

SIXTEENTH DAY

NOON SESSION

Senate Chamber, Olympia
Tuesday, January 24, 2017

The Senate was called to order at 12:00 o'clock noon by the President of the Senate, Lt. Governor Habib presiding. No roll call was taken.

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, the Senate advanced to the fourth order of business.

MESSAGE FROM THE HOUSE

January 23, 2017

MR. PRESIDENT:
The House has passed:

SUBSTITUTE HOUSE BILL NO. 1059,
and the same is herewith transmitted.

BERNARD DEAN, Chief Clerk

MOTION

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

INTRODUCTION AND FIRST READING

SB 5407 by Senators Frockt, Miloscia, Walsh, Mullet, Billig, Kuderer, Pedersen, Hasegawa, Darneille and Keiser
AN ACT Relating to ensuring housing options; and adding a new section to chapter 59.18 RCW.

Referred to Committee on Financial Institutions & Insurance.

SB 5408 by Senators Cleveland, Miloscia, Kuderer, Saldaña, Frockt, Pedersen, Darneille and Keiser
AN ACT Relating to increasing the notice of termination for tenancies under the residential landlord-tenant act; and amending RCW 59.18.200.

Referred to Committee on Financial Institutions & Insurance.

SB 5409 by Senators Conway, O'Ban, Angel, Zeiger, Becker, Fortunato and Darneille
AN ACT Relating to extending the sales and use tax deferral for historic automobile museums; amending RCW 82.32.580; and creating a new section.

Referred to Committee on Agriculture, Water, Trade & Economic Development.

SB 5410 by Senators Rivers, Cleveland, Bailey, Conway and Keiser

AN ACT Relating to contracts between insurance carriers and vision care providers; adding a new section to chapter 48.39 RCW; and prescribing penalties.

Referred to Committee on Health Care.

SB 5411 by Senators Cleveland, Rivers, Warnick, Conway and Keiser

AN ACT Relating to consumer protection in eye care; and adding a new chapter to Title 18 RCW.

Referred to Committee on Health Care.

SB 5412 by Senators Takko, Zeiger, Warnick and Miloscia
AN ACT Relating to the state building code council; amending RCW 19.27.035, 19.27.060, 19.27.070, 19.27.074, and 19.27A.020; reenacting and amending RCW 34.05.328; adding a new section to chapter 19.27 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Local Government.

SB 5413 by Senators Cleveland, Bailey and Kuderer
AN ACT Relating to physician limited licenses; and amending RCW 18.71.095.

Referred to Committee on Health Care.

SB 5414 by Senators Fortunato, Rivers, Miloscia and Zeiger
AN ACT Relating to public transportation services for elderly persons and persons with disabilities; and adding a new section to chapter 82.14 RCW.

Referred to Committee on Transportation.

SB 5415 by Senators Chase and Kuderer
AN ACT Relating to creating a tax on plastic shopping bags; adding a new chapter to Title 82 RCW; prescribing penalties; and providing an effective date.

Referred to Committee on Energy, Environment & Telecommunications.

SB 5416 by Senator Chase
AN ACT Relating to repealing the tax exemption on intangible property to provide funding for essential government services; creating new sections; and repealing RCW 84.36.070.

Referred to Committee on Ways & Means.

SB 5417 by Senator Chase
AN ACT Relating to compensating associated student body programs from revenue losses from student body program food or beverage sales in schools; and adding a new section to chapter 28A.325 RCW.

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

SB 5418 by Senator Chase

AN ACT Relating to recommendations of the sunshine committee; amending RCW 42.56.250; reenacting and amending RCW 42.56.230 and 42.56.270; adding a new section to chapter 42.56 RCW; and repealing RCW 39.26.030.

Referred to Committee on State Government.

SB 5419 by Senators Chase and Saldaña

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.

SB 5420 by Senators Chase, Hasegawa and Saldaña

AN ACT Relating to instruction on the Universal Declaration of Human Rights in Washington state schools; adding a new section to chapter 28A.230 RCW; and creating a new section.

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

SB 5421 by Senators Chase, Hasegawa and Saldaña

AN ACT Relating to reducing greenhouse gas emissions; amending RCW 70.235.020; and creating a new section.

Referred to Committee on Energy, Environment & Telecommunications.

SB 5422 by Senator Chase

AN ACT Relating to salmon and steelhead spawning beds; adding a new section to chapter 77.95 RCW; and prescribing penalties.

Referred to Committee on Natural Resources & Parks.

SB 5423 by Senators Chase, Hasegawa, Hunt, Kuderer and Saldaña

AN ACT Relating to addressing workplace bullying by making it an unfair practice to subject an employee to an abusive work environment; adding a new section to chapter 49.60 RCW; and creating a new section.

Referred to Committee on Commerce, Labor & Sports.

SB 5424 by Senators Chase and Rolfes

AN ACT Relating to unlawful tethering; adding a new chapter to Title 16 RCW; and providing an effective date.

Referred to Committee on Law & Justice.

SB 5425 by Senators Carlyle, Rolfes, McCoy, Chase, Frockt, Ranker, Keiser, Hunt, Kuderer and Saldaña

AN ACT Relating to strengthening funding for oil spill programs in Washington by increasing revenue to the oil spill prevention account; amending RCW 82.23B.020 and

90.56.510; creating a new section; providing an effective date; and declaring an emergency.

Referred to Committee on Energy, Environment & Telecommunications.

SB 5426 by Senator Warnick

AN ACT Relating to increasing the number of tasting rooms allowed under a domestic winery license; amending RCW 66.24.170; and creating a new section.

Referred to Committee on Commerce, Labor & Sports.

SB 5427 by Senator Warnick

AN ACT Relating to providing small winery tax relief; and reenacting and amending RCW 66.24.210.

Referred to Committee on Agriculture, Water, Trade & Economic Development.

SB 5428 by Senators Padden and Rossi

AN ACT Relating to the costs of litigation for condominium associations; amending RCW 64.34.308, 64.34.445, and 64.55.100; and reenacting and amending RCW 64.34.020.

Referred to Committee on Law & Justice.

SB 5429 by Senators Pearson and Hasegawa

AN ACT Relating to reducing the number of violent interactions between law enforcement officers and members of the public; adding a new section to chapter 43.101 RCW; and adding a new section to chapter 36.28A RCW.

Referred to Committee on Law & Justice.

SB 5430 by Senators Pearson, Fortunato and Conway

AN ACT Relating to notice to a victim when a registered out-of-state sex offender moves to Washington; and amending RCW 9A.44.130.

Referred to Committee on Law & Justice.

SB 5431 by Senators Warnick, Chase, Takko, Brown, Hawkins, Liias, Schoesler, Honeyford and Fortunato

AN ACT Relating to protection of composting from nuisance lawsuits; and amending RCW 7.48.310; and creating a new section.

Referred to Committee on Agriculture, Water, Trade & Economic Development.

SB 5432 by Senators Rolfes, Rivers, Kuderer and Saldaña

AN ACT Relating to the funding allocation for special education programs for students with disabilities; and amending RCW 28A.150.390.

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

SB 5433 by Senators Miloscia, Angel, Sheldon, Padden and Fortunato

AN ACT Relating to informed decision making for death with dignity decisions; and amending RCW 70.245.010, 70.245.040, and 70.245.220.

Referred to Committee on Law & Justice.

SB 5434 by Senators Rivers and Cleveland

AN ACT Relating to the addition of services for long-term placement of mental health patients in community hospitals that voluntarily contract and are certified by the department of social and health services; amending RCW 71.24.310 and 71.24.380; and adding new sections to chapter 71.24 RCW.

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

SB 5435 by Senators Rivers, Cleveland and Darneille

AN ACT Relating to specifying to whom information and records related to mental health services may be disclosed for the purposes of care coordination and treatment; amending RCW 70.02.230; reenacting and amending RCW 70.02.230; providing an effective date; and providing an expiration date.

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

SB 5436 by Senators Becker, Cleveland, Frockt and Keiser

AN ACT Relating to expanding patient access to health services through telemedicine by further defining where a patient may receive the service; amending RCW 48.43.735, 41.05.700, and 74.09.325; and providing an effective date.

Referred to Committee on Health Care.

SB 5437 by Senators Chase and Honeyford

AN ACT Relating to the weighmaster program; amending RCW 15.80.300, 15.80.410, 15.80.440, 15.80.450, 15.80.470, 15.80.490, 15.80.510, 15.80.520, 15.80.530, 15.80.540, 15.80.560, 15.80.590, 15.80.640, 15.80.650, and 15.80.660; repealing RCW 15.80.310, 15.80.320, 15.80.330, 15.80.340, 15.80.350, 15.80.360, 15.80.370, 15.80.380, 15.80.390, 15.80.400, 15.80.480, and 15.80.600; and prescribing penalties.

Referred to Committee on Agriculture, Water, Trade & Economic Development.

SB 5438 by Senators Braun, Angel, Bailey, Rivers, Becker, O'Ban, Schoesler, Brown, Warnick, King, Honeyford, Fortunato, Baumgartner, Rossi, Sheldon, Wilson and Takko

AN ACT Relating to promoting the completion of environmental impact statements within two years; adding a new section to chapter 43.21C RCW; and creating a new section.

Referred to Committee on Energy, Environment & Telecommunications.

SB 5439 by Senators Braun, Sheldon, Rivers, Becker, Schoesler, Bailey, Brown, Warnick, Fortunato, Honeyford and Takko

AN ACT Relating to 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; 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;

adding a new section to chapter 82.32 RCW; creating a new section; and providing expiration dates.

Referred to Committee on Ways & Means.

SB 5440 by Senators Zeiger, Darneille, O'Ban, Walsh, Miloscia, Hunt, Carlyle and Warnick

AN ACT Relating to establishing the legislative-executive WorkFirst poverty reduction oversight task force; amending RCW 74.08A.260; adding new sections to chapter 74.08A RCW; and creating a new section.

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

SB 5441 by Senators Kuderer, Frockt, Carlyle, Keiser, Nelson, Liias, Darneille, Wellman, Saldaña, McCoy, Rolfes, Ranker, Billig and Hasegawa

AN ACT Relating to certain procedures upon initial detention under the involuntary treatment act; amending RCW 71.05. . . and 9.41.047; adding a new section to chapter 71.05 RCW; adding a new section to chapter 9.41 RCW; providing an effective date; and providing an expiration date.

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

SJM 8006 by Senators Chase and Hasegawa

Urging the United States Congress to adopt the proposed "American Recovery" program.

Referred to Committee on Financial Institutions & Insurance.

MOTION

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

MOTION

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

MOTION

Senator Becker moved adoption of the following resolution:

SENATE RESOLUTION
8606

By Senator Becker

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

WHEREAS, Washington's dairy industry is actually older than the state itself; and

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

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

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

WHEREAS, Dairy foods constitute the second highest dollar-valued agricultural commodity produced in Washington, with a direct economic impact valued at 2.3 billion dollars and a total value to Washington's economy of more than 5.2 billion dollars; and

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

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

WHEREAS, Washington's dairy cows are some of the most productive in the United States, averaging more than one thousand four hundred fifty-five pounds of milk per cow above the national average; and

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

WHEREAS, Dairy Day at the legislature takes place on January 24, 2017, when legislators will visit with Washington dairy producers and enjoy delicious dairy products produced in Washington; handed out by the Washington State Dairy Federation, Washington State Dairy Women, and the state and county Dairy Ambassadors;

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

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the Senate to Washington State Dairy Ambassador Alicia Smaciarz, alternate Ambassadors Jana Plagerman and Tiana Peterson, and the Washington State Dairy Federation.

Senators Becker, Liias, Honeyford and Nelson spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8606.

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

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced Miss Jana Plagerman, Washington State Alternate Dairy Ambassador from Whatcom County; Miss Tiana Peterson, Washington State Alternate Dairy Ambassador from Pierce-King Counties; Miss Jill DeJager, Whatcom County Dairy Ambassador; Miss Juliana LeClair, Skagit County Dairy Ambassador; Miss Leana DeVries, Skagit County Alternate Dairy Ambassador; and Miss Anna Teachman, King-Pierce Counties Dairy Ambassador...

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced Washington State Dairy Ambassador from Lewis County, Miss Alicia Smaciarz, who was seated at the rostrum.

With permission of the Senate, business was suspended to allow Dairy Ambassador Miss Alicia Smaciarz to address the Senate.

REMARKS BY AMBASSADOR ALICIA SMACIARZ

Miss Smaciarz: “(blows a train whistle) All aboard, welcome to the Dairy Farmers of Washington educational train, today we are going to take a journey through some nutritional information and farming practices. To start off, I’m Alicia Smaciarz your Washington State Dairy Ambassador and I will be your guide as we start our journey. I was born and raised on my family’s dairy farm in (Menlo WA) where I was very active in working directly with our animals. A dairy farmer works 365 days a year. They are always making sure their animals have the best care possible. The dairy community is truly made up of caring and compassionate individuals.”

“Dairy farmers cherish the ground, water and fields our ancestors cultivated prior to us. I personally am the 5th generation living on our dairy farm. Our dairy has been in active production since the 1920s. We are continually adopting new ways to improve air and water quality. Some dairy farms are using technology called Methane digesters that converts animal waste to electricity, which can power their farms, their homes and their community. As family farms, farmers care about air quality because their families live and work on their farms and breathe the air as everyone else. We understand the importance of clean air for future generations. We produce a gallon of milk using 95 percent less land and 65 percent less water while producing 76 percent less manure compared with 1944.”

“As your Washington State Dairy, I want to help athletes and other physically active people with their post-workout beverage. For me, dairy products are the simple answer. If I drink one glass of chocolate milk after every practice, it will replenish the amount of carbohydrates and protein lost during practice. Chocolate milk naturally contains the most effective balance between carbohydrates. It's convenient, affordable, and delicious. Did you know the University of Washington’s head football coach encourages the players to drink chocolate milk after every practice? Since milk and dairy products provide such great health benefits the Dairy Farmers of Washington hope that you will continue to support the availability of both white and chocolate milk in our schools, remember some of those kids grow up to be the athletes at Washington State and the University of Washington.”

“As your Dairy Ambassador, I want to share with everyone the importance of dairy. I am able to do this because I have grown up with dairy all around me. If chocolate milk isn’t part of my meal, there is always another dairy product to fill its place. I would like to thank you all for joining me on the journey through dairy, the journey will continue in the Rotunda at noon for cheese and ice cream. (blows a train whistle) Thank you.”

REMARKS BY THE PRESIDENT

President Habib: “Thank you Ambassador Smaciarz and our dairy ambassadors are joined today by members of the Washington State Dairy Women, Washington Dairy Products Commission, Dairy Farmers of Washington, and Washington State Dairy Federation. The President is pleased to have all of our ambassadors here today and it is delightful to know that we have alumni of this program in the Washington State Senate. The President feels that is an indication of the cultural contributions of the ambassador’s program as well. Thank you.”

MOTION

SIXTEENTH DAY, JANUARY 24, 2017

2017 REGULAR SESSION

At 12:15 p.m., on motion of Senator Fain, the Senate adjourned
until 10:00 o'clock a.m. Wednesday, January 25, 2017.

HUNTER G. GOODMAN, Secretary of the Senate

CYRUS HABIB, President of the Senate