

**THIRTY THIRD DAY**

**MORNING SESSION**

Senate Chamber, Olympia  
Friday, February 12, 2016

The Senate was called to order at 9:00 o'clock a.m. by the President of the Senate, Lt. Governor Owen presiding.

The Secretary called the roll and announced to the President that all Senators were present.

The Sergeant at Arms Color Guard consisting of Pages Mr. Keenan Joseph Ganz and Mr. Trent McLellan Smith, presented the Colors.

The prayer was offered by Pastor Casey Treat of Christian Faith Center in Federal Way.

**MOTION**

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

**MOTION**

On motion of Senator Fain, and without objection, the Senate advanced to the fourth order of business.

**MESSAGE FROM THE HOUSE**

February 11, 2016

MR. PRESIDENT:

The House has passed:

- HOUSE BILL NO. 1022,
- SECOND ENGROSSED HOUSE BILL NO. 2086,
- SUBSTITUTE HOUSE BILL NO. 2334,
- ENGROSSED HOUSE BILL NO. 2400,
- SUBSTITUTE HOUSE BILL NO. 2405,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2433,
- HOUSE BILL NO. 2587,
- HOUSE BILL NO. 2808,
- SUBSTITUTE HOUSE BILL NO. 2851,
- HOUSE BILL NO. 2929

and the same are herewith transmitted.

BERNARD DEAN, Deputy Chief Clerk

February 11, 2016

MR. PRESIDENT:

The House has passed:

- HOUSE BILL NO. 1294,
- HOUSE BILL NO. 1322,
- SUBSTITUTE HOUSE BILL NO. 1428,
- HOUSE BILL NO. 1560,
- SUBSTITUTE HOUSE BILL NO. 1718,
- ENGROSSED HOUSE BILL NO. 1752,
- HOUSE BILL NO. 1858,
- SUBSTITUTE HOUSE BILL NO. 2296,
- HOUSE BILL NO. 2298,
- HOUSE BILL NO. 2326,
- SECOND SUBSTITUTE HOUSE BILL NO. 2335,

- HOUSE BILL NO. 2391,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2458,
- SUBSTITUTE HOUSE BILL NO. 2465,
- SUBSTITUTE HOUSE BILL NO. 2501,
- SUBSTITUTE HOUSE BILL NO. 2541,
- HOUSE BILL NO. 2543,
- HOUSE BILL NO. 2557,
- HOUSE BILL NO. 2648,
- HOUSE BILL NO. 2663,
- SUBSTITUTE HOUSE BILL NO. 2678,
- SECOND SUBSTITUTE HOUSE BILL NO. 2681,
- SUBSTITUTE HOUSE BILL NO. 2725,
- HOUSE BILL NO. 2772,
- HOUSE BILL NO. 2773,
- SUBSTITUTE HOUSE BILL NO. 2805,
- SUBSTITUTE HOUSE BILL NO. 2849,
- HOUSE BILL NO. 2918

and the same are herewith transmitted.

BERNARD DEAN, Deputy Chief Clerk

**MOTION**

On motion of Senator Fain, and without objection, the Senate advanced to the fifth order of business.

**INTRODUCTION AND FIRST READING**

SB 6657 by Senators Parlette, Hargrove and Hobbs  
AN ACT Relating to wildfire management.

Referred to Committee on Ways & Means.

SB 6658 by Senators Pedersen, Litzow, Frockt, Angel, Nelson, King, Billig, Parlette, Keiser, Carlyle, Takko, Rolfes, Conway, Darneille, Mullet, Ranker, Cleveland, Lias, McCoy, Hobbs, McAuliffe, Hasegawa, Fraser, Habib, Jayapal, Hewitt, Chase, Braun, Honeyford, Roach, Bailey, Brown and Benton

AN ACT Relating to granting relatives, including but not limited to grandparents, the right to seek visitation with a child through the courts; adding a new chapter to Title 26 RCW; and repealing RCW 26.09.240.

Referred to Committee on Law & Justice.

SB 6659 by Senator Braun  
AN ACT Relating to workplace industrial safety and health penalties; and amending RCW 43.05.090 and 49.17.180.

Referred to Committee on Commerce & Labor.

SB 6660 by Senators Keiser, Ericksen, Hargrove, Honeyford, Ranker and Conway

AN ACT Relating to the hazardous substance tax rate; amending RCW 82.21.030; and declaring an emergency.

Referred to Committee on Ways & Means.

E2SHB 1236 by House Committee on Higher Education  
(originally sponsored by Representatives Ortiz-Self,

Johnson, Santos, Lytton, Moscoso, Pettigrew, Walkinshaw, Kilduff, Sawyer, Reykdal, Bergquist, Fey, Tarleton and Hudgins)

AN ACT Relating to eliminating the parent or guardian approval requirement for the college bound scholarship pledge; amending RCW 28B.118.040; and reenacting and amending RCW 28B.118.010.

Referred to Committee on Higher Education.

EHB 1409 by Representatives Walkinshaw, Hayes, Clibborn, Hargrove, Fey, Farrell, Zeiger, Orcutt and Tarleton  
AN ACT Relating to the disclosure of vessel owner information; amending RCW 46.12.630, 46.12.635, and 46.12.640; adding a new section to chapter 88.02 RCW; and prescribing penalties.

Referred to Committee on Transportation.

EHB 1465 by Representatives MacEwen, Hudgins and Ormsby  
AN ACT Relating to creating a dedicated account for elevators, lifting devices, moving walks, manufactured and mobile homes, recreational and commercial vehicles, factory built housing and commercial structures, and contractor registration and compliance activities; amending RCW 70.87.210; adding a new section to chapter 18.27 RCW; adding a new section to chapter 43.22 RCW; and adding a new section to chapter 51.44 RCW.

Referred to Committee on Commerce & Labor.

ESHB 1571 by House Committee on Environment (originally sponsored by Representatives Peterson, Goodman, Fitzgibbon, McBride, Pollet, Robinson, Stanford, S. Hunt and Riccelli)  
AN ACT Relating to paint stewardship; amending RCW 43.21B.110 and 43.21B.110; reenacting and amending RCW 42.56.270; adding a new section to chapter 82.04 RCW; adding a new chapter to Title 70 RCW; prescribing penalties; providing an effective date; and providing an expiration date.

Referred to Committee on Energy, Environment & Telecommunications.

HB 1659 by Representatives Vick, Kirby, Parker and Blake  
AN ACT Relating to the benefits of group life and disability insurance policies; amending RCW 48.24.280; and adding a new section to chapter 48.21 RCW.

Referred to Committee on Financial Institutions & Insurance.

3SHB 1682 by House Committee on Appropriations (originally sponsored by Representatives Fey, Stambaugh, Walsh, Riccelli, Goodman, Orwall, Zeiger, Appleton, Van De Wege, Lytton, Gregerson, Reykdal, Tarleton, Ortiz-Self, Kagi, Carlyle, Wylie, Bergquist, S. Hunt, Tharinger, Senn, Robinson, Moscoso, Pollet, Walkinshaw, McBride and Jinkins)  
AN ACT Relating to improving educational outcomes for homeless students through increased in-school guidance supports, housing stability, and identification services; amending RCW 28A.300.540; adding a new section to

chapter 28A.300 RCW; adding a new section to chapter 43.185C RCW; adding a new section to chapter 28A.320 RCW; and creating new sections.

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

E2SHB 1763 by House Committee on General Government & Information Technology (originally sponsored by Representatives Van De Wege, Lytton, Riccelli and Tharinger)  
AN ACT Relating to regulating music licensing agencies; amending RCW 18.235.020 and 43.24.150; adding a new chapter to Title 19 RCW; prescribing penalties; and providing an effective date.

Referred to Committee on Commerce & Labor.

HB 1804 by Representatives Springer, Magendanz, Lytton, Muri and Reykdal  
AN ACT Relating to confidentiality of educator professional growth plans; and amending RCW 42.56.250.

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

E2SHB 1808 by House Committee on Transportation (originally sponsored by Representatives Stanford, Manweller, Blake, Orcutt, Ryu, Zeiger, Moscoso, Harris, Appleton, Wilcox, Takko, Haler, Pollet, Kochmar, Ormsby, Holy, Vick, Fey, Sells, Dunshee, Hayes, Farrell, S. Hunt, Reykdal and Van De Wege)  
AN ACT Relating to passenger-carrying vehicles for railroad employees; amending RCW 81.61.010 and 81.61.040; and adding new sections to chapter 81.61 RCW.

Referred to Committee on Commerce & Labor.

SHB 1867 by House Committee on Education (originally sponsored by Representatives Bergquist, Orwall, Pollet, S. Hunt and Tarleton)  
AN ACT Relating to the frequency of evaluations for certain classroom teachers; amending RCW 28A.405.100; creating a new section; and providing an expiration date.

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

ESHB 1875 by House Committee on Appropriations (originally sponsored by Representatives Walsh, Kagi, Johnson, Sawyer, Pettigrew, Moscoso, Zeiger, Ormsby, Appleton and Young)  
AN ACT Relating to the definition of work activity for the purposes of the WorkFirst program; and amending RCW 74.08A.250 and 74.08A.341.

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

EHB 1918 by Representatives Shea, Orcutt, Hayes and Scott  
AN ACT Relating to provisions applicable to off-road, nonhighway, and wheeled all-terrain vehicles and their drivers; and amending RCW 38.52.180, 46.09.320, 46.09.442, and 46.09.457.

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Referred to Committee on Transportation.

HB 2317 by Representatives Van De Wege, Tharinger, Pettigrew, Moeller and Magendanz  
AN ACT Relating to expanding the use of neighborhood and medium-speed electric vehicles; amending RCW 46.61.723 and 46.61.725; providing an effective date; and declaring an emergency.

Referred to Committee on Transportation.

HB 2322 by Representative Zeiger  
AN ACT Relating to the vehicle license cost recovery fee charged for certain rental car transactions; and reenacting and amending RCW 47.04.310.

Referred to Committee on Transportation.

ESHB 2323 by House Committee on Early Learning & Human Services (originally sponsored by Representatives Kilduff, Walsh, Stanford, Kagi, Robinson, McBride, Bergquist, Jinkins and Pollet)  
AN ACT Relating to the creation of the Washington achieving a better life experience program; amending RCW 43.33A.190; reenacting and amending RCW 43.79A.040; adding new sections to chapter 43.330 RCW; and providing an expiration date.

Referred to Committee on Health Care.

HB 2331 by Representatives Chandler, Stanford, Blake, Kretz, Wilcox, Walkinshaw, Haler, Buys and Tharinger  
AN ACT Relating to the expiration date of the invasive species council and account; and amending RCW 79A.25.310 and 79A.25.370.

Referred to Committee on Natural Resources &amp; Parks.

SHB 2357 by House Committee on Environment (originally sponsored by Representatives Peterson, Young, S. Hunt, Fitzgibbon, Kirby, Buys, Pollet and Kretz)  
AN ACT Relating to the authority of the pollution liability insurance agency; amending RCW 70.148.020, 70.148.900, 70.149.900, 82.23A.020, and 82.23A.902; reenacting and amending RCW 43.84.092; adding a new chapter to Title 70 RCW; creating a new section; repealing RCW 70.148.120, 70.148.130, 70.148.140, 70.148.150, 70.148.160, and 70.148.170; providing an effective date; and providing expiration dates.

Referred to Committee on Energy, Environment &amp; Telecommunications.

HB 2399 by Representatives Holy, Appleton, Manweller, S. Hunt, Haler, Moscoso, Taylor, Shea, Young, Hayes, Van Werven, Walsh, Bergquist, Farrell, Klippert, Rodne, Dent, Parker, Scott, Griffey, G. Hunt, Reykdal, Goodman, Caldier, Pike, Condotta, Fitzgibbon, Tharinger, Magendanz, Stanford, Muri, Blake, Kilduff, Ormsby and Riccelli  
AN ACT Relating to prohibiting the consideration of the number of citations for traffic infractions issued by a law enforcement officer in the performance review of the officer;

adding a new section to chapter 46.64 RCW; and creating a new section.

Referred to Committee on Commerce &amp; Labor.

SHB 2417 by House Committee on Transportation (originally sponsored by Representatives Pike, Moeller and Wylie)  
AN ACT Relating to modifying certain driver's license requirements; amending RCW 46.20.075; creating new sections; and providing an effective date.

Referred to Committee on Transportation.

SHB 2440 by House Committee on Early Learning & Human Services (originally sponsored by Representatives Kagi, Smith, McBride, Hargrove, McCaslin, Dent, Clibborn, Walsh, Walkinshaw, Scott, Sawyer, Ortiz-Self, Caldier, Hudgins, Senn, Robinson, Ormsby, Cody, Jinkins, Fey, Zeiger, Frame, Kilduff, Bergquist and Goodman)  
AN ACT Relating to host home programs for youth; amending RCW 74.15.020; and adding a new section to chapter 43.330 RCW; and providing an expiration date.

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

HB 2457 by Representative Young  
AN ACT Relating to recorded interests in easements by an electric utility; and amending RCW 36.35.290.

Referred to Committee on Government Operations &amp; Security.

EHB 2478 by Representatives Peterson, Stambaugh, Buys, Dent, Gregerson, Riccelli, Orwall, Stanford, Blake, Sawyer, Tharinger, Fitzgibbon, Walkinshaw, Tarleton, McBride, Moscoso, Bergquist, Pollet, S. Hunt, Goodman and Wilcox  
AN ACT Relating to supporting agricultural production, including that of apiarists, through the preservation of forage for pollinators; amending RCW 17.10.145; adding a new section to chapter 43.220 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Agriculture, Water &amp; Rural Economic Development.

SHB 2500 by House Committee on Agriculture & Natural Resources (originally sponsored by Representatives Caldier, Blake, Young, Dent and Wilson)  
AN ACT Relating to creating a preferred alternative for the placement and sale of impounded livestock; and amending RCW 16.24.110, 16.24.120, 16.24.130, and 16.24.150.

Referred to Committee on Agriculture, Water &amp; Rural Economic Development.

ESHB 2511 by House Committee on Early Learning & Human Services (originally sponsored by Representatives Pike, Scott, Vick, Shea, Walsh and Young)

AN ACT Relating to child care center licensing requirements; adding a new section to chapter 43.215 RCW; and creating a new section.

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

HB 2516 by Representatives Kirby, Vick, Griffey and Ormsby  
AN ACT Relating to commuter ride-sharing arrangements; and reenacting and amending RCW 48.177.005.

Referred to Committee on Transportation.

SHB 2585 by House Committee on Community Development, Housing & Tribal Affairs (originally sponsored by Representatives Robinson, Walsh and McBride)

AN ACT Relating to private activity bond allocation; and amending RCW 39.86.120, 39.86.140, and 39.86.190.

Referred to Committee on Financial Institutions & Insurance.

HB 2597 by Representatives Orwall, Magendanz, Reykdal, McBride, Lytton, Caldier, Frame, Rossetti, S. Hunt and Pollet

AN ACT Relating to sexual abuse response plans; and amending RCW 28A.320.127.

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

SHB 2598 by House Committee on Transportation (originally sponsored by Representatives Orcutt and Clibborn)

AN ACT Relating to authorizing the use of certain cargo extensions that connect to a recreational vehicle frame; amending RCW 46.04.620, 46.37.050, 46.37.340, 46.37.500, and 46.44.037; adding a new section to chapter 46.04 RCW; creating a new section; and providing an effective date.

Referred to Committee on Transportation.

ESHB 2621 by House Committee on Early Learning & Human Services (originally sponsored by Representatives Kagi, Walsh, Senn, Stokesbary, Lytton, Magendanz, Muri and Goodman)

AN ACT Relating to the department of early learning's access to records and personal information for purposes of determining character and suitability of child care workers; amending RCW 13.50.100, 26.44.031, 26.44.100, 43.215.200, and 74.04.060; reenacting and amending RCW 43.43.832 and 43.215.215; and creating a new section.

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

HB 2639 by Representatives McCabe, Santos, Johnson, Kochmar, Cody, Caldier, Muri, Kilduff and McBride  
AN ACT Relating to studying the costs and benefits of requiring school bus safety devices on new school buses; and creating new sections.

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

HB 2694 by Representatives DeBolt, Johnson, Condotta, Sells, Wilson, S. Hunt and Pettigrew

AN ACT Relating to background checks in emergency placement situations requested by tribes; and amending RCW 26.44.240.

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

SHB 2743 by House Committee on Education (originally sponsored by Representatives Reykdal, McBride, Rossetti, Santos and Pollet)

AN ACT Relating to the issuance of a Washington state high school diploma; amending RCW 28B.50.536; creating new sections; and providing an expiration date.

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

HB 2888 by Representatives Van De Wege, Pettigrew, Stanford, Morris, Kuderer, S. Hunt, Appleton, Peterson, Fitzgibbon, Hurst, Pollet and Farrell

AN ACT Relating to cetacean captivity; adding a new section to chapter 77.15 RCW; and prescribing penalties.

Referred to Committee on Natural Resources & Parks.

#### MOTION

On motion of Senator Fain, and without objection, all measures listed on the Introduction and First Reading report were referred to the committees as designated.

#### MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the seventh order of business.

#### THIRD READING

#### CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

#### MOTION

Senator Pearson moved that ROGER E. SCHMITT, Gubernatorial Appointment No. 9157, be confirmed as a member of the Parks and Recreation Committee.

Senator Pearson spoke in favor of the motion.

#### APPOINTMENT OF ROGER E. SCHMITT

The President declared the question before the Senate to be the confirmation of Roger E. Schmitt, Gubernatorial Appointment No. 9157, as a member of the Parks and Recreation Committee.

The Secretary called the roll on the confirmation of Roger E. Schmitt, Gubernatorial Appointment No. 9157, as a member of the Parks and Recreation Committee and the appointment was confirmed by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt,

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Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Roger E. Schmitt, Gubernatorial Appointment No. 9157, having received the constitutional majority was declared confirmed as a member of the Parks and Recreation Committee.

## MOTION

Senator Pearson moved that Ken Bounds, Gubernatorial Appointment No. 9016, be confirmed as a member of the Parks and Recreation Committee.

Senator Pearson spoke in favor of the motion.

## APPOINTMENT OF KEN BOUNDS

The President declared the question before the Senate to be the confirmation of Ken Bounds, Gubernatorial Appointment No. 9016, as a member of the Parks and Recreation Committee.

The Secretary called the roll on the confirmation of Ken Bounds, Gubernatorial Appointment No. 9016, as a member of the Parks and Recreation Committee and the appointment was confirmed by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Ken Bounds, Gubernatorial Appointment No. 9016, having received the constitutional majority was declared confirmed as a member of the Parks and Recreation Committee.

## MOTION

On motion of Senator Fain, and without objection, the Senate reverted to the sixth order of business.

## REMARKS BY THE PRESIDENT

President Owen: "Ladies and gentleman of the Senate, the President has been informed that it is a big day for Senator Dansel and his wife, it's their anniversary from what I understand. She may be in Republic but then absence makes the heart grow fonder. Senator Dansel, congratulations to you and your wife."

## PERSONAL PRIVILEGE

Senator Dansel: "Thank you Mr. President. My anniversary isn't until Valentine's Day, but I figure any lady that will get married in a drive through wedding chapel in Las Vegas, Nevada, is one that's going to be with me through anything and then I ran for the Senate so I've got to tell you, she's a great lady."

## PERSONAL PRIVILEGE

Senator Becker: "Well, Senator Dansel I want to congratulate

you, but I have it up on you, today is my forty-third anniversary. And since I was elected, I've not spent one anniversary with my husband. So I called him this morning and said, 'Beat you, happy anniversary.' So congratulations to you."

## REMARKS BY THE PRESIDENT

President Owen: "Senator Becker, the President apologizes, he did not know. Cupid did not drop that note on my desk, only this one here."

## SECOND READING

SENATE BILL NO. 6254, by Senators Sheldon, Bailey, Rivers, Roach, O'Ban, Hill, Becker, Miloscia, Angel, Warnick, Honeyford, Padden, Hobbs, Pearson, Hargrove, Braun, Dammeier, Fain, Parlette, Hewitt, Schoesler, Baumgartner, Ericksen, Rolfes, Conway, Mullet and Chase

Authorizing the issuance of Purple Heart license plates for more than one motor vehicle.

## MOTIONS

On motion of Senator Sheldon, Substitute Senate Bill No. 6254 was substituted for Senate Bill No. 6254 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Sheldon, the rules were suspended, Substitute Senate Bill No. 6254 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Sheldon 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. 6254.

## ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6254 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

SUBSTITUTE SENATE BILL NO. 6254, 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. 6558, by Senators Parlette and Cleveland

Allowing a hospital pharmacy license to include individual practitioner offices and multipractitioner clinics owned and operated by a hospital and ensuring such offices and clinics are inspected according to the level of service provided.

## MOTIONS

On motion of Senator Parlette, Substitute Senate Bill No. 6558 was substituted for Senate Bill No. 6558 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Parlette, the rules were suspended, Substitute Senate Bill No. 6558 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Parlette 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. 6558.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6558 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

SUBSTITUTE SENATE BILL NO. 6558, 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 Fain, and without objection, the Senate advanced to the seventh order of business.

#### THIRD READING

SUBSTITUTE SENATE BILL NO. 5206, by Senate Committee on Ways & Means (originally sponsored by Senators Becker, Miloscia, Bailey, Braun, Padden, Hewitt, Hill, Dammeier, Honeyford and Parlette)

Addressing state audit findings of noncompliance with state law.

The bill was read on Third Reading.

Senators Becker, Hill, Ericksen, Baumgartner, Hewitt, Billig, Dansel, Padden, Jayapal and Rolfes spoke in favor of passage of the bill.

Senators Fraser, McCoy, Lias and Keiser spoke against passage of the bill.

#### POINT OF ORDER

Senator Padden: "Thank you Mr. President, I would ask that you consider reminding the gentleman from the Twenty-first District to speak on the bill, not on an ancillary subject."

#### REPLY BY THE PRESIDENT

President Owen: "Senator Lias, I think his remarks were somewhat relative, but please make sure that they are on point

when you're speaking."

#### POINT OF INQUIRY

Senator Fain: "Thank you Mr. President. I was wondering if Senator Becker would yield to a question? Senator, have there been any changes to this legislation since it passed off the floor, 47 to 2 last year?"

Senator Becker: "No."

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5206.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5206 and the bill passed the Senate by the following vote: Yeas, 43; Nays, 6; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Frockt, Habib, Hargrove, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Litzow, Miloscia, Mullet, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senators Fraser, Hasegawa, Lias, McAuliffe, McCoy and Nelson

SUBSTITUTE SENATE BILL NO. 5206, 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 Fain, and without objection, the Senate reverted to the sixth order of business.

#### SECOND READING

SENATE JOINT RESOLUTION NO. 8211, by Senators Roach, Benton, Pearson, Rivers, Braun, Schoesler, Dammeier, O'Ban, Miloscia and Bailey

Amending the Constitution to require a two-thirds majority vote of the legislature to raise taxes.

The measure was read the second time.

#### MOTION

Senator Chase moved that the following amendment no. 567 by Senator Chase be adopted:

On page 2, beginning on line 13, after "(3)" insert "No funds raised by a measure approved by a two-thirds vote of both the house of representatives and the senate, as provided in subsection (1) of this section, may be given, loaned, or used in aid of any individual or private association, company, or other organization, except for the necessary support of the poor and infirm. This prohibition must be broadly construed to prohibit the use of funds for these purposes, including where such use serves the public interest, carries out a fundamental government purpose, or does not involve donative intent.

(4)"

Renumber subsections accordingly.

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Parlette, Pearson, Rivers, Roach, Schoesler, Sheldon and Warnick

Senator Chase spoke in favor of adoption of the amendment.  
Senators Roach and Ericksen spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 567 by Senator Chase on page 2, line 13 to Senate Joint Resolution No. 8211.

The motion by Senator Chase did not carry and amendment no. 567 was not adopted by voice vote.

## MOTION

Senator Carlyle moved that the following amendment no. 574 by Senator Carlyle be adopted.

On page 2, line 13, after "(3)", insert "(a) Every bill enacting a tax preference for economic development must include a tax preference performance statement that states the legislative purpose for the tax preference. The tax preference performance statement must specify clear, relevant, and ascertainable metrics and data requirements that allow the legislature to measure the effectiveness of the tax preference in achieving its purpose.

(b) Taxpayers claiming a tax preference for economic development must report the amount of the tax preference claimed by the taxpayer to the state as otherwise required by statute.

(c) The amount claimed by a taxpayer for any tax preference for economic development is subject to public disclosure and is not considered confidential tax information in accordance with law.

(d) Itemized costs or amounts of any tax preference for economic development must be included in the omnibus biennial operating appropriations act.

(4)"

On page 2, line 16, after "(b)" insert "'Tax preference' means an exemption, exclusion, or deduction from the base of a state tax; a credit against a state tax; a deferral of a state tax; or a preferential state tax rate.

(c)"

Senator Carlyle spoke in favor of adoption of the amendment.  
Senators Roach and Ericksen spoke against adoption of the amendment.

Senator Lias demanded a roll call.

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

The President declared the question before the Senate to be the adoption of amendment no. 574 by Senator Carlyle on page 2, line 13 to Senate Joint Resolution No. 8211.

## ROLL CALL

The Secretary called the roll on the adoption of amendment no. 574 by Senator Carlyle and the amendment was not adopted by the following vote: Yeas, 23; Nays, 26; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Carlyle, Chase, Cleveland, Conway, Darneille, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hobbs, Jayapal, Keiser, Lias, McAuliffe, McCoy, Mullet, Nelson, Pedersen, Ranker, Rolfes and Takko

Voting nay: Senators Angel, Bailey, Baumgartner, Becker, Benton, Braun, Brown, Dammeier, Dansel, Ericksen, Fain, Hewitt, Hill, Honeyford, King, Litzow, Miloscia, O'Ban, Padden,

## MOTION

Senator Keiser moved that the following amendment no. 576 by Senator Keiser be adopted:

On page 2, line 19, strike "general fund.", and insert "general fund, except that a modification, adjustment, termination or other change to a tax incentive, preferential rate, exemption, or credit for the purpose of investing additional funds to provide housing, health care, emergency support or other services for Washington's veterans shall not be considered to be raising taxes."

Senator Keiser spoke in favor of adoption of the amendment.

Senators Roach and Baumgartner spoke against adoption of the amendment.

Senator Lias demanded a roll call.

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

The President declared the question before the Senate to be the adoption of amendment no. 576 by Senator Keiser on page 2, line 19, to Senate Joint Resolution No. 8211.

## ROLL CALL

The Secretary called the roll on the adoption of amendment no. 576 by Senator Keiser and the amendment was not adopted by the following vote: Yeas, 23; Nays, 26; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Carlyle, Chase, Cleveland, Conway, Darneille, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hobbs, Jayapal, Keiser, Lias, McAuliffe, McCoy, Mullet, Nelson, Pedersen, Ranker, Rolfes and Takko

Voting nay: Senators Angel, Bailey, Baumgartner, Becker, Benton, Braun, Brown, Dammeier, Dansel, Ericksen, Fain, Hewitt, Hill, Honeyford, King, Litzow, Miloscia, O'Ban, Padden, Parlette, Pearson, Rivers, Roach, Schoesler, Sheldon and Warnick

## MOTION

Senator Frockt moved that the following amendment no. 577 by Senator Frockt be adopted:

On page 2, line 19, strike "general fund.", and insert "general fund, except that a modification, adjustment, termination or other change to a tax incentive, preferential rate, exemption, or credit for the purpose of investing additional funds to support the state's paramount duty to fund basic education shall not be considered to be raising taxes."

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

Senators Roach and Ericksen spoke against adoption of the amendment.

## POINT OF INQUIRY

Senator Frockt: "How many votes will it take for the bill to pass?"

## REPLY BY THE PRESIDENT

President Owen: "It will take thirty three votes or two-

thirds.”

Senator Frockt 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. 577 by Senator Frockt on page 2, line 19, to Senate Joint Resolution No. 8211.

#### ROLL CALL

The Secretary called the roll on the adoption of amendment no. 577 by Senator Frockt and the amendment was not adopted by the following vote: Yeas, 23; Nays, 26; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Carlyle, Chase, Cleveland, Conway, Darneille, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hobbs, Jayapal, Keiser, Liias, McAuliffe, McCoy, Mullet, Nelson, Pedersen, Ranker, Rolfes and Takko

Voting nay: Senators Angel, Bailey, Baumgartner, Becker, Benton, Braun, Brown, Dammeier, Dansel, Ericksen, Fain, Hewitt, Hill, Honeyford, King, Litzow, Miloscia, O’Ban, Padden, Parlette, Pearson, Rivers, Roach, Schoesler, Sheldon and Warnick

#### MOTION

Senator Carlyle moved that the following amendment no. 575 by Senator Carlyle be adopted:

On page 2, after line 19, insert the following:

“(4) This section expires ten years after the date of enactment of this section.”

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

Senators Roach and Dansel spoke against adoption of the amendment.

#### POINT OF INQUIRY

Senator Baumgartner: “Will Senator Carlyle yield to a question?”

#### REPLY BY THE PRESIDENT

President Owen: “Senator Carlyle? Do you yield? He does.”

Senator Baumgartner: “I’m sincerely intrigued by the ten-year sunset. Would you vote for the underlying memorial if we accepted your amendment?”

Senator Carlyle: “If you can convince Alexander Hamilton and James Madison it’s a good idea, I would join them. They’re pretty strongly against it, so I’m still a no.”

#### POINT OF INQUIRY

Senator Baumgartner: “So even if we accepted this amendment, you would still be a no?”

Senator Carlyle: “That’s right.”

The President declared the question before the Senate to be the adoption of amendment no. 575 by Senator Carlyle on page 2, after line 19 to Senate Joint Resolution No. 8211.

The motion by Senator Carlyle did not carry and amendment no. 575 was not adopted by voice vote.

#### MOTION

On motion of Senator Roach, the rules were suspended, Senate Joint Resolution No. 8211 was advanced to third reading, the second reading considered the third and the resolution was placed on final passage.

Senators Roach, Schoesler, Baumgartner, Angel, Hill, Fain, Dansel, Benton, Miloscia and Padden spoke in favor of passage of the resolution.

Senators Ranker, Hargrove, Jayapal, Hasegawa, Takko and Carlyle spoke against passage of the resolution.

The President declared the question before the Senate to be the final passage of Senate Joint Resolution No. 8211.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Joint Resolution No. 8211 and the resolution failed to pass the Senate by the following vote: Yeas, 26; Nays, 23; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Braun, Brown, Dammeier, Dansel, Ericksen, Fain, Hewitt, Hill, Honeyford, King, Litzow, Miloscia, O’Ban, Padden, Parlette, Pearson, Rivers, Roach, Schoesler, Sheldon and Warnick

Voting nay: Senators Billig, Carlyle, Chase, Cleveland, Conway, Darneille, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hobbs, Jayapal, Keiser, Liias, McAuliffe, McCoy, Mullet, Nelson, Pedersen, Ranker, Rolfes and Takko

SENATE JOINT RESOLUTION NO. 8211, having failed to receive the constitutional majority, was declared lost.

#### PERSONAL PRIVILEGE

Senator Liias: “Thank you, Mr. President. I don’t know if you knew this, but Senator Hobbs had some big news in his life today. I actually learned about it on Facebook. I don’t know how many people have seen it, but it’s actually his birthday. And so I just wanted to see if Mr. President, you would congratulate the good senator on his birthday. Mr. President, I want to congratulate Senator Hobbs on his birthday.”

#### PERSONAL PRIVILEGE

Senator Padden: “Yes, I would just like to announce to the body that starting very shortly over in Hearing Room 1 there will be a presentation, an educational briefing actually, on commercial sexual exploitation and will be led by our former colleague, Senator Jeanne Kohl-Welles. So I urge anybody to go over there and attend in Hearing Room 1. Thank you.”

#### PERSONAL PRIVILEGE

Senator Roach: “Remember Monday is our Fish-In, please remember to bring your grandkids, kids, we’ve got poles for you, and remember this is a competition, which caucus can fish out the most pounds of trout. Thank you.”

#### PERSONAL PRIVILEGE

Senator Rolfes: “Could I ask that the fish-in, I think a lot of us might like to participate. Could we have a scheduled time that we might not be on the floor so we could come down for fifteen



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minutes to do that?"

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further advisement from the Alzheimer's Disease Working Group in our efforts to implement the Plan.

MOTION

At 11:57 a.m., on motion of Senator Fain, the Senate was declared to be at ease subject to the call of the President.

Senators Keiser, Bailey, Cleveland, Jayapal and Parlette spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8702.

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

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AFTERNOON SESSION

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The Senate was called to order at 1:56 p.m. by President Owen.

INTRODUCTION OF GUESTS

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the eighth order of business.

The President welcomed and introduced Mr. Bob Le Roy Executive Director, and Mr. Dennis Mahar, Chairman, of the Washington State Chapter of the Alzheimer's Association who were seated in the gallery.

MOTION

Senator Keiser moved adoption of the following resolution:

MOTION

On motion of Senator Fain, and without objection, the Senate reverted to the sixth order of business.

SENATE RESOLUTION  
8702

SECOND READING

By Senators Keiser, Bailey, Cleveland, Brown, Jayapal, Fraser, Nelson, and Benton

SENATE JOINT MEMORIAL NO. 8019, by Senators Conway, Dammeier, Hobbs, Darneille, King, O'Ban, Roach and Hasegawa

WHEREAS, The legislature passed and the governor signed Substitute Senate Bill No. 6124 during the 2014 session; and

Requesting that a portion of state route number 509 be named the Philip Martin Lelli Memorial Highway.

WHEREAS, Substitute Senate Bill No. 6124 established the Alzheimer's Disease Working Group and directed it to examine the needs of individuals with Alzheimer's, the services available to meet these needs, and the capacity of the state and current providers to meet these and future needs; and

The measure was read the second time.

MOTION

WHEREAS, Alzheimer's disease and other dementias are now the third leading cause of death in Washington state; and

On motion of Senator Conway, the rules were suspended, Senate Joint Memorial No. 8019 was advanced to third reading, the second reading considered the third and the memorial was placed on final passage.

WHEREAS, An outstanding group of knowledgeable citizens, including consumers, providers, scientists, advocates, and legislators worked together over the past year to develop the first Washington State Plan to Address Alzheimer's Disease and Other Dementias; and

Senators Conway and King spoke in favor of passage of the memorial.

MOTION

WHEREAS, Fifteen town meetings and community listening sessions were held around the state to gather input and ideas from citizens with personal and family experiences with Alzheimer's disease; and

On motion of Senator Mullet, and without objection, Senator Habib was excused.

WHEREAS, The progressive nature of Alzheimer's, its long duration, and its effect on memory, self-care, decision making, and behavior create formidable challenges for individuals and families; the most common concern expressed by participants was the need to increase home care and family support and provider education to improve early diagnosis and treatment; and

The President declared the question before the Senate to be the final passage of Senate Joint Memorial No. 8019.

ROLL CALL

WHEREAS, The Plan is now complete and is being submitted to the legislature this week, and includes reports showing that Alzheimer's disease is one of the most costly chronic conditions in our state, posing financial burdens for families; and

The Secretary called the roll on the final passage of Senate Joint Memorial No. 8019 and the memorial passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

WHEREAS, The Plan sets forth both short-term and long-term goals and strategies to be pursued to offer hope and support to individuals and families in coping with the disease while using public and private resources as efficiently as possible;

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

NOW, THEREFORE, BE IT RESOLVED, That the Senate express deep gratitude and appreciation to all citizens and staff who worked to research and prepare the Washington State Plan to Address Alzheimer's Disease and Other Dementias; and

BE IT FURTHER RESOLVED, That the Senate welcome

Excused: Senator Habib

SENATE JOINT MEMORIAL NO. 8019, 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.

#### INTRODUCTION OF GUESTS

The President welcomed and introduced the son and daughter-in-law of Mr. Phil Lelli, Mr. Vance Lelli and Ms. Kimberlie Lelli, Legislative Assistant, Senator Conway.

#### SECOND READING

SENATE BILL NO. 6260, by Senators Hewitt, Hargrove, Fain and McAuliffe

Providing postsecondary education to enhance education opportunities and public safety.

The measure was read the second time.

#### MOTION

On motion of Senator Hewitt, the rules were suspended, Senate Bill No. 6260 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Hewitt and Hargrove spoke in favor of passage of the bill.

#### MOTION

On motion of Senator Fain, further consideration of Senate Bill No. 6260 was deferred and the bill held its place on the third reading calendar.

#### SECOND READING

SUBSTITUTE SENATE BILL NO. 6483, by Senators Hill, Hobbs, Becker, Hargrove, Bailey, Miloscia, Benton, Braun, Parlette, Angel, Dammeier, Warnick, Litzow, Padden, Rivers, Brown, Dansel, King, Sheldon, Fain and Darneille

Concerning the Dan Thompson memorial developmental disabilities community trust account.

The measure was read the second time.

#### MOTION

On motion of Senator Hill, the rules were suspended, Substitute Senate Bill No. 6483 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Hill 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. 6483.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6483 and the bill passed the Senate by the following vote: Yeas, 44; Nays, 4; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Cleveland, Conway,

Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Hargrove, Hewitt, Hill, Hobbs, Jayapal, Keiser, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senators Chase, Hasegawa, Honeyford and King  
Excused: Senator Habib

SUBSTITUTE SENATE BILL NO. 6483, 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 Warnick, Takko, Hobbs and Chase

Modifying the powers and duties of the Washington dairy products commission to include research and education related to the economic uses of nutrients produced by dairy farms.

The measure was read the second time.

#### MOTION

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

Senator Warnick 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. 6343.

#### ROLL CALL

The Secretary called the roll on the final passage of 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, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senator Habib

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. 6401, by Senators Rolfes and Warnick

Concerning recordkeeping requirements of secondary commercial fish receivers.

The measure was read the second time.

#### MOTION

On motion of Senator Rolfes, the rules were suspended, Senate

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Bill No. 6401 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Rolfes and Ranker 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. 6401.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6401 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, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senator Habib

SENATE BILL NO. 6401, 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 Fain, and without objection, the Senate advanced to the seventh order of business.

#### MOTION

On motion of Senator Braun, the rules were suspended and Engrossed Substitute Senate Bill No. 5575 was returned to second reading for the purpose of amendment.

#### MOTION

Senator Braun moved that the following striking amendment no. 532 by Senators Braun and Ranker be adopted:

Strike everything after the enacting clause and insert the following:

**NEW SECTION. Sec. 1.** This section is the tax preference performance statement for the tax preference contained in sections 2 and 3 of this act. This performance statement is only intended to be used for subsequent evaluation of the tax preference. It is not intended to create a private right of action by any party or be used to determine eligibility for preferential tax treatment.

(1) The legislature categorizes this tax preference as one intended to create or retain jobs, as indicated in RCW 82.32.808(2)(c).

(2) It is the legislature's specific public policy objective to retain jobs at existing coal-fired electric generation facilities by providing a tax exemption to allow these facilities to convert into natural gas-fired generation plants or biomass energy facilities rather than shut down entirely. It is the legislature's intent to provide a tax exemption for the conversion of a coal-fired electric generation facility into a natural gas-fired generation plant or biomass energy facility, in order to reduce the costs recently imposed by the legislature on companies that operate coal-fired electric generation facilities, thereby increasing the ability of these companies to continue their operations in Washington state,

thereby retaining jobs that otherwise would be lost if a coal-fired electric generation facility were to shut down.

(3) This tax preference is created to provide an opportunity for coal-fired electric generation facilities to convert into natural gas-fired generation plants or biomass energy facilities. This tax preference is meant to expire and, therefore, the joint legislative audit and review committee is exempt from reviewing this tax preference as required in chapter 43.136 RCW.

**NEW SECTION. Sec. 2.** A new section is added to chapter 82.08 RCW to read as follows:

(1) Subject to the requirements in subsection (2) of this section, a taxpayer is eligible for an exemption from the tax imposed by RCW 82.08.020 on the sale of or charge made for:

(a) Labor and services rendered in respect to the constructing of new structures, and expansion or renovation of existing structures, for the purpose of converting a coal-fired electric generation facility into a natural gas-fired plant or biomass energy facility;

(b) Materials that will be incorporated as an ingredient or component of new or existing structures during the course of such constructing, expanding, or renovating; or

(c) Machinery and equipment that is required to convert a coal-fired electric generation facility into a natural gas-fired plant or biomass energy facility, including labor and services rendered in respect to installing such machinery and equipment.

(2)(a) The exemption in this section is in the form of a remittance. A purchaser claiming an exemption from the tax in the form of a remittance under this section must pay all applicable state and local sales taxes imposed under RCW 82.08.020 and chapter 82.14 RCW on all purchases qualifying for the exemption. After the conversion of a coal-fired electric generation facility into a natural gas-fired plant or biomass energy facility is operationally complete, but not earlier than April 1, 2020, the purchaser may then apply to the department for a remittance of one hundred percent of the state and local sales taxes paid under RCW 82.08.020 and chapter 82.14 RCW for purchases qualifying under subsection (1) of this section. The purchaser must specify the amount of exempted tax claimed and the qualifying purchases for which the exemption is claimed. The purchaser must retain, in adequate detail, records to enable the department to determine whether the purchaser is entitled to an exemption under this section, including: Invoices; proof of tax paid; and construction contracts.

(b) The department may not accept any application for a remittance that it does not receive by the later of July 1, 2020, or within one year after the department determines that the conversion of a coal-fired electric generation facility into a natural gas-fired plant or biomass energy facility is operationally complete.

(c) The department must determine eligibility under this section based on information provided by the purchaser, which is subject to audit verification by the department. The department must remit exempted amounts to qualifying purchasers who submitted timely applications during the previous calendar quarter. No remittances may be paid before July 1, 2020.

(3) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Biomass energy" means energy derived from solid organic fuels from wood or forest or field residues.

(b)(i) "Machinery and equipment" means industrial fixtures, devices, and support facilities that are integral and necessary to the generation of electricity using natural gas or biomass, including repair parts and replacement parts.

(ii) "Machinery and equipment" does not include: (A) Hand-

powered tools; (B) property with a useful life of less than one year; (C) repair parts required to restore machinery and equipment to normal working order; (D) replacement parts that do not increase productivity, improve efficiency, or extend the useful life of machinery and equipment; (E) buildings; or (F) building fixtures that are not integral and necessary to the generation of electricity that are permanently affixed to and become a physical part of a building.

(c) "Operationally complete" means constructed or improved to the point of being functionally capable of generating electricity using natural gas or biomass.

(4) This section expires July 1, 2026.

**NEW SECTION. Sec. 3.** A new section is added to chapter 82.12 RCW to read as follows:

(1) Subject to the requirements in subsection (2) of this section, a taxpayer is eligible for an exemption from the tax imposed by RCW 82.12.020 on the use of:

(a) Materials that will be incorporated as an ingredient or component of new or existing structures during the course of the constructing of new structures, or expansion or renovation of existing structures, for the purpose of converting a coal-fired electric generation facility into a natural gas-fired plant or biomass energy facility; and

(b) Machinery and equipment that is required to convert a coal-fired electric generation facility into a natural gas-fired plant or biomass energy facility, including labor and services rendered in respect to installing such machinery and equipment.

(2)(a) A taxpayer is exempt from the tax imposed by RCW 82.12.020 on the use of materials, machinery and equipment, or installation labor, if the taxpayer received a remittance under section 2 of this act with respect to the purchase of the materials, machinery and equipment, or installation labor.

(b) With respect to materials, machinery and equipment, or installation labor qualifying for the exemption in this section and acquired by the taxpayer without the payment of the sales tax imposed by RCW 82.08.020, the exemption in this section is in the form of a remittance of the state and local use taxes paid under RCW 82.12.020 and chapter 82.14 RCW. All of the provisions applicable to remittances under section 2 of this act apply to remittances under this section.

(3) The exemption in this section does not apply to the use of materials, machinery and equipment, and installation labor for machinery and equipment, when first use within this state of such materials, machinery and equipment, and installation labor occurred after June 30, 2026.

(4) The definitions in section 2 of this act apply to this section.

(5) This section expires July 1, 2026.

**Sec. 4.** RCW 82.14.050 and 2014 c 216 s 403 are each amended to read as follows:

(1) The counties, cities, and transportation authorities under RCW 82.14.045, public facilities districts under chapters 36.100 and 35.57 RCW, public transportation benefit areas under RCW 82.14.440, regional transportation investment districts, and transportation benefit districts under chapter 36.73 RCW must contract, prior to the effective date of a resolution or ordinance imposing a sales and use tax, the administration and collection to the state department of revenue, which must deduct a percentage amount, as provided by contract, not to exceed two percent of the taxes collected for administration and collection expenses incurred by the department. The remainder of any portion of any tax authorized by this chapter that is collected by the department of revenue must be deposited by the state department of revenue in the local sales and use tax account hereby created in the state treasury. Beginning January 1, 2013, the department of revenue must make deposits in the local sales and use tax account on a

monthly basis on the last business day of the month in which distributions required in (a) of this subsection are due. Moneys in the local sales and use tax account may be withdrawn only for:

(a) Distribution to counties, cities, transportation authorities, public facilities districts, public transportation benefit areas, regional transportation investment districts, and transportation benefit districts imposing a sales and use tax; and

(b) Making refunds of taxes imposed under the authority of this chapter and RCW 81.104.170 and exempted under RCW 82.08.962, 82.12.962, 82.08.02565, ((and)), 82.12.02565, section 2 of this act, or section 3 of this act.

(2) All administrative provisions in chapters 82.03, 82.08, 82.12, and 82.32 RCW, as they now exist or may hereafter be amended, insofar as they are applicable to state sales and use taxes, are applicable to taxes imposed pursuant to this chapter.

(3) Counties, cities, transportation authorities, public facilities districts, and regional transportation investment districts may not conduct independent sales or use tax audits of sellers registered under the streamlined sales tax agreement.

(4) Except as provided in RCW 43.08.190 and subsection (5) of this section, all earnings of investments of balances in the local sales and use tax account must be credited to the local sales and use tax account and distributed to the counties, cities, transportation authorities, public facilities districts, public transportation benefit areas, regional transportation investment districts, and transportation benefit districts monthly.

(5) Beginning January 1, 2013, the state treasurer must determine the amount of earnings on investments that would have been credited to the local sales and use tax account if the collections had been deposited in the account over the prior month. When distributions are made under subsection (1)(a) of this section, the state treasurer must transfer this amount from the state general fund to the local sales and use tax account and must distribute such sums to the counties, cities, transportation authorities, public facilities districts, public transportation benefit areas, regional transportation investment districts, and transportation benefit districts.

**Sec. 5.** RCW 82.14.060 and 2014 c 216 s 404 are each amended to read as follows:

(1)(a) Monthly, the state treasurer must distribute from the local sales and use tax account to the counties, cities, transportation authorities, public facilities districts, and transportation benefit districts the amount of tax collected on behalf of each taxing authority, less:

(i) The deduction provided for in RCW 82.14.050; and

(ii) The amount of any refunds of local sales and use taxes exempted under RCW 82.08.962, 82.12.962, 82.08.02565, ((and)) 82.12.02565, section 2 of this act, or section 3 of this act, which must be made without appropriation.

(b) The state treasurer must make the distribution under this section without appropriation.

(2) In the event that any ordinance or resolution imposes a sales and use tax at a rate in excess of the applicable limits contained herein, such ordinance or resolution may not be considered void in toto, but only with respect to that portion of the rate which is in excess of the applicable limits contained herein."

On page 1, line 4 of the title, after "facilities;" strike the remainder of the title and insert "amending RCW 82.14.050 and 82.14.060; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; creating a new section; and providing expiration dates."

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Senator Carlyle moved that the following amendment no. 549 by Senators Carlyle and Braun to the striking amendment be adopted:

On page 6, after line 17 of the amendment, insert the following:

**"NEW SECTION. Sec. 6.** A new section is added to chapter 82.32 RCW to read as follows:

(1) Beginning one year after the natural gas-fired plant or biomass energy facility is operationally complete, a person must repay all sales and use taxes remitted to the person under sections 2 and 3 of this act if the number of employment positions, reported to the employment security department, at the natural gas-fired plant or biomass energy facility decreases by twenty-five percent from the previous year's employment level.

(2) If sales and use taxes must be repaid under subsection (1) of this section, the department must declare the amounts to be immediately due and payable. The department must assess interest, but not penalties, on the amounts due under this subsection. The department must assess interest at the rate provided for delinquent taxes under this chapter, retroactively to the date the tax preference was claimed, and such interest accrues until the tax preference amounts are repaid.

(3) If sales and use taxes must be repaid under subsection (1) of this section, the person may not continue to claim the sales and use tax exemptions under sections 2 and 3 of this act.

(4) This section does not apply to any changes in the number of employment positions at a natural gas-fired plant or biomass energy facility that occur on or after January 1, 2031."

On page 6, line 21 of the title amendment, after "RCW;" insert "adding a new section to chapter 82.32 RCW;"

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

The President declared the question before the Senate to be the adoption of amendment no. 549 by Senators Carlyle and Braun to on page 6, after line 17 to the striking amendment.

The motion by Senator Carlyle carried and amendment no. 549 was adopted by voice vote.

The President declared the question before the Senate to be the adoption of the striking amendment no. 532 by Senators Braun and Ranker as amended to Engrossed Substitute Senate Bill No. 5575.

The motion by Senator Braun carried and the striking amendment as amended was adopted by voice vote.

### THIRD READING

**SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 5575**, by Senate Committee on Ways & Means (originally sponsored by Senators Braun, Honeyford and Hatfield)

Providing sales and use tax exemptions to encourage coal-fired electric generation plants to convert to natural gas-fired plants. Revised for 1st Substitute: Providing sales and use tax exemptions, in the form of a remittance of tax paid, to encourage coal-fired electric generation plants or biomass energy facilities to convert to natural gas-fired plants. (REVISED FOR ENGROSSED: Providing sales and use tax exemptions, in the form of a remittance of tax paid, to encourage coal-fired electric generation plants to convert to natural gas-fired plants or biomass energy facilities.)

The bill was read on Third Reading.

Senators Braun, Ranker, Honeyford, Hargrove, Sheldon and Ericksen spoke in favor of passage of the bill.

Senator Rolfes spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Second Engrossed Substitute Senate Bill No. 5575.

### ROLL CALL

The Secretary called the roll on the final passage of Second Engrossed Substitute Senate Bill No. 5575 and the bill passed the Senate by the following vote: Yeas, 42; Nays, 6; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dassel, Darneille, Ericksen, Fain, Fraser, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Litzow, McCoy, Miloscia, Mullet, O'Ban, Padden, Parlette, Pearson, Ranker, Rivers, Roach, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senators Frockt, Liias, McAuliffe, Nelson, Pedersen and Rolfes

Excused: Senator Habib

**SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 5575**, 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 Fain, and without objection, the Senate reverted to the sixth order of business.

### SECOND READING

**SUBSTITUTE SENATE BILL NO. 5635**, by Senators Pedersen and O'Ban

Enacting the uniform power of attorney act.

### MOTION

Senator Padden moved that the following amendment no. 550 by Senators Padden and Pedersen be adopted:

On page 60, after line 6, insert the following:

**"NEW SECTION. Sec. 506.** This act takes effect January 1, 2017."

On page 1, line 5 of the title strike "and" and on line 8 of the title after "11.94.901" insert "; and providing an effective date."

Senator Padden spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 550 by Senators Padden and Pedersen on page 60, after line 6 to Substitute Senate Bill No. 5635.

The motion by Senator Padden carried and amendment no. 550 was adopted by voice vote.

### MOTIONS

On motion of Senator Pedersen, Engrossed Substitute Senate

Bill No. 5635 was substituted for Substitute Senate Bill No. 5635 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Pedersen, the rules were suspended, Engrossed Substitute Senate Bill No. 5635 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Pedersen 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. 5635.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5635 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, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senator Habib

ENGROSSED SUBSTITUTE SENATE BILL NO. 5635, 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. 6156, by Senators Rivers, Keiser, Frockt, Miloscia, Pedersen, Litzow, O'Ban, Sheldon, Rolfes, Conway, Mullet, Hasegawa, Benton and Darneille

Reauthorizing the medicaid fraud false claims act.

The measure was read the second time.

#### MOTION

On motion of Senator Rivers, the rules were suspended, Senate Bill No. 6156 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Rivers and Fraser 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. 6156.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6156 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, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senator Habib

SENATE BILL NO. 6156, 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. 5277, by Senators Kohl-Welles, Darneille, Padden, Pedersen, Fain, Frockt, Keiser, Chase and Fraser

Making the crime of patronizing a prostitute a gross misdemeanor.

The measure was read the second time.

#### MOTION

On motion of Senator Padden, the rules were suspended, Senate Bill No. 5277 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Padden, Frockt and Chase spoke in favor of passage of the bill.

#### MOTION

On motion of Senator Nelson, and without objection, Senator Liias was excused.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5277.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5277 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senators Habib and Liias

SENATE BILL NO. 5277, 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 Cleveland, and without objection, Senator Frockt was excused.

#### SECOND READING

SENATE BILL NO. 6470, by Senators King, Hasegawa, Conway, Keiser, Hewitt, Rivers and Chase

Concerning the regulation of alcoholic beverages. Revised for 1st Substitute: Addressing provisions concerning wineries in respect to the licensing of private collections of wine, allowing wineries to make sales for off-premises consumption at special

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occasion licensed events, modifying special occasion licenses, and making certain related technical corrections.

Creating the Washington achieving a better life experience program.

## MOTION

On motion of Senator King, Substitute Senate Bill No. 6470 was substituted for Senate Bill No. 6470 and the substitute bill was placed on the second reading and read the second time.

## MOTIONS

On motion of Senator Dammeier, Substitute Senate Bill No. 6210 was substituted for Senate Bill No. 6210 and the substitute bill was placed on the second reading and read the second time.

## MOTION

Senator King moved that the following amendment no. 560 by Senator King be adopted:

On page 5, line 4, after "(a)" insert "Before a domestic winery may take orders at an event held by a nonprofit holding a special occasion license issued under RCW 66.24.380, the domestic winery must first apply to the board for an endorsement, for which the annual fee is seventy-five dollars:  
(b)"

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

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

Senators Dammeier 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. 6210.

## ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6210 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Senator King spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 560 by Senator King on page 5, line 4 to Substitute Senate Bill No. 6470.

The motion by Senator King carried and amendment no. 560 was adopted by voice vote.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dassel, Darneille, Ericksen, Fain, Fraser, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senators Frockt and Habib

SUBSTITUTE 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.

On motion of Senator King, the rules were suspended, Engrossed Substitute Senate Bill No. 6470 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

Senator Hargrove 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. 6470.

## SECOND READING

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6470 and the bill passed the Senate by the following vote: Yeas, 39; Nays, 8; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dassel, Ericksen, Fain, Fraser, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, Parlette, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senators Dammeier, Darneille, Hargrove, Hasegawa, Liias, O'Ban, Padden and Pearson

Excused: Senators Frockt and Habib

ENGROSSED SUBSTITUTE SENATE BILL NO. 6470, 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.

SENATE BILL NO. 6463, by Senators Pearson, Darneille, O'Ban, Padden and Dammeier

Modifying the crime of luring. Revised for 1st Substitute: Concerning the crime of luring.

## MOTIONS

On motion of Senator Pearson, Substitute Senate Bill No. 6463 was substituted for Senate Bill No. 6463 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Pearson, the rules were suspended, Substitute Senate Bill No. 6463 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Pearson and Pedersen 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. 6463.

## SECOND READING

## ROLL CALL

SENATE BILL NO. 6210, by Senators Dammeier, O'Ban, Fain, Darneille, Rivers, Becker, Conway and Hargrove

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6463 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senators Frockt and Habib

SUBSTITUTE SENATE BILL NO. 6463, 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 Fain, and without objection, the Senate advanced to the seventh order of business.

#### THIRD READING

SUBSTITUTE SENATE BILL NO. 5583, by Senate Committee on Ways & Means (originally sponsored by Senator Dansel)

Providing the fish and wildlife commission with the tools necessary to enact changes to the status of a species.

The bill was read on Third Reading.

Senators Dansel, Baumgartner, Becker, Angel, Pearson, King, Parlette, Schoesler and Warnick spoke in favor of passage of the bill.

Senators Ranker and McCoy spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5583.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5583 and the bill passed the Senate by the following vote: Yeas, 28; Nays, 19; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Braun, Brown, Dammeier, Dansel, Ericksen, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, King, Litzow, O'Ban, Padden, Parlette, Pearson, Rivers, Roach, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senators Billig, Carlyle, Chase, Cleveland, Conway, Darneille, Fain, Fraser, Jayapal, Keiser, Lias, McAuliffe, McCoy, Miloscia, Mullet, Nelson, Pedersen, Ranker and Rolfes

Excused: Senators Frockt and Habib

SUBSTITUTE SENATE BILL NO. 5583, 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 Fain, and without objection, the Senate reverted to the sixth order of business.

#### PERSONAL PRIVILEGE

Senator Hewitt: "Thank you, Mr. President. Well probably most people are not going to get this, and Senator Dansel's not listening, now he is, so I'm going to say this anyway. Sniveling pays off. Thank you, Mr. President."

#### PERSONAL PRIVILEGE

Senator Dansel: "Thank you, Mr. President. You know it started off so nice with the President of the Senate wishing me a happy anniversary. And then Senator Hewitt did his shenanigans there. I'm going to be really refreshing here. I'm going to be a politician that's honest. Mr. Hewitt I was, I was whining the other day bad. I apologize that I had to whine but by God we got it, so go Seventh District. Thanks for the yes votes."

#### SECOND READING

SENATE BILL NO. 6148, by Senators Warnick, Keiser, Schoesler and Conway

Concerning the handling of certain personal property in a self-service storage facility.

The measure was read the second time.

#### MOTION

On motion of Senator Warnick, the rules were suspended, Senate Bill No. 6148 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Warnick 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. 6148.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6148 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 1; Excused, 2.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Absent: Senator Cleveland

Excused: Senators Frockt and Habib

SENATE BILL NO. 6148, 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.

#### STATEMENT FOR THE JOURNAL

On February 12, 2016, I stepped out of the Chamber for a brief discussion outside of the doors at the request of an advocate. I was listening intently for the notice of roll call, because the consistent practice of Senate staff is to announce a roll call vote outside the chamber doors. However, that notice never came, and consequently, I missed voting on SB 6148. Had the notice been



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given, I would have returned to the chamber to cast my vote. My intention was to vote "aye".

Senator Cleveland, 49<sup>th</sup> Legislative District

The President Pro Tempore, Senator Roach, assumed the chair. .

SECOND READING

SENATE BILL NO. 6261, by Senators Padden, Pedersen and Miloscia

Concerning human remains.

MOTIONS

On motion of Senator Padden, Substitute Senate Bill No. 6261 was substituted for Senate Bill No. 6261 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Padden, the rules were suspended, Substitute Senate Bill No. 6261 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Padden, Pedersen and Angel spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6261.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6261 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 1; Excused, 2.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Danel, Darneille, Ericksen, Fain, Fraser, Hargrove, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Absent: Senator Hasegawa

Excused: Senators Frockt and Habib

SUBSTITUTE SENATE BILL NO. 6261, 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 Rolfes moved that the Senate immediately consider Senate Bill No. 6554.

Senator Fain objected to the motion.

Senator Rolfes demanded a division.

The President Pro Tempore declared the question before the Senate to be the motion by Senator Rolfes that the Senate immediately consider Senate Bill No. 6554.

The motion by Senator Rolfes did not carry.

SECOND READING

SENATE BILL NO. 6262, by Senators O'Ban, Pedersen and Padden

Concerning a coroner's warrant authority.

The measure was read the second time.

MOTION

On motion of Senator Padden, the rules were suspended, Senate Bill No. 6262 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Padden spoke in favor of passage of the bill.

MOTION

On motion of Senator Mullet, and without objection, Senator Keiser was excused.

The President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 6262.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6262 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Danel, Darneille, Ericksen, Fain, Fraser, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senators Frockt, Habib and Keiser

SENATE BILL NO. 6262, 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. 6267, by Senators Schoesler, Bailey, Warnick, Hobbs, Takko, Padden, Carlyle, Ericksen, Hargrove, Brown, Conway, Honeyford, Keiser, Danel, Parlette, Hewitt, Pearson, Sheldon and Chase

Concerning notice to the licensee before a concealed pistol license expires.

MOTIONS

On motion of Senator Schoesler, Substitute Senate Bill No. 6267 was substituted for Senate Bill No. 6267 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Schoesler, the rules were suspended, Substitute Senate Bill No. 6267 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Schoesler and Pedersen spoke in favor of passage of the bill.

MOTION

On motion of Senator Mullet, and without objection, Senator Billig was excused.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6267.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6267 and the bill passed the Senate by the following vote: Yeas, 44; Nays, 1; Absent, 0; Excused, 4.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, King, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senator Liias

Excused: Senators Billig, Frockt, Habib and Keiser

SUBSTITUTE SENATE BILL NO. 6267, 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. 6295, by Senators Hasegawa and McCoy

Clarifying the venue in which coroner's inquests are to be convened and payment of related costs.

#### MOTIONS

On motion of Senator Hasegawa, Substitute Senate Bill No. 6295 was substituted for Senate Bill No. 6295 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Hasegawa, the rules were suspended, Substitute Senate Bill No. 6295 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6295.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6295 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 0; Absent, 0; Excused, 4.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, King, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senators Billig, Frockt, Habib and Keiser

SUBSTITUTE SENATE BILL NO. 6295, 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 President resumed the chair.

#### PERSONAL PRIVILEGE

Senator Schoesler: "Thank you Mr. President. We oftentimes forget the important lessons we were taught, but today is the two hundred seventh birthday of Abraham Lincoln, the first Republican president. A day we used to celebrate as a national holiday in a previous era. In 1860, Lincoln won the presidency with only forty percent of the popular vote, yet was still elected to a second term. Unfortunately, the tragic assassination in 1865 cost us one of our greatest presidents. We consider that because not only did he do the Emancipation Proclamation, he led us through the Civil War keeping us as one nation. Because of that it is relevant, and I'd like to say more from Lincoln if I might, Mr. President? August 17, 1858 - The Fathers of the Republic said to the whole world of men, 'We hold these truths to be self-evident: that all men are created equal, that they are endowed by their Creator with certain inalienable rights; that among these are life, liberty, and the pursuit of happiness. This was their majestic interpretation of the economy of the Universe. This was their lofty, and wise, and noble understanding of the justice of the Creator to his creatures. Yes, gentleman, to all his creatures, to the whole great family of man. In their enlightened belief, nothing stamped with the Divine image and likenesses was sent into the world to be trodden on and degraded, and imbruted by its fellows. They grasped not only the whole race of man then living, but they reached forward and seized upon the farthest posterity. They erected a beacon to guide their children, and their children's children, and the countless myriads who should inhabit the earth in other ages. So that no one man would hereafter dare to limit and circumscribe the great principles on which the temple of liberty was being built.' We need to remember this as we continue our work this session. We need to continue to protect the rights of citizens. Remember these words of President Lincoln, and join me in honoring the birth of not only a great Republican, but a great man. Thank you."

#### MOTION

On motion of Senator Mullet, and without objection, Senator Carlyle was excused.

#### PERSONAL PRIVILEGE

Senator Fain: "Thank you, Mr. President. I was reading my emails a few moments ago and I received something from Representative Hargrove in the chamber that I'm not supposed to talk about, but whatever. It says, 'Colleagues, you might have seen the Super Bowl commercial with the Super Bowl babies, all of whom were born nine months after the parents' home teams won the Super Bowl. SR 167 traverses legislative districts 11, 47, 31, and 25. Legislators from these four districts: Steve Bergquist in the 11<sup>th</sup>; Joe Fain in the 47<sup>th</sup>; Drew Stokesbary in the 31<sup>st</sup>; and Hans Zeiger in the 25<sup>th</sup> are all expecting babies around the end of our current legislative session. About nine months after the end of the longest legislative session in history, at which the very end of session the transportation revenue package was passed. Each of these legislators voting for the package a significant element of which was completing SR 167. Coincidence? I think not."

#### PERSONAL PRIVILEGE

THIRTY THIRD DAY, FEBRUARY 12, 2016

2016 REGULAR SESSION

Senator Rolfes: “Thank you Mr. President. I refrained from hitting reply all to that email but I will say it right now. Too much information.”

MOTION

At 4:34 p.m., on motion of Senator Fain, the Senate adjourned until 11:00 o'clock a.m., Monday, February 15, 2016.

BRAD OWEN, President of the Senate

HUNTER G. GOODMAN, Secretary of the Senate

Draft

1022		Introduction & 1st Reading.....	3
	Messages.....		1
1236-S2		Introduction & 1st Reading.....	1
1294		Messages.....	1
	Messages.....		1
1322		Messages.....	1
1409		Introduction & 1st Reading.....	2
1428-S		Messages.....	1
	Messages.....		1
1465		Introduction & 1st Reading.....	2
1560		Messages.....	1
1571-S		Introduction & 1st Reading.....	2
1659		Introduction & 1st Reading.....	2
	Introduction & 1st Reading.....		2
1682-S3		Introduction & 1st Reading.....	2
1718-S		Messages.....	1
	Messages.....		1
1752		Messages.....	1
	Messages.....		1
1763-S2		Introduction & 1st Reading.....	2
1804		Introduction & 1st Reading.....	2
	Introduction & 1st Reading.....		2
1808-S2		Introduction & 1st Reading.....	2
1858		Messages.....	1
	Messages.....		1
1867-S		Introduction & 1st Reading.....	2
1875-S		Introduction & 1st Reading.....	2
	Introduction & 1st Reading.....		2
1918		Introduction & 1st Reading.....	2
	Introduction & 1st Reading.....		2
2086		Messages.....	1
	Messages.....		1
2296-S		Messages.....	1
	Messages.....		1
2298		Messages.....	1
	Messages.....		1
2317			
		Introduction & 1st Reading.....	3
2322		Introduction & 1st Reading.....	3
2323-S		Introduction & 1st Reading.....	3
	Introduction & 1st Reading.....		3
2326		Messages.....	1
	Messages.....		1
2331		Introduction & 1st Reading.....	3
2334-S		Messages.....	1
	Messages.....		1
2335-S2		Messages.....	1
	Messages.....		1
2357-S		Introduction & 1st Reading.....	3
	Introduction & 1st Reading.....		3
2391		Messages.....	1
	Messages.....		1
2399		Introduction & 1st Reading.....	3
	Introduction & 1st Reading.....		3
2400		Messages.....	1
	Messages.....		1
2405-S		Messages.....	1
	Messages.....		1
2417-S		Introduction & 1st Reading.....	3
	Introduction & 1st Reading.....		3
2433-S		Messages.....	1
	Messages.....		1
2440-S		Introduction & 1st Reading.....	3
	Introduction & 1st Reading.....		3
2457		Introduction & 1st Reading.....	3
	Introduction & 1st Reading.....		3
2458-S		Messages.....	1
	Messages.....		1
2465-S		Messages.....	1
	Messages.....		1
2478		Introduction & 1st Reading.....	3
	Introduction & 1st Reading.....		3
2500-S		Introduction & 1st Reading.....	3
	Introduction & 1st Reading.....		3
2501-S		Messages.....	1
	Messages.....		1
2511-S		Introduction & 1st Reading.....	3
	Introduction & 1st Reading.....		3
2516		Introduction & 1st Reading.....	4
	Introduction & 1st Reading.....		4
2541-S		Messages.....	1
	Messages.....		1

2543	Messages..... 1	5206-S	Third Reading ..... 6
2557	Messages..... 1		Third Reading Final Passage ..... 6
2585-S	Introduction & 1st Reading..... 4	5277	Second Reading ..... 14
2587	Messages..... 1		Third Reading Final Passage ..... 14
2597	Introduction & 1st Reading..... 4	5575	Other Action..... 13
2598-S	Introduction & 1st Reading..... 4		Other Action..... 11
2621-S	Introduction & 1st Reading..... 4		Second Reading ..... 11
2639	Introduction & 1st Reading..... 4	5575-S	Third Reading ..... 13
2648	Messages..... 1		Third Reading Final Passage ..... 13
2663	Messages..... 1	5583-S	Third Reading ..... 16
2678-S	Messages..... 1		Third Reading Final Passage ..... 16
2681-S2	Messages..... 1	5635	Second Reading ..... 13
2694	Introduction & 1st Reading..... 4	5635-S	Second Reading ..... 13, 14
2725-S	Messages..... 1		Third Reading Final Passage ..... 14
2743-S	Introduction & 1st Reading..... 4	6148	Second Reading ..... 16
2772	Messages..... 1		Third Reading Final Passage ..... 16
2773	Messages..... 1	6156	Second Reading ..... 14
2805-S	Messages..... 1		Third Reading Final Passage ..... 14
2808	Messages..... 1	6210-S	Second Reading ..... 15
2849-S	Messages..... 1		Third Reading Final Passage ..... 15
2851-S	Messages..... 1	6254-S	Second Reading ..... 5
2888	Introduction & 1st Reading..... 4		Third Reading Final Passage ..... 5
2918	Messages..... 1	6260	Second Reading ..... 10
2929	Messages..... 1	6261-S	Second Reading ..... 17
			Third Reading Final Passage ..... 17
		6262	Second Reading ..... 17
			Third Reading Final Passage ..... 17
		6267-S	Second Reading ..... 17
			Third Reading Final Passage ..... 18
		6295-S	Second Reading ..... 18
			Third Reading Final Passage ..... 18
		6343	

Second Reading .....	10	Introduced .....	9
Third Reading Final Passage .....	10	9016 Ken Bounds	
6401		Confirmed .....	5
Second Reading .....	10	9157 ROGER E. SCHMITT	
Third Reading Final Passage .....	11	Confirmed .....	4
6463-S		FLAG BEARERS	
Second Reading .....	15	Ganz, Mr. Keenan Joseph .....	1
Third Reading Final Passage .....	16	Smith, Mr. Trent McLellan .....	1
6470		GUESTS	
Second Reading .....	15	Le Roy, Mr. Bob, Executive Director of the	
6470-S		Washington State Chapter of the	
Second Reading .....	14, 15	Alzheimer's Association .....	9
Third Reading Final Passage .....	15	Lelli, Mr. Vance, Son of Phil Lelli .....	10
6483		Lelli, Ms. Kimberlie, Daughter in Law of Phil	
Second Reading .....	10	Lelli .....	10
Third Reading Final Passage .....	10	Mahar, Mr. Dennis, Chairman of the	
6554		Washington State Chapter of the	
Other Action.....	17	Alzheimer's Association .....	9
6558-S		Treat, Pastor Casey .....	1
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6657		Remarks by the President.....	5
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6658		WASHINGTON STATE SENATE	
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6659		Personal Privilege, Senator Dansel .....	5, 16
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6660		Personal Privilege, Senator Hewitt .....	16
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8019		Personal Privilege, Senator Padden .....	8
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8211		Personal Privilege, Senator Schoesler.....	18
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8702		Point of Inquiry, Senator Frockt .....	7
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