

## THIRTY FIRST DAY

## MORNING SESSION

Senate Chamber, Olympia  
Wednesday, February 8, 2017

The Senate was called to order at 10:00 o'clock a.m. by the President of the Senate, Lt. Governor Habib presiding. The Secretary called the roll and announced to the President that all Senators were present with the exception of Senator Nelson.

The Sergeant at Arms Color Guard consisting of Pages Mr. Nathaniel J. Evenson and Miss Megan Jae Kelley, presented the Colors. The President led the Senate in the Pledge of Allegiance. The prayer was offered by Reverend Han Zhou of The Olympia Chinese Christian Church.

## MOTION

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

## MOTION

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

## REPORTS OF STANDING COMMITTEES

February 7, 2017

SB 5060 Prime Sponsor, Senator O'Ban: Concerning the number of adult family homes permitted in residential neighborhoods. Reported by Committee on Health Care

MAJORITY recommendation: That Substitute Senate Bill No. 5060 be substituted therefor, and the substitute bill do pass. Signed by Senators Rivers, Chair; Becker, Vice Chair; Bailey; Fain; Miloscia; O'Ban and Walsh.

MINORITY recommendation: Do not pass. Signed by Senators Cleveland, Ranking Minority Member; Kuderer; Keiser and Mullet.

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

Referred to Committee on Rules for second reading.

February 7, 2017

SB 5180 Prime Sponsor, Senator Bailey: Establishing the legislative advisory committee on aging. Reported by Committee on Health Care

MAJORITY recommendation: That Substitute Senate Bill No. 5180 be substituted therefor, and the substitute bill do pass. Signed by Senators Rivers, Chair; Becker, Vice Chair; Kuderer; Bailey; Conway; Fain; Keiser; Miloscia; Mullet; O'Ban and Walsh.

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

Referred to Committee on Rules for second reading.

February 6, 2017

SB 5209 Prime Sponsor, Senator O'Ban: Concerning certain gold star license plate qualified applicants and recipients. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators King, Chair; Sheldon, Vice Chair; Hobbs, Ranking Minority Member; Liias; Cleveland; Fortunato; Hawkins; O'Ban; Takko; Van De Wege; Walsh and Wilson.

Referred to Committee on Rules for second reading.

February 7, 2017

SB 5212 Prime Sponsor, Senator Wilson: Concerning the scope of land use control ordinances for purposes of vesting. Reported by Committee on Local Government

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

Referred to Committee on Rules for second reading.

February 6, 2017

SB 5227 Prime Sponsor, Senator King: Requiring drivers to stop for approaching other on-track equipment at railroad grade crossings. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators King, Chair; Sheldon, Vice Chair; Hobbs, Ranking Minority Member; Liias; Cleveland; Fortunato; Hawkins; O'Ban; Takko; Van De Wege; Walsh and Wilson.

Referred to Committee on Rules for second reading.

February 7, 2017

SB 5241 Prime Sponsor, Senator Carlyle: Concerning the educational success of youth in foster care. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 5241 be substituted therefor, and the substitute bill do pass. Signed by Senators Zeiger, Chair; Fain, Vice Chair; Rolfes, Ranking Minority Member; Billig; Mullet; Rivers and Warnick.

Referred to Committee on Rules for second reading.

February 7, 2017

SB 5243 Prime Sponsor, Senator Dassel: Concerning certain public facilities district's authorization to acquire, construct, own, remodel, maintain, equip, reequip, repair, finance, and operate one or more recreational facilities other than a ski area with voter approval. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Senators Short, Chair; Angel, Vice Chair; Takko, Ranking Minority Member; Palumbo and Sheldon.

THIRTY FIRST DAY, FEBRUARY 8, 2017

2017 REGULAR SESSION

Referred to Committee on Rules for second reading.

February 6, 2017

SB 5244 Prime Sponsor, Senator O'Ban: Concerning the means of communication between a buyer or lessee and an auto dealer during the "bushing" period. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators King, Chair; Sheldon, Vice Chair; Hobbs, Ranking Minority Member; Lias; Cleveland; Fortunato; Hawkins; O'Ban; Takko; Van De Wege; Walsh and Wilson.

Referred to Committee on Rules for second reading.

February 7, 2017

SB 5248 Prime Sponsor, Senator Rivers: Concerning persons to whom the department of health may provide prescription monitoring program data. Reported by Committee on Health Care

MAJORITY recommendation: Do pass. Signed by Senators Rivers, Chair; Cleveland, Ranking Minority Member; Kuderer; Bailey; Conway; Fain; Keiser; Miloscia; Mullet; O'Ban and Walsh.

Referred to Committee on Ways & Means.

February 6, 2017

SB 5271 Prime Sponsor, Senator Hobbs: Aligning existing definitions and practices to establish a uniform process for updating addresses of record and make conforming amendments to statutes administered by the department of licensing. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5271 be substituted therefor, and the substitute bill do pass. Signed by Senators King, Chair; Sheldon, Vice Chair; Hobbs, Ranking Minority Member; Lias; Cleveland; Fortunato; Hawkins; O'Ban; Takko; Van De Wege; Walsh and Wilson.

Referred to Committee on Rules for second reading.

February 6, 2017

SB 5288 Prime Sponsor, Senator Hunt: Authorizing certain public transportation benefit areas to impose a sales and use tax increase approved by voters. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators King, Chair; Sheldon, Vice Chair; Hobbs, Ranking Minority Member; Lias; Cleveland; Hawkins; Takko; Van De Wege and Walsh.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Fortunato; O'Ban and Wilson.

Referred to Committee on Rules for second reading.

February 6, 2017

SB 5347 Prime Sponsor, Senator Walsh: Concerning the definition of work activity for the purposes of the WorkFirst

program. Reported by Committee on Human Services, Mental Health & Housing

MAJORITY recommendation: That Substitute Senate Bill No. 5347 be substituted therefor, and the substitute bill do pass. Signed by Senators O'Ban, Chair; Darneille, Ranking Minority Member; Hunt and Walsh.

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

Referred to Committee on Ways & Means.

February 7, 2017

SB 5360 Prime Sponsor, Senator Bailey: Reducing training requirements for developmental disability respite providers working three hundred hours or less in any calendar year. Reported by Committee on Health Care

MAJORITY recommendation: That Substitute Senate Bill No. 5360 be substituted therefor, and the substitute bill do pass. Signed by Senators Rivers, Chair; Becker, Vice Chair; Cleveland, Ranking Minority Member; Kuderer; Bailey; Conway; Fain; Keiser; Miloscia; Mullet; O'Ban and Walsh.

Referred to Committee on Rules for second reading.

February 6, 2017

SB 5365 Prime Sponsor, Senator King: Concerning relocation assistance for persons displaced by agency property acquisitions. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators King, Chair; Sheldon, Vice Chair; Hobbs, Ranking Minority Member; Lias; Cleveland; Fortunato; Hawkins; O'Ban; Takko; Van De Wege; Walsh and Wilson.

Referred to Committee on Rules for second reading.

February 7, 2017

SB 5375 Prime Sponsor, Senator Fain: Renaming the cancer research endowment authority to the Andy Hill cancer research endowment. Reported by Committee on Health Care

MAJORITY recommendation: Do pass. Signed by Senators Rivers, Chair; Becker, Vice Chair; Cleveland, Ranking Minority Member; Kuderer; Bailey; Conway; Fain; Keiser; Miloscia; Mullet; O'Ban and Walsh.

Referred to Committee on Rules for second reading.

February 6, 2017

SB 5378 Prime Sponsor, Senator Sheldon: Modifying the operation of motorcycles on roadways laned for traffic. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5378 be substituted therefor, and the substitute bill do pass. Signed by Senators King, Chair; Sheldon, Vice Chair; Fortunato; Hawkins; O'Ban; Takko; Van De Wege; Walsh and Wilson.

MINORITY recommendation: Do not pass. Signed by Senators Lias and Cleveland.

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

Referred to Committee on Rules for second reading.

February 7, 2017

SB 5381 Prime Sponsor, Senator Baumgartner: Making the customized training program permanent. Reported by Committee on Higher Education

MAJORITY recommendation: That Substitute Senate Bill No. 5381 be substituted therefor, and the substitute bill do pass. Signed by Senators Wilson, Chair; Bailey, Vice Chair; Palumbo, Ranking Minority Member and Frockt.

Referred to Committee on Ways & Means.

February 6, 2017

SB 5399 Prime Sponsor, Senator O'Ban: Concerning the use of background checks for persons who work with children, persons with developmental disabilities, and vulnerable adults. Reported by Committee on Human Services, Mental Health & Housing

MAJORITY recommendation: Do pass. Signed by Senators O'Ban, Chair; Darneille, Ranking Minority Member; Hunt and Walsh.

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

Referred to Committee on Rules for second reading.

February 7, 2017

SB 5409 Prime Sponsor, Senator Conway: Extending the sales and use tax deferral for historic automobile museums. Reported by Committee on Agriculture, Water, Trade & Economic Development

MAJORITY recommendation: Do pass. Signed by Senators Warnick, Chair; Hawkins, Vice Chair; Chase, Ranking Minority Member; Wellman; Brown; Honeyford; McCoy; Pearson; Short; Takko and Van De Wege.

Referred to Committee on Ways & Means.

February 7, 2017

SB 5411 Prime Sponsor, Senator Cleveland: Concerning eye care. Reported by Committee on Health Care

MAJORITY recommendation: That Substitute Senate Bill No. 5411 be substituted therefor, and the substitute bill do pass. Signed by Senators Rivers, Chair; Cleveland, Ranking Minority Member; Kuderer; Conway; Keiser; Miloscia and Walsh.

MINORITY recommendation: Do not pass. Signed by Senators Becker, Vice Chair; Fain and Mullet.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator O'Ban.

Referred to Committee on Ways & Means.

February 7, 2017

SB 5437 Prime Sponsor, Senator Chase: Concerning the weighmaster program. Reported by Committee on Agriculture, Water, Trade & Economic Development

MAJORITY recommendation: Do pass. Signed by Senators Warnick, Chair; Hawkins, Vice Chair; Chase, Ranking Minority Member; Wellman; Brown; Honeyford; McCoy; Pearson; Short; Takko and Van De Wege.

Referred to Committee on Ways & Means.

February 7, 2017

SB 5525 Prime Sponsor, Senator Wilson: Concerning veterans' mental health services at institutions of higher education. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Senators Wilson, Chair; Bailey, Vice Chair; Palumbo, Ranking Minority Member and Frockt.

Referred to Committee on Ways & Means.

February 6, 2017

SJM 8005 Prime Sponsor, Senator O'Ban: Requesting that the Interstate 5 bridges over the Nisqually River be named for and recognize the veterans of the Iraq and Afghanistan conflicts. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Joint Memorial No. 8005 be substituted therefor, and the substitute joint memorial do pass. Signed by Senators King, Chair; Sheldon, Vice Chair; Hobbs, Ranking Minority Member; Liias; Cleveland; Fortunato; Hawkins; O'Ban; Takko; Van De Wege; Walsh and Wilson.

Referred to Committee on Rules for second reading.

February 7, 2017

SGA 9212 AMADEO T. TIAM, reappointed on September 21, 2016, for the term ending September 30, 2021, as Member of the Pierce College Board of Trustees. Reported by Committee on Higher Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Wilson, Chair; Bailey, Vice Chair; Palumbo, Ranking Minority Member and Frockt.

Referred to Committee on Rules for second reading.

#### MOTION

On motion of Fain, the recommendations of the Standing Committees were accepted and all measures listed on the Standing Committee report were referred to the committees as designated with the exception of Senate Bill No. 5437 which had been designated to the Committee on Ways & Means and referred to the Committee on Rules.

#### MOTION

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

#### INTRODUCTION AND FIRST READING

SB 5750 by Senators Warnick and Chase

THIRTY FIRST DAY, FEBRUARY 8, 2017

2017 REGULAR SESSION

AN ACT Relating to livestock inspection; and amending RCW 16.57.220 and 16.65.090.

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

SB 5751 by Senator Schoesler

AN ACT Relating to personnel requirements for municipal ambulance services; and amending RCW 18.73.150.

Referred to Committee on Health Care.

SB 5752 by Senator Rivers

AN ACT Relating to conducting a study of the costs and funding sources for the core services and functions provided by county offices; creating a new section; and providing an expiration date.

Referred to Committee on Local Government.

SB 5753 by Senators Zeiger, Rolfes, Billig, Braun and Warnick

AN ACT Relating to financing early learning facilities to support the needed expansion of early learning classrooms across Washington; adding new sections to chapter 43.31 RCW; and creating new sections.

Referred to Committee on Ways & Means.

SB 5754 by Senators Short and Schoesler

AN ACT Relating to the management of noxious weeds on state lands; and amending RCW 17.10.170 and 79.44.060.

Referred to Committee on Natural Resources & Parks.

SB 5755 by Senator Short

AN ACT Relating to simplifying the population growth criteria for planning required by the growth management act; amending RCW 36.70A.040, 36.70A.060, 36.70A.070, 36.70A.130, 36.70A.280, 36.70A.280, 36.70A.310, 36.70A.480, and 36.70A.735; providing an effective date; and providing an expiration date.

Referred to Committee on Local Government.

SB 5756 by Senators Pearson and Frockt

AN ACT Relating to noncompetition agreements; and adding a new section to chapter 49.44 RCW; and creating a new section.

Referred to Committee on Commerce, Labor & Sports.

SB 5757 by Senator Rivers

AN ACT Relating to use of step therapy in prescription drug coverage; and adding a new section to chapter 48.43 RCW.

Referred to Committee on Health Care.

SB 5758 by Senators Rivers and Rolfes

AN ACT Relating to increasing college and career readiness and graduation rates in public schools; and adding a new chapter to Title 28A RCW.

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

SB 5759 by Senators Zeiger, Hobbs, O'Ban, Takko, Angel, Sheldon, Walsh, Liias, Wilson, Pearson, Kuderer, Fortunato, Rivers, Miloscia, Mullet, Conway, Bailey, Billig, Hasegawa, Palumbo, Chase, Short and Hunt

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 Transportation.

SB 5760 by Senators Ranker, Cleveland, Wellman, Frockt, Darneille, Keiser, Kuderer, Hasegawa, Mullet, Walsh, McCoy, Takko, Billig, Liias, Hobbs and Hunt

AN ACT Relating to declaring that it is an unfair practice for any employer who provides health insurance to its employees as part of an employee's benefit package to not include contraceptive coverage as part of the benefit package, to fail to comply with federal rules adopted under the affordable care act relating to the provision of contraceptive coverage, or to discriminate against any employee based on that employee's use of any reproductive health care service, drug, or device; adding new sections to chapter 49.60 RCW; and creating new sections.

Referred to Committee on Commerce, Labor & Sports.

SB 5761 by Senator McCoy

AN ACT Relating to exempting certain confidential fish and shellfish harvest information from disclosure under chapter 42.56 RCW, the public records act; and amending RCW 42.56.430.

Referred to Committee on Natural Resources & Parks.

SB 5762 by Senators Hunt, Short and Sheldon

AN ACT Relating to financing of the mercury-containing light stewardship program; and amending RCW 70.275.050, 70.275.040, 70.275.130, and 43.131.422.

Referred to Committee on Ways & Means.

SB 5763 by Senators Warnick and Darneille

AN ACT Relating to implementing recommendations from the children's mental health work group; amending RCW 74.09.495, 74.09.520, and 71.24.061; adding a new section to chapter 74.09 RCW; adding a new section to chapter 43.215 RCW; adding a new section to chapter 28A.310 RCW; adding a new section to chapter 28A.300 RCW; adding a new section to chapter 28B.30 RCW; adding a new section to chapter 28B.20 RCW; adding a new section to chapter 71.24 RCW; creating new sections; providing an effective date; and providing an expiration date.

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

SB 5764 by Senators Wellman, Hasegawa and Rolfes

AN ACT Relating to higher education records; reenacting and amending RCW 42.56.240; adding a new section to chapter 28B.112 RCW; adding a new section to chapter 28B.10 RCW; and creating a new section.

Referred to Committee on Higher Education.

SB 5765 by Senator Hasegawa

AN ACT Relating to repealing certain tax exemptions and deductions to help pay for the full funding of basic education; creating a new section; repealing RCW 82.04.315 and 82.04.540; and providing an effective date.

Referred to Committee on Ways & Means.

#### MOTION

On motion of Senator Fain, all measures listed on the Introduction and First Reading report were referred to the committees as designated with the exceptions of Senate Bill No. 5753 which had been designated to the Committee on Early Learning & K-12 Education and referred to the Committee on Ways & Means and Senate Bill No. 5764 which had been designated to the Committee on Human Services, Mental Health & Housing and referred to the Committee on Higher Education.

#### MOTION

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

#### SECOND READING

SENATE BILL NO. 5031, by Senators Angel and Mullet

Addressing licensing and enforcement provisions applicable to money transmitters and currency exchanges under the uniform money services act.

#### MOTIONS

On motion of Senator Angel, Substitute Senate Bill No. 5031 was substituted for Senate Bill No. 5031 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Angel, the rules were suspended, Substitute Senate Bill No. 5031 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

#### MOTION

On motion of Senator Saldaña, Senator Nelson was excused.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5031.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5031 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Nelson

SUBSTITUTE SENATE BILL NO. 5031, 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. 5059, by Senators O'Ban, Fortunato, Rivers, Miloscia, Brown, Warnick, Honeyford and Padden

Addressing motor vehicle property offenses.

The measure was read the second time.

#### MOTION

On motion of Senator O'Ban, the rules were suspended, Senate Bill No. 5059 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators O'Ban and Pedersen 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. 5059.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5059 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 2; Absent, 0; Excused, 1.

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

Voting nay: Senators Hasegawa and Saldaña

Excused: Senator Nelson

SENATE BILL NO. 5059, 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. 5083, by Senator Pearson

Concerning notice of relief from the duty to register. Revised for 1st Substitute: Requiring the prosecuting attorney to use reasonable efforts in notifying a victim of a sex or kidnapping offender's petition for relief from registration.

#### MOTIONS

On motion of Senator Pearson, Substitute Senate Bill No. 5083 was substituted for Senate Bill No. 5083 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. 5083 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Pearson 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. 5083.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5083 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Nelson

SUBSTITUTE SENATE BILL NO. 5083, 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. 5030, by Senators Darneille, Fain, Hasegawa, Miloscia, Carlyle, Frockt, Chase, Saldaña, Mullet, Pedersen, Conway, Keiser and Kuderer

Concerning human trafficking, prostitution, and commercial sexual abuse of a minor.

The measure was read the second time.

#### MOTION

On motion of Senator Darneille, the rules were suspended, Senate Bill No. 5030 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Darneille, Padden and Chase 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. 5030.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5030 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Nelson

SENATE BILL NO. 5030, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

At 10:32 a.m., on motion of Senator Fain, the Senate was declared to be at ease subject to the call of the President for the purposes of caucus.

Senator McCoy announced a meeting of the Democratic Caucus.

The Senate was called to order at 10:43 a.m. by President Habib.

#### SECOND READING

SENATE BILL NO. 5261, by Senator Warnick

Concerning irrigation district authority.

The measure was read the second time.

#### MOTION

On motion of Senator Warnick, the rules were suspended, Senate Bill No. 5261 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. 5261.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5261 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 2; Absent, 0; Excused, 1.

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

Voting nay: Senators Chase and Hasegawa

Excused: Senator Nelson

SENATE BILL NO. 5261, 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. 5091, by Senators Takko, Rivers and Wellman

Removing expiration dates, obsolete dates, and an outdated statutory reference from the enforcement provisions of the underground utility damage prevention act.

The measure was read the second time.

#### MOTION

On motion of Senator Takko, the rules were suspended, Senate Bill No. 5091 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Takko spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5091.

## ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5091 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Nelson

SENATE BILL NO. 5091, 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. 5049, by Senator King

Concerning relocation assistance following real property acquisition.

The measure was read the second time.

## MOTION

On motion of Senator King, the rules were suspended, Senate Bill No. 5049 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator King 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. 5049.

## ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5049 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Nelson

SENATE BILL NO. 5049, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTION

At 10:55 a.m., on motion of Senator Fain, the Senate was declared to be at ease subject to the call of the President for the purpose of convening a Joint Session with the House.

The Senate was called to order at 11:00 o'clock a.m. by President of the Senate, Lt. Governor Habib presiding.

## JOINT SESSION

The Sergeant at Arms, Mr. Andrew Staubitz, announced the presence of the House of Representatives at the Chamber door.

The President called upon the Sergeant at Arms of the Senate to escort The Honorable John Lovick, Deputy Speaker Pro Tempore and The Honorable Matt Shea, Republican Caucus Chair to seats on the rostrum. Members of the House were invited to seats within the Chamber.

Pursuant to Senate Concurrent Resolution No. 8402, the President called the Joint Session to order. The Secretary called the roll of the members of the Senate. The Secretary called the roll of the members of the House of Representatives. The President declared that a quorum of the Legislature present.

The President welcomed and introduced the following Statewide Elected Officials who were present at the rostrum: The Honorable Duane Davidson, State Treasurer; The Honorable Mike Kreidler, Insurance Commissioner; Justice Debra Stephens; Justice Steven Gonzalez and Justice Sheryl Gordon McCloud of the Washington State Supreme Court.

The Washington State Patrol Honor Guard presented the Colors. The National Anthem was performed by Trooper Jeffrey Eifert.

Sensi Kojo Kakihara, Minister of the Tacoma Buddhist Temple offered the invocation.

## INVOCATION

Sensei Kojo Kakihara: (rings bell) "Every life is interconnected and resonates with each other life, this goes beyond our physical lives.

This moment we share together is a precious gift given by those whom we remember and honor today.

We share this moment, and we share Life.

They lived to contribute to the world and dedicated themselves to serving others.

Their spirit is in us now here.

Buddha says, 'Have gratitude to the past, but live in the present.'

We can learn from the past, we can have gratitude to the past, but we cannot live the past. We can live only now, in this moment.

And what we think now, what we do now makes our future.

With gratitude, and the wisdom that they have given us, let us all preserve their legacy and walk forward in the same spirit.

As the sun shines upon the earth awakening into growth the seeds that lie dormant in the soil, may the Light of Truth cast its splendor upon the minds and hearts here, that they may continue to guide the state of Washington, this nation, and this world with Wisdom and Compassion.

May this same Light shine upon us all, giving us the insight to realize that all life is in Oneness, that we may constantly strive for the wellbeing, not only of ourselves but of all people everywhere.

Please join me in a moment of meditation.

As we do this, you are welcome to say words of meaning from your own respective religious traditions." (rings bell) The Joint Session observed a moment of meditation.

"NAMU AMIDA BUTSU."

## REMARKS BY THE PRESIDENT

THIRTY FIRST DAY, FEBRUARY 8, 2017

2017 REGULAR SESSION

President Habib: “Honored Statewide Officials, Justices of the State Supreme Court, Members of the Legislature, Ladies and Gentlemen: The purpose of today’s Joint Session is to conduct a memorial service in the memory of those members of the state Legislature whom we have recently lost. This is not a new tradition. For over a century, we in Washington state, have held memorial sessions like this at the state capital to honor the memory and the public service of those who have graced these hallowed halls before. And to express our condolences and our sympathies to the families and friends and colleagues and loved ones of those whom we have lost. It is often said that for public servants our legacy lives on in the work that we do and certainly it is true that those Senators and Representatives whom we celebrate today have made invaluable contributions to the people of the state of Washington. Through the laws they have passed, the amendments, the floor speeches, the legislative maneuvers, and those experiences, those imprints they have left upon our state are not only remembered today but throughout our legislative work. Even in my time in the State House and State Senate I would hear these names, retired members of the state legislature, uttered by more senior members when discussing a particular issue or a particular legislative measure or part or provision of the revised code. So, I want to give a message to the family members and friends and loved ones who have joined us here today that your loved one is remembered and is an integral part of the fabric of the work that we do. Not just today but in an ongoing way as we do the work of the people, their legacy lives on in the stories and anecdotes and the annals of the State House and the State Senate. We honor them. We know that each and every single one of them sacrificed time with you and with other loved ones many times. They sacrificed other opportunities in life to give themselves over to serving the people of their districts and more generally the people of the state of Washington. Many of us know what those experiences are because we have experienced those sacrifices ourselves in our own lives but we reflect now on the years of service and sacrifice that your loved ones have given over to our state. And so I want to extend on behalf of the Joint Session of the State Legislature as well as Governor Inslee a very warm word of gratitude to all those loved ones who have joined us and who gave your family member, your father or mother, son or daughter, sister or brother, spouse over to us for some period of time to serve the people of the state of Washington. And, in addition to that word of gratitude, a word of condolences that we know through our own personal life experiences how difficult a loss like this can be. And though this is only a small gesture compared to the grief and hardship that you are undoubtedly going through we hope that through this celebration today and our ongoing remembrance we will help to pay homage to the work that they have done for us. I would ask our guests as well as the convened State Legislature here to join me in a moment of prayer or reflection as we listen to the singing of ‘Amazing Grace.’”

Washington State Patrolman, Trooper Jeffery Eifert, performed “*Amazing Grace*.”

The President introduced Deputy Speaker Pro Tempore John Lovick.

#### REMARKS BY THE DEPUTY SPEAKER PRO TEMPORE

Deputy Speaker Pro Tempore Lovick: “Thank you Mr. President. We gather today to commemorate the lives of the distinguished former members of the Washington State Senate

and House of Representatives who have passed from among us. The people of our state are grateful for their public service.

The Sixty-Fifth Legislature conveys its respects to these deceased legislators. They once sat in these chambers, answered roll calls on critical bills, attended committee meetings, and through it sought always to make our state a better place to live. While their journey in life is complete, their achievements, public record, and valued service are recorded in the journals of the Senate and House, and are forever a permanent part of our state’s history.

We express our sympathies to the families, friends and colleagues of these public servants. We also share with them on this memorable occasion the fond and happy memories of these legislators. They leave a legacy of dedicated service that remains always in our hearts, our memories and the history of our state.”

The Speaker (Representative Lovick presiding) introduced Rabbi Seth Goldstein, Temple Beth Hatfiloh, Olympia, who offered the memorial prayer.

#### MEMORIAL PRAYER

Rabbi Seth Goldstein: “Source of all compassion, we assemble here today in the seat of our government to honor the memory of those who have given of themselves to serve this great state and who have subsequently gone to their eternal home. We come from a variety of faith traditions, or none at all, yet what we all share is the pain and grief and emptiness which comes from loss. We all recognize that although individual lives end, life itself continues, and while our time on earth is limited, our words and our deeds and the impressions that we make on others ensure that we live on in spirit. How true this is for those who serve the greater good, who serve as leaders of our communities and of our state, for their actions affect us all. Those who serve in positions of leadership ensure through their service that we all will benefit. The mantle of leadership is sometimes a heavy one to bear and in honoring the memory of those who served our state, we honor too the commitment they made and the service they gave. For this state and all its citizens have been uplifted by the lives they led. We know that loss, pain and grief are part of the human existence, yet we learn too that so is healing, hope and love. It is love that sustains us in the face of death, and it is love that aids us during our grieving. As we come together as a community to remember those who served this community, may we support each other in strength, may we draw on the gift of memory to enliven us, may we be inspired by the work of those who have come before us to continue to strive for truth and decency, justice and righteousness. May we follow their great example of public service and concern for the general welfare. May we honor their memory by continuing to preserve the values of the institutions which they held dear. At times of grief we turn to the eternal source of all. We pray for the blessing of comfort for those who mourn loss. We pray the souls of those who have departed from this world be bound up in the bond of life. At the rising of the sun and the going down, we remember them. At the beginning of the year and when it ends, we remember them. When we are weary and in need of strength, we remember them. When we are lost and sick at heart, we remember them. When we have joy we crave to share, we remember them. When we have decisions that are difficult to make, we remember them. When we have achievements that are based on theirs, we remember them. As long as we live, they too will live. For they are now a part of us and we remember them. May the memory of our loved ones and our dear departed be a blessing always. Amen.”



The Deputy Speaker Pro Tempore, in turn, and the President, called the roll of the deceased former members of the Senate and the House of Representatives. A bell tolled after each name was called. Each of the deceased former members, in turn, were memorialized by senators and representatives. Memorialists were assisted by candle lighters: Miss Eva Johnson, Senate Page, and Mr. Coy Carney, House Page.

<b>Member</b>	<b>District</b>
Donald A. Barlow	6 <sup>th</sup> District, House Memorialized by Representative Riccelli
Scott Barr	7 <sup>th</sup> District, House & Senate Memorialized by Representative Farrell
Forrest Baugher	15 <sup>th</sup> District, House Memorialized by Senator Hunt
Lance "Lane" Bray	8 <sup>th</sup> District, House Memorialized by Representative Sawyer
Don Brazier	14 <sup>th</sup> District, House Memorialized by Representative Johnson
Wendell Brown	29 <sup>th</sup> District, House Memorialized by Representative Kirby
Jack Burtch	21 <sup>st</sup> District, House Memorialized by Representative Appleton
Richard Chapin	48 <sup>th</sup> District, House Memorialized by Representative Ryu
Donald Hansey	40 <sup>th</sup> & 42 <sup>nd</sup> Districts, House Memorialized by Representative Van Werven
Andrew Hess	31 <sup>st</sup> District, House & Senate Memorialized by Representative Stonier
Andy Hill	45 <sup>th</sup> District, Senate Memorialized by Senator Rossi
Margaret Hurley	3 <sup>rd</sup> District, House & Senate Memorialized by Senator Padden
William Kiskaddon	1 <sup>st</sup> & 21 <sup>st</sup> District, House & Senate Memorialized by Representative Kloba
Paul Kraabel	46 <sup>th</sup> District, House Memorialized by Representative Macri
Robert Lewis	5 <sup>th</sup> District, Senate Memorialized by Representative Graves
August Mardesich	38 <sup>th</sup> District, House & Senate Memorialized by Representative Robinson
John McKibbin	49 <sup>th</sup> District, House Memorialized by Representative Wylie
Bob Morton	7 <sup>th</sup> District, House & Senate Memorialized by Senator Short
Kenneth Rosenberg	2 <sup>nd</sup> District, House Memorialized by Representative Maycumber

Leonard Sawyer	25 <sup>th</sup> District, House Speaker Memorialized by Representative Stambaugh
Raymond Schow	30 <sup>th</sup> District, Senate Memorialized by Senator Miloscia
Duane Sommers	6 <sup>th</sup> District, House Memorialized by Representative Dolan
Harriet Spanel	40 <sup>th</sup> District, House & Senate Memorialized by Senator Chase
Robert Dale Timm	8 <sup>th</sup> District, House Memorialized by Representative Haler
Dianne Woody	39 <sup>th</sup> District, Senate Memorialized by Representative Dent
Paul Zellinsky Sr.	23 <sup>rd</sup> District, House Memorialized by Senator Sheldon

The Honorable Vincent Buys, State Representative from Whatcom County, performed "It is Well" on the violin from the bar of the Senate.

The Deputy Speaker Pro Tempore (Representative Lovick presiding) introduced Father Photios Dumont of St. Demetrios Greek Orthodox Church of Seattle, who offered the closing prayer.

#### CLOSING PRAYER

Father Photios Dumont: "In the name of The Father, The Son, and The Holy Spirit, Amen."

"Oh God of all, we give thanks to You and praise You on this day, as we gather to honor and remember all those who so faithfully served their fellow citizens and this great state of Washington, and who have now departed to the next life. We are thankful as we remember their work and dedicated service and we ask You to grant them mercy in Your good favor. To all their surviving family, relatives, friends and colleagues, we ask You to bring comfort and peace, consoling their hearts and souls as such that only You can do. We bless and praise Your Holy Name for Your gracious favor and divine blessing upon the state of Washington, our Governor Jay Inslee, and the members of this august assembly of state representatives and senators. Bless, preserve and keep them and their families safe and healthy together with all those who serve our great state. May they be inspired by all those who served before them, who we honor and remember this day, and diligently seek to imitate their good deeds bringing justice, equality, and goodness to our beloved state. Heavenly Father may we ever abide in this land of opportunity and freedom in perfect tranquility, faithful to our foundations and ever building a more prosperous, just, equitable and decent society for all our citizens to the example of our forbearers. Oh God of Spirit and of all flesh, who has trampled down death and crushed the power of the devil and granted life to Your world, do You Yourself Oh Lord give the souls of our departed Representatives and Senators who have fallen asleep. In a place of light, a place of green pasture, a place of repose, where there is no more pain, sorrow, or suffering. Oh merciful God forgive every sin which they may have committed in thought, word or deed for You are a good God who loves mankind. There is no one who lives and does not sin, Only You are without sin, Your righteousness is an everlasting righteousness and Your word is truth. You are the resurrection, the life, and the repose of our

THIRTY FIRST DAY, FEBRUARY 8, 2017

departed servants, our faithful representatives and senators, O Christ our God. And to You we ascribe glory together with Your Father who is without beginning Your only good and life giving Spirit, now and forever to the ends of ages. Amen. May their memory be eternal. Amen.”

The Deputy Speaker Pro Tempore (Representative Lovick presiding) thanked Representative Buys for his performance, the President and the senate for their assistance and hospitality and retired from the chair.

#### REMARKS BY THE PRESIDENT

President Habib: “Thank you Speaker Lovick. The President would like to extend the Senate’s gratitude to Deputy Speaker Pro Tempore John Lovick, as well as Representative Buys and the entire House of Representatives for participating with us today in this joint session. For those who are guests to the Legislature, you may know we do not convene often in joint session. This is among the most important reasons that we do that because we feel so strongly that those who have departed us are part of our family. Our family of public service, our family here in the state legislature. The President would also like to thank the members of the State Patrol and members of clergy. The clergy who participated in today’s ceremony and thank them for their service. Speaking on behalf of this Joint Session, to those who are guests with us today, we hope that this roll call of honor, this remembrance, this Joint Memorial will be some source of comfort to you as we notify you and let you know that these individuals these public servants whom we’ve lost are part

2017 REGULAR SESSION

of our ongoing work and their legacy lives on not just today but throughout our work here in Olympia.”

#### MOTION

On motion of Senator Fain, the Joint Session was dissolved.

The President announced that refreshments would be available for legislators, families and guests outside the State Reception Room immediately following adjournment. The traditional “Old Timers’ Reception” will be held from 5:30 p.m. to 8:30 p.m. in the rotunda of the Legislative Building on the third floor.

The President called upon the Sergeant at Arms of the Senate and the Sergeant at Arms of the House to escort the Justices of the Supreme Court, the Statewide Elected Officials, Deputy Speaker Pro Tempore John Lovick, Republican Caucus Chair Matt Shea and the members of the House of Representatives from the Senate Chamber.

#### MOTION

At 12:03 p.m., on motion of Senator Fain, the Senate adjourned until 12:00 o'clock noon Thursday, February 9, 2017.

CYRUS HABIB, President of the Senate

HUNTER G. GOODMAN, Secretary of the Senate