

On page 1, line 2 of the title, after "programs;" strike the remainder of the title and insert "amending RCW 28A.150.205 and 28A.235.150; adding new sections to chapter 28A.235 RCW; creating new sections; and providing an expiration date."

The President declared the question before the Senate to be the adoption of the committee amendment by the Committee on Ways & Means to Second Engrossed Substitute House Bill No. 1508.

The motion by Senator Wellman carried and the committee amendment was adopted by voice vote.

MOTION

On motion of Senator Wellman, the rules were suspended, Second Engrossed Substitute House Bill No. 1508 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wellman and Zeiger spoke in favor of passage of the bill.

Senator Baumgartner spoke on final passage of the bill.

The President declared the question before the Senate to be the final passage of Second Engrossed Substitute House Bill No. 1508 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Second Engrossed Substitute House Bill No. 1508 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 43; Nays, 5; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Darneille, Dhingra, Fain, Fortunato, Frockt, Hasegawa, Hawkins,

Hobbs, Hunt, Keiser, King, Kuderer, Lias, McCoy, Miloscia, Mullet, Nelson, O'Ban, Palumbo, Pedersen, Ranker, Rivers, Rolfes, Saldaña, Sheldon, Takko, Van De Wege, Wagoner, Warnick, Wellman, Wilson and Zeiger

Voting nay: Senators Ericksen, Honeyford, Padden, Schoesler and Short

Excused: Senator Walsh

SECOND ENGROSSED SUBSTITUTE HOUSE BILL NO. 1508, as amended by the Senate, 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. 5912, by Senators Kuderer, Rivers, Cleveland, Walsh, Conway, Mullet, Keiser and Hasegawa

Concerning insurance coverage of tomosynthesis or three-dimensional mammography.

The measure was read the second time.

MOTION

On motion of Senator Kuderer, the rules were suspended, Senate Bill No. 5912 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Kuderer, Rivers and Cleveland spoke in favor of passage of the bill.

Senator Becker spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5912.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5912 and the bill passed the Senate by the following vote: Yeas, 44; Nays, 4; Absent, 0; Excused, 1.

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

Voting nay: Senators Angel, Becker, Short and Wilson

Excused: Senator Walsh

SENATE BILL NO. 5912, 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. 5084, by Senators Rolfes, Angel, Hasegawa, Nelson, Honeyford, Darneille, Billig, Keiser, Wilson, Saldaña, Warnick and Kuderer

Providing women with timely information regarding their breast health.

MOTION

On motion of Senator Rolfes, Substitute Senate Bill No. 5084 was substituted for Senate Bill No. 5084 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Rolfes moved that the following striking amendment no. 370 by Senator Rolfes be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 12. A new section is added to chapter 70.54 RCW to read as follows:

(1) All health care facilities shall include in the summary of the mammography report, required by federal law to be provided to a patient, information that identifies the patient's individual breast density classification based on the breast imaging reporting and data system established by the American College of Radiology. If a physician at, employed by, or under contract with, the health care facility determines that a patient has heterogeneously or extremely dense breasts, the summary of the mammography report must include the following notice:

"Your mammogram indicates that you may have dense breast tissue. Roughly half of all women have dense breast tissue which is normal. Dense breast tissue may make it more difficult to evaluate your mammogram and may be associated with an increased risk of breast cancer. We are sharing this information with you and your health care provider to help raise your awareness of breast density. We encourage you to talk with your health care provider about this and other breast cancer risk factors. Together, you can decide which screening options are right for you."

(2) Patients who receive diagnostic or screening mammograms may be directed to informative material about breast density. This informative material may include the American College of Radiology's most current brochure on the subject of breast density.

(3) This section does not create a duty of care for any health care facility or any health care providers or other legal obligation beyond the duty to provide notice as set forth in this section.

(4) This section does not require a notice that is inconsistent with the provisions of the federal mammography quality standards act (42 U.S.C. Sec. 263b) or any regulations adopted under that act.

(5) For the purposes of this section:

(a) "Health care facility" means a hospital, clinic, nursing home, laboratory, office, or similar place where mammography examinations are performed.

(b) "Physician" means a person licensed to practice medicine under chapter 18.57 or 18.71 RCW.

(6) This section expires January 1, 2025.

NEW SECTION. Sec. 13. Section 1 of this act takes effect January 1, 2019."

On page 1, line 2 of the title, after "health;" strike the remainder of the title and insert "adding a new section to chapter 70.54 RCW; providing an effective date; and providing an expiration date."

WITHDRAWAL OF AMENDMENT

On motion of Senator O'Ban and without objection, the following amendment no. 381 by Senator O'Ban on page 1, line 29 to striking amendment no. 370 was withdrawn:

On page 1, after line 29 of the amendment, insert the following:
 "(4) This section does not create any civil liability on the part of any health care facility or health care provider for failure to provide notice as set forth in this section."

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

The President declared the question before the Senate to be the adoption of striking amendment no. 370 by Senator Rolfes to Substitute Senate Bill No. 5084.

The motion by Senator Rolfes carried and striking amendment no. 370 was adopted by voice vote.

MOTION

On motion of Senator Rolfes, the rules were suspended, Engrossed Substitute Senate Bill No. 5084 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Rolfes, Angel and Cleveland spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5084.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5084 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Walsh

ENGROSSED SUBSTITUTE SENATE BILL NO. 5084, 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 11:19 a.m., on motion of Senator Liias, the Senate was declared to be at ease for the purposes of caucuses.

Senator Becker announced a meeting of the Republican Caucus immediately.

AFTERNOON SESSION

The Senate was called to order at 11:58 a.m. by President Habib.

SECOND READING

SENATE BILL NO. 6219, by Senators Hobbs, Saldaña, Dhingra, Ranker, Carlyle, Takko, Kuderer, Hasegawa, Palumbo, Chase, Nelson, Frockt, Keiser, Wellman, Darneille, Mullet, Billig, Pedersen, Rolfes, Hunt and Liias

Concerning health plan coverage of reproductive health care.

MOTION

On motion of Senator Hobbs, Substitute Senate Bill No. 6219 was substituted for Senate Bill No. 6219 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator O'Ban moved that the following amendment no. 380, by Senator O'Ban be adopted:

On page 3, after line 36, insert the following:

"(7) The legislature recognizes that every person possesses a fundamental right to exercise their religious beliefs and conscience. No religious or sectarian employer may be required by law or contract in any circumstances to participate in the provision of, or payment for, a service or product described in subsection (1) of this section if they object to so doing for reason of conscience or religion."

On page 4, after line 28, insert the following:

"(6) The legislature recognizes that every person possesses a fundamental right to exercise their religious beliefs and conscience. No religious or sectarian employer may be required by law or contract in any circumstances to participate in the provision of, or payment for, a service or product described in subsection (1) of this section if they object to so doing for reason of conscience or religion."

Senator O'Ban spoke in favor of adoption of the amendment.

Senator Cleveland spoke against adoption of the amendment.

MOTION

Senator O'Ban demanded a roll call vote.

The President declared that at least one-sixth of the Senate joined the demand and the demand was sustained.

The President declared the question before the Senate to be the adoption of amendment no. 380 by Senator O'Ban on page 3, line 36, to Substitute Senate Bill No. 6219.

ROLL CALL

The Secretary called the roll on the adoption of amendment no. 380 by Senator O'Ban and the amendment was not adopted by the following vote: Yeas, 23; Nays, 25; Absent, 0; Excused, 1.

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

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

Excused: Senator Walsh

WITHDRAWAL OF AMENDMENT

On motion of Senator Fain and without objection, the following amendment no. 383 by Senator Fain on page 3, line 36 to Substitute Senate Bill No. 6219 was withdrawn:

On page 3, after line 36, insert the following:

"(7) No religious employer may be required by law or contract in any circumstances to participate in the provision of, or payment for, a service or product described in subsection (1) of this section if they object to so doing for reason of conscience or religion."

On page 4, after line 28, insert the following:

"(6) No religious employer may be required by law or contract in any circumstances to participate in the provision of, or payment for, a service or product described in subsection (1) of this section if they object to so doing for reason of conscience or religion."

MOTION

Senator Baumgartner moved that the following amendment no. 376 by Senator Baumgartner be adopted:

On page 4, line 1, after "provided in" strike "subsection (5)" and insert "subsection (5) or (6)"

On page 4, after line 28, insert the following: "(6) Nothing in this section may be interpreted to permit abortions of fetuses with down syndrome."

On page 4, after line 37, insert the following:

"NEW SECTION. **Sec. 5.** A new section is added to chapter 48.43 RCW to read as follows:

No health plan may provide a covered person with coverage for the abortion of a fetus with down syndrome."

Senators Baumgartner and Padden spoke in favor of adoption of the amendment.

Senator Cleveland spoke against adoption of the amendment.

MOTION

Senator Baumgartner demanded a roll call vote.

The President declared that at least one-sixth of the Senate joined the demand and the demand was sustained.

The President declared the question before the Senate to be the adoption of amendment no. 376 by Senator Baumgartner on page 4, line 1, to Substitute Senate Bill No. 6219.

ROLL CALL

The Secretary called the roll on the adoption of amendment no. 376 by Senator Baumgartner and the amendment was not adopted by the following vote: Yeas, 22; Nays, 26; Absent, 0; Excused, 1.

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

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

Excused: Senator Walsh

MOTION

Senator Baumgartner moved that the following amendment no. 377 by Senator Baumgartner be adopted:

On page 4, line 1, after "provided in" strike "subsection (5)" and insert "subsection (5) or (6)"

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On page 4, after line 28, insert the following:

"(6) Nothing in this section may be interpreted to permit abortions for purposes of sexual orientation selection."

On page 4, after line 37, insert the following:

"NEW SECTION. Sec. 5. A new section is added to chapter 48.43 RCW to read as follows:

No health plan may provide a covered person with coverage for the abortion of a pregnancy for purposes of sexual orientation selection."

Senator Baumgartner spoke in favor of adoption of the amendment.

Senator Cleveland spoke against adoption of the amendment.

MOTION

Senator Baumgartner demanded a roll call vote.

The President declared that at least one-sixth of the Senate joined the demand and the demand was sustained.

The President declared the question before the Senate to be the adoption of amendment no 377 by Senator Baumgartner on page 4, line 1 to Substitute Senate Bill No. 6219.

ROLL CALL

The Secretary called the roll on the adoption of the amendment no. 377 by Senator Baumgartner and the amendment was not adopted by the following vote: Yeas, 23; Nays, 25; Absent, 0; Excused, 1.

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

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

Excused: Senator Walsh

MOTION

Senator Baumgartner moved that the following amendment no. 378 by Senator Baumgartner be adopted:

On page 4, line 1, after "provided in" strike "subsection (5)" and insert "subsection (5) or (6)"

On page 4, after line 28, insert the following:

"(6) Nothing in this section may be interpreted to permit abortions for purposes of gender selection."

On page 4, after line 37, insert the following:

"NEW SECTION. Sec. 5. A new section is added to chapter 48.43 RCW to read as follows:

No health plan may provide a covered person with coverage for the abortion of a pregnancy for purposes of gender selection."

Senators Baumgartner and Padden spoke in favor of adoption of the amendment.

Senator Cleveland spoke against adoption of the amendment.

MOTION

Senator Baumgartner demanded a roll call vote.

The President declared that at least one-sixth of the Senate joined the demand and the demand was sustained.

The President declared the question before the Senate to be the adoption of amendment no. 378 by Senator Baumgartner on page 4, line 1 to Substitute Senate Bill No. 6219.

ROLL CALL

The Secretary called the roll on the adoption of amendment no. 378 by Senator Baumgartner and the amendment was not adopted by the following vote: Yeas, 23; Nays, 25; Absent, 0; Excused, 1.

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

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

Excused: Senator Walsh

MOTION

Senator Fortunato moved that the following striking amendment no. 375 by Senator Fortunato be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 6. A new section is added to chapter 48.43 RCW to read as follows:

(1) A health plan issued or renewed on or after January 1, 2019, may provide coverage for:

(a) All contraceptive drugs, devices, and other products, approved by the federal food and drug administration, including over-the-counter contraceptive drugs, devices, and products, approved by the federal food and drug administration;

(b) Voluntary sterilization procedures;

(c) The consultations, examinations, procedures, and medical services that are necessary to prescribe, dispense, insert, deliver, distribute, administer, or remove the drugs, devices, and other products or services in (a) and (b) of this subsection.

(2) This section may not be construed to allow for denial of care on the basis of race, color, national origin, sex, sexual orientation, gender expression or identity, marital status, age, citizenship, immigration status, or disability.

NEW SECTION. Sec. 7. A new section is added to chapter 48.43 RCW to read as follows:

(1) If a health plan issued or renewed on or after January 1, 2019, provides coverage for maternity care or services, the health plan may also provide a covered person with substantially equivalent coverage to permit the abortion of a pregnancy.

(2)(a) Coverage for the abortion of a pregnancy may be subject to terms and conditions generally applicable to the health plan's coverage of maternity care or services, including applicable cost sharing.

(b) A health plan is not required to cover abortions that would be unlawful under RCW 9.02.120.

(3) This section does not, pursuant to 42 U.S.C. Sec. 18054(a)(6), apply to a multistate plan that does not provide coverage for the abortion of a pregnancy.

NEW SECTION. Sec. 8. The governor's interagency coordinating council on health disparities shall conduct a

literature review on disparities in access to reproductive health care based on socioeconomic status, race, sexual orientation, gender identity, ethnicity, geography, and other factors. By January 1, 2019, the council shall report the results of the literature review and make recommendations on reducing or removing disparities in access to reproductive health care to the governor and the relevant standing committees of the legislature."

On page 1, line 1 of the title, after "health;" strike the remainder of the title and insert "adding new sections to chapter 48.43 RCW; and creating a new section."

Senator Fortunato spoke in favor of adoption of the striking amendment.

Senator Cleveland spoke against adoption of the striking amendment.

The President declared the question before the Senate to be the adoption of striking amendment no. 375 by Senator Fortunato to Substitute Senate Bill No. 6219.

The motion by Senator Fortunato did not carry and striking amendment no. 375 was not adopted by voice vote.

MOTION

On motion of Senator Hobbs, the rules were suspended, Substitute Senate Bill No. 6219 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Hobbs and Cleveland spoke in favor of passage of the bill.

Senators Rivers, Warnick, Miloscia, Padden, Short, Angel and Fortunato spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6219.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6219 and the bill passed the Senate by the following vote: Yeas, 26; Nays, 22; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Carlyle, Chase, Cleveland, Conway, Darneille, Dhingra, Fain, 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, Fortunato, Hawkins, Honeyford, King, Miloscia, O'Ban, Padden, Rivers, Schoesler, Sheldon, Short, Wagoner, Warnick, Wilson and Zeiger

Excused: Senator Walsh

SUBSTITUTE SENATE BILL NO. 6219, 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. 6070, by Senators Fortunato and Hasegawa

Establishing permissible methods of parking a motorcycle.

The measure was read the second time.

MOTION

On motion of Senator Fortunato, the rules were suspended, Senate Bill No. 6070 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Fortunato and Hasegawa spoke in favor of passage of the bill.

MOTION

On motion of Senator Bailey, Senators Baumgartner and Ericksen were excused.

The President declared the question before the Senate to be the final passage of Senate Bill No. 6070.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6070 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 1; Absent, 0; Excused, 3.

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

Voting nay: Senator Liias

Excused: Senators Baumgartner, Ericksen and Walsh

SENATE BILL NO. 6070, 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 1:01 p.m., on motion of Senator Liias, the Senate adjourned until 12:00 o'clock noon Thursday, February 1, 2018.

CYRUS HABIB, President of the Senate

BRAD HENDRICKSON, Secretary of the Senate

1056	Committee Report.....	3	6036	Committee Report.....	1
1133	Introduction & 1st Reading.....	4	6038	Committee Report.....	1
1508-SE2	Other Action.....	10	6068	Committee Report.....	1
	Second Reading	7	6070	Second Reading	14
	Third Reading Final Passage	10		Third Reading Final Passage	14
1559-S	Introduction & 1st Reading.....	4	6074	Committee Report.....	1
1560-S	Introduction & 1st Reading.....	4	6086	Committee Report.....	2
1584	Introduction & 1st Reading.....	4	6142	Committee Report.....	2
2257	Introduction & 1st Reading.....	4	6150	Committee Report.....	2
2320-S	Introduction & 1st Reading.....	4	6210	Committee Report.....	2
2363	Introduction & 1st Reading.....	4	6219	Second Reading	11
2419-S	Introduction & 1st Reading.....	4	6219-S	Other Action.....	12
2424-S	Introduction & 1st Reading.....	5		Second Reading	12, 13
2642	Introduction & 1st Reading.....	5		Third Reading Final Passage	14
2702	Introduction & 1st Reading.....	5	6221	Committee Report.....	2
2752-S	Introduction & 1st Reading.....	5		Other Action.....	3
5084	Second Reading	10	6261	Committee Report.....	2
5084-S	Other Action.....	11	6264	Committee Report.....	2
	Second Reading	11	6292	Committee Report.....	2
5084-SE	Third Reading Final Passage	11	6297	Committee Report.....	3
5375-E	Governor Signed	3	6298	Committee Report.....	3
5450	Committee Report.....	1	6324	Committee Report.....	3
5912	Committee Report.....	1	6351	Committee Report.....	3
	Second Reading	10	6584	Introduction & 1st Reading.....	4
	Third Reading Final Passage	10	6585	Introduction & 1st Reading.....	4
5917	Committee Report.....	1	6586		

Introduction & 1st Reading.....	4	Confirmed	7
6587		CHAPLAIN OF THE DAY	
Introduction & 1st Reading.....	4	Lipper, Rabbi David, Temple B'nai Torah,	
6588		Bellevue	1
Introduction & 1st Reading.....	4	FLAG BEARERS	
6589		McQuaig, Miss Gwen	1
Introduction & 1st Reading.....	4	Weeks, Mr. John	1
8693		GUESTS	
Adopted.....	5	Teachman, Miss Anna, Ambassador	
Introduced	5	Washington State Dairy Federation	5
8696		Vaith, Miss Amelia (Pledge of Allegiance)..	1
Adopted.....	6	Washington State Dairy Ambassadors.....	5
Introduced	6	MESSAGE FROM GOVERNOR	3
9047 Patterson, Julia L.		PRESIDENT OF THE SENATE	
Confirmed	7	Remarks by the President.....	6
9135 Wettack, Tim G.		WASHINGTON STATE SENATE	
Committee Report.....	3	Remarks by Senator Liias	5
9159 Loveland, Valoria A.			