

THIRTY FIRST DAY

MORNING SESSION

Senate Chamber, Olympia
Wednesday, February 7, 2018

The Senate was called to order at 11:02 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 with the exception of Senator Walsh.

The Sergeant at Arms Color Guard consisting of Pages Mr. Joshua Spenser and Mr. Zev Carlyle, presented the Colors.

Miss Juliana Kvamme led the Senate in the Pledge of Allegiance.

The National Anthem was preformed by the Mid-Columbia Mastersingers, guests of Senator Brown.

The invocation was offered by Ms. Claudia Castro Luna, Washington State Poet Laureate.

MOTION

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

MOTION

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

INTRODUCTION AND FIRST READING

SB 6605 by Senator Ranker

AN ACT Relating to the taxation of vapor products; amending RCW 43.348.080; reenacting and amending RCW 82.26.010; adding a new section to chapter 82.26 RCW; and creating a new section.

Referred to Committee on Ways & Means.

SB 6606 by Senators Pedersen and Braun

AN ACT Relating to criminal justice.

Referred to Committee on Ways & Means.

SB 6607 by Senator Darneille

AN ACT Relating to human services.

Referred to Committee on Ways & Means.

SB 6608 by Senator Wellman

AN ACT Relating to education.

Referred to Committee on Ways & Means.

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.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced Mr. Xie Yuan, a delegation from the Chinese People's Association for Friendship with Foreign Countries, and Mr. Guo Jianong, of the Sichuan Provincial government, who were present in the gallery and recognized by the senate.

MOTION

Senator Mullet moved adoption of the following resolution:

SENATE RESOLUTION
8701

By Senators Mullet, Fain, Wagoner, and Liias

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

WHEREAS, On Saturday, January 6, 2018, the Tahoma High School team won the state We the People competition, the school's 22nd state championship; and

WHEREAS, These students will represent their state this spring at the 31st annual We the People finals in Washington D.C., where they will aspire to uphold the standards of excellence for which Tahoma High School is known; and

WHEREAS, The Tahoma team is coached by Gretchen Wulffing, who was named Washington's Civic Educator of the Year in 2011 and was honored as one of Washington's Civic Educators of 2016, and who continues to ingrain in her students the importance of learning about American constitutional democracy and the contemporary relevance of the nation's founding documents and principles; and

WHEREAS, Studies have shown that eighty percent of high school seniors in the program are registered to vote, compared to an average of thirty-seven percent among other high school seniors, proof that We the People is linked to greater interest in participating in government; and

WHEREAS, In 2015 the Tahoma team qualified for the top ten and eventually finished fourth in the nation, posting the highest finish in school and state history, and the Tahoma team has advanced to the top ten in four out of the last six years;

NOW, THEREFORE, BE IT RESOLVED, That the Senate honor Andrew Bruneel, Daria Cawthorn, Melia Cleary, Jack Duggan, Bridget Duven, Hannah Fitzpatrick, Breanna Glover, Cameron Hanson, Alexander Hessler, Jeffrey Hostetter, Jamison Hubbard, Dakota Huffman, Nassim Kazemi, Henry Kombol, Hannah Molnar, Aliyah Musaliar, Aurora Pompeo, Rhiannon Rasaretnam, Jaden Rayl, Samantha Schroff, Kyler VandenBosch, Riley Wilmart and Katarina Zosel as "Warriors of the Constitution"; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the Senate to the members of Tahoma High School's We the People team, team advisor Gretchen Wulffing, and Tahoma High School Principal Terry Duty to convey the respect of this body for a job well done and to wish them success in their continuing endeavors.

Senators Mullet and Fortunato spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8701.

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

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced members of the Tahoma High School We the People Team along with their teacher, Ms. Gretchen Wulfig, who were seated in the gallery and recognized by the senate.

MOTION

Senator Fain moved adoption of the following resolution:

SENATE RESOLUTION 8700

By Senators Fain, Wagoner, and Liias

WHEREAS, Throughout history women have strived to gain equality and equal stature in our society; and

WHEREAS, In their work to gain equality, women and girls have shown great strength, motivation, discipline, and leadership in their athletic accomplishments, using athletic programs not only to highlight women's and girls' outstanding athletic talents, but also to assist them in gaining life skills that can be used in their careers; and

WHEREAS, Athletics are an important tool to teach communication, teamwork, dedication, cooperation, and patience, and, with this experience, women become more successful leaders and citizens throughout Washington State; and

WHEREAS, February 7th is recognized by the National Girls & Women in Sports Day Coalition as the thirty-second Annual National Girls & Women in Sports Day, providing an opportunity to formally recognize female athletes across all age groups; and

WHEREAS, Female student athletes from both Evergreen High School and Tyee High School basketball and volleyball teams serve as representatives of women across Washington who strive for athletic excellence; and

WHEREAS, These women represent a generation of future leaders that will use the skills learned through competition and teamwork to better our communities, state, and nation;

NOW, THEREFORE, BE IT RESOLVED, That the Senate honor the determination of women to be given equal stature in our society and encourage the people of Washington to give women and girls equal respect and representation throughout media outlets in order to celebrate their exceptional athletic performance; and

BE IT FURTHER RESOLVED, That the Senate honor Washington girls and women in sports on February 7, 2018, and encourage others to observe the day with appropriate ceremonies and activities.

Senator Fain spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8700.

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

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced members of the Evergreen High School and Tyee High School women's basketball and volleyball teams who were seated in the gallery.

MOTION

Senator Wellman moved adoption of the following resolution:

SENATE RESOLUTION 8698

By Senators Wellman, Kuderer, Pedersen, Frockt, Mullet, Fain, Takko, Van De Wege, Dhingra, Brown, Rivers, Wilson, Zeiger, Miloscia, Palumbo, Wagoner, and Liias

WHEREAS, On May 28, 2017, the University of Washington women's rowing program became the NCAA Rowing Champions; and

WHEREAS, This is the fourth NCAA rowing title for the Husky women, having previously won in 1997, 1998, and 2001; and

WHEREAS, Washington won the varsity eight, second varsity eight, and varsity four races, becoming the first team to ever sweep all three NCAA grand finals; and

WHEREAS, First-year head coach Yasmin Farooq led the team to victory in all nine of its races over the course of the three-day regatta at Mercer Lake, New Jersey; and

WHEREAS, The Washington women also claimed victory on May 14, 2017, becoming Pac-12 Champions after sweeping all five of their races at Lake Natoma, California; and

WHEREAS, The University of Washington has a rich rowing tradition; and

WHEREAS, The primary goal of Washington Rowing is to be the very best intercollegiate rowing program in the world, including top performance on the water, extraordinary achievement in the classroom, and preparing student-athletes to contribute to the community;

NOW, THEREFORE, BE IT RESOLVED, That the Senate recognize and honor the University of Washington women's rowing program as a vital part of our state, noting that these women, with their outstanding athletic ability and academic achievements, bring honor and pride to our state.

Secretary of the Senate

Senators Wellman and Sheldon spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8698.

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

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced Ms. Yasmin Farooq, Team Coach and 2-time Olympic Gold Medalist, and Ms. Maggie Phillips, Intern Coach and former Husky Captain, who were seated in the gallery.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced members of the Washington State Arts Commission, including Executive Director Karen Hanan, who were at the capitol participating in Arts and Heritage Day and present in the gallery.

MOTION

At 11:30 a.m., on motion of Senator Liias, the Senate was declared to be at ease subject to the call of the President.

AFTERNOON SESSION

The Senate was called to order at 2:46 p.m. by President Habib.

MOTION

Senator Liias moved that Rule 15 be suspended for the remainder of the day for the purpose of allowing continued floor action.

EDITOR'S NOTE: Senate Rule 15 establishes the floor schedule and calls for a lunch and dinner break of 90 minutes each per day during regular daily sessions.

Senator Fain objected to the motion by Senator Liias.

The President declared that the question before the Senate be the motion by Senator Liias to suspend Rule 15 for the remainder of the day and the motion carried without further objection.

MOTION

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

THIRD READING
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Van De Wege moved that Kim M. Thorburn, Senate Gubernatorial Appointment No. 9244, be confirmed as a member of the Fish and Wildlife Commission.

Senator Van De Wege spoke in favor of the motion.

MOTION

On motion of Senator Fain, Senator Walsh was excused.

APPOINTMENT OF KIM M. THORBURN

The President declared the question before the Senate to be the confirmation of Kim M. Thorburn, Senate Gubernatorial Appointment No. 9244, as a member of the Fish and Wildlife Commission.

The Secretary called the roll on the confirmation of Kim M. Thorburn, Senate Gubernatorial Appointment No. 9244, as a member of the Fish and Wildlife Commission and the appointment was confirmed by the following vote: Yeas, 43; Nays, 5; 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, Hunt, Keiser, King, Kuderer, Liias, 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 Baumgartner, Honeyford, Padden, Schoesler and Short

Excused: Senator Walsh

Kim M. Thorburn, Senate Gubernatorial Appointment No. 9244, having received the constitutional majority was declared confirmed as a member of the Fish and Wildlife Commission.

MOTION

Senator Van De Wege moved that David W. Graybill, Senate Gubernatorial Appointment No. 9255, be confirmed as a member of the Fish and Wildlife Commission.

Senators Van De Wege and Hawkins spoke in favor of passage of the motion.

APPOINTMENT OF DAVID W. GRAYBILL

The President declared the question before the Senate to be the confirmation of David W. Graybill, Senate Gubernatorial Appointment No. 9255, as a member of the Fish and Wildlife Commission.

The Secretary called the roll on the confirmation of David W. Graybill, Senate Gubernatorial Appointment No. 9255, as a member of the Fish and Wildlife Commission and the appointment was confirmed by the following vote: Yeas, 46; Nays, 2; 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, 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: Senators Baumgartner and Honeyford

Excused: Senator Walsh

David W. Graybill, Senate Gubernatorial Appointment No. 9255, having received the constitutional majority was declared confirmed as a member of the Fish and Wildlife Commission.

MOTION

Senator Van De Wege moved that Larry M. Carpenter, Senate Gubernatorial Appointment No. 9301, be confirmed as a member of the Fish and Wildlife Commission.

Senator Van De Wege spoke in favor of the motion.

APPOINTMENT OF LARRY M. CARPENTER

The President declared the question before the Senate to be the confirmation of Larry M. Carpenter, Senate Gubernatorial Appointment No. 9301, as a member of the Fish and Wildlife Commission.

The Secretary called the roll on the confirmation of Larry M. Carpenter, Senate Gubernatorial Appointment No. 9301, as a member of the Fish and Wildlife Commission and the appointment was confirmed by the following vote: Yeas, 46; Nays, 2; 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, 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: Senators Baumgartner and Honeyford
Excused: Senator Walsh

Larry M. Carpenter, Senate Gubernatorial Appointment No. 9301, having received the constitutional majority was declared confirmed as a member of the Fish and Wildlife Commission.

MOTION

Senator Van De Wege moved that Donald O. McIsaac, Senate Gubernatorial Appointment No. 9302, be confirmed as a member of the Fish and Wildlife Commission.

Senator Van De Wege spoke in favor of the motion.

APPOINTMENT OF DONALD O. McISAAC

The President declared the question before the Senate to be the confirmation of Donald O. McIsaac, Senate Gubernatorial Appointment No. 9302, as a member of the Fish and Wildlife Commission.

The Secretary called the roll on the confirmation of Donald O. McIsaac, Senate Gubernatorial Appointment No. 9302, as a member of the Fish and Wildlife Commission and the appointment was confirmed by the following vote: Yeas, 46; Nays, 2; 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, Hunt, Keiser, King, Kuderer, Lias, 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: Senators Baumgartner and Honeyford
Excused: Senator Walsh

Donald O. McIsaac, Senate Gubernatorial Appointment No. 9302, having received the constitutional majority was declared confirmed as a member of the Fish and Wildlife Commission.

MOTION

At 3:06 p.m., on motion of Senator Lias, the Senate was declared to be at ease for the purpose of a meeting of the Committee on Rules.

The Senate was called to order at 3:09 p.m. by President Habib.

MOTION

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

SECOND READING

SENATE BILL NO. 6051, by Senators Dhingra, Keiser, Walsh, Frockt, Saldaña, Darneille, Pedersen, Conway, Kuderer and Mullet

Concerning the medicaid fraud control unit.

MOTIONS

On motion of Senator Dhingra, Substitute Senate Bill No. 6051 was substituted for Senate Bill No. 6051 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Dhingra, the rules were suspended, Substitute Senate Bill No. 6051 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Dhingra, Nelson, Baumgartner and Angel spoke in favor of passage of the bill.

Senators Fain, Pedersen, Padden, Sheldon, Takko, Becker and Ranker spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6051.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6051 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, Lias, 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

SUBSTITUTE SENATE BILL NO. 6051, 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.

PERSONAL PRIVILEGE

Senator Dhingra: "I actually want to, I was going to say how honored I am to be a part of this body, I think I may have to rethink that. But truly I am humbled to be here to represent the 45th Legislative District. You know the 45th District is known for its innovative spirit, often best exemplified by both the high-tech and the low small tech companies that employ many of my constituents. And you need to look more that what's been going on around the world, you can see the picture of the red Tesla floating around in orbit. That was put there by one of the companies that is in my district. And I was actually going to provide you all with Teslas, but they took the red one and put it out in orbit so I was missing one, though I think Senator Mullet has graciously offered that his Tesla can be the next one to go up in space. And I think Senator Takko will be putting his hat on the spaceship, so we have that to look forward to at the next launch. But, in all seriousness, I wanted to provide you with this wonderful bottle of wine which is from one of the wineries in Woodinville. It was actually founded by a few ex-Microsoft individuals, so it really does combine a lot of the different offerings that we have in the 45th District. Avennia wine actually has been recognized as one of Washington wineries to watch by Wine Press Northwest with a fine vintage in 2010 being named the red wine of the year by Seattle Magazine. So, if you'd like a bottle please come visit the district, we have many more wineries and wonderful restaurants. And, this is why I brought this bottle to share, I also wanted to highlight some of the other things the people in my district have been doing. And that is really doing ground-breaking medical research that has the potential to save lives. And so, I have actually on behalf of the 2018 Washington State Senate, made a donation to the Fred Hutchinson Cancer Research Center in remembrance of the late Senator Andy Hill. And again, I am truly honored and humbled to be a part of this

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body and I really want to thank each and every one of you for the warm reception you have given and I really have enjoyed conversations all over this room. I don't believe in aisles separating people, so I really look forward to working with each and every one of you. So, thank you so much."

MOTION

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

PERSONAL PRIVILEGE

Senator Fain: "Thank you Mr. President. Briefly, I just wanted to remark that at the end of roll call votes the number of individuals that weren't voted, that hadn't voted yet and wished to be called on were waving their hands at you repeatedly the last three times, and I would just like those members to think about that for a moment. But next, I thought it would be very important if we, as a unison, do what we typically do, and appreciate the graciousness of the 45th District Senator and properly welcome her to the Chamber."

EDITOR'S NOTE: Senator Dhingra was welcomed by the Senate by a standing round of applause.

THIRD READING

SUBSTITUTE SENATE BILL NO. 5522, by Senate Committee on Human Services, Mental Health & Housing (originally sponsored by Senators Palumbo, Fain and Nelson)

Requiring the department of social and health services to collect and publicly report information on the safe surrender of newborn children.

The bill was read on Third Reading.

Senator Palumbo spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5522.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5522 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

SUBSTITUTE SENATE BILL NO. 5522, 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

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

SECOND READING

SENATE BILL NO. 6155, by Senators Short, King, Hobbs, Takko, Brown, Padden, Saldaña and Keiser

Concerning bone marrow donation information provided to driver's license and identicaid applicants.

MOTIONS

On motion of Senator Short, Substitute Senate Bill No. 6155 was substituted for Senate Bill No. 6155 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Short, the rules were suspended, Substitute Senate Bill No. 6155 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Short, Saldaña and Padden spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6155.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6155 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

SUBSTITUTE SENATE BILL NO. 6155, 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. 5990, by Senators Van De Wege, Pedersen and Kuderer

Enacting the uniform emergency volunteer health practitioners act.

MOTION

On motion of Senator Van De Wege, Substitute Senate Bill No. 5990 was substituted for Senate Bill No. 5990 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Van De Wege moved that the following floor amendment no. 385 by Senator Van De Wege be adopted:

On page 9, beginning on line 22, after "negligence" strike ", an intentional tort."

On page 9, line 23, after "by" strike "an emergency" and insert "a"

Beginning on page 10, line 11, strike all of section 14

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

On page 1, line 2 of the title, after "act;" strike "amending RCW 38.52.010;"

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

The President declared the question before the Senate to be the adoption of floor amendment no. 385 by Senator Van De Wege on page 9, line 22 to Substitute Senate Bill No. 5990.

The motion by Senator Van De Wege carried and floor amendment no. 385 was adopted by voice vote.

MOTION

On motion of Senator Van De Wege, the rules were suspended, Engrossed Substitute Senate Bill No. 5990 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Van De Wege 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. 5990.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5990 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, Hunt, Keiser, King, Kuderer, Lias, McCoy, Miloscia, Mullet, Nelson, O'Ban, Palumbo, Pedersen, Ranker, Rivers, Rolfes, Saldaña, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Warnick, Wellman, Wilson and Zeiger

Voting nay: Senators Angel, Becker, Honeyford and Padden

Excused: Senator Walsh

ENGROSSED SUBSTITUTE SENATE BILL NO. 5990, 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. 5998, by Senators Keiser, Rivers, Carlyle, Fain, Cleveland, Lias, Van De Wege, Conway, Chase, Saldaña and King

Concerning health care provider and health care facility whistleblower protections.

MOTION

Senator Keiser moved that Substitute Senate Bill No. 5998 be substituted for Senate Bill No. 5998 and the substitute bill be placed on the second reading and read the second time.

Senator Baumgartner objected to the motion by Senator Keiser.

Senator Baumgartner: "Mr. President, the original bill was an

interesting attempt to move to a new paradigm of health here in the state and I think would have been a much more interesting discussion than this bill which really guts the bill in turns it into a worthless study. So, I would rather have consideration of the original bill."

Senator Keiser: "Mr. President, I believe the good Senator is speaking to the wrong bill."

Senator Baumgartner: "That may be but I still object."

The President declared the question before the Senate to be the motion by Senator Keiser that Substitute Senate Bill No. 5998 be substituted for Senate Bill No. 5998 and that substitute bill be placed on the second reading and read a second time. The motion passed without objection.

MOTION

On motion of Senator Keiser, the rules were suspended, Substitute Senate Bill No. 5998 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Keiser spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5998.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5998 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, Lias, 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

SUBSTITUTE SENATE BILL NO. 5998, 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. 6580, by Senator Rolfes

Concerning human immunodeficiency virus (HIV) testing.

The measure was read the second time.

MOTION

On motion of Senator Rolfes, the rules were suspended, Senate Bill No. 6580 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Rolfes and Rivers spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 6580.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6580 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Baumgartner, Becker, 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, Short, Takko, Van De Wege, Wagoner, Warnick, Wellman, Wilson and Zeiger

Voting nay: Senator Angel

Excused: Senator Walsh

SENATE BILL NO. 6580, 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. 6084, by Senators Cleveland, Kuderer, Keiser, Lias, Chase and Conway

Requiring maintenance of minimum essential health care coverage. Revised for 1st Substitute: Requiring maintenance of minimum essential health care coverage.

MOTION

On motion of Senator Cleveland, Substitute Senate Bill No. 6084 was substituted for Senate Bill No. 6084 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Cleveland moved that the following floor amendment no. 427 by Senator Cleveland be adopted:

Beginning on page 1, line 5, strike all of section 1 and insert the following:

"NEW SECTION. Sec. 1. (1) The legislature finds that:

(a) The federal government passed the tax cuts and jobs act, which reduces all penalties for failing to maintain minimum essential health care coverage to zero;

(b) Maintaining minimum essential health care coverage is an integral part of stabilizing the individual health insurance market in the state and ensuring Washington residents have access to affordable health coverage; and

(c) In the 1990s, Washington's individual health insurance market collapsed, partially as a result of revoking the state requirement to maintain minimum essential health care coverage.

(2) It is therefore the intent of the legislature to avoid another collapse of the individual market by proactively exploring options on implementing and enforcing a state-level requirement to maintain minimum essential health care coverage."

On page 1, line 1 of the title, after "to" strike the remainder of the title and insert "exploring enforcement of a requirement to maintain minimum essential health care coverage; adding a new section to chapter 48.43 RCW, creating a new section; and providing an expiration date."

Senators Cleveland and Baumgartner spoke in favor of

adoption of the amendment.

MOTION

Senator Baumgartner demanded a roll call.

The President declared that one-sixth of the members supported the demand and the demand was sustained.

The President declared the question before the Senate to be the adoption of the floor amendment no. 427 by Senator Cleveland on page 1, line 5, to Substitute Senate Bill No. 6084.

ROLL CALL

The Secretary called the roll on the adoption of floor amendment no. 427 by Senator Cleveland and the amendment was adopted 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, Lias, 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.

MOTION

On motion of Senator Cleveland, the rules were suspended, Engrossed Substitute Senate Bill No. 6084 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Cleveland spoke in favor of passage of the bill.

Senators Becker, Baumgartner, Ericksen and Fortunato spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 6084.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6084 and the bill passed the Senate by the following vote: Yeas, 25; Nays, 23; Absent, 0; Excused, 1.

Voting yea: 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

Voting nay: 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

Excused: Senator Walsh

ENGROSSED SUBSTITUTE SENATE BILL NO. 6084, 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 JOINT MEMORIAL NO. 8008, by Senator Chase

Requesting Congress to reform the harbor maintenance tax.

SECOND READING

The measure was read the second time.

SENATE BILL NO. 5288, by Senators Hunt, Liias and Kuderer

MOTION

Senator Chase moved that the following floor amendment no. 379 by Senator Chase be adopted:

Authorizing certain public transportation benefit areas to impose a sales and use tax increase approved by voters.

The measure was read the second time.

On page 1, after line 20, insert the following:
"WHEREAS, Current United States law does not require the revenues raised through the harbor maintenance tax to be fully spent on harbor maintenance related investments, collections have far exceeded fund appropriation and surplus collections will grow to over nine billion dollars this year; and"

MOTION

On page 1, line 23, after "coast" strike "and Gulf" and insert ", Gulf, and Columbia River"

Senator Hunt moved that the following floor amendment no. 367 by Senator Hunt be adopted:

On page 2, after line 5, insert the following:
"WHEREAS, The Columbia river channel is critical to maintain global trade and the port of Vancouver USA serves as the largest wheat export gateway in the nation; and"

On page 3, line 26, after "1," strike "2017" and insert "2018"

Senator Hunt spoke in favor of adoption of the amendment.

On page 2, line 16, after "cargo," insert "strives to have all navigation channels including the Columbia River be fully maintained,"

The President declared the question before the Senate to be the adoption of floor amendment no. 367 by Senator Hunt on page 3, line 26 to Engrossed Senate Bill No. 5288.

On page 2, line 18, after "revenues" insert "to meet all Northwest port needs"

The motion by Senator Hunt carried and floor amendment no. 367 was adopted by voice vote.

MOTION

The President declared the question before the Senate to be the adoption of floor amendment no. 379 by Senator Chase on page 1, after line 20 to Senate Joint Memorial No. 8008.

The motion by Senator Chase carried and floor amendment no. 379 was adopted by voice vote.

On motion of Senator Hunt, the rules were suspended, Engrossed Senate Bill No. 5288 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Hunt and King spoke in favor of passage of the bill.

MOTION

On motion of Senator Chase, the rules were suspended, Engrossed Senate Joint Memorial No. 8008 was advanced to third reading, the second reading considered the third and the memorial was placed on final passage.

Senators Chase, Warnick and Baumgartner spoke in favor of passage of the memorial.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 5288.

ROLL CALL

The President declared the question before the Senate to be the final passage of Engrossed Senate Joint Memorial No. 8008.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5288 and the bill passed the Senate by the following vote: Yeas, 34; Nays, 14; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Becker, Billig, Carlyle, Chase, Cleveland, Conway, Darneille, Dhingra, Fain, Frockt, Hasegawa, Hawkins, Hobbs, Hunt, Keiser, King, Kuderer, Liias, McCoy, Miloscia, Mullet, Nelson, Palumbo, Pedersen, Ranker, Rolfes, Saldaña, Sheldon, Takko, Van De Wege, Warnick and Wellman

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Joint Memorial No. 8008 and the memorial passed the Senate by the following vote: Yeas, 47; Nays, 1; 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, Wagoner, Warnick, Wellman, Wilson and Zeiger

Voting nay: Senators Baumgartner, Braun, Brown, Ericksen, Fortunato, Honeyford, O'Ban, Padden, Rivers, Schoesler, Short, Wagoner, Wilson and Zeiger

Excused: Senator Walsh

Voting nay: Senator Van De Wege
Excused: Senator Walsh

ENGROSSED SENATE BILL NO. 5288, 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. 6343, by Senators Brown, Keiser, Hasegawa, Palumbo and Saldaña

Establishing the healthy energy workers task force.

MOTIONS

ENGROSSED SENATE JOINT MEMORIAL NO. 8008, having received the constitutional majority, was declared passed. There being no objection, the title of the memorial was ordered to stand as the title of the act.

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On motion of Senator Brown, Substitute Senate Bill No. 6343 was substituted for Senate Bill No. 6343 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Brown, the rules were suspended, Substitute Senate Bill No. 6343 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Brown and Keiser spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6343.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6343 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, Lias, 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

SUBSTITUTE SENATE BILL NO. 6343, 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. 6085, by Senators Hasegawa, Keiser, Chase and Mullet

Addressing the linked deposit program.

The measure was read the second time.

MOTION

On motion of Senator Hasegawa, the rules were suspended, Senate Bill No. 6085 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Senate Bill No. 6085.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6085 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, Lias, 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

SENATE BILL NO. 6085, 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. 6210, by Senators Conway, Schoesler, McCoy, Hobbs, Rolfes and Hunt

Addressing the terms under which tribal schools may participate in the state retirement systems as part of a state-tribal education compact.

The measure was read the second time.

MOTION

On motion of Senator Conway, the rules were suspended, Senate Bill No. 6210 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Conway spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 6210.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6210 and the bill passed the Senate by the following vote: Yeas, 43; Nays, 5; Absent, 0; Excused, 1.

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

Voting nay: Senators Bailey, Becker, Honeyford, Wagoner and Warnick

Excused: Senator Walsh

SENATE BILL NO. 6210, 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. 6037, by Senators Pedersen, Walsh, Takko, Fain, Rivers, Billig, Ranker, Cleveland, Kuderer, Van De Wege, Hobbs, Lias, Palumbo, Frockt, Hasegawa, Mullet, Hunt, Saldaña, Rolfes, Dhingra, Carlyle, Darneille, Chase, Conway, Nelson, Wellman, McCoy and Keiser

Concerning the uniform parentage act.

MOTIONS

On motion of Senator Pedersen, Substitute Senate Bill No. 6037 was substituted for Senate Bill No. 6037 and the substitute bill was placed on the second reading and read the second time.

MOTION

On motion of Senator Lias, further consideration of Substitute Senate Bill No. 6037 was deferred and the bill held its place on the second reading calendar.

SECOND READING

SENATE BILL NO. 6012, by Senators King, Sheldon, Angel, Rolfes, Van De Wege, Keiser, Hunt, Conway, Chase, Short, O'Ban, Saldaña and Mullet

Allowing the federal veteran identification card to be used to obtain a veteran designation on a driver's license. Revised for 1st Substitute: Concerning requirements for the issuance of a driver's license that includes a veteran designation.

MOTIONS

On motion of Senator King, Substitute Senate Bill No. 6012 was substituted for Senate Bill No. 6012 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator King, the rules were suspended, Substitute Senate Bill No. 6012 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6012.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6012 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, Lias, 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

SUBSTITUTE SENATE BILL NO. 6012, 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.

The Senate resumed consideration of Substitute Senate Bill No. 6037 which it had deferred earlier in the day.

MOTION

Senator Angel moved that the following floor amendment no. 421 by Senator Angel be adopted:

On page 12, line 34, after "presumed parent" strike all material through "act," on line 35

Beginning on page 20, line 35, strike all of section 509

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

Senator Angel spoke in favor of adoption of the amendment.

Senator Pedersen spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 421 by Senator Angel on page 12, line 34 to Substitute Senate Bill No. 6037.

The motion by Senator Angel did not carry and floor amendment no. 421 was not adopted by voice vote.

MOTION

Senator Rivers moved that the following floor amendment no. 429 by Senators Fain, Pedersen and Rivers be adopted:

On page 34, line 21 after "one child" insert "but not enter into more than two surrogacy agreements that result in the birth of children"

Senators Rivers and Pedersen spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 429 by Senators Fain, Pedersen and Rivers on page 34, line 21 to Substitute Senate Bill No. 6037.

The motion by Senator Rivers carried and floor amendment no. 429 was adopted by voice vote.

MOTION

Senator Short moved that the following floor amendment no. 423 by Senator Short be adopted:

On page 34, line 25, after "professional;" strike "and"

On page 34, line 26, after "(e)" insert "Not have been diagnosed as having an intellectual disability, a mental illness, or developmental disability by the medical evaluation required in (c) of this subsection or the mental health consultation required in (d) of this subsection; and
(f)"

Senators Short, Padden and Miloscia spoke in favor of adoption of the amendment.

Senator Pedersen spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 423 by Senator Short on page 34, line 25 to Substitute Senate Bill No. 6037.

The motion by Senator Short did not carry and floor amendment no. 423 was not adopted by voice vote.

MOTION

Senator Rivers moved that the following floor amendment no. 417 by Senator Rivers be adopted:

On page 35, after line 2, insert the following:

"(3) All parties to a surrogacy agreement, including each intended parent and the woman acting as a surrogate, must be residents of this state."

On page 35, beginning on line 6, after "(1)" strike all material through "this state," on line 7 and insert "All parties must be residents of this state, and"

Senator Rivers spoke in favor of adoption of the amendment.

Senator Pedersen spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 417 by Senator Rivers on page 35, after line 2 to Substitute Senate Bill No. 6037.

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The motion by Senator Rivers did not carry and floor amendment no. 417 was not adopted by voice vote.

Hasegawa, Kuderer and Saldaña

Phasing out use of the valid court order exception to place youth in detention for noncriminal behavior.

MOTION

Senator Padden moved that the following floor amendment no. 416 by Senator Padden be adopted:

On page 37, line 1, after "(2)" insert "(a)"
 On page 37, line 2, strike "(a)" and insert "(i)"
 On page 37, line 2, after "of" strike "consideration and" and after "reasonable expenses" insert "incurred"
 On page 37, line 3, strike "(b)" and insert "(ii)"
 On page 37, line 3, after "expenses" insert "incurred"
 On page 37, after line 4, insert the following:
 "(b) Any consideration other than as expressly authorized in this act is prohibited."

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

Senator Pedersen spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 416 by Senator Padden on page 37, line 1 to Substitute Senate Bill No. 6037.

The motion by Senator Padden did not carry and floor amendment no. 416 was not adopted by voice vote.

MOTION

On motion of Senator Pedersen, the rules were suspended, Engrossed Substitute Senate Bill No. 6037 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Pedersen, Lias and Fain spoke in favor of passage of the bill.

Senators Padden, Angel, O'Ban and Baumgartner spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 6037.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6037 and the bill passed the Senate by the following vote: Yeas, 27; Nays, 21; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Carlyle, Chase, Cleveland, Conway, Darneille, Dhingra, Fain, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Lias, McCoy, Mullet, Nelson, Palumbo, Pedersen, Ranker, Rivers, 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, Schoesler, Sheldon, Short, Wagoner, Warnick, Wilson and Zeiger

Excused: Senator Walsh

ENGROSSED SUBSTITUTE SENATE BILL NO. 6037, 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. 5596, by Senators Darneille, Hunt,

MOTION

On motion of Senator Darneille, Substitute Senate Bill No. 5596 was substituted for Senate Bill No. 5596 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Miloscia moved that the following floor amendment no. 374 by Senator Miloscia be adopted:

On page 1, beginning on line 17, after "country." strike all material through "youth." on line 21

On page 2, line 8, after "to" strike "entirely"

On page 2, line 10, after "July 1," strike "2020" and insert "2025"

On page 2, line 15, after "July 1," strike "2020" and insert "2025"

On page 2, at the beginning of line 19, strike "communication or"

Senator Miloscia spoke in favor of adoption of the amendment.

Senator Darneille spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 374 by Senator Miloscia on page 1, line 17 to Substitute Senate Bill No. 5596.

The motion by Senator Miloscia did not carry and floor amendment no. 374 was not adopted by voice vote.

MOTION

Senator O'Ban moved that the following floor amendment no. 434 by Senator O'Ban be adopted:

On page 2, line 14, after "detention" insert ", except as provided in subsection (3) of this section"

On page 2, line 21, after "law" insert ", except as provided in subsection (3) of this section."

(3) This section shall not apply in any county which does not have a secure crisis residential center or HOPE center within twenty-five miles of its county courthouse with an average daily occupancy rate of no greater than seventy-five percent"

Beginning on page 2, line 22, strike all of sections 3 through 8

On page 1, line 2 of the title, after "behavior;" strike the remainder of the title and insert "adding a new section to chapter 7.21 RCW; and creating a new section."

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

Senator Darneille spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 434 by Senator O'Ban on page 2, line 14 to Substitute Senate Bill No. 5596.

The motion by Senator O'Ban did not carry and floor amendment no. 434 was not adopted by voice vote.

MOTION

On motion of Senator Darneille, the rules were suspended, Substitute Senate Bill No. 5596 was advanced to third reading, the second reading considered the third and the bill was placed on

final passage.

Senator Darneille spoke in favor of passage of the bill.

Senators O'Ban, Padden and Angel spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5596.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5596 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, Frockt, Hasegawa, Hobbs, Hunt, Keiser, King, Kuderer, Lias, McCoy, Mullet, Nelson, Palumbo, Pedersen, Ranker, Rivers, Rolfes, Saldaña, Takko and Wellman

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

Excused: Senator Walsh

SUBSTITUTE SENATE BILL NO. 5596, 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. 6072, by Senators Takko, Chase and Short

Clarifying the authority and procedures for unit priced contracting by public port districts.

MOTION

On motion of Senator Takko, Substitute Senate Bill No. 6072 was substituted for Senate Bill No. 6072 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Takko moved that the following floor amendment no. 366 by Senator Takko be adopted:

On page 3, line 14, after "RCW 39.04.010." insert "Whenever possible, the port district must invite at least one proposal from a minority or woman contractor who otherwise qualifies under this section."

Senators Takko, Short and Hasegawa spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 366 by Senator Takko on page 3, line 14 to Substitute Senate Bill No. 6072.

The motion by Senator Takko carried and floor amendment no. 366 was adopted by voice vote.

MOTION

On motion of Senator Takko, the rules were suspended, Engrossed Substitute Senate Bill No. 6072 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Takko and Short spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 6072.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6072 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, Lias, 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. 6072, 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. 6143, by Senator Takko

Concerning unit priced contracting by cities.

MOTION

On motion of Senator Takko, Substitute Senate Bill No. 6143 was substituted for Senate Bill No. 6143 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Takko moved that the following floor amendment no. 365 by Senator Takko be adopted:

On page 4, line 13, after "RCW 39.04.010." insert "Whenever possible, the city must invite at least one proposal from a minority or woman contractor who otherwise qualifies under this section."

On page 7, line 16, after "39.04.010." insert "Whenever possible, the city or town must invite at least one proposal from a minority or woman contractor who otherwise qualifies under this section."

Senators Takko and Hasegawa spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 365 by Senator Takko on page 4, line 13 to Substitute Senate Bill No. 6143.

The motion by Senator Takko carried and floor amendment no. 365 was adopted by voice vote.

MOTION

On motion of Senator Takko, the rules were suspended, Engrossed Substitute Senate Bill No. 6143 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Takko and Short spoke in favor of passage of the bill.

The President declared the question before the Senate to be the

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final passage of Engrossed Substitute Senate Bill No. 6143.

declared to be at ease subject to the call of the President.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6143 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, Lias, 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. 6143, 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. 6177, by Senators King, Takko and Mullet

Allowing excess local infrastructure financing revenues to be carried forward.

The measure was read the second time.

MOTION

On motion of Senator King, the rules were suspended, Senate Bill No. 6177 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators King and Takko spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 6177.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6177 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Billig, Braun, Brown, Carlyle, 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, Short, Takko, Van De Wege, Wagoner, Warnick, Wellman, Wilson and Zeiger

Voting nay: Senator Chase

Excused: Senator Walsh

SENATE BILL NO. 6177, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 6:24 p.m., on motion of Senator Lias, the Senate was

Senator McCoy announced a meeting of the Democratic Caucus.

Senator Becker announced a meeting of the Republican Caucus.

 EVENING SESSION

The Senate was called to order at 8:26 p.m. by President Habib.

SECOND READING

SENATE BILL NO. 6115, by Senators McCoy, Darneille, Keiser, Palumbo, Nelson, Lias, Van De Wege, Hunt, Chase, Saldaña, Kuderer and Hasegawa

Concerning residential custody services for tribal youth.

The measure was read the second time.

MOTION

On motion of Senator McCoy, the rules were suspended, Senate Bill No. 6115 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators McCoy and O'Ban spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 6115.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6115 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, Lias, 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

SENATE BILL NO. 6115, 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

On motion of Senator Lias, the Senate advanced to the seventh order of business.

 THIRD READING
 CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Darneille moved that Lou Oma Durand, Senate Gubernatorial Appointment No. 9026, be confirmed as a director of the Department of Services for the Blind.

Senator Darneille spoke in favor of the motion.

APPOINTMENT OF LOU OMA DURAND

The President declared the question before the Senate to be the confirmation of Lou Oma Durand, Senate Gubernatorial Appointment No. 9026, as a director of the Department of Services for the Blind.

The Secretary called the roll on the confirmation of Lou Oma Durand, Senate Gubernatorial Appointment No. 9026, as a director of the Department of Services for the Blind 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, Lias, 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

Lou Oma Durand, Senate Gubernatorial Appointment No. 9026, having received the constitutional majority was declared confirmed as a director of the Department of Services for the Blind.

MOTION

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

SECOND READING

SENATE BILL NO. 6179, by Senators Carlyle, Ranker, Hunt and Sheldon

Concerning the annual reporting requirements for regulated utility and transportation companies.

The measure was read the second time.

MOTION

On motion of Senator Carlyle, the rules were suspended, Senate Bill No. 6179 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Carlyle spoke in favor of passage of the bill.

POINT OF INQUIRY

Senator Schoesler: "Thank you Mr. President, would the previous speaker yield to a question?"

Senator Carlyle: "Sure."

Senator Schoesler: "Representative Carlyle, you said it passed unanimously out of committee. As I read the bill report here, this is 6179, it shows three, two or three no members voting on this bill. Are you correct or is the bill report?"

Senator Carlyle: "Thank you so much Senator. You are

absolutely right. I apologize profusely for my error. It was voted on by a couple of members of the other side who expressed their reservations and I appreciate you pointing that out. And I apologize for the inaccuracy and I would note that this was worked out with the support and request of the industries that are regulated by the UTC."

The President declared the question before the Senate to be the final passage of Senate Bill No. 6179.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6179 and the bill passed the Senate by the following vote: Yeas, 35; Nays, 13; Absent, 0; Excused, 1.

Voting yea: Senators Baumgartner, Billig, 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 and Wellman

Voting nay: Senators Angel, Bailey, Becker, Braun, Brown, Ericksen, Honeyford, Padden, Schoesler, Short, Warnick, Wilson and Zeiger

Excused: Senator Walsh

SENATE BILL NO. 6179, 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. 6563, by Senators Billig, Carlyle and Palumbo

Reestablishing the sustainable aviation biofuels work group.

The measure was read the second time.

MOTION

On motion of Senator Billig, the rules were suspended, Senate Bill No. 6563 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Billig and Baumgartner spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 6563.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6563 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, Lias, 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

SENATE BILL NO. 6563, having received the constitutional

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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. 6240, by Senators Sheldon, Angel, Rolfes and Van De Wege

Regarding miniature hobby boilers.

The measure was read the second time.

MOTION

On motion of Senator Sheldon, the rules were suspended, Senate Bill No. 6240 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Sheldon, Keiser, Angel and Takko spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 6240.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6240 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, Lias, 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

SENATE BILL NO. 6240, 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. 6145, by Senators Saldaña, Keiser, Dhingra and Kuderer

Addressing civil service qualifications.

The measure was read the second time.

MOTION

On motion of Senator Saldaña, the rules were suspended, Senate Bill No. 6145 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Saldaña spoke in favor of passage of the bill.
Senator Baumgartner spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 6145.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6145 and the bill passed the Senate by the following vote: Yeas, 31; Nays, 17; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Carlyle, Chase, Cleveland, Conway, Darneille, Dhingra, Fain, Frockt, Hasegawa, Hobbs, Hunt, Keiser, King, Kuderer, Lias, McCoy, Miloscia, Mullet, Nelson, O'Ban, Palumbo, Pedersen, Ranker, Rolfes, Saldaña, Takko, Van De Wege, Wagoner, Wellman and Zeiger

Voting nay: Senators Angel, Bailey, Baumgartner, Becker, Braun, Brown, Ericksen, Fortunato, Hawkins, Honeyford, Padden, Rivers, Schoesler, Sheldon, Short, Warnick and Wilson
Excused: Senator Walsh

SENATE BILL NO. 6145, 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. 6221, by Senators Walsh and Darneille

Concerning the Washington achieving a better life experience program account.

MOTIONS

On motion of Senator Rivers, Substitute Senate Bill No. 6221 was substituted for Senate Bill No. 6221 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Rivers, the rules were suspended, Substitute Senate Bill No. 6221 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6221.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6221 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 1; Absent, 0; Excused, 1.

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

SUBSTITUTE SENATE BILL NO. 6221, 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. 5518, by Senators Miloscia, Cleveland, Keiser, O'Ban and Fortunato

Requiring fair reimbursement for chiropractic services.

The measure was read the second time.

MOTION

Senator Miloscia moved that the following striking floor amendment no. 433 by Senators Lias and Miloscia be adopted:

Strike everything after the enacting clause and insert the following:

"**Sec. 2.** RCW 48.43.190 and 2008 c 304 s 1 are each amended to read as follows:

(1)(a) A health carrier may not pay a chiropractor less for a service or procedure identified under a particular physical medicine and rehabilitation code ~~((~~☞~~))~~, evaluation and management code, or spinal manipulation code, as listed in a nationally recognized services and procedures code book such as the American medical association current procedural terminology code book, than it pays any other type of provider licensed under Title 18 RCW for a service or procedure under the same or substantially similar code, except as provided in (b) of this subsection. A carrier may not circumvent this requirement by creating a chiropractor-specific code not listed in the nationally recognized code book otherwise used by the carrier for provider payment.

(b) This section does not affect a health carrier's:

(i) Implementation of a health care quality improvement program to promote cost-effective and clinically efficacious health care services, including but not limited to pay-for-performance payment methodologies and other programs fairly applied to all health care providers licensed under Title 18 RCW that are designed to promote evidence-based and research-based practices;

(ii) Health care provider contracting to comply with the network adequacy standards;

(iii) Authority to pay in-network providers differently than out-of-network providers; and

(iv) Authority to pay a chiropractor less than another provider for procedures or services under the same or an equivalent code based upon ~~((~~geographic~~))~~ differences in the cost of maintaining a practice or carrying malpractice insurance, as recognized by a nationally accepted reimbursement methodology.

(c) This section does not, and may not be construed to:

(i) Require the payment of provider billings that do not meet the definition of a clean claim as set forth in rules adopted by the commissioner;

(ii) Require any health plan to include coverage of any condition; or

(iii) Expand the scope of practice for any health care provider.

(2) This section applies only to payments made on or after January 1, 2009.

NEW SECTION. Sec. 3. The office of the insurance commissioner may adopt any rules necessary to implement section 1 of this act.

NEW SECTION. Sec. 4. Section 1 of this act takes effect January 1, 2019."

On page 1, line 1 of the title, after "services;" strike the remainder of the title and insert "amending RCW 48.43.190; creating a new section; and providing an effective date."

The President declared the question before the Senate to be the adoption of striking floor amendment no. 433 by Senators Lias

and Miloscia to Senate Bill No. 5518.

The motion by Senator Miloscia carried and striking floor amendment no. 433 was adopted by voice vote.

MOTION

On motion of Senator Miloscia, the rules were suspended, Engrossed Senate Bill No. 5518 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Miloscia spoke in favor of passage of the bill.

POINT OF INQUIRY

Senator Cleveland: "Senator Miloscia, in this bill, are the chiropractic codes of 98940, 98941 and 98942 which describe the regions of the spine, considered to be substantially similar as the osteopathic codes of 98925, 98926 and 98927 also describing regions of the spine?"

Senator Miloscia: "Yes."

Senator Cleveland: "Alright, Thank you."

Senators Nelson and Angel spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 5518.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5518 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 3; 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, Kuderer, Lias, McCoy, Miloscia, Nelson, O'Ban, Padden, Palumbo, Pedersen, Ranker, Rivers, Rolfes, Saldaña, Sheldon, Short, Takko, Van De Wege, Wagoner, Warnick, Wellman, Wilson and Zeiger

Voting nay: Senators King, Mullet and Schoesler

Excused: Senator Walsh

ENGROSSED SENATE BILL NO. 5518, 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

On motion of Senator Lias, the Senate advanced to the seventh order of business.

THIRD READING CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Darneille moved that Ross Hunter, Senate Gubernatorial Appointment No. 9340, be confirmed as a secretary of the Department of Children, Youth, and Families.

Senators Darneille, Fain and Baumgartner spoke in favor of passage of the motion.

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APPOINTMENT OF ROSS HUNTER

The President declared the question before the Senate to be the confirmation of Ross Hunter, Senate Gubernatorial Appointment No. 9340, as a secretary of the Department of Children, Youth, and Families.

The Secretary called the roll on the confirmation of Ross Hunter, Senate Gubernatorial Appointment No. 9340, as a secretary of the Department of Children, Youth, and Families and the appointment was confirmed by the following vote: Yeas, 46; Nays, 2; 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, Lias, McCoy, Miloscia, Mullet, Nelson, O'Ban, Palumbo, Pedersen, Ranker, Rivers, Rolfes, Saldaña, Schoesler, Sheldon, Short, Takko, Wagoner, Warnick, Wellman, Wilson and Zeiger

Voting nay: Senators Padden and Van De Wege

Excused: Senator Walsh

Ross Hunter, Senate Gubernatorial Appointment No. 9340, having received the constitutional majority was declared confirmed as a secretary of the Department of Children, Youth, and Families.

MOTION

Senator Lias moved that Jaron E. Reed Goddard, Senate Gubernatorial Appointment No. 9281, be confirmed as a member of the University of Washington Board of Regents.

Senator Lias spoke in favor of the motion.

APPOINTMENT OF JARON E. REED GODDARD

The President declared the question before the Senate to be the confirmation of Jaron E. Reed Goddard, Senate Gubernatorial Appointment No. 9281, as a member of the University of Washington Board of Regents.

The Secretary called the roll on the confirmation of Jaron E. Reed Goddard, Senate Gubernatorial Appointment No. 9281, as a member of the University of Washington Board of Regents and the appointment was confirmed by the following vote: Yeas, 46; Nays, 0; Absent, 2; 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, Lias, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Pedersen, Ranker, Rivers, Rolfes, Saldaña, Schoesler, Sheldon, Short, Takko, Wagoner, Warnick, Wellman, Wilson and Zeiger

Absent: Senators Palumbo and Van De Wege

Excused: Senator Walsh

Jaron E. Reed Goddard, Senate Gubernatorial Appointment No. 9281, having received the constitutional majority was declared confirmed as a member of the University of Washington Board of Regents.

MOTION

Senator Billig moved that Janice H. Wigen, Senate Gubernatorial Appointment No. 9213, be confirmed as a member

of the Community Colleges of Spokane Board of Trustees.

Senator Billig spoke in favor of the motion.

APPOINTMENT OF JANICE H. WIGEN

The President declared the question before the Senate to be the confirmation of Janice H. Wigen, Senate Gubernatorial Appointment No. 9213, as a member of the Community Colleges of Spokane Board of Trustees.

The Secretary called the roll on the confirmation of Janice H. Wigen, Senate Gubernatorial Appointment No. 9213, as a member of the Community Colleges of Spokane Board of Trustees and the appointment was confirmed 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, Lias, 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

Janice H. Wigen, Senate Gubernatorial Appointment No. 9213, having received the constitutional majority was declared confirmed as a member of the Community Colleges of Spokane Board of Trustees.

MOTION

Senator Sheldon moved that John D. Saven, Senate Gubernatorial Appointment No. 9221, be confirmed as a member of the Energy Northwest Executive Board.

Senator Sheldon spoke in favor of the motion.

APPOINTMENT OF JOHN D. SAVEN

The President declared the question before the Senate to be the confirmation of John D. Saven, Senate Gubernatorial Appointment No. 9221, as a member of the Energy Northwest Executive Board.

The Secretary called the roll on the confirmation of John D. Saven, Senate Gubernatorial Appointment No. 9221, as a member of the Energy Northwest Executive Board and the appointment was confirmed 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, Lias, 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

John D. Saven, Senate Gubernatorial Appointment No. 9221, having received the constitutional majority was declared confirmed as a member of the Energy Northwest Executive Board.

MOTION

Senator Billig moved that Jerrie L. Allard, Senate Gubernatorial Appointment No. 9130, be confirmed as a member of the Pharmacy Quality Assurance Commission.

Senator Billig spoke in favor of the motion.

APPOINTMENT OF JERRIE L. ALLARD

The President declared the question before the Senate to be the confirmation of Jerrie L. Allard, Senate Gubernatorial Appointment No. 9130, as a member of the Pharmacy Quality Assurance Commission.

The Secretary called the roll on the confirmation of Jerrie L. Allard, Senate Gubernatorial Appointment No. 9130, as a member of the Pharmacy Quality Assurance Commission and the appointment was confirmed by the following vote: Yeas, 47; Nays, 1; 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, Wagoner, Warnick, Wellman, Wilson and Zeiger

Voting nay: Senator Van De Wege

Excused: Senator Walsh

Jerrie L. Allard, Senate Gubernatorial Appointment No. 9130, having received the constitutional majority was declared confirmed as a member of the Pharmacy Quality Assurance Commission.

MOTION

Senator Hunt moved that Mark O. Brown, Senate Gubernatorial Appointment No. 9224, be confirmed as a member of the Parks and Recreation Commission.

Senators Hunt and Cleveland spoke in favor of passage of the motion.

APPOINTMENT OF MARK O. BROWN

The President declared the question before the Senate to be the confirmation of Mark O. Brown, Senate Gubernatorial Appointment No. 9224, as a member of the Parks and Recreation Commission.

The Secretary called the roll on the confirmation of Mark O. Brown, Senate Gubernatorial Appointment No. 9224, as a member of the Parks and Recreation Commission and the appointment was confirmed 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

Mark O. Brown, Senate Gubernatorial Appointment No. 9224, having received the constitutional majority was declared confirmed as a member of the Parks and Recreation Commission.

MOTION

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

SECOND READING

SENATE BILL NO. 6127, by Senator Van De Wege

Improving the management of the state's halibut fishery.

MOTION

On motion of Senator Van De Wege, Substitute Senate Bill No. 6127 was substituted for Senate Bill No. 6127 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Fortunato moved that the following floor amendment no. 442 by Senator Fortunato be adopted:

On page 2, line 26, after "fisheries" insert ", including expanding opportunities for recreational anglers"

Senators Fortunato and Van De Wege spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 442 by Senator Fortunato on page 2, line 26 to Engrossed Substitute Senate Bill No. 6127.

The motion by Senator Fortunato carried and floor amendment no. 442 was adopted by voice vote.

MOTION

On motion of Senator Van De Wege, the rules were suspended, Engrossed Substitute Senate Bill No. 6127 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Van De Wege 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. 6127.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6127 and the bill passed the Senate by the following vote: Yeas, 36; Nays, 12; Absent, 0; Excused, 1.

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

Voting nay: Senators Baumgartner, Becker, Braun, Brown, Ericksen, Honeyford, Padden, Rivers, Schoesler, Short, Wagoner and Wilson

Excused: Senator Walsh

ENGROSSED SUBSTITUTE SENATE BILL NO. 6127, 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.

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SENATE BILL NO. 6324, by Senators Angel and Takko

Concerning the destruction of court exhibits by county clerks.

MOTIONS

On motion of Senator Angel, Substitute Senate Bill No. 6324 was substituted for Senate Bill No. 6324 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Angel, the rules were suspended, Substitute Senate Bill No. 6324 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Angel spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6324.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6324 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

SUBSTITUTE SENATE BILL NO. 6324, 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

Senator Liias moved to go at ease subject to the call of the President.

Senator Baumgartner objected to the motion of Senator Liias and moved to adjourn.

Senator Liias spoke against the motion by Senator Baumgartner to adjourn.

MOTION

Senator Fain demanded a roll call.

The President declared that one-sixth of the members supported the demand and the demand was sustained.

The President declared the question before the Senate to be the motion by Senator Baumgartner that the Senate adjourn.

ROLL CALL

The Secretary called the roll on the motion by Senator Baumgartner and the motion did not carry by the following vote: Yeas, 21; Nays, 27; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Braun, Brown, Ericksen, Fain, Fortunato, Honeyford, King,

Miloscia, O'Ban, Padden, Schoesler, Sheldon, Short, Wagoner, Warnick, Wilson and Zeiger

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

Excused: Senator Walsh.

At 9:59 p.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 10:24 p.m. by President Habib.

SECOND READING

SENATE BILL NO. 6199, by Senators Cleveland, Conway, Miloscia, Keiser and Fortunato

Concerning the individual provider employment administrator program. Revised for 1st Substitute: Concerning the consumer directed employer program.

MOTION

On motion of Senator Cleveland, Substitute Senate Bill No. 6199 was substituted for Senate Bill No. 6199 and the substitute bill was placed on the second reading and read the second time.

WITHDRAWAL OF AMENDMENT

On motion of Senator Baumgartner and without objection, floor amendment no. 446 by Senator Baumgartner on page 2, line 22 to Substitute Senate Bill No. 6199 was withdrawn.

On page 2, after line 22, strike all of sections 2 through 32.

WITHDRAWAL OF AMENDMENT

On motion of Senator Baumgartner and without objection, floor amendment no. 447 by Senator Baumgartner on page 3, line 21 to Substitute Senate Bill No. 6199 was withdrawn.

On page 3, after line 21, strike all material through "RCW 74.34.020."

WITHDRAWAL OF AMENDMENT

On motion of Senator Baumgartner and without objection, floor amendment no. 448 by Senator Baumgartner on page 3, line 23 to Substitute Senate Bill No. 6199 was withdrawn.

On page 3, beginning on line 23, after "department" strike all material through "RCW 74.34.020" on line 37 and insert "for office supplies"

WITHDRAWAL OF AMENDMENT

On motion of Senator Baumgartner and without objection, floor amendment no. 449 by Senator Baumgartner on page 5, line 14 to Substitute Senate Bill No. 6199 was withdrawn.

On page 5, line 14, after "74.39A.240.", strike lines 15 through 19, and insert "(18)"Legal employer" means lawyer, law firm or any business providing legal services."

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

WITHDRAWAL OF AMENDMENT

On motion of Senator Baumgartner and without objection, floor amendment no. 450 by Senator Baumgartner on page 5, line 15 to Substitute Senate Bill No. 6199 was withdrawn.

On page 5, strike all of line 15 through 19.

WITHDRAWAL OF AMENDMENT

On motion of Senator Baumgartner and without objection, floor amendment no. 451 by Senator Baumgartner on page 5, line 15 to Substitute Senate Bill No. 6199 was withdrawn.

On page 5, line 15, after "consumer" strike all material through "laws" on line 19

WITHDRAWAL OF AMENDMENT

On motion of Senator Baumgartner and without objection, floor amendment no. 452 by Senator Baumgartner on page 7, line 12 to Substitute Senate Bill No. 6199 was withdrawn.

On page 7, beginning on line 12, strike all material down through "services to individual providers."

WITHDRAWAL OF AMENDMENT

On motion of Senator Baumgartner and without objection, floor amendment no. 453 by Senator Baumgartner on page 7, line 21 to Substitute Senate Bill No. 6199 was withdrawn.

On page 7, after line 21, strike all of section 3.

WITHDRAWAL OF AMENDMENT

On motion of Senator Baumgartner and without objection, floor amendment no. 454 by Senator Baumgartner on page 7, line 24 to Substitute Senate Bill No. 6199 was withdrawn.

On page 7, line 24, after "may", insert "not"

MOTION

Senator Baumgartner moved that the following amendment no. 455 by Senator Baumgartner be adopted.

On page 8, line 6, after "vendors." strike all material through "RCW." on line 8

Senator Baumgartner spoke in favor of adoption of the amendment.

POINT OF ORDER

Senator Liias: "Mr. President, I believe that Senator Baumgartner, while attempting to set the context is actually entering into a third reading debate on the speech and we should speak to the amendment around removing the language about procurement that is before us."

RULING BY THE PRESIDENT

President Habib: "Senator Baumgartner, I'm inclined to agree that, particularly since you are asking to read this document in at this point which doesn't appear to be directly related to the content of this amendment, I'd ask if you could, well I am going to ask that you, especially in light of the number of amendments you've put forward and are having to work through this, and as you mentioned it is late, please, if you could keep your remarks in your own words and I'll be, I'm trying to be lenient here. I understand it is a difficult topic, but please, try and reserve you time here to your own ideas."

Senator Baumgartner continued his remarks.

RULING BY THE PRESIDENT

President Habib: "Senator Baumgartner. Number one, we will not be impugning motives of the Governor either. I am going to continue to speak and your microphone has been cut off. I will continue to speak. We are not here, you are more than welcome to discuss whether or not you find it appropriate to address a court case, but I will remind you that just two weeks ago, this chamber took up legislation to address another prominent state supreme court case that I believe you were very supportive of and I did not remember, nor would I have allowed opponents of the Hirst legislation to refer to it as a subversion or an intent to subvert a court ruling. We frequently in the legislative process are responding to court cases, so when you use language like that, it does impugn not only the requester of the legislation, in this case the Governor, but also the prime sponsor of the legislation and other legislators who support it. So, please, I know this is an emotional topic, but please reserve your remarks for the ideas and the content, not history, politics, things that are outside the four corners of the policy debate that we are having."

POINT OF ORDER

Senator Fain: "Thank you Mr. President. My inquiry, I guess, is are you interpreting Senate Rules as to apply to impugning the motives of individuals that are not sitting Senators, in that are you interpreting the rules to state that we may not impugn the motives of other elected officials or individuals that are not members of this chamber? And if so Mr. President, I am not certain where are rules indicate that, but I am certainly open to the education."

REPLY BY THE PRESIDENT

President Habib: "Well I will tell you, as I just stated in the final couple sentences before you raised your point, I said by introducing political motives for request legislation one would also be impugning the motives of the person who introduced that piece of legislation. The President sees no sunlight between the purported motivations of a government agency requesting legislation and those of the prime sponsor, your colleague in the State Senate. So, I don't need to reach the question that you are asking in order to say that these kinds of political speculations do impugn the motives of the prime sponsor and co-sponsors of this piece of legislation. They have no place.

Senator Fain: "Thank you Mr. President. May I respond briefly?"

President Habib: "You have raised a point of order. I've

answered your point of order. Are you raising another point?"

Senator Fain: "I have an additional clarification that I would request sir.

President Habib: "Please go ahead."

Senator Fain: "I do not believe that impugning the motives of the prime sponsor is necessary to impugn the motives of the legislation because the legislation was brought to us by another individual who is not a member of this body. And I think that it is difficult to have an important conversation on something with as much gravity as this issue if we are unable to explain the perceived motives behind it, particularly when evidence has been provided that substantiates those claims. Thank you Mr. President."

President Habib: "Thank you. And I will say to put an end to that Senator Fain, I would say that the President does find that in instances in which there is request legislation, to impugn the motives of the requesting agency does confer that same motive to the Senator, in this case it would be Senator Cleveland, or any sponsor of the legislation. Moreover, I will just say as I take the prerogative of the presiding officer to say that I am very proud of the work the Senate has done tackling difficult issues today and this session without needing to resort to political speculation and these types of corrosive comments. I just think we can have this debate respectfully. I ask that we have that just as we did when there were difficult topics perhaps for folks across the aisle."

POINT OF ORDER

Senator Liias: "Mr. President, my point is that myself and the members of my caucus are trying to understand why Senator Baumgartner is proposing the specific changes he is proposing on page 8, line 6, and that is my concern. I appreciate that he has broad concerns with the bill. I would like to understand why he proposes to remove this particular language and would ask that the debate on this amendment be germane to why these specific words should be removed from the bill so we can understand the intent.

President Habib: "Your point is well taken. Senator Baumgartner, if you would like to conclude your remarks on the amendment you have proposed then you are free to do so."

Senators Baumgartner continued to speak in favor of adoption of the amendment.

POINT OF ORDER

Senator Padden: "Thank you Mr. President. You've indicated your job is to enforce the rules of the Senate, right now we are violating rule 15."

President Habib: "Senator Padden, rule 15 was suspended for the remainder of the day earlier this afternoon."

Senator Padden: "Alright, I was not aware of that Mr. President. Thank you."

Senators Fain, Braun and Schoesler spoke in favor of adoption of the amendment.

Senator Keiser spoke against adoption of the amendment.

MOTION

Senator Fain demanded a roll call.

The President declared that one-sixth of the members supported the demand and the demand was sustained.

The President declared the question before the Senate to be the adoption of the amendment no. 455 by Senator Baumgartner on page 8, line 6 to Substitute Senate Bill No. 6199.

ROLL CALL

The Secretary called the roll on the adoption of amendment no. 455 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, Liias, McCoy, Mullet, Nelson, Palumbo, Pedersen, Ranker, Rolfes, Saldaña, Takko, Van De Wege and Wellman

Excused: Senator Walsh.

WITHDRAWAL OF AMENDMENT

On motion of Senator Baumgartner and without objection, floor amendment no. 456 by Senator Baumgartner on page 8, line 12 to Substitute Senate Bill No. 6199 was withdrawn.

On page 8, line 12, after "decisions;" strike "and".

On page 8, line 16, after "preferences" strike "." and replace with "; and".

After page 8, line 16, insert the following:

"(iii) An ability to provide administrative services efficiently and at optimal cost to taxpayers."

WITHDRAWAL OF AMENDMENT

On motion of Senator Baumgartner and without objection, floor amendment no. 457 by Senator Baumgartner on page 8, line 33 to Substitute Senate Bill No. 6199 was withdrawn.

On page 8, beginning on line 33, after "retirement" strike all material through "benefits" on line 34

MOTION

Senator Baumgartner moved that the following floor amendment no. 458 by Senator Baumgartner be adopted:

On page 9, after line 22, insert the following:

"(h) No contract entered into by the department and a consumer directed employer may have a duration exceeding four years. The department may not renew a contract with a consumer directed employer unless it has evaluated whether other potential vendors might better satisfy the criteria in subsection (2) of this section."

Senator Baumgartner spoke in favor of adoption of the amendment.

MOTION

Senator Baumgartner demanded a roll call.

The President declared that one-sixth of the members supported the demand and the demand was sustained.

Senator Keiser spoke against adoption of the amendment.

MOTION

Senator Lias demanded that the previous question be put.

The President declared that at least two additional senators joined the demand and the demand was sustained.

The President declared the question before the Senate to be, "Shall the main question be now put?"

The motion by Senator Lias carried and the previous question was put by rising vote.

The President declared the question before the Senate to be the adoption of the amendment no. 458 by Senator Baumgartner on page 9, line 22, to Substitute Senate Bill No. 6199.

ROLL CALL

The Secretary called the roll on the adoption of the floor amendment no. 458 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 floor amendment no. 459 by Senator Baumgartner be adopted:

On page 9, after line 22, insert the following:

"(h) No consumer directed employer may share any affiliation with the bargaining representative of individual providers including, but not limited to, shared officers or any financial relationship."

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

Senator Keiser spoke against adoption of the amendment.

MOTION

Senator Baumgartner demanded a roll call.

The President declared that one-sixth of the members supported the demand and the demand was sustained.

The President declared the question before the Senate to be the adoption of the amendment no. 459 by Senator Baumgartner on page 9, line 22, to Substitute Senate Bill No. 6199.

ROLL CALL

The Secretary called the roll on the adoption of the floor amendment no. 459 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 floor amendment no. 460 by Senator Baumgartner be adopted:

On page 10, after line 16, insert the following:

"(7) Any consumer directed employer is subject to and must comply with chapter 42.56 RCW."

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

Senator Keiser spoke against adoption of the amendment.

MOTION

Senator Lias demanded that the previous question be put.

The President declared that at least two additional senators joined the demand and the demand was sustained.

POINT OF ORDER

Senator Braun: "This is the second time I have been prevented from talking because you have been taking a request from the majority floor leader even though I had already pressed my button.

REPLY BY THE PRESIDENT

President Habib: "Senator Braun, I know that everyone is feeling emotional and conspiracy minded. I'm going to walk you through the last four speeches. There will be order. There will be order. I'm going to walk you through the last four speeches just to clarify this for you. Senator Baumgartner moved the amendment. Senator Keiser spoke next. Senator Fain spoke next and Senator Lias spoke next. That is alternating among the two caucuses in this chamber. Alright, so you will not impugn my motives either. I then went to Senator Lias, he made a motion, we are in the middle of that motion. You are out of order. Now, the motion to call the previous question has been raised."

The President declared the question before the Senate to be, "Shall the main question be now put?"

The motion by Senator Lias carried and the previous question was put by rising vote.

MOTION

Senator Baumgartner demanded a roll call.

The President declared that one-sixth of the members supported the demand and the demand was sustained.

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The President declared the question before the Senate to be the adoption of the amendment no. 460 by Senator Baumgartner on page 10, line 16, to Substitute Senate Bill No. 6199.

ROLL CALL

The Secretary called the roll on the adoption of amendment no. 460 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 floor amendment no. 461 by Senator Baumgartner be adopted:

On page 24, line 34, after "federal requirements" strike all material through "consumer" on line 37.

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.

The President declared that one-sixth of the members supported the demand and the demand was sustained.

POINT OF INQUIRY

Senator Braun: "Thank you Mr. President. I would like clarification, Mr. President, on how our system here to ask to speak is supposed to work. I have punched my button now over a dozen times this evening and each time I have been passed over. I don't know if that is because you are making choices at the rostrum, which may be appropriate, I just don't understand what I am doing wrong because we keep bouncing around to people even though I keep pushing my button."

REPLY BY THE PRESIDENT

President Habib: "You are not doing anything wrong. All I can tell you is you've known me as presiding officer here now, this is my second year, and I have mentioned to you in your last point on the previous amendment, it is my practice to alternate between democrats and republicans, beginning with the maker of whatever motion is being debated. I think members in the Senate know that if you look back and think about it, you will see that I do that at every opportunity. So, there may be times when, Senator Braun, a republican has just spoken or a member of your caucus has just spoken, and although you may have requested to speak next a democrat is next in order. So there is a whole process, but I will never end debate or call a question on my own

so long as any senator wants to speak unless subject to a motion to cut debate short that is moved and agreed to by the Senate itself, which has happened tonight. So, if there has been instances in which you felt that, notwithstanding the Senate's own restrictions on debate, I have for some reason not called on you, I apologize and would ask that you certainly are welcome to yell 'Mr. President', signal to counsel up here in any other appropriate way to signal that you want to speak before the calling of a vote."

Senator Braun: "Thank you Mr. President. I want to point out the last time that I did yell and I was impugned for doing so. So, I am a little confused on how I am supposed to respond. I am getting conflicting messages here."

President Habib: "We can discuss it separately. What I would like to do is ask you to speak on this amendment."

PERSONAL PRIVILEGE

Senator Braun: "Mr. President, I would like to point out to you and others here that we have tried to work, we obviously feel strongly about this bill, and we would like to have a good robust debate. We recognize that the hour is late, folks would like to get done. To help focus on the most important amendments we have withdrawn, I think it is over eleven amendments now. We have only run a fraction of the amendments we proposed. We did that in good faith, and in response to that we have had our discussion curtailed by the actions of the majority repeatedly now. I would ask that they consider that this is not a debate in good faith, they are cutting us off without any good reasons in spite of the fact that we have withdrawn amendments to try to make this a more civil debate. Thank you, Mr. President."

MOTION

At 11:12 p.m., on motion of Senator Lias, the Senate was declared to be at ease subject to the call of the President.

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

The President declared the question before the Senate to be the adoption of the amendment no. 461 by Senator Baumgartner on page 24, line 34, to Substitute Senate Bill No. 6199.

ROLL CALL

The Secretary called the roll on the adoption of amendment no. 461 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.

WITHDRAWAL OF AMENDMENT

On motion of Senator Braun and without objection, floor

amendment no. 484 by Senator Braun on page 26, line 13 to Substitute Senate Bill No. 6199 was withdrawn.

On page 26, strike lines 13 through 24,

WITHDRAWAL OF AMENDMENT

On motion of Senator Braun and without objection, floor amendment no. 485 by Senator Braun on page 26, line 24 to Substitute Senate Bill No. 6199 was withdrawn.

On page 26, after line 24 strike all of Section 15.

WITHDRAWAL OF AMENDMENT

On motion of Senator Braun and without objection, floor amendment no. 486 by Senator Braun on page 29, line 3 to Substitute Senate Bill No. 6199 was withdrawn.

On page 29, after line 3, strike all of section 18.

WITHDRAWAL OF AMENDMENT

On motion of Senator Braun and without objection, floor amendment no. 487 by Senator Braun on page 35, line 17 to Substitute Senate Bill No. 6199 was withdrawn.

On page 35, after line 17, strike all material down through "Dismiss an individual provider.", and insert "Consumers and prospective consumers have the right to select, schedule, supervise the work of, and dismiss any individual provider providing services to them consistent with the consumer's plan of care."

WITHDRAWAL OF AMENDMENT

On motion of Senator Braun and without objection, floor amendment no. 488 by Senator Braun on page 36, line 8 to Substitute Senate Bill No. 6199 was withdrawn.

On page 36, line 8, strike "annual" and insert "monthly"

MOTION

Senator Baumgartner moved that the Senate adjourn.

Senator Liias objected to the motion to adjourn by Senator Baumgartner.

The President declared the question before the Senate to be the motion by Senator Baumgartner to adjourn and the motion did not carry by voice vote.

MOTION

Senator Baumgartner moved that the following floor amendment no. 462 by Senator Baumgartner be adopted:

On page 42, after line 35, strike all of section 27.

Senators Baumgartner, Ericksen and Braun spoke in favor of adoption of the amendment.

Senator Mullet spoke against adoption of the amendment.

MOTION

Senator Baumgartner demanded a roll call.

The President declared that one-sixth of the members supported the demand and the demand was sustained.

The President declared the question before the Senate to be the adoption of the amendment no. 462 by Senator Baumgartner on page 42, line 35, to Substitute Senate Bill No. 6199.

ROLL CALL

The Secretary called the roll on the adoption of the amendment no. 462 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, Liias, McCoy, Mullet, Nelson, Palumbo, Pedersen, Ranker, Rolfes, Saldaña, Takko, Van De Wege and Wellman

Excused: Senator Walsh.

WITHDRAWAL OF AMENDMENT

On motion of Senator Braun and without objection, floor amendment no. 489 by Senator Braun on page 42, line 38 to Substitute Senate Bill No. 6199 was withdrawn.

On page 42, beginning on line 38, insert:

"The department shall contract with a consumer directed employer solely if the successful applicant enters into a contract with the department to provide services detailed in this act without exceeding existing department expenditures being transferred to the consumer directed employer."

On page 49, after line 7 insert:

"NEW SECTION, Sec. 35. The legislature recognizes the fiscal note to this act indicates increased administrative expenditures of forty percent resulting from the original legislation. It is the intent of the legislature, following adoption of this amendment capping administrative expenses to existing levels, to instead invest an equivalent amount to that indicated in the original fiscal note to expand services for victims of sexual assault and domestic violence."

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

WITHDRAWAL OF AMENDMENT

On motion of Senator Braun and without objection, floor amendment no. 490 by Senator Braun on page 42, line 38 to Substitute Senate Bill No. 6199 was withdrawn.

On page 42, beginning on line 38, insert:

"The department shall contract with a consumer directed employer solely if the successful applicant enters into a contract with the department to provide services detailed in this act without exceeding existing department expenditures being transferred to the consumer directed employer."

On page 49, after line 7 insert:

"NEW SECTION, Sec. 36. The legislature recognizes the fiscal note to this act indicates increased administrative expenditures of

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forty percent resulting from the original legislation. It is the intent of the legislature, following adoption of this amendment capping administrative expenses to existing levels, to instead invest an equivalent amount to that indicated in the original fiscal note to expand services for homeless children and families."

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

WITHDRAWAL OF AMENDMENT

On motion of Senator Braun and without objection, floor amendment no. 491 by Senator Braun on page 42, line 38 to Substitute Senate Bill No. 6199 was withdrawn.

On page 42, beginning on line 38, insert:

"The department shall contract with a consumer directed employer solely if the successful applicant enters into a contract with the department to provide services detailed in this act without exceeding existing department expenditures being transferred to the consumer directed employer."

On page 49, after line 7 insert:

"**NEW SECTION, Sec. 37.** The legislature recognizes the fiscal note to this act indicates increased administrative expenditures of forty percent resulting from the original legislation. It is the intent of the legislature, following adoption of this amendment capping administrative expenses to existing levels, to instead invest an equivalent amount to that indicated in the original fiscal note to expand services for disabled veterans."

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

WITHDRAWAL OF AMENDMENT

On motion of Senator Baumgartner and without objection, floor amendment no. 463 by Senator Baumgartner on page 45, line 37 to Engrossed Substitute Senate Bill No. 6199 was withdrawn.

On page 45, line 37, after "(10)" insert "The consumer directed employer must:

(a) Conduct, at least annually, an independent financial audit of its operations, receipts, and expenditures to determine and report:

(i) Whether its financial statements present fairly its financial position and the results of its financial operation in accordance with generally accepted accounting principles, and whether the consumer directed employer has complied with laws and regulations that may have a material effect upon its financial statements;

(ii) Whether it has internal control systems to provide reasonable assurance that it is managing federal and state funded programs in compliance with applicable laws and regulations; and

(iii) Whether the full amount received from the state under the labor rate was paid out in wages and benefits for individual providers. The cost of the annual independent audit may be considered part of the administrative rate.

(b) Return to the state any labor rate funds not used to pay individual providers' wages and benefits within thirty days of completion of its annual independent audit. All payments to the state must be accompanied by a reimbursement calculation form, to be developed by the department of social and health services, including at least:

(i) The name and contact information of the consumer directed

employer;

(ii) The period reviewed;

(iii) The total amount received from the state for the labor rate during the review period;

(iv) Total expenditures for individual providers' wages and each employment benefit made during the review period; and

(v) The amount of funds not expended for individual providers' wages and benefits during the review period.

(11) The failure of a consumer directed employer to return any unspent funds to the state as specified in subsection (10) of this section must be treated by the department of social and health services as a vendor overpayment, and the department must attempt to recover the funds in accordance with RCW 43.20B.675.

(12) If a consumer directed employer fails to comply with subsection (10) of this section and the department of social and health services is unable to recover unspent funds from the consumer directed employer in accordance with subsection (11) of this section, the state must terminate or not renew its contractual relationship with the consumer directed employer.

(13)"

Correct any internal references accordingly.

MOTION

Senator Baumgartner moved that the following floor amendment no. 464 by Senator Baumgartner be adopted:

On page 46, after line 5, insert:

"**Sec. 28.** RCW 42.17A.405 and 2013 c 311 s 1 are each amended to read as follows:

(1) The contribution limits in this section apply to:

(a) Candidates for legislative office;

(b) Candidates for state office other than legislative office;

(c) Candidates for county office;

(d) Candidates for special purpose district office if that district is authorized to provide freight and passenger transfer and terminal facilities and that district has over two hundred thousand registered voters;

(e) Candidates for city council office;

(f) Candidates for mayoral office;

(g) Candidates for school board office;

(h) Candidates for public hospital district board of commissioners in districts with a population over one hundred fifty thousand;

(i) Persons holding an office in (a) through (h) of this subsection against whom recall charges have been filed or to a political committee having the expectation of making expenditures in support of the recall of a person holding the office;

(j) Caucus political committees;

(k) Bona fide political parties.

(2) No person, other than a bona fide political party or a caucus political committee, may make contributions to a candidate for a legislative office, county office, city council office, mayoral office, school board office, or public hospital district board of commissioners that in the aggregate exceed *eight hundred dollars or to a candidate for a public office in a special purpose district or a state office other than a legislative office that in the aggregate exceed *one thousand six hundred dollars for each election in which the candidate is on the ballot or appears as a write-in candidate. Contributions to candidates subject to the limits in this section made with respect to a primary may not be made after the date of the primary. However, contributions to a candidate or a candidate's authorized committee may be made

with respect to a primary until thirty days after the primary, subject to the following limitations: (a) The candidate lost the primary; (b) the candidate's authorized committee has insufficient funds to pay debts outstanding as of the date of the primary; and (c) the contributions may only be raised and spent to satisfy the outstanding debt. Contributions to candidates subject to the limits in this section made with respect to a general election may not be made after the final day of the applicable election cycle.

(3) No person, other than a bona fide political party or a caucus political committee, may make contributions to a state official, a county official, a city official, a school board member, a public hospital district commissioner, or a public official in a special purpose district against whom recall charges have been filed, or to a political committee having the expectation of making expenditures in support of the recall of the state official, county official, city official, school board member, public hospital district commissioner, or public official in a special purpose district during a recall campaign that in the aggregate exceed *eight hundred dollars if for a legislative office, county office, school board office, public hospital district office, or city office, or *one thousand six hundred dollars if for a special purpose district office or a state office other than a legislative office.

(4)(a) Notwithstanding subsection (2) of this section, no bona fide political party or caucus political committee may make contributions to a candidate during an election cycle that in the aggregate exceed (i) eighty cents multiplied by the number of eligible registered voters in the jurisdiction from which the candidate is elected if the contributor is a caucus political committee or the governing body of a state organization, or (ii) forty cents multiplied by the number of registered voters in the jurisdiction from which the candidate is elected if the contributor is a county central committee or a legislative district committee.

(b) No candidate may accept contributions from a county central committee or a legislative district committee during an election cycle that when combined with contributions from other county central committees or legislative district committees would in the aggregate exceed forty cents times the number of registered voters in the jurisdiction from which the candidate is elected.

(5)(a) Notwithstanding subsection (3) of this section, no bona fide political party or caucus political committee may make contributions to a state official, county official, city official, school board member, public hospital district commissioner, or a public official in a special purpose district against whom recall charges have been filed, or to a political committee having the expectation of making expenditures in support of the recall of the state official, county official, city official, school board member, public hospital district commissioner, or a public official in a special purpose district during a recall campaign that in the aggregate exceed (i) eighty cents multiplied by the number of eligible registered voters in the jurisdiction entitled to recall the state official if the contributor is a caucus political committee or the governing body of a state organization, or (ii) forty cents multiplied by the number of registered voters in the jurisdiction from which the candidate is elected if the contributor is a county central committee or a legislative district committee.

(b) No official holding an office specified in subsection (1) of this section against whom recall charges have been filed, no authorized committee of the official, and no political committee having the expectation of making expenditures in support of the recall of the official may accept contributions from a county central committee or a legislative district committee during an election cycle that when combined with contributions from other county central committees or legislative district committees would in the aggregate exceed forty cents multiplied by the number of registered voters in the jurisdiction from which the

candidate is elected.

(6) For purposes of determining contribution limits under subsections (4) and (5) of this section, the number of eligible registered voters in a jurisdiction is the number at the time of the most recent general election in the jurisdiction.

(7) Notwithstanding subsections (2) through (5) of this section, no person other than an individual, bona fide political party, or caucus political committee may make contributions reportable under this chapter to a caucus political committee that in the aggregate exceed *eight hundred dollars in a calendar year or to a bona fide political party that in the aggregate exceed *four thousand dollars in a calendar year. This subsection does not apply to loans made in the ordinary course of business.

(8) For the purposes of RCW 42.17A.125, 42.17A.405 through 42.17A.415, 42.17A.450 through 42.17A.495, 42.17A.500, 42.17A.560, and 42.17A.565, a contribution to the authorized political committee of a candidate or of an official specified in subsection (1) of this section against whom recall charges have been filed is considered to be a contribution to the candidate or official.

(9) A contribution received within the twelve-month period after a recall election concerning an office specified in subsection (1) of this section is considered to be a contribution during that recall campaign if the contribution is used to pay a debt or obligation incurred to influence the outcome of that recall campaign.

(10) The contributions allowed by subsection (3) of this section are in addition to those allowed by subsection (2) of this section, and the contributions allowed by subsection (5) of this section are in addition to those allowed by subsection (4) of this section.

(11) RCW 42.17A.125, 42.17A.405 through 42.17A.415, 42.17A.450 through 42.17A.495, 42.17A.500, 42.17A.560, and 42.17A.565 apply to a special election conducted to fill a vacancy in an office specified in subsection (1) of this section. However, the contributions made to a candidate or received by a candidate for a primary or special election conducted to fill such a vacancy shall not be counted toward any of the limitations that apply to the candidate or to contributions made to the candidate for any other primary or election.

(12) Notwithstanding the other subsections of this section, no corporation or business entity not doing business in Washington state, no labor union with fewer than ten members who reside in Washington state, and no political committee that has not received contributions of *ten dollars or more from at least ten persons registered to vote in Washington state during the preceding one hundred eighty days may make contributions reportable under this chapter to a state office candidate, to a state official against whom recall charges have been filed, or to a political committee having the expectation of making expenditures in support of the recall of the official. This subsection does not apply to loans made in the ordinary course of business.

(13) Notwithstanding the other subsections of this section, no county central committee or legislative district committee may make contributions reportable under this chapter to a candidate specified in subsection (1) of this section, or an official specified in subsection (1) of this section against whom recall charges have been filed, or political committee having the expectation of making expenditures in support of the recall of an official specified in subsection (1) of this section if the county central committee or legislative district committee is outside of the jurisdiction entitled to elect the candidate or recall the official.

(14) Notwithstanding the other provisions of this section, no entity that is represented as a voting member under section 27, sub (2)(a)(iii) or (iv) of this act may make contributions reportable under this chapter to any candidate for the office of governor.

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directly or indirectly.

(15) No person may accept contributions that exceed the contribution limitations provided in this section.

~~((15))~~ (16) The following contributions are exempt from the contribution limits of this section:

(a) An expenditure or contribution earmarked for voter registration, for absentee ballot information, for precinct caucuses, for get-out-the-vote campaigns, for precinct judges or inspectors, for sample ballots, or for ballot counting, all without promotion of or political advertising for individual candidates;

(b) An expenditure by a political committee for its own internal organization or fund-raising without direct association with individual candidates; or

(c) An expenditure or contribution for independent expenditures as defined in RCW 42.17A.005 or electioneering communications as defined in RCW 42.17A.005."

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

On page 1, line 5 of the title, after "41.56.026," insert "42.17A.405"

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

Senator Cleveland spoke against adoption of the amendment.

MOTION

Senator Baumgartner demanded a roll call.

The President declared that one-sixth of the members supported the demand and the demand was sustained.

The President declared the question before the Senate to be the adoption of amendment no. 464 by Senator Baumgartner on page 46, line 5, to Substitute Senate Bill No. 6199.

ROLL CALL

The Secretary called the roll on the adoption of the amendment 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.

WITHDRAWAL OF AMENDMENT

On motion of Senator Baumgartner and without objection, floor amendment no. 465 by Senator Baumgartner on page 46, line 32 to Substitute Senate Bill No. 6199 was withdrawn.

Beginning on page 46, line 32, after "that" strike all material through "Includes" on page 47, line 1 and insert "(:

~~(i) Includes a union security provision authorized in RCW 41.56.122, the state as payor, but not as the employer, shall, subject to (c) of this subsection, enforce the agreement by deducting from the payments to bargaining unit members the dues required for membership in the exclusive bargaining~~

~~representative, or, for nonmembers thereof, a fee equivalent to the dues, or~~

~~((ii))~~ includes"

Correct any internal references accordingly.

On page 47, line 2, after "under" strike "~~((a))~~ (b)(i)" and insert "(a)(~~((i))~~)"

On page 48, line 28, after "(1)(b)" strike "(i) or (ii)"

MOTION

Senator Baumgartner moved that the following floor amendment no. 466 by Senator Baumgartner be adopted:

On page 48, beginning on line 24, after "(3)" strike all material through "law" on line 38 and insert "In accordance with the United States supreme court's decision in *Harris v. Quinn*, 134 S. Ct. 2618 (2014), and the state's authority under section 14(b) of the labor management relations act of 1947, no individual provider may be required to become or remain a member of a labor organization as a condition of participating in programs authorized through the medicaid state plan or medicaid waiver authorities or similar state-funded in-home care programs, nor may any individual provider be required to pay any dues, fees, assessments, or other charges to a labor organization as a condition of participation in such programs. No individual provider may be prevented from joining or resigning membership in a labor organization at any time. The department of social and health services and consumer directed employers may not deduct dues, fees, assessments, or other charges from the pay of an individual provider on behalf of a labor organization without the voluntary, written authorization of the individual provider. No such authorization may be irrevocable for a period of more than one year"

Senators Baumgartner, Braun and Ericksen spoke in favor of adoption of the amendment.

Senator Cleveland spoke against adoption of the amendment.

MOTION

Senator Baumgartner demanded a roll call.

The President declared that one-sixth of the members supported the demand and the demand was sustained.

The President declared the question before the Senate to be the adoption of amendment no. 466 by Senator Baumgartner on page 48, line 24, to Substitute Senate Bill No. 6199.

ROLL CALL

The Secretary called the roll on the adoption of the amendment no. 466 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 floor amendment no. 467 by Senator Baumgartner be adopted:

On page 48, line 24, after "(3)" insert "(a)"

On page 48, after line 38, insert the following:

"(b)(i) An exclusive bargaining representative who receives dues subject to subsection (1) of this section may not charge dues or fees in excess of one and one-half percent of the employee's base rate of pay.

(ii) If the department of social and health services contracts with a consumer-directed employer to be the legal employer of an individual provider pursuant to section 3 of this act, no exclusive bargaining representative that bargains with the consumer-directed employer may charge dues or fees in excess of one and one-half percent of the employee's base rate of pay."

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

Senator Keiser spoke against adoption of the amendment.

MOTION

Senator Baumgartner demanded a roll call.

The President declared that one-sixth of the members supported the demand and the demand was sustained.

The President declared the question before the Senate to be the adoption of the amendment by Senator Baumgartner on page 48, line 24, to Substitute Senate Bill No. 6199.

ROLL CALL

The Secretary called the roll on the adoption of amendment no. 467 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.

WITHDRAWAL OF AMENDMENT

On motion of Senator Baumgartner and without objection, floor amendment no. 468 by Senator Baumgartner on page 49, line 7 to Substitute Senate Bill No. 6199 was withdrawn.

On page 49, after line 7, insert the following:

"NEW SECTION. Sec. 31. The secretary of state shall submit this act to the people for their adoption and ratification, or rejection, at the next general election to be held in this state, in accordance with Article II, section 1 of the state Constitution and the laws adopted to facilitate its operation."

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

On page 1, line 7 of the title, after "sections;" strike the remainder of the title and insert "repealing RCW 74.39A.220; and providing for submission of this act to a vote of the people."

WITHDRAWAL OF AMENDMENT

On motion of Senator Baumgartner and without objection, floor amendment no. 470 by Senator Baumgartner on page 49, line 8 to Substitute Senate Bill No. 6199 was withdrawn.

On page 49, beginning on line 8, strike all of section 31

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

WITHDRAWAL OF AMENDMENT

On motion of Senator Baumgartner and without objection, floor amendment no. 471 by Senator Baumgartner on page 49, line 11 to Substitute Senate Bill No. 6199 was withdrawn.

On page 49, line 11, after "circumstances" strike "is not affected" and insert "is affected and the remainder of the act becomes null and void"

WITHDRAWAL OF AMENDMENT

On motion of Senator Baumgartner and without objection, floor amendment no. 472 by Senator Baumgartner on page 49, line 13 to Substitute Senate Bill No. 6199 was withdrawn.

On page 49, after line 13, insert the following:

"NEW SECTION. Sec. 33. If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2018, in the omnibus appropriations act, this act is null and void."

WITHDRAWAL OF AMENDMENT

On motion of Senator Baumgartner and without objection, floor amendment no. 473 by Senator Baumgartner on page , line to Substitute Senate Bill No. 6199 was withdrawn.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 74.39A RCW to read as follows:

The legislature finds that enacting a consumer directed employer program prior to the United States supreme court deciding *Janus v. American Federation of State, County and Municipal Employees, Council 31* would subvert the jurisdiction of the court and would therefore not be a prudent use of state resources. The legislature therefore intends to not adopt a consumer directed employer program prior to the supreme court deciding whether public sector unions can require workers who are not members to pay for collective bargaining."

WITHDRAWAL OF AMENDMENT

On motion of Senator Baumgartner and without objection, floor amendment no. 474 by Senator Baumgartner on page , line to Substitute Senate Bill No. 6199 was withdrawn.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) A legislative task force on the consumer directed employer program is established, with

members as provided in this subsection.

(a) The president of the senate must appoint two members from each of the two largest caucuses of the senate.

(b) The speaker of the house of representatives must appoint two members from each of the two largest caucuses of the house of representatives.

(c) The president of the senate and the speaker of the house of representatives must appoint two members representing in-home long-term care consumers, and must appoint two members representing in-home long-term care providers.

(d) The director of the department of social and health services or the director's designee.

(2) The task force must review the following issues:

(a) Options long-term care consumers have in receiving long-term care in their homes;

(b) Whether a consumer directed employer program would provide more options to in-home long-term care services; and

(c) The fiscal impact to the state in establishing a consumer directed employer program in the state as well as the impact to the state for not establishing such a program.

(3) Staff support for the task force must be provided by the senate committee services and the house of representatives office of program research.

(4) Legislative members of the task force are reimbursed for travel expenses in accordance with RCW 44.04.120. Nonlegislative members are not entitled to be reimbursed for travel expenses if they are elected officials or are participating on behalf of an employer, governmental entity, or other organization. Any reimbursement for other nonlegislative members is subject to chapter 43.03 RCW.

(5) The expenses of the task force must be paid jointly by the senate and the house of representatives. Task force expenditures are subject to approval by the senate facilities and operations committee and the house of representatives executive rules committee, or their successor committees.

(6) The task force shall report its findings and recommendations to the governor and the appropriate committees of the legislature by December 1, 2020.

(7) This section expires January 1, 2021."

On page 1, line 1 of the title, after "program;" strike the remainder of the title and insert "creating a new section; and providing an expiration date."

WITHDRAWAL OF AMENDMENT

On motion of Senator Baumgartner and without objection, floor amendment no. 475 by Senator Baumgartner on page , line to Substitute Senate Bill No. 6199 was withdrawn.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 2. (1) The Washington state institute for public policy must make a study of all relevant research relating to the delivery of in-home care services allowing seniors, persons with disabilities, and their families choice of remaining in their own homes and communities. The study must focus on results of allowing people to determine whether to receive residential services, whether to use licensed home care agencies, or coemploy individual providers.

(2) The Washington state institute for public policy must report the results of its study to the appropriate committees of the legislature by December 1, 2020.

(3) This section expires January 1, 2021."

On page 1, line 1 of the title, after "program;" strike the remainder of the title and insert "creating a new section; and

providing an expiration date."

WITHDRAWAL OF AMENDMENT

On motion of Senator Fortunato and without objection, floor amendment no. 469 by Senator Fortunato on page 49, line 7 to Substitute Senate Bill No. 6199 was withdrawn.

On page 49, after line 7, insert:

"NEW SECTION. Sec. 31. Nothing in this act shall be deemed to result in individual providers being considered state employees. If a court finds that individual providers are state employees, then the exclusive bargaining representative of individual providers at the time of the judicial ruling shall be liable for any judgment against the state."

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

MOTION

Senator Fortunato moved that the following floor amendment no. 478 by Senator Fortunato be adopted:

On page 49, after line 7, and insert :

Nothing in this act shall be deemed to result in individual providers becoming state employees or vesting in the state's Public Employment Retirement System.

Senators Fortunato and Cleveland spoke in favor of adoption of the amendment.

Senator Padden spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 478 by Senator Fortunato on page 49, after line 7 to Substitute Senate Bill No. 6199.

The motion by Senator Fortunato carried and floor amendment no. 478 was adopted by voice vote.

MOTION

Senator Cleveland moved that Engrossed Substitute Senate Bill No. 6199 be advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Fain objected to the motion by Senator Cleveland.

MOTION

On motion of Senator Liias, further consideration of Engrossed Substitute Senate Bill No. 6199 was deferred and the bill held its place on the second reading calendar.

MOTION

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

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Keiser moved that Linda Williams, Senate Gubernatorial Appointment No. 9235, be confirmed as a chair of the Industrial Insurance Appeals Board.

Senator Keiser spoke in favor of the motion.

APPOINTMENT OF LINDA WILLIAMS

The President declared the question before the Senate to be the confirmation of Linda Williams, Senate Gubernatorial Appointment No. 9235, as a chair of the Industrial Insurance Appeals Board.

The Secretary called the roll on the confirmation of Linda Williams, Senate Gubernatorial Appointment No. 9235, as a chair of the Industrial Insurance Appeals Board and the appointment was confirmed by the following vote: Yeas, 39; Nays, 9; Absent, 0; Excused, 1.

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

Voting nay: Senators Baumgartner, Braun, Honeyford, Padden, Rivers, Schoesler, Short, Warnick and Wilson

Excused: Senator Walsh

Linda Williams, Senate Gubernatorial Appointment No. 9235, having received the constitutional majority was declared confirmed as a chair of the Industrial Insurance Appeals Board.

Senator Sheldon moved that the Senate adjourn.

Senator Liias objected to the motion to adjourn by Senator Sheldon.

Senator Sheldon withdrew his motion to adjourn.

MOTION

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

MOTION

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

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Keiser moved that Frederick Finn, Senate Gubernatorial Appointment No. 9195, be confirmed as a member of the Lottery Commission.

Senator Keiser spoke in favor of the motion.

APPOINTMENT OF FREDERICK FINN

The President declared the question before the Senate to be the confirmation of Frederick Finn, Senate Gubernatorial Appointment No. 9195, as a member of the Lottery Commission.

The Secretary called the roll on the confirmation of Frederick Finn, Senate Gubernatorial Appointment No. 9195, as a member of the Lottery Commission and the appointment was confirmed by the following vote: Yeas, 42; Nays, 6; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Becker, Billig, Brown, Carlyle, Chase, Cleveland, Conway, Darneille, Dhingra, Fain, Frockt, Hasegawa, Hawkins, Hobbs, Hunt, Keiser, King, Kuderer, Liias, McCoy, Miloscia, Mullet, Nelson, O'Ban,

Padden, Palumbo, Pedersen, Ranker, Rivers, Rolfes, Saldaña, Sheldon, Short, Takko, Van De Wege, Wagoner, Warnick, Wellman, Wilson and Zeiger

Voting nay: Senators Baumgartner, Braun, Ericksen, Fortunato, Honeyford and Schoesler

Excused: Senator Walsh

Frederick Finn, Senate Gubernatorial Appointment No. 9195, having received the constitutional majority was declared confirmed as a member of the Lottery Commission.

MOTION

Senator Pedersen moved that Tana Wood, Senate Gubernatorial Appointment No. 9181, be confirmed as a member of the Indeterminate Sentence Review Board.

Senator Pedersen spoke in favor of the motion.

APPOINTMENT OF TANA WOOD

The President declared the question before the Senate to be the confirmation of Tana Wood, Senate Gubernatorial Appointment No. 9181, as a member of the Indeterminate Sentence Review Board.

The Secretary called the roll on the confirmation of Tana Wood, Senate Gubernatorial Appointment No. 9181, as a member of the Indeterminate Sentence Review Board and the appointment was confirmed by the following vote: Yeas, 35; Nays, 13; Absent, 0; Excused, 1.

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

Voting nay: Senators Bailey, Baumgartner, Becker, Braun, Brown, Ericksen, Fortunato, Honeyford, Rivers, Schoesler, Short, Wilson and Zeiger

Excused: Senator Walsh

Tana Wood, Senate Gubernatorial Appointment No. 9181, having received the constitutional majority was declared confirmed as a member of the Indeterminate Sentence Review Board.

MOTION

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

SECOND READING

SENATE BILL NO. 6079, by Senators Kuderer, Takko, Ranker, Rolfes, Cleveland, Hasegawa, Palumbo, Saldaña, Wellman, Darneille, Billig, Nelson, Dhingra, McCoy, Liias, Keiser, Hunt, Conway and Chase

Exempting public employee dates of birth from public disclosure requirements.

The measure was read the second time.

WITHDRAWAL OF AMENDMENT

On motion of Senator O'Ban and without objection, floor

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amendment no. 492 by Senator O'Ban on page 1, line 20 to Senate Bill No. 6079 was withdrawn.

On motion of Senator Lias, further consideration of Senate Bill No. 6079 was deferred and the bill held its place on the second reading calendar.

On page 1, line 20, after "agency:" strike "Dates" and insert "Days and months"

Senator Becker announced a meeting of the Republican Caucus.

MOTION

MOTION

Senator Kuderer moved that Senate Bill No. 6079 be advanced to third reading, the second reading considered the third and the bill was placed on final passage.

At 1:13 a.m., on motion of Senator Lias, the Senate adjourned until 10:00 o'clock a.m. Thursday, February 8, 2018.

Senator Fain objected.

CYRUS HABIB, President of the Senate

MOTION

BRAD HENDRICKSON, Secretary of the Senate

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9026 Lou Oma Durand
 Confirmed 13

9130 Jerrie L. Allard
 Confirmed 18

9181 Tana Wood
 Confirmed 30

9195 Frederick Finn
 Confirmed 30

9213 Janice H. Wigen
 Confirmed 17

9221 John D. Saven
 Confirmed 17

9224 Mark O. Brown
 Confirmed 18

9235 Linda Williams
 Confirmed 29

9244 Kim M. Thorburn
 Confirmed 3

9255 David W. Graybill
 Confirmed 3

9281 Jaron E. Reed Goddard
 Confirmed 17

9301 Larry M. Carpenter
 Confirmed 3

9302 Donald O. McIsaac
 Confirmed 4

9340 Ross Hunter
 Confirmed 16

CHAPLAIN OF THE DAY
 Castro Luna, Ms. Claudia, Washington State
 Poet Laureate 1

FLAG BEARERS
 Carlyle, Mr. Zev..... 1
 Spenser, Mr. Joshua 1

GUESTS
 Chinese People’s Association for Friendship
 with Foreign Coutries delegation..... 1
 Evergreen High School women’s basketball
 and volleyball team 2
 Farooq, Ms. Yasmin, Coach, University of
 Washington Women’s Crew 2
 Hanan, Ms. Karen, Executive Director,
 Washington State Arts Commission 2
 Jianong, Mr. Guo, Sichuan Provincial
 government 1
 Kvamme, Miss Juliana (Pledge of Allegiance)
 1
 Mid-Columbia Mastersingers (National
 Anthem) 1
 Phillips, Ms. Maggie, Intern Coach,
 University of Washington Women’s Crew 2
 Tyee High School women’s basketball and
 volleyball team 2
 Washington State Arts Commission,
 members of..... 2
 We the People Team, Tahoma High School. 2
 Wulfing, Ms. Gretchen, Teacher, Tahoma
 High School 2
 Yuan, Mr. Xie, Chinese People’s Association
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